

Boundary Waters Canoe Area Wilderness (BWCAW) Collaborative

Virtual Kick-Off Call Summary

March 25, 2024

Call Participants:

- Alan Brew, Northland College, Sigurd Olson Institute
- Ann Schwaller, SNF Wilderness Program Manager
- Barb Soderberg, retired Forest Service
- Bill Iacono, BWCAW Recreationalist
- Carrie Ohly-Cusack, Aquatic Invasive Species Boundary Water Collaborative
- Cathy Quinn, SNF Wilderness Program Manager
- Clare Shirley, Sawbill Outfitters
- Derrick Passe, volunteer connection with FS: North Country Trails; Lake County SWCD
- Dr. Charles Rose, St. Cloud State University
- Heather Boyd/Bill Clayton, Grand Portage National Monument
- Jamie Thibodeaux, MN Forest Resources Council
- Jason Zabokrtsky, Ely Outfitting Company
- Jim Morrison, Gunflint Trail Fire Department
- Ken Gilbertson, Environmental & Outdoor Education, University of Minnesota Duluth
- Kent Olson, BWCAW Recreationalist
- Kesley Ebbs (Kes), Friends of the BW Northern Communities Coordinator; Growing Futures
- Kevin Proescholdt, Wilderness Watch
- Lane Johnson, University of Minnesota Cloquet Forestry Center
- Marcy Byrns, BWCAW Recreationalist
- Matt Poppleton, Camp Widjiwagan
- Matt Schultz or Lukas Leaf, Sportsmen for the Boundary Waters
- Nell Holden, Wilderness Inquiry
- Pat Eliassen, Sheriff Cook County
- Tom Hall, Superior National Forest (SNF) Supervisor
- Travis Novitsky, Grand Portage State Park
- Lauren Nutter, National Center for Environmental Conflict Resolution
- Seth Cohen, National Center for Environmental Conflict Resolution

Members unable to attend:

- Asha Shoffner, Saint Paul Parks and Recreation; BIPOC Outdoors
- Bob LaTourell, LaTourell's Moose Lake Outfitters
- Ingrid Lyons, Northeastern Minnesotans for Wilderness
- Josh Dix, Cook County Dept. of Public Works
- Shelly Patten, Minnesota Department of Natural Resources
- Trevor Gibbs, Quetico Provincial Park

Follow-up action Items:

- National Center draft edits to Collaborative Charter based on input from members.
- Collaborative members review draft Charter edits and come to April meeting prepared to discuss and finalize Charter.
- SNF and National Center finalize meeting date and venue (meeting will be April 24 in Duluth, more info to come).
- SNF and National Center provide draft meeting agenda for April meeting (week of April 8th).
- SNF follow-up with information and/or diagram for Collaborative members on decision-making process and hierarchy in Forest Service.
- National Center team will work with Collaborative members to compile short bios as a reference for all members.

Welcome

Seth Cohen, facilitator, welcomed everyone to the first BWCAW Collaborative call. He shared a brief overview of the National Center for Environmental Conflict Resolution (National Center). The National Center is a small independent Federal agency with a mission to help federal agencies and other affected parties address environmental disputes, conflicts, and challenges, including helping agencies build internal capacity to address those challenges.

He shared that National Center staff are impartial facilitators that provide the following in support of the Collaborative:

- Design and support the Collaborative process, agenda development, and meeting facilitation.
- Support collaboration, conflict resolution, and addressing impasse among members.
- Document and distribute Collaborative recommendations, decision points, questions, and action items.

He also highlighted the draft purpose for the Collaborative outlined in the Charter to remind everyone of what brings the group together today:

“To create a forum that brings together a wide variety of interest groups to exchange ideas and diverse perspectives, and to foster shared learning and discussion with the Forest Service on the stewardship of the Boundary Waters Canoe Area Wilderness in the context of wilderness laws, regulations, policy and guidance.”

SNF Supervisor Tom Hall then provided a welcome. He shared his excitement for the Collaborative and everyone’s willingness to support the effort. He reflected that the Collaborative is important to him in support of improving communication and transparency as Supervisor. He acknowledged that BWCAW has had a fraught history at times and management actions can impact people in economic and spiritual ways. He hopes that the Collaborative fosters engagement with a broad range of interested parties to support BWCAW management.

He also shared context leading to the formation of the Collaborative. He acknowledged his predecessor’s role, Connie Cummins, in bringing in the National Center to help assess and

understand breakdowns in communication and where SNF could be more effective. The National Center situational assessment helped SNF to better understand the value of this type of collaborative effort in BWCAW management.

Tom concluded by sharing his hopes that the Collaborative would foster deep conversations together. He reflected that this is an opportunity for transparency and communication. As part of that, he is willing to discuss any topics in this public engagement context. He hopes the Collaborative will be a paradigm shift for SNF engagement and a collective learning effort. He looks forward to meeting everyone in April to see what is possible together, and he shared his commitment to keep investing in the Collaborative.

Introductions

Lauren Nutter oriented the group with some context about Collaborative membership. She reminded everyone that Collaborative members represent a diversity of perspectives and experiences within the outlined overarching membership categories (see Appendix 1). Members may bridge several categories in terms of interests and experiences but were selected to ensure they share their knowledge and experience in at least one of the primary membership areas. The membership categories served as general guidelines for recruiting members; however, the range of member experience and knowledge is far more dynamic. She encouraged members to share their ranging interests as they introduce themselves and get to know one another in April. She also reflected that the largest shared interest that gathers everyone together here is connection in some way to BWCAW and therefore interest in this Collaborative process.

Collaborative members then introduced themselves, including what motivated them to participate in the Collaborative and their hopes for this effort. Lauren acknowledged those members not present and offered brief introductions for them. Some members chose to provide written introductions via email. An overarching theme for many members was the hope that the Collaborative would inform helpful changes to BWCAW management. Members shared an eagerness to bring together knowledge and experiences to inform management practices. Many members also shared appreciation for the wealth and range of collective wisdom among members. Members highlighted their excitement to learn from one another and SNF as they work through topics together.

Draft Charter (Collaborative Framework) Discussion:

Seth provided an overview of the Charter and highlighted sections to elicit any feedback or suggestions from those members present on the call. He described the charter as a draft framework that could be modified based on input from members. He noted that everyone had agreed to join the Collaborative based on the current draft. The hope is to finalize the Charter at the next meeting. The following areas in the Charter were raised by members and discussed.

- What is the role and responsibility of members regarding agenda development?
 - For future meetings, the National Center team intends to get input on topics from members, as well as put forward topics from SNF.

- The National Center assessment also summarizes opportunities and challenges that could be potential agenda topics.
- Working groups may evolve and be driven by members putting forward ideas to work on topics outside of the quarterly meetings.
- As a next step, Seth flagged that it may be helpful to have more detail going forward on expectations and process for members to help develop agenda topics and how to put forward ideas to the Collaborative.
 - **Action:** The National Center team will draft proposed edits to this section of the Charter for Collaborative members to consider and discuss at the April meeting.
- What is the decision-making and consensus process?
 - Seth Cohen shared a way we may check-in on how much support there is among members, and we document nuanced levels of support among members. The Collaborative is not designed to formally try to reach agreement or achieve consensus.
 - Tom Hall suggested if there are consensus recommendations from the Collaborative where agreement is reached, it is worth noting and helpful to have that documented in a formal way. He suggested there may be a process to have some nuance and detail around “decisions” from the collaborative, though land management decisions still rest with SNF, but any Collaborative decisions would be valuable to inform BWCAW management.
 - A Collaborative member also shared that there could be significant value in letters of support, or white papers on issues where there is clear consensus or a clear outline of perspectives from the Collaborative.
 - **Action:** The National Center team will draft proposed edits to this section of the Charter for Collaborative members to consider and discuss at the April meeting.
- How will conflict of interest information be conveyed and how will that be shared with members? There’s so many people representing so many groups and how will this work in practice?
 - Seth reflected that right now the Charter only addresses major conflicts of interests and puts it on members to disclose that to the facilitation team to work through in the process.
 - Lauren also offered that there may be two levels of conflict of interests that this member was asking about: 1) true ethical and financial type conflicts where folks need to self-disclose to the Collaborative and facilitation team; and 2) a general sense of who is representing what interests and advocacy organizations. Lauren suggested that perhaps it could help Collaborative members to share short bios with a bit more information about multiple affiliations and potential interests to inform where everyone is coming from for Collaborative discussion.
 - **Action:** The National Center team will work with Collaborative members to compile short bios as a reference for all members.
- What is the process and expectation if members miss a quarterly meeting?

- A member suggested those individuals speak with other members in their group category for follow-up.
- Seth offered that it could be helpful to touch base with other members within a category as they may be listening for similar interests. He also confirmed that the National Center will provide meeting summaries and members would be expected to read those if they miss a meeting. They should also follow up with the Facilitation team if they know in advance they will miss a meeting.
 - **Action:** The National Center team will draft proposed edits to this section of the Charter for Collaborative members to consider and discuss at the April meeting.

SNF presentation on the BWCAW

Cathy Quinn and Tom Hall provided an overview presentation to the Collaborative on BWCAW history, regulations, and SNF management context. Cathy began by acknowledging that Travis Novitsky shared some of this context during his introduction, reminding us that we are in an unceded territory that has been home to Indigenous people for thousands of years.

Indigenous Peoples and 1854 Treaty

Many canoe routes and present-day camp sites in the BW were established by the Ojibwe people. The Fur Trade took a major toll on Indigenous peoples, and management actions prohibited and eventually forced Indigenous people out of the BWCAW and Quetico Provincial Park.

In 1854, the Chippewa of Lake Superior entered into a treaty with the United States whereby the Chippewa ceded to the United States ownership of their lands in northeastern Minnesota. These lands are called "1854 ceded territory."

The three Bands residing within this vicinity are the Bois Forte Band of Lake Superior Chippewa, Grand Portage Band of Lake Superior Chippewa and the Fond du Lac Band of Lake Superior Chippewa. Members of these Bands retain the right to hunt, fish, and gather within the boundary of the 1854 territory, which includes the BWCAW. The 1954 Treaty area includes 5.5 million acres. 3.2 million acres of that are Superior National Forest, including the 1 million acres of BWCAW. Band members do not need a BWCAW permit to enter the Wilderness. Treaty access to the BWCAW without a permit can include immediate family when accompanying an enrolled band member.

In 2023, SNF signed a memorandum of understanding with the Bands regarding Tribal and Forest Service relations, co-stewardship, and protection of treaty-reserved rights within the SNF with the three bands.

1964 Wilderness Act

Cathy shared an overview timeline of Superior National Forest and the BWCAW. This timeline began in the late 1800s, Post-Fur Trade, where resource extraction initiatives shifted from the harvesting of pelts to logging and mining. It outlined uses and shifts leading up to conservation efforts, including the 1964 Wilderness Act and the 1978 Boundary Waters Canoe Area Wilderness Act.

The establishment of the National Wilderness Protection Act (NWPS) charged four federal agencies with managing wilderness: National Park Service (NPS), Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), and Forest Service (FS). The BWCAW is one of 806 wilderness areas within the NWPS. The NPS manages the most acreage of Wilderness, but FS manages the most individual units (448).

Section 4 (b) of the Wilderness Act reads:

“Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.”

Preserving wilderness character is the primary legal requirement from the NWPS and all subsequent wilderness legislation to the agencies that administer wilderness. NWPS prohibited motorized and mechanized equipment, road construction, commercial use, aircraft landing, etc. However, there is a BWCA Specific Provision to allow motorboats & snowmobiles on certain lakes and routes, as well as logging.

Managing recreation within wilderness is just one aspect of managing for wilderness character. Federal agencies have been direct to preserve Wilderness character in the following ways:

- Untrammeled—wilderness ecological systems are unhindered and free from intentional actions of modern human control or manipulation.
- Natural—wilderness ecological systems are substantially free from the effects of modern civilization.
- Undeveloped—wilderness is essentially without structures or installations, the use of motors, or mechanical transport.
- Outstanding Opportunities for Solitude or Primitive and Unconfined Recreation.
- Other Features of Value—wilderness may have unique ecological, geological, cultural or other features of scientific, educational, scenic, or historical value.

1978 Boundary Waters Canoe Area Wilderness (BWCAW) Act

The BWCAW Act did the following:

- Removed logging operations from BWCAW.
- Removed truck portages from most of the BWCAW.
- Banned snowmobiles from most of the BWCAW.
- Added 50,000 acres to the BWCAW for a total of 1,098,057 acres.
- Added motorboat restrictions and imposed horsepower limits on most motor lakes in the BWCAW.
- Restricted mining in the Wilderness and in the mining protection zones.

- Directed the Forest Service to develop recreation opportunities outside of the BWCAW (X-C & snowmobile trail systems, campgrounds, dispersed campsites & boat landings)

BWCAW Management

Tom Hall shared that SNF is responsible for managing SNF and BWCAW. SNF's Tribal trust responsibility underpins a lot of what they do in management. He also outlined that Forest Service (FS) is part of the Executive Branch and sits under U.S. Department of Agriculture. There are nine regions for FS. SNF is part of Region 9. BWCAW is one of the bigger National Forest system management areas and Superior is one of the bigger forests within the nation.

Historically, a district was whatever you could ride a horse in a day, or perhaps what you could canoe in a day. Currently, SNF has 5 districts. Four of them along the North include BWCAW—Lacroix, Kawishiwi Tofte, Gunflint.

Within the Forest Service, there are 4 levels of decision-making: 1) District rangers 2) Forest Supervisor 3) Regional Forester (for Region 9 for SNF) 4) Forest Service Chief (the top tier decisionmaker). One Collaborative member shared appreciation for the orientation in decision making and encouraged the Forest Service to share a diagram of this with members.

Tom further elaborated that SNF doesn't have "rights" but has authority in managing the BWCAW. SNF management is dictated by what falls within relevant law and policy. SNF decisions are based on the authority Congress gives to them and how that fits under Tribal treaty rights, the Wilderness Protection Act, BWCAW act, etc. These are the authorities that allow SNF to manage and then regulations provide clarity for how SNF implements laws.

This includes the SNF Land and Resource Management Plan and the Forest Resource Management Plan (Forest Plan). This was last updated in 2004, and SNF is on schedule to start thinking about a Forest Plan revision. However, that timing is driven in part by capacity and staff. Within the Forest Plan, there is a chapter on BWCAW. That was last meaningfully updated in 1993. Based upon litigation, SNF was mandated to create a more specific plan within the Forest Plan on BWCAW. In the 2004 Forest Plan update, the BWCAW chapter continued what was being implemented from the 1993 plan. This has facilitated some consistency, but it is also an indicator that SNF may need to update that chapter. This could include updates on quota changes that have been challenging, management of impact to wilderness character, and/or compliance approach with relevant laws.

Wrap-up

Cathy shared some interesting BWCAW information for the group:

- Average annual visitation is 160,000 people
- Average length of trip is 4 days
- BWCAW Permit & Visitor Use Report available at: <https://usfs-public.app.box.com/s/7q9l9u7lqxpph325o4cymjreif1rla03>
- Class 1 Airshed: The Clean Air Act gives special air quality and visibility protection to national parks larger than 6,000 acres and national wilderness areas larger than 5,000 acres that were in existence when it was amended in 1977. These are "Class I" areas.
- Dark Sky Sanctuary certified in 2020.

Tom shared that SNF is continually thinking about the Collaborative and SNF trust responsibility with Tribes. SNF has had quite a few conversations about this with the Tribes since signing the memorandum of understanding. SNF and the 3 Bands will continue to engage through direct Government-to-Government Consultation regarding Tribal treaty rights and BWCAW management. At the same time as this moves forward, the Collaborative may invite Tribal leaders and Elders as they are willing to engage with on specific topics. However, from a formal standpoint, SNF will respect and uphold the Bands' sovereignty in keeping Consultations and management discussions separate with the Tribes.

Spring (April) Meeting and Next Steps

April Meeting Topics

Tom Hall shared hopes for continued relationship building at the April meeting. He also suggested that fire risk for the season could be an important topic for further discussion together. He invited Collaborative members to also bring issues they're facing going into the summer season and what they might want SNF to better understand from their perspectives. Seth also reminded the Collaborative that they could form working groups to dive deeper into specific topics over the summer season.

One Collaborative member suggested that the group set up a larger process to cohesively tackle issues from the assessment over the coming years. They reflected that many will also need to learn more together as a group, whether about history or laws related to BWCAW management. They affirmed the importance of meeting time for that need. They also suggested that a process to dig into agenda topics from the assessment and beyond would be important to have a meaningful impact as a Collaborative.

- **Action:** Tom suggested that SNF can work with the National Center to draft agenda topics, and then work with the Collaborative on refining agendas for the meetings.

Seth helped clarify that the National Center Situational Assessment Report was a third-party assessment with input from participating parties on key issues, challenges, and opportunities in BWCAW management. The report can be viewed online [here](#).

Another Collaborative member confirmed that fire management is a primary issue for them going into this coming season. Another Collaborative member chimed in with encouragement that the group look beyond just the current season when tackling and discussing issues. They suggested that the Collaborative consider creating frameworks and processes to address issues that could outlast the Collaborative itself. They suggested that, whenever the group looks at current issues, they might also consider framework suggestions for FS to use in future planning and engagement.

April meeting dates and venue

Seth reported to the group about the scheduling input received for the spring meeting. He noted that it was challenging for members to meet twice in-person this spring. Therefore, the Collaborative will focus on one longer in-person meeting at the end of April to sustain momentum. There is still the opportunity for a potential follow-up virtually in May and/or virtual work group efforts over the summer season.

Seth shared that although there is a desire to rotate locations between gateway communities, this first meeting will be in Duluth as a mid-way point for most members. If members know any no-cost meeting venues to suggest, please feel free to reach out to the National Center team. Information about final date and venue will be shared as soon as possible. There will also be a coordinated opportunity for everyone in the group to order and pay for their lunch.

Seth then invited members to share direct feedback on date options (April 24 or 25) in the meeting chat and/or in a follow-up email.

Volunteer agreements

SNF is working to get Collaborative members set-up with volunteer agreements for their time supporting this effort. SNF will send out detailed information in a follow-up email. They encourage everyone to get an agreement in place. For those that have a financial need for meeting travel and accommodations, they can write-up justification requesting support. In closing the meeting, Tom Hall shared his appreciation for everyone's time and energy on today's call and going forward.

Appendix I: BWCAW Collaborative Membership

Academia, Research, or Historical

1. Lane Johnson, University of Minnesota Cloquet Forestry Center
2. Dr. Charles Rose, St. Cloud State University, retired
3. Barb Soderberg, U.S. Forest Service, retired

Community level Interest (within gateway communities)

1. Jim Morrison, Gunflint Trail Fire Department
2. Josh Dix, Cook County Dept. of Public Works
3. Derrick Passe, volunteer North Country Trails; Lake County Soil and Water Conservation District

County govt or county level interest

1. Carrie Ohly-Cusack, Aquatic Invasive Species Boundary Water Collaborative (3 county interest)
2. Pat Eliassen, Sheriff Cook County
3. To Be Determined (TBD)

Education and Interpretation (Youth and Adult)

1. Matt Poppleton, Camp Widjiwagan
2. Alan Brew, Northland College, Sigurd Olson Institute
3. Ken Gilbertson, Environmental & Outdoor Education, University of Minnesota Duluth, retired

Environmental or Wilderness Conservation, Preservation, Advocacy:

1. Ingrid Lyons, Northeastern Minnesotans for Wilderness
2. Lukas Leaf, Sportsmen for the Boundary Waters
3. Kevin Proescholdt, Wilderness Watch

Forest Service (SNF):

1. Tom Hall, Forest Supervisor-
2. Cathy Quinn, Wilderness Program Manager
3. TBD, Ranger or other BWCAW specific expertise

Historically Marginalized Underrepresented or Populations

1. Asha Shoffner, Saint Paul Parks and Recreation; BIPOC Outdoors
2. Kesley Ebbs (Kes), Friends of the BW Northern Communities Coordinator; Growing Futures
3. Nell Holden, Wilderness Inquiry

Outfitting, Guiding (Commercial interest):

1. Jason Zabokrtsky, Ely Outfitting Company
2. Clare Shirley, Sawbill Outfitters
3. Bob LaTourell, LaTourell's Moose Lake Outfitters

Recreationalists:

1. Marcy Byrns, BWCAW Recreationalist
2. Kent Olson, BWCAW Recreationalist
3. Bill Iacono, BWCAW Recreationalist

State Govt interest:

1. Shelly Patten, Minnesota Department of Natural Resources
2. Jamie Thibodeaux, Minnesota Forest Resources Council
3. Travis Novitsky, Grand Portage State Park (pending confirmation)

Neighboring Federal or International Agency interest:

1. Heather Boyd/Bill Clayton, Grand Portage National Monument
2. Trevor Gibb, Quetico Provincial Park

<u>Membership Category</u>	<u>Description</u>
Environmental or Wilderness Conservation, Preservation, Advocacy	Representatives of groups advancing environmental conservation or preservation of wilderness character, or objectives
Outfitting, Guiding, or Ecotourism (Commercial)	Representatives of the commercial interests of the BWCAW
Academia, Research, or Historical	Representatives of the academic, scientific, research, or historical aspects of the BWCAW
Recreationalists	Representative interests of outdoor users
Historically Underrepresented or Marginalized Populations	Individual or group advancing equity for populations or communities that have been systematically denied aspects of economic, social, civic, and environmental services and benefits
Education and Interpretation (Youth and Adult)	Representative interests of those providing education and interpretative services to youth and/or adults
County Government or County-level Interest	Representative of county-level geographic coverage (with relevant interest in the BWCAW)
Community level Interest (within gateway communities)	Representative of gateway community-level geographic coverage (with relevant interest)
State Government or State-wide Interest	Representative of State of Minnesota geographic coverage (with relevant interest)
Forest Service Superior National Forest	Representatives of the convening agency responsible for management of the BWCAW
Neighboring Federal or International Agency	Representative of the neighboring or interested federal or Canadian agency or land unit