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September 16, 2024

Thomas Hall, Forest Supervisor,
Superior National Forest
8901 Grand Avenue Place
Duluth, MN 55808

ATTN: School Trust, St. Louis County, and TCF Land Purchase Project

Dear Supervisor Hall,

The following comments on the School Trust, St. Louis County and TCF Land Purchase proposal come from Wilderness Watch. Wilderness Watch is a nation wilderness conservation organization whose focus is the protection and proper stewardship of all units of the National Wilderness Preservation System, including the Boundary Waters Canoe Area Wilderness (BWCAW).

On a more personal note, I have been involved with the issue of the State School Trust Lands in the BWCAW for many decades, including passage of the 1978 BWCAW Act. In November 1997, as one example, I helped garner the signatures of all members of the Minnesota Congressional delegation on a letter supporting the federal purchase of these lands with federal Land and Water Conservation Fund monies. All members of the delegation signed the letter, but local northeastern Minnesota legislators raised objections at the last minute and Congressman Oberstar then backed away from the purchase proposal.

The following are Wilderness Watch's specific comments on this scoping proposal:

1. Wilderness Watch supports the federal purchase of the 80,000 acres of BWCAW State School Trust Lands and St. Louis County's 3,200 acres of tax-forfeited lands inside the BWCAW. A federal purchase of these lands will increase efficiencies in administering the BWCAW as Wilderness and better protect wilderness character. Consolidating federal ownership of lands inside the BWCAW will lead to more consistent wilderness stewardship by the U.S. Forest Service and decrease the amount of consultation with the Minnesota Department of Natural Resources (DNR) on matters related to wilderness administration. Furthermore, such a purchase will prohibit the chances that a future DNR might try to legally develop these lands inside the BWCAW in order to produce income.

Similarly, federal acquisition of St. Louis County's tax-forfeited lands inside the BWCAW will lead to increased wilderness protection and stewardship. As one example, St. Louis County allowed a cabin inside the BWCAW after 1978 on Louis Lake in section 12 of T65N, R12W, near the popular Mudro Lake entry point. Federal purchase of the county-administered tax-forfeited lands inside the BWCAW will eliminate the possibility of installations and structures and other incompatible uses inside the Wilderness as occurred on Louis Lake.

2. Wilderness Watch also supports the federal purchase of the Conservation Fund (TCF) Lands outside the BWCAW. In particular, we support the federal acquisition of the TCF lands in sections 2, 3, 4, 8, 9, 10, and 11 in T64N, R12 W, totaling about 1480 acres in a nearly contiguous block. These remote lands essentially border the BWCAW on three sides. Federal acquisition of these lands formerly owned by Potlatch will prevent development pressures in this area, provide prime wildlife habitat, and protect wilderness values in the BWCAW in places like Holy Lake and Little Bass Lake, as well as other nearby lands in the BWCAW.

3. Though some Iron Range legislators claim a purchase is illegal, a purchase is quite legal under the Weeks Act. In August, a group of Republic state legislators wrote to DNR Commissioner Sarah Strommen opposing the federal purchase proposal. Among the false claims they made is one that a federal purchase is illegal.

The Iron Range legislators seem fixated on the land exchange provision found in section 5(a) of the 1964 Wilderness Act, as if that is the only option available to the Forest Service. At the same signing ceremony that he signed the 1964 Wilderness Act into law on Sept. 3, 1964, President Johnson also signed into law the Land and Water Conservation Fund, which among other things provided federal funds to purchase lands by the federal agencies.

Furthermore, the Forest Service has the authority under the Weeks Act of 1911 (36 Stat. 961) to purchase lands in the Superior National Forest and the BWCAW. That law is clear. The Forest Service should ignore this claim by the Iron Ranger legislators.

4. A federal purchase provides far more dollars to the Permanent School Fund than an exchange. Another false claim by the Iron Range legislators in their August letter is that a land exchange will provide more funds to the State's Permanent School Fund than would a federal purchase of those lands. Again, this is patently untrue, and has been known for decades.

In 1998, for example, the Minnesota Legislative Auditor recommended a federal purchase of the BWCAW school trust lands as part of that office's analysis of Minnesota's school trust lands program.

In 1999, as another example, the late Dr. Vernon Ruttan, a Regents Professor Emeritus of Applied Economics at the University of Minnesota, also studied this issue. He concluded: "If

school trust lands within the BWCAW could be sold to the US Forest Service at the proposed price of \$30-35 million, the estimated investment value of the proceeds, even if conservatively managed, could be expected to generate revenues many times larger than if the land were exchanged by the state for land outside the BWCAW and managed for timber production.”

Aaron Vande Linde, the current director of the Office of the School Trust Lands (OSTL), also supports the proposed federal purchase of the BWCAW school trust lands as providing far more income to the Permanent School Fund than would an exchange.

And finally, the Timberjay newspaper, a local northeastern Minnesota publication, recently analyzed the benefits of an exchange versus a purchase, and also concluded that a federal purchase of the lands will provide vastly more income to the Permanent School Fund than would an exchange. “An initial purchase price of \$33 million, for example, invested and left untouched, would be worth about \$528 million in 40 years. Based on current net revenue from logging on the additional 80,000 acres, timber receipts plus investment returns if left untouched for those same 40 years, would be worth about \$33 million,” the Timberjay concluded.

5. The proposed purchase will finally put to rest the simmering issue of school trust lands in the BWCAW not producing income for the Permanent School Fund. For decades, some northeastern Minnesota officials have complained that the state’s school trust lands have been locked up by the federal government and don’t produce any revenue. Some of those officials have opposed earlier efforts to resolve this issue. Now that the Forest Service, the DNR, St. Louis County, and the Conservation Fund have all agreed to this purchase proposal, we can finally resolve it once and for all.

For all of these reasons, Wilderness Watch supports the proposed land purchase package. Please keep us informed of future steps in this process.

Sincerely,



Kevin Proescholdt
Conservation Director