BWCAW land exchange and better cell reception

Lake County is moving forward with an exchange of Lake County lands within the Boundary Waters for federal lands throughout Fall Lake Township. In all, 2700 acres of county land within the Boundary Waters will be exchanged for about 7200 acres of federal lands.

“This is something Lake County has been working on for 10 years,” said Lake County Land Commissioner, Tom Martinson.

Also, AT&T is planning on putting a cell phone tower off the Fernberg Trail to increase better cell phone reception for Fall Lake Township citizens as well as for visitors to the Boundary Waters.

This plan has struck up the ire of the Friends of the Boundary Waters who have more concern for the ‘wilderness character of the Boundary Waters’ than for emergency services.

The Fall Lake Campground is right next to the Boundary Waters and this tower would provide cell phone access for those camping there.

The tower would be constructed near Stub Lake, which is close to the Boundary Waters.

The Friends’ concern is that campers would be bothered by the flashing of the tower light.

AT&T is progressing with installation of four cell phone towers in Lake County to increase their cell phone coverage.

The Finland and Isabella towers should be operational this summer. The Isabella tower will be 100 feet taller than the others and Verizon may consider co-locating on this tower.

There is no timetable for the AT&T tower near Fall Lake Campground.

Lake County Land Commissioner, Tom Martinson, shows Fall Lake Township board and residents a map of Lake County lands within the Boundary Water that will be exchanged for Forest Service lands.
Proposed fee and reservation system for VNP

Voyageurs National Park (VNP) has proposed a fee and reservation system for interior lake campsites and boat rentals on the Kabetogama Peninsula as well as fees for tour boat programs. Voyageurs National Park Superintendent Mike Ward has hosted numerous presentations to the public and to community organizations about the proposed changes.

The Federal Lands Recreation Enhancement Act allows for National Park Sites like Voyageurs National Park to charge fees. VNP recognizes the present and future welfare of our park depends in large measure on the public’s support of the way it is managed. The public’s involvement is important to the Park’s decisions making process.

Voyageurs is proposing to add all 16 of the park’s interior lake campsites and 11 boats on interior lakes to the National Park Service’s reservation system. All interior lakes campsites are only accessible by boating to a trailhead and then hiking into or canoeing to the campsite. Visitors would pay a one-time reservation fee of $14-$19 to reserve an interior lake campsite. If the campsite has a canoe there would be an additional fee of $10 per day. Having the campsites and canoes/rowboats on a reservation system will allow visitors who reserve an interior campsite to be guaranteed a canoe and/or rowboat with that site or be able to plan in advance.

Reservations would be taken by Reserve America online at http://reservations.nps.gov or by calling 800-365-CAMP (800-365-2267).

New and modified fees for interpretive tour boat programs are also being proposed by the park. Prices range from $15-$50 for 1.5 – 6.5 hour cruises.

Reservation program highlights include:

- Sites can be reserved 365 days a year
- Visitors must check-in at the corresponding visitor center (Kabetogama Lake Visitor Center, Ash River Visitor center or the Rainy Lake Visitor Center) before going to the site
- Check-in at a visitor center by 2:00pm required; check-out time from the site is 12:00 noon
- Reservations are for up to 14 consecutive days and no more than 30 days in a calendar year
- Reservations must be made through the internet or telephone number provided; reservations will not be accepted by the park
- All interior campsites are small campsites and follow regular site size limits – overnight use with tents; designed for a maximum of nine people
- Visitors who wish to use the site but do not make a reservation may walk-in to the respective visitor center to check on the site’s availability for the current day. If the site is not reserved, walk-in campers can reserve the sites for the current day only.

Fees generated from the reservations would go towards maintaining the sites and boats on the interior lakes, and managing the system. Tour boat fees would support tour boat operations.

South Fowl: DEIS out soon

The Forest Service has completed the sound evaluation in the field for the South Fowl Snowmobile Trail.

Forest Ranger Dennis Neitzke received the completed sound evaluation in January 2010.

Check your membership status, get your CWCS boat raffle tickets

Upon receiving this Spring 2010 CWCS Newsletter, if you have to ask yourself if you have paid your CWCS dues, the answer is more than likely ‘No’.

Just look at the mailing label to know for sure. If - PD 2009 or PD 2010 - is printed above your name, you are current with your dues. If there is nothing printed above your name, then your dues are due. With each paid membership you will receive the new CWCS bumpersticker.

Please send in your dues today, and be sure to order your CWCS raffle tickets for this year’s boat raffle. Tickets are still $5 each. Fill out the ticket order form in this newsletter and return with your membership dues and checks. Include the same number of your address labels and CWCS will apply them to the tickets. We will hand write your telephone number on each ticket. Boat raffle tickets, minus the stub, will be mailed upon request.

Thank you for supporting Conservationists with Common Sense. Without your support we can’t keep you informed on issues affecting public lands and waters.

CWCS encourages all visitors to the Boundary Waters to leave no trace.

If you packed it in, pack it out.

CWCS BOARD OF DIRECTORS

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Check us out on the web! www.cwcs.org
Message from the President

Doesn’t it seem like we spend far too much time waiting? We wait for the snow to come. We wait for the snow to go. We wait for the fishing opener, especially since we didn’t have too long to wait for the ice to go off the lakes! We wait for court hearings, and then we wait for the court’s ruling.

CWCS is waiting for the sound analysis in the Draft Environmental Impact Statement for the South Fowl Snowmobile Trail this spring, but our longest wait has been for resolution for the inadequate permit quotas for the Chain of Lakes. It’s been four years since the 8th District U.S. Court of Appeals ruling. Actually, the wait has been since 1999 when the exempt permits on the Chain of Lakes for resorts, outfitters and homeowners were discontinued. CWCS is looking into our options to end this long wait.

Here’s something to think about. We all know that we must take care of our environment and be careful what we throw away. The ‘green’ thing to do is to use the small fluorescent bulbs to save energy and eliminate the long tube bulbs which have to be disposed of as hazardous waste. Just how many of those new fangled light bulbs do you think are ending up in regular garbages? They too are hazardous waste.

Here’s another one to think about…bottled water. Everyone is bottling water in plastic bottles. Is all drinking water so terrible? Are we too lazy to wash and fill a refillable bottle? How much petroleum is used to make these bottles? Yes, some are recycled, but many end up in landfills or along roadsides. And, just how regulated are all these bottling companies? Do you think what you are buying could just be tap water and nothing more?

Have you seen the commercial saying a year’s supply of plastic bottles would circle the Earth 192 times!

Isn’t it interesting that we have a renewable resource here in Northern Minnesota in our logging industry that the extreme preservation groups had an outcry because the loggers were being subsidized by the government. We haven’t seen the same outcry by these groups with other renewable resources such as wind and solar power and ethanol fuel. And to top it all off, the cost of electricity is greatly increased, rather than using our country’s abundance of clean coal for cheap electricity. Ethanol is a costly and less efficient substitute for gasoline, while our country has a vast amount of natural gas.

The footprint of mining is always mentioned but the footprint of the other resources such as wind farms, solar power, and the corn fields used for ethanol seem to be given a different standard.

As you can see, it’s been a long wait for the fishing opener since snowmobiling came to an abrupt end in mid-March, and too much time waiting and thinking. Good luck fishing!

Once again, look for CWCS at the Ely Blueberry Festival and also at the Ely Harvest Moon Festival. This year we will hold the CWCS raffle drawing on Sunday, September 12th at the close of the Harvest Moon Festival. Hope to see you there.

Thank you for your continued support.

Nancy McReady
CWCS President

No Forest Service response to Chain of Lakes court ruling

The US Forest Service still has not initiated any action in regards to the United States Court ruling on the Chain of Lakes permit issue. As we’ve written during the last several years, the current court ruling put the ball in the US Forest Service’s court to recalculate the permits within these day use motor entry points.

The Feb. 15, 2006 ruling from the 8th District U.S. Court of Appeals stated, “We remand to the district court with directions to remand to the USFS for a recalculation of the base period use and motorboat quotas consistent with the BWCAW Act and the opinion. The agency should do so at the earliest practicable time and include the Friends, Conservationists with Common Sense, and other affected parties in the rule-making process.”

CWCS has not been contacted as the court ruling directs the USFS. We feel strongly that the US Forest Service has not followed the directive of this court ruling and we are deeply concerned that they are in non-compliance with this court order. Common sense would dictate that four years in no way meets the standard of “the earliest practicable time”.

CWCS has spoken with our attorney and asked for our best option on how to proceed. He agrees that four years has been more than adequate time for the Forest Service to address this issue. We need CWCS membership support, to once again pursue legal resolve and bring this portion of the permit system into equal compliance with the rest of the Boundary Waters permit system.

CWCS supports proposed Tomahawk Trail reroute

The Kawishiwi Ranger District of the Superior National Forest is proposing a trail project to enhance winter recreation opportunities.

The Trail Corridor Project involves relocating sections of the Tomahawk Snowmobile trail and designating non-motorized winter trails between the Kawishiwi Trail Multi-use Trail system and the Tomahawk road. The purpose of this project is to separate motorized and non-motorized winter routes.

The project would relocate approximately 3.4 mile section of the Tomahawk Snowmobile Trail will be relocated onto .5 mile of the Spruce Road and 2 miles of Forest Road 181.

Another 6.2 miles of the Tomahawk Snowmobile Trail will be relocated from its current location to Forest Road 179 and Forest Road 388 near August Lake.

The new reroute will connect with the Stony Spur Snowmobile Trail and the Matilda Shelter. This project moves the Tomahawk Snowmobile Trail out of the swamps and onto high ground.

The relocation moves the snowmobile trail further away from the Boundary Waters. The current snowmobile trail will be used by dogsledgers and skiers.

CWCS supports this project, as do Fall Lake Township and the Ely Igloo Snowmobile Club.
CWCS agrees with editorial on Clean Water bill

CWCS has spoken out against Oberstar’s proposed America’s Commitment to Clean Water Act several time before, and we agree with this editorial from the Ely Echo.

Anytime we hear the federal government wants more control, the many battles over the Boundary Waters Canoe Area come to mind.

So when Rep. Jim Oberstar says he has a bill to save Minnesota lakes by passing a more powerful Clean Water Act, we just have to wonder, has Jim forgotten?

Or has Oberstar fallen victim to what he railed against, transferring power to D.C. instead of letting local, county and state government handle regulatory duties?

Oberstar’s bill has been assailed by property rights groups over concerns that instead of just protecting navigable waters, the feds will have control over any spot of land known to hold water, on both public and private lands.

He acknowledged this opposition in a press release and claims the bill will only bring the law back into what was on the books before court decisions muddied the water.

“A number of...organizations...expressed concerns that the legislation would extend the scope of the Clean Water Act, instead of simply restoring its original authority. The current bill includes modifications that will address those concerns. ‘Simply put, if it was not regulated before 2001, it will not be regulated with the enactment of this legislation,’ said Oberstar.”

We would like to believe Oberstar on this one, but folks in these parts have been lied to before over what the federal government will do or won’t do concerning woods and water.

People still remember promises made by then Senator Hubert Humphrey that people would be able to use the BWCA just as they had in the past.

Those promises were ultimately broken.

Oberstar’s bill may have a central rallying cry for both sides; just how much water does the federal government have control over? The 1972 Clean Water Act allowed the feds, through the U.S. Army Corps of Engineers, to regulate “navigable waters.”

And as we have seen with the U.S. Coast Guard, the definition of “navigable waters” can expand rapidly.

Our towboat operators are still looking at being regulated at the same level as if they were pulling into a major port with their 16-foot jon boats.

The growing list of area lakes that are considered “navigable waters” and under federal control is nearly laughable.

We believe Oberstar is heading down a path he’s familiar with, telling the states what’s good for them.

Waters in Minnesota have plenty of protection through state agencies, but apparently that’s not good enough.

Or Oberstar has no faith at all in state agencies.

Clean water is a rallying cry heard often from groups that have something they’re opposed to and need a hook to set. Question their methods and the response is predictable, “So you’re against clean water?”

“We’re not against clean water and we really don’t know anybody who is. We are questioning the need for the federal government to extend their reach in the land of 10,000 lakes.

We still believe the state should manage the lakes, with the exception of areas that truly have interstate commerce. The Constitution reserves the right of federal control over interstate commerce and that holds water with us.

But to extend that reach to every pothole, swamp and creek does not.

Oberstar may be doing this with the best of intentions, or he may be giving in to the wishes of groups that believe ruling from afar is good government.

Either way, Jim’s all wet on this one.

Other comments:

“Most Westerners are extremely concerned about the massive accumulation of federal power. In the past year, the federal government has taken control over our banks, cars and healthcare. Now, they are seeking to gain control over every drop of water, from backyard puddles to the arid playas of the West.” – Subcommittee on National Parks, Forest and Public Lands Ranking Member Rob Bishop (UT-01)

“The America’s Commitment to Clean Water Act is a misnomer. The bill does nothing to make our water cleaner. Instead, the ACCWA inserts the federal government into water and land issues -- federalizing what have traditionally been state and local concerns.”

Rep. Cathy McMorris Rodgers (WA-05)

“Expanding the federal authority under the Clean Water Act would make it more costly to grow crops, provide water for cities, and operate and maintain water storage and delivery facilities. This uncertainty could have significant implications for rural families, farmers, ranchers and others who rely on irrigation and other isolated, non-navigable waters.” – Rep. Adrian Smith (NE-03)

“At a time when rural America is already under attack from impossibly complicated and costly regulations and aggressive environmental activists, the last thing we need is an expansion of government authority. The Democrat Majority is trying to have it both ways, they claim to be concerned about job loss in our weakened economy at the same time they introduce a bill that will kill jobs and make it more expensive for Americans to do business. This expansion of the Clean Water Act isn’t about cleaner water, it’s a political giveaway to the environmental left.” – Subcommittee on Water and Power Ranking Member Tom McClintock (CA-04)
Wolf delisting suit filed in federal court

Reprinted with permission from the Ely Echo newspaper

An Ely man coordinating a federal lawsuit to have the gray wolf delisted within Minnesota, Wisconsin and Michigan said the paperwork was filed in federal court on April 7.

Case number 10-1161 has been scheduled to be heard by United States District Court Judge Joan N. Ericksen.

Gerald Tyler of Ely and Dale Lueck of Aitkin, MN filed the suit and will have it served on Ken Salazar, Secretary of the Interior, and Rowan Gould, the acting director of the U.S. Fish and Wildlife Service.

"Once the U.S. Attorney’s office in Minneapolis is presented with a summons, then the parties have 60 days to respond," said Tyler.

The next expected action?

"We anticipate coming into this roaring will be the Humane Society," said Tyler.

The USFWS initially attempted to delist the gray wolf from the Endangered Species Act in 2004, but was sued by the Humane Society, which won its case in federal court in the District of Columbia.

A second attempt at delisting was fumbled by the USFWS when procedures weren’t followed that call for a 60-day public comment period.

Tyler and Lueck are seeking to have the court declare the USFWS must follow the provisions of the Endangered Species Act and properly delist the gray wolf in Minnesota, Wisconsin and Michigan.

They cite population surveys which show the gray wolf to have exceeded goals of a federal recovery plan.

The state of Minnesota has taken a separate route and petitioned the federal government to have the “Minnesota gray wolf removed immediately from the federal government’s endangered and threatened species list and returned to state management.”

Tyler said the state may support the private lawsuit, which is provided for under the rules of the Endangered Species Act where citizens can sue the federal government for not following the act.

"We want the federal government to do what should have been done and that’s remove the gray wolf from the list. They’ve tried twice and both times they’ve been thwarted by the Humane Society on procedural grounds," said Tyler.

The goal of the suit is to have the USFWS follow the rules and then remove the wolf from the ESA list.

"We’re not asking for economic damages, we just want the wolf taken off the list so the state can manage them," said Tyler.

The state’s petition has been supported by Minnesota Farm Bureau, Minnesota Farmers Union, Minnesota State Cattlemen’s Association and Minnesota Lamb and Wool Producers.

"Minnesota’s gray wolf population has clearly exceeded the recovery goals established under the federal Endangered Species Act," said Minnesota Farm Bureau Federation President Kevin Paap.

"We have more wolves than every state except Alaska. Once the wolf is delisted, our state has an effective wolf management plan in place to ensure a viable gray wolf population in the future, while providing farmers and ranchers who suffer from wolf depredation more options for protecting their livestock.”

According to the DNR, Minnesota’s wolf population has more than doubled the delisting goal of 1,252-1,400 wolves with an estimated population of approximately 3,000 wolves.
PolyMet project progresses to final EIS

In February, the proposed PolyMet nonferrous mining project’s Draft Environmental Impact Statement received the lowest rating possible from the U.S. Environmental Protection Agency, that of Environmentally Unsatisfactory - Inadequate. The EPA comments were allowed even though they were submitted after the Feb. 4 comment period.

The EPA assessment states that waste rock at the PolyMet site would be acid generating, water quality standards would be exceeded for contaminants for sulfates and over 1,000 wetlands acres would be filled in. The EPA also said financial assurances for post-mine closure should be addressed in the draft EIS.

Brad Mohr of Barr Engineering, doing EIS studies for PolyMet, said more information is needed and that PolyMet is working with the Army Corps of Engineers and Minnesota DNR on addressing these issues. He sees the EPA’s rating as part of the EIS process that raises issues and helps arrive at a positive outcome.

Some of the EPA’s assessment seems to be generalized and PolyMet doesn’t agree with them. They maintain that the tailings basin design is excellent and the concerns of its stability are unfounded. Also, Keewatin Taconite and Essar Steel are mentioned in the EPA’s comments and they are not in the PolyMet project area.

The final EIS will take several months and PolyMet’s permit process will follow. CWCS is hopeful that the environmental aspects of the project can be handled satisfactorily and that this project can provide a much needed positive economic impact for our communities.
$5

CWCS RAFFLE

1st Prize
- Lund WC-16’ Boat, Evinrude 25 HP E-Tech & Shorelander Trailer
  (provided by Joe’s Marine/Ely)

2nd Prize
- 2-Night Stay at Hungry Jack Lodge
  (donated by Hungry Jack Lodge/Grand Marais)

3rd Prize
- Framed ‘Boundary Waters Camp’ print

Drawing at 21st Annual CWCS Boat Raffle Fundraiser
Sunday, Sept. 12, 2010 at
Whiteside Park Pavilion at close of Harvest Moon Festival

Boat package not as pictured

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