

Isle Royale Boaters Association June 1999 Newsletter

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Executive Committee Report for the Month of May

by Fred Bieti

Isle Royale - A Maritime Park with a priceless heritage, must be preserved as the premiere Maritime Park it was intended to be when it was established.

The Isle Royale General Management Plan (GMP) is now official. The Record - of - Decision (R-O-D) was signed on May 11, 1999. It is indeed, difficult to understand how the "goal of the selected alternative" of the GMP has changed from "separation of user groups" to one which "emphasizes the natural quiet that is fundamental to wilderness experiences."

... yet no supporting data within the GMP has changed. We must all be very concerned when we read: "Quiet/no wake zones will be established to reduce noiseand other regulations aimed at reducing sound associated with humans will also be implemented." (R-O-D - page 1)

When IRBA officials asked the Superintendent repeatedly to define "Quiet", He responded - "Quiet means not running .."

We must also become concerned when the R-O-D states that the "concessions services may be UNVIABLE but a study will be performed to evaluate "improving the mainland headquarters".

It should also be noted that on April 22nd, IRBA officials made a last ditch effort to avoid taking legal action by offering the Superintendent an "Adopt a family boating campground plan." A plan to rebuild every single family boating campsite at Isle Royale, over a five to ten year period. It was ignored. More Quiet!

The NPS agenda is now clear. Unlike the U.S. Forest Service and many other Federal bureaucracies, the National Park Service offers no appeal process following the R-O-D. In order to change the decision, it must be challenged in federal court. Your association will do just that. IRBA officials and attorneys are currently preparing the lawsuit.

Recent court decisions tend to indicate that the federal courts may, at long last, be becoming more "user friendly" and more inclined to conclude that some federal agencies are overstepping the authority given them by Congress and are actually guilty of "arbitrary and capricious" behavior and when it comes to rule making procedures.

In August, 1998, the Wilderness Watch case confirmed the fact that National Parks are for people, when the Judge ruled ... "The statute develops that purpose further, and directs that wilderness areas be administered for the use and enjoyment of the American people ..."

In a May 14th, 1999, case where columnist George Will said, "The court ruling transfixed this city..." (Washington D.C.), a federal appeals court invalidated an EPA regulation on air quality standards forcing the EPA to craft "more sensible regulations".

A Detroit News editorial said, "The real significance of this ruling may be it's effect on returning regulatory accountability to Congress". The editorial also stated, "When Congress cedes its law-making powers to unelected bureaucrats, government ceases to be the people's servant and becomes instead, their master.It's bad enough that taxpayers suffer the costs of regulatory overload. More broadly, citizens are robbed of the political recourse that the electoral process provides. There's no one to boot out of office for the violations of property rights inherent in wetlands regulation and the Endangered Species Act, or for the Internet tax unilaterally imposed by the Federal Communications Commission. In abdicating its power, Congress also invites outright defiance by regulatory agencies. ... When technocrats wield all the power, the nation's government ceases to be of the people, by the people and for the people."

A May 24th editorial by the *Detroit News*, entitled "What's Going On at Isle Royale?", said ... "Environmental groups such as the biodiversity legal foundation, a radical outfit that wants Isle Royale managed as a "small-scale ecosystem in presettlement natural conditions," have left an unmistakable imprint on the new management plan. and in Our View ... Isle Royale park authorities SHOULD NOT UNDULY RESTRICT ACCESS of boaters and other users to the island IN ORDER TO PRESERVE IT IN A PRISTINE STATE. ... Perhaps the boaters are overreacting. But the suit will at least require park authorities to clarify their intentions: Do they intend to unduly cut access to a PUBLICLY OWNED natural treasure?"

We sincerely hope the *Detroit News*, *Lake Superior Magazine*, *Boat U.S.*, *Lakeland Boating* and others, continue to keep an eye on the Isle Royale situation. Remember that The Stoll Trail at Isle Royale was named after Albert Stoll, who, as a columnist for the *Detroit News*, led the effort to make Isle Royale a National Park back in 1929.

With such support for the IRBA efforts, it seems unconscionable not to fight to protect our heritage. The timing will never be better. After all Isle Royale is a Maritime Park. If every member contributed \$100 to the IRBA mission we could raise over \$50,000 in a heartbeat.

For \$100, what better gift could you give your grandchildren than preserving their heritage?

Highlights of the IRBA Annual Meeting

Article

At the Annual Meeting of the IRBA held on May 1st, in Houghton, President Jim Markham discussed the progress and the support in publications that the Isle Royale Boaters Assoc. have received to date. He thanked the following people for their fine work: Fred Bieti, Dave Hand, newsletter, and Ed Glowacki, web site.

In recognition of their generous donation to the IRBA, members Tom Thornton and George Butvilas were presented with two custom made combination gas and electric grills. Tom Thornton received his for the largest donation to the IRBA to date, and George Butvilas received his for the first \$1000 pacesetting donation to IRBA.

John Kappler gave a report of a meeting the IRBA had with Isle Royale NPS Superintendent Doug Barnard on April 22, 1999. John stated that after repeated questioning by Fred Bieti concerning the definition of the word "QUIET" in the GMP the Superintendent said it meant "NOT RUNNING". This concerns the IRBA very much because, in the future, the NPS could consider closing off these waterways designated QUIET/NO WAKE ZONES just based on this definition.

IRBA representatives asked the Superintendent, "Why the trail from Chippewa Harbor to Lake Ritchie will be closed to hikers". The answer was because of "soil erosion" due to hikers and boaters. IRBA representatives asked about the moose that use that trail also causing soil erosion. Superintendent Barnard stated: "Moose come before people". Dave Hand asked the Superintendent if the NPS followed NEPA approved guidelines to document this soil erosion. Barnard stated that he did not need any study, the NPS could tell by looking at the site soil erosion taking place. We feel this statement is a violation of the National Environmental Policy Act (NEPA) and the Superintendent is exceeding his authority when rash statements such as this are made.

John Kappler has sent a letter to the Superintendent asking for further details on where the money is spent on Isle Royale over the past several years.

John also answered questions from members on legal opportunities IRBA may have in a lawsuit.

Jim Markham said the NPS has agreed to allow IRBA members to repair the pavilions at Belle Isle and Daisy Farm. Jim discussed materials needed for the job.

Fred Bieti read a letter from attorney Grant Merritt that lists the steps to follow in a lawsuit against the NPS. These steps were to be discussed at the next IRBA meeting

on May 20, 1999. Fred stressed the need for the IRBA to solicit money to fund this lawsuit.

The slate of officers recommended by the Executive Committee and motion approved by Jim Pintar and seconded by Bob Panian were as follows:

- Jim Markham, President
- Fred Bieti , Legislative Liaison/COO
- Dave Jukuri, Secretary
- John Kappler, VP of Finance and Treasurer
- Dan Sarazin, VP
- Dave Hand, Chief Environmental Officer
- Ed Glowacki, Chief Information Officer
- Tom Thornton, Regional Director

The remote area directors still need to be elected.

Cal Miller of Superior, WI gave thanks to all IRBA members for their work in the organization. He stated he would contact Wisconsin's legislators Feingold and Kohl for their support of IRBA's goals.

Members voted unanimously on the decision to go ahead with the necessary legal steps against the NPS.

Highlights of the IRBA May Meeting

Article

A motion was approved to have a committee work session in place of a June meeting so that legal and fundraising efforts could be more efficiently handled. The July meeting is tentatively scheduled to be held on Isle Royale on July 24. President Markham will try to co-ordinate the IRBA meeting with the Isle Royale Natural History Association meeting held on the island in July.

The IRBA recently received permission from the NPS to make badly needed repairs to the pavilions at Belle Isle and Daisy Farm. President Markham stated he would try to make a trip to Isle Royale to look over the pavilions and assess the repairs that are needed. The repair of the Belle Isle pavilion and painting of the shelters is scheduled for June 12.

A work session ensued on the steps IRBA will be taking in the lawsuit. Basic issues were discussed. John Kappler wrote a letter to the Park Service under the Freedom of Information Act to learn more about the Management of Isle National Park. John went over his suggested list of items against the NPS.. The words "Valid" and "Substantive" have merit in this case.

Crystal Cove harbor was discussed and the consensus is that harbor is unsafe due to the reefs surrounding the entrance of the harbor. Tom Thornton suggested the quiet issue and dock removal were important in the upcoming lawsuit. John Kappler gave his opinion of the intent of the NPS, which is to cut back on boaters as visitors and more visitors in the future. Dave Hand suggested someone should go to the NPS headquarters and review the public comment letters. Don Hannula, Pat Feldhausen and Ed Glowacki volunteered to work on that project. Dave Hand will work on the NEPA information with Ed Glowacki.

Many IRBA members have been involved with Good Samaritan experiences on the island. We would like to hear about them. In fact, we may need these letters in our upcoming court case against the NPS to show the court that various user groups are compatible and boaters contribute much to island safety by providing assistance to people in need.

IRBA Good Samaritan Act

Article

The following Good Samaritan act was sent to us from IRBA member L.F. "Buzz" DeJarlais of La Crescent, MN. As you will read, Buzz is expressing his concern with respect to the separation of backpackers and boaters on Isle Royale.

Isle Royale and the separation of backpackers and boaters! Submitted by Buzz DeJarlais:

I first boated to Isle Royale from Houghton, Michigan in 1979 and was so entranced with its beauty and serenity that I decided to return as often as possible with my family, diving buddies and relations. I have seen many changes in the past 20 years, not all the best, however, I firmly believe I will keep coming here until death or health intervenes.

Surprise CallAround August 13, 1984 as my cousin, his son Rich and I were in the Amygdaloid Channel and the radio barked a series of Maydays. I answered, asking their position and their problem. They answered that they were at McCargoe Cove dock and that a girl backpacker had a serious gash in her leg and was losing blood. Imagine their surprise when I informed them I had a Medic aboard (my cousin's son, Rich, who is the head of the emergency ward and helicopter at Marshfield General Hospital in Wisconsin) and we could be there in 20 minutes or so (with a little throttle urging). Then I turned the radio over to Rich and he gave them instructions on how to care for her until we got there. When we got there, Rich treated her and stitched up her leg. Incidentally, Rich also treated a man in a boat who had a very swollen arm and had become very listless.

At this time, reflect on a very different scenario. Picture the backpackers camp being a mile or two from the boat dock with no adjoining trail. What would have happened to the girl? Most every boat carries a radio aboard for themselves or others in case of

emergencies. I have personally taken aboard backpackers who could not go any farther due to bloody feet etc.

Incidentally, last August my crew and I were walking at Rock Harbor to get some good coffee at the restaurant when down the road came a group of Rangers wheeling a gurney with a woman hiker. They went to the first aid cabin by the docks and I believe that the Rangers were very happy to turn her over to Rich (the paramedic) to treat her as she was in shock. He stayed with her and brought her out of it and called for a medical chopper from Duluth. Rich missed supper with us at Tobin Harbor and he was contacted by the head Ranger or maybe Doug Barnard himself to inquire about proper supplies and care.

I am upset with the way the park service is heading, as I feel that wilderness parks are for people to enjoy, backpackers and boaters alike.

Sincerely,
L. F. "Buzz" DeJarlais of the Blithe Spirit

P.S. My yearly visits to Isle Royale are during the first two weeks in August.

Visual Bits of Isle Royale History

Picture Article

Remember the following picture that appeared in the April Newsletter? If you guessed the Daisy Farm dock and campground, you are correct. Jim Markham's family took the photo back in 1950's.



Daisy Farm dock and campsite.

The mystery photo shown below was taken in 1960. Where was this photo taken? Hint: The waterfront was cleared of Matt Farmer's structures and the existing walks were put in place.



Mystery docks where many of us have spent much time.

Keeping an Eye on Our Park

by Jim Marshall

The IRBA would like to request that members add a little diary to their fishing and camping boxes. Note each contact with any park service employee with the date, time and location, whether they were armed or not, and their attitude, as well as the reason for the contact. We realize this will take some time out of your vacation, but in court there is no such thing as "too much information".

Addendum – April Newsletter

Article Addendum

Addendum to the story that appeared in the last IRBA newsletter entitled: SPRING FISHING FOR MONSTER LAKERS IN MOSKY BASIN by Dave Hand. Some people called Jim Markham after this article appeared in the April Newsletter and wondered if the three fishermen in this story kept the 11 fish they caught. ABSOLUTELY NOT ! All the fish were released unharmed. In fact, these fishermen practice catch and release and occasionally keep a few small ones for a shore lunch. Sorry about the confusion as it would not look good for three fishermen to keep 11 fish when the limit is three each.

Safety Suggestions

Article

- When you are planning a trip to the island, the IRBA web site has a direct weather link for your convenience and safety.
- When fueling your boat, use your nose! That is to sniff the bilge of your boat after fueling to verify that there are no fumes present.