

Wilderness News

FROM THE QUETICO SUPERIOR FOUNDATION FALL/WINTER 2005



The Quetico Superior Foundation, established in 1946, encourages and supports the protection of the ecological, cultural and historical resources of the Quetico Superior region.

“And, it is in this place that I have come to know myself as a physical being, and to know my thoughts as they unfurl in the unbounded quiet. I have seen the water be fierce and rollicking, and I have seen it be calm and inviting. I have observed the light on a cloudy day, when the sun’s progress cannot be seen in an arc, but in a subtle change of ambiance. I have learned that, like the sun in its constant, if invisible, course, I can continue, and even if only for a few moments a year, be at peace with all the questions and uncertainties I contain. Living in these woods, watching them and knowing them, I have felt an equilibrium that regardless of life’s vicissitudes, always brings me home.”

— Laura Puckett



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PolyMet site. Photo courtesy of Mike Possis.

Northern Minnesota Prepares for New Era in Mining

By Charlie Mahler, Wilderness News Contributor

Three new mining projects inside and adjacent to the Superior National Forest signal a new era in northern Minnesota mining. In a region known world-wide for its iron ore, three companies believe they have found significant sources of copper and nickel as well as a constellation of valuable metals known collectively as the platinum group.

The three proposed mines – NorthMet, Birch Lake, and Mesaba – are situated near the town of Babbitt, along a northeast-to-southwest running line from Birch Lake, part of the South Kawishiwi River, to the north and the town of Hoyt Lakes to the south.

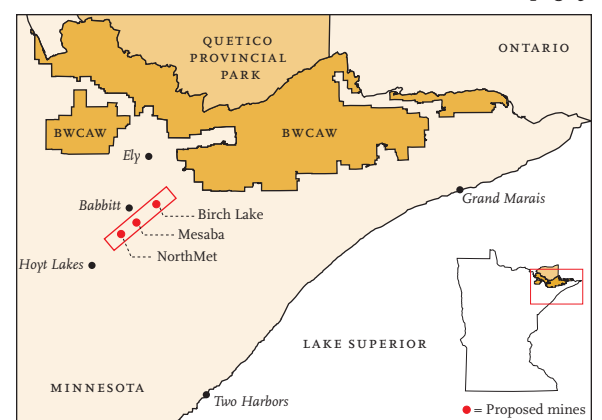
There, over a billion years ago when the rock that is now just below the surface was over five miles deep in the earth, trapped magma slowly cooled to form a coarse-grained rock called gabbro. Some magma injected itself into the sulfide-bearing shale of the adjacent crust. The metal-rich magma became enriched in sulfur from the shale and a heavy sulfide liquid then “rained out” through the magma collecting quantities of the magma’s metals as it did so. When the liquid crystallized, it formed the sulfide minerals enriched in copper, nickel, cobalt, platinum, and palladium that are attracting interest today.

“A very unique set of circumstances all had to come together to concentrate these elements which are otherwise very, very distributed in concentration in the earth,” Dr. James Miller a geologist at the

Minnesota Geological Survey explained. “You need just the right combination of factors to come together to a concentrated level where it makes any economic sense to extract them. And then, you have to also be situated on the earth at the right level that the earth has been eroding itself to bring that material to the surface.”

“It’s true of every ore deposit, it’s just where we happen to have come onto this dance that the earth

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A Place of Grace

When two paddles dip and swing in unison, their blades pushing the water, cutting through the air, droplets trickling in an arch as they return for another stroke, the movement of the canoe through the water is no longer just about advancing, but it is equally about being where you are. This synchronicity is telling, for it is a sign that the paddlers know each other, they are at ease, they have learned each other's rhythm. It is one of the unique beauties of canoe tripping, to work and live together so closely, and to practice this intimacy daily in getting from one place to another. This intimacy is especially remarkable canoeing, for it also extends to the landscape. The activity is inextricable from its surroundings, and somewhere between the water, the canoe, the paddlers, and the sky, a bond is formed that resonates in each of the paddle's passes.

There are many ways of a going on a canoe trip, but I first learned how to paddle and camp at YMCA Camp Widjiwagan in 1995, and since then have spent eight more summers going on trail, whether for six days or six weeks, in the backyard Boundary Waters or above the Arctic Circle. For me paddling is epitomized in the image of a wood-canvas canoe slipping over a lake's surface, its cedar insides gleaming, and two wood paddles, on either side of the canoe, flashing in the sunlight. I envision six women, all of them able and strong, faces creased from the sun and laughter, hands blackened and weathered from living out of doors. I have had the privilege of traversing many lakes with many companions, but this past summer I was lucky enough to guide one of Widjiwagan's Explorer trips, and with five young women, aged between 15 and 17, I traveled through Canada and Minnesota for twenty-one days, making our way from Gulliver Lake, near Ignace, Ontario, to Lake Superior.

An Explorer trip is infamous for its challenges: 100 pound canoes, bush-whacking through waist-deep muskeg, 25 mile days with 11 portages, and an 8.5 mile portage to top it off. These obstacles functioned to bring our group together. Without each other we could not have made it up the cliff into Louisa Lake in the Quetico and we certainly could not have crossed the Grand Portage. They also can show each individual just how capable she is, facing mosquitoes and headwind and aching muscles, and yet nevertheless arriving safe in camp each night.

The energy my group and I expended this summer paid off in strong friendships and glowing memories, but the trip was not just about challenge. Being out for so long and working so hard enabled us to see much of the Quetico and the Boundary Waters. It was in the middle of these long days, winding Westerly along the river into Pickerel Lake or crossing Mountain Lake's still waters, graced by the setting sun, our canoes perfectly doubled in their reflections, that I felt the power of our journey. I have long appreciated the boreal forest of this region, but after living amidst this land for 12 days, I began to see the tangled trees and exposed rock faces around me with fresh vision.

I felt utter gratitude to be able to know these woods so well, to be serenaded by the wind in the aspens, and guided by the sun. I realized that it was this familiarity itself that was such an amazing gift; that people, all over the world, could not even imagine such a place; that this way of life which felt so natural to me, could be absolutely inconceivable. Yet there I was, my feet soaked and my fingers calloused, gliding through the woods and waters, knowing the sound of my breath, the way my skin stretched and my muscles contracted. Woven between the sky, the shoreline, the water, and our canoes, I could feel the delicate bonds of interconnectedness tug and strain, reminding me they were there.

Realizing this sense of belonging, my gratitude expressed itself first in exclamations of joy. I would laugh and cry out in admiration unpredictably, recurrently struck, at random, by the spectacle around me. My happiness was so visceral. Moments later, though, the gracefulness of the canoes on the water and our adept movements would push me into reflection, and silence was the clearest way I could express my awe. For me, grace was not a question of religion or semantics; it was simply the only word that would come to mind in these quiet moments when landscape and paddler resided together.

As a 16 year-old camper traveling through the Quetico and the BWCA I thought these parks were beautiful, but I valued them more for the setting they provided for my group and the challenges we faced, than I did as place of grace. As the years have passed, though, I have watched the land and myself with ever-increasing attention, and it is in this place that I have come to know myself as a physical being, and to know my thoughts as they unfurl in the unbounded quiet. I have seen the water be fierce and rollicking, and I have seen it be calm and inviting. I have observed the light on a cloudy day, when the sun's progress cannot be seen in an arc, but in a subtle change of ambiance. I have learned that, like the sun in its constant, if invisible, course, I can continue, and even if only for a few moments a year, be at peace with all the questions and uncertainties I contain. Living in these woods, watching them and knowing them, I have felt an equilibrium that regardless of life's vicissitudes, always brings me home.

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has been doing for four-and-a-half billion years. These are the opportunities presented to us by what the earth has been doing as far as concentrating material in the earth," Miller added.

Where twenty-first century humans happen to be positioned economically and technologically is also important to the current interest in the sites. Ernest Lehmann, Chairman of the Board and a Director of Franconia Minerals which owns the Birch Lake site, notes that the development of hydrometallurgical refining processes, as opposed to separating the metals from the ore by smelting or physical means, made the Babbitt-area ores economically viable, as did the rise in metal prices from a low period prior to the 1990s.

"Economically, hydrometallurgy lends itself to smaller sized operations and effectively can produce value added products such as high grade copper cathode that are the usual items of trade in the copper-products manufacturing industry," he said.

While the buried resources excite geologists and mining companies, the extraction and processing of the material concerns environmentalists. A partnership of environmental advocacy groups spearheaded by the Sierra Club and including the Friends of the Boundary Waters, the National Wildlife Federation, the Minnesota Center for Environmental Advocacy, and the Minnesota Environmental Partnership is keeping a close eye on the progress of the various projects.

"Sulfide mining is different than taconite," Clyde Hanson, head of the North Star Chapter of the Sierra Club's Mining Without Harm campaign, said. "I don't know that the jobs are as good, and the pollution is real and more scary."

The Mines

PolyMet Mining Corporation's Northmet Open Pit Mine, which has so far garnered the most local media attention, appears to have the most developed ground-to-market plan for the ore in its claim. The Vancouver, British Columbia-based company recently closed a deal with Cleveland Cliffs Inc. for use of the former LTV Steel plant in Hoyt Lakes, which it plans to refurbish for copper production and the initial processing stages for the other metals.

In a process that would likely be duplicated or piggy-backed upon by the other mines in the area, PolyMet plans to transport its ore by train the eight miles to the LTV site where it would be processed. Copper produced there would be relatively pure, but the other metals would require further refining elsewhere, likely outside of Minnesota and perhaps overseas.

PolyMet, which tentatively plans to begin commercial operation in 2008, expects to extract 24 million tons of ore annually. The company projects employing 400 full-time workers.

"The NorthMet Project is a great opportunity for our company and its investors, as well as the citizens of Minnesota, especially Iron Range residents who possess the skills and work ethic we're counting on to help make us successful," PolyMet president William Murray said recently.

The NorthMet mine would be an open pit excavation. The pit would spread across more than 4,000 acres of forests and wetlands of the Superior National Forest. PolyMet would need to mitigate the destruction it would bring to 1,200 acres of wetlands, reportedly the largest single loss of wetlands in Minnesota since regulators have tracked such figures.

The Birch Lake project owned by Franconia Minerals Corporation of Alberta, Canada had plans to bore a "bulk sampling" shaft in early 2006. The 10 – 14 foot diameter shaft would have drilled 2,300 to 2,500 feet deep into the bedrock beneath Birch Lake, near Bob's Bay, on land owned by the State of Minnesota. Due to high contracting costs attributed to the active mining market, Franconia now plans to drill large-diameter cores across Birch Lake's "mineralized zone" beginning later this year in an effort to bring 50 tons of ore to the surface. With that sample the company would conduct pilot plant runs, which would help determine the technical and financial feasibility of their processing system, and provide data on emissions and waste products, according to Lehmann.

Ultimately, Franconia hopes to extract around 43 million tons of ore during the lifetime of the mine. Just where Franconia would mill that ore into copper, nickel or platinum group metals like cobalt, palladium, and platinum is still under discussion. The company might build its own processing facility near Birch Lake or arrange to have another company in the area process the ore at its facility.

"The long term, well paid skilled jobs that non-ferrous mining operations will provide, estimated at 400 at NorthMet, 200 to 250 at Birch Lake, and their spin-off effect in jobs of those providing goods and services to the companies and their employees are important to providing stability to northern Minnesota communities," Lehmann said. "The operations will also pay substantial state and local taxes. In the case of Birch Lake, millions will also be paid in royalties to the state School Trust fund."

The proposed Mesaba mine, owned by Teck Cominco another Vancouver-based company, lies between the Birch Lake and PolyMet sites. It is expected to have both an open pit and an underground component. Momentum for its project, which could be the largest in the area, appears to have stalled after Teck Cominco was out-manuevered by PolyMet for control of the former LTV sites and equipment. Media reports suggest the company, a major player in world mining and the only one of the three concerns with active operations, is focusing its attention on a plant that has been built in Brazil where technology it might use in Minnesota can be tested.

Environmental Concerns

Not surprisingly, the three projects have drawn the attention of environmental advocates. Sulfide mining without proper safeguards, these groups insist, carries with it the potential for environmental damage far beyond that typically seen with iron mining. Sulfides leach acid when they come in contact with air and water. Additionally, the prospect of increased industrial activity in northern Minnesota has prompted concerns over air quality, especially over the Boundary Waters.



Birch Lake site near Bob's Bay. Photo courtesy of Mike Possis.

A Friends of the Boundary Waters "Fact Sheet" on PolyMet's plans listed six issues of concern regarding the project: Acid drainage in waterways, wetlands destruction, particulates released into the air, wildlife habitat destruction and fragmentation, asbestiform fiber release, and financial responsibility for long-term environmental impacts.

The water quality issues surrounding the projects – which are located adjacent to the headwaters of both the St. Louis River system flowing into Lake Superior and the Rainy River watershed which crosses the Boundary Waters – are commanding the most attention.

"It's long term, kind of like nuclear waste," Sierra's Hanson said of the sulfide rock the activities would expose and need to stabilize. "It's just waiting there to get wet again. If the top soil goes away, or the cap goes away, it can come back. People think it's like taconite mining, but it's not. It's done in the same area, it kind of looks the same on the ground – the same crushing of big rocks into little rocks into flour – but it's not."

"For Franconia at least," Lehmann counters, "our metallurgical studies to date indicate the sulfur content of tailings produced during concentration of the ore will be in the same order as the natural abundance of sulfur in the earth's crust and thus can be expected not to impact water quality. Our concentration plant would be built near the mine, if possible on already disturbed ground," he said.

"We're all responsible people," he added. "We want to do these things right. We know we're required to do them right, we want to anyway. We're wrestling with the problems to assure that there's no significant adverse impact. We're fully cognizant of the need to contain any water or treat any water that might come into contact with sulfide-bearing rocks. It has to be dealt with and we will deal with it. That's just a given."

According to Principal Engineer Kim Lapakko of the Minnesota Department of Natural Resources, one of the agencies involved in permitting the mines, the basic science of

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protecting water quality in sulfide mining is well understood although many of the technologies based on that science are young.

“One must proceed with caution,” Lapakko said. “With mining there is risk. These mines are big; you’re not looking at a couple of truckloads of stuff. They’re there a long time, so we need to be cautious, be safe, and be careful.”

In the last 20 years, he noted, the industry has focused on the environmental impacts of mining, and government agencies, academic institutions, and mining companies and mining consulting firms have made concerted efforts to expand their knowledge of environmental problems and solutions. Lapakko is confident that the environmental permitting processes, which include public comment, can allow for mining that is safe for the environment.

In addition to the water quality issues, the Sierra Club’s Hanson is also concerned about the financial stability of the mining market and the companies involved.

“PolyMet is like nine guys,” Hanson said. “It’s not an established mining company. They don’t have deep pockets and they don’t have an operating history. It also means the caution that they’re more likely to go bankrupt and leave this thing in a mess. A [mining company like] Kennecott has got projects around the world and they want to at least protect their brand name. These guys could run it out and if it didn’t work, declare bankruptcy and walk.”

Hanson is also skeptical of the economic impact and job creation of the PolyMet project as projected by the company. “PolyMet’s a 20-year mine, so it’s not like starting a business that’s going to go forever,” he said. “This is a very discrete little mine; it’s going to be a pop and then it’s going to be gone. And, the copper industry is not as stable as the taconite industry. They tend to be more responsive to market demand, and the response in that industry is to shut the mines down. When prices fall, they lay people off.”

Franconia’s Lehmann disagrees. “There is no good reason to believe that now that the technology has been developed and that world demand for copper and nickel as well as platinum group metals is growing to meet accelerating world demand that the planned operations of further nearby deposits discovered in the future will be short lived,” he said.

Lehmann also noted that financial assurance requirements intended to cover any long-term environmental impacts will be a part of the permitting process.

Finally, the sulfide mines are also part of a broader concern the Sierra Club and others have about further industrialization of northern Minnesota. The new mines, the proposed Masabi Nugget plant, the Excelsior Energy coal gasification project, and expansion of production at existing taconite facilities threaten the clean air of the region, they claim.

“What ties them all together is the air over the Boundary Waters,” Hanson asserted. “Under the Clean Air Act that’s ‘Class One’ air, it’s supposed to be pristine. There hasn’t been a new major industrial facility built around the Boundary Waters in thirty years – those taconite plants are all back from the 50s. The air issue is big.”

The Need for Metals

Ironically, the need for metals like some of those found beneath the ground around Birch Lake and Babbitt is driven in part by the desire for clean air. Over 50% of the platinum and palladium used today is used for catalytic converters for automobile exhaust systems, according to MGS’s Miller. Additionally, scientists speculate that these two metals will be the major components in fuel cell technology.

“They’re commonly called the environmental metals,” Miller said. “They clean the air, in their uses in catalytic converts, and they may be the metal that is used to make fuel cells which have the potential to make combustion engines obsolete.”

Miller noted that there is currently only one presently-mined source of palladium in the United States – in Stillwater, Montana – and that most of the world’s platinum and palladium comes from South Africa and Russia. The US is by far the largest consumer of the metals, according to Miller.

For Miller, the operative word regarding these and all mining projects is “stewardship” – a concept all parties concerned likely agree on, if by their own interpretations of the word.

“To the point that we can use recycling and reuse, we should do that,” Miller urged. “Everything we’re mining is finite. Nature took a billion years to make this stuff and it’s going to take us 30 years to get it completely mined out, and then it’s gone.”

“That’s the beauty of platinum and palladium, they’re extremely reusable,” he added. “That’s why people recycle catalytic converters; they’re the most valuable thing when you turn your car in. But, the demand for these metals is increasing, so just recycling and reusing isn’t going to satisfy the demand the world has for these metals.”

“We’re at a very important crossroads in the state, here,” Miller added. “I love that area of the state; I did my thesis in the Boundary Waters. Being a geologist and knowing how special these mineral deposits are and knowing what they mean to helping live our lives, I’m more than happy to make sure we steward these resources, and decide when we can use them, where we should use them, how much we should use them, how we should get them out of the earth, and how much we can reuse them.”

As Minnesota stands at the doorstep of a new era in mining, expect the Babbitt-area mines, led by PolyMet, to stay in the news in the coming months and years as the permitting processes continue. Likewise, expect environmental advocates like the Sierra Club’s Hanson to examine those plans closely. □

Book Review

Voyageurs National Park The Battle to Create Minnesota’s National Park

by Fred T. Witzig
Foreword by Elmer L. Andersen

\$24.95 Paperback
ISBN 0-8166-4050-5

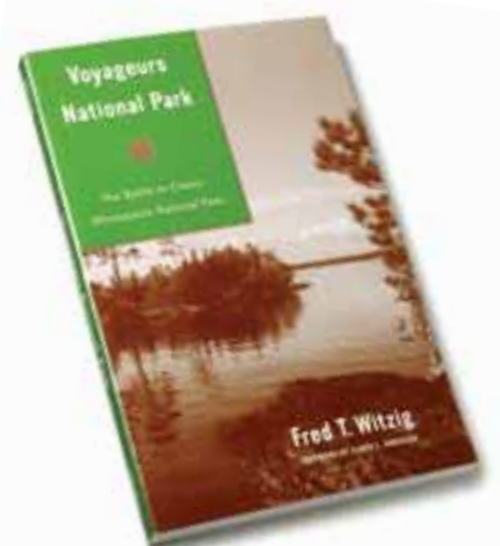
A chronicle of the legislative process that made Voyageurs National Park a reality.

When President Nixon signed the legislation authorizing the establishment of Voyageurs National Park on January 8, 1971, almost eighty years had passed since Minnesota’s government initially petitioned to create a national park in the northern portion of the state.

Voyageurs National Park chronicles the complex legal and political campaign to found Minnesota’s only national park. Witzig’s thoroughly documented and referenced research allows him to offer a detailed view of the unanticipated disappointments and defining moments of achievement that accompanied this complicated legislative battle.

Concentrating on the period from 1962 to 1975, Witzig identifies and explains the central issues surrounding the campaign including land acquisition policy, local concerns and opposition to the park, interagency conflict over inclusion of U.S. forest lands, antifederal attitudes in northeastern Minnesota, and the overstated case for the economic benefits a national park would bring. Witzig covers of the dispute over the inclusion of Crane Lake in the park and focuses on the many individuals and groups who were instrumental in the establishment of Voyageurs National Park, such as Governor Elmer L. Andersen, John A. Blatnik, Sigurd F. Olson, and Rita Shemesh.

Fred T. Witzig is professor emeritus of geography at the University of Minnesota, Duluth.



South Fowl Lake Snowmobile Trail Access Project Stirs up Controversy

By Sally Nankivell, Northeastern Minnesotans for Wilderness Board Member

A recent snowmobile trail controversy has resulted in a familiar scenario: local motor enthusiasts versus environmentalists, each passionately arguing over the Boundary Waters Canoe Area Wilderness (BWCAW) and adjacent public lands.

The area in question is in the Vento Unit, located off the Arrowhead Trail in the Northeast part of the BWCAW. For over 40 years cabin owners at McFarland Lake have been using a trail, often referred to as the Tilbury Trail, that was cut through the Superior National Forest by local residents. The trail runs from McFarland Lake through the Royal River area to South Fowl Lake, and is used to access South Fowl Lake for ice fishing.

While the trail was not located in any protected wilderness when it was constructed, it has always been an illegal trail, as it is against the law for citizens to cut a trail through a national forest. However, when the Boundary Waters was established, this became not only an illegally created trail, but an illegally created trail that ran directly through the Boundary Waters, and across a very sensitive area. The Royal River and the Royal Lake area harbors some of the rarest plants in Minnesota.

Three winters ago, with very little snow cover, the inevitable happened: ATV riders rode on the illegal trail that the Forest Service had been ignoring for so many years. With ATV damage done to this sensitive area, the Forest Service finally made an attempt to close the trail. However, their attempts have been less than successful, as the barricades that were erected were removed by the local snowmobilers, who have continued to use the illegal trail.

Forest Service Gunflint District Ranger Dennis Neitzke has bowed to pressure by McFarland Lake cabin owners and the Cook County Commissioners to replace this illegal trail. The fact that there will be a replacement trail at all is frustrating to many environmentalists, as there is already access to South Fowl Lake off of a road just a short drive from McFarland Lake, and it doesn't seem appropriate to reward illegal behavior with a new trail. However, because it appears inevitable that a trail will be built, environmental groups have compromised in the hopes that by advocating for the proposed route that runs along current road beds, they will be able to protect the ridge running along the Royal River and Royal Lake and the sensitive plant and wildlife species that inhabit the area.

Five alternative trail routes were proposed by District Ranger Dennis Neitzke, and he has narrowed his decision down to two possible routes: Alternative 2, which runs across the side of the bluffs bordering Royal Lake and Royal River, and Alternative 4, which runs adjacent to the Arrowhead Trail and South Fowl Lake Road. Of these, Alternative 4 is the route advocated for by environmental groups, and Alternative 2 is the route favored by the local snowmobile riders, as well as the Cook County Commissioners and by all indications, District Ranger Dennis Neitzke. The latter group prefers this route because it is shorter and is closest to the original trail.

BWCAW Blowdown—2005 Prescribed Burn Update

2005 was a busy year for fire crews from the US Forest Service. Crews responded to sixty-one fires within the Superior National Forest. All together these fires totaled 1,547 acres. Twenty-one of the fires were caused by lightning strikes while the majority, or forty, were caused by humans.

Fourteen of the twenty-one fires caused by lightning were inside the BWCAW. Twelve of these, including the large (1,335 acre) Apline Lake fire, were suppressed while two were allowed to burn under the Wild Fire Use designation. These two fires, the Nina Moose and Jackfish Lake fires, total only 11 acres but were part of the 1999 blowdown scheduled for prescribed burning.



Royal Lake. View from the BWCAW, looking towards the bluffs.

There are many problems with Alternative 2, including the following:

- The route is located as close as 400 feet from the BWCAW, along a bluff. The sight and especially the noise of what snowmobile advocates claim will be 200 snowmobiles each weekend will carry far into the wilderness.
- This bluff area is sensitive to erosion.
- The construction of a new trail would be detrimental to lynx habitat, as the addition of any compacted surfaces diminishes their advantage in hunting and therefore their ability to reestablish themselves in the area. None of the proposed alternatives comply with the Forest Service's obligations under the Endangered Species Act.
- The Royal River area has been designated by the Forest Service as a "Special Interest Area" because of its plant diversity and the rare plants located on the cliffs and in the river drainage area. The Forest Plan states that "no new development, including campsites, trails and portages will be allowed in this area." And yet the Forest Service is proposing that a snowmobile trail be built along this very cliff, within 400 feet of the BWCAW. According to the Forest Service's Biological Evaluation, there are 21 state or federally listed species of rare plants that exist or could exist in the project area.
- Although the trail is intended to be a winter use trail, it is inevitable that ATV traffic will follow, creating erosion, impacting the sensitive plant species in the area, and bringing the threat of invasive species.

The Forest Service has only conducted an Environmental Assessment, and yet it is clear that the National Environmental Policy Act requires that an environmental impact statement be prepared. It is immensely frustrating that the Forest Service, charged with protecting our public lands and the BWCAW, is not doing all it can to protect this sensitive area.

Dennis Neitzke had hoped to make a final decision by the end of the year, with construction of the new trail beginning soon afterward. However, the Forest Service has been overwhelmed by comments, in particular the carefully researched and written comments by environmental groups and individual environmental advocates. Therefore, it is not likely that a decision will be arrived at until sometime in 2006. If the Forest Service chooses Alternative 2, as appears likely, there will be an immediate appeal. If after the appeal process the Forest Service remains with Alternative 2, there will likely be a lawsuit by environmental groups. □

In addition to these 11 acres, the Forest Service found a window between September 8th and October 3rd and carried out twelve prescribed burns totalling 17,972 acres. These burns included Canthook Lake (1,999 acres), Gowan Lake (2,002 acres), Little Trout (682 acres), Pine Creek (1,473 acres), Triumph (2,273 acres), Van Vac (2,081 acres), Bonnie Lake (1,072 acres), Thunder Point (386 acres), One Island Lake (515 acres), Saucer Lake (2,569 acres), and Gunflint Palisades (552 acres). On October 7th, all pending fall Prescribed Burns were cancelled for the year.

Now, after four years, 27,450 acres or 36 percent of the 75,000 acres outlined in the Forest Service's 2001 Environment Impact Statement for prescribed burning have been completed.

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CONSERVATION ISSUES

ATVs: Revving Up for More Controversy

By Charlie Mahler, Wilderness News Contributor

Management of All-Terrain Vehicle riding in Minnesota, especially in the north, continues to rev as an environmental and recreational issue.

Despite a compromise law initiated by Governor Tim Pawlenty in 2003, ATV use again became a contentious issue during the 2005 legislative session, where dueling bills worked their way through the Senate and Legislature.

Ultimately, as an attachment to the State Parks funding bill passed during the state government shut down last summer, legislation passed which exempted ATV riders on state forest lands north of US Highway 2 from the requirement to ride on designated trails.

The 2003 law stipulated designated-trail-only riding in all state forest lands, a regulation that still holds south of Highway 2. Now though, riders north of Highway 2 – an area that encompasses 74% of state forest land – are free to ride on any “visible trails” except those specifically marked “closed.”

ATV enthusiasts came to view the 2003 legislation as a de facto restriction of access as the DNR worked through the inventory and designation process. Conservation advocates, however, see the 2005 change as opening the door to ATVs riding roughshod over state land. One rogue rider cutting a new trail across undisturbed land, they point out, opens the door for other riders to ride legally over that trail afterward.

On federally managed Forest Service land, ATVs are allowed only on designated trails and certain roadways. ATVs are not allowed in the Boundary Waters Canoe Area Wilderness of the Superior National Forest.

Despite the most recent legislative activity regarding the popular form of motorized recreation, activists on both sides of the issue expect more ATV controversy at the state capital. Much of it is likely to center on ATV access to portions of the North Shore State Trail which runs from Duluth to Grand Marais, and is a popular snowmobile route in winter.

“We expect [Representative] Dave Dill and [State Senator] Tom Bakk to try to legislate ATVs onto the North Shore State Trail,” Jeff Brown of the Duluth-based Minnesotans for Responsible Recreation forecasts. “The North Shore State Trail parallels and in places crosses and shares treadway with the Superior Hiking Trail, which, according to *Backpacker Magazine*, is one of three top weekend backpacking destinations in the country.”

Last session the legislature directed the DNR to study the feasibility of adding ATVs to the trail during the snow-free months. In 2004, DNR Commissioner Gene Merriam decided ATVs should not be allowed on the trail, citing the need for route changes and bridge enhancements to protect streams and wetlands from ATV damage. The new study is due in time for the start of the 2006 legislative session.

Brown, who considers the ATV status quo to be “a long way away” from where his organization would like it to be, emphasized the need for public and environmental review of the decisions to open trails to ATVs.

“Minnesotans for Responsible Recreation considers illegitimate, any routes designated without public and environmental review,” Brown said. On the other side of the issue, Ray Bohn, a lobbyist for All-Terrain Vehicle Association of Minnesota, questions just how big an environ-

mental issue ATV use of state lands really is. “I’ve said in hearings that this is much more a land use issue than it is an environmental issue,” Bohn said. “When it gets right down to it, that’s the main crux in my mind. [Our opponents] want the land for themselves; they want it for their own enjoyment even though it’s public land. They want to do their silent sports and motorized is not acceptable to them, and they use environmental issues as a wedge.”

Regarding the North Shore State Trail specifically, Bohn argues that ATVs crossing trout streams along the trail – a point of contention for conservation groups – is insignificant compared to the motorized traffic already crossing those protected watercourses.

“Do you know how many intersections intersect the trout streams,” Bohn asked. “And there are cars and trucks and logging trucks and everything else that cross that a hundred times a day. Our ATV traffic would be nothing compared to that.”

“I think that’s an issue where they don’t want us around,” he added. “There are bridges across everything, number one, we would not go in the water, and there are wings you can put on the bridges so people can’t go around them. There are things you can do to keep people out of the streams.” □

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