Interview with Dr. Miron L. “Bud” Heinselman,
with comments by Fran Heinselman

Interviewed by Margaret Robertson,
Minnesota Historical Society

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Dr. Miron L. “Bud” Heinselman - MH
Margaret Robertson - MR
Fran Heinselman - FH

MR: How did you become interested in forestry?

MH: I was born and raised in Duluth. My father was an outdoor person, and my parents
took me and my sisters camping from as early as I can remember, although we didn't have
an automobile until about 1926. I did a lot of hunting and fishing with my father, so I
became very much attached to the outdoors. We lived on the outskirts of Duluth in those
days, although it's no longer the outskirts. I played on the hills and in the forests
surrounding Duluth as a child. We had a little stream near our home, where I used to play
with my sisters and other kids in the neighborhood. Nature was where I took my
recreation. I wasn't a kid who played baseball and football and hockey. I went hunting and
I went fishing and I went rummaging around in the woods. I collected grasshoppers and
frogs and that sort of thing.

We moved to the Twin Cities in 1933. By the time I was a teenager, I had decided I
wanted to be a forester. I remember that very well. I even took out forestry books in the
Minneapolis Library and had read quite a bit of technical literature on forestry--these
were college textbooks and so on--well before I graduated from high school.

I started out in forestry at the University of Minnesota in the spring quarter of 1938, when
I graduated from high school. I went to the Itasca Park Field Camp that summer and
completed that. I remained in forestry for about a year and a half. At that point,
employment opportunities in forestry were not very good. The CCC program was
beginning to wind down. There was not significant private employment in forestry, so it
was nearly all potentially federal employment or a little bit of state employment. For professional foresters, primarily federal employment. A lot of my classmates were dropping out of forestry. This was the early stages of World War II. Some of the older ones, of course, were starting to enlist.

In 1939, I was nineteen. I had a very good buddy of mine, who was my principal canoeing buddy. He was in psychology. A number of my other friends were in psychology. One of my sisters was in psychology. I got interested in getting into psychology and personnel work, which turned out to be a big professional detour, although I've never regretted my education in this field. Anyway, I wound up getting a bachelors degree early into World War II. I graduated in 1942 with a liberal arts degree. I worked a couple of years in personnel work for Minnesota Civil Service and also for a shipyard in Duluth. I also was in personnel work in the Army at Fort Snelling. That's as far as I got in the war. Two years at Fort Snelling--two different stints, actually.

After the war, I was eligible for the G.I. bill. For one very short period during the war, I had a job on the Superior National Forest as a timber scaler. That's a person who measures timber at timber sales. I also did a lot of timber cruising. I got a good look at forestry in the field. While I didn't want to be a timber scaler the rest of my life, I could see that my original choice of forestry was the right one for me, after all. So I went back to college, and in two years, I finished my bachelors degree in forestry and also took some graduate courses. At that point, I got a job with the North Central Forest Experiment Station, for which the dean of the school of forestry, Dr. Kaufert, was very helpful in having me considered. That was the beginning of my career in forest research.

**MH:** Yes. My first job was at Rhinelander, Wisconsin. It wasn't here. We lived in Rhinelander two years. I worked on northern hardwoods research primarily over there, and a little on reforestation research. I realized after I'd worked only a little over a year at the North Central Forest Experiment Station in Rhinelander that if I was going to get anywhere in research, I needed more education. So the first step was the masters degree. I took a leave of absence in the fall of 1950 and a winter quarter of 1951, and came back to the University here. Fran and I moved back here with our kids. We really pulled up stakes at Rhinelander--not knowing we'd never go back, however. It was a leave of absence, but it was leave without pay. I was still eligible for more G.I. bill money, so we lived on G.I. bill for two quarters. It only took me two quarters to finish my masters, because I had done some of it already under the bachelors.

Then I was offered a transfer to Grand Rapids, Minnesota. I'll never forget it. They asked me this in such a way that I think they were half expecting me to turn it down, because they probably didn't think I'd want to move from Wisconsin to northern Minnesota.
[Chuckles] Little did they know that there was nothing we wanted to do more, because we loved northern Minnesota. We were closer to the canoe country. So I accepted very gleefully.

Immediately following completion of my masters degree in March of 1951, we moved to Grand Rapids. Then I started my career in northern conifers research of various kinds. I primarily got into black spruce management on peatlands. I began to realize that the nature of the peatland environment was extremely crucial to the successful growing of black spruce for pulpwood on peatland sites. So I got interested in the fundamental nature of peatlands. I also got interested in aspen and was very much interested in aspen research. Those are two important pulpwood trees in Minnesota. I was put in charge of an aspen forest site study, studying the fundamental factors that affect the growth of aspen on mineral soils. I wanted to do this for my Ph.D., believe it or not.

Then the station told me, "Well, we're not so sure we want you to do this," and they hired another person to do it. Besides that, my former boss, Joseph Stoekeler, at Rhinelander, Wisconsin, had by that time transferred to St. Paul. I was aware of this. Joe had earlier done work toward a Ph.D. on aspen site quality and then dropped it. I don't know if it was my wanting to get into this that stimulated Joe to decide to finish his thesis or what, but Joe suddenly decided to finish his Ph.D. thesis on aspen while working for the experiment station. So there was no way I was going to be able to do that with government support. By then, I had to have some support. I was still eligible for the G.I. bill. But at that point, we had a home to pay for, and we had two children. There was no way we could make it without some station support.

I got half-time support from the experiment station. I decided, with support of the station, to take on working on the fundamental factors affecting the growth of black spruce on peatland sites. This led, really, into a study of peatland ecosystems and successional development of peatlands and so on. It turned out that what we needed to know in order to understand the factors that affect black spruce on peatlands was more about the peatland environment itself. We just didn't know anything about it. It turned out that all the ideas in literature about the nature of Minnesota's peatlands were haywire, all the literature dealt with so-called filled lake succession of bogs. It turns out that most of the peatlands on which timber grows in Minnesota did not develop that way at all: they developed on flat terrain. The peat gradually accumulated--not in a lake, but on just a wet environment. So I got into that. That's a long story, which is a digression from my involvement in environment things. But that's how I wound up getting a Ph.D.

**MR:** Eventually, you transferred to St. Paul. Is that correct?
MH: Yes. If we're going to skip the Selke committee discussion primarily right now—it was really an outgrowth of the Selke committee discussion. I was deeply involved in the Boundary Waters controversy over logging in the virgin forests. In fact, I was the one, really, who surfaced the issue of the value of the remaining virgin forests, and who tried to make the case professionally in my own agency as well as with the Selke committee that the remaining virgin forests should not be logged. I made the case that they were of important scientific value and that we needed to know more about them.

As a result of that discussion, the experiment station became interested in developing a project in forest ecology in the Boundary Waters Wilderness. In addition, a number of citizens—and I was helping them behind the scenes—were successful in getting money for the experiment station to do this. They got money specifically earmarked for studying ecology in the Boundary Waters Wilderness—at that time, it was just called the Boundary Waters Canoe Area—through the U.S. Congress. So there was money.

I had to make a very difficult choice, given to me by the experiment station. I had a strong professional interest in doing some research in Alaska, where the U.S. Forest Service was just beginning to study. They gave me a choice of going to Alaska and starting research there or remaining in Grand Rapids and continuing to work on my peatland stuff, which I was strongly interested in and very tempted to do. We did not want to leave Grand Rapids because we liked it very much there, but one of the factors that tipped the scales, I think, was that there wouldn't be all that good financial support for the research in peatlands either. As a matter of fact, the work that I was doing up there was always a one-man show. I had my salary and a rather modest amount of expense money and occasional money for a field assistant. And that was it. It appeared that the Boundary Waters effort, for once, would be reasonably well supported with this new money.

So I was given the choice of Alaska, the peatlands, or transferring to St. Paul to work in the Boundary Waters Wilderness. The point I tried to make to the station was: Why do I need to transfer to St. Paul to work on the Boundary Waters Wilderness? Grand Rapids is closer. Well, if you want to know the truth, I will tell you the way I really read it. I knew what was going on, I think. This is grim, but I think that one of the motivations in centering the projects in St. Paul was that I wouldn't get quite so involved with these Grand Rapids people about Boundary Waters controversies. If I were working in St. Paul and working professionally on this project, maybe I would get off all this environmental involvement. I'm not sure. One will never know if that was a motivation. But the fact is that it really didn't make much sense to move the project down there, because it was physically closer to Grand Rapids. I could have done much of it out of Grand Rapids with less travel and less expense to the experiment station.
Now, there were some other considerations. The assistant director who handled that type of research was stationed in St. Paul. I had a very good relationship with him. His support turned out to be very useful for the project. It is true that the project kept better touch with him. Then, it also is true--and I wasn't aware of this initially--that they wanted to hire a couple more ecologists with whom I was influential. They asked my help some in hiring them and I participated in the interviews, but I was not initially in charge of that project. Dr. Bob Lucas, who does recreational wilderness research and who is now centered in Missoula, Montana, was put in charge of the project. My project, the ecological aspects of it, was only a sub-project under his. It turned out that I was really, initially at least, only one of three ecologists. We also hired Dr. Robert Ream and Dr. Lewis Ohmann. Lew Ohmann still works for the experiment station. Ream has now gone out to Missoula and works out there at the university near Bob Lucas.

Anyway, you can see that they envisioned a little bit of a different kind of a project than I saw. I envisioned myself working with whatever assistants I would need to hire. I already had in my mind what I wanted to do. I was interested in studying the natural process of fire in the wilderness. I knew enough already about the virgin forest and the Boundary Waters to have some hypotheses that I wanted to test with field research. I could see several years' project there without any problem. It would keep me busy.

It turned out that I was able to do what I wanted to do professionally, but I did have to work out of St. Paul. Of course, what happened there, in fact, didn't decrease my environmental activism. It got me involved in associations with lots of fellow environmental activists in the Twin Cities whom I didn't know all that well before. [Chuckles] It broadened rather than shrank my associations. If that was the motivation for getting me out of Grand Rapids, it backfired. [Chuckles]

**MR:** I was talking to Paul Toren and Bill Aultfather from the Izaak Walton League the other day.

**MH:** I know both of them.

**MR:** They were suggesting that for a lot of professional foresters the Izaak Walton League was a way of becoming involved in environmental issues and pressing causes that they couldn't do officially. Did that happen to you in Saint Paul?

**MH:** Yes, that certainly was true for myself. It was true for several others that I know. Bill Aultfather would be one. Jake Licke up in Walker was another one. I think there were some others, too.
MR: So you came to St. Paul in 1966?

MH: Yes, the spring of 1966. We went immediately up to the Boundary Waters. We rented a house over here on the next street for the first couple of years, didn't we, Fran? Then we built this one late in 1967. We had it built for us. I went up to the Boundary Waters immediately. You were up there, too, Fran. We also rented a cabin to live there. We were up there before the ice went out on the lakes, early in May. I had been working on a prospectus of what the research should be, late that winter. It seems to me the actual work began in March. I think they had me come down here intermittently. I also wrote some things while I was up there. We had to have a preliminary work plan before we could even do research. The first year was a preliminary study. The second year, we had a full work plan and we went full bore on the project.

MR: While you were stationed in St. Paul, you spent most of your time up there?

MH: Yes. Well, I actually spent probably an average of six to seven months a year up there and five to six here—more time at first and less toward the end. Because in research, inevitably, half of your time needs to be spent in the office or you're not doing an adequate job of keeping up with your records and publications and so on. Toward the end, the big effort became publication. I had to spend more time down here. I can't really remember precisely. But the last year or two, I may very well have only spent about five months a year up there.

MR: This is a good period to talk about conservation. In 1964, the Selke committee was formed. About this time, it published its findings. In 1964, the wilderness bill was passed.

MH: In 1964, the wilderness act was passed. That's a very interesting thing. The Boundary Waters Canoe Area became an area of the national wilderness system just weeks before the Selke committee filed their report. So they were filing a report on recommendations for a unit of the national wilderness system. It's the only named area in the act. It's actually mentioned by name, but with all these exceptions, of course. You see, the act preempted some of the potential decisions that they might have made in a way.

MR: What do you think the main impact of the Selke committee was, without getting into a lot of discussion about that?

MH: I think the main impact was that it did, for the first time, restrict where motorboats and snowmobiles could go and it restricted on a much larger scale the areas that could be logged. It brought to the fore the fact that the Selke committee went with increasing the
no-cut areas, went with the fact that the virgin forests deserved more protection.

But, unfortunately, I think because of the influence of the Forest Service officials on the committee, they omitted a lot of the remaining virgin areas from the areas included in the expanded no-cutting zones. That's perfectly understandable, if the decision was that they were going to continue logging. The best timber was in the remaining virgin areas.

The foresters all knew where they were. They might have wanted to dispute whether they qualified as virgin forests or not, because there were always a lot of hassles about what's a virgin forest. It's the area that came back after a forest fire. Well, of course, the truth is that that's the way all the forest originated up there. They knew which forests were valuable for pulpwood and saw timber. Unfortunately, most of them were in remaining virgin areas. There was very little cutting of second growth. It was nearly all virgin areas that they were cutting in those days.

**MR:** After the wilderness bills passed, the Boundary Waters was officially designated as a wilderness, and the Selke committee report was out, when did the concern arise that maybe this wasn't enough? Or was there already a feeling that this was not sufficient?

**MH:** There was a feeling immediately after the Selke decision that they didn't go far enough, that they didn't stop the logging. Really, the pressure on the Selke committee from the environmental side was: "Stop all the motorboat and snowmobile use and stop all the logging. Let's turn this thing into a full wilderness." That was the theme that the environmentalists pushed. We argued that case strongly. They only went halfway. In fact, the motor restrictions were really rather minimal. What they did was they restricted the motors mostly to the places where the motors were anyway and left to the canoeists the little lakes where there was very little motor use and where there were a lot of long portages. The same with the snowmobile routes. Most of the routes where people really wanted to go snowmobiling--the snowmobiling was mainly focused on winter trout fishing--were still open. They didn't close them. So there was immediate dissatisfaction.

Then, three things happened which contributed, I'm sure, to the feeling that something had to be done. First was the fact that the Forest Service made several large additional timber sales in virgin areas. Second was the large increase in Boundary Waters use. This was a time of strongly, rapidly increasing recreational use of the Boundary Waters so that the motorboat/snowmobile conflicts really increased rather than decreased. There were more canoeists to be concerned with and more winter campers and hikers to be concerned with the conflict. Motor use itself was growing, in spite of the fact that there were restrictions for the first time. And then a third factor, of course, was that as you well remember this was the time of rising environmental consciousness nationwide. A lot
more people began getting concerned about the fact that we were logging the remaining virgin areas, including a lot of scientists.

The facts are that a lot of the interest that precipitated the final push for the legislation really arose in the scientific community. I can elaborate on that, but maybe you want to get some more checkpoints here. It was then that the lawsuits started in 1972 to stop the logging.

**MR:** Between the period of 1966 and 1972, there was just a great deal of concern, especially among the scientific community, that there was too much logging? And then, in 1972, was the first big lawsuit?

**MH:** Yes. Another thing happened in along the way, which I think made people realize that the protection of the Boundary Waters was inadequate. That was the St. Clair mining threat. This entrepreneur by the name of George St. Clair literally threatened to go into the Boundary Waters and start drilling way back in the heart of the no-cutting area. He was going to go in there with heavy machinery in the winter and go across the lakes with his Caterpillar tractors and start drilling for copper nickel. It almost happened. It was only a great national outcry, I'm sure, that stopped it—plus the lawsuit, which I was deeply involved in also, cheering from the sidelines and giving people advice. We had rallies and that kind of thing. I was up to my neck in that.

In fact, we had a little group. We called it the Boundary Waters Information Group, which was formed during the St. Clair threat and which I kind of headed. It was a bunch of scientists from my experiment station who were deeply concerned about the mining threat. This was not the logging—this was mining. We were writing position papers for the environmentalists, some of which got published, trying to build the case that this mining case was a total disaster. [Chuckles] You see, that involved a lot more people.

Do you want me to lead you into all the lawsuits that arose?

**MR:** Yes.

**MH:** Okay. One of the people that I became deeply connected with professionally was Dr. Herbert Wright, who is another person you should interview perhaps, if you haven't already. Dr. Herbert Wright is the director of the research center at the University. Herb is a glacial geologist—one of the greatest in the world, I think. He's a Regents Professor at the University. Herb was really my principal mentor in my Ph.D., rather than my actual chairman. My actual chairman was Dr. Henry Hansen of the school of forestry. Herb was the one who helped me brainstorm the concept of the evolution of peatlands in
Minnesota. I've been associated with Herb professionally ever since. Herb then became extremely interested in the role of fire in the wilderness, and particularly whether or not there was any sediment record of past forest fires in the lakes.

An incredible thing happened in 1971, the Little Sioux fire that occurred in May. I actually happened to be on this fire. I immediately saw, even before the ashes were cold, the opportunity for research on the effects of a large forest fire. It burned into what turned out to be the largest timber sale that was ready to be cut in the remaining virgin areas, the so-called "Sunnydale" timber sale, which belonged to Northwest Paper Company, now Potlatch. Herb Wright was deeply involved in all this ecological research in the Boundary Waters Wilderness with his students, trying to understand the natural role of fire in the virgin areas going way, way back through sediment records—going back ten thousand years.

See, there was a problem with the research I was doing, working with tree ring evidence in living trees and fire scars. This is a tremendous way to document the history of the forests that are there right now. You can't go back thousands of years, because the oldest trees in the Boundary Waters are only about four hundred years old. You can't go back more than about four hundred years. So we needed this background that his students were getting.

Well, the Little Sioux fire occurred. The first thing that happened was Herb Wright and a bunch of graduate students and other professors from the University gathered—Dr. Dave Grigal in the soils department; Dr. John McColl, another scientist who collaborated with Wright and Grigal; Dr. Lew Ohmann, who was on my project in the experiment station; Dr. James Peek, working on the moose; some others working on small and large mammals; and myself. All of us were focused on the Little Sioux fire and the Sunnydale timber sale as a potential study area to understand the natural role of fire in the virgin forests. This was the principal area where the fire burned into standing virgin forests. There was about three thousand acres there that burned in a standing virgin forest.

Unfortunately, the forest supervisor, Harold E. Andersen, was not exactly a great environmentalist. The supervisor said, "We're going to salvage the timber. We're going to build roads in there. You can't have your study plots in that area. We're going to change the place. We're not going to leave it undisturbed." He didn't say it in so many words, but that's what it amounted to. He literally, at first, seemed to be turning down our interest in working in there at all.

Then we started formal negotiations through the University and the experiment station with the Superior National Forest and Harold E. Andersen to try to define a scientific
study area that they would not mess up with the timber sale. We were interested in doing work in the remaining virgin areas, as well as on the periphery where it had burned and well down into the fire. What this all precipitated was a realization in the scientific community in Minnesota that the virgin areas in the Boundary Waters Wilderness were not protected, that the timber values were considered more important than their scientific values, in spite of the fact that it was a unit of the national wilderness system. Anytime anybody wanted to do any research in a virgin area, if it was in the areas open to logging--and that was about half of the virgin area--they had to run the risk that it was going to be wiped out by a timber sale.

I can say this honestly. I did not have anything to do with stirring up the first lawsuit. The next thing I knew, in the fall of 1972, I got called over to Herb Wright's home. He lives here in St. Anthony Park. There I was introduced to a young attorney by the name of Charles Dayton, who, by the way, you should also interview. I didn't know Chuck Dayton at all. I never heard of him. He was working for MPIRG [Minnesota Public Interest Research Group] at that time--the students' group at the University. Chuck was interested in hearing what the problems were and so on. I rapidly began to get the impression that Herb Wright was thinking of initiating a lawsuit here and that Chuck Dayton was going to be the attorney. I was probably talking to an attorney that was going to be suing my agency. So I realized right away that it was a pretty grim situation.

Of course, Herb and Chuck were very discreet. They also knew that potentially they were putting me in an awkward position. So they did not ask me for direct help. But I got feelers as to whether I would be willing to appear as a witness if subpoenaed and tell it straight. Well, of course, you have to tell it straight if you're subpoenaed. You can't get up there and lie. I think what they were trying to find out was whether I thought my career would be destroyed and I would be fired if I cooperated. Of course, that would be illegal. But, on the other hand, there are ways to do those things. I let them know that I didn't much care--that if they really wanted to subpoena me, why, go ahead. I didn't think that anything would happen to me. But if it did, I would be willing to take the consequences.

To pursue that to its end right now, so I don't leave any bad impression of my agency--I was subpoenaed. My experiment station director, Dr. John Ohman, was very honest and straightforward with me. He just came in and said, "Now, Bud, we realize this is going to be an awkward situation for you. I want you to know that if you go in there and tell the story straight, you're not going to have any problems with me." He was very supportive. He let me know that so long as I didn't go lying on the other side--telling stories that weren't true against the Forest Service--that telling it like it was was not going to hurt me. He would see to that, and he did. It did not backfire against me personally. It got awkward because I was in the end, in a sense, the principal witness against my own agency.
On the other hand, I had been subpoenaed, and I had to do what I did. Harold Andersen was also subpoenaed and a number of other scientists that I knew. Actually, I did not sit through that first trial. The only time I was there was when I was subpoenaed. I was there on the witness stand. Otherwise, I wasn't there. So I didn't get to hear the other people testify, but I was told what they said.

As you know, the trial was before Judge Miles Lord. Judge Lord ruled against the Forest Service. The initial trial involved an impact statement under the National Environmental Policy Act. What the environmentalists were saying in their lawsuit was that logging the remaining virgin areas in the Boundary Waters Wilderness constitutes a major federal action that requires an environmental impact statement. The Forest Service said it didn't, but Judge Lord ruled that it did. They had to do an impact statement.

While the impact statement was under preparation, Judge Lord put an injunction on most of the remaining timber sales. I thought this was interesting. The tactic that Judge Lord took was that he would only enjoin those portions of the timber sales that were a major incursion into the remaining virgin areas. I was the one who had to identify the remaining virgin areas based on research that I had nearly completed. I now knew the boundaries of the virgin areas very accurately. We had big maps of this, which I had to bring in and show to the judge. All those kinds of records were also subpoenaed. I knew where all the logging roads were. I had to show that the logging roads were an incursion into the virgin areas.

Because he only enjoined those areas that were major incursions, he did let some timber sales go to completion because the damage had already been done. The roads were in. The area was sufficiently chopped up so you couldn't make the case that if you save what was left you'd be saving a significant remnant of the virgin area. He wanted to stop the logging in tracts that were contiguous with the remaining virgin areas, generally to the north. Generally speaking, the logging was coming in from the south and it was like a moth eating into a map from the south. It was all moth-eaten on the south side. So the logging was stopped in really all areas that were a significant threat to the remaining virgin areas. The logging was stopped until the completion of the environmental impact statement.

**MR:** In what year was that?

**MH:** The opinion came down in the spring of 1973. The suit was filed the fall of 1972. The opinion came down in June, I think. I have the dates, the chronology. April 16, 1973, Judge Lord's first opinion was filed with the injunction against seven remaining timber
sales.

MR: What happened immediately after that?

MH: The next thing that happened is that Bud Heinselman retired from the U.S. Forest Service. I had an opportunity to retire a little bit early, in June of 1974. I decided to take that opportunity. I did this for two reasons. I realized that, number one, professionally, I had just really completed most of my Boundary Waters Wilderness studies that I couldn't carry on independently by myself in the future. I didn't see the support in the experiment station to let me go on indefinitely there. I could have come up with new studies without any problem. But I didn't see the support likely to be forthcoming to go on indefinitely, either. I had just completed my major publication also. It was published. It was out. As a matter of fact, it came out in 1973--the year before. This was the research paper on "Fire in the Virgin Forest of Boundary Waters Wilderness". So I felt that, professionally, I was at a pretty good turning point.

In terms of my environmental concerns, so many of them centered around problems in the Boundary Waters Wilderness and my own agency that I realized that if I were really going to be effective, I could do a lot more if I didn't work for the agency. So I took this opportunity. June 30th, the last day of the month, was my last official day of that year (1974). I retired.

Immediately, I realized it was a whole new ballgame, as far as the environmental problems are concerned. I got with Chuck Dayton and Herb Wright and all of my friends in the Sierra Club, the Izaak Walton League, the Audubon Society, and we decided to hold a strategy meeting. We realized that Judge Lord's injunction on the logging of the remaining virgin areas in the Boundary Waters was not likely to stop the logging permanently, that we needed further legal action or legislation. Also, there was rising concern about motor-boats and snowmobile use and that was not being addressed at all by the lawsuits before Judge Lord.

We held a meeting. I can give you the date for this because I'm sure I have it on here. On July 27th and 28th of 1974, we held a strategy meeting at Fran's and my cabin on Burntside Lake up by Ely. We built this cabin way back in 1967. Fran and I lived there during the summer when I was working the Boundary Waters. There were a large number of people there from the various environmental groups.

I have a few names here that probably are worth listing. Chuck Dayton was there. Walt Pomeroy was there--he later became executive director of the Sigurd Olson Institute in Ashland. Darby Nelson, who is now a representative in the Minnesota legislature and a
professor at Anoka-Ramsey Community College was there. He's a biologist. Brock Evans, who was the legislative lobbyist in Washington, D.C., for the Sierra Club was there. Jonathan Ella, the Sierra Club lobbyist from the Madison office, was there. Ernest Dickerman, from the Wilderness Society in Washington, was there. He was one of their principal lobbyists. Richard Flint, an attorney from one of the law firms here in the Twin Cities, was there. He's been very active. Al Buckholz, from the Izaak Walton League in Minneapolis, was there. Paul Toren from the Izaak Walton League, was there. Charles Kahler, from the Natural History Society of Minnesota, was there. Jerry Seck, another attorney working with Chuck Dayton, was there.

While we were up there, we visited with Sigurd Olson out at his Listening Point cabin and kept him fully up to speed on what we were doing. Sigurd was getting a little elderly, and he didn't want to participate in the whole thing, but he wanted to be kept informed. So we had a meeting with Sig, too. That was a high point, actually. We all went out to Listening Point and met with Sig.

At that meeting, we decided to pursue a kind of triple strategy to solve the Boundary Waters problems. This was a meeting specifically on Boundary Waters. We decided to go for further legislation to try and make it a full wilderness area. We decided to pursue the lawsuit and try to get a permanent injunction against logging out of Judge Lord. Chuck Dayton and Jerry Seck told us that, legally, it was a tenuous case, but we might win. We could very well be overturned on appeal. We needed to think about legislation as well. The third thing we agreed to pursue was an appeal to the U.S. Forest Service on a number of matters that we thought that they could, if they chose to, deal with under existing legislation. We didn't feel that they really could deal with the logging. But we thought that they probably could deal with motorboats and snowmobiles administratively if they chose to under the wilderness act. We felt they had discretion. There were some other things, too. There were a whole bunch of points in that appeal. I would have to go back to the brief to give them all to you. It was a complex appeal.

We then proceeded to do just exactly that. We went ahead with all of these strategies simultaneously. We filed another lawsuit asking Judge Lord for a permanent injunction against the logging. That trial took place beginning late in the fall of 1974. We also immediately attempted to get legislation through the U.S. Congress. Our first opportunity--and we discussed this at that strategy meeting--was the Eastern Wilderness Areas Act, which was then in Congress. I was deeply involved in this.

Adolph Anderson, Dr. Arnold Bolz from Grand Rapids, and I all knew John Blatnik, who was still the representative from northeastern Minnesota--the chair now held by James Oberstar. We wanted to persuade him to put an amendment in the Eastern Wilderness
Areas Act which would just either make it a full unit of the wilderness system, banning all logging, motorboats, and snowmobiles, or—failing in that—stopping the logging. We had two alternative amendments drafted that we wanted John to consider.

This was a major effort, incidentally, which almost succeeded. We were aided and abetted in this by Sigurd Olson and a very close lifetime friend of John Blatnik by the name of Veda Ponikvar, who was the editor of the Chisholm Daily News. I believe that's what they called that newspaper in Chisholm. Veda is a very sharp woman and was a lifetime friend of Blatnik. She grew up with Blatnik on the range. Veda was also a very good friend of Sig Olson's. So there were lots of ties there. Sig had worked closely with Blatnik earlier on the Thye-Blatnik Act, which is an important earlier act affecting the Boundary Waters. So Sig had some rapport with Blatnik also. We set up a meeting. Veda and Sig were instrumental in persuading John to do this. We set up a meeting with John in a cafe in Chisholm. On September 8, 1974, we had dinner with John Blatnik with the people that I just mentioned. We ran this by him. John agreed to carry the amendment. We thought we might have something going.

We then found that there were a lot of discussions going on in Blatnik's office. It became less clear that John was really going to push it. We had Sig and myself and others making calls to John. John asked for a letter giving some of the rationale and explaining the amendment. We did that. He had the language and he approved of the language. The language wasn't the problem. The problem was whether he wanted to do it, whether he felt he could do it. I think John really wanted to do it. We'll never know for sure unless John will say. At the last minute, when it was ready to go in, it hadn't happened. We were getting down to the wire. There was going to be a meeting of the interior committee where John was going to present this thing. He had persuaded somebody else to present it. There were some key people involved there. John Melcher from Montana was chairman of the committee. Patsy Mink was a very good friend of Don Fraser's. Patsy was willing to help us.

What happened is myself and Chuck Dayton and Bill Rom from Ely went down to Washington to try and shepherd this amendment through the committee. We thought we had things all set. At the last minute, we heard that Harold Andersen, who had been the supervisor of the Superior National Forest and who also retired in the summer of 1974— the same year I had— was down there lobbying for the timber industry and the Northwestern Minnesota Development Council. John Babich, from the Development Council, was also there. One of the two Smrekars from Ely was there—either John or Tom. My memory says John, but some other things I've seen says it might be his son, Tom, who's now a vice president of Pot-latch. It was one of the two Smrekars, anyway.
We met the three of them in the halls of Congress, outside the committee room. We said, "What the hell are you guys doing here?" and they said, "What the hell are you guys doing here?" We had a little conversation, and we realized we had a big problem. We went in and talked to Blatnik's office. We didn't get to talk to John himself. I don't know if John was being evasive or what. John said he had a problem with this thing and he wasn't too sure he was going to go with it, any ifs, ands, or buts, and so on. That was the word we got from his staff. Oberstar was on the staff. Some of us think that Oberstar might have been the person who was doing this. We don't know. Only Jim would know that.

We don't know who Andersen, Babich, and Smrekar talked to, but we know they talked to the staff and we know they talked to the committee. We think they talked to Melcher, the chairman of the committee. To make a long story short, what happened was we got Patsy Mink to agree to carry the amendment. Then, at the last minute, she told us that it just wasn't going to go, that Melcher had said that he recognized the problem in Minnesota. He felt that it was a worthy amendment and that it needed consideration, but that there was no way his committee was going to consider it until there were hearings at Minnesota. We knew that the Eastern Wilderness Areas Act was set to pass in the next few weeks. It was the waning days of the Congress. We knew that was the kiss of death for this movement. It wasn't going to happen, and it didn't happen. About two weeks later, they passed the Eastern Wilderness Areas Act without the amendment. Our chance was gone.

The fact that we were there and the other people were there all came out in the press. So it's in the written record. Judge Lord took official notice of it in his courtroom and jokingly said, "I understand some of my litigants have been involved in a little trip to Washington." [Chuckles] He was comical about it. He didn't take offense at it at all. I think he may have even said, "There's nothing inappropriate about this. My job isn't legislation. My job is to enforce the law after it's passed. Citizens of the United States are free to do anything they want with the United States Congress." [Chuckles] I think somebody on the other side had raised the question whether this didn't invalidate the lawsuit in some way. He said, "It's got nothing to do with the lawsuit. You can sue." [Chuckles]

So we went on with the lawsuit, and we won. That second lawsuit was a grim one. I forgot to mention, but I was on the witness stand for at least a week or ten days in the first lawsuit. In the second lawsuit, I was on the witness stand for at least two weeks. Fran, would you remember?

FH: I don't.
**MH:** It was at least two weeks--maybe more. It was incredible. Of course, this time we could stay for the whole thing because I wasn't working for the Forest Service. I didn't have to go back to work. I could stay all day and hear all the other people. The other side brought in Harold Andersen, the former supervisor, and had him testify about all the reasons why they shouldn't have this provision. They also brought in the former regional forester. I think the testimony that probably was the most important against us was that of Harold Andersen. The planner who did a lot of the EIS research also testified. I gave him all my maps and stuff before the lawsuit ever happened, when I was still working for the Superior National Forest.

You see, the environmental impact statement had just been filed. We were contesting a couple things. We were saying, first of all, the environmental impact statement was not adequate and, second of all, even if it were adequate, the logging of the remaining virgin areas is a violation of the wilderness act and all the other acts that supported the Boundary Waters Wilderness. By then, there were several acts of Congress involved.

We knew that it was a tenuous case because of the language in paragraph 4(d)5 of the wilderness act. Chuck Dayton felt that you could make a reasonable case of it. The language of the wilderness act had this paragraph about the Secretary maintaining the primitive character of the area, but without unnecessary restrictions on other uses, including that of timber.

Well, the question then becomes: What is maintaining the primitive character of the area and what is a necessary restriction? Chuck Dayton, very eloquently, made the case that, certainly, logging the remaining virgin areas damages the primitive character of the area and, certainly, that a restriction is necessary to save the primitive character of the area. He persuaded Judge Lord. Judge Lord's decision is very eloquent in that regard. In my opinion, it could have been sustained all the way to the Supreme Court. It was one of these hairline decisions. It's a matter of interpreting that damned provision in the wilderness act. I wouldn't fault the judges further on, either, for what they did. I don't think they did a bad thing. That was just one of those things.

Frankly, the problem was that the language in the wilderness act was not sufficient to protect the virgin areas of the Boundary Waters Wilderness, and we knew it. Even if we had won, it wouldn't have stopped the logging. It would have only stopped the logging in the remaining virgin forests. That's all we were asking, because we felt that that's as far as we could go. We won that with Judge Lord. But, ultimately, the appeals court did overturn it. We also made a perfunctory appeal to the Supreme Court, and they refused to even hear that case.
Fran, did you remember the name of the regional forester who testified?

FH: Cravens.

MH: Jay Cravens, yes. I knew it began with a "c". The regional forester's name was Jay Cravens. The three key witnesses from the Forest Service, I think, were Andersen, Cravens, and this planner whose name was Bob. I can't remember Bob's last name right now. He had done a lot of the work on the environmental impact statement, and there were some things in that statement, in my opinion, that were strange, but it's not relevant now. We won before Judge Lord and we lost further on up the line. The reason we lost is not because of the details of the suit. It was that the higher courts just felt that the language in the act was such that the Forest Service really did have discretion to log anywhere they wanted to. Well, maybe not anywhere they wanted to. In fact, they did restrict it to some extent, even in the appeals decision, I think. I think what they said is that the no-cutting areas were an adequate effort to protect the primitive character of the area under the meaning of the present legislation--something like that.

MR: Once you lost the appeal, was there a sense that once again, you had to seek legislation?

MH: Yes. We immediately realized that the ballgame was up. In fact, I think we started moving towards legislation simultaneously, because we missed on the Eastern Wilderness Areas Act. Ultimately, serious political problems developed with respect to the passage of legislation. Representative Fraser from Minneapolis was considering running for the Senate. At first, he was considering running irregardless of the situation with respect to Hubert Humphrey's death. But after Hubert Humphrey passed away, then this clearly gave him a chance to run for the Senate without opposing Senator Anderson. Otherwise, he was seriously considering running for Senator Anderson's seat.

Of course, Anderson was the incumbent senator that we had to deal with in Minnesota when Hubert Humphrey became ill and then finally died. We had no other senator to deal with. It turned out in the end, of course, that Senator Anderson was the person who pushed the bill through the Senate. We were well aware that our relationship with Senator Anderson was very critical. First, when it appeared that Don Fraser was going to run against Anderson, that didn't help much. Then, as matters developed, it turned out that Fraser's candidacy for the Senate became a big problem in any case. I'll get back to that thought later.

The sequence of events here was that, eventually, the mining decision by Judge Neville was overturned on a technicality, so we couldn't claim any longer that we even had
protection against mining in the wilderness. Judge Lord's opinion on the second lawsuit was filed August 13, 1975. In the fall of 1975, on October 14, a bunch of environmentalists from the Twin Cities--including myself, Janet Green from Duluth, and Chuck Dayton--were called to Duluth by Representative Oberstar who by then had succeeded Blatnik. Oberstar unveiled a draft with maps of his proposed new wilderness bill. This bill had some good features in that it protected significant areas of the virgin forest as full wilderness. About six hundred thousand acres of the existing Boundary Waters Wilderness would have been made full wilderness, but about four hundred thousand acres would have been turned into a national recreation area and thus removed from the national wilderness system.

We saw the desirable portions of his bill, but we were also very concerned about the removal of any areas from the wilderness system. We immediately began to have meetings and discuss the Oberstar bill and discuss how we should deal with it. Our initial approach was to try to persuade Congressman Oberstar to change the proposal. By the way, he immediately introduced the bill in Congress, on October 20, 1975. We prepared a group letter from all the environmental groups--I was heavily involved in writing this--on October 24, 1975, detailing to him our concerns about the bill and asking him to make changes.

Also, at this very same time, I was involved in another effort to protect the Boundary Waters, which is a digression from the legislative effort in Congress for just a moment. But I think I should tell you about this. Then-Lieutenant Governor Rudy Perpich and State Representative Bud Philbrook and State Senator John Milton were pushing, with our support and drafting help, a bill in the Minnesota legislature to stop the logging and mining of state lands in the Boundary Waters. The state has a lot of jurisdiction over potential movement of mining equipment because of their ownership of the waters.

This was an incredible scenario. At first, we started a tour of the state with Rudy in a state plane. Then Rudy was told that it was inappropriate to use the state plane, particularly if he was going to take me around and a couple of representatives. Rudy had to have transportation. Rudy is a persistent person. He didn't want to give up on this thing. Rudy was very strongly committed to this bill. He gave stem-winder speeches as Rudy can.

[Chuckles]

Fran and I eventually took Rudy Perpich around the state of Minnesota. Sometimes these two representatives, Bud Philbrook or John Milton came along. We went to Warroad, Mankato, Northfield, Marshall, Rochester, Bemidji, Hibbing, Duluth, and the UMD-Morris. I personally chauffeured Rudy around to many of these places. Rudy would make a stem-winder speech about how the robber baron loggers and miners raped and ruined
northern Minnesota and we were going to stop it with this bill in the Boundary Waters Wilderness. We weren't going to let them do this to the Boundary Waters. Then I would get up there with my maps of the remaining virgin forest and give a big spiel about the natural ecosystem and why this was an important place to save. And then we'd go on to the next town. In a space of about two months, we made the whole state.

Well, that bill eventually did pass the legislature on April 7, 1976, with the logging provisions deleted. It became an anti-mining law. It's a very good one, and it's still on the books. It gives the state of Minnesota very strong control over mining in the Boundary Waters Wilderness. The federal act, as it ultimately was passed, is not a total mining ban, but the state law is, except for a national emergency. We can thank Rudy Perpich for that. He pushed that thing, and he got it through.

Picking up the trail again on the federal legislation, we worked continuously through the fall and winter of 1974-1975 with Oberstar. I got to know Jim Oberstar and his staff quite well. My appraisal is that Jim really wanted to change his bill in a way that it would be acceptable to environmentalists so he could get it through the Congress with bipartisan support. I mean bipartisan factionally, not Republicans versus Democrats, so it had to be a noncontroversial piece of legislation.

His problem was that the people up north just wouldn't go far enough on either restricting motorboats and snowmobiles or logging to even come close to satisfying us. The biggest sticking point at that point really was the logging. If the people up north had been willing to concede--it was the timber industry as well as the local folks--if they'd been willing to concede the logging issue, Oberstar, I'm sure, would have banned all the logging. There might have been a meeting of the minds. We might have been willing, at that point, to accept a bill that didn't have major further restrictions on motorboats and snowmobiles simply to make sure we had the remaining virgin forest protected. But they wouldn't even go that far. They just wouldn't change the boundaries of his proposed wilderness area and national recreation area.

One very interesting thing did come out of this. There was a letter exchange with the State Department on whether or not the state really had jurisdiction over international waters and motorboats and snowmobiles. This became a big issue later on in lawsuits. Jim Oberstar gave me a copy of a letter he had received from the State Department. Oberstar was interested in establishing that the state and federal government could regulate the motorboat and snowmobile traffic on the international boundary. There had been some questions about how treaties would be interpreted. Some people claim the Webster-Ashburton treaty prevented the federal government or the state from ever restricting motor-boats and snowmobiles on the international boundary. Oberstar received a State
Department letter saying that either federal or state legislation could do so—that the treaties did not prevent this.

We used that information later, which is one of the big things that came out of our efforts to persuade Oberstar. [Chuckles] Jim was very helpful. I feel to this day that probably Oberstar's opposition to this act was foisted upon him. He probably didn't want to fight it that hard, but he had to because it was his constituents. They wanted to fight it. A lot of things were happening at that time. Secretary of Agriculture Butz banned snowmobiles, which stirred things up even further, because it got the snowmobilers all up in arms. Then they wanted legislation to make sure that they could get in there. So it got pretty complicated.

Then, on May 7, 1976, a bunch of us from the Twin Cities, about twenty-five environmentalists—I'll give you some names here pretty soon—decided that we simply had to find a new sponsor for legislation. We had to rethink our whole strategy. We decided to hold a meeting halfway between the Twin Cities and Duluth so it would be easy travel for people from both the north and the south to get together and hash this thing out. We met in Tobie's Cafe, which is on 1-35 in Hinckley. At that meeting were: Chuck Dayton; myself; Janet Green from Duluth; Herb Johnson, who is now chairman of Friends of the Boundary Waters Wilderness; Dick Flint, an attorney from the Twin Cities; Paul Toren from the Izaak Walton League; Fern Arpi from Virginia, Minnesota; Steve Payne from the Wilderness Society in Washington; Charles Stoddard, former director of the U.S. Bureau of Land Management and a long-time environmentalist; Dick Wyman, a fellow from Duluth who has since not been active but was active at that point; and a number of other people whose names I can't remember at this particular point and I don't have in this chronology. There were about twenty-five of us—a lot of people.

Out of that meeting came three things. We formed the Friends of the Boundary Waters Wilderness and gave it that name. They elected me as chairman. We decided that we would find another sponsor for a piece of legislation. We decided to try to persuade Representative Donald Fraser, whom a lot of us knew and whom we thought might be willing to carry the bill. We didn't know. Chuck Dayton and I recalled that one time, in the cafeteria of the federal courthouse, where Fraser's office was at that time, Don Fraser had lunch with us. This was during the second lawsuit. Fraser said, "You guys have got lots of problems with this thing. A lawsuit is never going to solve all this. Do you want me to put in a bill?" 

We thought about it and we said, "No, no. We've got to pursue this legal alternative, because the trouble with legislation is it will be terribly difficult, and it may take too long. In the meantime, they may have logged too much of the area." So we put him off, but we
remembered that. We filed it away up here. [Chuckles) So we had an idea that maybe Don would help. Of course, as history has told us, he did help. That was the beginning of the Fraser bill. Oh, by the way, Judge Miles Lord then filed his second opinion, banning logging and issuing a permanent injunction on August 13, 1975. There's a gap here.

On June 12, 1976, we met with Representative Fraser. He formally agreed to carry the bill. We then set to work with his staff, drafting a bill. The first Fraser bill had a peculiar approach to making the Boundary Waters a full wilderness. The thrust of the bill was that it would become a full unit of the national wilderness system. It would ban logging, mining, motorboats, snowmobiles and everything. It would make it as solid a unit of the national wilderness system as any of the previous areas in the west.

It was done in a backhanded sort of way, primarily because of concerns of some people in the Izaak Walton League that we needed to have language that would preserve paragraph 4(d)5. They didn't want to repeal paragraph 4(d)5 and the mentioning of the Boundary Waters Wilderness in the wilderness act because they said Judge Neville's decision gave us a handle on mining there that we may not have otherwise. Their advice was well-taken, although it turns out in the end that it wasn't essential. The final legislation took a completely different approach.

However, for that reason, if one looks at the language of the original Fraser bill, it didn't repeal paragraph 4(d)5. It took an indirect way of accomplishing the same thing. We thought it was adequate and would have done the job legally. But because of concerns that surfaced later on, when it became apparent that we were not going to get a full prohibition of motorboats and snowmobiles, that there were going to have to be some exceptions, Congress ultimately went for quite different language.

Do you want me to just proceed chronologically with how this all happened?

MR: Sure.

MH: Let's see. What would be the most significant? There were frequent meetings of the Friends of the Boundary Waters Wilderness after that, often up at Tobie's Cafe in Hinckley, sometimes at the Northwoods Audubon Center in Sandstone. The people who ran the Audubon Center were part of our coalition.

Oh, I should mention this. This is very relevant. When we first formed the Friends of the Boundary Waters Wilderness, I particularly wanted--and everyone agreed--not to make it a membership organization that would compete with the Izaak Walton League, Sierra
Club, Audubon, Wilderness Society, etc., but simply to create an ad hoc coalition of
groups. We could then lobby in Washington without the tax exempt problems that some
of the other groups had, and we could feel free to try to broaden the coalition. Ultimately,
we got some sixty or more groups into this coalition nationwide to try to get legislation
through the Congress.

We were really a rather strange organization. We were quite different in this respect, I
think, than the Conservation Alliance, which apparently had chairmen and secretaries and
committees and this thing. We were nothing but just a group of people that met, really.
They called me their "chairman," but I really don't know why because that kind of a group
hardly even needs a chairman. We had what we called the "executive committee," but that
was really just those people who faithfully come to the meetings and are willing to do
something. You could become a member of the executive committee just by getting
active. The committee varied from ten to thirty people, and when we had executive
meetings, we never turned anyone away. Anybody who wanted to come, fine. Frequently,
the executive committee meetings were held in my home, or at Tobie's or at the
Northwoods Audubon facility. We wanted broad representation, so sometimes there
would be meetings of two or three hundred people. But we had many meetings at which
there would be anywhere from ten to thirty activists.

We operated this way clear through the passage of the act. We had a treasurer, Dr. Darby
Nelson, who is now a state legislator. He was our treasurer because we knew that we had
to keep our money straight. He kept us honest, and he did a good job. He also told us
when we were broke, which was most of the time, and he told us when we needed to raise
more money, which was most of the time. [Chuckles] We had a terrible time with those
kinds of things.

While I'm on this digression, let me just tell you a little bit about how that went, because I
think it is interesting. We were always broke. People thought that we were a rich outfit.
The people up north, I think, thought we were a bunch of millionaires that were running
this thing out of our own pockets and that money was not a problem. In fact, it was a
terrible problem for many of us, including Fran and me. Fran and I personally went into
debt over six thousand dollars during the conflict, and finally got most of that paid back
by some dear friends who shall remain anonymous. Lots of other people put their own
money in. Darby Nelson put a significant amount of his own money in, I think in the
thousands of dollars. I'm not sure whether Darby ever did get his money back.

In the end, over the three year history of our effort to pass the law, we raised--mostly in
small donations of five to twenty-five dollars--about a hundred thousand dollars. That's
what we used in a three year period. So we had not more than twenty-five to thirty
thousand dollars a year to work with. This included airfares for dozens, even hundreds, of people to Washington, D.C. That's where most of the money went, as well as to attorneys and a couple of people who helped us on a fairly full-time basis, to whom we paid expenses. Dan Engstrom was one of them. Dan is now a Ph.D. scientist at the University's research center, but at that time, Dan was between jobs. He had a master's degree, but he hadn't decided yet to go for his Ph.D. He devoted pretty near two years of his life to this thing, for which all he got was minimal expenses.

Other than that, nobody got paid expenses other than direct out-of-pocket things that we felt we had to cover. Sometimes, when we would bring lobbyists—by "lobbyists" I mean individuals who were committed to contacting their legislators, not paid lobbyists. We had no paid lobbyists at all, all the way through the whole thing. We would bring them down to Washington and we would usually pay their airfare and, if possible, their hotel bill. We tried to get them out of there in one day so we'd only have one or two nights.

We did pay Chuck Dayton some for the legal work. That amounted to thousands of dollars in the end. He would be the only professional who was paid, and this was on the basis of legal work. He did a significant amount of the drafting of the legislation that we would give to the Congress. He and some other attorneys--Dick Flint and Steve Snyder and several others--worked on the language at various times. They particularly would work on difficult and troublesome provisions, where we weren't happy with what Congress was coming up with.

To pick up the chain of events, our first big effort was initially run out of our house here. We got together a mailing list with the help of a lot of folks from the Friends of the Boundary Waters. First, we put together the mailing lists we had from a number of the environmental groups. Then we got a bright idea—I think it was Chuck Dayton's idea. Under the Freedom of Information Act, we asked the Forest Service to give us access to the list of registrants, of visitors, to the Boundary Waters Wilderness. Of course, most of them are canoeists. We had no idea whether they would be favorable or not, but you could tell on their registration whether they were a motorboater or a snowmobiler or a canoeist.

We literally went physically up to Duluth. The Superior National Forest people knew what we were doing and what we were using it for. They said there's no way they could stop us, but they wouldn't let us take the lists with us. So literally, we had to copy by hand some thirty thousand names and addresses while staying in the Superior National Forest. [Chuckles] We spent days and days and days up there with dozens of people. I'm not sure we got quite all thirty thousand off those lists, but it was at least twenty-five thousand.
Together with the lists of people we already had, those names made up a mass mailing of a brochure which we got out in the fall of 1976, in September of 1976, I believe. The brochure was extremely helpful. It apparently was sufficiently well-done that it let people know why they should be concerned about the Boundary Waters. It told them that there was a bill in Congress already that would divide the area into a national recreation area and eliminate four hundred thousand acres from the wilderness. It also let them know that there was another bill in Congress that would protect it as a full wilderness, and they'd better get active.

We got a tremendous response, with thousands of people writing back. At first, Fran and I handled the mailing list out of this house by hand, without any computers, no help or anything. It got to be totally impossible for Fran. Finally, it was turned over to Erika Sitz, who was with the Izaak Walton League, and another of the volunteers in the coalition. They got a much more formalized way of handling it. We never did get on computers because, in those days, the computers we have now were not available to individuals. There weren't cheap home computers. The best we had were some address cards that could be used directly in a machine. It wasn't an Address-O-Graph, either. We went with some outfit called Nelson Names. That's the way I remember it, anyway. If we gave them these cards, their machine would spit out the address labels. Just exactly how it worked, I don't know. We did get mechanized to a minor degree, but we were really primitive, frankly.

I think I should mention a few key people who did help us in a major way. Former Governor Elmer L. Andersen was very helpful. Elmer gave us moral support all the way through, and I'm sure wrote lots of letters and so on. He was a Republican. Don Fraser was a Democrat. That didn't bother Elmer one bit. He was a hundred percent behind us. He's a tremendous supporter of the wilderness. He helped us financially with a loan. Some of it, in the end, became a donation. I think he made a small donation plus a significant loan. By "significant," it was only four or five thousand dollars, but it was enough so that we had a cushion when we had a crisis. This was very helpful.

During this time, there were a number of debates in Minnesota--some of them rather formal. I know one was up at St. Cloud University, with Russ Allen from the Timber Producers' Association and myself debating the logging issue. There was one over at the University of Minnesota. I could dig all this stuff up, but I don't need to give you the details, unless you particularly want something. Don Fraser made a presentation at the University. It seems to me somebody else did, too.

The next thing that happened was a pretty significant event. The appeals court turned down the Judge Lord decision. In other words, they invalidated his decision. That
happened on August 30, 1976, right while we were getting out our brochures. We discovered that the Eighth Circuit Court of Appeals had reversed Judge Lord's decision and dissolved the injunctions against logging. Because of provisions that the Superior National Forest had as to how this logging could be conducted, it was all restricted to winter logging. A lot of the roads to be used were not permanent all-weather roads. Some of them were. But because there were winter roads that had to be used, and because the Forest Service by then had a policy of not letting them log during the canoeing season, the logging couldn't begin until the freeze-up. The freeze-up is in November. In fact, it's usually not frozen up solid enough so that you can get heavy equipment in until about Christmas time.

So we had until about Christmas to come up with a way of stopping the logging. We were deeply concerned that now there were six timber sales—by that time, there were only six sales enjoined by Judge Lord—including the Sunnydale Sale and several others—where it looked like the logging was going to begin before we could ever get a bill even considered by the Congress. There hadn't even been hearings yet.

It was a crisis, and we were all deciding how to deal with it. Right here in this room there were meetings of the executive committee and even of large groups of people—thirty or forty—where we would talk about literally standing in front of the bulldozer and that sort of thing. We were going to do it. We were committed to do it. But none of us wanted to do that, because although it might be helpful, it could be dangerous. It could get violent. Somebody could be hurt. It was not a smart thing to do if we could possibly avoid it. We were afraid that some of our own people could also get violent and might damage the equipment or something. We didn't think we had people like that. But when you get several hundred people, you never know who you've got. There could be a problem. We didn't want to be labeled with that stuff, either. Nevertheless, we were committed to doing something if logging began.

At the same time, we were utilizing three routes to try and get a resolution. We were working with Congressman Fraser and Congressman Oberstar. Both of their offices were working with the chief of the U.S. Forest Service. We were also working directly with the Forest Service.

We had a meeting right here. I'll never forget. We stood around this fireplace with a big fire going. It was a cold day in December, just before Christmas, with the new supervisor of the Superior National Forest. Fran, what was the name of the new Supervisor of the Superior who was so helpful? A good friend of Jan Green's. He was a great guy. He's now out west. He's a regional forester out west now. He wanted to know what we were going to do. We said, "Come on down and talk to us" or perhaps he even suggested coming
down.

FH: Was it Torrence?

MH: Jim Torrence. Yes, good for you, darling. I think he had his deputy supervisor with him. Torrence was aware that there was a big discussion in the Washington office of the Forest Service. I think what finally happened is that Oberstar and Fraser and the people at the Superior National Forest persuaded the chief of the U.S. Forest Service that it was not in the national interest to have a confrontation over logging. The smart thing to do was for all sides to declare a moratorium on the logging while Congress was deliberating this thing.

The only problem was that initially there were some timber operators who weren't willing to go along with that. We were not present during this, but evidently, several spokesmen for the timber industry--some of them actual operators and some officials of the timber companies--were called in by the office of the chief of the Forest Service in Washington. Jim Oberstar, we think, was there also. They persuaded them to accept a moratorium.

One of the loggers, Norman Kainz from Ely, apparently was not a party to the negotiations or felt that he wasn't. At first, he was going to go anyway. But Norman finally thought better than to go. [Chuckles] That's my understanding of what happened.

Anyway, that was a very difficult situation and one that could have caused the legislative process to have taken a different turn. Heaven knows what would have happened if we had been faced with having to go up there in the middle of the winter and stand in front of the bulldozers. My own personal feeling is that it might or might not have become violent--nobody will ever know--but that it would have accelerated the legislative process, and we might have come out ahead. So, looking at it from the standpoint of the timber industry and the local folks, it was probably a smart decision on their part to back down.

The next big job for us was to get a lot of national input into the Congress with the contacts that we made through this initial mailing and to widen our contacts. It was a coalition building time and lobbying time in preparation for the hearings. We began to get signals from Fraser and from Vento that hearings would probably happen sometime in the spring or summer of 1977. So we began gearing up for this. The promises for hearings--I suppose this always happens--kept coming and going. The date would go by and nothing would happen.

The hearings finally occurred, first in St. Paul and then in Ely. Meanwhile, the U.S.
District Court declined to act on a suit by the snowmobile interests to overturn the ban by the Secretary of Agriculture. There were protest rides by snowmobilers up at Ely. It got to be pretty messy.

We were working with the national environmental offices down in Washington, particularly those of the Sierra Club, the Wilderness Society, and the Izaak Walton League and, to some extent, with the National Parks Association, Audubon, and the National Wildlife Federation. We were starting to make contacts with all these people. I was spending a lot of time in Washington, and so were some others.

We did a lot of formal preparation of our people for hearings. None of us had ever presented testimony in the U.S. Congress before--virtually none of us. I never had. We wanted to know what to expect. So we got a lot of prepping by aides from some of the national environmental groups in Washington, some of which turned out to be helpful and some of which didn't. [Chuckles] It isn't quite like you think it's going to be. For example, my testimony didn't go at all like I thought it would. I lost absolute control over my testimony. I'll mention that in a moment here.

We finally had the hearings on July 7th in St. Paul and July 8th in Ely. I did not testify at either of these hearings. I didn't testify until later in Washington. Oh, and that was another decision we made. We were told about how many witnesses we could reasonably expect to have. We were told that if they testified here, they couldn't testify in Washington. If they testified in St. Paul, they couldn't testify in Ely. In other words, they only wanted to hear the story once from one person. So we had to figure out a strategy for when to have our people testify. We did not have a shortage of witnesses willing to testify, so our problem was to pick the people that we thought would be the best witnesses to put in the best places. I think we made a fairly intelligent choice on this. You'll never know. Maybe we could have done better and it might have made a difference. But we did the best we could.

I suspect that you've heard the story of what happened in St. Paul and Ely, but let me just run over that quickly. In St. Paul, the preponderance of witnesses were put on by Friends of the Boundary Waters. By that, I mean all the various organizations which made up our coalition. They spoke for their individual organizations in many cases--not for the Friends. We orchestrated the witnesses who came. There may have been a few--I can't remember--who got in there and over whom we had no control, but who were still speaking for our side.

The other side put on some witnesses, too--both the timber company and the northern folks, but they knew that their day in court was to be at Ely. That's the way they saw it. As
it turned out, even at Ely, I think we put on more witnesses than the local folks did.

All of this has been reported in the press. I won't burden you with it, except for one or two key anecdotes. There were two witnesses that I considered to have been very interesting. One of them was Sig Olson. Sig wanted to testify in the worst way, and we wanted him to do so. It was a very difficult thing for him. Sig and I were hung together in effigy on a logging truck in front of the building before the hearing. We knew that the feelings were running pretty high. But Sig was a brave man, and he had been through this before. He wasn't worried. I'm sure he wasn't one bit worried, even if something did go wrong.

He started to testify. He only got a couple of sentences out, and a couple of loudmouth locals--some of them were business people in Ely who really ought to know better--started yelling. I can't identify them and wouldn't, even if I knew, I guess, but I recognized some of the voices. They started saying, "Sig, you used to run motorboats in the Boundary Waters." Of course, Sig did, because at one time, he was a canoe outfitter and he rented motors. Well, so what? What did that have to do with it? They would yell this out in a loud voice and drown out the hearing.

Then a chorus of boos started in the room. There literally were a bunch of local folks booing Sig. Bruce Vento from Minnesota, who had been authorized to chair this hearing, got up and asked for order at they've got to bring order. He pounded the gavel repeatedly, trying to get order. He couldn't get order. It kept going on. Jim Oberstar got up and tried to restore order. Finally, Bruce Vento pounded the gavel and shouted at the top of his voice, "Unless order is restored, I will terminate the hearings, and we are going to go back to Washington." And They would have. So they shut up. What happened was a lot of sensible people in Ely went over and grabbed some of these people and literally put their hands over their mouths. It was a mess. It almost turned into a riot right there. The other thing that happened is no less than the son of President Ford, Jack, testified. Of course, Gerald Ford was no longer president, because by then the Carter administration was in. This was in 1977. Ford went out in the fall of 1976. Anyway, Jack Ford was quite a Boundary Waters fan--quite a canoeist and quite an environmentalist. He decided to go up there, go on a canoe trip, and then testify. They gave him a bad time, too. I thought that was very interesting. It didn't get out of hand, because this was late in the afternoon. Jack Ford came on at five, six, or seven o'clock in the evening. Sig came on about nine o'clock in the morning. By then, the people in Ely had settled down and realized that they either had to run this thing right or there was going to be trouble.

Then in September, the hearings in Washington were held. Representative Philip Burton was the chairman. I had had essentially no contact with Phil Burton before, nor had most of the rest of us. We didn't really know what to expect. A lot of northern folks may have
thought that the hearings were rigged and that we had the inside track. But if we did, we sure didn't know we did. I, for one, was extremely nervous about how these hearings were going to go and how our people were going to do. I was particularly nervous about how much time they were going to give us. We had a lot of witnesses who had a lot of things to say whom we thought were very good. [Chuckles] Actually, they weren't any better than anybody else's. But you know how it is when you've worked hard on something. You want your witnesses to have a chance to testify. We were concerned that we wouldn't have enough time.

I won't take you through the hearings in detail, because it was two solid days. A couple of significant things happened that I will mention. One of the things that did happen was that it became quite apparent before we were through that Representative Burton was going to give the opposition's side a lot more time than us. He gave the timber industry, local folks, resorts, private interests, motorboaters, and snowmobilers enormous time to tell their story. It became apparent that we weren't going to have that much time. So we had to begin to figure out how we were going to telescope our hearing time. We worked on that, and I worked on my testimony. A lot of us had written testimony prepared, and so did the other side. Some of that already has been given to the Historical Society.

Well, most of us never got to present very much of our written testimony. I had already run through mine and lined out about two-thirds of it, knowing I'd never be able to present it all, and felt that wasn't important because they'd have the written testimony. If they really wanted to dig into it, they could. I was going to testify primarily on the value of the remaining virgin forests and why we needed legislation to protect the ecosystem in the remaining virgin areas. That was what all my written testimony was about.

I got up there to testify late, almost the end of the second day. We only had a few more hours left for all the hearings. I started to tell my story. I just got through the part where I was identifying myself as a person who was a little different than most of the environmentalists because I'd spent most of my life in northern Minnesota. I was really a northern Minnesota native. I lived part-time in Ely, and I had property up there. Besides that, I was a hunter. Most think of most environmentalists as not being hunters. I just got through telling Phil Burton who I was because I thought he ought to know. He knew I was chairman of the Friends. I didn't know Phil Burton from Adam.

He cut me off. He said, "Dr. Heinselman, I don't want to hear that testimony. What do you know about this snowmobile situation?" Well, we'd had other witnesses talking about snowmobiles, and we were going to have some more. I thought: What in the world does he want me to talk about snowmobiles for? I'm not a snowmobiler. But I knew about the conflict, so I started to tell him about snowmobiles. And then he asked me several other
questions that were totally irrelevant to my written testimony, and that was it. I suppose he had me up there a half hour. He didn't have me up there too long, and I didn't get to say anything I thought I was going to say. I was absolutely shocked and crestfallen. I thought: I don't know where this guy's coming from. We're going to have a problem. [Chuckles]

Then another thing happened which was really important. I think this happened on the second day. Yes, this was on the second day, before my testimony. It was the only thing that happened that made me feel at all good. What should happen but the U.S. Secretary of Agriculture Robert Bergland and Assistant Secretary Rupert Cutler were called to testify! Rupert is a good environmentalist and a Ph.D. forester. He had formerly worked for a short while for the Wilderness Society and he was known to have environmental views. It's undoubtedly why the Carter administration put him in as assistant secretary to oversee the activities of the Forest Service. "Rup" Cutler is still, to this day, a friend of mine, although not close friend. I got acquainted with him through Sig Olson. He was a personal friend of Sig's; Sig knew him quite well.

Anyway, the Secretary of Agriculture and the Assistant Secretary of Agriculture were called to testify, and they presented a proposed piece of legislation. We had an inkling that they were working on something through the summer, but that's all we ever had. We were very nervous about what they might do. We did not have the inside track. The local folks in Ely probably think that we helped the administration draft that bill. But the truth is we didn't. If there was any professional help in drafting that bill--and I'm sure there was-- it came from professionals in the Forest Service. The general outlines of the bill and direction that was to be taken must have come from Assistant Secretary Cutler and from Secretary Bergland. The information we have is it was probably mostly Cutler, that Bergland probably wasn't that deeply involved.

It turned out that the administration bill was a real turning point, because it made the whole area wilderness. It had a large national recreation area around the outside of the existing wilderness. It included most of the additions to the wilderness that we had in the Fraser bill, a couple that we did not have, and it skipped a couple that we did have--small ones. So, in terms of additions, it was just as good as our proposal. It virtually stopped the motorboating and snowmobiling. It stopped the logging in the entire area. It was a good bill.

Some of our folks thought that it was a compromise because it allowed some motorboating and snowmobiling. Of course, at that point, we were still supporting the Fraser bill, which would have banned all the motorboats and snowmobiles. But, looking back, if we could have passed the administration bill in the next two months, it would have been a tremendous victory. It would have been better than what finally did pass. It
was really a good bill. I recognized it instantly when I saw that. But what I didn't know was where the committee was coming from and where Burton was coming from.

One other key thing happened. The state of Minnesota began to get involved in the hearings, too. Rudy Perpich was, by then, governor. Former Representative Bud Philbrook was an aide to the governor and to the DNR. He had worked on the mining act. A forestry colleague of mine--I'm terrible on names. I forget people's names that I know really well. Fran, who was the state forester who was a good friend of ours during the hassle, whose name I can't remember? [Chuckles]

FH: Rodney Sando.

ITM: Yes, Rodney Sando. Rodney Sando was a former researcher at the experiment station and had worked in the Boundary Waters. He then was working on a doctorate in forestry. When Perpich became governor the first time, he appointed this man by the name of William Nye as DNR commissioner. Nye, in turn, appointed Rodney Sando as state forester. So the state forester was a good environmentalist who was a friend of ours, which is an unusual situation. We didn't always have that rapport.

Sando had passed on some signals to me about the meaning of a memorandum the Forest Service had written about logging in the Boundary Waters. In my opinion, it was full of professional gobbledygook, but it later turned out to be--as I told you previously--an extremely valuable piece of information. It was Sando who had steered me to it. That started to happen at the time of the legislative hearings in Washington. It also was the time when it became apparent that, through Nye and Sando, the DNR was going to be helpful in trying to arrange alternative timber outside the wilderness so that the loggers couldn't say that they'd have no place to cut if they cut them off on the six timber sales. They said, "We'll make the timber available to you." And Governor Perpich was helpful in this. So that was important.

After the hearings were over, the first thing we did was go to Fraser and Vento and ask them their reading. How did we do? What's going to happen? Did we make any impression on the committee? There were a lot of committee members. The full committee sat through most of this and asked lots of difficult questions. It wasn't just the chairman's attitude. We weren't very clear on the reading on the whole committee. It looked to us like the committee, judging from their questions, was about split down the middle on our legislation. Obviously, where Burton came from was very critical.

Well, the first word we got was from Fraser, who knew Burton very well. "Don't worry about Phil Burton. He gave the other side lots of time because, in the end, he's probably
going to come down on your side. “Don't worry about how the hearings went. I think they went all right.” Vento talked that way, too. We didn't know Bruce that well at that point. We got better acquainted with Vento as things went on. We didn't know Vento's staff that well, either.

By then, we had become very well acquainted with Richard Rapson, who is now an attorney in the Twin Cities here, whom you ought to also talk to, incidentally. We call him "Rip." Rip Rapson worked very closely with us all the way through the whole legislative process and told us, "Don't worry about how it looks. I think we're going to be all right."

Fran and I decided to stay in Washington and try to work with the committee and with Fraser and Vento, because we realized that if they don't start doing something on either drafting an alternate bill or moving the Fraser bill, this thing was going to die. It looked to us, for a month or so, like it was going to die.

And then we started getting called into Phil Burton's office. First, he wanted to go through maps and understand the reasons for the proposed additions to the wilderness. He wanted to know everything. Phil Burton insisted on seeing detailed topographic maps of every single addition of the wilderness. Fran was right there to keep me honest and chime in with something if she knew about it. This would often be late in the evening. The guy would work till eight or nine o'clock. Sometimes he'd have too much vodka, but the guy was dedicated. He did drink too much, which was the only thing I would ever criticize Phil on. He was as good as gold. His heart was with the people. He was a very hard worker and a tremendous parliamentarian. He knew the U.S. Congress like few other people. Lots of people told us that. So, once we began to realize that Phil Burton was our friend and not our enemy, things began to look a little bit different.

Anyway, he would insist on going through every last detail. Very often, he would bring over somebody from the Forest Service, my own former agency. And I'd be sitting here and Phil Burton would be sitting there and the guy from the Forest Service would be sitting there. We'd have all these maps spread out on the floor. Then he'd say, "Now, Bud, I want you to tell me why you people want this addition, and then I want you to tell me exactly why the opposition is going to say they shouldn't do it." And then, of course, often this Forest Service guy would be grumbling, too. I would have to tell him. Of course, the Forest Service guy was there, too, to keep me honest.

The first thing that our outfit decided was that we weren't going to try to spread a bunch of baloney on the U.S. Congress. We were going to try to play it as straight as we could possibly play it. If they even wanted to hear the other side, we were willing to do that to
the extent that we could. Obviously, we couldn't articulate the other side's views as well as they could. But, on the other hand, we knew a lot of their concerns. See, a good legislator, if he's about to go with your point of view, he wants to know not only what your arguments are, but he wants to know what's going to be coming at him from the other side of the aisle. He wants to know what he's going to have to answer in the way of criticism. Phil Burton was a master at this. He always wanted to know at least as much about what the opposition was going to say. So we had to do this time after time after time. Then a very interesting thing happened. Sometime in October or so--I think it was in October or early November--of 1977, he brought us in there and he said, "I want you to take the administration bill and the Oberstar bill. Using that as a format--not the Fraser bill, because we don't like their approach--draft a bill that you could live with. It won't go all the way, but it will go as far as we reasonably can in accomplishing what you want to accomplish."

So here we were, writing a potential bill for the committee. As it turned out, of course, the committee bill was the vehicle that was finally enacted. The House committee bill, in the end, became the bill both in the House and the Senate. The Senate, of course, made further changes. So I had to hand him that. I would have to call back to Minnesota and ask advice on this and that, but he insisted that I keep it secret, which put me in an awkward position. He insisted that I not tell even my own people that I was doing this. He wanted input from our side, and he wanted it in confidence. He wanted to know what we thought it should be like.

So I would call Chuck Dayton, and I would ask him for material on a potential mining provision and this sort of thing. I think people probably got the idea that I was helping him with a legislative draft. People would ask us over the phone, "What the heck are you doing down there?" They all thought we were losing the ballgame because there was nothing happening publicly. The press was always getting after us. "What's happening? What's happening? Are you dead? Is it all over? Is anything going to happen?" The only thing I could ever tell my people back home was, "Just wait. Just wait. I think it's going to turn out all right." That's all I could tell them. [Chuckles] As it turned out, of course, we waited another year before it was over.

In the end, I went home. Fran will remember. When the legislative session came to the end and we were facing a new Congress, I was shattered. At first I had thought that Phil was going to move something, at least get it part way along that fall, and nothing more happened. I was literally in tears. But Don Fraser, Bruce Vento, and Phil himself told us, "This is going to take a while. We're not going to do this overnight. Don't worry about it if we don't get it through this Congress."
So we went home, trying to tell our friends that when we got back here. People didn't want to believe it. We'd had our hearings. The Congress had adjourned. It was all over. Without being able to tell anybody why, I had to try to keep the coalition together. I had to say, "Look. I can't tell you why I think we might still go, but I think we've got to keep on the effort. We've got to keep working on this thing. We're not going to lose this battle if we do it right."

A lot of people were saying, "Yes? Well, you tell me why you think that. I think you're wrong. Give me the reasons. This hasn't happened; that hasn't happened." But they didn't know what I knew. They didn't know I'd spent all these months with Phil Burton and the guy was hatching something up.

A number of the members of our coalition who were a lot more politically astute than I am sensed trouble, as we got close to the DFL convention, I was not really very active in the party, although I was and still am a Democrat. The people who were more active in the party kept telling me, as we got closer to the convention, that the political ramifications of this legislation were going to be a big problem. Our best chance to get this bill through the Congress was to get it through promptly in the beginning of this next session, before we got to the DFL convention and then, ultimately, in the fall, the election. Well, they were very prophetic, as it turned out. That was a serious problem. Unfortunately, Philip Burton did not move the legislation fast enough to avoid these problems, although, he did get it through the House at about this time. That left the Senate operation to be done after the convention. In fact, as it turned out, just prior to the election, the political problems became horrendous.

I was being told at the time that the members of the coalition were skeptical that we could do this thing anymore; that this was one of the major problems. They thought that the fact that we had failed to get it through the Congress in the fall of 1977 was the kiss of death for the whole operation, that we just would not be able to accomplish it this year. But I was, as I mentioned, convinced that Phil Burton was very serious about getting it through the House and that we probably would get a bill through the House, and that we needed also to begin working on our Senate operations.

As the winter wore on into February and getting close to March, I was aware that the bill was being perfected in committee. But most of the people back in Minnesota were not aware of this. The committee, with Vento being the only Minnesota person on the committee and Burton being the chairman of the committee, held the development of this bill pretty close to their chest. They had to, because otherwise the press would have hounded them to death as to the provisions of the bill. They would have attempted to get them to leak the provisions of the bill in advance. That is hopeless when you are, in fact,
still trying to perfect certain provisions and having a big internal discussion about it.

That meant, of course, that we couldn't really tell our own coalition what we knew either. We didn't know everything, but we knew pretty well what Burton and Vento were including in this bill. Toward the end, just before the actual markup sessions, we knew in great detail. I was no longer the only person privy to this. As I recall, Chuck Dayton was also privy to it. Of course, Fraser's staff knew, as did Vento's key aides. Of course, all of Burton's staff knew. The key person on Burton's staff was Cleveland Pinnix. We called him "Cleve." By then, I had worked very closely with all of them. A lot of the work was done with the staff people.

The decision was made, however--and this was a political decision—that Representative Fraser would not be a lead sponsor of the bill. This was done partly to protect him from the political ramifications, because Fraser was perceived as being a super wilderness nut and the chief proponent of this legislation. There was a lot of concern in DFL circles and in Fraser's own office--although, I don't think Don cared too much about this--that this would hurt him politically in his upcoming race for the Senate. So the decision was made that Vento--Vento was not one of the original sponsors of the bill--and Burton, who was chairman of the committee, would become the sponsors of the House bill. This is the way it turned out. It became known as the Burton-Vento bill.

This was going on in February and March of 1977. I'll check my notes here and see if I can get you the proper time plug-ins for these various events. I should mention that as we were approaching mark-up, a lot of people nationwide in our coalition became active. They began to get the impression that something really was happening down in Washington and that there really was going to be a committee bill. [Chuckles] A lot of people started working on this. We started to bring people down to Washington at the time of committee mark-up.

One of the people who was very active all along, and whom I didn't mention yesterday, was a man by the name of Terry Royt. He and his wife, Paulette, came out of the woodwork early in the coalition as a result of some of our mailings. They were Boundary Waters users. Terry was a former Wisconsin resident and a scientist with the Naval Research Laboratories in Washington, D.C., as I recall. His wife is a scientist with George Mason University. Terry and Paulette formed a group called Eastern Advocates of the Boundary Waters Wilderness. They were very helpful all the way through the legislative process. I have some notes here that remind me that they were becoming quite active then in awakening awareness that the legislation was reintroduced in the Congress, and that support was needed from people in the Eastern United States who were Boundary Waters users.
This was one of the tremendous things about our coalition. We really had nationwide support. There were people literally in all fifty states. We even had a few from Hawaii and Alaska, believe it or not, who were concerned about the Boundary Waters, had been there, had visited the area, and wanted to see it protected as a full wilderness. A lot of these people worked very hard. This meant, of course, that we had at our fingertips people who could lobby members of Congress from any state--both senators and representatives. And they did. That, I think, was extremely helpful to our effort.

At this time also, we were trying to work very hard on the timber issue. I sensed that the timber industry was still active in opposing the legislation and that several key members of the House--we were working primarily with the House at that point--needed to understand the technical reasons for wilderness protection. I was the principal forester that was helping our coalition, at least directly. I happened, of course, to be chairman of the Friends of the Boundary Waters Wilderness. The technical information really supported our position that the remaining virgin forests weren't really essential to the pulpwood industry of Minnesota. The industry could get along without this timber. Of course, since the act passed, that turned out to be abundantly true. The timber industry has, in fact, not been able to buy all the timber that's been offered by the Superior National Forest in recent years outside the wilderness.

One key member of Congress whom we tried very hard to persuade, because we knew that he was kind of a swing vote, was Representative Al Quie, who later became governor of Minnesota. I had been introduced to Al once or twice many years earlier at Bill Magie's home. I knew that Al was a Boundary Waters user and was interested in the area. It turned out that Al was very difficult to persuade. In the end, we didn't persuade him, and he did argue on the floor against the bill. But, at least, we did a lot of work with his office. I may get back to that a little later. But that was also going on at this particular time--we were preparing the ground. I have some more notes here about this, also. I was working with Quie's aides. I didn't usually get in to see Quie himself, but I did get in to see his aides once or twice a month in that early winter period.

Another contact that we had that was beginning to develop at this time was extremely important-- former Minnesota DNR Commissioner Robert ITerbst, who was a long-time Izaak Walton League acquaintance of mine, a fellow forester. He became assistant secretary for the Interior in the Carter administration. He was also an intimate of Senator Wendell Anderson and Vice President Walter Mondale.

When he was DNR Commissioner, Bob had floated a proposed piece of legislation for the Boundary Waters--we called it the DNR proposal--which, while not as good as the
Fraser bill, was a significant step towards Boundary Waters protection from what we had. I'd had several discussions with Bob and realized that he was very knowledgeable about the problem and really favored our position. If he had to choose between the Oberstar bill and the Fraser bill, I'm sure he would choose the Fraser bill--although, he really wasn't an advocate of full wilderness protection for the area. He thought that there needed to be some minor concessions, particularly on motorboats and snowmobiles. I see from my notes that we were working with Bob at that time and also in early 1978. So that was a key contact. I will mention Bob again later, as we get along.

I think we probably can move pretty much directly to the actual mark-up period. I want to get to this. A lot of people from Minnesota came out and began lobbying members of the interior committee in early March of 1978. I have notes here, for example, that Kevin Proescholdt, who now is a Minnesota resident and executive director of the Friends of the Boundary Waters, at that time had just finished his college degree at Iowa State University in Ames. He was one of our principal contacts in Iowa. There are a lot of Boundary Waters users in Iowa. This is one of the states that was very active in supporting the legislation. Kevin came out to Washington about that time.

I had calls from Erika Sitz back in Minnesota. Harry Drabik, who was a canoe outfitter on the north shore of Lake Superior at Hoyland, Minnesota, came out with Fred Thompson and lobbied the interior committee. A little later, many more came along. I'll list a few more names here shortly.

I also, at this time, got a call from Rodney Sando, the director of the forestry division in the DNR, about the Minnesota forestry division's proposals to furnish alternative timber. In either this call or a subsequent call, he alerted me once again to the meaning of this Forest Service white paper on timber supply alternatives which I had received the previous fall. I think I got it through Representative Fraser or Burton, but I found the paper difficult to understand. It was so full of complex terminology and gobbledygook. I'll get to that shortly, because that became really a key in winning the timber argument with the House committee.

I want to pick the date of the actual mark-up here and the release of the bill, because those were key dates. The House interior subcommittee mark-up began on April 3, 1978. About two weeks prior to that, March 16, 1978, Burton and Vento released the draft proposal of the so-called BurtonVento compromise bill. Once that happened, the Friends Coalition brought in dozens of people from many states in the union, but particularly a large group from Minnesota, to lobby the committee and other members of the House, because we were hoping that the bill would move rather quickly. As it turned out, it didn't move that quickly, and we would need to really get on it.
I'll just list a few names, because I think for the record this will help people understand that there were a lot of people that were involved in this. Some of the people who came down to Washington, or were already there, and did lobbying were: my wife, Frances; Steve Payne from the Wilderness Society, who was stationed in Duluth by that time; Dan Engstrom; Chuck Dayton; Kevin Proescholdt; Patricia Record, Sierra Club, Madison; Dick Flint; Carol Lee, Sierra Club, Minneapolis; Steve Apfelbaum (he came in from Indiana); Bob Conklin; Jack Maloney from Minnesota; Terry Roit from Washington, D.C.; Nancy Adams and Arlene Lehto; Erika Sitz from Minnesota; Paul Nachman from Chicago, Illinois; Steve Snyder, an attorney, Minnesota; Marv Borell, Audubon Society, Minnesota; Al Watson and Melissa Watson, Minnesota; Barb Bader; Janice Conklin; Mary Poppleton; Reed Larson, who was with MPIRG in Minnesota; and Dr. Herbert Wright from the University of Minnesota.

I might mention this as an interesting aside, too. I see in our notes here that Fran and I, by that time, were living in a little two-by-four room in a cheap hotel right next to the Library of Congress, which is just across the street from some of the House buildings. This was a convenient place for us. We also found that they had a lot of rooms that could be rented on a short-term basis and were not that expensive. We were able to rent five rooms by the month at only four hundred dollars a month, where we could put up all of these people. So we had a cheap place for these people to stay. We set them up as dormitories. We just had six, eight, ten, fifteen people to a room. By rotating people through these rooms, at rather little cost, we were right at the Capitol Hill site so that there was no taxi fares or riding the metro or anything involved for them. That was very helpful.

Incidentally, I had been living intermittently in these Coronet Apartments for many months. Fran had been there also. We had found the place in the fall of 1977, when Congressman Burton wanted me to stay on to help him with the maps and then, later, the drafting of the legislation. It turned out that before the bill passed in the fall of 1978, we had lived in Washington, D.C. so long that we were legally considered residents. We no longer had to pay hotel tax. [Chuckles] Well, I didn't consider myself a resident of D.C. and never want to. [Chuckles] We literally lived in it for about ten months continuously, except for occasional trips back home.

Then, the mark-up came. The mark-up is the process of actually making minor alterations in a bill or, conceivably, the committee deciding not to move the bill. If it is a bill they do move, they vote on every single provision in the bill, provision by provision. So this was the time of provision by provision discussion. Several provisions in the bill were troublesome, particularly the motorboat and snowmobile provisions and the timber
provision. At that time, Bill Nye, the DNR commissioner for whom Sando worked, came and testified about the mining language and also about the state's being willing to offer alternative timber supplies, which was very helpful.

There were enormous details that I could give on this, but I feel that there's just no way I can get that detail in here at this point. There was one event, however, that I was particularly involved in that most people are not aware of—it never surfaced in the press, to my knowledge—that I might run through in a little detail. This happened on April 6, 1978. It definitely happened in time for the full committee mark-up. I was just trying to determine whether it was full committee mark-up or subcommittee. It happened at the time of full committee mark-up. I did the work, I think, just before.

Our fear was that if we could not show that the timber industry really could get along without the virgin forests of the Boundary Waters Wilderness, that the Congress might leave some of the timber in the Boundary Waters still open to the timber industry. It was clear that they were going to further restrict timber cutting, but the question was: Could they get along without the Boundary Waters timber altogether? The timber industry was trying very hard to make the case that they couldn't. They had lobbyists in Washington. A number of my forestry colleagues came in. At one point, just before mark-up or perhaps after mark-up—I was called into Congressman Quie's office because he was having three or four forestry representatives from Minnesota come in. I was to meet with them and Representative Quie to present the case that we needed to stop the logging of the Boundary Waters. Well, here were four or five of my former forestry colleagues from Minnesota, all of whom I knew on a first-name basis and some as good friends, to make the opposite case. So there I was, four or five against one. I made the case, but, as I say, I didn't ever really persuade Congressman Quie to back off. But that was an aside.

Now, back to the white paper that Rod Sando had alerted me to. I read this paper three or four times. It was couched in very technical language that nobody but a forester could understand, and even then, you had to read it carefully and not quickly as I had before. Suddenly, it struck me that what they were really saying was that there were several years of backlog timber sales already in the Superior National Forest, outside the Boundary Waters. Even if there were no more timber sold on the Superior National Forest or in the Boundary Waters, there would be at least a three-year backlog of available timber. It looked like the Forest Service itself was saying that the Boundary Waters timber was not essential to keeping the timber industry viable. That's the way I read it. But, as I say, it was so complex that I knew that it would not be very persuasive with the committee unless we could get a clarification.

We made an urgent call to Assistant Secretary of Agriculture Rupert Cutler. I explained
the way I had construed this memorandum and told him that we needed a letter from the Forest Service saying in plain English what this memorandum meant. Rup Cutler said, "Come on over and show me the memorandum and I'll read it. I'm a forester. I can understand this stuff, too. If you guys are right, I'll call up the Forest Service and we'll see what we can do about it."

I went over there and showed him the memorandum. He looked at the thing and then called Max Peterson, who was serving at that time as deputy chief for programs and legislation for the Forest Service. He has since been promoted to chief of the Forest Service. Cutler said something like this: "Max, I've got Bud Heinselman here." Max knew who I was, although he didn't know me personally yet. "He's got a memorandum that you guys put out last fall. It's pretty hard to understand. I'm going to send him over here in a few hours with some proposed letters that would clarify this memorandum for the full committee that's having mark-up discussions. You take a look at these letters that he has. And be helpful, Max." [Chuckles] I'll never forget that. He said, "Be helpful, Max."

So we did exactly what Cutler suggested. He said, "You go back and, quick, type up draft letters from Representative Vento, stating the interpretation of the letter as you see it and questions from Representative Vento, 'Is it true that it means this and this and this?' Then, also, type up a proposed reply for the Forest Service, stating how they would respond to this." So I had to draft these two letters really quickly and get the one from Vento signed, because that was an official letter from the subcommittee, and take them both over to Max Peterson.

Well, Max got the message from Rup. He looked this thing all over, and he had some of his staff people look at it. He said, "I'm not quite sure of a couple of points in here. I've got to go over it with my staff people. But I'm sure that in essence you've got this thing correct. If we need to make a couple minor changes, they would be here and here. They wouldn't change the substance of what you're talking about anyway. But we want to be sure that we interpret our own memorandum correctly. You come back in x-number of hours and we'll have the letter signed for you."

That is what happened. I believe it was the very next day, a member of the committee was making the case that there was a big problem with timber supplies. Representative Vento stood and said, "I have a letter of clarification from the U.S. Forest Service here. It might help set this matter to rest." He got this thing out and read it. That was the end of the timber issue, because here was the United States Forest Service saying in plain English that the timber in the Boundary Waters Canoe Area Wilderness was simply not essential. The current level of timber output could be maintained for at least ten years into the
future without causing any real problems. That was the end of the timber issue.

That probably is the most significant single thing that happened during the mark-up process. There was another discussion which occurred during the mark-up process, which I think I should comment on, the "Lake Vermillion lie." What happened was, through an oversight, for which I blame myself personally, the way that the language in the Burton-Vento bill ultimately read is that any lake which was within or partially within the Boundary Waters Wilderness would be closed to motorboats except for the following exceptions. And by then, they already had some exceptions. There were some lakes that would be open to motors with certain horsepower limit and so on.

Well, without realizing that this provision would have an effect, I was the person who was helping the committee with the adjusted boundaries, the new boundaries of the wilderness. I failed to notice that there was one tiny, little bay of a few acres of Lake Vermillion which had always been within the Boundary Waters Wilderness. It was not an addition. It had always been within the wilderness. Of course, this enormous lake of tens of thousands of acres in area was otherwise entirely outside the wilderness and none of us considered it to be involved in the legislation in any way. However, a technical reading of the act could construe it to mean that the act would close Lake Vermillion to motorboats, period.

The people up north picked this up. They were looking for flaws. I think they were looking for something that indicated that the committee had some sinister motive, which, in fact, they certainly didn't. They were trying to be totally up front on this thing. They started spreading the rumor in northern Minnesota that Lake Vermillion was going to be closed to motors.

Well, the minute we found out about this, we explained the situation to Representatives Burton and Vento and Fraser, and all the other aides that were closely involved. They immediately changed the map to delete that little bay on Lake Vermillion. It has been deleted and it's still deleted. Although, as the bill finally came out, it wouldn't have made any difference anyway because it was written in a different way so it wouldn't have had that effect.

Anyway, within days it was changed. Publicity was released to the press. It appeared in the Minnesota press. We, the Friends of the Boundary Waters, sent a copy of a revised map throughout Northern Minnesota. I personally saw that it went to the Ely Echo and several other newspapers that were involved in Northern Minnesota that were screaming and yelling about this thing. We thought that we would take care of that problem. This is why we ultimately called it the Lake Vermillion lie, because they used that story almost to
the end of the legislative process, saying that "these people really had in mind closing everything up here to motors, even including lakes like Lake Vermillion." We are sure—at least we feel—that some of the people that were doing this later on knew better, but they kept on doing it anyway because they thought they had something that they could make hay with.

That was a very unfortunate event. Really, it was my fault. I take personal responsibility for it. I told Representatives Burton and Vento and Fraser that I felt very badly about it, that I should have noticed it, and it could have been avoided, because all we would have had to do was change that boundary by a few acres. It wouldn't have been any problem. They wouldn't have had this argument. But if it hadn't been that, it probably would have been something else.

Let's move now beyond the mark-up. I could go on a long time about the mark-up, but I won't. Between mark-up and the House floor action, which occurred in June, another very unfortunate event occurred for us. Senator Anderson was invited to a wild game dinner put on by the Conservation Alliance, which was the opposition group in northeastern Minnesota. I always forget if it was in Virginia, Minnesota. In any case, there was this wild game feed that was held up there. I was in Washington at the time. Maybe I can find the date that this occurred. It was about in April, but it could have been in May.

The full House committee mark-up ended April 10th. That is definitely the place where the discussion on the timber issue occurred, that I just outlined. Here's a little aside as to how astounded and pleased I was. I'm reading my notes here. The final note in my notebook at the end of the markup—to show how surprised I really was that they completed the mark-up and had the bill out—"My God, we are really going to the floor with this bill." [Chuckles]

Then, this problem with Senator Anderson developed. I don't seem to find the date. It doesn't matter. What happened at that dinner was that, I think, Wendy Anderson probably went there wanting to help these people understand that he was sympathetic to their concern about restrictions on motor-boats and snowmobiles and perhaps even timber—although, as it turned out, he wasn't at all concerned about the timber. He would give careful consideration to some of their concerns and perhaps work for some changes in the Burton-Vento proposal.

The way it came out, however, was that he made a speech there which was quoted in the press and later televised in which he essentially said, "I am with you. I am one of you. There's no way this legislation is going to go through the Congress without major changes." I think he even said, "I support the Oberstar proposal," or words to that effect.
At least, that's the way it came out in the press.

His staff told us afterwards that he didn't intend to come on that strong and that he never really said in fact that he supported the Oberstar proposal, but it was reported that way in the press. We have every reason to believe that it happened. We even released a press release where we hit Wendy really hard, because we felt we had to. He was our hope in the Senate. We had to make him realize that this was not an issue where we were going to lie down and let him roll over us. He was going to get hurt politically if he couldn't at least work reasonably with us. It sounded like we just lost the ballgame completely with Wendy.

Well, I personally think that in our press releases we hit Wendy too hard. But I wasn't the only person involved in preparing the press releases. It did have the effect, I think, of alienating Senator Anderson from our point of view for some time, which turned out to be a problem in working with Wendy in the Senate. Although, in the end, I think he began to see us as more reasonable people.

The first unfortunate thing, of course, was that he made this remark. And the second unfortunate thing, from our point of view, was that we hit him so hard on it without trying to understand a little more fully exactly where he was coming from. We worked with what we saw in the press. At least his staff and he claimed that he didn't really intend to come on that strong, although he did say it.

The next thing that happened, just before the bill went to the floor of the House, was that the DFL convention in Minnesota occurred. This turned out to be a very divisive convention, politically. It was polarized over a lot of issues--abortion, women's rights, gun control legislation, and the Boundary Waters, among other things. It was difficult. We knew it was going to be. We had expected to get to the floor just before the convention. We think that, possibly, Vice President Mondale was influential in getting administration approval of a statement of support for the Burton-Vento bill. We wanted to get the administration to come out behind the Burton-Vento bill because it was patterned after the administration bill; it was really quite similar to it. We felt it was crucial before we went to the floor of the House, since the administration had come out with a similar bill, that they support this bill.

What happened is that Vice President Mondale apparently held up approval of that administration statement until just the day after the convention. Some people think that he might have been persuaded to do that by people who were anti-Fraser and were trying to stir things up. We don't know. Anyway, that was one of the awkward things that occurred at that point.
At the convention, the matter of Fraser's endorsement for the Senate was extremely divisive. The Oberstar supporters created a lot of havoc. There was also a resolution favoring the Boundary Waters Burton-Vento bill legislation, which passed the floor of the convention by a narrow margin. We had a whole bunch of people at that convention who were activists in our group. They were DFLers. They were in the convention. They were delegates who left to go to Washington the minute the resolution favoring the Boundary Waters passed. I wasn't there, but it was sometime late in the afternoon or evening. After our delegates left, the Oberstar people somehow or other got a second vote to come up. The second time, it was voted down. In the absence of our delegates, the resolution by the convention to support the Burton-Vento bill failed.

Fraser's nomination did occur, but there was enormous divisiveness over it. I forget how many ballots there were, but there were several ballots before Don was nominated. The Boundary Waters was very much an issue there, too. Our prediction that if we didn't get this thing through the Congress before the Minnesota convention occurred, we would have political problems, began to become all too real.

Then, we went to the House floor. The convention was June 3rd and 4th. The very next day, June 5th, 1978, the Burton-Vento bill came up on the House floor. After long discussion, it was passed. There was an interesting parliamentary maneuver that occurred there, which I was privy to and knew that this was probably going to happen. Several of us that were working closely with Burton and Vento or Fraser knew this, and it worked. This is an example of Burton's political astuteness at knowing how the House worked.

The usual procedure is that if there's a substitute bill proposed for a bill, then the debate on the substitute bill and a vote on that bill occurs first before the original bill comes up. We knew that Oberstar had said that he was coming out with a substitute bill. In fact, I think he had released it to the public before he went to the floor. We were sure this was going to happen. Burton said, "Strategically, it won't be good to have the House vote on the Oberstar substitute first. It could carry. They might substitute that and pass the darned thing. There is a way around that, in terms of the order of consideration."

They had some compromises in mind that they were going to offer at the last minute, and they were all figured out. They were motorboat and snowmobile compromises. They weren't logging compromises. We figured we had the logging issue cornered. They were major motorboat compromises.

So Burton said, "We will offer our substitute as a substitute for Oberstar's substitute. If there's a substitute for a substitute, it's an amendment. You have to debate the amendment
to the amendment first." That's what happened. Oberstar got up and offered his substitute, and then Burton got up and offered his substitute to the substitute. The debate was really on the substitute for the substitute. And it passed. It passed 213 to 141, which was very encouraging to us. It was a pretty strong vote. We had lobbied the House and made estimates of how we thought it was going to go. It came out just about the way we thought it would. We'd had a lot of people out there and worked hard on it.

Then, the scene shifted to the Senate. We immediately, of course, began working with Susan Martell and Peter Gove, two of the principal aides to Senator Anderson, and with Wendy himself. We were deeply concerned about what was going to happen. We had a lot of discussion within our own group. I see my notes here. For example, on June 15th of 1978, "a group of friends met in the Dayton Herman law office to discuss strategy dealing with Senator Anderson." A number of people in the Friends themselves were so concerned about what Anderson was going to do to us that they recommended that we wait until the following year and not try to get the bill through now—that we should ride on our laurels in passing a good bill in the House and wait until we had Wendy out of there.

Of course, hindsight is always better than foresight. Obviously, if we'd taken that line—looking at what ultimately happened to the DFL that year—it would have been a terrible mistake strategically on our part. We elected to go ahead. We didn't take that approach.

At this time, we also got in touch with Tom Williams, who was the Democratic aide to the Senate committee that Wendy had to work with—the national parks subcommittee of the energy and natural resources committee. That subcommittee was chaired by Senator James Abourezk of South Dakota. The full committee was chaired by Henry "Scoop" Jackson from Washington. We also got in touch with Tony Bevinetto, who was the Republican aide. Tony was thought to be a pretty good environmentalist. He was the Republican aide to the parks subcommittee.

Both of these people kept warning us that time was awfully short. By then, it was mid-June of 1978. Congress was supposed to adjourn in September. As it turned out, they didn't adjourn until early October, but we didn't have much time to work. We had the elections coming up—first, the primary, and then, of course, ultimately, the fall election.

A number of things happened in the way of press contacts that I think are relevant to bring in at this point, before I get down to how things started to go with Wendy Anderson. I think it's fair to say that we're fortunate in having a large national coalition. We had people that knew members of the press in many cities other than in Minnesota. In addition, there were environmental reporters on many newspapers who had either been to
the Boundary Waters or knew it by reputation, who often were environmentally inclined themselves. Four or five of these people came out to Minnesota and made field trips, and then reported in their respective papers or media. I might just mention a few of those right now.

One of the first was Chris Kelly from CBS News. He and his wife are still newspeople with CBS Television to this day. Chris Kelly came out with a full CBS crew. We took him out into the Boundary Waters and he did a quick little film. It was a very quickie deal, but they ran a short story on CBS News, which was really very favorable to legislation. I could easily research and tell you exactly when that occurred, but I don't have it at the tip of my tongue here. That was one.

Another reporter who came prior to mark-up was Philip Shabecoff, the environmental reporter from the *New York Times*. He's been on and off that post, but he's still with the *Times*--a very competent fellow. Phil was a resident of Massachusetts, but he knew about the Boundary Waters. He's quite a guy. He came out and he actually went on a little overnight, two-day field trip with myself, Dan Engstrom, and Steve Payne from the Wilderness Society. We went into Slim, Rice, and Hook Lakes, just west of Burntside Lake. He took a lot of notes and wound up doing a very fine story in the *Times* which was very helpful.

Another one who came to visit was a woman by the name of Margot Homblower from the *Washington Post*, who was one of their principal environmental reporters. She went on a field trip with myself, my wife Fran, and Janet Green from the Audubon Society in Duluth. We went into one of the areas which was a proposed addition (the Hegman Lakes area). We spent one afternoon and most of the next day in there. We camped out overnight, just as we did with Shabecoff. We also portaged into the Boundary Waters itself, into Angleworm Lake--a difficult, mile-long portage. Margot was a good, tough, woods person. She got a big bang out of this and was really impressed with the Boundary Waters. She went back and wrote a very good story for the *Post* which was very helpful.

Just after House passage and while we were working with Anderson, a man from the *Christian Science Monitor* by the name of Barth Falkenberg came out and took a two-day canoe trip with me up on Basswood Lake. He wanted to go in an area where there were motorboat conflicts and also get a feeling for the Boundary Waters. I took him to Basswood Lake. He saw the motorboat conflicts. He was strongly convinced that the motorboats should come out of there. He ultimately wrote a very good story for the *Monitor*. His lead time was a lot longer. It did occur before Senate passage, so it was helpful. But, as I remember, the story was about a month coming out. According to my notes, I took the trip with him on June 25th, 26th, and 27th. I think we were in there parts
of three days. We went in there in the evening, spent a whole day the next day, and came out the morning of the 27th. I have a note here that the Monitor article occurred July 21st. So it didn't take as long as I thought, after all.

We worked with Anderson's staff as much as we could, and tried to work with personal friends of Wendy Anderson, of whom there were several in our coalition, to get Wendy to come out with an initial bill which we could then support strongly and get through quickly, because we were worried about running into the primary election. We were not successful.

By this time, Muriel Humphrey had been appointed to the seat held by Hubert. We had to deal with Muriel, but she told us that she would defer to Wendy, that she had not been close to this situation. Whatever Wendy thought should be done, she would go along with. She was obviously not experienced in the legislative process, except to the extent that she had learned from Hubert. Evidently, she chose to take a very low profile role. I suspect that Muriel just decided, "I'm going to be a caretaker senator, and I'm going to let Wendy really carry the ball. I'm not going to take any real initiatives myself." Although, obviously, she had a vote in the Senate.

Well, we thought that we might have made some headway with Wendy. But, on June 22nd, 1978, just before Wendy and Muriel Humphrey went public with their first bill, Wendy called myself, Chuck Dayton, John Herman, and Richard Flint to a meeting with himself, his aide, Peter Gove, and another aide, Andy Kozak--although I'm not positive Andy was there--at the Minneapolis airport. Wendy flew in from Washington. He did us the courtesy of a midnight conference before he went public with his bill the next morning. The conference, very frankly, was a disaster. He outlined the bill and showed us the proposal. With respect to the additions to the wilderness, he was going to go with the host bill. That was not a problem, nor was the logging issue, but on motorboats and snowmobiles, he was going to go with the Oberstar proposal flat out. Essentially that meant almost as many motorboats and snowmobiles as there were in the wilderness already.

Wendy kept telling us, "Well, you know, in the compromise process with the House, when you get to a conference committee, it will get watered down and it won't be as bad as you think. You know, I've got to help these people up there. I'm going to go with this thing."

We told him it was a terrible mistake politically, and he was going to lose a lot of support from environmentalists in Minnesota. It was going to polarize the whole discussion on the legislation. We tried desperately to persuade him to back off. He told us he wasn't going
to. I was literally in tears right there in front of Wendy. I told him, through clenched teeth, that I thought it was a disaster and that I had always supported him and that I considered myself a good Democrat. If he was going to persist in this thing, he wasn't going to get my support. I don't know if that made any difference to Wendy, but I had to say it. I'm sure that Chuck Dayton and the others were crestfallen as well.

They went public with the bill the next day. The fat was in the fire, as they say. It turned out exactly as I thought. We had warned him. Our coalition just went bananas. I had a terrible time holding us together at all. There were lots of people who wanted to go public with it and say that we should sack Wendy immediately. There were lots of people who wanted to go for legislation next year. We had dozens of internal conversations and conversations with various politicians in Washington about how best to handle it. The ultimate decision was what we had to do was work very hard to oppose that provision but to keep letting Anderson's office know that we were willing to work with them on a modified version of the bill, and to try and get them to change it before they ever went to the floor of the Senate.

That's what ultimately happened. I'll move along here because this is taking time. We had meeting after meeting after meeting, internally with the Friends. We had people come down and lobby Wendy. We had people lobbying Muriel. Sigurd Olson went down to Washington and lobbied Muriel. That was probably the last political lobbying that Sig ever did in his life, incidentally. I personally helped set it up. It was really a very touching affair, because Sig was eighty years old by then. It was hard for him. He was not that well. He'd had a heart attack. As it turned out, he probably already had cancer, because he wound up having a cancer operation shortly after that. So there were a lot of grim things that happened at this time.

Finally, Wendy decided on another tactic. He was getting the message, I think, that his bill was very controversial and that he needed to get some more feedback. What he finally decided to do was to call a field meeting--not really a hearing, but a field tour--to get as many senators as possible to actually go out to Minnesota and see this thing in the field. He also wanted to give the local folks a chance to lobby them heavily, with little opportunity for input from us, because he already was hearing plenty from our group. We didn't like that aspect of it, but we realized whatever he was going to do we would have to play along with it.

So Senator Anderson arranged a tour of the Boundary Waters Wilderness. A group of senators flew out in a chartered jet. It may have been a military DC-9. They took a fly over the Boundary Waters Wilderness so they would have seen it quickly from the air, and then landed at the Ely Airport, which can handle small jets. The tour began on July
16 and ended on July 17, 1978. The senators who went were Wendy Anderson, James Abourezk of South Dakota, Dale Bumpers from Arkansas, and Howard Metzenbaum from Ohio. Is that it, Fran? Am I skipping somebody? I think I've got them all. Oh, and Muriel Humphrey--there were five senators all together. Muriel came, too, bless her heart.

On the evening of the 16th, they had a large open house in the Ely Community Center, with a dinner for the senators. We were not encouraged to be there. We were told that we were only going to be allowed to have three people on the field trip. There were about a thousand people from the Ely area in this community center. They got a lot of handshaking, I'm sure, from the senators. I don't know whether the way it was handled worked to our advantage or theirs. It's hard to say. In any event, we had no input at all at that meeting--meaning, we didn't even see the group. But we knew this was going on.

The next day, there was a motorboat and aerial tour of the wilderness--no canoeing. This was the Boundary Waters Canoe Area Wilderness, but they motorboated across Basswood Lake and took the four mile mechanized portage. They finished the tour with an enormous tow boat which brought them to the airplanes on Moose Lake, where they were then picked up and flown all the way across the Boundary Waters to Saganaga. Fortunately, they were flown over one of the most glorious portions of the whole Boundary Waters at rather low altitude on the way over to Saganaga. If they had any eyes, they could see there was a lot of wild country there, where there weren't motorboats. If that's the way most of the wilderness was, maybe they would think it was a pretty unique place. Because whenever I fly over the Boundary Waters, I never fail to be impressed with what an incredible place it really is. It must have impressed them that way, too.

Only Chuck Dayton, myself, and Janet Green got to go on the aerial tour or the motorboat tour. We had minimal chance to talk to anybody, because there were dozens of people from the Conservation Alliance in these boats, and only the three of us. And then, when we got to Saganaga, they had a cookout, for about a thousand people there--virtually all of whom were Alliance people. Now, anybody in the local area who wished could come. There were a few people that we knew were on our side that were there. But most of the people who were on our side--and we had some up in that part of the state--were smart enough to stay away. They figured they didn't want to get into any trouble. The whole thing obviously was an Alliance show.

But as it turned out, that evening of the 17th there was a meeting in the city hall to which several of us were invited. I know Fran, Chuck Dayton, Jan Green, Sig and Elizabeth Olson, and myself were there, along with two or three others from our side. We were allowed to speak our piece in a very brief way, to present an alternative point of view as to why the area ought to be preserved as a wilderness and why we needed major
motorboat and snowmobile restrictions. You realize that at this point, it was mainly motorboat and snowmobile restrictions we were really arguing about, because Anderson had accepted the boundaries and the mining and logging provisions. Although, as it turns out, there were some last minute changes in both provisions, but they weren't that major.

What happened was that Senator Abourezk finally suggested to Senator Anderson that there must be a better way than having the committee argue about the issue themselves, not knowing that much about the motorboat situation up there. There had to be a compromise resolution possible on the motor and snowmobile issues. What he suggested, right there in front of dozens of people from the Alliance and a few of our people was that the Alliance and our group should each select a representative. A negotiating session should then be held with a representative of the national parks subcommittee of the Senate down in Washington, D.C. A minimal number of people from each side could go down to advise their representative. The negotiation itself would be done in private, with the representatives being mediated by the aide, Tom Williams, who was on the field trip from the committee.

Whether or not this had been thought through in advance and was sprung deliberately at the end of the tour, we don't know and never will probably, unless somebody tells us. But it was a fact. There was no saying no. We said, "Yes, we will." I believe that Wendy Anderson, or else perhaps it was Abourezk, suggested right there, without our even having a chance to discuss it, "Chuck Dayton, why don't you do it for the Friends of the Boundary Waters?" They didn't make a similar suggestion for the Alliance, so the Alliance was free to choose their own representative.

Well, as it turned out, they couldn't have landed on a better one for us. Chuck was a good negotiator. He was an attorney. He was skilled at mediating. He was extremely familiar with the issues. So Chuck turned out to be our negotiator.

**MR:** Who was the Alliance negotiator?

**MH:** It turned out that the Alliance appointed a man by the name of Ronald Walls from Ely. He was also an attorney and a skilled negotiator who, it turned out, did know Chuck, but they were not good friends. They at least knew each other professionally and a little bit, even, personally because Chuck's family had a cabin up in the Ely area and they had run into Walls before.

The next thing, of course, was to get prepared for this. We immediately decided on our advisors. We decided that we would have a minimal number of people from our side advising Chuck. It was myself and Fran and Jan Green most of the time, with Rip Rapson
from Fraser's office and Larry Romans from Vento's office. That was the group. We decided Chuck knew this thing really well. He didn't need an enormous amount of people out there bugging him. He could get a hold of us by meeting with us personally or talking with us over telephone if he needed advice.

The Alliance took the tactic of bringing quite a large group to Washington. They brought eight or nine people down there. The only one who wound up staying was a man by the name of George Scott from Crane Lake. Those few of us that were representing our side talked to the Alliance people for quite some time in a room where we waited on the first day of the negotiations. The negotiations occurred on July 27, 28, 29, and 30, 1978, in a basement room of the Senate. Incidentally, it was an incredible place. We negotiated all night the last night. There was garbage there, mice running back and forth on the floor, and everything else. [Chuckles] It was incredible. We saw a little mouse go across the floor two or three times.

Members of the Alliance who were there included Bruce Kerfoot from the Gunflint Trail; Luanna Brandt from the Gunflint Trail, Poplar Lake; Al Danielson from Seagull Lake; Wesley Hedstrom, a logger; Lee Hotaling, an Ely resorter and forester; John Smrekar from Ely; Ed Zabinski, the executive director of the Alliance; Leon Ping from Tower; and George Scott from Crane Lake.

MR: Was Frank Salerno there?

MH: No. Frank Salerno was not there. Frank Salerno was really not active in this thing during the legislative discussion. He became active after the legislative discussion was over--primarily during the lawsuits, which I'll get to.

The compromise discussions were very difficult. At first, they went very badly. It looked very much like Dayton and Walls were not going to get together.

The Alliance people went home either the first or second day. We think that they went home either because Ron Walls told them that they weren't getting anywhere and nothing was going to happen, or there is another rumor which is that either Oberstar himself or people on Oberstar's staff said, “Don't mess with these negotiations. They're not going to go anywhere. You're better off to try to push the bill next year. Let this thing collapse of its own weight and push the bill next year.” We don't know precisely what happened. But the fact is, they went home, all but this George Scott. George Scott, bless his heart, stuck there till the very end. I felt sorry for George because he was the only one really representing the Alliance's point of view. I could see that he was as deeply and personally involved in it as Fran and I were. It meant a lot to him. He stuck it through all the way to
It looked like the negotiations were going to collapse totally. We had come to know Tom Williams, the mediator, quite well. I think he had a genuine commitment to try and get some kind of a compromise through here. Tom apparently alerted Senator Jackson, the chairman of the full committee, that this thing was going to break down. Jackson came in and talked to Dayton and Walls and apparently really talked to them like a Dutch uncle. He said, "You guys get together and work something out, because Senator Anderson wants this to happen. Our committee wants this to happen. The country wants this to happen. The burden is on you two people to get something worked out here. I don't care how tough it is, you've got to come up with something." [Chuckles] I wasn't there, but from what Chuck Dayton told me, that's the way the conversation went. As Chuck put it, "Scoop Jackson came in and he knocked heads together. He told us we'd better get something done." [Chuckles]

So they went back at it with real resolve. It became apparent that it was either going to be a make or break on the last day, the 29th of July. Actually, the negotiations lasted through the night and ran into the 30th. They talked all day and apparently didn't get very far. But towards evening, it became apparent that they were beginning to reach agreements or potential agreements on a number of issues. What would happen is that Walls would either call somebody back home or he would talk to George Scott when he had some idea that he was having to make a concession with Chuck Dayton. Chuck Dayton would then come out and talk with us. We were literally sitting in another room then, in an anteroom only fifty feet from where the negotiations were being held. He would come out and tell us, "I know you're not going to like this. But if you're going to have legislation, you're going to have to make this concession."

Then we would say, "Well, you can't do it quite that way for these reasons. You've got to do it this way. Go back and talk to Ron Walls and see if he would accept this alternative." And then Ron Walls would have to talk with George Scott or somebody back home, or consult his own conscience. I don't know too much about what they did on their side, but I do know what we did on our side.

We had a terrible time on our side. We had very difficult discussions. We had disagreements among ourselves, even among Jan, Fran, Rip Rapson, and myself, and heated discussions with Chuck. Very often, the conversation went this way, "It's terrible. We shouldn't do it. It's going to be a difficult provision for the Forest Service to enforce, but Chuck is telling us that Ron Walls is not going to go home unless he has it this way. We've got to give in."
This is the way some of the motorboat and snowmobile provisions that were ultimately put into the legislation were developed--some of which the Forest Service has roundly criticized the Congress for making and which the local people have said were stupid. They were made because of concessions to the Alliance. In other words, they were forced on our side by the Alliance. They weren't our idea. For the record, I would like the public to know that. Things like cutting off motorboat use in the middle of Lac la Croix; the mechanized portage compromise, now in dispute and appealed to the chief of the Forest Service; the business of having a boundary for motorized restrictions on lakes like Seagull, Saganaga, of Snowbank, where you could use unlimited motors on one side and restrictions on the other, where people had to know where an imaginary line was. Those were not our ideas. Those ideas were forced upon us in this compromise.

After twenty-three hours of continuous negotiations, at 7:45 a.m. on the 30th, both sides signed off that they understood the agreement, that they would take it back to their constituent groups and attempt to gain approval, and that they would submit it to the Senate. This was going to be it.

Well, what happened next was also an incredible affair. Without any sleep, we got onto an airplane and flew back to Minnesota. We finally got some sleep the night of the 30th. On July 31, 1978, simultaneous meetings occurred up north and in my house, right where you are interviewing me. This house was absolutely full of people. There were about 45 people from the Friends of the Boundary Waters here. Chuck Dayton and I had maps on the wall up there, trying to explain this compromise to people--maps of the boundaries of the wilderness, the proposed motorboat and snowmobile restrictions, the whole thing.

The discussions up north, as we understand it, occurred first in Grand Marais, with a large group meeting where Ron presented the story. And then, Ron went immediately to Ely and presented the story in Ely. I'll come back to that momentarily.

We started here at 1783 Lindig around seven o'clock. By nine or ten o'clock, we were having very difficult discussions with these 45 people in our house. The press was outside with cameras and searchlights, pounding on the door, trying to get in, saying, "This is a public matter that you people are discussing. We want to get in there and find out what you're deciding." We asked ourselves: Is that a reasonable request? We decided that there was no way we could get through our own difficult discussions while the press was in here clicking cameras at us and shining lights in our face and asking us questions. We just have to hash this thing out. So we would not let the press in.

Frankly, it was a difficult discussion. It is not at all clear that the Friends of the Boundary Waters would have approved the Dayton-Walls Compromise. I think that they would
have. It would have been a fairly close vote. They probably would have, not because they liked it--because they didn't like an awful lot of things that had been done--but because they wanted legislation. A lot of them, including myself, honestly thought that it was the best we would get out of the Congress and that it was important that we get this bill through that Congress and not wait.

Matters, however, took a different turn. My notes here say that at 9:30 p.m., we either heard over the radio or via a telephone call that the Alliance had voted down the compromise in both Grand Marais and Ely. We then went outdoors and talked to the press and tried to find out if they were aware of this. They told us the same thing, that they had also understood that. Then they said, "What are you people going to do?"

We said, "We don't know. We'll have to go back in." I said, "All I can tell you is we have not completed our discussions and we have not reached a vote."

What did we do? We came back in here and we asked ourselves, "What should we do?" The consensus was: There's no point in even voting on it. It's all over with the Dayton-Walls compromise. We have to start talking about what our strategy will be. How are we going to get Wendy Anderson to move this legislation? It never even occurred to any of us any more that Wendy would in fact take that compromise and set it into legislation. I'm sure there were a lot of people in the room who hoped he wouldn't. They hoped he'd do something better.

But as it turned out, we then went back to our telephone conferences and personal discussions and lobbying of the Senate--everything you can imagine. We finally began to realize that perhaps Wendy Anderson would attempt to set this thing into law. So we started working hard with his staff. There got to be a lot of negotiations.

Before I finish discussing that, I just want to make a couple of notes on things that were going on back in Ely. I take back what I said about Salerno not being active. I see by the notes here that by then, Frank Salerno was active in Ely. I'm quite sure he was not one of those that went to Washington, but he was becoming active.

Then on August 3, 1978, Chuck Dayton called me. I was already back in Washington. He said that Wendy Anderson was having a three o'clock conference at the airport. Chuck told me that Wendy would introduce the Dayton-Walls compromise into the Senate and that Wendy had discussed this with Senators Abourezk and Johnson. They had agreed with him, so he had the promise of both the subcommittee chairman and the full committee chairman that they would cooperate. So if he would move ahead with this compromise, it would go.

Well, the word must have reached Ely at the same time, because I have notes here that on
August 3rd, we learned that the people of Ely were planning to organize a blockade of the Boundary Waters Canoe Area over the weekend. Some of the people involved were Ed Zabinski, the executive director of the Alliance; Shirley Klasges; Ed Junke; Duane Krause; Frank Salerno, John Smrekar; and possibly others.

It turned out that this blockade did occur on August 5th. It was a very scary thing. There were windows broken in the Canadian Waters Canoe Outfitting Store. We understand that Jon Waters, the proprietor of the store, was threatened in some way. He was also threatened with his wife's disfiguration. They said, "Jon, if you don't get off this thing, why, some day you're going to see your wife with a beer bottle busted across her face." That's essentially what happened. I got this straight from Jon himself. It was also in the press. They broke a big plate glass window in his store.

There were lots of confrontations between Boundary Waters visitors who went up to Ely and were not allowed to drive on out to their entrance point. We realized this thing is really getting polarized. Just precisely what we were afraid might happen was now happening. The Senate campaign was in full swing. The primary election was not far off. The full election was only about three or four months off. And here we were, still in the Senate, with a compromise that the Alliance had just formally rejected.

It was a real mess, and it kept going on. I had conversations with Sig Olson about how bad things were in Ely. Phil Burton and other members of the House were talking to members of the Senate over the telephone. Burton knew Abourezk personally and apparently had two or three personal meetings with him to tell him how important this was, to hang tough, and not to let them change the bill. "Try and improve on that compromise," Burton told Abourezk.

The discussions continued. We got all kinds of people to try and change some provisions of the proposed compromise--particularly the motorboat and snowmobile provisions on Basswood Lake. We had massive lobbying of the Senate with that specific point in mind, to try and close what we called the "Basswood gap." Where the Quetico Provincial Park, which is completely closed to motors, borders the Boundary Waters is a section of Basswood Lake that is open to motors indefinitely. We really were asking only for one change. This doesn't make any sense. Lots of people, including the Alliance people, have since said, "It's a dumb thing to do." We knew it was a dumb thing to do, but it was foisted upon us. We tried very hard to persuade the Senate to back off from the Basswood gap. We were unsuccessful. Wendy wouldn't change a thing. He said, "We're going with the Dayton-Walls compromise just the way it is. That's the way it's going to be or there won't be anything at all." The conversations with our side actually were not all that friendly. So that's all we could do with it.
This went on and on and on. The next thing that was set to happen, obviously, was that Don Fraser was going to have his day in court with the Minnesota electorate. Things were getting pretty tough. His opponent was Bob Short in the DFL primary. Short was working very closely with the Alliance. He was also working with anti-abortion groups, gun control people, and with several other factions that took legislative positions different than Don did. But he was working with the Conservation Alliance, too, trying to line up a big anti-Fraser vote up north, which he felt could be crucial.

All kinds of weird statements were coming out. I see one here. Apparently, it was Bob Short himself who said on a commercial in Duluth that five hundred people would lose their homes if the bill passed. Well, in fact, the bill had nothing to do with taking anybody's home outside the wilderness. There was no one living inside the wilderness, except Dorothy Molter and Benny Ambrose, who weren't touched by this legislation. The only people who would be affected, even on the fringes, would be resort owners if they voluntarily requested that the Forest Service buy them out. So I know it was a complete lie. But that stuff was going around.

On September 5th, the National Rifle Association had a big "Dump Fraser" campaign. They had "Dump Fraser" bumperstickers all over northern Minnesota and even a fair number in the Twin Cities, on the gun control issue which, of course, was not a Boundary Waters issue at all.

The primary itself was held on September 12, 1978. As history, of course, has recorded, Don Fraser lost to Bob Short. Many, many people in the Friends of the Boundary Waters coalition immediately shifted their support to Dave Durenberger, the Republican candidate, which was predictable.

We learned that the Conservation Alliance was short of money. Apparently, Jeno Palucci had contributed $25,000 to them after the wild game dinner, but he did not contribute the second $30,000 which he had promised. There were even rumors that he hadn't contributed because Walter Mondale had told him not to. I've got that in my notes here. There apparently was a fairly good reason to believe that is what happened.

After the primary, there was massive discussion within our group as to the wisdom of going ahead at all with trying to get the bill through the Senate. A lot of our people felt that we'd lost the ballgame. I think it was partly that they were crestfallen because of Fraser's defeat. They weren't thinking very straight. I think what they had to do was look at the fact that Wendy Anderson was still senator and there was still a potential ballgame there, providing Wendy would go with it.
According to my notes here, we learned on September 14th, just two days after the election, that there was some optimism in the Anderson office that Wendy would still try to go with the legislation. I don't really know this, but he may have been getting a little bit disgusted with some of the Alliance people and their tactics. While he may not have been a close friend of Don Fraser's, I think he could see that some of the things that had been done to Fraser were low blows--particularly coming from people who professed to be Democrats. It was a real mess. We also all realized that the only hope was Wendy Anderson himself, that Muriel probably would follow his lead. So we went to work on trying to persuade Wendy to move the bill. This discussion went on and on.

We had discussions with a lot of people and had input from a lot of people. Maybe this would be a good point at which to inject a few more names of people who were very helpful. All the way through, there was a lot of help from people outside Minnesota. Some of them became helpful in the Senate campaign. I neglected to mention them earlier with respect to their help in the House campaign, but these people stayed with us to the very end. I mentioned Terry and Paulette Royt, of the Eastern Advocates of the Boundary Waters. They remained active all the way through the Senate campaign. Paul Nachman in Chicago really had almost singlehandedly organized, with our lists of people, the whole Chicago area. There were literally hundreds and hundreds of Boundary Waters supporters in the Chicago area. Eva McGinnis worked with Kevin Proescholdt in organizing the state of Iowa. There were a lot of other good Iowa supporters, too, but I can't name them all.

Herb Wright and I had circulated a letter among the scientific community to try and get ecologists concerned about saving the remaining virgin forests of the Boundary Waters Wilderness. A couple of very prominent people who became active from that mailing, including F.H. Bormann from Yale University--one of the nation's leading forest ecologists, who had done some doctoral research up in the Boundary Waters many years earlier. So did Dr. Estella Leopold at the University of Washington in Seattle. Estella is the daughter of Aldo Leopold. She's a person about my age. I had personally met Estella on a couple of occasions professionally and knew she was a good environmentalist. She knew that her father was concerned about this thing. Estella became very helpful and knew a lot of people in the Carter administration, incidentally. Estella was a good Democrat and had a lot of political contacts. I don't personally know everybody she contacted, but she had a pipeline to Jimmy Carter himself. Whether Jimmy ever talked to her, I wouldn't know.

Another man that was very helpful was a man by the name of Seymour "Sy" Fischbein from the National Geographic Society in Washington. Sy was one of their book editors.
Sy had come out here and done a book on the Boundary Waters at one point and was personally very interested in the area. He was very helpful. He helped Terry Royt on the Eastern Advocates' program, and so did Bormann, the professor from Yale.

I think perhaps there's a few others that I should mention, too. Back in Minnesota, a number of people that had some pretty good connections and worked very hard and went to Washington to lobby frequently were Fred and Eleanor Winston. Fred Winston's father had been one of the very early pioneers in the Boundary Waters effort with Ernest Oberholtzer. Fred is a banker in the Twin Cities now. He and his wife, El, are still very avid Boundary Waters users. They were very active. Another active couple was Worth and Lucy Bruntjen, who are good friends of the Winston's.

I certainly should mention Dr. George Collier, my own childhood canoeing buddy, and then chairman of the psychology department at Rutgers University. He was active in the Eastern Advocates. Another college chum of mine was Kenneth Johnson, then president of the Beicher Oil Company, who lived in both Florida and Texas. They had homes both places. Kenny rose, literally, from being an orphan here in Minnesota to being president of that oil company. I can't help but give Kenny a lot of credit for what he did. He also worked with Eastern Advocates of the Boundary Waters Wilderness.

Thomas Dustin from the Indiana Division of the Izaak Walton League was very active. He lived in Huntertown, Indiana, which is a suburb of one of the bigger cities. Also active were Bernard Friel, an attorney from St. Paul, and Ed Fisher, an attorney from Chicago.

These were people with whom we would consult at junctures like these. We were trying to decide how to work with Wendy Anderson and whether there was any hope at getting this bill through the Senate. We would get on the telephone and talk to these people and get their advice. If there was any lobbying that they could do, we would suggest people to whom they could write or call. Usually, it was letters--these people generally didn't come to Washington, although some of them did. The Winstons and the Bruntjens came to Washington, as did George Collier, Kenny Johnson, and Ed Fisher from Chicago.

I would be remiss in not mentioning this because it relates to the House action. We had back-up research which allowed the logging provision to remain in the Senate bill as well and permitted us to persuade people. I myself did a lot of technical background work with people at the University of Minnesota, the forestry school, and the North Central Forest experiment station on what was really known about pulpwood processes, alternative woods, and the demand for timbering in northern Minnesota. As a professional forester, I was loath to tell environmentalists that there wasn't a problem if there really was a problem. But eventually we learned that there were valid alternatives within the timber
industry and that we could manage without Boundary Waters timber.

I was convinced on this point by our discussions with Dr. Lewis Hendricks from the University of Minnesota, several others from the University's Forest Products Laboratory, and Dr. David Lothner from the North Central Forest Experiment Station in Duluth. Lothner was an economist who had done his Ph.D. thesis on timber supplies in Minnesota. About this same time, I finally received that letter from the Forest Service, saying that they themselves recognized that they could get along without the Boundary Waters timber.

Those are the names of the people involved. I brought this up at this point because a lot of this discussion, consultation, and phone calling was going on again in the weeks before Wendy Anderson finally agreed to get the bill to the Senate floor and we achieved Senate passage. Also talking to us fairly frequently at that time, and somebody who was clearly concerned—as his editorials in the Minneapolis paper demonstrated—was Jim Klobuchar. Jim was an Ely native, a Boundary Waters user, an outdoor person. I think he values the Boundary Waters. Jim was often giving us advice in addition to writing editorials. He understood the local situation in Ely very well, too.

Of course, I understood it fairly well, being a part-time resident up there. I was, frankly, rather upset and deeply concerned about how badly things were going around Ely. I was concerned about potential violence and about people being so upset, when, really, there wasn't that much reason to be upset—the bill, in my opinion, wasn't as adverse to their concerns as some of them seemed to think.

Another person in the Izaak Walton League who was extremely helpful at that time, and I would be remiss not to mention her, was Mrs. Mattie Peterson. Mattie was state president of the Izaak Walton League at that time and a good Democrat. She knew Wendy. She knew Don Fraser. She knew Vice President Mondale, at least slightly. She was astute politically. Mattie was giving us a lot of solid advice about how to deal with the political situation in this difficult time, when we were trying to decide how to persuade Wendy to get that thing on the floor of the Senate.

This discussion went on. I guess the next checkpoint to mention is that there was a brief hearing in the Senate which didn't really amount to much. I guess if I can't find the date here, it isn't all that critical. I want to take note of the fact that Wendy did have a brief hearing in the Senate before he went to the floor with the bill. Among those who testified was again Rupert Cutler from the Secretary of Agriculture's office. Cutler testified that the administration supported the compromise, even though it was a compromise and not
as good a bill as the administration proposal. By then, it had been weakened, so it was significantly poorer as a bill than the administration's proposal.

At this time we were making various attempts to get people to talk to Wendy and Vice President Mondale personally. Among those who knew Wendy personally and could stimulate him to perhaps talk to Mondale was Jack Lorenz, the executive director of the Izaak Walton League in Washington. The Izaak Walton League, of course, was helping us all the way through this process. Others in the League's Washington office who were extremely helpful were Maitland Sharpe, their conservation director, and Marni Holbrook, his assistant.

I have a note here that Jack Lorenz told me on September 19th that Bob Herbst, whom I mentioned earlier, had talked to Wendy about moving the legislation. The word was that Wendy was probably going to talk to Senator Jackson and try to get things moving. The big problem by then was that it was already the rumored time of adjournment. At one time, we were led to believe that they'd be adjourned by the middle of September. Well, this was now September 19th. Everybody believed there were only a couple weeks left before adjournment would occur.

We were also having conversations with Burton and his staff, who were undoubtedly having back door conversations with people in the Senate. We were also having difficult discussions with Wendy Anderson's staff. Susan Martell really was not very friendly to me anymore. We had a difficult time with Susan earlier in the summer, after we refused to back the first Anderson-Humphrey bill. But we were talking to her, nevertheless, to the extent that we could--either directly or through various people. Some of this discussion was secondhand through Tom Williams, the aide for the Senate committee, with whom Anderson and his staff were working to perfect the provisions of the Senate bill.

Another person who was very helpful at this time, with the inside track in the Senate, was George Jacobson, a professional colleague of mine and a paleoecologist. He had a National Science Foundation Congressional Fellowship in the Senate. At first he had worked in the office of Senator Dale Bumpers from Arkansas and then later on one of the Senate committees. At the time that these last negotiations were going on, he was working on a different committee than the one which actually considered the bill. I note that I talked to George about this matter, for example, on September 21st. He was telling us just exactly what the checkpoints were legislatively--who could kill it, who could help us push it, and how we might operate politically to achieve this. He was telling us that chances were getting slim, that we'd better do this, that, and the other thing, in order to make it.
I also note here that on September 21st I talked to Pete Sorenson. He was the aide to Rupert Cutler in the Secretary of Agriculture's office. Pete was very helpful all the way through the matter. Another person I was talking to was Dave Beging, who was an aide in Vice President Mondale's office. We had been over to see Beging a number of times. So all those kinds of contacts were going on.

We didn't think, though, that we were getting our message through very well. We were deeply concerned, and then came the worry again about violence up at Ely, which began to brew once more on September 27th. One of the threats going around Ely at this time involved me personally, because I'd been an advocate of allowing the natural role of forest fires in the Boundary Waters Wilderness. There now were threats to burn the Boundary Waters Wilderness down. I see that even Duane Krause, a Republican Ely resident definitely opposed to the Anderson bill, wrote a letter in the Ely Echo, saying that people should avoid violence at all costs, that it was counter-productive. So they were getting some good advice from their own people.

I also got a firsthand report from Chuck Dayton, who'd been up at Ely. He said that things appeared to be rather calm up there and, furthermore, we didn't need to worry about forest fires at that minute because there'd been a good rain, the water levels were up, and the woods were wet. There was no way they could have a forest fire. That may have really saved us from a catastrophe, in that regard, because apparently that fall was quite wet.

By September 27th, the mark-up in the Senate committee was supposedly imminent. On that day, I got a call from Brock Evans in the Sierra Club. He said that Bruce Vento was very upset that the mark-up was not going to occur. Later that day, we got word from Dick Flint back in Minnesota that Wendy Anderson was saying that mark-up should occur not later than October 2nd. The next day, September 28th, I called Sig Olson in Ely to try and understand how things were going in Ely. Sig tried to calm me down, saying that things weren't as bad as some people said and that it was going to be all right. By September 29th, we learned that Jackson had promised to move the bill, but that Brock Evans thought that it wouldn't occur until at least Wednesday, October 4th, and that the House was still talking adjournment for that very next week.

Then another problem began to surface. As you probably remember, the Alaska lands bill was very controversial in this particular Congress. Ultimately, it failed and was not passed until the next Congress. Our bill was hostage to the Alaska lands bill because the national environmental groups considered it their number one priority and our bill their number two priority. They were going to do everything they could to get that Alaska lands bill through.
Well, it finally turned out, towards the first of October, that it looked like the Alaska lands bill was not going to make it. They began to put a little more emphasis on our legislation, which was helpful to us. I haven't got here yet the date that they finally were sure the Alaska lands bill had failed, but it occurred somewhere right along in there.

The Senate mark-up session then occurred on October 3rd in 1978. Nearly the whole committee was there. There was relatively little discussion. It was a full committee meeting, as I recall. They didn't have a subcommittee meeting for a vote at all. They went right to full committee, which Scoop Jackson chaired. He called for the vote. The vote was eighteen to nothing. Then, I have in my notes: "We go to the floor!" [Chuckles] The question was when, of course.

Then the problem was: When in the world would the Senate really vote on this thing? We knew we would still have to have a conference with the House, and everybody kept telling us we were running out of time. It looked like a total disaster.

On October 8th, we heard that Pat Wood was getting pressure from Al Quie and that Quie would like to kill the bill in the Senate. The bill finally passed the Senate on the following day, October 9, 1978, but there was a procedural matter involved that was quite interesting. I think the people from the Alliance expected a big floor debate like there was in the House. Well, that's not the way they do most business in the United States Senate. Most stuff is passed on consent. The various senators have internal discussions among themselves. They rarely will ever bring a controversial bill to the floor unless it's a major national issue on which they want to have a major national debate. So local matters like the Boundary Waters Wilderness are normally just passed on consent.

That is what happened with this matter. The people from the Alliance even made remarks in the Ely Echo and so on that something funny was done. But, actually, what happened was that at eleven o'clock in the evening, Senate Majority Leader Robert Byrd read a list of non-controversial bills and asked if there was any objection to their passage. The Anderson-Humphrey bill was on the list. There were no objections. So the bill passed on a voice vote. It was as simple as that. It was over.

The final vote in the Senate and the House on what turned out to be the conference report was another matter. This was extremely controversial in the House and potentially controversial in the Senate. We had hoped that Anderson had done his homework. But the first matter was: Would there be a conference committee? We wanted one, but we had learned very quickly that Wendy Anderson was saying, "The House is going to accept the Senate bill exactly the way it is--map, language, and the whole works--or there won't be any legislation. I won't push it through the Senate, and you're dead."
We had an internal discussion. Some people wanted to forget it. But all of our advice from the House at that point was, "You've got to go with it. You're never going to get anything better than you have now. You're up to the wire. We can probably get this thing through if you go with it." So we decided we would go with it. Then the problem was to get it on the floor of the House. This turned out to be a really big problem. They kept putting it off and putting it off and putting it off. There were all kinds of rumors that various House members were trying to block it. There were rumors that Al Quie was trying to keep it from coming up. And there were rumors that Oberstar was working behind the scenes with Tip O'Neill to try to stop it. This went up to what turned out to be the last day of the Congress, the very last day.

The evening before, the rumor was that they would adjourn sometime during the night. We weren't up yet. There was a telephone number anyone could call who had access to a phone in a congressional office. You would get a recorded voice that would tell you the order of bills that were coming up in the House. Every hour, we would listen to this thing. We were fifty bills down the list. Ours was so far down the list that if the rumor they were going to adjourn that night were true, there was just no way that they were going to make it. I was convinced we were dead. Most of our supporters had gone home. I think people back at Minnesota were convinced it was all over with. It was really a sad situation.

Well, I could tell you stories all afternoon about this, but I'll just tell you one key anecdote. That night, about one or two o'clock in the morning, Fran and I went over to the House. We were convinced that we were dead. We'd just been told by an aide from one of the other environmental organizations that the budget bill and another big bill were going to come up shortly. When they were disposed of, they were going to adjourn. The House would adjourn, and then the Senate would consider that, and they would adjourn.

I passed a note in to Phil Burton, Don Fraser, and Bruce Vento, saying, "Please come out. We need help." In three minutes, they were all out there. I told them my concern. I said, "This guy just told us this. You know it's true. They're going to have this budget bill, and they're going to adjourn."

Phil Burton had had a couple of shots of vodka which you could smell on his breath, but he wasn't drunk. He put his arm around me and said, "Bud, your bill is in a long list of bills that this House of Representatives is going to pass before we adjourn. There are bills beyond your bill that we're going to pass. Your bill is going to come up sometime tomorrow morning, and we're going to pass it." Just like that. [Chuckles] And then he said, "And furthermore, you and Fran had better go back to the hotel and get three or four hours sleep, because nothing's going to happen on your bill until at least six or seven
o'clock in the morning."

I didn't believe him. I looked at Don Fraser, and I looked at Bruce Vento. They were both shaking their heads. I know Bruce didn't think it was going to happen. I didn't know what to think. We figured: What else can we do? So we went back to the apartment and we got two or three hours of sleep. I don't think it was more than that, because we couldn't sleep. We came back over there. It was about eight o'clock in the morning when we finally got over there. We had called up and heard that they were considering the budget bill. The rumor was that they were going to adjourn. So we decided to go over there and see them adjourn.

When they got through with the budget bill and a couple other bills, sure enough, they started taking up routine bills again. They moved fairly fast. Maybe Phil Burton was right.

About nine o'clock in the morning on October 15, 1978, the Boundary Waters legislation came up for debate in the House. Believe it or not, with this tremendous agenda before the House, they devoted nearly an hour to debating the Boundary Waters legislation. The Congressional Record documents this very well.

Oberstar made a vehement last plea to defeat the bill. He was backed up by Steve Symms from Idaho, a Republican, who of all things, brought up the timber issue again. In fact, even Oberstar's last bill had conceded the timber issue. The timber issue was not even an issue in this legislation anymore. Don Fraser then set the record straight on that, incidentally, and very nicely.

There were eloquent statements by people on our side. And then came the voting. The way they worked on these difficult votes in the last twenty-four hours is, if it is a non-controversial vote, very often not all members even come out. They are not all on the floor during the debate. They have TV monitors back in their office, so they can actually see what's going on. In many cases, the member is actually sleeping and an aide is watching the TV monitor. He'll wake him up and say, "You've got to go vote."

We knew that. But, on the other hand, we were very nervous because, from looking at the people on the floor, we knew by then who was supporting which side. There were more Oberstar bill supporters than the Burton-Vento-Anderson bill supporters on the floor. When the voting began, at first the vote was significantly towards rejecting the bill. This was a conference report between the House and the Senate, which embodied the provisions of the Anderson bill, which, of course, was a compromise version of the House bill. Procedurally, what was happening is that first the House and then the Senate had to ratify this conference report. If either House failed to ratify it, the legislation was
dead.

We were in the House, waiting for the vote. At first, because of the small number of people on the floor and the fact that there were more people that had been with Oberstar, the vote went the wrong way. Fran and I sat there. There's an electronic scoreboard where you see the votes being tallied as they're cast. I told Fran, "I can't believe it, but it looks like we might lose." And then, people started coming in out of the woodwork from the various offices. In the end, we passed, 248 to 111. I have the actual tally sheet in my bedroom on the wall, framed, because that was the key vote. We knew the Senate vote would be less controversial. We had estimated that we would get 70% of the vote. We had a straight up and down vote because Phil Burton had asked me what we thought the margin was. We told him we thought we had 70% of the vote. He said, "If I bring this up on the consent calendar ahead of the final debates, we could probably pass it. But that's too close. I'm not going to do that. We're going to bring it up for a full vote, where it only needs a simple majority." As it turned out, it was passed by 69.1% of the votes cast.

We were through the House. So what do we do? We went out in the sunlight--by then, it was broad daylight--in front of the Capitol, and we talked to Fraser, Burton and Vento. Then we all went over to Bruce Vento's office and had a little celebration, saying, "Well, pretty quick I suppose we've got to go over and see how it's coming in the Senate." After about an hour, somebody said, "We'd better call up the Senate and see how close they are to moving this bill." When we called, the Senate Clerk said, "What Boundary Waters bill? We don't have any Boundary Waters bills here."

Don Fraser said, "You better go over to and see that somebody carries that bill over to the Senate. Something funny is going on." By then, it was about two hours after passage. The bill was sitting on a pile of bills to go to the President instead of to the Senate. If we had not gone over there and stirred it up, it would have been dead. We don't know to this day whether somebody put it on that pile deliberately or whether it was an accident. Probably, it was an accident. But Don Fraser said, "I have never heard of that happening before," and Don Fraser had been in the House a long, long time. He was obviously suspicious.

We were assured that it would be hand-carried over to the Senate immediately. Of course, it's just a few hundred feet away to the other chamber. It's no big deal getting it to the Senate. Shortly after that, we went up to the Senate Gallery and waited for something to happen. We waited and we waited. Finally, Robert Byrd, the majority leader, came out and said, "I have here the file on HR-12250, the conference report. Are there any objections?"

Low and behold, one of our best supporters, Senator Gaylord Nelson from Wisconsin got
up and said, "I don't want to lodge a formal objection to this bill, but I don't quite understand the language of this bill or its status. I would like to have a chance to discuss this bill with somebody."

Byrd shook his head and said, "you know, this is the last day of our negotiations. We have a lot of other bills. We have a lot of other matters. I'm going to lay the bill on the table." And he laid the bill on the table, which means that it's dead unless somebody gets it off the table.

We thought: Oh, no. Here, at the last minute, after four years of work, we're dead at the goalpost. Jonathan Ella from the Sierra Club in Madison, Wisconsin and Inc Nathanson from Fraser's office were sitting in the gallery with Fran and me. We ran downstairs and passed a note into Gaylord Nelson which said, "Come out, please, quickly. We have an urgent message on the Boundary Waters legislation." In minutes, Gaylord came out. We all knew him, and he knew us. We said, "Gaylord, that's the bill we've been trying to pass for four years. Go back in there and tell Bobby Byrd to put that thing back on the calendar and get it considered. This will be a total disaster if it's dead at this point."

Gaylord Nelson went back in there. He had also been spoken to by Peter Gove from Wendy Anderson's office. I'm sure Peter also told him the straight story on the thing. But Gaylord might not have been prepared to believe Peter Gove. We think that Peter had not been able to convince Gaylord, that Gaylord was suspicious that Anderson was pulling a fast one or something. Apparently, no one had filled in Gaylord. Our big problem there at the last minute was to get the bill through the conference committee and to get it on the floor of both Houses. We didn't think we had a problem straightening things out in the House or in the Senate, because we'd left this to Wendy. We assumed that after all this, Wendy wasn't going to drop his ball.

Well, we went back up to the gallery. In a few minutes, Bobby Byrd picked up the file again and said, "I have here the conference report on HR-12250. Are there any objections?" And there were none. And it passed. That was it.

Then there was a battle, which turned out to be a paper tiger, to prevent a veto. The Alliance took the tactic of trying to persuade President Carter to veto the bill. We heard a number of rumors from various people that, "Well, you know, you'd better work on it, because it could happen." So we worked on it for a week or ten days. We learned a couple of days afterwards that on October 21, 1978, President Carter had signed the bill, and it was all over. The big battle to pass Public Law 95495 was over.

We went back to Minnesota late the very next day or, I guess, two days afterwards. We
had a big victory party back here at Rodney Loper's home. Fraser was there and a lot of other people were there. It was quite an affair. And that was it until the aftermath. Then, of course, things began to develop.

Let's pick up now with the aftermath of passage of the act. There was discussion, beginning only weeks after the legislation passed and been signed by President Carter, that there would be lawsuits. We saw inklings in the *Ely Echo* and heard rumblings from Ely that there was serious consideration being given to lawsuits during the winter of 1978-1979. Sometime during this winter, there were discussions with DNR Commissioner Joseph Alexander and with Governor Quie by the Conservation Alliance people. Frank Salerno in Ely became one of the real leaders in organizing a lawsuit. Some of this appeared in the *Ely Echo* so that we had some press reports as well as some indirect reports of what was happening.

We knew that the Alliance had been contacted by a Texas attorney. Fran, what was that Texas attorney's name?

**FH:** Ben Wallis.

**MH:** It turned out that Ben persuaded the Alliance to retain him as an attorney. I personally always thought that was a serious mistake on their part. I think Ben was more interested in making money than he was in winning the lawsuit. But Ben, sometime during the winter, persuaded the Alliance to retain him. It also began to look like there was a significant chance that the governor and the DNR Commissioner would throw the state's support behind the lawsuit as well.

In the middle of the summer of 1979, just after I had returned from teaching a course in fire ecology, I learned from Chuck Dayton that a lawsuit was being filed in the Washington, D.C. federal district court which was likely to come up shortly. The next thing I knew is I got a panicked phone call from Chuck from Washington. He said, "Bud, this thing is before the judge. The U.S. attorney is badly informed on the act. He doesn't even know the legislation he's dealing with." Ben Wallis was moving for what they call a temporary restraining order--a TRO--which would have blocked implementation of the act. Chuck said, "The way I read it, unless we can get some input in here and educate the attorney during the lunch break, we're going to be faced with a TRO stopping the implementation of the Boundary Waters Wilderness act. I also need some help in contacting Brock Evans. As an attorney from Minnesota, I cannot argue before the district court in D.C. unless I am introduced by an attorney admitted to the bar in D.C. The only one that I can think of that I can get a hold of quickly is Brock Evans from the Sierra Club, and I can't find him. Can you get Brock to come over here?"
So I got on the telephone and located Brock Evans. To show you how desperate it was, it is not considered appropriate to appear before the federal bench without a suit and tie on. Chuck usually goes around quite informally. He didn't have a tie. He didn't have a decent shirt. He didn't have a sport coat. Brock Evans loaned him his shirt, tie, and his sport coat. Chuck Dayton went in there and explained to the judge exactly what the lawsuit was all about, what the legislation was about, what the consequences of a temporary restraining order to the Boundary Waters would be, and the great lengths at which the United States Congress had deliberated the matter. He had also done what he could to educate the U.S. attorney. The U.S. attorney did a better job, too, and the judge denied the TRO. So we were over the first hurdle.

That fall, in late 1979, the Alliance re-filed the lawsuit. We also learned that the state of Minnesota would join in the lawsuit at the urging of DNR Commissioner Alexander and Governor Quie and that they would retain former Conservation Commissioner Wayne Olson to represent the state. He was a very reputable attorney and, frankly, a good environmentalist.

Just before this, Chuck Dayton, Dick Flint, and I had visited Attorney General Warren Spannaus to understand what the state thought the chances of a lawsuit were. This was before the state had formally joined the suit. We were given a copy of a lengthy memorandum that the Attorney General's office had prepared, with the help of some of the attorneys in the DNR. The DNR attorneys would ultimately have to pursue this lawsuit, and they advised against it in this memorandum. They thought the lawsuit was not in the best interest of the state. And they felt that if the suit were brought, it would be lost for the following reasons. It turned out that they were absolutely right. It was lost for precisely those reasons.

But in spite of that legal advice, Joe Alexander and the governor elected to go ahead with the lawsuit. I'm sure, of course, that Wayne Olson was privy to those discussions in the DNR and had to make the best of what he could of a difficult lawsuit. It must have been difficult for Wayne. I have never discussed this with him, although I do know him well enough to talk on a person-to-person basis. I've never really tried to get Wayne to talk about this after the fact, and I certainly would not have discussed it with him while it was ongoing--what he thought of the whole affair. Someday, I might like to do that.

The environmental groups decided to intervene in a consolidated fashion, as you would expect, to defend the act. We intervened as a friend of the court, as I recall, on the side of the United States Government. It was the primary responsibility of the United States government to defend an act of Congress. Basically, what was happening here is that
these people and the state of Minnesota were challenging an act of the United States Congress and saying that the act was defective, that it was unconstitutional or otherwise illegal for a number of reasons.

I won't go through all of the reasons, because they're all a matter of record in the press. I know that the Minnesota Historical Society also has a lot of materials on this. By the way, I'm prepared to give all of the briefs and decisions and all that sort of material to the Society as well.

I have that stuff in my files, as do Chuck Dayton and the state of Minnesota itself. So I won't dwell a lot on the legal details. I'll try to take you through the way we saw the lawsuit from our point of view.

Frankly, we were shocked and astounded at the nature of some of the issues which the Alliance raised. The state, incidentally, did not raise most of these issues. The state of Minnesota raised primarily just the jurisdiction over the waters issue. They raised it because they claimed--and I think possibly Wayne Olson was genuinely convinced that this was an issue--that it would damage the state's ability to prevent mining in the Boundary Waters Wilderness in the event that it was held by the courts that the state had no jurisdiction over the waters.

The facts were that there was a provision in the act which gave joint jurisdiction over the water to the state of Minnesota and the United States government. This was put in there deliberately to cover the state's concern. This concern of the state had been surfaced frequently in connection with the mining provision in the act during the discussion and drafting of the legislation. There had been numerous legal discussions between Chuck Dayton and DNR attorney Philip Olfelt and others in the DNR, including the commissioners, first Bill Nye and later Joe Alexander. I had forgotten to mention earlier that by then Bill Nye had resigned as commissioner and that Joe had replaced him. Joe became commissioner about a year or so before the act was passed, so he was actually commissioner during a lot of the later discussions in passage of the act. So Joe Alexander himself was well aware that this matter had been discussed and, we thought, taken care of by the provision in the bill. Nevertheless, that was the matter that concerned the state.

The Alliance professed concern about that, but it was clear that the Alliance's concern over water jurisdiction was mainly that they expected that if they could overturn that provision, they could get more motorboat and snowmobile use in the area. It also became apparent that this was a motive of at least Joe Alexander. At least it appears to me, yet to this day, that this might have been a motive of Commissioner Alexander and others in the DNR. Whether it was also a motive of the governor, I couldn't say. But we must
remember that Al Quie did ultimately oppose the legislation in the Congress while he was still a U.S. Representative. By this time, of course, Al was governor of Minnesota, having been elected over Rudy Perpich in the fall of 1978 during the so-called "Minnesota Massacre."

So by this time, the winter of 1978-79, the lawsuit was becoming ripe, and it was of great interest to us on what grounds these people thought they could contest the legislation. The Alliance raised all kinds of issues. One of the incredible ones to me was they even contested the validity of the map. They contested the process through which the United States Congress had drawn the boundaries and alleged that I had been involved in altering the map with the U.S. Forest Service after the bill had passed. The fact of the matter is that I had not been back to Washington since two days after the bill passed. If anybody had thoroughly researched the boundaries and knew precisely what he was doing, it was Phil Burton. He had gone over every one of these, inch by inch, with the U.S. Forest Service right there. The maps had been drafted by the United States Forest Service.

I would have to go back to the briefs to bring up all the issues, but there were dozens of issues that were just ridiculous. However, one of the issues that was a little more sticky, legally, was the matter of the treaties. They raised the Webster-Ashburton and other treaty issues. They got the Indians on the Canadian side of Lac la Croix to join the lawsuit on their side. This brought a racial issue into it, which was extremely unfortunate from our point of view. We certainly did not intend to do anything that would injure those people. Of course, the law did not affect the Canadian side of Lac la Croix. The Canadian side was open to motors. The legislation had left the western end of Lac la Croix open so that motorboats could get to the Canadian side of Lac la Croix. So in fact, they did have access from the American side to the Canadian side with unlimited horsepower motors. There were no restrictions at all up to that point.

Then came time for the trial. The trial was very interesting. It was before Judge Lord, and it really was quite short. It became apparent to us that Judge Lord would rule against them without any problem, and he did. The next question, of course, was whether Judge Lord had written an opinion adequate to be sustained by the United States Appeals Court and, conceivably, by the Supreme Court of the United States if it should be appealed to the highest authority. Sure enough, of course, it was appealed to the Circuit Court of Appeals.

Brian O'Neill was the attorney on this. I got to know Brian very well during this process. Brian was not involved, by the way, in the drafting of the legislation or in the lobbying for the passage of the bill. Prior to his moving back to Minnesota, he had been an attorney for the Department of the Army in Washington, D.C. --for the Corps of Engineers, I think. He was a national authority on water law, which was one of the reasons why we were
very anxious to have Brian represent us on this. Brian did this gratis; he donated all of his
time. The only expenses from any of the attorneys--we had help free from many
attorneys--was for actual out-of-pocket expenses like duplicating, distributing, and
mailing all the documents. There was an enormous amount of documents prepared that
had to be distributed. There were court orders as to what had to be distributed to whom.

We had help from Chuck Dayton again. He was one of the lead attorneys helping Brian
O'Neill. We also had help from Marcia Gelpe, a professor at the University in law; from
Marilynne Robert, a professor of law at Hamline University; Steve Snyder and Dick Flint;
and several others from the Faegre & Benson law firm who were associated with Brian.

With all our legal help, everybody was telling us that there was no reason why we should
lose the case, that really it was extremely unusual for an act of Congress to be overturned.
Unless there was something grossly defective in the way Congress did their business, we
would win. But this was a serious enough matter that we had to pay strict legal attention
to what was happening and put our best legal minds on it. We felt that we had done that
and done all that we could.

The U.S. attorney on the case, incidentally, wound up being the same man all the way
through--a man by the name of James Draude. Draude eventually became quite competent
in handling the case for the government. So the government's side, I think, was pretty well
briefed also. I think it is fair to say that Wayne Olson did the best he could on really the
only substantive issue there, which was the water jurisdiction issue. It was the only issue
that any members of the court, either Judge Lord or the appeals court, took very seriously.
Possibly, they took a pretty good look at the treaties issue.

The weight of opinion was addressed to the water jurisdiction issue, and the appeals court
sustained Judge Lord. Both the appeals court and Judge Lord himself held that the joint
jurisdiction was valid, that the state of Minnesota did have recourse, that they still
retained ownership of the beds of the lakes, and that they still did have a mechanism
through which they could attack the mining issue. The ruling was that this kind of joint
jurisdiction was a legitimate thing for Congress to put in the bill, and that it was all per-
fectly constitutional and valid.

Then came the matter of going to the United States Supreme Court. That, of course,
scared the heck out of us. The possibility of being heard by the United States Supreme
Court is enough to over-awe anybody. We were concerned that our attorneys would be
able to do the best possible job in briefing it for the Supreme Court. Of course, the first
matter is deciding whether the case will be heard. Before you brief it for actual hearing by
the court, you brief it for this review. I was involved in that with Brian O'Neill and other
attorneys. I know I had several discussions with Brian. Brian told me that at one point he considered there was roughly a 50-50 possibility that the Supreme Court would opt to hear it. He said that if they did hear it, he thought there was at least a 75% percent chance of winning. He didn't think they would overturn it, but it would be a lot of work for us if they did hear it.

Well, history gives us the answer on what happened. But I would like to tell you how it came to us. I can't even tell you this without breaking up. We didn't hear that the Supreme Court had refused to hear the case until the day of Bill Magie's funeral. Just prior to that, Sig Olson had also died.

Bill Magie was a Catholic. We were in a large Catholic church in Duluth at Bill Magie's funeral the day that the Supreme Court released to the public the decision that they would not hear the case of the Boundary Waters legislation. In other words, that was the final word that the Supreme Court of the United States considered. It was so obviously constitutional that it wasn't even worth their time to review it. The vote had been eight to one with only Justice Sandra Day O'Connor, who was a recent Reagan appointee, voting to hear it. Why she voted to hear it, we never found out. But that is not important.

I wanted to tell you how this happened. We were literally in the church, as I recall it. The service itself had just been completed. We were all gathered in the back room, having a little cake and coffee preparatory to going over to Susan Magie Bergman's home for a private little gathering, as families often do after a funeral. I cannot remember whether we heard it through the press or whether somebody literally called the church.

FH: They called the church.

MH: Somebody called the church? Brian O'Neill? Somebody called the church, anyway. We were all sitting back there and literally had just completed the service when the word came down that we had won at the Supreme Court. I wasn't the only one, I don't think, who broke into tears and said, "What a fitting time to find out that the Boundary Waters has at last been won--on the day of Bill Magie's funeral." It just cracked me up. I'll never forget that day for the rest of my life.

Sig's funeral had been a really hard time for all of us, too. But you know, we hadn't won these things. It was a little bit different. We were all still deeply preoccupied with the question of whether or not this legislation was going to stick. It had been a lifelong battle for these people. We were deeply involved in the services for Sig, too, incidentally. I think this is something that is not at all relevant to the legislative history, but it is very relevant to the history of the Boundary Waters.
Fran and I were at our cabin in Ely the day Sig Olson died. It was about twenty-five below zero. A tremendous cold wave was moving into northern Minnesota. One of the coldest nights I have ever experienced in my life was the day of Sig's funeral, two or three days later. This cold wave was building. The peak of the cold wave was the day of Sig's funeral. There couldn't have been a more appropriate day to say goodbye to Sig Olson, because he loved the north and he loved the winter. He was a snowshoer who died on his snowshoes. I think it was forty below or forty-three below zero the morning of. Sig's funeral. I was one of Sig's pallbearers and carried his casket to the hearse after the funeral. It was so cold that we had to go out during the funeral and re-start our automobiles in order to make sure that our cars would even run when the service was over. There was lots of discussion at the funeral, of course, that Sig got to see us pass the legislation, but he didn't quite get to see us win the final victory.

Poor Bill didn't either, but it was just as if somebody was saying to Bill after his death that "You didn't die for nothing, Bill. You made it after all." Bill was a very different person than Sig. He was a gut fighter, not much of a writer and not much of a speaker. But he was quite a politician. He knew Hubert Humphrey. He knew John Blatnik. He knew Jimmy Oberstar. He knew Al Quie. He knew Don Fraser. He knew lots of the key people. He wasn't afraid of picking up the telephone and trying to call anybody from Hubert Humphrey on down. And often, he could get through. He actually did know these people. He knew them really well, primarily through his efforts to pass the Thye-Blatnik act and to get the air ban ratified by President Truman.

Bill's passing was a final note to the whole process that those of us who were there that day in that church will just never forget. A lot of the strongest people who had been through the whole fight were there. I know the Roms were there. Herb Johnson was there. Can you remember some of the other people who were there in the church that day, Fran?

FH: Elizabeth Olson was there, but I don't remember too many others. There was just the whole group.

MH: Yes, there were a lot of them.

FH: They were all there.

MR: He died a month or two after Sig, didn't he? The time span was very short.

MH: He died about three months after Sig. It was still winter. It was March, wasn't it?
FH: It had to be--it was still winter.

MH: There was a big snowstorm that day, in fact. We had trouble driving down to Duluth from Ely.

Just to bring things up to the present day, since the Supreme Court's refusal to review the case the Forest Service has released their plan in response to the act. That is the so-called implementation plan. Later, the new management plan for the whole Superior National Forest was released--in fact, within the last year, in 1986. When this plan was released in final form, there were a number of matters which were of great concern in respect to the implementation of the act.

The most important one which was strictly a matter of implementation was the matter of closing the mechanized portages. These mechanized portages were the subject of lengthy debate in the Dayton-Walls compromise. I think it is important that I explain for the record exactly how that happened. It is told to some extent in the Congressional Record and in a document of the House interior committee, the so-called subcommittee report on this legislation.

Philip Burton realized that this was complex and controversial enough legislation so that the matter of implementation could come up for administrative review or even lawsuits in the future. It turned out that he was very prophetic in this. Incidentally, Phil Burton has also since passed away. So Phil did not get to see all these things happen either or to help us with them, which I'm sure he would have done if he had been living.

In terms of the Dayton-Walls compromise, I will address first the matter of the mechanized portages, because that is the most substantive issue. The language of the act is roughly that the Secretary of Agriculture is to keep those three portages open and in business until January 1, 1984. Upon January 1, 1984, they shall be terminated unless no feasible non-mechanized means of transporting the boats with the twenty-five horsepower motor to the lakes in question can be used.

There was a discussion. That precise language came from the Dayton-Walls compromise. It was agreed upon by Dayton and Walls. Let's realize that this is the language which Wendell Anderson then said he would set into law in the act, and it became the act. So it came straight from the Dayton-Walls compromise.

During the compromise negotiations themselves, I was there and saw that this discussion occurred. I insisted that this discussion go on with Chuck Dayton. I told Chuck that we
were not going to go for this compromise unless he ironed out with Walls what “feasible” meant and what he would accept. What should Congress and any subsequent court decision accept as an adequate test of transporting boats between the lakes? The public was already using portage wheels to wheel boats across the portages. We knew that portage wheels could be used to transport boats. But I wanted a recognition of this in the discussion.

I also wanted to know how many people were we talking about—who would be pushing these boats across the portage. Were these people going to say it was not feasible, if let's say, two or three people couldn't push it across? What were we going to ask for? If they were going to ask for ten people, that was not going to be feasible, because not many people go on a trip with ten people in one boat. [Chuckles] You can't do that. Obviously ten people could carry the thing across the portage. But if you're going to be using portage wheels and dealing with the average fishing party, you're going to be dealing with smaller numbers of people.

I wanted the record show that the test would be three able-bodied people. For example, one guide and two resort guests. That's a common party for people going from resorts. Or if it there are three fishermen wheeling it on their own, fine—three people But three able-bodied people should be able to wheel that boat across the portage. I knew in my heart that it could be done, and so did Chuck. If Walls accepted that kind of discussion and was willing to put it in the record, okay.

He had this discussion with Ron Walls, and Walls agreed that this would be the test. That test appears in the legislative history in a statement inserted in the Congressional Record by Philip Burton. I was the person who saw to it that it got inserted in the record. I told Chuck, "If there's one provision that is going to wind up in a lawsuit, this is it." Well, it ain't a lawsuit yet, but it may be. I'm hoping that the chief of the Forest Service will still recognize that we've got them on this one.

Now here we are, three years after 1984. It's 1987, and the Forest Service is still waffling on this position. The U.S. Forest Service in the Superior National Forest conducted a test themselves. They said that the test was made with ranger John Anderson and recreational assistant Clifford Anderson, both of whom I know and both of whom are middle-aged men. They're in their forties or fifties, but they're in good health. They are reasonably strong people for that age. They were joined by a district technician, apparently a younger man, whom I don't know. They said that they took a sixteen-foot boat with a twenty-five horsepower motor loaded with the proper camping gear, gasoline, and so. They stuck on an additional ten horsepower trolling motor, which we never mentioned in the legislation, and which is not required in any way by law. This is the one thing that the Forest Service
did on their own accord after the law passed. The law reads "not more than twenty-five horsepower." What they ruled is: You can have a twenty-five horsepower motor, plus you can have an up to a ten horsepower trolling motor, provided not more than twenty-five horsepower is in use at any one time. We don't know if anybody cheats on that. We were always suspicious of that. But certainly, when it comes to the test of wheeling it across the portage, we didn't anticipate that they would be sticking an additional motor on there.

I don't know if that is why the Forest Service people were unable to take the boat across the portage or not. I know Chuck Anderson and John Anderson well enough to think that they would not lie when they said they couldn't get the boat across the portage. They claimed they could not get it over the first hill with the boat so loaded. We don't know how big the boat was. We don't know what kind of motor they had. All of these things could have made a difference.

We were not satisfied. Fran and I, after the bill passed, had watched people and taken photographs of them wheeling boats across the portage. But we had not been lucky enough to get a picture of three people wheeling a twenty-five horse, sixteen footer across.

We finally decided just this past spring, that before we lodged our formal protest of this provision of the management plan appeal, we would personally test the feasibility and get documentation. So we went up there. I am sixty-seven years old now; I was sixty-six then. The two other guys are in their thirties: Kevin Proescholdt, the executive director of the Friends, and Rob Crawford, an attorney who works with Brian O'Neill. We rented a sixteen foot boat and a twenty-five horsepower motor. We took all the camping gear. We had a tent, sleeping bags, a cooking kit, and dummy food. We put in some wood to simulate food. We had 15 gallons of gasoline. It was a hot summer day, so we had about three gallons of water. We had life jackets. We had rain suits. We had everything you would need. We had fishing tackle, a fishing tackle box, rods, reels--what you would need for a three-day fishing trip in the Boundary Waters Wilderness.

The three of us, without any problem at all, pushed this boat and motor across all four portages. Then we turned around and came back in one day, between 8 a.m. and 5 p.m. We have it on a videotape, which has been sent to the chief of the Forest Service and all participants in the appeal.

It bothers me that the people of Ely--because it is mostly local people who are pushing this appeal--would contest something like that when they know in their hearts that it is feasible, that the public is doing it. Oh, by the way, while we were doing this, we were lucky enough to encounter a party of three with a similar rig. We got a videotape of them
also going across--somebody other than us whom we didn't even know. We just took pictures of them. They were ahead of us, and we had to wait for them while they went up over the portage. So we taped them. [Chuckles]

MR: Do you think the protest is more symbolic than anything else?

MH: I don't know if it is more symbolic or not. I'm sure that there are a lot of people in Ely who genuinely love to fish on Basswood Lake and consider this a barrier to their access. They've traditionally used the mechanized portages, since they were available. I'm convinced in my own mind that a lot of these very same people, with very little change in their routine, could switch to a little bit lighter boat, and if necessary, a little bit lighter motor, and they could get in there without any problem. The law doesn't say you have to take a twenty-five horsepower motor, incidentally. If they are going to have trouble with a twenty-five, put on a ten. What's the problem? They can get in there and they can fish the lakes, because it is the fishing of the lakes that they are concerned about.

Some of it is symbolism. There are a few people, perhaps, who will genuinely consider it a barrier. There maybe a few outfitters and resorters who are afraid it will hurt their business. I don't know about that. But I would like to comment on this. This is certainly relevant. This was discussed at the time. If it does decrease motor use in the area, so be it. That was the purpose of the provision of the act. Why did we insist on this provision being in the act? Did we insist on this provision being in the act because it would increase motor use? Of course not. We were compromising from a position that would have involved a phase-out. You see, the original House bill had motor use, but there would have been a phase-out. It didn't even have the Basswood gap at all. Some of the portages would already have been out. I'm quite sure the House bill would have terminated the mechanized portages and made them go to portage wheels immediately. So the compromise, in other words, was from a House bill provision, which we favored, versus the Oberstar bill, which was wide open with respect to these things. In cutting it in half, when I genuinely think it was roughly cutting it in half, the bill would leave it open until 1984. Then they can still wheel their boats across there, but they can no longer use their jeeps and trucks on the portages.

As far as I'm concerned, even the question of whether it results in some reduced motor use is not a legitimate test of whether it is fair. That was the purpose of Congress. Phil Burton, Don Fraser, and Wendy Anderson were well aware that it was a compromise that was considered adverse to the people up north. It was considered adverse to us. We didn't want it either. The fact is that was the provision which made our people the maddest when we were having the debate here at my house the night we were to vote on the compromise. [Chuckles] A lot of our people thought it was awful for the opposite reasons
that the Alliance people thought it was awful. So that is where we are on that.

To finish up the discussion on the appeal, this whole matter is in a formal appeal now. It already has gone to the Superior National Forest. They have decided to forward the appeal to the chief of the Forest Service. In other words, their decision was against us. The preliminary decision was against us. The matter will now be decided, as I understand it, in the Washington offices of the U.S. Forest Service.

Two other provisions in the act also came to some degree out of the Dayton-Walls discussions and subsequent discussions with Senator Anderson. One of them is the matter of dams in the Boundary Waters Wilderness. The Forest Service had backed a weasel-worded provision in the law with respect to dams that leaves discretion on certain matters to them, only where there is a threat to wilderness values or public safety. Otherwise, they have to remove all the dams or let them decay. The Forest Service has elected to let them all decay with the exception of about seven dams. Then the Superior National Forest itself decided to let them all go except two. They are two tiny hand-made dams on a canoe route by Cherokee Lake.

But to us, it is the principle. We think that the natural water levels ought not be modified by man-made dams, and if there are dams they should be allowed to disintegrate, with one exception. That single exception, as it states in the act, is a prairie portage dam which is made of concrete. Otherwise, they should all be allowed to disintegrate. Well, the other one, I guess, that we are willing to make an exception on is the Fall Lake Dam, which holds up Fall Lake. But we are not willing to compromise on the rest of the dams. Fall Lake Dam is not outside the wilderness, but it holds up Fall Lake, which is about sixty percent outside the Wilderness. It also fronts the town of Winton. I always thought that it was dumb to contest that one in the first place, myself. But it was included as a dam within the wilderness.

These other dams on the Cherokee route are the Scoop and Ada Lake dams. I have been there many times. They aren't big. They are only a few feet high. They look more like beaver dams than real dams. But they are man-made dams--there are rocks in them. We say, "Let the beavers do it. If the beavers don't do an adequate job of it, if the portage has to be lengthened, so what?" Fran and I, many years ago, took a portage around one of those ponds because the dam had gone out. I don't know at that time whether it was a beaver dam or a man-made dam. This was about thirty years ago. I have an affidavit regarding these things--the mechanized portages, the dams, and a number of other issues.

The other issue that is really kind of ridiculous is a huge steel arch across a branch of the Isabella River, where it flows out of Parent Lake and before it gets to Bald Eagle Lake.
It's right at the outlet of Lake Isabella. It's called the Isabella River at that point. This Lake Isabella/Isabella River Bridge got there because there was a large logging road that has been there since 1948. In the logging lawsuits I presented it to the courts as one of the grossest cases of lack of consideration for wilderness values. This very bridge is actually about an eighteen-foot steel half culvert over which there is a gravel road which is about fourteen feet wide. It serves a large gravel road grade which has not been abandoned. It has been blocked off so you can't get in on it. But the grade itself is still there; they didn't tear the grade out. So the grade is there and the bridge is there. It was used all through the logging of the Boundary Waters Wilderness and was still in use at the time that the legislation was passed.

I was one of the people who saw to it that this provision was written into the act. In fact, I tried to persuade the Congress to put in more specific language to say that all roads and culverts were to be destroyed. What Congress finally said was that the area is to be restored as nearly as possible to a natural state. We are making the case that this is a gross case of not following the instructions of Congress. They should at least remove the arch, if they cannot afford to take the road out. All they have to do is get in there with a big bulldozer and pull that damned thing out of there. It's within about a quarter mile of the edge of the wilderness, so they would not have to pull it very far.

There are a lot of other issues in the appeals that I don't think we should discuss now, because they aren't really relevant so much to the Boundary Waters. There's the issue of wild and scenic rivers and the issue of management of the Superior National Forest, and so on. I have been very much involved in these appeals, and I have been tracking them closely. If asked, I will go down to Washington, D.C. and be willing to make a presentation to the chief's office and vouch for the fact that I personally helped wheel those boats across the portage. (Chuckles)

The Friends of the Boundary Waters Wilderness is still very much of a viable organization. We are very much interested in helping Ely and Grand Marais and the communities around the periphery of the wilderness develop the Boundary Waters Wilderness as an important economic asset. I think that Ely is beginning to realize this, and I know Grand Marais is. In fact, this may be the one thing that will make Ely a survivor of the demise of the mining industry, whereas a lot of the other Range towns are going to have a lot tougher time. Grand Marais, of course, never was a mining town. It has always been a recreation-based town, so they don't have quite the same problem. I think Ely at times has seen the wilderness as a problem, whereas now a lot of business people in Grand Marais see it as an asset. The people over there are not very much involved in the appeal, for example. The people who are involved in opposing our appeal are mostly from the Ely and Crane Lake area.
Oddly enough, a lot of people at Crane Lake also seem to see it as still a problem when they have full motorized access to all of Voyageurs National Park. They have no horsepower limits into the Boundary Waters as far Lac la Croix and the Canadian side of la Croix. They also have the option of running canoe trips into the Boundary Waters Wilderness out of the Crane Lake area. So to me, in terms of the commercial advantage of Crane Lake, it as if they have the best of all possible worlds. They have the possibility of business based on wilderness canoe trips, business based on motorized fishing into the Lac la Croix region of the Boundary Waters, and business based on even houseboat trips throughout the Voyageurs National Park. I don't understand their concern.

I tried to point out that this was the way it would be to George Scott, the only representative of the Alliance who stayed there during the Dayton-Walls compromise negotiations. I guess I forgot to say that at the end of the Dayton-Walls negotiations, that dreadful night in the summer of 1978, George Scott was personally as crushed by the compromise as I was. We were both in tears that morning, which shows it was a real compromise. He was the advocate of the Alliance, and I was the principal advocate of the Friends, along with Fran and Jan Green.

**FH:** Kathy Dayton was there, too.

**MH:** Yes, Chuck Dayton's wife was also there.

**MR:** What about the Alliance's contention that the compromise is not applicable because they did not accept it? When you mention the compromise to them, they are almost offended by it.

**MH:** I am well aware of that, and so is our side. Our answer is: We didn't vote on it. Don't forget it was a negotiated compromise that had both sides in tears. The Alliance has to face the fact that it was Wendy Anderson who made the decision that "I'm going to set this thing into law." And he did. It's irrelevant whether our people or their people bought the compromise. It is the compromise which the U.S. Senate adopted. It is as simple as that.

I'm well aware of that point of view. That is their answer to us every time we bring this thing up. They say, "We didn't agree to that compromise. We voted it down." I don't know what we would have done, but I can tell you this. Here is one guy who was scared to death that we might vote it down, because I personally thought that it was the best we could do. As I told you, I have a feeling that we would have ratified the compromise that night. It would have been a tough argument. I think we were at least one hour before I
would have, as chairman, dared to even call for the vote. What would have happened in that next hour, I don't know, but we were having very heated arguments right here in this room about that compromise. A lot of people were accusing us of selling out. There was a lot of grumbling. Most of them were pretty reasonable. It wasn't a shouting match, but there were a lot of unhappy people. I wasn't happy. As I told you, I was literally in tears. I was more than in tears. I was quite emotionally crushed by the Dayton-Walls compromise.

I will tell you how I feel about it to this day. I think it was a mistake for the United States Congress to make that compromise and set it into law because it is causing the people of Minnesota and the United States to go through precisely what we have gone through so far—an enormous, expensive lawsuit that involved all kinds of wasted money, that got nobody anything. It just polarized people for three more years. Now it is on appeal to the chief of the United States Forest Service. If he comes down on our side, it is going to make a lot of people mad. If he comes down on the other side, it's going to make our side mad.

It's a no-win deal for the Forest Service. It put the U.S. Forest Service in the position of being in the middle again. I know the Forest Service really didn't want to be in that position. There may be a lot of members of the Forest Service who sided more with the Alliance and were glad that the Alliance got this compromise. A lot of the officials in the agency didn't want this problem thrust upon them again. I know I heard it said repeatedly in Washington that "whatever you do, do something that's clear so that we've got a clear mandate and so that we aren't going to be arguing about this thing forever."

Very frankly, the only way that's going to happen is for the United States Congress someday to make this area into a full unit of the national wilderness system, where it is not loaded with compromises that other areas do not have. That probably will not happen in my lifetime. It may not happen at all—in which case, this bickering will go on for Heaven knows how long. [Chuckles] But it may happen someday.

**MR:** I did want to ask you whether you feel this issue is going to remain polarized—I was struck, in talking with people in Ely, how bitter some of them still are.

**MH:** I think it will remain polarized for some time. Let's assume that we do win the appeal—particularly the messy ones, like the mechanized portages, the dams, and the big culvert whether in the Forest Service appeal or in the subsequent lawsuit. Those are the main Boundary Waters issues. There will be lawsuits if we don't win. I am sure of that. I'm sure that we will sue. The other side may counter-sue.
Assuming that this is resolved within two or three years by either the chief's office or a lawsuit, I would guess that the same thing will happen as happened after the air ban. There will be grumblings. It will go on, and it will be somewhat polarized. A lawsuit will certainly be quite polarizing. It will be somewhat polarized for at least two or three years after the lawsuit. Then people will begin to accept the status quo, because you have to. You have to come to terms with the law of the land. After all, it was the will of the United States Congress. It wasn't just Philip Burton or Bud Heinselman or a few individuals. It was voted on by the whole House and the whole Senate after an enormous three-year political battle. If there was ever an environmental issue that got an adequate hearing in Congress, it was this one. [Chuckles] They don't usually spend that much time on a wilderness issue.

Most people are smart enough to eventually come to terms with the status quo. The problem with the situation the way it is, Margaret, is that it isn't full wilderness. Therefore, the motorboat/canoeist conflict will continue. As long as it continues, there will be some discussion and some efforts to change the situation—either to increase motorized use or to decrease motorized use or to stop it altogether until people somehow or other come to terms with the way it is. I know environmentalists have not come to terms with it the way it is, and I know the people up north have not come to terms with the way it is. They would like to see more motorized use, and a lot of people in environmental groups still feel that there is too much motorized use and there is environmental damage up there.

**MR:** Would you see further legislative programs to extend the boundaries?

**MH:** I would not like to see the boundaries enlarged in any significant way. In the appeal, there is one matter which is up for consideration—just one last review of the Homer/Brule area which involves one lake, Homer Lake. That is all that is being asked for in the way of another look at the boundaries there. I personally would not have gone even for that, but a lot of people felt that we ought to. That was a bone of contention all the way through. Our side tried very hard to get Congress to include it. It was nearly included several times.

I believe it was in the original Fraser bill proposal. But Phil Burton, after hearing all sides of the argument, in spite of hearing me plead with him many times and hearing other people plead with him many times, would not go for that. He felt that it did not make sense. I think Phil made a technical error there. I don't want to go through all the technical arguments for Homer Lake, but it is a very minor thing. It is no big deal for the people in Ely, for sure, because it is forty miles from them. I don't think it is a big deal for the people in Grand Marais, either.
Homer Lake does not lead to a motorized part of the wilderness. Half the lake is already in the wilderness, and motors are banned. So it is matter of having half the lake in the wilderness, where motors are banned, and the other half out of the wilderness, where motors can be used. It is a dumb thing. It was a stupid thing for the Congress to do. They should either put Homer Lake entirely in or entirely out. They could not put it entirely out, because it was already in the wilderness. It was in the original wilderness. This is not an addition. It would be to get the rest of the lake, because half of Homer Lake has been in the wilderness for forty years.

Anyway, with respect to whether I would favor any further legislation, I would not now. Even if the management plan review says it should be protected as a potential addition to the wilderness, I personally would say: Okay. Protect it as a potential addition to the wilderness. It is ridiculous to try to go to Congress with that now or in the foreseeable future. I would like to see Homer Lake protected. In other words, don't let the Forest Service lease cabins on it, or build more roads to it, or that sort of thing. Protect it as a wilderness.

I certainly would not go for any other additions to the wilderness in the foreseeable future. I am not saying what I would favor if I were alive thirty years from now. Heaven knows that the attitudes of the people of the United States may be vastly different towards wilderness by then. What those people choose to do, they're not going to get advice from Bud Heinselman. Whatever the situation is then, okay.

With respect to changing motorboat and snowmobile provisions in the near future, I would also say that my advice is: Don't touch it. I think it is a feeling that it would not be a smart thing to do politically. I don't think the United States Congress would even look at it either way. I don't think that if the people of Ely tried to get in there and get motor use increased, they would get a hearing. I don't think that if we went in there and tried to get motor use reduced, we would get a hearing. I don't think there is any way that Bruce Vento or Marty Sabo or Durenberger or Boschwitz would. We are in contact with all of these people, and so are the people up north, I am sure. I don't think that they would want to get in the middle of the argument either way. I personally would not feel that it would be fair to the compromise we made or the legislative effort we made to raise that issue in Congress for a long time to come.

Now, the motor provisions will be matured in the year 2000. I don't expect to be alive by then. I will be eighty years old, and I am probably not going to last that long. I might, but I'm not going to be very vigorous or active, I can assure you. At least, I would not expect to. But there is very little change to happen. The only thing that happens now is that on Seagull Lake, they pull back the motor zone a little bit. I think ultimately the horsepower
on Seagull will be ten horsepower. The boundaries will be pulled back. I think that is the last thing that happens. However, the Brule Lake provision already has been triggered by the selling out of the resort on that lake. Are you aware of how that happened? When they sold out that resort, that took care of Brule Lake.

So I would not advocate legislation, and frankly, I cannot see now that there should be legislation before this law matures in 2000. At that point, if the United States sees fit to go back and try to make it a full wilderness--or worse, from my point of view, open it up--so be it.

One thing I have learned through the discussions that occurred during passage of this legislation is that one generation can make no guarantees to the next. Just because I don't think they should do it is no sign that it will not happen. It is also no sign that I might not change my mind in ten or fifteen years. I would hope I would be open-minded enough to be willing to look at arguments from both sides ten, fifteen, twenty years from now, if I am still alive.

MR: What about the Alliance argument that people like Fraser and Vento have cut their political throats by sponsoring the 1978 bills, and they will not get statewide office because of that liability?

MH: That applies to Oberstar, too, I suspect. [Chuckles]

MR: The Alliance feels that the pendulum will swing their way.

MH: I am not concerned that it would swing the Alliance's way in the near future, at least. That obviously could be a concern, but I will tell you why I don't think it is likely. I see the constituency for the Boundary Waters Wilderness as a wilderness only growing. I don't see it shrinking. I am giving you my professional judgment right now--if there should be a legislative drive to attack the Boundary Waters Wilderness, you probably would not see the same coalition, but another coalition would form. It would be just as powerful or more powerful than the one we saw in the case of the 1978 act. The Alliance would be unsuccessful. By the way, this has been the history of these kinds of efforts.

There has been a succession of problems arising, of threats of compromises to the wilderness character, followed by a massive uprising by people concerned about this from an environmental or wilderness point of view. Then finally, an increase in the protection for the area occurs. It happened in 1909, when Christopher Andrews persuaded President Theodore Roosevelt to make the first set-aside for the public domain. It happened in 1926, when Secretary of Agriculture Jardine promised they would not build roads in a
thousand square miles of the best canoe country, setting up the first so-called wilderness area. It happened in 1939, when Bob Marshall got the U.S. Forest Service to set up the Superior Roadless Area the very year he died. Bob Marshall, by the way, was very concerned about Basswood Lake and a number of other areas.

It happened in 1948, when the Congress passed the Thye-Blatnik act. It happened in 1949, when the conservationists persuaded Harry Truman to come forward with the air ban. It happened several times during the 1950s and early 1960s, when the U.S. Congress appropriated more money to buy out resorts inside the wilderness. It happened in 1964, with the Selke committee discussion. The Boundary Waters was included in the 1964 wilderness act. It happened in the lawsuits over St. Clair mining, and it happened in the logging lawsuits before Judge Lord. It happened in the 1978 act. It happened in the subsequent lawsuits. Now there is this appeal before the Forest Service and potentially before the courts.

You cannot foresee the future, but if I were asked to look into a crystal ball and say whether I see the support for the Boundary Waters as a wilderness increasing or decreasing, I see it increasing--at least indefinitely. If that support is there, I can tell you this. I learned personally, as chairman of the Friends, that the Boundary Waters Wilderness had the most incredibly politically committed constituents--not just in Minnesota, but all over the United States. There are literally hundreds of thousands, probably millions, of people who have canoed the Boundary Waters Wilderness. They tend to either not care at all or to care deeply and desperately. If that place is challenged, they will do something. All you have to do is get to them, and they will act.

There aren't many wilderness areas that have that kind of constituency. That is the only way we ever passed that bill. In fact, I want to say for the record right now that the only way that this act ever happened is that there were thousands and thousands of committed people all over the United States and Canada who did things, the right things--lobbied their congressman, wrote letters, wrote articles in magazines, gave speeches, showed slide shows, and just did incredible things at their own expense. There was no big financed effort against the Alliance. The Alliance probably thinks that there were millions of dollars lined up against them. It just ain't so. It was a grassroots citizens' response to a threat to the wilderness. That is what put it through Congress, because when legislation of this nature becomes that embroiled in controversy, there is no way it is ever going to make it through Congress, unless one side prevails--not just a bit, but one heck of a lot. You have to just steamroller the opposition, or they will not touch it.

This is because Congress does not like to deal with controversial stuff. We found that out. Which is one reason why I am pretty sure you would not get back in there now with a bill
on either side. They would look at us, whether it was Ed Zabinski or Frank Salerno or me. To Bud Heinselman, they would say, "Bud Heinselman, you are asking us to open that can of worms again? Are you kidding yourself?"

And they would say the same thing to Ed Zabinski and Frank Salerno. The U.S. Congress is not about to touch something like that unless they perceive a genuine threat to the area one way or the other. Someday, they might be able to persuade them the other way, but it would have to be massive persuasion. It could not be counteracted by all these people who are concerned about the Boundary Waters as wilderness. I can't see it happening. [Chuckles] That was a long answer. It is a legitimate question, but I personally think that is the answer.

**MR:** What about the Alliance's concern that when the bill was passed, there were promises made to make up lost motorboat recreation outside the wilderness and this has not happened? They are also concerned that the outlying areas are being over-fished.

**MH:** Let's take them one by one. First, there was the promise that the business on the outside would be stimulated, and that they would be helped. There are provisions in the act which were implemented. Hundreds of thousands of federal dollars--in fact, millions--have been poured into the surrounding area and Grand Marais to do precisely that. They cannot say that Congress didn't follow through or that the Forest Service didn't follow through. Millions of dollars were poured into the Superior National Forest and the state of Minnesota in additional timber planting, timber sales supervision, road construction, and so on--some of which certainly benefited the economy. Local people were hired to do that work. It was literally millions of dollars.

There is a lot of money that went in. There were large grants--mind you, free grants--to resorts on the periphery of the area. They did not have to make the case that they were injured to upgrade their resorts. A lot of resorts took this. There was also the buy-out program, which they lobbied for. The resorters wanted this. I am sure you are aware of the voluntary buy-out provision. A resort on certain named lakes on the periphery of the wilderness could require the U.S. Forest Service to buy them out if they wished. They did not have to make the case that they were injured by the act. All they had to say was, "Buy me out." If they said it before January 1st of last year, the Forest Service had to do it. A lot of them did, and millions of dollars were poured into that.

Now some of those people still live there and presumably still have the millions of dollars. [Chuckles] Some of them moved away. We cannot help that. If some of these people decided to take their money and go to Florida, that is their business. The local
people lobbied for that provision, and they got it. We thought it was dumb. But nevertheless, once it became obvious that this would help mitigate their concern, we supported it as a mitigation measure.

Another provision was that there was to be money for additional accesses, snowmobile trails, etc. They may beef that nothing has been done, but in fact, quite a bit has been done. There are a number of snowmobile routes and accesses that have been put in. They're there. Money was spent in the local economy just for the construction work to put them in. For example, a bridge was put across a river, right adjacent to the wilderness, for a snowmobile trail, which I think is ridiculous. But if they think that will help them, fine. It's there. They put in an access up on the Echo Trail to Big Lake. There are several others that have been upgraded--accesses to both the wilderness and to lakes outside the wilderness, all the way around the periphery. So things have been done.

The tragedy for Ely--and you cannot blame the legislation or the U.S. Congress for this--is that the mining industry collapsed. What is really hurting Ely now is that mining is down. It may stay down. Ely is lucky that they've got the Boundary Waters Wilderness, because they've got something to sell. Babbitt is too far from the wilderness. You get towards some of the other Range towns--I used to live on The Range for many years--and these towns are probably going to die. Ely is not going to die. Ely has the wilderness. If Ely is smart, they will use it. I can't believe that what is happening there has hurt business in Ely. Ely is hurting, but Ely is hurting primarily because of what has happened to the taconite industry. Unfortunately, that may turn out to be permanent.

MR: So in a way, the BWCA is a scapegoat for some of their problems.

MH: I think it is a convenient scapegoat for people to complain about when they have problems. I would be the last to deny that there are a lot of Ely folks who are former recreationists in the Boundary Waters who took their recreation on motorboats and snowmobiles, and that now a lot of the routes are closed to them. To the extent that it alters your personal recreation style adversely, that's disturbing to you. I can understand that. However, there are enormous areas outside the wilderness that are open. The wilderness itself is still open to them, too, if they choose to go--including lots of motorboating areas, particularly in the Ely area. Ely has lots of motorboating areas still, both inside and outside the wilderness. They no longer have snowmobiling in the wilderness. They did lose that.

Should I go now to this other point about the fishing? I am a fisherman. I want you to know that. I've been a fisherman all my life. I still am. I'm as concerned about what's happening to the fishing as anybody. My own personal appraisal of the fishing is that yes,
it's gotten poorer outside the wilderness. It's also gotten poor inside the wilderness.

I'm not a kid anymore. I've fished in what is now the Boundary Waters Wilderness for more than fifty years. I fished there for the first time in 1931. That's fifty-six years ago. I've fished there a lot since the late 1930s, an awful lot--more than anywhere else. Outside as well, although my outside the wilderness fishing has been more around Grand Rapids and so on.

I'll tell the folks around Ely one thing--that if they think the fishing is poor around Ely, they ought to try a few other areas in the state. (Chuckles) They're not the only resorts that have problems with the fishing going downhill. Boy, I'll tell you. The fishing has been going downhill all over Minnesota for the last fifty years.

A lot of it is through over-fishing. It's a tragedy. It can be corrected to some extent by sensible fisheries management. I have a friend, Darby Nelson, the legislator, who is also a Ph.D. fisheries biologist. That's Darby's field. I also took courses in fisheries management in my own graduate work. You've got to balance the output from the lakes--the take--with the biological productivity of those lakes. When you start to exceed that for a certain species, you can upset the species balance in the lake. This has happened to a large number of lakes outside the wilderness, and I am sure--although I think it is not as well documented--to a large number of lakes inside as well. I can show you lots of lakes; I can name them. I've fished in more lakes than you would believe up in that country that are nowhere near the kind of fishing they used to be. I'm sure a lot of the local Ely people know this also.

Outside the wilderness, I think the DNR is free to use all the techniques of modern fisheries management to restore those fisheries to the extent they can. They have done a good job on some. In some lakes, there was some pretty hot fishing. I heard about some. Fran and I ate some very nice trout taken not by myself, but by friends of mine who do live in Ely just a week ago. They were taken just ten days ago. So as recently as ten days ago, I know of some people who had some darned good trout fishing on a lake that lots of Ely people know about--right outside the Boundary Waters, not inside the Boundary Waters--that the DNR has restored. It's a stocked trout lake.

There are several other such lakes. One of them is only a mile from our cabin. That one is outside the wilderness, too. We live on a big lake outside the wilderness which so far I don't think the DNR has done a good job of restoring. They're working on it. They may make it.

The problem with a lot of these lakes is that the fishing pressure on them is very heavy. In
my opinion, in some cases they may have to go to trophy-only fishing for certain species. In other words, you maybe take one trophy. Or maybe they're going to have to go to catch-and-release fishing, at least where you release all the big ones, where you're not allowed to retain a lake trout in excess of fifteen inches or a northern pike in excess of twenty inches, something like that. A lot of people may not like it. But if they really want good fishing back, in the face of the kind of fishing pressure which now exists both inside and outside the wilderness, I think we're going to see some of those kinds of regulations in the near future.

Those kinds of regulations are already in effect in such places as Yellowstone National Park. Fran and I were in Yellowstone just last summer and did some hiking there. There are large stretches of Yellowstone Lake, the Yellowstone River, the Fire Hole River, and other rivers and lakes which are already posted to catch-and-release.

MR: Why don't you discuss your theory about the role of fire in the wilderness?

MH: The principal outgrowth, with respect to my Boundary Waters research was focused on the natural role of fire in the ecosystem. The obvious conclusion was that to restore the natural processes to the forest ecosystem—the land portion of the Boundary Waters is over eight hundred thousand acres; it's the bulk of the area—fire does need to play again its historic role to the extent that it can be accommodated safely.

I would be the first person to say, and I have said so professionally many times in writing as well as speeches, is that we must see that we do not endanger communities, homes, visitors' lives, or commercial timber outside the wilderness. We no longer, fortunately, have the concern of commercial timber inside the wilderness. You see, before the act was passed, we had the problem that much of the forest was seen as a timber resource. You could not have prescribed fire because you would be burning up the resource, or at least damaging it, depending on the nature of the fire.

I made the case scientifically as to the natural role of fire. Most of my scientific papers with respect to the Boundary Waters primarily have been simply pointing out how fire did function in the ecosystem—the size of past fires, the frequency, and so on. I developed the concept of the natural fire regime. We now know that, on the average, if you have a million-acre wilderness like the Boundary Waters, the whole thing would tend to burn about once in a hundred years. In other words, the return interval, on the average, is about once in a hundred years. However, the way it worked out in fact was that there were fires in some areas more frequently than that, and in some other areas, much more infrequently. It's rather a random process.
I was one of some thirty or forty what you might call "fire ecologists." Many of them were foresters like myself, but with an interest in the natural and ecological role of fire. In the last twenty-five years or so, we have made the case in the nationwide scientific literature that if the object is to maintain the natural ecosystem where it is fire dependent—as in the Boundary Waters—that fire needs to be restored to the system. That is now happening in numerous wilderness areas and in national parks elsewhere in the United States.

There are two things that make this policy tougher in the Boundary Waters, I think. One is the constant political hassles about the future of the area. It is only in recent years that it has simmered down to the point where the Forest Service could legitimately even look at talking about restoring fire to the system. I understand that with respect to the Forest Service. The atmosphere—and I have been part of the problem—has not been very conducive.

The Forest Service fortunately has the background now to lean on the experiences of these western wilderness areas and national parks, which is helpful. Unfortunately, the other problem is that the Boundary Waters, like several other areas—Voyageurs National Park, Isle Royale, and some of the Rocky Mountain wilderness areas, for example—is a mixture of surface and crown fire regimes. Unlike other areas, where the natural fire regime is more like that in red and white pine forests, these areas are made up of primarily jackpine, aspen, birch, spruce, and fir forests. These types involve "stand killing" or "stand replacing" crown fires, where a fire which may be quite large in size—historically, some of them were over a hundred thousand acres in area—will burn for weeks or maybe months, if nobody is suppressing it, and burn over large areas. It will tend to do most of its burning during real dry days. These tend to occur primarily in major drought years, when the fire can actually get up into the top of the crown and burn through and kill the whole stand.

We have trees up there that are well adapted to this: the jackpine, the black spruce, the aspen, and the birch. I won't go through the details of how they reproduce. However, it is well documented in the literature, including many things I have written, that they are well adapted to this fire cycle. There are other species which are late successional species that tend to come in slowly after a fire, but that usually tend to escape in pockets that are not burned—so that there is usually a seed source for them, too. This includes balsam fir, white spruce, cedar, and maybe red maple, although red maple resprouts like aspen and birch. In the case of the red and white pine, you have a history of light creeping surface fires much of the time, perhaps at intervals of thirty or forty years, but then occasionally a fire that would kill quite a bit of the stand and open it up enough for reproduction.
We know all this. The problem with this is that of course the running crown fires--particularly if you're in a region where the potential is for large fires--are pretty dangerous things to play around with, particularly since you don't get burning weather every year. You get good burning weather mostly in significant drought years. The last big one we had in Minnesota was 1976. I'm not saying that all burning would have to occur in years like 1976, but that's a problem.

I addressed this scientifically at a conference on fire in the wilderness out in Missoula, Montana, two or three years ago. My paper is published. The people at the Superior National Forest have this.

It is a problem for numerous other wilderness areas, too. The larger the area, the better chance you have to let some such fires burn in the interior. The greater Yellowstone National Park ecosystem is one such area. They have these kinds of fires--perhaps not to the extent that we do, but they have them. They have the potential for really big ones. They have had some that run into the eight or nine thousand acre size in recent years, where they deliberately let them burn. We have that experience to rest on now. Yellowstone Park itself is a 2.2 million acre national park. It is about the same size as the Quetico and the Boundary Waters put together. So if the Quetico and the Boundary Waters can ever be managed through international cooperation as an ecosystem preservation unit, then I think we have the same kind of opportunity as they do in Yellowstone.

Perhaps it is tougher here because we don't have mountain ranges. Some of the fires in Yellowstone tend to run up a mountain slope and go out when they hit the timber line. We don't have timber lines here. It is a matter of the fires being driven horizontally by winds during occasional really windy days.

**MR:** How long has Yellowstone had a fire policy?

**MH:** Yellowstone has now had a fire management policy for about ten years. They have had some large crown fires there. The first ones were at least five years ago. The big one was a real big one, of which Fran and I saw the aftermath last summer. That one was three or four years ago. They're up and running with the policy. They're watching it. There are many fires in which they take action.

What they do is they zone the park. There are certain areas that are full suppression zones. There are certain zones that are conditional fire zones where they will suppress many fires, but they will consider letting some burn or using prescribed fire. Then they have large areas in the back country where they hope to let most lightning-ignited fires go,
unless their prescription is such that they are quite sure that they are in big trouble. Then they will put the fire out. They will send the crews in right away.

I have been in contact with people from the Superior National Forest intermittently about this since the legislation passed. I don't know if you are aware that there was a meeting at the jackpine Lodge on Snowbank Lake, at the edge of the wilderness, in which I participated last fall along with lots of other professionals. I think that the Superior National Forest is now coming to grips with the problem. Their proposal is to let some lightning ignitions run beginning this summer. They have written very tight prescriptions which, at first, will allow only minimal fire activity. They are going to try to put the rest out.

There's always the possibility that they will fail on any given fire, even if they had a full suppression program. For example, the big fires that have occurred in the last two decades were not all in the Boundary Waters--such as the Little Sioux and the big fires in 1976. Incidentally, the biggest fire in the state was not in the Boundary Waters. It was over near Park Rapids, and they couldn't stop that one either, which says something. It says that we're going to have some big fires. (Chuckles)

That, I think, one has to face. The choice is not really between fire and no fire in the Boundary Waters. The choice is whether there will be a sophisticated fire management program that will allow natural fires to play their natural role to the extent that is feasible and safe, or whether we will roll with the punches and spend millions putting out wild fires and still have a lot of big fires. Just as sure as I'm sitting here, we will still have a lot of big fires. They will be a long time apart, but there will be some, and they could do some real damage. We may have them anyway. We may have escapes with the managed fire program as well. We've got to face that fact. I think we are less likely to have them with a sophisticated fire management program.

By the way, I have this huge paper in the other room now that I am currently working on, a chapter in a Forest Service book called Wilderness Management. I am the author of the fire chapter in the original edition. It is now being revised by Bruce Kilgore, who is the chief fire scientist. In fact, he is in charge of all these kinds of programs now for the western office of the National Park Service in San Francisco, California. So some of the things I am telling you about are right out of a review I just did of this chapter last night and this morning. Because I am involved in writing a different kind of book about the Boundary Waters, I am not in a position to revise my own chapter at this time. So Kilgore is doing it. It will come out as Kilgore and Heinselman in the next revision of the book.

This is a problem for wilderness areas in national parks nationwide. It is not a problem
unique to the Boundary Waters. We have one of the most difficult problems because we have a crown fire regime in most of our vegetation types—not in all vegetation types, but in most of them. I am very pleased to see that the Superior National Forest is coming to grips with this.

Incidentally, the Voyageurs National Park has the same problem, and they are in the process of perfecting a similar plan. Just in the last two weeks, I have reviewed the management plan proposals for both the Superior National Forest and the Voyageurs National Park. They are working together. The Voyageurs Park people were also at this meeting at jack-pine Lodge. They are going to introduce their programs, as I understand it, simultaneously this summer.

One of the most important factors in this program for both agencies is public acceptance. It is very important that the public understands why they are doing this and accept it. I'm nervous about this, particularly in northeastern Minnesota, because some people—for reasons which are not grounded in a concern for the ecology of the area—may choose to oppose the idea. That would be too bad. I would hope that the public is going to understand this.

In truth, to the local people up there who love to recreate in the wilderness—and there are lots of them, I think it is really to their benefit. It should, in the long run, improve habitat—for moose, for deer, for timber wolf, for snowshoe hare, for ruffed grouse—for many animals and birds. It won't hurt the fish. It should make the ecosystem more interesting to visitors.

I see pluses in such a program for Ely and for other communities in the north. It's going to be a slow process evolving. In fact, my advice to the Superior management, and they certainly are taking it—it's their own thought, too, of course—is: Let's go slow at first. Let's take it easy. Let's start small. Let's bring the public along. Let's not get into any trouble with big fires that we can't handle, unless nature pulls a fast one on us. If we get another 1976, we're probably going to have a big fire, whether we want one or not.

Short of that, in all, let's start small and start carefully and work our way into this program. I'm sure that's the way the Superior management sees it and that's the way the voyageurs management sees it. I think the program has a lot of promise.

**MR:** Isn't part of the problem with the public the "Smokey the Bear" syndrome, where people have been told for years that fire is a disaster to forests? Now they are being told something different.
MH: Yes, that's certainly true, although I don't know to what extent. In fact, I would really be interested, if you had time to talk about it, in talking about the extent to which you think the message has gone through. Lots of people have been working at an alternative message for twenty years, including the guy you're talking to. I wrote articles in conservation magazines back in the late 1960s trying to help people understand this, specifically as it relates to national parks and wilderness areas.

Allowing some lightning fires to burn is not really an option for most managed forests. But we're talking about particularly large national parks and wilderness areas—a very special case. It doesn't mean the Smokey the Bear message isn't still valid for most situations. It simply means that Smokey should change his tune and say that wild fires in managed forests or near communities—where there is a safety problem for humans—are as bad as ever, and we have to do something about it. But fire is really good for wildlife. He should say, "I like fire because I eat blueberries. If I want to find blueberries, I go to a new burn."

I have pointed this out in numerous speeches I have given to the Forest Service, as well as other groups. The Forest Service could not have chosen a more inappropriate symbol for fire control than Smokey the Bear. If there were ever an animal that benefits from fire, it would be the black bear. Particularly in Minnesota and this part of the country, blueberries are one of the principal foods they eat to fatten up for the winter and make it through the hibernation period.

And where do you find blueberries in the natural ecosystem? You find them on burns. If you've ever picked blueberries on a burn, you know what I'm talking about. That's where you get not only more berries, but better quality. The bears know that, too. The proof is that you should have seen the bears flock to the Little Sioux burn after that fire. [Chuckles] One of our people doing research up there got a close-up picture of a bear in a blueberry patch on the burn with snags all over the place. That was about a year after the fire.

The very first year after the fire, the blueberries are not good. They usually don't bear the first year. It's the second year that they bear. From then on, for about five years, it's usually a bonanza.

MR: Fire management is a complex message for the public to understand

MH: Yes, but it can be told in a relatively simple way. That's what you have to do. It is being told. I am warning the management of the Superior and the Voyageurs. They have to get enough public acceptance so it won't backfire.
There has, of course, been a lot of experience with this elsewhere, because it's been tried. I don't know if you realize how many other places it's been tried. It's been tried in Yosemite, Sequoia, Yellowstone, Rocky Mountain, Grand Tetons, and several Forest Service wildernesses. They now have a program--although I don't think they have had many fires yet--in all the wilderness areas contiguous to Yellowstone National Park. They have a greater Yellowstone ecosystem fire plan. This is a case--unusual, too--of the Forest Service cooperating with the Park Service. They don't always cooperate, but they have cooperative fire plans now. So if a fire is doing what they want it to do, and it's in a Forest Service wilderness area headed for Yellowstone, they don't stop at the park boundary. If it's in Yellowstone and going out, they don't stop it at the park boundary.

If you want to understand how vital this policy is, consider this. About eight or ten years ago, they had a fairly big fire on the south boundary of Yellowstone. After they had a fire policy, but before the Teton wilderness had a cooperative plan, the fire was headed into the Tetons wilderness. The Park Service spent practically nothing on this fire in the park, but when it went into the wilderness, they spent hundreds of thousand of dollars. Maybe it was even beyond a million. Many of these big fires, they spend over a million dollars on them to put the damned thing out. And it wasn't hurting anything. It was in the wilderness, doing what it needed to do. It was just ridiculous. But because they didn't have a plan, they spent all this money to put it out inside the Tetons. The Park Service people went and helped them put it out, too, because they all recognized, "It's the policy of the agency. What else can we do? We can't tell the public we're just going to let this damned thing burn." [Chuckles] So they went in there and spent a fortune putting it out. They don't do that anymore.

MR: Thank you, Dr. and Mrs. Heinselman.