Forest Service denies TMM leases, seeks to expand boundaries

The Twin Metals Minnesota copper-nickel mining project suffered a potentially fatal blow Dec. 15, when the Obama Administration issued an edict that would essentially halt the initiative in its tracks. The federal government announced it won’t renew long-held exploratory leases held by the company, which has proposed what’s been dubbed in some circles as the largest economic development project in Ely’s history: an underground mine that would employ several hundred people.

But the U.S. Department of Interior and Department of Agriculture sided with project opponents who say the project near Birch Lake threatens the watershed of the adjacent Boundary Waters Canoe Area Wilderness.

The government moved not only to deny Twin Metals’ two exploratory leases, but also took steps to withdraw key portions of the watershed from new mineral permits and leases.

“The Boundary Waters is a natural treasure, special to the 150,000 who canoe, fish, and recreate there each year, and is the economic life blood to local business that depend on a pristine natural resource,” Agriculture Secretary Tom Vilsack said via a news release. “I have asked Interior to take a time out, conduct a careful environmental analysis and engage the public on whether future mining should be authorized on any federal land next door to the Boundary Waters.”

Ely Mayor Chuck Novak, one of numerous local and regional elected officials to support Twin Metals, called the latest developments “devastating.”

U.S. Rep. Rick Nolan (D) went further, charging that “the Washington bureaucrats have clearly overreached their authority. It’s an embarrassing shame that we can’t even use science and exploration

(Continued on Page Six)
**MPCA to hold meetings on wild rice issue**

The MPCA is in the process of amending the water quality sulfate standard to protect wild rice and in 2017 the MPCA will be publishing proposed amendments and providing public comment opportunities. As part of the MPCA’s commitment to providing ongoing updates during the development of the rules, the MPCA is posting two documents for preliminary review. https://www.pca.state.mn.us/water/protection-wild-rice-waters

1. A major part of the MPCA’s justification for the revised sulfate standard will be a discussion of who is expected to be economically affected and to what extent. The Draft Regulatory Analysis is the MPCA’s preliminary discussion of the expected economic impact.

2. The MPCA has prepared a preliminary draft of the changes it may propose to Minn. R. chapter 7050. Although certain aspects of the rule language are still being developed, the MPCA is providing this preliminary draft to describe the overall structure of the revisions being considered.

If you have additional information that may assist the MPCA in evaluating the economic impact of the rules being developed, please provide it to wildriceTSD.pca@state.mn.us or Carol Nankivel at 651-757-2597.

The MPCA is in the process of amending the state sulfate standard for wild rice. A final state regulation, called a rule, is set to be released in late 2017 along with a comprehensive list of wild rice lakes and rivers.

The meetings next month are aimed at providing people with more information on how the PCA is changing the state sulfate standard for wild rice. If you have additional information that may assist the MPCA in evaluating the economic impact of these changes, please provide it to wildriceTSD.pca@state.mn.us or Carol Nankivel at 651-757-2597.

**Update on Wilderness Watch BWCA towboat lawsuit**

The scheduled October 14 hearing for the lawsuit brought against Forest Service and the use of towboats in the Boundary Waters was canceled. Not seeing any notice as to why, a call was put in to Forest Service Kawishiwi Range Gus Smith.

Smith said the hearing was canceled and the two parties are in talks for a settlement. They are trying to work through their differences. Smith said the law, as written, is not clear in regards to several issues with towboat use including what a “trip” is. Other issues include the fact that the “cap” number being used as a reference point does not include any of the previous towboat and exempt use that really occurred during the years this “cap” was to be calculated.

He is opening the settlement will be on a process rather than on the number of towboats.

“A team of Forest Service advisors with a long history of the laws regulating the Boundary Waters are at the table with Forest Service attorney David Fuller and the Wilderness Watch attorney.

Even though the affected resorts, outfitters, and homeowners as well as CWCS are not active participants in this round of legal maneuvering being attempted by radical environmental groups, all are watching the proceedings closely. Future action may be required if the US Forest Service is not able to maintain the intent of the 1978 BWCA act and promises made to those utilizing these areas of the BWCA.

Smith said there is a statutory cap to the number of towboats allowed, and the question is if that cap is being utilized correctly with the accurate actual use that really occurred at that time.

Ranger Smith hopes to remain in our area and see an amicable resolution to this latest action by these environmental groups.

**CWCS mission statement:** To educate the public in order to preserve reasonable access to and sensible, multiple-use recreation of public lands and waters (including motorized uses) in Northeastern Minnesota, especially the Boundary Waters Canoe Area Wilderness (BWCAW), with care for the environment.
Message from the President

Where did the summer go? Right off the bat it was busy.
In July I attended a meeting in Two Harbors hosted by Lake County commissioners to discuss a ‘new plan’ for the exchange of School Trust Lands in the Boundary Waters which was devised by the Conservation Fund. I think this plan caught the DNR off guard. The plan was for the Conservation Fund to purchase Potlatch land and trade it for the School Trust Lands in the Boundary Waters, and then the Forest Service purchase the lands in the Boundary Waters from the Conservation Fund. Thankfully this plan has been thrown to the wayside. There still hasn’t been any action of trading the School Trust Lands in the Boundary Waters.

In July, the Forest Service held listening sessions on the Twin Metals federal leases. One session was in Duluth and a second session in Ely. Hundreds of people attended each session with numerous people speaking for renewal of the leases based on fact rather than the emotional speeches by the anti-mining crowd.

Recent action by the Obama Administration to deny Twin Metals leases to continue their mineral exploration is a big blow to our area. The Forest Service’s proposal to withdraw over a quarter million acres in the Superior National Forest from mineral exploration will further cripple our mining. We need our legislators to demand the exchange of the School Trust Lands in the Boundary Waters for federal lands outside of the Boundary Waters as the 1965 Wilderness Act mandates.

CWCS had another successful boat raffle and talked with many people who stopped at the CWCS booth at the Blueberry Art Festival and the Harvest Moon Festival. The winners in the raffle are: Greg Baty from Angora won the CWCS boat package.
Justin Marsh from Chisholm won the 2 night stay at Trail’s End Resort on Echo Lake.
Dave Today from Ely won the birch bark framed print.

CWCS appreciates all the support we get, but we really need to step up our support in protecting our rights in the Boundary Waters. The so-called environmental groups will not give up until there are no people in the Boundary Waters. The latest attack by Wilderness Watch on towboats is actually against canoeists which the towboats help getting on with their wilderness trip.

Recently there was a big article in the Star Tribune about Becky Rom. They called her the ‘Woman Warrior’ for her involvement in Boundary Waters issues. Rom, along with several environmental groups, has done more to destroy the tourist economy of north-eastern Minnesota than anyone else. We have far less recreational activities allowed in the Boundary Waters and far fewer resorts and outfitters who could no longer stay in business because of the imposed restrictions.

If you haven’t read this article, please look it up. CWCS and others here in northern Minnesota have a Dave and Goliath scenario. Behind Rom are 35 national groups with an email list of 17 million potential supporters.

CWCS needs supporters to stop being complacent! We cannot wait until the enviro push is for last every motor out of the Boundary Waters! We have to keep up the fight and step up our support with donations! Remember, CWCS is a 501c3 organization!

Nancy McReady
CWCS President

July 21 storm batters Arrowhead region

In the early morning of July 21, several severe storm cells swept across northern Minnesota from the Brainerd area to the Boundary Waters and reaching into Duluth. Two members of a Boy Scout group from Texas camping on Basswood Lake were killed.

Area residents woke up to the unbelievable destruction of uprooted trees that knocked out power that in some areas took weeks to restore. In Ely, city workers were busy cleaning up the mess that took down several trees in Whiteside Park and around town.

In the outlying area around Ely, roadways were blocked by massive trees. Residents got busy with chainsaws and whatever equipment they had to open up roadways to make them at least passable. Much of the storm clean up took weeks to address, with people living out in the country adding to their wood piles.

Forest Service crews were given permission to open Boundary Waters portages and campsites with the use of chainsaws. The devastation was described as a war zone with areas of downed trees in one area and not in other areas.

Several area sandpits were opened for area residents to bring their storm debris. The piles accumulated were huge. The piles will be chipped or burned.

Remains of Cross of Lorraine on Basswood Lake. The Cross survived the 1999 blow down but not the July storm of 2016
PolyMet submits Permit to Mine application

In July, PolyMet submitted an application to the Minnesota Pollution Control Agency (MPCA) for a water quality permit for its proposed NorthMet copper, nickel, and precious metals mining project in northeastern Minnesota. The permit is called an NPDES/SDS permit – National Pollutant Discharge Elimination System/State Disposal System. These are the federal and state programs that regulate discharge of wastewater. Wastewater permits issued by the MPCA combine the requirements of both programs.

Water quality (NPDES/SDS) permit applications include a description of:

- types of processes, sources, operations or areas which will generate wastewater
- volume of wastewater to be generated
- anticipated water quality of the wastewater generated
- treatment the wastewater will receive
- location of the discharge or disposal of the treated wastewater.

In August, PolyMet submitted its air quality permit application to the MPCA. The air quality permit application outlines the type and volume of emissions from the project, the methods to be used to control and monitor emissions, and the rules or regulations that apply to the operation.

On November 3, PolyMet submitted its Permit to Mine application. This is the last of the major state permit applications that is needed to build and operate our copper-nickel-precious metals project. This development would be beneficial to Northeastern Minnesota families as it would create a positive economic impact with good paying jobs.

Why is this such a big milestone?

For one thing, this Permit to Mine application is the first to be filed with the state since it created strict rules for non-ferrous mining. The 15,000-page document also addresses the numerous steps needed to:

- Build and operate the mine safely and in an environmentally responsible way
- Meet high standards set by regulatory agencies and the mining company
- Provide bankruptcy-proof financial assurance so the state can close and reclaim the site even if, for any reason, the mining company is unable to do so

What’s next?

The Permit to Mine is full of technical data, charts, maps and detailed plans to build and operate the mining and processing complex. It follows major air, water-related and dam safety permit applications that were filed earlier this summer.

Since it’s a large, complex application, we expect it will take some time to go through the process.

PolyMet Permitting Portal

The State of Minnesota has launched a web portal dedicated to Minnesota’s permitting process for PolyMet’s NorthMet mining project at www.mn.gov/polymet. The web portal provides basic permitting information and directs users to agency websites with more detail.

Forest Service green lights Prospector Loop ATV trail

The U.S. Forest Service announced Thursday it has approved the proposed Prospector Loop ATV Trail where it crosses federal land.

“This is a big step forward for the Prospector Loop,” said Prospector Alliance President Nick Wognum.

“This allows us to move ahead with construction work on the section from Ely to Mattila’s Shelter. That will connect Ely to Babbitt and to the North Shore,” said Wognum.

Kawishiwi District Ranger Gus Smith said in a letter he decided to approve the project “after considering public input and a thorough environmental analysis that occurred throughout the development of this project.

“This….will best meet the project’s purpose and need to accomplish safe and environmentally sound long-distance riding opportunities in this area of the forest.”

No objections were received during the 45-day objection period.

The Prospector Alliance, a non-profit organization, will now work with the Forest Service to make the improvements outlined through the NEPA process.

“We now move to the implementation phase of the project including the reconstruction where necessary of 5.6 miles of existing National Forest System roads and trails to provide for an environmentally sustainable OHV opportunity,” said Smith.

The Prospector Loop is over 250 miles of ATV trails that will connect Ely, Babbitt, Embarrass, Tower, the North Shore and two state parks.

The Prospector Alliance was able to secure $1 million in funding from state dedicated accounts in the last legislative session for the project.

There was also $1 million for the project in the bonding bill that could be approved in the next legislative session.

The group has also secured $150,000 in a federal grant and $50,000 from the IRRRB to help build the trail system.

“I’d like to thank the Forest Service and especially John Pierce for working with us throughout this process. This is going to be a great riding opportunity not only for people who live here but those who want to come and recreate in the Ely area during the spring and fall,” said Wognum.
Recently a poll was conducted by Public Opinion Strategies of 400 registered voters in Cook, Koochiching, Itasca, St. Louis and Lake counties of northeastern Minnesota.

The survey asked questions on support or opposition to copper/nickel mining in northeast Minnesota.

By large margins northeastern Minnesotans support the development of new copper/nickel mines and oppose new federal restrictions on mining throughout the region.

By greater than a 3-1 margin survey respondents support environmentally-responsible mining in the region.

Additionally, by more than 2-1, respondents support the building of new copper/nickel mines and believe copper/nickel mining can be done in an environmentally and responsible way. More than 60 percent support the Twin Metals underground copper-nickel project.

“Support for the mining economy and for the development of copper-nickel mining projects is overwhelming across northeastern Minnesota and the Iron Range,” said Bob McFarlin, Twin Metals spokesperson.

“This extraordinary support reflects a strong belief that copper-nickel mining can help revitalize the region’s economy, protect the environment and create jobs for generations of Minnesotans.”

The survey also shows strong opposition to federal agency actions being sought by anti-mining organizations that would restrict future development of federal minerals in the region and block all future mining projects.

Seventy percent of those surveyed support continuing to allow access to federally owned minerals in the region, while 60 percent oppose actions by the federal government to prohibit all future mining in the region’s Superior National Forest, and 66 percent oppose any actions by the Obama Administration to permanently withdraw federal lands and minerals in northeastern Minnesota from future development.

More than 80 percent of those surveyed support the process of allowing copper-nickel projects to be developed and submitted for ‘rigorous state and federal environmental review.’

Several questions from the poll included:

- 81% - Potential copper/nickel mining proposals in Minnesota should be allowed to go through the rigorous state and federal environmental review process, and granted permits if environmental protection standards are met.
- 18% disagreed and felt potential copper/nickel mining projects are to inherently harmful and risky to the environment that such projects should be prohibited.
- 64% - Potential copper/nickel mining projects should be allowed within the boundaries of the Superior National Forest, but outside of the Boundary Waters Canoe Area, if those projects meet all state and federal environmental laws and regulations.
- 33% - Potential copper-nickel mining projects are so risky they should be prohibited within the boundaries of the Superior National Forest.

Most telling about this survey is that the anti-mining crowd is opposed to ALL mining in northeast Minnesota.

That includes taconite mining which has been a big part of our economy since the 1950s. 37% would support prohibiting all future mining in the Superior National Forest. 60% oppose such actions.
Forest Service denies TMM leases, seeks to expand boundaries

(Continued from Page One)

to discover what we have before shutting it all down.”

Twin Metals, which has office and storage facilities in Ely’s business park, indicated in a statement that it was “greatly disappointed in the action announced today.” and “will continue to pursue legal avenues to protect our contractual mineral rights.” Seemingly in anticipation of federal action, Twin Metals filed suit three months ago in federal court charging that any government action to block the leases is “arbitrary, capricious and contrary to law.” The U.S. government asked this week that the company’s suit be thrown out.

Twin Metals could also take its case to the Trump Administration and ask that it reverse this week’s ruling, an option that Nolan also endorsed in a statement released just hours after the Obama Administration’s action. The Democrat vowed to work across party lines with a Republican White House and Congress.

“This is by no means the end of it all,” said Nolan. “We intend to work in the next Congress with the new administration that Nolan also endorsed in a statement released just hours after the Obama Administration’s action. The Democrat vowed to work across party lines with a Republican White House and Congress.”

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“You remind us of the powerful disconnect between the promise of thousands of good paying jobs and billions of dollars in investment in the region.”

Twin Metals contends the decision is “unprecedented” and contrary to the will of “an overwhelming majority of local and regional citizens and communities who support mining.”

The federal government also cited economics in its decision, including what it dubbed “the nearly $45 million recreation economy” in northeastern Minnesota.

The Department of Interior’s Bureau of Land Management cited “broad concerns from thousands of public comments and input about potential impacts of mining on the wilderness area’s watershed, fish and wildlife as well as the economy.

The issue came to a head this year, with the Save the Boundary Waters Campaign and other environmental groups pressing for government intervention and the denial of leases.

They found support in June, when U.S. Forest Service officials said they were “deeply concerned” about the potential im-

pacts of the Twin Metals project, as well as an ally in Gov. Mark Dayton.

Fallout included swift and negative reaction from area elected officials who reiterated their support for the project, and a pair of well-attended and emotionally-charged U.S. Forest Service “listening sessions” on the lease issue - including one held before a packed house at Ely’s Washington Auditorium.

Twin Metals said the edict, if allowed to stand, “will have a devastating impact on the future economy of the Iron Range and all or northeastern Minnesota, eliminating the promise of thousands of good paying jobs and billions of dollars in investment in the region.”

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That process culminated this week, when the U.S. Forest Service cited the potential risk of environmental contamination of the surrounding watershed as a key concern. The two leases are located directly adjacent to and within three miles of the BWCAW, respectively, and the government said that acid mine drainage poses a significant environmental risk and that the mine proposed by Twin Metals could contaminate the water and “have dramatic impacts to aquatic life, sport fisheries, and recreation-based uses and communities.”

Owned and operated by Antofagasta, a Chilean mining conglomerate, Twin Metals has had an Ely presence since 2010. It owns both a headquarters facility as well as a storage building in Ely’s city business park.

Dayton, who angered mining supporters as well as the Ely council earlier this year when he blocked Twin Metals from accessing state lands, called the federal government action, “tremendous news for the protection of the Boundary Waters, a crown jewel and a national treasure.”

More land off limits?

The Forest Service also submitted an application to the Secretary of the Interior to withdraw key portions of the watershed that flows into the BWCAW from new mineral permits and leases.

According to the news release, the segregated lands would be put, essentially, in a ‘time out’ phase for up to two years.

During that time, no new mineral exploration or development applications would be accepted while a thorough, scientific environmental analysis is conducted.

Upon publication of the Federal Register notice, there will be an initial 90-day public review period for the proposed withdrawal and additional analysis during the segregation period that will include further public involvement, including public meetings.

During the segregation period, BLM and the Forest Service will conduct an environmental analysis to determine if the lands should be withdrawn for a period of 20 years.

This process will invite participation by the public, tribes, environmental groups, industry, state and local government, as well as other stakeholders. By law, the Department of the Interior can only withdraw these lands for a maximum of 20 years. Only Congress can legislate a permanent withdrawal.

Middle campsite on Mile Island following the July 21 windstorm.
Save the Boundary Waters & destroy your community

Response by Nancy McReady to November 27 article in the Star Tribune

That’s what Becky Rom has been doing. It’s a David and Goliath scenario, when behind Rom are 35 national environmental groups and an e-mail list of 17 million potential supporters.

What is really disappointing is that after more than forty years of air and water pollution regulations, Rom and so-called environmental groups will not acknowledge that mining has changed and it can be done with care for the environment.

It would be nice to diversify our economy, but attracting industries to Ely is pretty hard when we don’t have a decent road system or railroad running out of town for shipping of products.

Ever since Rom retired from her Minneapolis attorney job she has been on a mission to destroy the economy of Ely and the surrounding area of the Boundary Waters.

Those of us who chose to live in Ely rather than to leave after graduating from high school have lived through the ups and downs of the radical environmental push of more restrictions on the Boundary Waters. Now Rom’s mission is to restrict economic activity outside of the Boundary Waters as well.

Rom left Ely in 1967 when it was a thriving logging, mining and tourist town. When graduating classes were well over 100 strong, when local businesses were doing well and most storefronts were occupied. Where her father ran a thriving canoe outfitting business and sold it in the mid-1970s before more restrictions pushed by environmental groups were placed on the Boundary Waters that lead to the demise of numerous resorts and outfitters.

Growing up in Ely in the sixties saw multitudes of vacationers coming into Ely with their boats and motors from Missouri, Illinois, Indiana, Ohio and other states. They were all coming to fish the great lakes of the Boundary Waters. The sixties also saw the influx of Boy Scouts and church groups coming to town with their canoes. Ely’s resort and outfitters were all doing well. Can’t say that anymore. There are a fraction of the number of resorts and outfitters in the area.

Environmental activists and the Democrat party have marginalized a whole sector of hard-working people. The ones who take showers AFTER work, not before. The good paying jobs of skilled workers have been ignored. They are the ones who make things! The ones who dig in the dirt to get the minerals needed to make things! The ones who go through the forest to harvest trees to assure there will be trees for future generations! The ones who build and keep all the heavy equipment used in these jobs running!

Rom and her like, pour over rules and regulations to make them stricter, with the end game to deny other people from making a living in the area they love and live.

Over fifty years ago, copper/nickel companies were exploring northeastern Minnesota for minerals and they found the Duluth Complex rich in precious minerals. This deposit is adjacent to the Iron Range deposits of iron ore and taconite.

Rom says, “She longs to create a community that thrives on preserving the natural wonder around it, rather than exploiting it.” Yet Dave and Amy Freeman exploited the Boundary Waters with their year in the Boundary Waters opposing the mining industry that built the communities surrounding the Boundary Waters.

Where was Rom in 2004 when community discussions were being held about copper/nickel? Rom gets involved at the end of the process when PolyMet is just about to get its permitting. This is very typical of radical environmental groups. They don’t sit at the table through the entire process to assure the mining is done right. They want to stop it!

Ely and the surrounding area depend on mining jobs to survive. They are plagued with empty storefronts and numerous houses and businesses for sale. There is barely the population to support the local businesses. A few hang in there, but it is tough when our population is two thirds of what it once was, and of that two thirds, over a third are retired and elderly people.

According to the 2010 census, Ely population was 3460. The median age in Ely was 45.3 years. Only 16% were under the age of 18; 13.4% were between the ages of 18 and 24; 20.3% were from 25 to 44; 27.4% were from 45 to 64; and 22.9% were 65 years of age or older.

The idea that tourism is going to sustain Ely is ridiculous! Once again the false claim of 250,000 visitors to the Boundary Waters is cited in the Star Tribune article, when the numbers are less than half that. There has been an effort to restore Ely’s downtown with facelifts to many main street empty buildings, but they remain empty. Why hasn’t Rom invested in bringing the State Theater to life for locals so they can once again ask the question, “Wanna go show?” Where are the entrepreneurs, with their boat-loads of money, rushing into Ely to get business humming on the main drag?

Rom talks about her father’s Navy pilot background that gave birth to his Canoe Country Outfitters business. That’s right! Many pilots from World War II had the same desire to start their fly-in wilderness businesses. They wanted to share the fishing and canoe wilderness with others from all across the U.S. But many of these resorts and outfitters were forced out of business in the 1950s and 1960s with the passage of the 1964 Wilderness Act and other legislation.

Meanwhile, Rom’s father’s business continued until the next environmental push of the mid 1970s and the passage of the 1978 BWCA Wilderness Act. Rom’s father may have had health concerns, but he also knew further restrictions of the ’78 law were going to affect many more resorts and outfitters businesses in Ely and surrounding area.

Rom was a law clerk for Judge Miles Lord. His ruling against Reserve Mining Company led to Reserve’s stopping of dumping taconite tailings in Lake Superior and its eventual bankruptcy. Reserve invested hundreds of millions of dollars on Mile Post Seven and building new water treatment plants up and down the shores of Lake Superior, all the way to Duluth. And what do we have forty years later? Black Beach near Silver Bay! Hailed the most beautiful beach on Lake Superior because of the millions of tons of taconite tailings washing up on shore! How about that!

Over the years, our communities have healed and moved on, but not Rom. She is bound and determined to destroy Ely. Just look at the track record of these radical environmental groups. They have done more to destroy Ely’s tourism economy than anything else. Airplane ban, logging ban, condemned resorts, snowmobile ban, lawsuits against the truck portages, against the Chain of Lakes, towboats, and more.

Ely was a lot more peaceful before Rom’s retirement.

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