

# CWCS

Preserving access to and multiple-use of  
public lands & waters

Conservationists  
with Common  
Sense



SUMMER 2004 NEWSLETTER

CWCS • P.O. BOX 1046 • VIRGINIA, MN 55792-1046 • www.cwcs.org

## Why CWCS continues to fight:

“(We will) embark on a 10 year campaign to get every single motor out of the Boundary Waters”

– Brian O’Neill, quoted in May 20, 1998 Minneapolis Star-Tribune

## 40th Anniversary of 1964 Wilderness Act

Last year it was the 25<sup>th</sup> Anniversary of the 1978 BWCA Wilderness Act. This year the U. S. Forest Service is holding a poetry/essay contest in commemoration of the Wilderness Act of 1964.

Presently, there are 105 million acres of designated wilderness in the United States. The Boundary Waters Canoe Area was included for protection in this act, but not as designated wilderness until the passage of the 1978 BWCA Wilderness Act. The Boundary Waters now comprises 1.3 million acres in northeastern Minnesota. It is one of a few designated wilderness areas that allow limited motor use.

There were promises made with the inclusion of the Boundary Waters Canoe Area in the 1964 Wilderness Act. These exceptions are listed under the ‘Special Provisions’ section, which specifically named the Boundary Waters Canoe Area in the Act. Most important to the people of northeastern Minnesota was the promise of the continuation of long-established uses of motorboats, snowmobiling and logging. Mining of lands within designated wilderness areas was even allowed to continue, along with water resources and grazing.

CWCS remembers the Boundary Waters and all the promises of the ‘64 Act that have been broken over the years. The 1964 Wilderness Act was written by good congressman, with good intentions. It was an effort to preserve individual pieces of land throughout the United States and protect it from being overdeveloped.

People wonder why there is such contention over the Boundary Waters. Had the original intent of the 1964 Wilderness Act been adhered to, there wouldn’t be much objections. Most people, yes, even us locals, will admit that some changes were needed to assure that the ‘wilderness character’ of Northeastern Minnesota remained. And, if the government agencies, both federal and

state, would stand up to the pressures from special interest groups, the Boundary Waters along with all other designated wilderness areas throughout the United States could be managed as the 1964 Wilderness

Act intended.

Instead, preservationist groups, time after time, sue the U.S. government and delay

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IN THE ELY 4TH OF JULY PARADE were several CWCS floats including this one on the back of a logging truck with a timeline of BWCA changes.

## Another anniversary remembered

It was five years ago this July 4<sup>th</sup> when straight-line winds moved across northeastern Minnesota flattening close to 500,000 acres in and outside of the Boundary Waters.

To address the increase of potential catastrophic wildfires, the U. S. Forest Service allowed massive logging salvage outside of the Boundary Waters, especially around resorts near Ely and on the Gunflint.

No such salvage efforts were allowed within the Boundary Waters.

The tool of choice within the wilderness was prescribed burns in the fall of each year since the blowdown. More burns of close to 100,000 acres are planned for the upcoming years to reduce the fuel loads in the forest.

So far the Boundary Waters has been

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# Another anniversary remembered in 2004

(Continued from Page One)

very lucky in not having had any fires burn out of control. Visitors to the area have been more careful than usual in making sure their campfires are completely out before breaking camp.

The forest is taking on a major change with unexpected new growth of dogwood, balsam, fir, black spruce and white cedar. With more sunlight hitting the forest floor, even scientists thought the forest would have more aspen and birch. The aspen and birch become more prevalent where prescribed burns have taken place.

One concern of CWCS as the forest takes on this new look and more and more lush, green

trees cover the sight of fallen trees, is that there will be a sense of false security that the forest is healthy. The trees that are still hung up in the air and not yet touching the ground will continue to be a threat to fuel catastrophic fires that everyone expected within the first few years after the blowdown.

For this reason, CWCS opposes any further expansion of wilderness as the Friends of the Boundary Waters have proposed. We would much rather see some of the areas they have designed for wilderness traded for School Trust Lands within the Boundary Waters. These areas are at the edge of the Boundary Waters, and as such should be considered a buffer zone to

the BWCAW. This buffer zone needs to be managed for logging to assure wildfires from the Boundary Waters blowdown

area, when they happen, will not endanger public and private properties.

## Still waiting on the judge's decision

CWCS is still waiting to hear the decision of Judge John Tunheim in the matter of the Chain of Lakes permit quotas.

A hearing on the motion for a summary judgment in the Chain of Lakes permit quota lawsuit was held in U. S. District Court on Wednesday, February 11, 2004.

The Friends of the Boundary Waters took the case to the appeals court, whose 1999 ruling re-interpreted the 1978 BWCA Wilderness Act, Public Law 95-495 - 4(f) ... That on each lake homeowners and their guests and resort owners and

their guests on that particular lake shall have access to *that particular lake* and their entry shall not be counted in determining such use.

Conservationists with Common Sense is participating in the federal court case defending the U. S. Forest Service's determination that there was a definite need to adjust day use motor permit levels on several lake chains (Moose Lake, Farm Lake and Seagull River chains).

Hopefully Judge Tunheim will make his decision soon and put this latest of lawsuits by the Friends to rest.

## What's good for the goose...

Remember last summer when the Friends of the Boundary Waters managed to have 18,000 acres of the Burnside State Forest (including State School Trust Lands) within the Boundary Waters designated as the state's first wilderness? The language was included at the last minute to a piece of legislation that had no public input.

In the final hours of the 2004 Minnesota Legislature, an amendment sponsored by Rep. David Dill, was added to a bill that will give county boards veto power over state management of new scientific and natural areas (SNA).

The law signed by Governor Pawlenty requires the Department of Natural Resources to obtain county board approval for SNA management plans. There are already decries that there was no public input or committee hearings at the Capitol. Sound familiar?

## New policy goes to locals

U. S. Department of Agriculture Secretary Ann Veneman announced a rule that would conserve important roadless areas in national forests and involve states in important policy making decisions.

"This proposal embraces the fact that local people are the best stewards of our forests," said Resources Committee Chairman Richard W. Pombo. "It injects common sense and local control into Clinton's eleventh-hour, mindless edict. Forest management decisions should be made at the state level by people who know individual forest conditions best, not by bureaucrats surrounded by concrete in Washington. The radical environmental fundraising industry may not trust governors, states and local folks to make good forest management decisions, but this Administration does. And so do I."

"This proposal moves the decision-making process closer to the ground where it belongs," said Resources Subcommittee on Forests and Forest Health Chairman Greg Walden. "Instead of locking up 58 million acres through presidential edict as the Clinton-Gore roadless rule did, this proposal establishes a cooperative process with the states to determine which areas need to be protected."

## Wolf no longer threatened

The federal government is expected to lift federal protection for timber wolves in the eastern part of the United States. Minnesota, Wisconsin and Michigan have been waiting since 1998 for this action to take place. In these states, the recovery of wolves has exceeded expectations.

Minnesota has about 2,500 wolves, well over the federal wolf recovery plan of 1,250. Wisconsin has about 400 wolves and Michigan has about 360. The recovery plan for each of these states called for 150 wolves.

The delay in lifting the protection of wolves was caused by federal red tape, slow action from state legislatures and the transition to the Bush administration in 2001. Further delays may be the result of administration changes with this fall's elections. In addition, there is the high probability of lawsuits by environmental groups, regardless of the success of the Endangered Species Act.

## Big Aspen Trail part of ATV study

The Big Aspen trail system in the Superior National Forest will be involved in a national study to determine potential impacts of All Terrain Vehicles (ATVs). USDA's Technology and Development Center based in San Dimas, California, is leading the study on sites in six different states.

The focus is on how various mechanical components and equipment effect the environment. Data gathered through this study will provide a useful tool for land managers to estimate potential impacts of ATV use on public lands and help determine trail design methods to reduce potential impacts and to restore trails.

Information will also be shared with the public to help ATV users understand how to ride responsibly on public lands.

## Message from the President

Once again it's been a very busy few months for CWCS.

In June, CWCS took part in the "MOHA Step Outside to Celebrate the Outdoors Day" at the Minnesota TWINS May 2, 2004 game at the Metrodome. Thousands of people visited the various exhibits. CWCS distributed information opposing the Friends' proposal for 90,000 more acres of wilderness in northeastern Minnesota at our booth.

In the Finland area petitions opposing the wilderness expansion have been available for people to sign. CWCS also has had petitions opposing this latest land grab proposal of the Friends of the Boundary Waters. Petitions were signed at the 4<sup>th</sup> of July festivities in Ely and will also be available at the upcoming Blueberry Arts Festival and CWCS's annual meeting.

CWCS made a big presence in the Ely 4<sup>th</sup> of July parade with their logging truck

float remembering the 1964 Wilderness Act and also pulling the CWCS boat, motor & trailer package being raffled off this year. Special thanks to Gary & Nancy Sheman, Phil Hegfors, Doug & Bridget McReady, Bill Hamm & grandson, Alan Snackey and children Brandon & Emily for all their help in decorating and throwing candy in the parade. It was a great parade, complete with a flyover right down Ely's main street by a new fire fighting aircraft.

This summer I began working at the Dorothy Molter Museum in Ely. Dorothy was the last resident of the Boundary Waters, living on the Isle of Pines on Knife Lake for 56 years.

Telling Dorothy's story to visitors also includes telling about her fight to keep her land when the 1964 Wilderness Act was passed. This has been a great opportunity to tell people the truth about the Boundary Waters and how the preservation groups

have been pushing their agenda and abandoning the promises of the 1964 Wilderness Act ever since.

In the words of Dorothy Molter, "*If it isn't what you want, it's probably something you deserve.*" Let your senators and congressmen know how you feel about the expansion of wilderness in northeastern Minnesota.

I'd like to take this opportunity to thank the many new and renewed memberships CWCS has received over the past few months. Since the announcement of the Friends wilderness expansion proposal for northeastern Minnesota, CWCS has been hearing from a lot of people opposing such an idea. There has been a very good response in helping CWCS with the Chain of Lakes lawsuit costs as well. Thank you very much!

Thank you for your continuing support of CWCS.

Nancy McReady

## Supreme Court blocks lawsuit

The Supreme Court blocked a lawsuit that accused the federal government of doing too little to protect undeveloped Western land from off-road vehicles.

The court, **on a 9-0 vote**, said environmental groups couldn't use courts to force the federal Bureau of Land Management to more aggressively safeguard about 2 million acres of potential wilderness in Utah.

Justice Antonin Scalia said Congress never envisioned "pervasive oversight by federal courts over the manner and pace of agency compliance." The Supreme Court had been asked to clarify when a federal agency can be sued for failing to follow a congressional mandate.

Scalia said the land management agency has discretion to oversee lands being consid-

ered for wilderness designation, including allowing off-road vehicles there. He noted that off-road vehicles have had negative consequences, "including soil disruption and compaction, harassment of animals and annoyance of wilderness lovers." But the agency is doing what it can with "scarce resources and con-

gressional silence with respect to wilderness designation."

The Denver-based 10th Circuit Court of Appeals ruled the department could be sued for allowing damage to the lands. Justices reversed that decision. The case is Norton v. Southern Utah Wilderness Alliance, 03-101.

## Rainy/Lake of the Woods Watershed Plan

A grass-roots coalition of statewide interests will prepare a plan for the Minnesota portion of the Rainy/Lake of the Woods watershed. The initiative is a pro-active response to a plan recently completed by the MN Pollution Control Agency.

People are concerned about the increasing government regulation and control of large areas. The Minnesota portion of the Rainy/Lake of the Woods watershed includes about 7 million acres of land and water, an area over 30 times the size of Voyageurs National Park. The Canadian portion is approximately the same size.

CWCS members have been involved from the beginning with the Rainy River Basin Plan. An expansion of the watershed plan to include the Lake of the Woods area is in the best interests of all stakeholders, American and Canadian alike. There are prominent uses of natural resources within the basin area such as forestry, mining and various forms of recreation.

The Rainy/Lake of the Woods Plan would definitely be an issue discussed with CWCS's board of directors and members at their August 21 annual meeting at the Longbranch in Winton, MN.

## Victory for Recreation & Access

The House of Representatives voted to defeat an amendment to the Interior Appropriations bill that would have banned snowmobile use in Yellowstone and Grand Teton National Parks.

"Common sense and balance between preservation and access won the day," said Chairman of the Resources Committee Richard W. Pombo (R-CA). "This was an arbitrary, extreme, and unnecessary proposal that would have locked the public out of these parks and devastated local economies."

President Roosevelt eloquently stated the intent of the park when he dedicated the arch to the north entrance by saying, "This Park was created and is now administered for the benefit and enjoyment of the people...it is the property of Uncle Sam and therefore of us all."


Each winter roughly 65,000 snowmobiles enter Yellowstone and Grand Teton National Parks for recreation. In fact, 90 percent of Yellowstone's winter visitors choose to travel by snowmobile. Accordingly, much of local economies in Montana and Wyoming depend on winter snowmobile recreation. Banning snowmobiles from the parks would cost approximately \$11.8 million in lost labor income a year and would cost Wyoming 938 jobs.

New generation snowmobiles emit 90 percent fewer hydrocarbons, 70 percent less carbon monoxide and are 50 percent quieter than older, two-stroke snowmobiles.


**Thank you for your continued support!**  
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Preserving access to and multiple-use of public lands & waters

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- Enthusiast (Hardcore Fisherman) — \$500
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- Defender (Long Weekend) — \$100
- Advocate (Overnight Motor) — \$50
- Supporter (Canoe/Boat Day Trip) — \$25
- Member (License & Bait) — \$15

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Please enclose your check payable to **CWCS** and mail to:  
 CWCS, PO Box 1046, Virginia, MN 55792-1046.

*All Donations are Tax Deductible! Thank you!*



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*Conservationists with Common Sense*

**CWCS**

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# CWCS 15th Annual Meeting Open Forum/Fundraiser

Saturday, August 21, 2004 at Winton Longbranch  
5:00 PM - Meeting    6:00 PM - Prize Drawings

In conjunction with the Ely/Winton Rod & Gun Club's **Hawg Fishing Contest**

*Fish Fry Fundraiser prepared by Fortune Bay from 4 p.m-7 p.m. \$6*

## \$5 CWCS BOAT RAFFLE \$5

*Raising money for the Chain of Lakes Lawsuit*

1st Prize: Lund SSV-16 ft. Boat,  
Johnson 25HP 4-Stroke Motor & Trailer  
(provided by Joe's Marine)

2nd Prize: Two Night Stay for two at  
Moosehorn Lodge/Gunflint Lake  
(Donated by Dave & Paula Beattie)

3rd Prize: CWCS Framed *Boundary Waters Camp* Print

CWCS no longer mails boat raffle tickets to our membership, as in the past. We have limited the number of tickets to be sold to 2500, each at \$5. You may purchase them by contacting board directors directly, filling out the ticket order form or by making your request for tickets by email at: [info@cwcs.org](mailto:info@cwcs.org). Tickets will also be sold at Ely area retailers Skube's Bait, Joe's Marine, Britton's Cafe, Wilderness Outfitters, Ely Shopper, and Latourell's Resort.



Order boat raffle tickets by filling out and returning the form below. To help us fill out your ticket stubs, **including your address labels with order**. Ticket/stub halves will be mailed upon request.

### CWCS RAFFLE TICKET ORDER FORM

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Phone \_\_\_\_\_ E-mail \_\_\_\_\_

Number of raffle tickets \_\_\_\_\_ Total amount enclosed, \$5 per ticket \_\_\_\_\_

Please enclose check, payable to CWCS. Mail to: CWCS, P.O. Box 1046, Virginia, MN 55792

**Northern Minnesota's Way of Life & Culture  
UNDER ATTACK, AGAIN!**

**Are your Hunting, Fishing and Recreation  
Areas Next on the List?**

**Let your Senators and Congressmen know – ENOUGH IS ENOUGH!  
Say 'NO' to more wilderness in northern Minnesota!  
Say 'NO' to more restrictions of public lands and waters!**

**Friends of the Boundary Waters have proposed  
90,000 acres of more wilderness!**

For a summary of where these acres are located,  
go to the CWCS website at: [www.cwcs.org](http://www.cwcs.org)

See the full Friends' wilderness proposal at:

<http://www.friends-bwca.org/pdfs/WildernessReport.pdf>

- 12,673 acres in the Orr/Buyck/Crane Lake area
- 7,933 acres in the Tower/Cook/Vermilion area
- 8,418 acres in the Ely/Echo Trail area
- 14,200 acres in the Hoyt Lakes area
- 8,360 acres in the Isabella/Finland area
- 20,086 acres in the Lutsen/Tofte area
- 17,558 acres in the Grand Marais/Gunflint area

**Conservationists with Common Sense  
*needs your continuing support!!!***

**We can no longer afford to be complacent on public land &  
water issues!** Presently, CWCS's expenses for the Chain of Lakes  
Lawsuit to preserve **6000 BWCAW permits** for the Seagull/Saganaga,  
Moose Lake & Farm Lake Chains have exceeded

***\$25,000!***



*DULY NOTED during the Ely Fourth of July Parade was this sign on the front of a  
CWCA float that pointed to the 40th anniversary of the 1964 Wilderness Act.*

**CWCS notes the  
40th anniversary of  
1964 Wilderness Act**

*(Continued from Page One)*

timber sales, to the point that hundreds of millions of acres of federal and state lands have succumbed to catastrophic wildfires burning millions of acres. These agencies' policies over the past sixty plus years of putting out forest fires have not helped our national forests' conditions. But, also, these special interest groups have prevented government agencies from controlling fire, insects, and diseases, as stated in the Wilderness Act.

There may have been a need for good legislation, such as the 1964 Wilderness Act, but here in Minnesota, what continues to feed the battle over control of the Boundary Waters is the one piece of bad legislation, the 1978 BWCA Wilderness Act, written by the preservationists. This piece of legislation has changed the intent of the congressmen who wrote the 1964 Wilderness Act, in as far as the Boundary Waters Canoe Area is concerned, which was of true compromise of multiple uses to the hateful intent of control by preservationists groups such as the Friends of the Boundary Waters, along with the help of the Sierra Club, the Wilderness Society, Izaak Walton League and others. Their goal is to eliminate the very reasons why the Boundary Waters Canoe Area was allowed to be included in the Wilderness Act. That being the continuation of long established motorized uses, including the use of snowmobiles, which the Friends of the Boundary Waters and their preservation backers managed to eliminate without any environmental impact studies.

Only Congress can make a final decision on whether to designate an area as a federal wilderness area. CWCS urges everyone to write to his or her congressmen and tell them not to support any more wilderness designation throughout the country until our forests are in a healthier condition and the threat of catastrophic fires is lessened. Please contact your U.S. Senators and Representatives and let them know your feelings on these matters.

Send letters to:  
c/o Representative \_\_\_\_\_  
U.S. House of Representatives  
Washington, D.C. 20515  
or  
c/o Senator \_\_\_\_\_  
U.S. Senate  
Washington, D.C. 20510



