Data Submitted (UTC 11): 12/4/2021 11:45:26 PM
First name: Staci
Last name: Drouillard
Organization:
Title:
Comments: [External Email]Lutsen Mountains Ski Area Expansion Project

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To: Ellen Bogardus-Szymaniak, District Ranger
comments-eastern-superior@usda.gov.
Re: Lutsen DEIS Project
Dear Ellen,
Please accept these comments in response to the DEIS for the proposed Lutsen Mountains Corporation's Special Use Permit application. After reviewing the DEIS, I encourage the Superior National Forest to choose Alternative 1 (No Action Alternative) in response to Lutsen Mountains Corporation's request for a SUP.

1. Adjacent Natural Scientific Areas

Early in the document, the DEIS states that in regard to "Other Congressionally Designated Areas: The project area is not located in any congressionally designated areas, including wilderness or Research Natural Areas, and would therefore not impact any of these areas."

What is missed, is that directly adjacent to the Lutsen Mountains Ski Area (current and proposed expansion acreage), is the 720-acre Lutsen Scientific and Natural Area, an initiative that a friend of mine worked very hard on. Lloyd Scherer first moved to the North Shore in 1954. A forester and naturalist who knew more about trees than anyone I'd ever met, Lloyd did not believe in wasting anything from the natural world. When I first spent time with him, he expended much of his waning eyesight creating intricate ink drawings on scraps of birch bark found on the forest floor, creating his own small masterpieces from what the trees left behind. Lloyd believed in conservation on a micro level as well as at the macro level-something he exemplified throughout his long life in the north woods. Lloyd's large-scale legacy of conservation and preservation came to pass more formally in 1991, when he contributed to the future of the highland forests along Lake Superior by donating a 240-acre parcel of land along the ridges of the Sawtooth Mountains to the Scientific and Natural Areas (SNA) Program of the Minnesota DNR. Known as the Scherer Conservation Unit of the SNA, the Minnesota DNR purchased an adjoining 480 acres in 1993 to form the 720-acre Lutsen Scientific and Natural Area. The SNA designation isn't easy to accomplish and this little-known conservation area remains untouched and untrammeled, just as Lloyd promised it would be. He had saved and conserved his own resources to purchase the land between 1968-1979, with the express purpose of protecting it from development. SNA lands are indeed legacy land masses, serving to provide baseline scientific information used to increase understanding about managing other natural areas in the state. In fact, the Lake Superior "highlands" that rise up 1,000 feet or more above the North Shore have been identified as among the 24 most diverse landscapes in the state. The MN Nature Conservancy confirmed that "this northern forest ecosystem hosts a diversity of life unlike any other in the continental U.S., including more breeding bird species than any other landscape in Minnesota."

This is the same uniquely critical habitat found along the adjoining Eagle and Moose Mountain ridges, which are specifically included in the area currently being considered for a Special Use Permit (SUP) by Lutsen Mountains Corporation. In spite of its location directly adjacent to the proposed development, the Lutsen SNA and the status of the Superior Highlands as one of the most diverse in the state is not mentioned at all in the U.S. Forest Service's Draft Environmental Impact Statement (DEIS)-not even once. As a valuable research area designated by the MN DNR, I believe the impacts of the proposed expansion should include potential impacts to the Lutsen Scientific and Natural Area.

2. Fragmentation and Barriers to Public Land Access

If granted, the SUP could clear and dedicate up to 495 acres of public land within the Superior National Forest to

a privately owned enterprise that is not even required to disclose their private financial information to the public in order to prove their claim that a failure to expand would be a detriment to their profitability. The company's plan to "enhance the existing terrain variety and skiing experiences" of their guests includes the following extensive development features:

* Construct additional traditionally cleared alpine ski trails and undeveloped, minimally maintained
* lift-served terrain to address the current deficit in beginner and expert terrain and to enhance the existing terrain variety and skiing experiences at Lutsen Mountains.
* Improve skier circulation and reliable snow conditions, particularly on Eagle Mountain and Moose Mountain.
* Improve base area, parking, guest services, and operational facilities to meet the ever-increasing expectations of the local, regional, and destination skier markets.
* Approximately 5 miles of new permanent access roads are proposed under the Proposed Action.
* These roads would provide access to the proposed Eagle Mountain and Moose Mountain base areas and would cross both NFS and private lands.
* New electrical lines would be constructed connecting to existing Lutsen Mountains electrical lines in order to power the proposed lifts and provide electricity to the proposed base areas and Moose Mountain Chalet.
* For sewer service, two septic drainfields, one in the Eagle Mountain SUP area and the other in the Moose Mountain SUP area, are proposed. Each drainfield would be approximately 1.2 acres in size.
* To collect stormwater runoff and prevent erosion, four separate stormwater ponds are proposed (two in the Eagle and two in the Moose Mountain SUP areas, respectively).

This amount of extensive development would add to the already significant fragmentation of the Superior Highlands ecosystem while creating economic barriers to public land access. Let's be clear: Once the nine new chairlifts are erected and the new chalet is built at the top of the mountain, only people who can pay the price of a lift ticket will be allowed through the gates. This is perhaps the most important socioeconomic concern about the proposed SUP, and one that's not addressed in the Forest Service DEIS.

3. Breach of 1854 Treaty Rights and Loss of Tribal Resources

It's also very important to note that every acre of the proposed ski hill expansion is firmly within the boundaries of the 1854 Treaty lands, where Band members at Grand Portage, Fond du Lac and Bois Forte retain usufructuary rights to hunt, fish and gather resources, as guaranteed by the Treaty of 1854. The Grand Portage Band has already contributed a letter of concern to the public record, particularly about the prevalence of mature maple stands (sugarbush stands) and white cedar stands that would be lost to the expansion. Both of these native tree species are identified as "vulnerable to extirpation" in the U.S. Forest Service's DEIS analysis, with significant losses to these already fragile stands laid out in the DEIS options grid, specifically 152.57-182.77 acres of sugar maple forest and up to 66.08 acres of white cedar forest, unless the SNF chooses Alternative 1, in which the inherent value of the trees will remain intact. The value of mature maples and white cedars is not something that is addressed in the DEIS, other than "LMC would compensate the SNF for the value of the trees harvested during construction. The value of the timber in the area would be appraised by a certified Forester." It does not specify the cost-value formula, nor address why timber resources firmly rooted in 1854 Treaty lands would be a transaction between a private entity and the U.S. Forest Service, with no benefit or compensation to the Ojibwe Bands who are signatory to the Treaty. There is also the matter of traditional use, and the chipping away at Treaty lands that are often part-and-parceled out to non-Native Special Use Permit holders-individuals and companies that are profiting directly from the resources supported by Treaty lands, all the while limiting access for Ojibwe people, who are the designated co-managers of those lands, as specified in the Treaty of 1854. If approved, the project would result in a loss of 365.7 acres of impacts to forests and 314.3 acres of impacts to wildlife habitat with the decrease in wildlife habitat "offset by the abundance of habitat throughout the SNF." This offset does not include the prior fragmentation of treaty lands, nor any quantitative assessment of existing and additional SUPs to other business entities and individuals.

4. Snowmaking and Snowmax

The DEIS states that water for snowmaking is "obtained from Lake Superior through Minnesota Department of Natural Resources (MNDNR) Permit # 2012-0664, which was authorized in March 2013 for 150

million gallons per year (mgy) for snowmaking and subsequently increased to 410 mgy in March 2019. The permit specifies a maximum rate of pumping from Lake Superior of 7,500 gallons per minute. LMC would be required to obtain additional water appropriations from the MNDNR for the proposed snowmaking prior to implementation." It should be noted that the water pipeline and infrastructure used for snow making at Lutsen Mountains was paid for with public funding, and by all rights, the public should also be allowed to comment on the additional water appropriations prior to a decision on Lutsen Mountain's SUP application in a separate environmental impact process that examines the effects of increased Lake Superior water use and the associated environmental impacts that go along with that increase, such as river turbidity, sediment, runoff and other factors. In a WTIP interview in November, Lutsen Mountains co-owner Tom Rider claimed that Lutsen Mountains' use of Lake Superior water added a higher quality to their snowmaking operations, citing that snow made from Lake Superior water is "more durable," than other water sources. Since the public paid for the company's water access, the public should be privy to any scientific information that would support the company's claim, along with how the use of Snowmax, a "snow inducer" based on bacteria proteins that improve the snow crystallization process, affects the chemical composition of the snow on the hill, which ultimately, ends up back in Lake Superior. The DEIS finds the results of Snowmax use "inconclusive," which is not an adequate enough result to allow for expansion of snowmaking activities.

5. Climate Change Unknowns

As stated in the DEIS, "Overall, the annual average temperature in Minnesota has increased by almost 3ºF since 1900, and Minnesota receives an additional 3.4 inches of precipitation annually on average. Heavy rains are now more frequent and more intense. These trends are projected to continue, with modeling predicting a continued increase in temperature and a tendency towards more intense precipitation events, including in winter. These changing conditions are already affecting resources of Tribal concern within the 1854 Ceded Territory, including wild rice, sugar maple, northern white cedar, and wildlife (Stults et al. 2016)." The DEIS identifies, but does not resolve the many additional unknowns about climate change, which include: the impacts of the warming of Lake Superior; Variability in temperatures and precipitation during the winter season; Warming of Lake Superior could impact Lutsen Mountains' ability to make and retain snow; Warming could affect the duration, timing, and nature of visitation to the resort. And while the "realities are not expected to jeopardize the viability of existing winter offerings at Lutsen Mountains," without seeing the company's current finances and their business plan and financial forecast, the public is left wondering how a fully operating ski hill of any size, will be able to recover costs associated with climate change unknowns and whether it's possible to counteract the resulting increase in emissions, stream turbidity and other forms of disruption caused by expanded development on Eagle and Moose mountains with value to the general public.

6. Noxious Weed Invasion and Use of Herbicides

From the DEIS: "Noxious weed invasion into wetlands can have an adverse effect on wetland quality and functional value. Tansy and Canada thistle are plant species on the Minnesota noxious weed control list. Tansy and Canada thistle were observed in developed areas of Lutsen Mountains along roads, parking lots, and snowmobile trails but were not observed within the undeveloped analysis area. With proper implementation of the BMPs and PDC, such as prompt revegetation, monitoring for new invasive species three years' post construction, and cleaning construction equipment prior to being transported to the site, the threat of noxious weeds invading existing or temporarily disturbed wetlands would be reduced."

What the DEIS does not include is the increased incidence of invasive species growth associated with five miles of proposed new roads, as well as the additional electrical lines to power the proposed lifts and provide electricity to the proposed base areas and Moose Mountain Chalet. Because Arrowhead Electric Company is the provider of electricity to Lutsen Mountains, my question is related to whether the use of herbicides or other chemicals by LMC or AEC are factored into the DEIS, and if that scenario will be a part of any added new roads or electrical infrastructure. If the use of herbicides and other chemicals will be used to clear noxious weeds, what environmental effects will result from that increased use?

Ultimately, handing over such resource-rich and scientifically significant lands to a private company seems like a very bad precedent, especially given the cumulative environmental effects of increased water use originating from Lake Superior, new electrical infrastructure, and the increased use of snow-making chemicals directly within the Lake Superior watershed, as well as the associated pollution that comes along with the

expansion of an already well-developed part of the Sawtooth Mountains. My friend Lloyd Scherer, the gentle mastermind behind the Lutsen Scientific and Natural Area, reminds us that,

"We don't actually own land; we are entrusted with it. Inevitably, we must pass it on to the next generation. We should be ever thankful for it and the water and air that sustain our physical lives and use them only with care and respect, never arrogance. All life shares this earth with us. . ."

Sincerely,

Staci L. Drouillard
155 Pike Lake Road
Grand Marais, MN 55604