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A UNIQUE COLLECTION OF ISLANDS

The Influence of History, Politics, Policy and Planning on the Establishment of the Apostle Islands National Lakeshore



Harold C. Jordahl, Jr.
Department of Urban and Regional Planning
University of Wisconsin-Extension
Contributors: Kathleen Lidfors, Annie Booth, and Carl Liller

April 1994

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This is a unique collection of islands.... There is not another collection of islands of this significance within the continental boundaries of the United States. I think it is tremendously important that this collection of islands be preserved.

Gaylord A. Nelson

Preface

My first exposure to the Apostle Islands region took place in the late 1940s when I was a tourist on the excursion boat that operated out of Bayfield. I was a graduate student in forest ecology and had an intense interest in the region. During the 1950s, as the area game biologist with the former Wisconsin Conservation Department at Spooner, I had the opportunity to become intimately acquainted with the islands, the Bayfield Peninsula and the Kakagon-Bad River sloughs. In the 1960s, in my various state, federal and university roles, I was directly involved in events surrounding the establishment of the Apostle Islands National Lakeshore. Also, as a member and chairman of the Wisconsin Natural Resources Board, I participated in the transfer of state lands to the National Park Service. I also participated in the effort to add Long Island to the lakeshore. I have a love for the region and for the many local people with whom I have had the privilege of working. During the entire period, it was my privilege to have worked closely with Gaylord A. Nelson, who provided the leadership for the establishment of the Apostle Islands National Lakeshore.

During the era, I saved personal files and notes on the lakeshore, planning at some point to develop a history. These plans took a more formal course in the mid-1980s when Pat H. Miller, the superintendent of the Apostle Islands National Lakeshore, suggested that the history be written. Kathleen Lidfors, then a historian for the lakeshore, wrote Chapter Two, the early history of the region, and Chapter Six, which treats the first National Park Service studies of the archipelago. She also collaborated with me on Chapter Five, the history of the national park movement. In her research, she also provided relevant references for later periods. Carl Liller, a graduate of the University of Wisconsin-Madison Department of Urban and Regional Planning, systematically sifted through state documents

dealing with the Apostle Islands, especially in the 1935-1960 era. This research is presented in Chapter Four by Annie Booth, who was then a graduate student in the University of Wisconsin-Madison Institute for Environmental Studies. In addition, she developed those sections that detail Chippewa Indian history and the "Red Power" movement of the 1960s, as well as Chapter Eighteen, "The Apostle Islands: Twenty Years Later." Because of my personal involvement in much of the case, I have used the first person.

Funds were not available for the development of a detailed administrative history of the Apostle Islands National Lakeshore. The task of summarizing and analyzing almost twenty-five years of National Park Service management of the lakeshore within the framework of the act, congressional intent, and the legal foundation for park service programs remains to be done. This manuscript should, however, help in that task. The manuscript does place the lakeshore within the context of federal and especially state conservation history. Furthermore, the history of Native Americans is discussed to enable the reader to understand their influence on the final legislation. The Apostle Islands National Lakeshore did not simple happen. Rather, it was influenced by myriad forces, both historical and contemporary. Hopefully, the serious reader will have an understanding of those forces which influenced the long, arduous struggle to set aside for public purposes this magnificent archipelago in the waters of Lake Superior in far distant northern Wisconsin.

I have striven for balance and an objective point of view. However, because I was a participant in the process and a lakeshore proponent, some biases are inevitable. Fortunately, comprehensive federal records and the resources of the Wisconsin State Historical Society supplemented my files and helped me to provide objectivity.

Unfortunately, records of the Bureau of Outdoor Recreation could not be located in federal repositories; thus I have to rely on my personal files and bits and pieces unearthed by Kathleen Lidfors. In spite of that omission, I believe the bureau's views on the lakeshore are accurately reflected. A careful review of the voluminous federal records over the long period of time the lakeshore was under formal consideration by the Congress (1965-1970), newspaper clips and my files provided a comprehensive view of Indian involvement in the lakeshore and reflects the way in which they dealt with complex and shifting issues during the period. These materials were supplemented by interviews by Dr. Booth of tribal leaders at the villages of Odanah and Red Cliff.

Funding for the project -- for modest support for Carl Liller and Annie Booth, copying materials for lakeshore files and copy editing by Steven Pomplun -- was provided by the National Park Service office at Bayfield, Wisconsin, under Purchase Order PX 6140-7-0343. The manuscript reflects my interpretation of the events which led to the establishment of the Apostle Islands National Lakeshore and does not reflect the official position of the National Park Service. Patricia Cantrell did a marvelous job of typing the many iterations of the manuscript. The University of Wisconsin-Madison Department of Urban and Regional Planning and the University of Wisconsin-Extension provided me with office space and staff support. Blake R. Kellogg graciously reproduced the photographs. My wife Marilyn provided enormous support to me during the entire period the lakeshore was under consideration. Her love for and knowledge of the area equals mine.

The manuscript was reviewed by the following:

Alford J. Banta, superintendent, Apostle Islands National Lakeshore;

Edwin Bearss, historian, National Park Service, Washington, D.C.;

Ron Cockrell, historian, National Park Service, Omaha, Nebraska;

Martin Hanson, Mellen, Wisconsin;

Kathleen Lidfors, director, Sigurd Olson Environmental Institute, Ashland, Wisconsin;

Barry Mackintosh, historian, National Park Service, Washington, D.C.;

Pat H. Miller, former superintendent, Apostle Islands National Lakeshore; and

David Weizenicker, director, Bureau of Parks and Recreation, Wisconsin Department of Natural Resources, Madison.

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CHAPTER ONE

THE APOSTLE ISLANDS

The Apostle Islands are located in Lake Superior off the tip of the Bayfield Peninsula in northern Wisconsin (see Appendix One, Map 1). Twenty-two islands form the archipelago; twenty-one of them, along with a small strip of the mainland peninsula, make up the Apostle Islands National Lakeshore (see Appendix One, Map 2). Together the islands and the adjacent peninsula form a beautiful, compelling, and unique ecosystem.[1] Historians generally believe the French named the islands the Apostles from the French practice of giving names of religious significance to geographic locations and not because they believed there were only twelve islands.

It is of trees and water and beauty that people think when they remember the Apostle Islands. And indeed, these are the dominant shaping forces in the lakeshore. But the lakeshore is more than the trees and the lake. Millions of years of geologic history are written in the islands. The advance and retreat of glaciers during the Pleistocene Era carved the islands and the peninsula out of Precambrian sandstone, exposing beautiful white sand beaches, dramatic cliffs, sculpted shorelines, and water-worn caves. The sandstone deposits formed the basis of a short-lived brownstone quarrying operation at the turn of this century. Red clay, common to the area, is still used by the Indian residents to make pottery for their own enjoyment.

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[1]The material in this section is taken principally from the National Park Service's Apostle Islands National Lakeshore General Management Plan, 1989; Apostle Islands National Lakeshore Land Protection Plan, 1991; and Apostle Islands National Lakeshore Statement for Management, 1977, 1987.

Trees dominate the landscape. The region is one in which the southern temperate hardwood forests reach their most northern edge and the northern boreal forests begin. On most of the islands, the forests are hardwood-hemlock-white pine complexes. On the mainland and a few of the islands, boreal spruce-fir forests exist. All of the islands except for Devil's, North Twin, Raspberry, Eagle, and Gull were logged once or more. On a few islands, small uncut tracts were left. Fires and the sudden eruption of whitetail deer further changed the forest composition. Except for the few scattered unlogged tracts, the islands are today covered with second- and third-growth forests. A stand of the original hemlock-hardwood forest can be found on the north end of Outer Island which had been reserved for lighthouse purposes.

Other plant communities can be found on the islands; all have intrinsic beauty and some are rare in Wisconsin. Sphagnum bogs and marshes exist on several islands. The beaches and the sand spit of Long Island contain unique dune grasses and plants. The lakeshore is home to thirty seven plant species that are rare or endangered or threatened species.[2]

Birds are plentiful and spectacular in the islands. More than ninety percent of the herring gulls thought to nest in Wisconsin's share of the Superior shoreline nest here. Great blue herons and double-crested cormorants also raise broods within the lakeshore. The common loon's eerie cry can be heard here, but the bird is not known to nest in the lakeshore. Historically, bald eagles nested on the islands. After a thirty-year absence, they

[2]Emmet J. Judziewicz and Rudy G. Koch, Flora and Vegetation of the Apostle Islands National Lakeshore and Madeline Islands, Ashland and Bayfield Counties, Wisconsin (Ann Arbor, Michigan: The Michigan Botanist Vol. 32, No. 2: March, 1993) p. 68.

reappeared in 1983 and have become regular residents. The endangered piping plover has been known to nest occasionally on Long Island, but nests have not been observed since 1984. Five other birds on the state endangered or threatened list have been observed in the area but are not thought to nest here.

The largest mammals in the lakeshore are the black bear and the whitetail deer. Deer were very common in the 1940s and 1950s, when the new forest growth that followed logging provided ideal habitat. As the forests have matured, deer have declined and only a small population remains. Bear, however, are common and are found on the mainland and some of the islands. A breeding population exists on Stockton Island. Beaver can be found on Outer and Stockton Islands. Snowshoe hare, red fox, and coyote are found throughout the lakeshore. And, very rarely, the tracks of timber wolves have been observed on the mainland; they may be immigrants from the wolf packs of northwestern Wisconsin or Minnesota. They do not remain.

The waters of the lake are also an important part of the ecosystem. Lake Superior, historically, sustained a healthy sports and commercial fishery. Overexploitation and the invasion of the parasitic sea lamprey devastated the fishery. Lamprey control programs, tight regulations, and the introduction of new species have brought back the fish. Today lake trout can be caught here, along with the introduced brown and rainbow trout. Atlantic, coho, pink, and chinook salmon have also been introduced for sports fishing. The native lake herring has recovered from earlier depredations and now provides the basis of a modest commercial catch. The popular whitefish is also caught (and served in local restaurants), as is the introduced smelt. Wicked and deadly storms, especially in the

spring and fall, are not uncommon, and careless fishers and sailors underestimate the lake at their own peril. The storms are often severe enough to hollow out new caves and make dramatic changes in the shorelines. Even in mid-August, the water temperature of the lake water rarely exceeds fifty degrees Fahrenheit. On land, in the summer, the weather is pleasant, moderated by the lake. July temperature averages a cool sixty-six degrees, a relief from the sweltering mid-summer temperatures common in the Midwest. In winter, the average temperatures in the teens are not as cold as farther inland. The snowfall, ranging around twenty-six inches per year, is ideal for skiers.

The lands and waters contain a number of cultural and historical artifacts. A number of shipwrecks, including the Noquebay and Lucerne, lie within and adjacent to the lakeshore boundaries. Historical lighthouses can be found on several islands (Raspberry's is the best known) and restored fishing camps are located at Little Sand Bay and on Manitou Island. Old sandstone quarries dot the islands. Archeological sites are found on several islands, the remains of the oldest civilizations to reside in the region.

People congregate in a number of small towns around the rim of the peninsula. Bayfield is the major jumping-off point for the islands. The lakeshore headquarters are located here and a ferry to Madeline Island runs out of the harbor. To the west along the coast are the towns of Red Cliff, Cornucopia, Herbster, and Port Wing. To the east and south lie Washburn and Ashland. The moderate temperatures on the Bayfield Peninsula support fruit and berry orchards, and farms still operate nearby. The lands surrounding the Apostle Islands remain an attractive and pleasant setting for the islands themselves.

CHAPTER TWO

THE APOSTLE ISLANDS THROUGH TIME

Accounts of the earliest European travelers to western Lake Superior describe the drama and beauty of the carved shorelines and magnificent forests of the Apostle Islands and mainland coast. The shorelines viewed by these travelers were the result of ice-age events and 10,000 years of the subsequent rise and fall of post-glacial waters. The rebound of the earth's crust in the wake of receding glaciers exposed red sandstone bedrock to the sculpting forces of wind and water. The lakeshore's cliffs and caverns are formed of some of the oldest sedimentary rocks on earth.[3]

As the ice sheets withdrew, the spruce and firs of the boreal forest advanced northward in the cool air and moist soil. White pine, yellow birch, and hemlock followed. As the climate warmed, hardwood species -- oak, chestnut, and hickory -- gradually entered the Great Lakes region.[4] The forests of the Apostle Islands, praised by nineteenth-century observers for their towering dark beauty, were dominated by white pine and hemlock. Bogs sunk low in island shoulders hold the record of some 9,500 years of changing climate and forest growth.[5] Although modern logging has altered the primeval nature of the Apostle Islands forest, its character as a transition zone where the hemlock, hardwood, and white

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[3]Edward B. Nuhfer and Mary P. Dalles, A Guidebook to the Geology of the Apostle Islands National Lakeshore (Dubuque, Iowa: W. C. Brown Publishers, 1987), pp. 6-8.

[4]George Irving Quimby, Indian Life in the Upper Great Lakes, 11,000 B.C. to A.D. 1800 (Chicago and London: University of Chicago Press, 1960), pp. 22-6.

[5]Albert M. Swain, "Final Report to NPS on Forest and Disturbance History of the Apostle Islands," Center for Climatic Research, Institute for Environmental Studies, University of Wisconsin (Madison, Wisconsin: July 10, 1981), 18 pp.

pine species yield to the northern boreal types is one of the scientific values the Apostle Islands National Lakeshore was established to protect.[6]

With the establishment of vegetation in the glacial soils, birds and mammals migrated to the Great Lakes area. People followed, hunting the birds and mammals and fishing the freshwater streams and lakes. Paleo-Indians who speared mastodons with fluted points of chipped stone, ancient Indians who worked quartzite quarries for their tools, boreal hunters with woodworking tools made of ground stone, and the Archaic Indians who made tools and weapons of copper and hunted elk and caribou all flourished for a time in the Great Lakes region. These were followed by "woodland" Indians who lived by hunting and fishing.[7] Two different representations of late woodland culture have been identified on the Apostle Islands, the makers of "Sandy Lake" and "Blackduck" pottery types.[8]

It is possible that some of the earliest peoples fished and hunted on the Apostle Islands. Because the water level of Lake Superior rose and fell several times in response to the dynamics of a post-glacial age, beaches which might have provided ancient campsites are found near the tops of the highest islands, Oak and Bear, or submerged below today's

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[6]Robert B. Brander, Environmental Assessment: Natural Resources Inventory and Management (Bayfield, Wisconsin: U.S. Department of the Interior, National Park Service, Apostle Islands National Lakeshore, 1981), pp. 43-7.

[7]See Introduction to Wisconsin Archeology: Background for Cultural Resource Planning, a special issue of The Wisconsin Archeologist, edited by William Green, James B. Stoltman and Alice B. Kehoe (September-December, 1986), 395 pp.

[8]Robert J. Salzer, "Other Late Woodland Developments," in Introduction to Wisconsin Archeology, pp. 302-11.

water line. No artifacts have been positively identified on the Apostle Islands from the earliest chapters of northern Wisconsin's human history.[9]

However, some thirty-seven island sites are associated with peoples who occupied the Lake Superior region from approximately 100 BC until Europeans arrived in the 1700s. Hunters of moose, bear, small mammals, and birds, and fishers of whitefish, lake trout, sturgeon and burbot, their campsites are found on sandy ledges above the beaches of Otter, Rocky, Stockton, Bear, Manitou, and other islands. Here they made tools from quartz beach cobbles, fished with nets weighted by stone sinkers, cleaned and cut up their harvest of game and fish, and stored provisions in pots of fired Lake Superior clay. They may have tapped sugar maples on Oak and Basswood islands; they may have set fires in the bogs on Stockton Island to increase blueberry harvests. Their camps were seasonal and temporary; their mark on the landscape, just a trace. But the archeological record, with its story of native subsistence and culture before European influence and its clues to relationships of climate, vegetation, fish and animal species, is one of the scientific values protected under the lakeshore legislation.[10]

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[9]Nearby, on the mainland, a site located on an extinct beach in the Glacial Lake Duluth stage has yielded a pre-ceramic assemblage of stone tools manufactured from non-local stone cherts, which probably pre-date 10,000 B.C. See Robert J. Salzer and David F. Overstreet, Inventory and Evaluation of Cultural Resources within the Apostle Islands National Lakeshore, Wisconsin (Report to the National Park Service, 1976), pp. 29-30.

[10]Robert A. Birmingham and Robert J. Salzer, "Test excavations at the P-Flat site," 1980, unpublished manuscript on file at the Logan Museum of Anthropology, Beloit College, Beloit, Wisconsin; Jeffrey J. Richner, Archeological Investigations at Apostle Islands National Lakeshore, 1979-1980 (Lincoln, Nebraska: U.S. Department of the Interior, National Park Service, Midwest Archeological Center, 1987); and Beverly A. Smith and Charles E. Cleland, "Analysis of the Faunal Materials from Test Unit 1 of the P-Flat Site, Manitou Island, Lake Superior" (Report to the Midwest Archeological Center, U.S. National

La Pointe: International Crossroads in the Fur Trade

In 1659, when the French fur traders and explorers Pierre Radisson and Sieur des Groseilliers built the first temporary European outpost on the shores of Chequamegon Bay, they found a band of "Ottawa" Indians occupying the area along with eighteen other groups known to be within a few days' distance.[11] Earlier, between 1621 and 1623, Étienne Brule had traveled up the St. Lawrence River to Lake Superior to establish a trade alliance with the Hurons, who controlled access to the upper lakes along the Ottawa River. Under attack from the Iroquois Confederacy, which traded with the British and Dutch, both Hurons and Ottawas had migrated westward and northward to Lake Superior. They had established large villages in the Chequamegon area by 1665, and groups of Potawatomi, Sauk, Fox, and Illinois also came to Chequamegon Bay to trade.

How extensively the Apostle Islands were used by the peoples in the area at this time is not known. A Huron site on Madeline Island is the only major occupation site that archeologists have identified to date, although sites on Stockton Island (47AS40) and

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Park Service, Lincoln, Nebraska, prepared by Aurora Associates, Williamston, Michigan, June 2, 1982), 49 pp.

[11]Reuben Goldthwaites, editor, The Jesuit Relations and Allied Documents: Travels and Explorations of the Jesuit Missionaries in New France, 1661-1791, Vol. 51 (Cleveland: Burrows Bros., 1896-1901); and Pierre Esprit Radisson, Voyages of Pierre Esprit Radisson (Boston: Publication Prince Society, 1885) as cited in Robert J. Salzer and Robert A. Birmingham, Archeological Salvage Excavations at the Marina Site (47AS24), Madeline Island, Wisconsin (Report to the National Park Service, Bayfield, Wisconsin, April 1, 1981), pp.14-16.

Manitou Island (47AS47) are significant examples of seasonal-use sites from the prehistoric and early European contact periods, respectively.[12]

From 1670 to 1760, the Chequamegon region saw an influx of French missionaries and traders as well as a new aboriginal group. The "Saulteurs," Algonquian Indians so named by the French for their ability to fish and canoe in the rapids at Sault Ste. Marie, had moved westward under Iroquois attack. Pressure from this group on the Dakota, who controlled the area to the west and southwest of Lake Superior, resulted in a conflict for territory which led to the termination of missionary activity for a century and created trade difficulties for the French.[13]

Thus, in 1678, Daniel Greysolon Dulhut embarked as the emissary of Quebec and Montreal merchants to deal directly with the Dakota. He and the party of Algonquians who accompanied him successfully negotiated a treaty which opened the way for a thriving fur trade in the Lake Superior region.

Because the Apostle Islands were centrally located on the lake and provided defense advantages in the face of an unstable situation, Dulhut established a post, possibly on Long Island, which was replaced in 1693 by a fort on the south tip of Madeline Island under the

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[12]George Irving Quimby, Indian Culture and European Trade Goods (Madison: University of Wisconsin Press, 1966); Jeffrey J. Richner, 1984 Excavations at Site 47AS47, A Fishing Camp on Manitou Island, Wisconsin (Lincoln, Nebraska: U. S. Department of the Interior, National Park Service, Midwest Archeological Center, 1989); and Richner, Archeological Investigations.

[13]Salzer and Birmingham, p. 16.

command of Pierre Le Sueur. This post was replaced in 1718 by a new Fort La Pointe on the west side of the island.[14]

Until the British victories in the French and Indian War some forty years later, the Apostle Islands were the scene of a flourishing French fur trade. Hundreds of French "Montreal" and "north" canoes trafficked among the smaller Indian canoes along the south shore of the lake. The first ship on Lake Superior, a twenty-five ton sailing vessel, was built by order of La Pointe commander Louis Denis, Sieur de la Ronde to carry freight between La Pointe and the Sault. It was also under La Ronde that the name "Apostle Islands" became official, although it had appeared on some of the maps prepared by early French explorers.[15]

The "Saulteurs" had carved out a role as middlemen in the French fur trade, settling in various locations in the Apostle Islands vicinity. Archeologists Salzer and Overstreet state that "the historic archeology of the Apostle Islands area can be viewed as one of the most significant loci of such data in the eastern United States."[16] In all likelihood, these Indians made extensive use of the archipelago for fishing, hunting, and other subsistence activities. As the fur trade became a determining factor in their lives, the loosely related Algonquian

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[14]John O. Holzhueter, Madeline Island and the Chequamegon Region (Madison: State Historical Society of Wisconsin, 1974), pp. 18-20; and Hamilton Nelson Ross, La Pointe: Village Outpost (Ann Arbor, Michigan: Edwards Bros., Inc., 1960), pp. 46-8.

[15]James Davie Butler, "Early Shipping on Lake Superior," Wisconsin Historical Society Proceedings, Madison, 1895, p. 87, cited in Ross, p. 51.

[16]Salzer and Overstreet, pp. 24-5.

bands coalesced into the Ojibwa Nation. From this time on, the Ojibwa, or Chippewa, were a resident people in the Chequamegon region.[17]

When the French abandoned their La Pointe post in 1762, large numbers of Ojibwa stayed on. When Alexander Henry arrived to establish British trade at La Pointe in 1765, he found fifty lodges of natives suffering from hunger and illness. Henry immediately employed the Ojibwa for a winter of trapping, issuing goods on credit. He had chosen the French-Indian Jean Baptiste Cadotte, well respected by Indians and French-Canadians alike, to manage his trade. Henry thus succeeded in overcoming the intense resistance that the British met in many former French strongholds. Although Henry's company did business at La Pointe for several years, he never developed a major enterprise there. For three decades Chequamegon Bay was host to a number of rival independent traders and companies, including the British North West Company, newly formed with high ambitions.[18]

By 1790 the North West Company had gained an upper hand in the Lake Superior trade. As under the French regime, British La Pointe was an important fur depot and trading center for the entire Lake Superior region. The War of 1812, however, ultimately accomplished on the lakes what the American Revolution had not. British control gradually, but inevitably, yielded to U.S. interests. For the North West Company, what began as a management contract with the American Fur Company ended in British loss of trade south

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[17]For a discussion of the coalescence of the Ojibwa Nation, see Harold Hickerson, Chippewa Indians III: Ethnohistory of the Chippewa of Lake Superior, in the series American Indian Ethnohistory, edited by David Agee Horr (New York: Garland Publishing, Inc., 1974).

[18]Ross, pp. 61-3.

of the U.S.-Canada border.[19] But not until 1816 was the American flag raised over the Apostle Islands.

Under American Fur Company management, trade was expanded and the La Pointe settlement grew. By 1835 this "village outpost" had become the commercial center for the western half of Lake Superior, serving a trading area that extended to Sandy Lake, Minnesota. Both Catholics and Protestants had active missions at La Pointe, and the Protestants operated a thriving mission school. Until well into the 1850s, the Apostle Islands alone in the northwest sector of Wisconsin could boast such cultural enhancements.[20]

Although an abundance of furs flowed through La Pointe, beavers were becoming scarce throughout the region. As a hedge against the inevitable exhaustion of the fur supply, the American Fur Company in 1835 began an experimental commercial fishing operation at La Pointe. Fishing stations were established among the islands, and a receptive market was found for salted whitefish and lake trout. Historical records indicate stations on three islands: Stockton, Long, and Ironwood (although "Ironwood" may actually be the island now known as "Otter").[21]

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[19]Holzhueter, pp. 27-9.

[20]Ibid., p. 29.

[21]Arnold R. Alanen, "Early Agriculture Within the Boundaries of the Apostle Islands National Lakeshore: An Overview..." (Report prepared for the staff of the Apostle Islands National Lakeshore at the Department of Landscape Architecture, School of Natural Resources, University of Wisconsin-Madison, June 1985), p. 15; see also Bayfield Press, June 13, 1871.

Optimistic after a successful year in 1836, La Pointe managers William and Lyman Warren expanded their facilities and brought in fishers and coopers from the American Fur Company's north shore posts. A cooper from Green Bay, William Wilson, also came to La Pointe that year. One of the Apostle Islands, now called Hermit, was later to bear his name. Though the fishing enterprise flourished, success was short-lived. The company was struggling under a shift in fashion from beaver to silk hats while it suffered the effects of a nation-wide economic recession. By the end of 1839, American Fur Company warehouses were full of spoiling fish. Within three years the company suspended its payments and went into receivership; by 1850 its assets had been sold to Pierre Chouteau, Jr., of St. Louis, and the company that made fortunes passed into history.[22]

Little is known of the activity on other islands of the Apostles group during this period. The memoirs of Vincent Roy, an Ojibwa who lived at La Pointe for a number of years and who later had a role in the founding of the city of Superior, describes bringing his family over the ice from Superior to Basswood Island in the spring for a maple sugaring.[23] The Ojibwa name for Rocky Island is "Maple Sugar Island," suggesting its use by the Indians. In the 1850s the U.S. General Land Office survey recorded a "sugar camp" on Oak Island and one near what is now the western boundary of the lakeshore, presumably used

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[22]Ross, p. 109.

[23]Vincent Roy, "Memoirs, 1825-96," (SC/58), Manuscripts Division, State Historical Society of Wisconsin, Madison.

by Indians.[24] Present members of the Red Cliff Band remember gathering cranberries and blueberries on the islands, especially Stockton.

The islands were strategic for defense, subsistence, and trade, and they were the locale for the earliest commercial fishing venture on Lake Superior. A few structural remains and rich archeological sites on Madeline Island give evidence of this important chapter in the history of the Old Northwest. The presence of trade beads and other artifacts of early European contact in sites within the Apostle Islands National Lakeshore suggest that more of the story will yet be told.

The Era of Capital in the Apostle Islands

The decade between the decline of the American Fur Company and the opening of the Sault Locks was a time of transition for the Apostle Islands. Old patterns were broken, while new ones were dreamed and financed-sometimes in cities far removed from the archipelago.

Mineral discoveries of the 1840s, followed by the development of northern Michigan copper mines and the Gogebic iron range in Wisconsin, brought a new focus to Lake Superior and the eclipse of La Pointe as a center of trade and Ojibwa settlement. Following geologist Douglass Houghton's reports of copper in the Keweenaw, the United States entered a treaty with the Ojibwa to acquire mineral lands and the right to remove Indians from these lands at the government's discretion. President Zachary Taylor acted on this

[24]Douglas J. Frederick and Lawrence Rakestraw, "Maps of the Original Vegetation of the Apostle Islands National Lakeshore Based on the General Land Office Survey (1852-57)," Michigan Technological University, 1956, on file at the Apostle Islands National Lakeshore, Bayfield, Wisconsin.

option in 1850, closing the La Pointe subagency and ordering the Ojibwa to relocate at Sandy Lake, Minnesota. The La Pointe Ojibwa dragged their feet long enough that another treaty was promulgated four years later. The effect was to divide the La Pointe group into two bands, assigning them lands by their religious affiliations: Catholics were to locate on the mainland to the west of La Pointe (Red Cliff Band), while Protestants were assigned Chequamegon Point -- the spit of land where the "Saulteurs" first arrived -- and adjacent lowlands, including the Kakagon River, along the south shore of the lake (Bad River Band).[25]

The Keweenaw copper boom affected the white population of La Pointe as well. Many who had lived on the profits of the fur trade now left to pursue their fortunes in Michigan ores. However, La Pointe was far from a ghost town. The archipelago's fishery, first tapped commercially by the American Fur Company, provided the backbone for a small-scale, but viable, local economy. A boat builder's shop and at least two cooperages were in operation at La Pointe, one of which made some 600 barrels a year. In 1849 more than 1,000 barrels of fish were salted and shipped.[26] The government land agent, Julius Austrian, had acquired some of the American Fur Company facilities and was turning out lumber (70,000 board feet in 1850) on its sawmill. New acres were added to those cultivated during La Pointe's days as fur post and mission to provide an agricultural base for the local population.[27]

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[25]Holzhueter, pp. 48-9.

[26]Ibid., p. 44.

[27]Ibid., pp. 50-1.

Other islands in the archipelago also saw some activity at this time. Benjamin Armstrong, a trader, translator, and negotiator for the Chippewa in various dealings with the government, had left La Pointe to settle on Oak Island with his Chippewa wife and four sons. In 1850 he had a house, barn, dock, and five acres under cultivation. With hired hands, he cut hardwoods on the island to sell from his dock as steamer fuel.[28] Another former resident of La Pointe had settled on the island now known as Hermit. William Wilson, a former employee of the American Fur Company, kept a small garden and made fish barrels to sell at La Pointe.

In 1850 the Apostle Islands still provided the only port of call in the western half of the lake. La Pointe remained a center for the distribution of goods and services. Accommodations and supplies were provided for the dozens of surveyors, prospectors, and steamship company promoters passing through the islands during these years. When the U.S. Lighthouse Service established a light on Michigan Island in 1857 and on Chequamegon Point in 1858, it proclaimed the vitality of the Apostle Islands area-and cast a beam toward the future.

The significant long-term effects of mineral development on the Keweenaw Peninsula were yet to be felt in the Chequamegon area. Demands for transportation through the lakes, for lumber to build railroads and towns, and for stone to build piers and breakwaters would bring dramatic changes within a few short years. Major events to affect the future of the Apostle Islands were now being shaped by distant players. By 1854 several new

[28]Notes relating to "'General' Armstrong's Homesite and Dock (Oak Island)," from the General Land Office Survey of 1856-57, on file at the Apostle Islands National Lakeshore, Bayfield, Wisconsin.

settlements resulted from the speculation fever that preceded the opening of the Sault Locks: two villages on Chequamegon Bay, soon to merge as the city of Ashland; and at the head of the lake, the twin ports of Superior and Duluth. The future role of settlement and tourism in the Apostle Islands were forecast when publicity began to appear in New York newspapers as early as 1854.[29]

The Apostle Islands had been familiar to Washington politicians and eastern investors for several decades. Majs. Joseph Delafield and Stephen H. Long had explored the area to determine the exact boundaries between British and American holdings; Henry Schoolcraft had carried out two major explorations in 1826 and 1832, bringing back to Washington a wealth of lore and scientific information. However, it was Henry M. Rice, a former American Fur Company trader and now Minnesota's territorial delegate, who was the main conduit for investment interest in the Chequamegon area. A participant in the canal survey at Sault Ste. Marie, he understood what fortunes could be made by developing a port amid rich timber, fishery, and sandstone resources-once a continuous waterway was open to the East.[30]

By the early 1850s the Madeline House at La Pointe had hosted national figures among Rice's associates, including John C. Breckinridge, William Aiken, General William Henry, Stephen Douglas, and William Corcoran, as well as many other potential investors from the East Coast and the South.[31] With the opening of the Sault Locks, Rice and

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[29]Ross, p. 119.

[30]Henry M. Rice, historical files, Apostle Islands National Lakeshore, Bayfield, Wisconsin.

[31]Ross, p. 120.

several backers -- including railroad financier Jay Cooke -- formed the Bayfield Land Company to purchase a large tract on the mainland across from La Pointe. A town was platted in 1856 and lots were quickly sold to investors and developers. Named for the naval officer who charted Lake Superior for the British, Bayfield thus became the first mainland base for more than a century of Apostle Islands ventures.

In those few years between the demise of the American Fur Company and the opening of Lake Superior to intra-continental traffic, elements of competing interests in the resources of the Apostle Islands emerged in patterns which are still evident today. One persistent theme is the role of politically influential and well-financed investors based in urban centers of the Midwest and East. Although this element has included individuals with widely divergent concerns, ranging from railroads to lumber and stone to concern for the preservation of the area's aesthetic and natural qualities, what they have in common is political and economic power which they have exercised in the Chequamegon-Apostle Islands region. In some cases these individuals have been able to influence legislation or national policy to achieve their ends.

A second theme is the local use and development of resources, which have built a frequently marginal, natural resource-based, Chequamegon-area economy. Fishers, loggers, fruit growers, resort owners, and entrepreneurs dependent on tourism have, for the most part, been without political influence or organization. They have often found themselves denying economic realities to hold on to known livelihoods.

At times in the past hundred years, the economy of the Apostle Islands region has benefitted greatly from outside investment. At other times, outside control of the area's

resources has led to local long-term economic losses. Boom-and-bust cycles, though never acute enough to leave ghost towns on the shores of Chequamegon Bay, left fewer options for the future with each repetition.

A third element in the pattern of modern resource use in the Apostle Islands is the Red Cliff and Bad River bands of Lake Superior Ojibwa. The people who used Apostle Islands resources such as fish, animals, and plants in early historic times have played a less constant role since the 1854 treaties. However, tribal land concerns were central to the formulation of the Apostle Islands National Lakeshore legislation, and recent court decisions related to treaty rights suggest that both lands and subsistence issues may continue to affect the use of Apostle Islands resources in the future.

The Die is Cast...

The opening of the locks at Sault Ste. Marie in 1855 brought eastern capital and industrial ambitions to the Chequamegon Bay. Prominent names in Washington, D.C., and the Atlantic seaboard appeared on deeds to Bayfield and island lands: Rittenhouse, Fant, Calvert, Sweeney, Corcoran, Rice. While buying on speculation, they did all they could to assure that potential gains would become actual. Political battles were waged to gain railroad land grants for northern Wisconsin, while promotional campaigns sponsored by railroad and steamship lines aimed to develop markets for the region's resources.

The natural beauty, easy access by water, and cool climate of the archipelago fostered visions of a vacation paradise for hay fever sufferers and those who could afford to flee urban summer contagions. Permanent settlers were sought as well. With virgin forests still towering over the shorelines, the region was touted as a land of milk and honey, needing

only the touch of the plow for crops and gardens to flourish. But it was the quality and abundance of timber and sandstone that fired promoters' dreams and prospectuses. These resources had the potential to become a major source of supply to the eastern seaboard and the growing Midwest. With the railroad and access to the Great Lakes, Bayfield could become a transportation center for the mid-continent.

This first phase of investor interest in the Apostle Islands did not go much beyond a paper flurry. During the nationwide economic "panic" of 1857, many of the eastern title holders lost their northern lands. Some of the speculative buyers held on through the hard times: Henry Rice retained island timber lands, and a group from St. Paul and Kentucky (including Vice President John C. Breckinridge) held future quarry lands on Basswood Island. But it was not until the 1870s, when the nation began to recover from the Civil War, that development of such remote resources became feasible again.

The 1870s were a critical decade for the Apostle Islands. After two hundred years as a source of peltry for the fur trade, the archipelago had entered the industrial age. Capital economies and mass production had replaced mercantile systems of trade in the industrialized nations of the world. Since mid-century, a national demand for raw materials for production and to meet the needs of rapidly growing manufacturing centers stimulated outreach to western hinterlands. New technologies and new transportation routes became the spokes connecting the Apostle Islands to the urban hubs of the Midwest. Now it was stone, lumber, and fish that traveled from the Lake Superior rim. These three industries, supplemented by tourism and agriculture, would dominate the Chequamegon Bay economy

until the resources were depleted, leaving tourism and agriculture as alternatives for the future.

The lumber industry got an early start in the Apostles region when the American Fur Company operated a small sawmill in the 1840s. By the 1860s several small mills had been constructed in the Bayfield area. A small but thriving local industry had grown up by 1870 to serve the development needs of the Chequamegon Bay. Small lumber and shingle mills were already in place at La Pointe, Bayfield, Red Cliff, and along the bay, which local logging contractors kept supplied.[32] In the shelter of the archipelago, rafts of pine logs could be floated from the islands and mainland shores to the mills, while the interior mainland pineries awaited the construction of railroads in the last decades of the century.

What was most unique about the Apostle Islands logging industry in this early period was the variety of operations and species it utilized. While their mainland counterparts "went from pine stump to pine tree," island operators were cutting cord wood for direct sale to steamships as fuel, cutting pine and hardwood in the winter to transport to the mills in the spring, and cutting hemlock each summer for the tanbark industry.[33]

While eastern forests played out, the national demand for lumber continued to grow. It was natural that local lumbermen would seize the opportunity to expand operations and begin to export lumber through the Great lakes. Hardwoods, though they would not readily float, could be cut on the islands and mainland coast, skidded to the shore, and barged to

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[32]Charles Twining, "Logging on the Apostle Islands: A 19th Century Overview" (Unpublished manuscript on file at the Apostle Islands National Lakeshore, Bayfield, Wisconsin, 1981), pp. 11-13.

[33]Ibid., p. 16.

one of the lakeside mills, with the lumber then loaded onto steam freighters bound for Chicago or Buffalo. Inland, lumbermen had to await the railroad to harvest the great hardwood forests. However, it was not until late in the century, when the railroads brought the big companies into the area, that this potential was realized on a large scale.

In the spring of 1870 a new industry appeared in the Apostle Islands, one that extracted island resources almost exclusively for export: the quarrying of bedrock sandstone. The city of Milwaukee's search for quality brownstone to build a new courthouse ended at Basswood Island, where Strong, French & Company opened a quarry. Rough-cut stone was shipped by schooner to Milwaukee. The success of this venture led to expanded operations on the island, the stone being sold exclusively to Milwaukee and Chicago yards. Although post-fire construction in Chicago stimulated quarry production for a year or two, dreams of a regional industry were premature. Disputes over title and the economic crash of 1873 closed operations for another decade.[34]

Brief as this first quarrying episode was, it set a benchmark in the economic development of the Apostle Islands region. It marked a transition from land speculation to resource extraction. Later, during the 1880s and 1890s, wholesalers in stone and lumber in Chicago, Milwaukee, St. Paul, and other Great Lakes shipping or rail centers acquired large tracts on the Apostle Islands and south shore mainland to provide raw materials for their rapidly growing urban markets.

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[34]Ernest Robertson Buckley, Building and Ornamental Stones of Wisconsin, Wisconsin Geological and Natural History Survey, Bulletin IV, Madison, 1898, p. 179.

The Strong, French & Company quarry also marked a geographic shift in which midwestern capital began to replace eastern interests in the Apostle Islands. The Basswood Island quarry lands were originally purchased by Kentuckians in 1854, during the early Bayfield land rush. But it was Milwaukee investors who put capital into developing an industry on the island.[35] This was the beginning of the Apostle Islands' hinterland relationship with Milwaukee and Chicago -- an economic tie that would last some fifty years.

The year 1870 also marked the resurgence of an industry which had brief importance in the Apostle Islands thirty years earlier: commercial fishing. In August of this year the N. & F. Boutin Company of Two Rivers, Wisconsin, relocated in Bayfield, bringing in some fifty to one hundred employees and a small fleet of boats.[36] The Apostle Islands archipelago offered several advantages to the industry, which was now growing rapidly throughout the Great Lakes. Reefs, especially those off Devil's Island, were spawning grounds for lake trout and whitefish, the primary commercial species of Lake Superior; thus, the fishing grounds were rich. The islands themselves offered protection from the winds of the open lake. Sheltered island beaches were excellent sites for fishing stations that could serve as bases of operation for an entire season.

Other smaller commercial operators joined the Boutins that year. Altogether, 250 people were employed on the boats and docks, in cooperages and fish houses, with 150,000

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[35]Records of deeds, Ashland and Bayfield counties.

[36]Bayfield County Press, May 29, 1958; see also "Boutin," in files of the Bayfield Heritage Association, Bayfield, Wisconsin.

to 300,000 pounds of fish sold from Bayfield and La Pointe.[37] Although gill-netting was the primary technique of harvest, by 1871 clusters of wooden poles visible above the water among the islands indicated that pound nets were in use. A fishing operation newly established on Sand Island would grow to be the only permanent, year-round island settlement on future national lakeshore lands.

For several reasons, the commercial fishing industry developed more rapidly in the Apostle Islands than did quarrying or logging. Because the fishing industry required less capital, and because production-from the harvest of the fish to the packing of the product-was locally based, fishing was less vulnerable to the economic fluctuations of the 1870s. There were well-established markets for Great Lakes fish and an extensive network of wholesalers in lake ports. Transportation modes were varied and inexpensive, including steamer, stage, and even dog sled. By 1877, when the Wisconsin Central Railroad reached the Chequamegon Bay, a freezer car was as close as Ashland.[38]

Although all three of the major island industries depended on finite resources, fishing alone survived to become a mainstay in the local economy. The quarries generated much enthusiasm, but little cash, in the bay area itself. Quarry crews were often sent up from Chicago or Milwaukee in the spring to work for a season and return in the fall. Since the rough stone was shipped down-lake to company stone yards, the quarries provided no local

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[37]Peter A. Rathbun, "Special History Study: Commercial Fishing in the Apostle Islands" (Draft report to the National Park Service, Midwest Region, Omaha, Nebraska, September, 1987), pp. 47-9.

[38]Ibid., p. 52.

opportunities for skilled labor or marketing of the product. Even quarry supplies were obtained elsewhere and shipped in.

The lumber industry did contribute to the local economy for several decades. Work in the woods, on the docks, and in local mills and wood products plants was consistently available; products were sold locally as well as exported, and cash generated by the industry circulated around the bay. However, the region paid for the boom; the exhaustion of prime timber species led to a near collapse of the bay-area economy by the late 1920s.

Commercial fishing, on the other hand, was more than an industry; it was part of the fabric of community and family life. As summer fishing enclaves developed on the islands and packing houses expanded operations, women-even children-became part of the work force. Men could fish for the major companies in the area, or, with some equipment and perhaps a partner, fish independently and sell to the Boutins, A. Booth & Company (which opened an office in Bayfield in 1885), or one of the smaller local companies. Fishing also provided a local source of food, especially important when times were hard. It took no capital to fish with lines and set hooks or "bob" through the ice; one could be assured of dinner and perhaps a few dollars cash. Although over-fishing of the commercial species eventually played a role in the depletion of Apostle Islands fishing grounds, the industry was the "bread and butter" of the region through the 1950s.

Fishing has left fewer visible signs on the Apostle Islands than either logging or quarrying. Yet all three extractive industries had a major impact on island resources and continue to play a role in the character of the Apostle Islands National Lakeshore. The lumber industry's decimation of the forests forestalled the establishment of a national park

on the islands in the 1930s. Animal and plant species changed with the second-growth forest. Although island fisheries have begun to recover through intensive research and management, court decisions related to treaty rights, competition among user groups, and the impacts of exotic species on the commercial fishery assure that management of this resource will remain a critical issue in the foreseeable future. The relict quarries alone have a passive role, providing an opportunity for visitors to explore and understand related chapters in the geology and history of the Apostle Islands.

The Land as Resource

Commodities were not all the Apostle Islands had to offer. With the westward thrust of the railroads and the passage of the 1862 Homestead Act, settlement stretched from the regions south of the lower lakes into the vast central heartland. Available lands became increasingly scarce. At the same time, the first great waves of European immigrants arrived in port cities on the East Coast and throughout the Great Lakes. Though remote by Philadelphia or Cincinnati standards, the upper lakes offered unclaimed land for settlement and pristine scenery for city-weary vacationers. With water access, neither roads nor railroads were required to get there.

By the 1870s, steamship lines and railroad promoters had been boosting the Apostle Islands region for nearly twenty years. Travel brochures described the sculpted shorelines and rich, green forests. Images of emerald islands in a sparkling sapphire setting filled copy writers' prose. The delights of sailing, fishing, and picnicking in the Apostles were promised at the end of a cruise up the lake on a luxurious modern steamer. The air was said to invigorate and restore. The climate, moderated by the lake, was celebrated as never too hot

in the summer but mild enough in the winter to assure the seasonal flourishing of gardens and orchards for anyone resourceful enough to clear timber from the land, build a house and cultivate the rich glacial soils.

The steamship lines garnered fares for passage to the Apostle Islands. Great Lakes excursions were already fashionable among wealthy southerners and the social elite of Washington, D. C. Mackinaw, Michigan, and Madison, Wisconsin, and had become summer gathering places for southern "society."[39] A number of this group had invested in the Bayfield Land Company before the Civil War and they returned with their families to review their investments and escape "heat season" on the lake. Before the war, Madeline Island had been host to these seasonal guests, including the future first lady Mary Todd Lincoln.[40] By 1870, however, La Pointe had suffered a devastating fire from which it did not recover until the turn of the century. Since Bayfield had acquired some amenities, its docks became the points of departure for Apostle Islands outings.

Boating was the primary form of recreation, although trout fishing in local streams was also popular. One could obtain a sailboat or rowboat at the dock or go out as an excursion passenger on a steam yacht or fishing tug. Highlights of a cruise would include a chance to observe the quarry in operation, perhaps a stop at an island fishing station, and most certainly a visit to the Raspberry or Michigan Island lighthouse to picnic and play croquet on the lawns. Summer visitors felt no need for recreational facilities, nor were they

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[39]Peter A. Rathbun and Mary Yeater Rathbun, "Special History Study: Historic Tourism and Recreation in the Apostle Islands Archipelago" (Draft report to the National Park Service, Midwest Region, Omaha, Nebraska, August, 1987), p. 27.

[40]Ibid., p. 68.

interested in owning homes on the islands. They could afford hotel life and, indeed, preferred it. An elegant dinner, a sociable game of cards, or a program of entertainment awaited them at the end of the boat ride. This mode of tourism was to prevail in the Apostle Islands until the twentieth century.

Like the summer visitors, the early homesteaders on the Apostle Islands had, for the most part, some existing interest or familiarity with the region. Not until the 1880s and through the turn of the century did immigration play a significant role in island settlement. These early island residents, whether homesteaders, light keepers, squatters, or preemptors, had an important role in the history of land use in the archipelago and the adjacent peninsula. They demonstrated that claims for the future success of agriculture in the region were not all propaganda. The fact that cultivation of forest land required almost superhuman efforts had been omitted by promoters, but the soil would produce, and the climate could sustain growth.

Before the locks opened, smoke had curled from chimneys and gardens grew at the island homesites of Benjamin Armstrong and William Wilson. Basswood Island, however, was the first to see a homestead claim filed and "proved up." In 1865 Richard W. McCloud filed a claim for 171 acres. By 1870 he was growing squash, tomatoes, corn, potatoes, and winter wheat. His produce grew to gigantic proportions: an eighty-one pound pumpkin, three-pound tomatoes, a four-foot snake cucumber.[41] A portion of McCloud's harvest

[41]William A. Tishler, Arnold R. Alanen, and George Thompson, "Early Agricultural Development on the Apostle Islands (Lake Superior, Wisconsin), A report prepared for the staff of the Apostle Islands National Lakeshore, Bayfield, Wisconsin," University of Wisconsin-Madison, Department of Landscape Architecture, no date, pp. 18-19.

found a ready market with Strong, French & Company, whose crews were working the quarry just south of his farm.[42]

At the same time, the light keeper on Michigan Island began to experiment with the growing of fruit at his station. By 1871 Roswell Pendergast had established a commercial nursery with a stock of 3,000 apple trees and several varieties of peaches, plums, and pears. The peaches did not thrive, but until he left the U. S. Lighthouse Service in 1874, Pendergast sold fruit trees and shrubs around the Chequamegon Bay. He demonstrated for many, who followed his example both on the islands and the Bayfield Peninsula, that orchards would bloom and bear in the Apostle Islands.[43]

Although McCloud and Pendergast were the most successful of the early island agrarians, a number of other settlers developed island homesites during the 1870s. Two other homesteaders cultivated acreage on Basswood Island, while a former Michigan Island lightkeeper stayed on to build his own cabin, plant a garden, and fish from his homestead.[44] Where an American Fur Company station once stood on Ironwood Island (or possibly Otter Island, which was known as Ironwood for a period of time in the 1880s and 1890s), a family hired by the island's owner had cleared land to establish a farm.[45]

In terms of consequences for future developments on the islands, however, the most important of the early settlers was Francis Shaw, who claimed land on Sand Island following

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[42]Bayfield Press, November 25, 1871.

[43]Alanen, pp. 16-17.

[44]Ibid., p. 20.

[45]Ibid., pp. 14-15.

the Civil War. Arriving on the island in the early 1870s, Shaw fished and gardened, selling his produce in Bayfield and, later, to island summer residents. Although Shaw was primarily a fisherman, he gradually cleared the land to plant gardens and fruit trees. In 1910 his daughter and son-in-law, Burton Hill, joined Shaw on Sand Island. Hill took over the fishing and farming operations, set up a forge to make tools and boat fittings, and, in a loft above the shop, repaired sails for island fishermen. Over the years the buildings of the farm served island residents with a post office, general store, community ice and smokehouses, and a social center.[46]

The Shaw farm was the focal point of interaction between the permanent settlement that developed on the island by the turn of the century and the summer community of wealthy St. Paul businessmen and their families, who were initially attracted to the island by Camp Stella, the first resort in the Apostle Islands. When in 1944 the Hills found it necessary to sell the farm, it was purchased by Fred C. Andersen of Andersen Windows of Bayport, Minnesota, who was a summer neighbor. (Andersen's descendants retain use of the property under a life-occupancy agreement with the National Park Service; the Shaw Farm is now listed in the National Register of Historic Places.)

Until the mid-1800s, natural processes had shaped the character of the western Lake Superior region. Its wilderness landscape revealed only subtle indications of human presence. Native subsistence activities had few long-term effects on wildlife and forests.

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[46]Arnold R. Alanen, "The Shaw-Hill Farm Site on Sand Island (Apostle Islands National Lakeshore): Biographical and Site-Related Information, Preliminary Draft," University of Wisconsin-Madison, Department of Landscape Architecture, August 1, 1988, pp. 2-6; also, "'Shaw Farm' Nomination to the National Register of Historic Places," on file at Apostle Islands National Lakeshore, Bayfield, Wisconsin.

While the fur trade took a toll on a few species, it had a greater immediate effect on the culture of native inhabitants than on the natural environment. But the fur trade also opened the region to new uses, new technologies, and new values.

When the 1870s drew to a close on the Apostle Islands, a decade had changed centuries. The industry and settlement undertaken on the islands and throughout the Chequamegon region would ultimately change shorelines, animal and plant populations, the character of an entire forest, and the potential for future uses.

The Chequamegon Boom

From the early 1880s to the end of the century, the Apostle Islands region experienced the payoffs of supply that follow great demand. Modest growth became exponential for one reason: the railroad reached Chequamegon Bay. Although lake transport had made it possible to extract resources from the islands and shoreline areas somewhat ahead of the interior, the resource base was too limited and the shipping season too brief to attract major capital. In 1877 the Wisconsin Central Railway reached Ashland; two additional lines followed in the next few years. Chequamegon was connected to the mid-continent.

Up to this point, Bayfield, which possessed a superior harbor, had been the focus of commercial activity and development in the region. With the railroad, Ashland came alive. Sawmills sprang up on its waterfront, followed by ore and coal piers and charcoal furnaces.[47] As the railroad worked its way north, the town of Washburn was established

[47]Holzhueter, p. 54.

to serve the lumber industry. In 1883 the Chicago, St. Paul, Minneapolis, & Omaha Railroad arrived in Bayfield, completing the bay-area system.

Within a few short years some thirty lumber companies operated on Chequamegon Bay, with mills stretching from Odanah to Red Cliff. Their crews worked the forests from the Bad River Reservation on the east, through the vast pineries south of Ashland, up the peninsula, out on the islands, and west to Squaw Bay. Logs were fed from spur roads to the main lines and rafted from the shorelines until the bay resembled a gigantic millpond.[48] Companies whose names were synonymous with "empire" -- Best, Thompson, Keystone, Bigelow, and Shores -- set up their own operations or contracted with local crews and mills to systematically harvest the marketable timber, section by section. Area lumbermen like William Knight and R. D. Pike, who got started during the 1870s, financed large-scale operations on the islands and peninsula.

At the same time, new quarries opened on the islands and along the mainland shore between Washburn and Bayfield. Apostle Islands brownstone once again was shipped to Milwaukee and Chicago, but the railroad had opened up new markets in Minnesota, Iowa, Kansas, and Nebraska. Houghton Point, north of Washburn, was the site of the region's largest quarry: the Excelsior Brownstone Company, owned by Frederick Prentice of New York. Prentice, worth millions in silver and oil, had known the Apostle Islands forty years earlier as a young fur trader from Toledo, Ohio.[49] Prentice also owned a smaller quarry on Hermit Island, near which he built a three-story "cottage" in a romantic shingle style,

[48]Twining, p. 7.

[49]Holzhueter, p. 53; see also Ross, pp. 116, 148.

complete with a tower and four immense fireplaces carved of island brownstone.[50] After the quarries closed down in the 1890s, the building saw little use and gradually fell to ruin. For many years, however, until it was torn down in the 1930s, "Cedar Bark Cottage" reminded passing boaters of the follies and achievements of the era of capital in the Apostle Islands.

To the quarries and lumber camps springing up on the shorelines were added other, less dramatic, signs of late-century development in the Apostle Islands. When the Booth Company, the largest of the Great Lakes commercial fisheries, opened a branch in Bayfield, the area fishing industry doubled in size. Summer fishing camps accommodating several families grew up on Rocky and South Twin islands, complete with gardens and milk cows. The 1880s influx of Swedish immigrants to Chicago and St. Paul spread ripples as far as Michigan and Bear Islands, where pieces of the New World were claimed and cultivated.[51] New light stations, bringing a total of six to the archipelago, testified to the increase of boat traffic around and among the islands.

To attract passengers to their new routes and to enhance the destinations, the railroad companies built luxurious resort hotels in Bayfield and Ashland. Tourists now arrived from all over the Midwest as well as from the East and South. The nature of tourism in the area had changed little from the 1870s, however. There were simply more tourists, more excursion boats, and more attractions in the bayside towns.

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[50]Ross, p. 154.

[51]Alanen, "Early Agriculture," pp. 13-14 and 23-4.

Two developments occurred on the islands, however, that foreshadowed recreation patterns of the years to come. On Madeline Island, the first summer residences had begun to appear. One row of cottages housed descendants of Dillon O'Brien, a teacher in the old La Pointe parochial school, while a more imposing row belonged to the family and friends of Col. Frederick Woods of Lincoln, Nebraska. Woods had become familiar with the area through his friend Col. Allen Fuller of Belvidere, Illinois, who had established a summer residence in Bayfield several years earlier.[52] Thus, in a familiar pattern of ownership on the islands, one group had roots in the fur-trade era; the other in the post-railroad boom. Woods' "Nebraska Row" was augmented by Hunter L. Gary, founder of General Telephone, and other affluent friends and associates.[53] The social and political influence exercised by these families shaped the development of Madeline Island throughout the twentieth century and ultimately influenced the design of the Apostle Islands National Lakeshore.

A second development offered a new approach to recreation in the islands. In 1894, Sam Fifield, an Ashland newspaperman and politician, opened a summer resort on Sand Island which provided an experience in outdoor living. Guests slept in wall-tents and cooked over an open fire. Their days were filled with hiking, boating, fishing, picnicking, and observing natural history.[54] The traveling Chautauqua provided education and entertainment. Although genteel by modern standards, Camp Stella was the first tourist

[52]Ross, p. 158.

[53]Holzhueter, p. 57.

[54]"Camp Stella," historical files, Apostle Islands National Lakeshore, Bayfield, Wisconsin.

venture in the Apostle Islands to invite visitors to shed some of the accoutrements of civilization and live more closely to nature.

Camp Stella operated successfully until 1916, one year after Fifield's death. The camp then stood vacant for several years until it was purchased by Charles Jensch, who sold it to Mrs. Fred Andersen, owner of Shaw Farm.

In 1910, a group of St. Paul families who had formerly visited Camp Stella built the large log structure on the West Bay of Sand Island, known as the West Bay Club. By 1944, three original members were still summering there with many descendants and other family members. The lodge was eventually sold to the Budvic Timber Company.[55]

In terms of social and economic structure, the Sand Island and Madeline Island communities had many similarities. Both had permanent populations who made a living from farming and fishing, with some involvement in logging and tourism. Both included affluent and politically influential summer residents whose families retained and used their island property into the third generation. On both islands the summer and local residents intermingled socially and developed shared traditions. In both communities, the summer residents provided direction, leadership, and capital when land use and development issues arose.

The Collapse

The new century brought qualitative changes to Chequamegon Bay. The national economic shocks of 1893 and 1903 were felt on Lake Superior. The brownstone industry folded; the smaller operators were forced out of the lumber business; only a few guests

[55]"Sand Island" site files, Apostle Island National Lakeshore, Bayfield, Wisconsin.

occupied the spacious rooms of the waterfront hotels. Building slowed in the towns and fewer trains came through. The era of big capital and luxury tourism was ending.

Although a few big lumber companies were still active, distances were becoming greater between the timber and the mills. Pine was playing out, and the depletion of all marketable species was imminent. The Schroeder Company of Milwaukee was gearing up for a massive harvest of Apostle Islands hardwoods and remaining pine, but within a few years it would be towing rafts of logs across the lake from Minnesota's north shore to keep up production in it's Ashland mill. Soon, J. S. Stearns would leave Odanah, the Chequamegon mills would be shut down, and Schroeder would leave it's locomotives and logging gear to rust on Outer Island.

As the cutover stretched for miles from Chequamegon Bay, settlers dug in to clear the stumps and make a living from the soil. What the island experiments had shown to be possible gradually came to pass on the mainland. Strawberry fields, apple orchards, hayfields, and vegetable gardens appeared where the forest had stood.

Most of the early homesteads on the islands had disappeared, with a few significant exceptions. McCloud's old farm on Basswood continued to flourish under the Brigham family, who sold their produce and dairy products in Bayfield. A neighboring farm on Hermit Island continued into the twentieth century as well. Over on Sand Island, however, a new group of homesteaders was beginning to put down roots and establish a community.

Fifteen years after Francis Shaw had settled on Sand Island to fish and farm, he and his family were joined by a Norwegian homesteader who settled in East Bay. Between 1893 and 1917 some twelve families, primarily Norwegian immigrants who came north from

Minneapolis, took up residence on the east side of the island. Most of the new settlers, like Shaw, combined fishing and farming to make a satisfactory living. By the end of World War I, about a hundred people lived on Sand Island. Between 1910 and 1916 the community built a school, acquired a post office, operated a cooperative store, and for one year, 1918, maintained telephone service to the mainland.[56] Although the community had disbanded by 1940, it was significant for its permanence and continuity. Several descendants of the original homesteaders still owned and made seasonal use of their property on Sand Island at the time the national lakeshore was established.

Although the fishing industry had undergone some changes since the boom of the 1880s, it helped carry the region through the depression and remained a major factor in the local economy until the fisheries collapsed late in the 1950s. During the 1880s, the Booth Company had introduced herring fishing to the Apostle Islands. This late-fall fishery became increasingly important, especially as whitefish began to decline in the 1890s. Although whitefish populations increased again in the 1930s, in 1945 the herring fishery comprised 4.2 million pounds of the harvest out of a total of 5.3 million pounds.[57]

During these years, the large summer fish camps flourished on the islands. Many other small camps also appeared as individuals turned to fishing for subsistence and income. Even lightkeepers fished to augment their incomes in these hard times. Farmers on the mainland might join the herring harvest in November, or perhaps do some bobbing through the ice. The Hokenson brothers, who farmed at Little Sand Bay, found their supplementary

[56]Tishler and Alanen, pp. 31-3, 39.

[57]Rathbun, p. 67.

fishing enterprise profitable enough to eventually give up farming altogether. Gill and pound-netting were still the major techniques of harvest, but by 1926 fishers with new gasoline-powered boats were trolling for their catch, which amounted to some ten percent of the total harvest.[58]

Trolling also met a need in the tourist market. By the 1920s, visitors to the Apostle Islands came by car rather than steamship or railroad coach. They tended to live closer to the areas where they vacationed; they had less time and less money than the affluent hay fever-season crowd of an earlier era. They rented cabins by the week and came to fish and see the sights. They did not own the large boats needed to get out on the lake. To serve this clientele, commercial fishers often took anglers out on their boats, charging by the day or the hour, giving the angler the first hundred pounds of the catch and selling the rest at market.[59]

From this initial diversification by commercial fishers grew a separate trolling industry. By the 1950s, boat captains specialized in outfitting and packaging recreational fishing trips on the lake. Some provided rustic lodgings and meals at resorts -- often refurbished fish camps -- on Madeline, Rocky, and South Twin islands and at Little Sand Bay on the mainland. Some operators extended their services into the fall for island hunting trips. Deer, unknown before logging, now populated the emerging second-growth forests and provided a new source of subsistence and recreation.

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[58]Ibid., p. 70.

[59]Ibid.

As trollers and commercial fishermen vied for their share of a diminishing fishery, conflicts were inevitable. By the 1960s, however, these conflicts were moot. The Apostle Islands fishery was all but dead. Overfishing, pollution, introduction of competing exotic species, and sea lamprey depredation had reduced populations of market fish to levels that could not support commercial harvests. The Booth Company had closed its Bayfield office in 1960, and the region faced severe economic depression.

But the visible scars of logging had begun to heal around the bay, as had raw marks of industry in Ashland, Washburn and Bayfield. The scenic beauty of the region once more recalled early travelers' lyrical descriptions. Although the Chequamegon area was suffering economic hardship, most of the nation was entering a period of increased personal incomes and more leisure time. Developers at La Pointe were acting on their expectations of an increase in tourism, while bay-area chambers of commerce looked for new ways to promote their best hope for the future. Into this setting, the concept of the Apostle Islands National Lakeshore was born.

CHAPTER THREE

THE EVOLUTION OF CONSERVATION PROGRAMS IN WISCONSIN, 1850-1950

Introduction

The decade of the 1960s was characterized by a long, laborious and sometimes acrimonious debate over the establishment of an Apostle Islands National Lakeshore. The events of that decade can be best understood by examining Wisconsin's history of highly exploitive resource use and tracing the evolution of state conservation agencies to deal with concomitant problems. The discussion which follows turns to that history.

Forest Exploitation

By the mid-1880s, concerns began to arise over the impacts of destructive logging, uncontrolled forest fires, and unwise agricultural settlement in cutover northern Wisconsin. In 1844 a civil engineer by the name of Increase Lapham completed the first geographical overview of Wisconsin. A few years later Lapham began speaking publicly on the importance of preserving the forests and calling for extensive reforestation efforts. In 1867 the legislature created a forestry commission and requested a study on the state of Wisconsin forestry. Its report, written by Lapham, was entitled Report on the Disastrous Effects of the Destruction of Forest Trees Now Going "On So" Rapidly in the State of Wisconsin.[60] The report detailed the terrible consequences of the uncontrolled destruction of Wisconsin's forests, particularly for the soils and waters. Drawing on a perceptive analysis

[60]Cited in Thomas R. Huffman, Protectors of the Land & Water: The Political Culture of Conservation & the Rise of Environmentalism in Wisconsin 1958-70 (Doctoral dissertation, University of Wisconsin-Madison, 1989), pp. 36-9.

recently published by geographer George Perkins Marsh,[61] Lapham argued that the consequence of unrestrained resource exploitation could devastate human civilization and progress. Lapham's report called for a scientifically based forestry program, with an emphasis on extensive replanting, the development of shelter belts and the protection of the forests from fire. His report also noted that much of the northern part of the state, including the Apostle Islands region with its struggling farmers, was covered with soils unsuitable for any activity other than forestry. It was a prophetic statement.[62]

The first of its kind in the nation, Lapham's report had little effect on Wisconsin's forest policies. Progress was defined in terms of economic growth, and legislators saw more virtue in encouraging settlement and the development of agriculture in the northern region than in promoting forestry. Indeed, what became known as the "cutover region" witnessed a settlement boom between the 1870s and the 1920s as farmers were sold on the idea of productive, relatively cheap and easily farmed lands in the north.[63] Even an event as devastating as the Peshtigo Fire in 1871 failed to raise serious questions about the "best" use of the cutover lands. The fire was started by farmers burning a marsh, and it traveled quickly over dry, unprotected, deforested lands, burning more than one million acres in

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[61]George Perkins Marsh, Man and Nature; or, Physical Geography as Modified by Human Action (New York: Arno Press, 1874, 1970).

[62]Huffman, pp. 36-9.

[63]Vernon Carstensen, Farms or Forests: Evolution of a State Land Policy for Northern Wisconsin, 1850-1932 (Madison: University of Wisconsin, College of Agriculture, 1958), pp. 3-18.

northeastern Wisconsin and killing 1,500 people.[64] Overshadowed by the Great Chicago Fire of the same time, the Peshtigo Fire attracted little national attention, although the state legislature passed a law limiting fall burning in Wisconsin.[65] Unrestricted settlement in the north continued unabated.

Twenty years later, attitudes were beginning to change when University of Wisconsin historian Frederick Jackson Turner published his landmark essay on the closing of the American frontier.[66] A new era of "rational" scientific resource management was developing in the nation, spurred in part by the recognition of the closing (and therefore limited) frontier. Theodore Roosevelt and his chief forester, Gifford Pinchot, were beginning the fight to transform America's use of natural resources from exploitation to conservation. Serving the greatest number of people meant controlling monopolies, placing resources in public ownership and regulating their use. Preservation for intrinsic values such as scenic beauty or wilderness values were not a part of the Pinchot philosophy. His ideas were being discussed in Wisconsin between 1893 and 1915, particularly when Robert M. LaFollette was governor and Charles Van Hise was president of the University of

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[64]Walter E. Scott, Conservation's First Century in Wisconsin: Landmark Dates and People (Paper presented to the Wisconsin Conservation Centennial Symposium, State Historical Society of Wisconsin, Madison, May 1967), p. 5.

[65]Christine Lynn Thomas,The Role of the Wisconsin Natural Resources Board in Environmental Decision Making: A Comparison of Perceptions (Doctoral dissertation, University of Wisconsin-Madison, 1989), p. 58.

[66]Frederick Jackson Turner, The Significance of the Frontier in American History (New York: Frederick Ungar Publishing, 1893, 1963).

Wisconsin.[67] A decade later Pinchot, in a significant speech to the Wisconsin Legislature, declared:

> The heart of the conservation idea [is] that the resources which the earth affords for the use of man must be handled so as to secure the greatest good to the greatest number for the longest time; that needless destruction, waste or monopoly are both wrong, and foolish; and that the planned and orderly development of the natural resources for the general welfare is the very essence of national common sense.[68]

Pinchot's theory of resource utilitarianism exerted a strong influence over Wisconsin's conservation policies, and was still apparent in the debates of the 1950s and 1960s over the "best use" of the lands in the Apostle Islands region.

Wisconsin's Response to Conservation Problems

By the turn of the century, pressure was building for more prudent resource management, which led to a move to institutionalize programs within state agencies. The first efforts began in the early 1900s when the Wisconsin legislature appointed two successive boards to study concerns raised by private conservation associations. (Their studies are discussed later.) Out of those studies came boards and commissions to deal with conservation problems. But in 1914, newly elected Governor Emanuel Philipp found these public bodies easily influenced by political forces. Outraged by the proliferation and instability of such institutions, Philipp set out to consolidate all conservation activities and policy decisions involving fish, game, parks, forests, and law enforcement into one full-time, civil service agency. In 1915

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[67]Huffman, pp. 40-1.

[68]Gifford Pinchot, "Address Delivered Before Joint Session of Wisconsin Legislature," Wisconsin State Journal, March 24, 1927, p. 1.

he appointed a three-person Conservation Commission to direct the agency.[69] The commission, however, had no control over funding; monies from fish and game licenses went into the general state fund and the legislature appropriated very little to the commission.[70] The idea of keeping "conservation out of politics"[71] was sidetracked eight years later when a new governor, John J. Blaine, dissolved the commission and replaced it with an out-of-work crony.[72] This one-man commission remained in power until 1927, when active and effective conservationists, Aldo Leopold, William Aberg, and Frank Graass, drafted and successfully lobbied the Wisconsin Conservation Act through the legislature.

The 1927 Wisconsin Conservation Act re-established a Wisconsin Conservation Commission, to be made up of six citizens appointed by the governor, with senate approval, for six-year terms. Each person served part time and on an unsalaried basis. The commission appointed a full-time director to run the Wisconsin Conservation Department.[73] The act initially suffered from a number of weaknesses. The process for appointing members was limited only by the provision that three be from the northern half of the state and three be from the southern half.

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[69]Huffman, pp. 47-8.

[70]"Conservation Reminiscences of William Aberg" (Transcript of a taped interview conducted by the State Historical Society of Wisconsin, May 25, 1961), pp. 5-6.

[71]Ibid., p. 5.

[72]Ibid., pp. 5-7.

[73]To help the reader, a list of agencies and their abbreviations is contained in Appendix Five.

The governor initially appointed good friends but, in the opinion of one informed observer, lousy conservationists.[74]

The act also limited the power of the commission, the result of a political compromise described by conservationist William Aberg:

> The legislators felt that the authority given to the commission was usurping the power of the Legislature, and we didn't dare give to the commission powers to fix the [hunting and fishing] seasons, bag limits and things of that sort, because, well, they would just have killed the bill. There would have been no commission.[75]

Despite spending much of its time making decisions on issues such as legal fish sizes and the start of the ice fishing season (one year almost five hundred proposals on the ice fishing season were submitted), the legislature did not delegate its authority over conservation matters until 1931, when it gave the commission the right to regulate hunting of upland game birds.[76] Finally, in 1933, Wisconsin Law Chapter 152 removed most natural resource decision-making from the legislature and delegated it to the conservation commission and its department. The Wisconsin Conservation Department would eventually become an agency staffed by professional resource managers, although the commission remained sensitive to political needs, and both retained strong ties to business and influential sportsmen's groups.[77] The commission and its department were to remain the dominant force in Wisconsin natural resource policies until 1958, when a new governor,

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[74]Frank Graass, cited in "Conservation Commission Meeting," Wisconsin Conservation Bulletin, December 1947, p. 2.

[75]"Conservation Reminiscences of William Aberg," p. 7.

[76]Ibid.

[77]Huffman, pp. 61-5.

Gaylord A. Nelson, challenged that monopoly. Their influence would be formidable in the debates over the Apostle Islands during the 1960s, particularly in their opposition to federal involvement. The influence and power of the agency and the commission during this era is summarized by Huffman:

> Bolstered by the grant of power it had received from the Legislature in 1933 and changes in its administration and areas of responsibility, the Conservation Department was one of the most important state environmental institutions during the 1950s. The agency had greatly enlarged since the Conservation Act began the "golden era" in 1927: by 1958 its biennial budget had reached nearly $13 million and it had over 1,000 employees. By the end of the 1950s it had ten separate divisions, supported by a large staff of professionally trained experts and it affected nearly every aspect of natural resource management in the state. Along with the complicated hierarchical management structure, and the powerful legal and administrative autonomy, came an esprit de corps, a bureaucratic ideology of significant proportion: to the promoters of the Conservation Department it was "the best in the nation," it had become one of the most powerful and untrammelled of Wisconsin's state agencies.[78]

Removing conservation decisions from the legislature in a sense removed them from a body directly accountable to the voters. Wisconsin citizens had always taken an active interest in natural resource problems, an interest frequently expressed through participation in legislative hearings and intense lobbying of their elected representatives. To permit public involvement, the commission in 1928 established a citizen advisory council and in 1934 formalized it as the Wisconsin Conservation Congress.[79] In 1938 the congress, which included delegates from each of the state's seventy-two counties, established an executive

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[78]Ibid., p. 90.

[79]Wisconsin Conservation Department, Activities Progress Report, January 30, 1948, p. 18.

council to coordinate statewide activities. The state was divided into ten districts with elected district representatives.[80]

The early years of the congress were turbulent. County representatives fought among themselves over resource issues. One participant commented years later, "To say the least, many congress members were arbitrary and dogmatic in their views. It had never entered the minds of others that there was a conservation problem in any part of the state except their own, and some of the ideas put forth were fantastic."[81] Ten years later, observers noted that the congress had become a respected and influential advisory body, although its interests were largely in hunting and fishing issues.[82] It would become fiercely protective of how hunting and fishing license dollars were used, raising a formidable challenge to the diversion of these funds for parks. This posture strongly influenced the debate over a state park in the Apostle Islands in the 1950s.

Conservation and the People

The push for conservation in Wisconsin and throughout the nation had its roots decades before the environmental movement of the 1960s and 1970s. By the time serious efforts were made to place the Apostle Islands under some form of public ownership, many of the influential conservation organizations that eventually became involved, both at the state and national levels, had been influencing public policy for more than half a century.

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[80]Gertrude M. Cox, "Conservation Committeemen Meet," Wisconsin Conservation Bulletin, August 1938, pp. 47-9.

[81]Ernest Swift, "We The People," Wisconsin Conservation Bulletin, August-September, 1944, p. 21.

[82]Ibid.

With the official "close of the frontier" in 1893, people began to reconsider the role of the land in their lives. It was no longer something to be feared and conquered. Instead, people began to talk about protecting some of the unique features that had contributed so much to the American character and its "pioneer spirit." Some of the earliest organizations, the "rod and gun clubs," were centered around using fish and game for recreation and ensuring their prudent management. Their support was essential in establishing hunting and fishing licenses, seasons and bag limits. In Wisconsin, thirty-four duck hunting clubs existed in 1892; by the 1920s, seventy-one groups had joined the Wisconsin Fish and Game Protective Association.[83]

By the end of the nineteenth century, others were also becoming concerned over the consequences of imprudent exploitation of nature. In 1886 the Audubon Society, with an interest in endangered birds, met for the first time in New York. The society became a national organization in 1905. John Muir, whose boyhood and youth had been spent on a Wisconsin farm and at the University of Wisconsin, left a deep imprint on the state's conservation history. In contrast to the practical, scientific approach of Lapham, Pinchot and Edward Griffith (Wisconsin's first state forester), Muir dealt with the spiritual and ecological values of natural resources. These ideas found form when Muir organized the Sierra Club in 1892, which had, in addition to an ideology of nature, goals of attracting more people to enjoy natural environments that would in turn lend support to park programs.[84]

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[83]Huffman, p. 53.

[84]For excellent histories on the early environmental movement in the United States, see Roderick Nash, The American Environment: Readings in the History of Conservation

These same values would spark the rallying cry for park proponents and lakeshore supporters decades later.

Another important organization, the Wisconsin Federation of Women's Clubs, had a standing committee on forestry issues as early as 1904, which became a permanent committee on conservation in 1911. Huffman notes that women's organizations, including the federation, "stressed the feminine and spiritual qualities of nature and its importance for children and the intrinsic beauty and worth of wilderness forests, streams and wild animals."[85] The federation in Wisconsin would later become a formidable force in support of the lakeshore.

The Izaak Walton League, established in 1922 on the national level, glorified both the frontier tradition and the wonders and virtues of nature. By 1925, Wisconsin had 155 chapters with a membership of 15,000, the largest such organization in the United States. The league was noted for its leadership role in state fights for the protection of wildlife, forests and public rights in navigable waters and for its use of grass-roots organizing and direct political action. Members of the league were the driving force behind the 1927 Wisconsin Conservation Act[86] and would later provide valuable support for the lakeshore.

Conservation clubs developed rapidly in Wisconsin during the 1930s and 1940s. By 1948 a Wisconsin Federation of Conservation Clubs began to form. It attracted

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(Reading, Pennsylvania: Addison-Wesley Publishing Co., 1976); and Nash, Wilderness and the American Mind (New Haven: Yale University Press, 1967).

[85]Huffman, p. 54.

[86]Ibid., pp. 56-60.

representatives from thirty clubs with more than 25,000 members. The federation later became another important voice in the drive for the protection of the Apostle Islands.[87]

The 1940s also gave birth to another highly influential conservation organization in Wisconsin. In 1943, the Milwaukee County Conservation Alliance (MCCA) was formed from among forty different county clubs representing interests ranging from butterfly collecting to bow hunting.[88] The alliance was responsible for initiating the Apostle Islands debate, which began in 1950.

Finally, it is important to recognize the growing influence of newspapers in forming public opinion after the turn of the century. In Wisconsin, the Milwaukee Journal in particular took on the role of conservation advocate during the 1930s. The paper's editorials often served to mediate environmental disputes, and state officials were careful to both acknowledge the paper's position on an issue and to attempt to win an editor's favor. One writer, Gordon MacQuarrie,[89] was particularly influential throughout his career as outdoor editor from 1936 until his death in 1956, and his columns were noted as much for their interest in "ecological" issues as in the more traditional hunting and fishing stories.[90] (A list of persons who had major influence over the lakeshore or were major participants is

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[87]Wisconsin Conservation Department, Activities Progress Report, November 30, 1948, pp. 14-15; and January 24, 1949, p. 2.

[88]Ibid.

[89]Gordon MacQuarrie was born in Superior in 1900. Early in his career, he spent several years with the Superior Evening Telegram, and became its managing editor. He joined the Milwaukee Journal in 1936 as outdoor editor. He was well acquainted with the Apostle Islands Region.

[90]Huffman, pp. 66-9.

contained in Appendix Four.) In 1950, MacQuarrie and the Journal were the first to report on and support the alliance's call for an Apostle Islands State Park. The Journal remained an influential force until the lakeshore was established, although it was not initially supportive of federal involvement (see Chapter Eight).

Forestry Programs Develop

Almost fifty years after Lapham recommended scientific management of forestry in Wisconsin, the state began to move toward the creation of a rational forestry program. In 1897 the state legislature authorized a second State Forest Commission, which hired professional forester Filbert Roth to study forest conditions in central and northern Wisconsin. His conclusions echoed those Lapham had expressed decades earlier: forty percent of the lands studied (including lands in the Apostle Islands archipelago) were unsuitable for anything other than forestry.[91] Undecided regarding the role of the state, the forest commission continued its analysis of the northern lands and decided that to encourage forestry and to ensure fire protection, as well as to deal with the increasing county ownership of failed farms, responsibility for public forests should be shifted to the counties. Accordingly, in 1899 and again in 1901, bills were introduced in the legislature to authorize counties to permanently hold tax-delinquent lands for the purpose of growing forests for county benefit. Both bills failed.[92]

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[91]Harold C. Jordahl, Jr., County Forests in Transition: An Account of the Wisconsin County Forest Crop Revolt, 1960-1963 (Madison: University of Wisconsin-Extension, 1984), p. 10.

[92]Ibid.

Two years later, however, legislation was enacted that authorized the establishment of state forests. Under this law, counties were precluded from taking title to tax-delinquent lands.[93]

In 1904, the State Forest Commission took a major step forward by hiring its first professional state forester, Edward Griffith. A protege of Pinchot, Griffith brought to his job ideas of scientific resource management and did much to organize and improve forestry operations in the state, including tree nurseries, replanting and fire protection. The forestry program was funded by legislative appropriations from hunting and fishing license fees. The limits of this source of funds proved to be a serious problem in later efforts to fund parks, including one in the Apostle Islands.[94] Griffith and the forest commission moved with alacrity. They examined some 40,000 northern acres that had been granted Wisconsin at statehood for school purposes and placed them in a "forest reserve." Griffith then persuaded the forest commission to expand the reserve by an additional 22,000 acres. From 1905 to 1915 the planned boundaries of the reserve were enlarged to encompass some two million acres, 180,000 of which were under state ownership and forestry management.[95]

Griffith also played a critical role in the establishment of a reserve on the famous Brule River, which flowed into Lake Superior in Douglas County. Because he had been a college friend of Frederick Weyerhaeuser, president of the Nebagamon Lumber Company which owned the lands along the Brule, Griffith worked out a deal for a gift of the land with

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[93]Ibid.

[94]Huffman, pp. 44-7.

[95]Jordahl, p. 10.

the proviso that the legislature enact a law prohibiting dams on the river. Weyerhaeuser donated the land but insisted on a provision for the title to the land to revert to the donor if it was not used for forestry. Griffith, although primarily interested in forestry, was not unmindful of aesthetics and he noted in his 1907 report, "The Brule is one of the most beautiful rivers in the country and ... the state can acquire a forest reserve which for beauty, good trout fishing and as an outing place for the people ... will be unexcelled." He viewed forest management as compatible with the protection of the river.[96]

Griffith also demonstrated a concern for aesthetics when he recommended the purchase of land along the shores of Trout Lake in Vilas County to protect the shoreline's scenic beauty. And in his first report he said, "Within this area [around the northern lakes] is one of the most wonderful lakes regions in the world."[97] Griffith also was a member of the state's first park commission, established at the turn of the century.[98] A subsequent park commission, in a report prepared by the eminent landscape architect John Nolen, drew a sharp distinction between parks and forests, stating that

> In the case of parks,... the main purposes are the preservation and enhancement of natural beauty and the provision of recreation.... Thus the minor purposes of forests may correspond ... with the major purposes of parks, and vice versa; the main and essential purposes of each are altogether different from the main and essential purposes of the other....[99]

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[96]F.G. Wilson, E.M. Griffith and the Early Story of Wisconsin Forestry (1903-1915) (Madison: Wisconsin Department of Natural Resources, 1982), pp. 16-18.

[97]Ibid.

[98]Ibid., p. 31.

[99]Ibid., p. 32.

The legislature subsequently transferred the responsibility for parks management to the State Board of Forestry in 1913.[100]

Unfortunately, Griffith's efforts were cut short in 1915 when powerful interests, concerned about the loss of "agricultural" lands to reforestation efforts, brought suit against the state over its forestry program. The Wisconsin Supreme Court sided with the plaintiffs, agreeing that the forestry program was an act of "internal improvement" specifically forbidden by Wisconsin's constitution. Wisconsin's budding forestry program was essentially dead, and Griffith resigned his position thereafter.[101]

While the forestry program languished, problems in the cutover region multiplied. A growing number of farms were failing on the poor soils and ending up on the counties' tax-delinquency rolls. County governments, specifically prevented from acquiring these lands by the 1903 act establishing state forests, suffered the loss of tax revenues. While World War I brought some relief with a brief settlement boom, the 1920s brought new failures. Increasing problems with soil erosion and an agricultural depression resulted in severe economic and social disruptions in the northern cutover region. By 1927 more than 4.5 million acres spread across twelve counties were tax delinquent, including lands in the Apostle Islands. The human suffering was enormous.[102] It was at this point that the problems of the cutover region and a renewed interest in forestry intersected.

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[100]Ibid., p. 47.

[101]Ibid., pp. 54-8.

[102]Erling Solberg, New Laws for New Forests (Madison: University of Wisconsin Press, 1961), p. 48.

In 1924 Wisconsin voters ratified an amendment to the state constitution allowing the state to engage in forestry. The amendment also provided for a property tax of two-tenths of one mill to permanently fund the program. The legislature then turned to its Interim Committee on Administration and Taxation to prepare recommendations for implementing forestry programs. In 1927 the committee completed its study and made a number of recommendations, including proposals to encourage forestry, allow forest lands to be taxed at a different rate than other property, and make local communities active partners in forest management. Many of these recommendations were enacted into the Forest Crop Law later that year.[103]

The Forest Crop Law was designed to promote the preservation of forests through tax policies that encouraged private land owners to practice sustained-yield forestry. The state would determine which lands were better suited for forestry than for other purposes. The land was taxed a flat rate of ten cents per acre. Town governments were also paid ten cents per acre for these lands to compensate them for lost tax revenues. A state severance tax was levied when timber was harvested.[104]

Another interim committee -- the Committee on Forestry and Public Land -- was appointed in 1929 to deal with the deepening crisis in the cutover region. Its most significant recommendation was to authorize counties to enroll tax-delinquent lands under the Forest Crop Law. In contrast to Minnesota and Michigan, where state forests were established on

[103]Ibid., pp. 46-7.

[104]Wisconsin Conservation Commission, Biennial Report 1927-1928, Madison, Wisconsin, p. 25.

such tax delinquent lands, Wisconsin would build a public forest system with the counties as managers. Today this 2.4-million-acre system is the largest public land base in the state.[105] While work toward the preservation of Wisconsin forests progressed, the economies of the northern counties deteriorated. As one contemporary remembers, "In 1931, the county situation had become so acute they weren't even paying salaries to officers and employees." Meanwhile, tax delinquency increased.[106] Then, in 1931, the legislature implemented the constitutionally approved Forestry Mill Tax Law. The law authorized counties to grow forests on repossessed lands while receiving ten cents per acre in aid from the state for forest management. It provided another ten cents per acre to towns and school districts.[107] The first county forest was established in Marinette County in 1929 in anticipation of the 1931 law.[108] By 1932 almost half a million acres of county lands had been enrolled in the program, which by 1960 grew to 2.3 million acres.[109] Ashland County eventually established 32,000 acres in county forests; Bayfield County, 167,000 acres. Some of these lands on the Bayfield Peninsula were, in fact, included in the initial discussions and boundaries for the lakeshore.

The Forest Crop Law and the Forestry Mill Tax Law were tightly worded. One of the legislative authors, William Aberg, assisted by professional foresters in the Wisconsin

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[105]Jordahl, p. 13.

[106]"Conservation Reminiscences of William Aberg," p. 9.

[107]Jordahl, pp. 12-13.

[108]Ibid.

[109]Ibid.

Conservation Department and at the University of Wisconsin, drafted a provision which stated that the mill tax could be used for no other purpose but forestry, and the term was narrowly defined.[110] The clause would become a constant source of frustration to those looking for monies for the state's growing parks program, and for state acquisition of the Apostle Islands.

Several other initiatives also contributed to Wisconsin's forest history. The University of Wisconsin had numerous ties with the state government. During the 1920s, in response to perceived problems in the cutover region, an entire field of land economics research programs developed which focused largely on the region. Researchers urged that lands be reserved for agriculture where suitable, and forestry and recreation. Further, they urged legislative action to authorize such programs. The 1929 Rural Land Use Planning and Zoning Law grew out of this research. It permitted a county board to decide which lands were to be used for forestry, recreation, and agriculture. No longer would immigrants to the region be permitted to carve out isolated subsistence farms in the cutover region far removed from government services. This was the first law of its kind in the nation[111] and by 1936, twenty-three Wisconsin counties had ordinances on their books.[112]

The Ashland County Board and the town of LaPointe adopted their ordinances in 1934 and, with the exception of Madeline Island, which was unrestricted, zoned the balance of the Apostle Islands in Ashland County for forestry and recreation. Buildings were limited

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[110]"Conservation Reminiscences of William Aberg," p. 13.

[111]Huffman, p. 62.

[112]Carstensen, Farm or Forests, p. 123.

to private summer cottages, service buildings, campgrounds, resorts and structures associated with forestry, hunting, fishing, trapping and mining. Harvest of wild crops such as berries and marsh hay was permitted. Family dwellings were prohibited.[113] Bayfield County enacted a comparable ordinance for the four islands in that county.

The 1920s also saw the establishment of the first national forests within Wisconsin. In 1924, in response to a state request, the congress authorized the establishment of the Nicolet and Chequamegon national forests. By 1933 their boundaries encompassed almost two million acres.[114] (A portion of the Chequamegon in Bayfield County was included in the early planning boundaries for the lakeshore; see Chapter Nine.) In addition to purchase of lands for national forests, Congress in the 1930s authorized the Farm Security Administration (FSA) to purchase areas of 205,000 acres in central and northern Wisconsin. These lands were eventually incorporated into state forests, wildlife refuges, parks and a military reservation. Some of the FSA lands were located on Indian reservations, including the Bad River Reservation, and discussions with the Bad River Band on how these lands could be transferred into Indian trusts played an important role in the early planning for a lakeshore. Also, under the provisions of Title II of the Bankhead-Jones Act, almost 1,000 isolated settlers were assisted with federal funds to move to communities with job

[113]Comprehensive, Floodplain, Shoreland, Subdivision, Sanitary and Private Sewage Zoning, Ashland County, Wisconsin, adopted November 12, 1980. (Note: the 1934 ordinance for forestry and reservation is incorporated in this document.)

[114]Solberg, p. 45.

opportunities or to relocate on productive farmland where government services were available.

The set of legal and financial tools in place in 1930 were used effectively to rationalize a chaotic land tenure pattern that included lands in Ashland and Bayfield counties and the Apostle Islands archipelago. With these steps, the Wisconsin foresters had, in fact, abdicated a major role for themselves as public forest managers to the counties and the federal government. The state was left with a modest role, managing approximately a half million acres in eight state forests.[115]

Other federal initiatives during the 1930s would impact Wisconsin. A conservation-minded Congress, with leadership from President Franklin D. Roosevelt, urged states to institute and strengthen conservation programs. Congress also provided funds through such programs as the Civilian Conservation Corps (CCC) and other public works programs, which were frequently conducted on public lands. Also, the 1937 Pittman-Robertson Act authorized an excise tax on arms and ammunition sales to be distributed to states to acquire lands to protect wildlife and to fund other wildlife programs. The act substantially increased the budgets of the Wisconsin Conservation Department's Game Management Division.[116]

Lastly, the 1920s witnessed the start of organized and comprehensive forest fire protection and suppression programs for Wisconsin's forests. These programs would take

[115]Jordahl, pp. 11-16.

[116]Scott, Conservation's First Century, p. 12.

an increasing portion of the department's budget over the years as forest protection became a necessary and top department priority.[117]

The history of protecting Wisconsin's forests was to contribute to the Apostle Islands' future: Improved forestry protection and practices ensured that by the 1950s and 1960s something worth protecting remained on the islands. But constraints on the use of the mill tax precluded the use of these funds for park purposes; that would prove to be a substantial obstacle for the state when it struggled with the proposed acquisition of some of the Apostle Islands.

Forestry's Stepchild: Wisconsin's State Parks Programs

The concept of parks was at least as old as the concept of forests. The first proposal for a national park came as early as 1832 from landscape painter George Catlin. The first national park came into existence much later when Yellowstone National Park was established in 1872. The first state park was created in California in 1864 when Yosemite Valley was so designated (the land around it became a national park in 1890). In Wisconsin, the first state park was established in 1878 when a 50,000-acre parcel of land was acquired in Lincoln County for what one researcher described as a "Northern State Park." It met an ignoble fate two years later when the area was sold and promptly logged. Nevertheless, the idea of state parks persisted, and in 1900 land was acquired near St. Croix Falls for Wisconsin's first permanent park, Interstate State Park.[118]

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[117]Solberg, pp. 67-72.

[118]E.J. Vanderwall, Some Historical Background of the Wisconsin State Park System (Unpublished manuscript, Wisconsin Conservation Department, Madison, February 9, 1953), p. I.

In 1907, only a few years after the State Forest Commission came into being, the first State Park Board was established by an act of the Wisconsin Legislature. It immediately commissioned a study on parks, and in 1909 the well-known landscape architect, John Nolen, presented his report, State Parks for Wisconsin, to the board. The Nolen report noted that parks, in common with forest reserves, could serve an important function by preserving and protecting woodlands and stream flows (a conclusion similar to Lapham's on forest reserves some fifty years earlier). Nolen also argued that parks were the best form in which to preserve places of historical and scientific interest, as well as places of "uncommon and characteristic beauty," a function that forest reserves could not fulfill, as most were destined for eventual logging. Parks would contribute economic benefits to the state by attracting tourists and tourist spending (an issue that resurfaced in the debate over the Apostle Islands in the 1950s and 1960s) and would also contribute a "necessity of modern life," physical and mental health, and a saner and happier life for Wisconsin's citizens. Nolen recommended the establishment of four state parks and concluded with a timely question:

> Is Wisconsin going to look upon its bay and lakeshores, its rivers and bluffs, its dells, its inland lakes, its forests, as natural resources to be conserved and some portion at least acquired and held for the benefit of all the people -- both for the present and future generations?[119]

The State Park Board took his suggestions to heart, eventually establishing three of the four parks recommended: Peninsula in 1910, Devil's Lake in 1911, and Wyalusing in 1917 (the fourth, Kilbourne, which later was renamed Wisconsin Dells, was considered too heavily developed with tourist attractions and impacted by a hydroelectric dam to make an

[119]John Nolen, State Parks for Wisconsin, with "Letter of Transmittal" by the State Park Board, January 13, 1909, pp. 37-42.

acceptable park). No mention was made of the Lake Superior region. Then, in 1915, the park board was made part of the newly formed Wisconsin Conservation Commission, along with the State Board of Forestry, the Fish and Game Commission and others.

The Wisconsin park system was supported by the legislature in principle but from the beginning it was severely underfunded. The new commission was authorized to acquire and manage lands for park purposes, but the occasional appropriations, derived mostly from diversions from fishing and hunting license fees, were inadequate for such purposes. In 1929 three proposed parks (Northern Lakes, Seven Rivers, and Kettle Moraine) were dropped because funding was not made available. Two of them eventually became state forests in the 1930s (Northern Lakes became the Flambeau River State Forest and Kettle Moraine became the Kettle Moraine State Forest).[120]

While forests and parks were seen as essentially complementary, it was easier to justify and fund forests (which would produce revenues from future timber sales) than to reserve lands for aesthetic purposes. Forests would help pay for themselves. For example, a 1950s proposal to acquire Stockton Island in the Apostles as a state forest was to be funded through the sale of the island's timber. The state park system would remain dependent on irregular and inadequate legislative appropriations until the 1960s, when Governor Gaylord Nelson approved a state park entrance fee and a tax on cigarettes, which earmarked substantial funds for parks. The records of the conservation commission during the 1940s and 1950s are a litany of constant and chronic pleading for regular park funding.

[120]Vanderwall, p. 2.

While funding for the acquisition of new parks remained short in the 1930s, the development of existing parks prospered, ironically because of the Great Depression. Federal work programs such as the Civilian Conservation Corps and the Works Progress Administration, although initially resisted by some state administrators, brought in hundreds of men to build trails, shelters, toilets, and other park facilities.[121]

When America found itself involved in World War II in 1941, the abrupt need for able-bodied men in the armed services replaced nationwide unemployment with chronic labor shortages. Federal work programs disappeared and the parks once again became solely a state responsibility.[122]

While park land acquisition languished during the 1930s, other programs in the conservation department -- fish and game and forestry -- experienced rapid growth. This can in part be attributed to well-organized, vocal constituents who were willing to support the programs through taxes and license fees. Park users were much less visible and the department made little effort to organize or encourage constituent support from them. Further, the forest and parks and fish and game management divisions represented areas demanding scientific and technical expertise and were attracting well-qualified, committed staffs. The people working on parks, while sympathetic, were trained in forestry, including the long-time head of the Forests and Parks Division, Cornelius L. "Neil" Harrington.[123]

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[121]Wisconsin Conservation Commission, Biennial Report 1938-1940, June 30, 1940, p. 37.

[122]W.H. MacKenzie, "Progress on the Conservation Front," Wisconsin Conservation Bulletin, January 1942, p. 3.

[123]"Neil" Harrington was a powerful leader who wielded major influence on state conservation policy for decades.

The availability of committed staff and resources meant that forestry and fish and game programs dominated the department. Parks were relegated to second-class standing.

In 1938, the conservation commission reached the end of its financial rope regarding parks. Its 1937-38 Biennial Report declared quietly but firmly:

> Monies for the support of the state parks have always been primarily provided from the conservation fund [derived from hunting and fishing license fees].... It is timely to point out in this report, without going into too much detail, that one of the important concerns of the Department at the present time is to work out a more satisfactory and adequate method to finance the growing demands on the parks.... These conclusions are inescapable. 1. More adequate funds are needed for ... the state parks...; 2. It is unfair and illogical for the state parks to be financed principally from the license fees of hunters and fishermen....
>
> *The Conservation Department has been forced to the conclusion ... that no new parks be established until a plan of more adequate financing may be worked out for the existing areas* (emphasis added).[124]

The commission was as good as its word: Between 1938 and 1947 no new parks were established.[125]

In 1939 the State Planning Board, in conjunction with the Wisconsin Conservation Department and the National Park Service (NPS), released Bulletin Number 8, A Park, Parkway and Recreational Area Plan. This plan outlined procedures for the development, maintenance, and operation of a proposed state recreational system. The plan envisioned coordinating the use of state parks and forests, along with a system of county parks, roadside parks and scenic parkways, to meet the state's recreational needs. At this time the state owned almost 200,000 acres of land: nineteen state parks totaled only 13,107 acres, and eight

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[124]Wisconsin Conservation Commission, Biennial Report 1937-1938, pp. 33-4.

[125]Vanderwall, p. 6.

state forests totaled 176,729 acres.[126] It significantly recommended that nine areas be investigated for addition to the parks system, including the Apostle Islands. The plan noted that

> The Apostle Islands ... possess extraordinary recreational aspects, which have been denied to many people desirous of visiting and enjoying them. Their physical separation from the Bayfield peninsula may prove to be an insurmountable obstacle to their use by the public. However, the possibility of a state park on *one or more* of the islands should be thoroughly investigated (emphasis added).[127]

The report also recommended establishing a state historical site on Madeline Island (the site of Cadotte's and Warren's trading post and the first Protestant mission in Wisconsin). Nothing came out of these recommendations.

The plan also addressed the problem of financing parks, stating that the parks system required adequate and stable funding for proper operation and expansion. The planning board noted funding options. It also noted that the use of hunting and fishing license fees for parks was an "unjust diversion of these monies."[128] Depending on other departmental resources, it argued, deprived the parks system of independence. Moreover, fish and game funds were insufficient to meet the recommended parks budget. Using biennial legislative appropriations from the state general fund was also problematic; it would assess all state park costs against all state taxpayers, whether or not they used the parks, and would lead to increased taxes. Moreover, the large number of out-of-state users would not contribute.

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[126]Ibid.

[127]Wisconsin State Planning Board and Wisconsin Conservation Commission, A Park, Parkway and Recreational Area Plan, Bulletin No. 8, Madison, 1939, p. 59.

[128]Ibid., p. 81.

Appropriations could fluctuate widely and make it impossible to administer a state parks system.[129] In spite of the difficulties parks faced, the NPS in 1941 applauded Wisconsin by noting that the state was the first to create an administration charged with the responsibility for all state parks and related areas.[130]

These clearly identified problems would plague the parks system until the 1960s. The 1939 state plan recommended an alternative source of funding: fees and charges for use of the parks. The authors noted that such fees had been successfully used elsewhere and strongly resembled the widely accepted system of hunting and fishing license fees. While they conceded that fees might "restrict the use" of some parks, they also noted that "without sufficient funds to properly care for the parks, their usefulness will soon become totally dissipated and their value lost."[131] Both warning and recommendation were to receive little consideration during the next two decades.

With the end of World War II came renewed interest in the state parks system. Under the guidance of Harrington, the conservation commission began to enlist support for the state parks program and to consolidate all parks in the agency. (The highway department was responsible for wayside parks, and the state historical society operated historical parks). The 1944-46 Biennial Report argued that a broad and comprehensive parks program was needed to meet an increasing public demand, "a program which logically falls to the Wisconsin Conservation Commission because of its experience and functional

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[129]Ibid.

[130]National Park Service, A Study of the Park and Recreation Problem of the United States, (Washington: U.S. Department of the Interior, 1941), p. 113.

[131]Wisconsin State Planning Board, A Park Plan, p. 81.

position."[132] Harrington was quite clear, however, about how much responsibility he wanted his division to undertake and argued in a 1945 editorial that state responsibility should be limited to areas of statewide significance. Most recreational and scenic areas should, he felt, come under the ownership and management of the counties.[133]

In 1947, Harrington's skillful lobbying bore results when the state park bill passed the legislature and became Wisconsin Law, Chapter 549. Harrington, in a later article, noted that the law placed responsibility for park administration, protection and maintenance squarely on the shoulders of the conservation commission, although "in each case the commission would be guided by the professional or scientific groups which had the best knowledge of the intrinsic values of a particular site."[134] The new act authorized the following:

> It is ... to be the policy of the Legislature to acquire, improve, preserve and administer a system of areas to be known as the state parks of Wisconsin. The Conservation Commission shall be responsible for the selection of a well-balanced system of state parks....
>
> It is expected that the following areas ... will become a part of the system:
>
> 1. Areas which possess statewide scenic values.
>
> 2. Areas which possess large size and the best natural features available to serve an important part of the state with outdoor recreation.

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[132]Wisconsin Conservation Commission, Biennial Report 1944-46, p. 21.

[133]C.L. Harrington, "Areas for State Parks," Wisconsin Conservation Bulletin, April 1945, p. 1.

[134]C.L. Harrington, "The Comprehensive State Park Program," Wisconsin Conservation Bulletin, January 1948, p. 4.

3. Areas which possess, by location and natural attractiveness, qualities desirable for roadside parks closely associated with the trunk line highway system.

4. Areas which possess historic values....

5. Areas which possess archeological or natural wonder features....

6. Areas which possess botanical associations, geological exhibits or landmarks of scientific or rare value.[135]

Harrington noted, perhaps smugly, "We may say that this year we have set the course which state park development is to follow for fifty or more years...."[136] The act also transferred roadside parks to the Wisconsin Conservation Department. Historic parks remained under the historical society. The push during the 1950s for a state park in the Apostle Islands (as opposed to a forest or public hunting grounds) had considerable legal justification under this act; many proponents argued that the Apostle Islands possessed considerable scenic, recreational, and historical values.

The establishment of clear lines of authority over Wisconsin's parks was helpful, but the 1947 act's most important contribution was to authorize regular and permanent (if modest) funding for the parks program: a $75,000 appropriation from the general fund in 1947, which increased to $100,000 annually in 1948, with an additional $150,000 each year from the conservation fund (fish and game funds).[137]

The funding came none too soon. Park attendance after the end of the war shot up dramatically. In 1947, when the state park bill was passed, twenty-one park units totaling

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[135]Ibid., p. 5.

[136]Ibid.

[137]Vanderwall, p. 7.

approximately 15,000 acres[138] had been visited by a record-setting 2,100,000 persons.[139] The park system was overburdened.

It should be noted, however, that while regular and permanent funding for the state park system was an improvement over the past, it really was no more than a patronizing pat on the back. In 1948, when the park system received $100,000, the annual budget for the entire conservation department was $6,000,000. The lion's share of this money went to forestry, fish and game programs, and law enforcement. This was the largest budget in the history of the department, yet its director, Ernest Swift,[140] was pessimistic because it was inadequate to meet the growing demands on the department -- demands for fire protection, forest nursery stock, forest management, research, game and fish propagation, habitat improvement, and pollution control. The needs of the parks system was conspicuously absent from Swift's worry list.[141]

In 1950, when a new call for an "Apostle Islands Park" was heard, Wisconsin had thirty-two state parks totaling 18,043 acres. Approximately 3,300,000 visitors by then visited

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[138]C.L. Harrington, "Development of Wisconsin's State Parks," Wisconsin Conservation Bulletin, June 1948, p. 32.

[139]Wisconsin Conservation Bulletin, April 1948, p. 11.

[140]Ernest Swift, who grew up on a stump farm in Sawyer County, had risen from a field conservation warden to the position of director. An articulate and strong conservation leader, he went on to a top administrative position with the U.S. Fish and Wildlife Service and later became executive director of the National Wildlife Federation. Swift had a strong influence on conservation policy at both the state and national levels. (I owe my start as a conservation professional to Swift.) He was a harsh critic of the lakeshore proposal early in the planning process.

[141]Wisconsin Conservation Commission, Activities Progress Report, July 31, 1948, pp. 13-14.

the parks, but only $250,000 had been allotted annually to maintain existing parks and acquire new properties.[142] These fiscal constraints would significantly influence later debates over the establishment of a state park in the Apostle Islands, which could have been justified under the 1947 State Park Act. The realities of the times -- a politically weak and chronically under-funded state parks system -- would preclude establishment of a park in the archipelago in the decade of the 1950s.

The State Had No Interest in the Apostle Islands

With the exception of the earlier efforts to establish a national park in the Apostle Islands (discussed in Chapter Six), life in the region -- in Bayfield and Ashland counties -- was marked by quiet hope and probable desperation for many. As the natural resources were depleted after the turn of the century, the regional economy collapsed. The 1920s and the "Dirty Thirties" were particularly hard. Local leaders turned to tourism as one possibility to assist their depressed economies.

In 1925 and again in 1926 the Ashland County Board of Supervisors attempted to interest the legislature in establishing a state park at Copper Falls, some thirty miles south of Lake Superior. The spectacular falls on the Bad River at this site would increase tourism and bring in badly needed revenue.[143] These efforts were unsuccessful, as was the earlier attempt to establish a national park in the Apostles, although Copper Falls State Park was established later. It's worth noting that in 1930s the National Park Service strongly

[142]Vanderwall, p. 7.

[143]Ashland County Board minutes, February 25, 1925, p. 60; and February 25, 1926, p. 71.

recommended that the state establish a park in the Apostles Islands. Local citizens at that time were not supportive (see Chapter Six). These early discussions foreshadowed the debates in the 1950s, when local residents and conservation organizations would argue strongly for the development of the Apostle Islands as a state park.

Although no park had been established in the Apostle Islands, tourism was increasing. In a 1938 article, the Milwaukee Journal trumpeted the growing success of the fishing charter industry, which was bringing in almost $75,000 a year in tourism spending to the Bayfield area. Professional charter operators were adding new boats and overnight cabins for their guests.[144] It was at this time that the interest in establishing the Apostle Islands as a state park resurfaced briefly in the recommendations of the State Planning Board.[145] The boon was brief: World War II and gas rationing put an end to recreational travel and the pleasures of a day's fishing on Lake Superior. Any thought of public acquisition of the Apostles was shelved. The islands did not attract more than a passing interest outside of the region until well after the end of World War II (although one brief article noted that the Kakagon Sloughs near the islands were a fishing paradise).[146]

Conservation Policies Are Set In Place

Wisconsin's conservation policies evolved during this first one hundred years and consisted of two major threads and two conflicting ideologies over the use of natural resources. (The same debate was occurring at the national level.) First, Muir, Nolen, and

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[144]"Trolling for Big Business," Milwaukee Journal, May 28, 1939.

[145]Wisconsin State Planning Board, A Park Plan, p. 59.

[146]"The Kakagon Sloughs," Wisconsin Conservation Bulletin, July 1942, p. 3.

later, Aldo Leopold, called for the preservation of natural resources for their spiritual and aesthetic values. The second thread emphasized the scientific use and management of natural resources. This view, espoused by Lapham, Roth, Griffith and Pinchot, would be the dominant influence in the state's policies during the era.

Although Griffith's efforts to develop a forestry program were temporarily thwarted by the state supreme court in 1915, voters responding to the worsening condition in the cutover region amended the constitution to permit the state to engage in forestry, to fund such programs and to support the passage of new laws -- rural land use planning and zoning, a private and county forest crop law and the establishment of state and national forests. These programs were strongly influenced by those who favored the utilitarian view of natural resource management: the land economists and state and university foresters.

Given the crisis existing in much of rural Wisconsin, the support by the state's citizens of the prudent use of resources was understandable. Rebuilding the forests would eventually improve local economies, create jobs, and stabilize local governments. Moreover, there was well-organized and strong political support for these views and new policies from a developing pulp, paper, and lumber industry. Aesthetic and spiritual values associated with parks, natural areas, and the use of natural resources for recreation and the funding for such programs found scant political support. Indeed, very few parks were added to the system during this period; however, to the credit of the foresters, they were willing to stretch the use of mill tax dollars for the establishment of the Flambeau River and Kettle Moraine state forests, which initially had been park proposals. However, they would be managed as multiple-use forests, not primarily for recreation and aesthetics.

Park proponents did have short-lived success with the work of the State Parks Board and the recommendations of Nolen. Three new parks were established. With Interstate Park, established in 1900, a state park system was evolving. In part, the establishment of these parks can be explained by two factors. First, they were modest in cost and size and imposed no substantial burden on the state budget. (Had they been proposed a decade later, their fate would have been highly uncertain.) Second, a separate State Parks Board, with its distinguished consultant Nolen, could vigorously argue the parks point of view. Had the board been a "bureau" within a larger state natural resources bureaucracy, it would have been at a competitive disadvantage with the utilitarian fish, game and forest managers and their organized constituents.

The period was also characterized by understandable uncertainty as to how to organize governmental agencies for conservation purposes. Numerous boards, commissions and legislative committees were created to deal with, for the most part, separate and distinct natural resources: fish, game, parks and forests. Governor Philipp took steps to bring order out of this proliferation by establishing a full-time professional conservation commission to oversee all basic natural resources, which was, however, replaced a few years later by a politically appointed one-man commission. The 1927 Conservation Act was a blend of opposing forces; those who wanted conservation to be controlled by political elements and those who wanted it under the direction of professional resource managers (the Philipp model). The compromise consisted of a six-person, part-time appointed commission to set policy for an integrated natural resources agency to be staffed by professionals. This action provided some separation from direct political influence, yet it maintained some political

responsiveness through gubernatorial appointees. When the lakeshore was proposed, the conservation commission and the department had grown in power and influence during more than three decades of existence, and they were formidable institutions.

Organizing constituent groups to support fish, game and forestry programs had been relatively easy. Resource users had a direct stake in agency programs, and they were willing to either tax themselves through hunting and fishing licenses or battle vigorously in the legislature for state appropriations. The bureaus grew in size, staffs, budgets and power. Parks, on the other hand, remained a stepchild for several reasons. First, park users were amorphous; they resided all over the state and many were non-residents. They did not organize, as did the fish and game interests, and the department made no effort to establish such an organization to back park programs. Second, visitors came to parks to see and to recreate; their use was non-consumptive, in marked contrast to hunters and fishers, and especially to the direct and significant economic impacts of forest management. Although park proponents argued that tourists spend money, they could not make as persuasive a case as the other bureaus, and it would not be until the 1960s that sophisticated studies on the favorable economic impacts of national parks would influence legislative bodies. Third, forests and parks were joined in one bureau. Forestry budgets dominated; parks had no secure financial base. Fourth, park responsibilities were carried out by trained foresters, who though often sensitive to aesthetics, were poorly equipped to plan, design and conduct a state parks program. Fifth, fish, game and forest interests had a substantial body of Wisconsin law to support their programs. Not until 1947 did parks obtain an organic act

and although this, over the long run, was a significant step, funding was not made available in any meaningful way.

CHAPTER FOUR

STATE INTERESTS IN THE APOSTLE ISLANDS, 1950-1960

Lack of money and opposing ideologies would plague the state in its deliberation over the Apostle Islands during the 1950s. Although citizen interest in and support for public ownership of some or all of the archipelago was increasing, the legislature, the Wisconsin Conservation Commission, and the Wisconsin Conservation Department were highly uncertain as to what course of action to take, if any. Having no clear goals or objectives, these institutions reacted to external forces. In spite of the confusion and uncertainty, they would, near the end of the decade, take steps to establish an Apostle Islands State Forest.

Evolving and Shifting Conservation Forces

The chair of the conservation commission, Charles F. "Frosty" Smith,[147] with a lofty statement late in 1949, set the stage for the decade of the 1950s:

> One thing we must combat ... is the conflict between different forces, commercial and selfish as well as unselfish.... We should preserve and conserve those natural resources God gave us for our children and grandchildren.[148]

[147]Charles F. "Frosty" Smith, an attorney from Wausau, was a staunch Republican and eventually became chair of the Wisconsin Conservation Commission, gaining enormous influence over commission policy.

[148]Wisconsin Conservation Department, Activities Progress Report, November, 1949, p. 3.

The statement was noble, but the decisions to be made regarding Wisconsin's natural resources, including the Apostle Islands, were very much subject to economic and political forces and a clash of interests.

The state legislature, recognizing the increasing complexity of the issues it faced, including those involving natural resources, had, in 1947, established the Wisconsin Legislative Council, which consisted of members from both parties from the state senate and assembly. The council functioned as a study group for problems referred to it by the legislature. Completed studies were either submitted to the legislature with recommendations, or bills were introduced under the aegis of the council. The council, in turn, established various committees to focus on specific problems, and between 1950 and 1954 was advised on natural resource problems by an Interim Committee on Conservation. In 1954, the council made the committee permanent; it became known as the Wisconsin Legislative Council Conservation Committee. This legislative conservation committee, and its interim predecessor, were responsible for coordinating policy matters with the Wisconsin Conservation Commission and the legislature.[149]

Because the Republicans had been in power for more than a decade, the conservation commission reflected a conservative point of view. It did, however, provide stability and continuity in what could be described as an incremental resource policy process. Both informal and organized pressure groups had access to the commission, often in a subrosa fashion. Because of their strong control over conservation, they became increasingly

[149]William F. Thompson, The History of Wisconsin (Vol. VI): Continuity and Changes, 1940-1965 (Madison: State Historical Society of Wisconsin, 1988), pp. 634-9.

subject to attack by external critics. For example, both Henry Maier and William Proxmire,[150] unsuccessful Democratic gubernatorial candidates in the 1950s, accused the commission of high handedness, of being unaccountable to the conservation constituency, and of cronyism. Gaylord Nelson would intensify these attacks during his successful drive for the governorship in 1957.[151] Also, relationships between the commission and the Conservation Congress became strained during the decade. For example, in 1955, during a commission meeting, a representative from the congress pointed out that its members were upset that their recommendations, which reflected the views of thousands of Wisconsin conservationists, had been consistently ignored.[152] The Wisconsin Federation of Conservation Clubs joined in the criticism. The federation's secretary, Les Woerpel,[153] presented a list of problems the federation had with the commission, including complaints that it paid too much attention to public opinion at the expense of the research of its own scientifically educated department staff, and that the members of the commission, appointed

[150]Henry Maier, a Democrat, had served in the Wisconsin State Legislature and later became a long-time mayor of Milwaukee. William Proxmire, also a Democrat, ran unsuccessfully for the governorship three times during the 1950s. In a special election in 1957, he was elected to fill the U.S. Senate seat of Joe McCarthy, who had died. Proxmire was re-elected in 1958. He was a strong supporter in the Senate for Nelson's conservation initiatives including the Apostle Islands National Lakeshore.

[151]Huffman, Protectors of the Land, pp. 105-6.

[152]Wisconsin Conservation Commission minutes, August 11-12, 1955, p. 14.

[153]Les Woerpel was a strong conservationist with statewide influence. His newsletter was widely read. Gaylord Nelson would appoint him as a member of the Advisory Committee to the Department of Resource Development, an agency that would compete with the Wisconsin Conservation Department.

by the governor, met no particular standard of qualifications, especially those relevant to conservation.

Woerpel gave three specific examples of what were obviously problems of political influence: l) the management of the deer herd; 2) the management of fisheries (in one instance, bullhead fisheries on Beaver Dam Lake were exempted from fishing regulations because a few people opposed year-round fishing); and 3) the special consideration certain parts of the state received because of personal opinions on the part of the commissioners. Although the commission attempted to deal with the Conservation Congress's issues, it made no serious attempt to address federation concerns.[154]

The Wisconsin Federation of Conservation Clubs was a well-informed, conservation-minded organization which spent a great deal of time monitoring the commission's activities. Its criticisms and concerns over the influence of politics in conservation issues, the catering to special interests, and growing dissatisfactions with the manner by which conservation decisions were reached, were legitimate.[155]

While the policy-making conservation commission was controlled by conservative appointees, the Wisconsin Conservation Department was becoming dominated by well-educated natural resource professionals. The Conservation Congress took note of this fact during its annual meeting in 1958.[156] The agency grew steadily throughout the decade.

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[154]Wisconsin Conservation Commission minutes, January 9, 1956, pp. 2-3.

[155]Huffman, p. 105.

[156]R.J. Neugebauer, "Conservation Congress Highlights," Wisconsin Conservation Bulletin, June 1958, pp. 11-13.

By 1958, the department included more than 1,000 employees in ten separate divisions protected by a strong civil service system.[157]

In 1959, the legislature, under Governor Nelson's leadership, created a new Department of Resource Development. One responsibility of this new agency was to coordinate planning for outdoor recreation and natural resource use.[158] This new department would challenge the virtual monopoly the Republicans had over conservation policy in Wisconsin.

By 1960, budgets for natural resources, after a long period of steady growth, were declining, in part because of a decline in revenues and increases in salaries, retirement payments, and tax payments to counties.[159] The conservation department was forced to trim $2,306,000 from the biennial budget. The cuts were painful. Nonetheless, when the state's chief forester, John Beale,[160] presented a summary of department activities during the previous eight years, it was clear that significant progress had been made: forty policy statements had been adopted which had significant planning implications; long-term goals had been adopted by the divisions, goals which they were on their way to meeting; the

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[157]Huffman, p. 90.

[158]Walter E. Scott, "A Century of Wisconsin Conservation: 100 Landmark Dates" (Paper presented to the Conservation Centennial Symposium, State Historical Society of Wisconsin, Madison, May 1967).

[159]Charles F. Smith, "The Big Cut," Wisconsin Conservation Bulletin, May 1960, p. 3.

[160]John Beale, educated in forestry and later in public administration at Harvard University, was the equivalent of "assistant director" of the Wisconsin Conservation Department. He had an affable and engaging personality, was loyal to the department and the conservation commission, and had a strong influence on policy during the era.

department now had ten forests and twenty fish management demonstration projects and a number of public hunting ground projects; fifty-five interdepartmental agreements on cooperative conservation work had been executed; and a state-wide forest inventory had been completed.[161] Beale rather understandably failed to mention a seriously weakened state parks system; neither did he mention the failure to make any progress on the acquisition and protection of the Apostle Islands archipelago, which had received considerable attention during the decade.

The Fate of the Parks: 1950-1960

The decade-long debate over the Apostle Islands revolved primarily around financing. As this brief history of state parks and forests will demonstrate, the department had valid reasons for having acquired only one out of twenty-two islands (Stockton Island) by 1960 as part of the Apostle Islands State Forest.

Although the 1947 State Parks Organic Act had in a minuscule way increased parks funding, the budget was woefully inadequate to operate thirty-two state parks, which in 1950 totaled 18,043 acres and had received 3,300,000 visitors. The 1950 annual budget to support this usage was $270,000, with a little additional income from park concessions, camping fees, and golf fees. As the Forest and Parks Division staff commented publicly in the February Wisconsin Conservation Department Bulletin:

> This is still inadequate to meet public demands, and just how much should come from hunting and fishing license money is certainly debatable among the sportsmen of the state.... The public's desire for recreational opportunities has urged the establishment of new and expanded park areas. These,

[161]"Land Resources Planning," Wisconsin Conservation Bulletin, November-December 1960, p. 57.

however, cannot be developed or maintained for full capacity use without adequate funds.[162]

Even more graphic was the pie chart illustrating how the department distributed each conservation dollar:

Fish and Game Management	40 cents
Law Enforcement and Forest Protection	26 cents
Forests, Nurseries and Land Fund	23.5 cents
Parks and Recreational Advertising	7.5 cents[163]

Since advertising's portion of that 7.5 cents was considerable, parks were receiving minimal financial support, and even that was under attack.

One threat came from Wisconsin's interest in participating in federal funding authorized under the 1950 Dingell-Johnson Fishery Act. The act authorized a ten percent federal excise tax on fishing tackle to be used to pay seventy-five percent of the cost of approved state fishery projects; states funded the remaining twenty-five percent.[164] For Wisconsin, where parks programs were partially funded from state fishing license fees, changes had to be made to qualify for Dingell-Johnson funds, which precluded such

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[162]Wisconsin Conservation Bulletin, February 1950, p. 54.

[163]Wisconsin Conservation Bulletin, October 1950, p. 71.

[164]"Dingell Fisheries Bill Finally Makes It," Wisconsin Conservation Bulletin, October 1950, p. 32.

diversions. If the state could not qualify, it would lose $125,000 annually.[165] This problem was resolved the following year through an act of the legislature.[166]

Longstanding dissatisfaction on the part of sportsmen over the use of hunting and fishing license fees to support parks was another threat. The illogic of this arrangement was clear to the Wisconsin Conservation Department; it had pointed this out to the conservation commission and the legislature frequently in previous years, with little effect.[167] In 1951, the department's call for a better method of financing parks received strong support from the Conservation Congress. During its June meeting, the congress passed, for the consideration of the commission, a resolution which stated that funding parks through hunting and license fees should cease and the budget for parks should come from the general fund. The congress was particularly concerned that the growth of the parks system was beginning to "drain" the conservation fund.[168] The resolution was also supported by hunting and fishing clubs in the state.[169]

That same year, 1951, the legislature reconsidered park funding. Some legislators felt that the funding from the general fund should be terminated. That would have posed a grave threat to the parks program. Fortunately, the majority voted in favor of retaining the

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[165]Wisconsin Conservation Commission minutes, August 10, 1951, p. 5.

[166]Minutes of a joint meeting of the Wisconsin Conservation Commission and the Legislative Council Interim Committee on Conservation, September 7, 1950, p. 1.

[167]See Chapter Three.

[168]Wisconsin Conservation Department, Activities Progress Report, July 26, 1951, pp. 24-25.

[169]Wisconsin Conservation Department minutes, August 28-29, 1951.

dual funding system (using monies from both the conservation fund and the general fund). It even increased yearly appropriations from the general fund to $150,000, while the conservation fund appropriation increased to $220,000.[170]

The Conservation Congress passed a second resolution at its 1952 annual meeting, again calling for a study of state park financing with "a view of a more equitable distribution of maintenance [costs] from the general fund."[171] Little was done in response to this resolution.

Other sources of funding were explored, but with little success. In 1954, the legislative council's conservation committee discussed the idea of using a new mill tax to support parks, as had been done with the forests in 1931. A one-twentieth-of-a-mill tax, however, had failed to pass the legislature during the previous session, largely due to opposition from the County Boards Association and the League of Municipalities, and committee members were not optimistic about another attempt. One senator, Harvey Abraham, commented at a public meeting, "Many people do not use the parks so therefore do not feel that they should maintain them." A member of the audience agreed and summed up popular opinion when he commented that "it was too much to ask of those who hunt and fish to support the parks for all the people."[172]

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[170]Wisconsin Conservation Department minutes, January 12, 1951.

[171]Wisconsin Conservation Congress, "Minutes from the Annual Meeting," June 2-3, 1952, p. 11.

[172]Wisconsin Legislative Council Conservation Committee minutes, August 23, 1954, pp. I-4.

Therefore, few politically feasible alternative sources for funding parks in Wisconsin existed. Other states had long since elected to charge park entry fees, but Wisconsin's legislature had decided in the 1940s that fees were inappropriate; they might discourage tourism. The gasoline tax went into a segregated fund to finance the state's highways (although during a 1954 conservation committee meeting, one senator was moved to comment that so much of the traveling public stopped at parks that it only made sense to make them contribute to the parks through the gas tax).[173] Imposing a tax on soft drinks, as several states did, did not appear politically feasible. In 1954, the committee was still unsuccessfully attempting to find a consistent, predictable, non-controversial source of funding for state parks.[174]

Attendance at state parks had increased by 250 percent since 1927 without a corresponding increase in funding.[175] By 1956 the park system was in such bad shape that the conservation commission, at the request of the legislative conservation committee, released an insightful little brochure entitled, Wisconsin State Parks Going Downhill: WHY? The introduction was telling:

THESE ARE THE FACTS

> Wisconsin law provides it is the "policy of the Legislature to acquire, improve, preserve and administer a system of areas known as the state parks of Wisconsin. The purpose of the state parks is to provide areas for public recreation, and for public education in conservation and nature study."

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[173]Ibid.

[174]Ibid.

[175]L.P. Voigt, "Thirty Years of Conservation Growth in Wisconsin," Wisconsin Conservation Bulletin, March 1955, p. 23.

> This basic law places the responsibility for the well being of the parks in the Conservation Commission. Carrying out this responsibility is largely a matter of funds. Providing the funds is clearly the responsibility of the Legislature.
>
> Our parks are certainly worth saving. They number thirty properties: 18,000 acres in twenty-five counties and include some of the best scenic places, significant historical sites, and outstanding inspirational and recreational values in the Midwest. It has taken over fifty years to assemble and develop them.
>
> However, the blunt and unvarnished truth is that our state parks have been steadily deteriorating.... In more than one state park today it has not been possible to provide minimum standards of sanitation, safety and police protection. Indeed, a strong case can be made for the closing of some of the parks....
>
> The Conservation Commission sincerely feels it is duty bound to report the state park situation as one of the most urgent conservation matters to face the Legislature in many years. Our state park program is at a decisive crossroad today; we must face up to the problem and the time is -- NOW!!! (emphasis in the original).[176]

The brochure also contained rather dramatic figures: attendance from 1944 through 1956 had grown from 750,000 to more than five million, a sixty-one percent increase. Funding had only grown three percent. Wisconsin was spending a minuscule nine cents per state park visitor in contrast to thirteen cents in Michigan, thirty-two cents in Minnesota, forty-two cents in Florida, and seventy-four cents in California.

Department Director L.P. Voigt[177] promptly forwarded a copy of the brochure to Governor Walter J. Kohler, along with a rather carefully worded letter:

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[176]Wisconsin Conservation Commission, Wisconsin State Parks Going Downhill: Why? (brochure), Madison, December 1956.

[177]L.P. Voigt had succeeded Ernest Swift as director. His background was in management, personnel and public administration. He was an effective administrator, was totally loyal to the commission, and had a broad base of support throughout the state.

> I hope you may find time to review the presentation made and that your response will be favorable to a more adequate support for the state parks so that they may more sufficiently serve the public who uses them in increasing numbers.[178]

Kohler replied:

> Thank you for your letter of December 11 together with a copy of the brochure prepared by the Commission on the financial status of state park funds in Wisconsin.
>
> I am very glad to have had an opportunity to read and study this publication.
>
> With good wishes....[179]

It was clear that the struggling parks program would find little support in the governor's office.

The legislative conservation committee received copies of the brochure at its meeting on December 21, 1956. The brochure prompted one staff member, Eugene Toepel, to ask whether any of the existing parks could be abandoned. Beale, the chief forester, responded, "Probably not." The committee debated a number of funding sources, including annual automobile park admission stickers, flat admission fees, revenue from parking meters, and another increase in the general fund appropriation. The first three would increase revenues but would be expensive to administer. The net gain would not be great. The department recommended that the legislative committee urge the legislature to appropriate an additional $500,000 just to cover major capital improvements. Committee members were warned that efforts to fund the parks through entry fees would likely result in the public

[178]L.P. Voigt, letter to Wisconsin Governor Walter J. Kohler, December 11, 1956.

[179]Walter J. Kohler, letter to L.P. Voigt, December 13, 1956.

expecting better facilities, necessitating an additional yearly expenditure of $1,000,000. And this was coming at a time when the conservation fund was already in critical condition, prompting the conservation commission to recommend the highly unpopular step of increasing fishing and hunting license fees. The committee decided it was too late in the session to submit any funding bills to the legislature. However, it directed conservation department staff to draw up bills covering the methods discussed, and any other reasonable measures, for submission during the next session.[180]

By 1957, the Wisconsin Conservation Commission was hearing increasingly from rod and gun clubs that they would be willing to support an increase in hunting and fishing license fees, but only if the funds were used for hunting and fishing programs. Funding for parks would not be tolerated.[181] Accordingly, the commission submitted a bill to increase license fees to the legislature. It also decided to submit a bill to establish a $1.00 park entrance car sticker. Although the Legislature's Joint Finance Committee was sympathetic with the conservation department's $1,000,000 parks budget, it held up the park sticker bill. In the meantime, three bills introduced by individual legislators to finance parks from the general fund were withdrawn by the authors.

Finally, in July, the assembly and senate voted on both the license fee increase and the park sticker proposal. The hunting and fishing fee increase passed both houses with two-thirds majorities. The park entrance sticker died. A subsequent bill, which would have

[180]Wisconsin Legislative Council Conservation Committee minutes, December 21, 1956, pp. 2-3.

[181]Wisconsin Conservation Commission minutes, March 15, 1957, p. 3.

supported parks through an allocation from gas taxes, passed the assembly but was killed by the senate.[182] State park programs had literally ended up with nothing. Although the conservation commission instructed Voigt to inform the governor and the legislature that parks were in desperate need of additional money, no actions to deal with the problem were taken.[183] The Wisconsin Conservation Department's 1956-58 Biennial Report lamented its parks acquisitions program:

> There is no actual land acquisition program in the state parks at the present time because of the small amount which could be budgeted for this purpose under the inadequate park financing system now in effect.[184]

The department had managed to pick up a minuscule forty-five acres of land at a cost of $5,500 that year. Eighteen acres out of the forty-five had been donated. The attendance record for the state parks in 1958 was 5,491,874.[185]

In 1958, the commission decided to take a different, if less direct, approach to the problem of financing parks. It approved funds for a travel-and-use study of the state's parks and forests to "pinpoint" areas needing improvement. The results would help shape future financing proposals for state parks.[186] It also decided to postpone any proposals for park financing until the following year. The commission's chair, "Frosty" Smith, declared that an

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[182]Wisconsin Conservation Commission minutes, July 19, 1957.

[183]Ibid.

[184]Wisconsin Conservation Department, Twenty-Sixth Biennial Report 1956-1958, Madison, 1959.

[185]Ibid.

[186]Wisconsin Conservation Bulletin, July 1958, p. 30.

"aggressive program" had to be carried out to prevent the parks from deteriorating further. A lack of publicity on the park situation, it was agreed, was partly to blame.[187]

In 1959, an article by a park planner in the department's Wisconsin Conservation Bulletin summed up the problem by describing Wisconsin parks as slums, with inadequate thirty-year-old facilities. Out-of-state visitors, the planner concluded, were likely to find Wisconsin parks more crowded and less well-equipped than those back home.[188] Then, in April, the commission voted to discontinue camping at one of its parks, Big Foot Beach near Lake Geneva. Conditions were far too crowded. Further, it decided to attempt to turn the park over to the county, a city or a town, or whomever would take it, since the park system's financial situation was so poor.[189]

Newly elected Governor Gaylord Nelson decided to take matters in hand. He proposed a 1959-61 conservation budget increase from $25 million to $30.6 million. Funding for recreational programs, including parks and forests, was to increase to $7 million. If passed by the legislature, the Wisconsin Legislative Council Conservation Committee bill would set an annual two-dollar park sticker and a fifty-cent daily visitor fee, resulting in funding of $556,000 for parks. The department would, however, be expected to rely on fees actually collected, rather than on an appropriation from the general fund. A special one-year appropriation of $80,000 was to be earmarked from the general fund for the acquisition

[187]Minutes of a joint meeting of the Wisconsin Conservation Commission and the Illinois Conservation Advisory Board, August 5, 1958, pp. 2, 6-7.

[188]R.C. Espeseth, "Spotlight on State Parks," Wisconsin Conservation Bulletin, January 1959.

[189]Wisconsin Conservation Commission minutes, April 10, 1959, p. 6.

of Blue Mounds State Park.[190] The new governor had elected to throw his support behind the parks program; while his budget promised much, the results were slow in coming.

In the meantime, the commission faced another fiscal crisis. Decreased revenue sources and increasing costs forced a $2,000,000 budget cut. The department was suddenly in danger of going into the red.[191] The parks program was least able to stand a reduction in budget. However, encouraged by the governor's promise that the park sticker bill would be introduced and vigorously supported, the commission reduced parks funding from the conservation fund by one-third.[192] Its optimism was unwarranted. In May the legislature failed to pass the park sticker bill,[193] which resulted in a severe crisis for the park system. Reflecting on the consequences, Voigt urged that "every effort should be made to keep the parks open and operating until actual safety or health considerations force us to close them."[194] It was agreed that the parks would only be closed as a last resort.[195] A month later, the commission was forced to restore $65,000 cut from the parks budget.[196]

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[190]"Statement by Governor Gaylord Nelson to the Joint Meeting of the Senate and Assembly Conservation Committees on the Proposed Conservation Budget" (Executive office news release), June 24, 1959.

[191]Charles F. Smith, "The Big Cut," Wisconsin Conservation Bulletin, May 1960, p. 3.

[192]Ibid, p. 4.

[193]Wisconsin Conservation Commission minutes, June 10, 1960, pp. 3-6.

[194]Wisconsin Conservation Commission minutes, May 17, 1960, pp. 4-6.

[195]Ibid.

[196]"The Commission Decides," Wisconsin Conservation Bulletin, August 1960, p. 61.

The Wisconsin Conservation Commission continued to favor a general park sticker admission fee rather than continued reliance on fish and game funds. Given the earlier lack of legislative support, Nelson was now less enthusiastic, feeling that a non-resident sticker might have a better chance of passing.[197] It was agreed that the practice of funding parks from fish and game licenses would probably weather public opinion for another year.[198]

During August, Nelson toured the state parks and indicated that he favored the park program, was cognizant of the need for additional revenue and was satisfied that the program was moving ahead. Commissioner Smith, who had accompanied the governor, noted that the visit had been on a Monday, a low-use day, although there had been evidence of heavy use from Sunday. The need for a financing bill was becoming imperative.[199]

In September, because revenues were down, the legislature adopted a significantly reduced department budget for 1961-63; it cut $1,400,000 from the previous biennium.[200] Under the circumstances, it was clear that any attempt to improve budgets for parks would need to be postponed once again. As the decade ended, it was clear that it had not been kind to park interests.

The Fate of the Forests: 1950-1960

While the 1950s proved unfortunate for Wisconsin's state parks, the state's forests benefitted from a quiet but significant expansion in budgets. The 1931 Forest Mill Tax

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[197]Wisconsin Conservation Commission minutes, May 17, 1960.

[198]Wisconsin Conservation Commission minutes, June 10, 1960.

[199]Wisconsin Conservation Commission minutes, September 27, 1960, p. 46.

[200]Wisconsin Conservation Bulletin, November-December, 1960, p. 57.

guaranteed that forestry would not suffer the financial woes of the parks program. A strong lobby on the part of forest product users, along with the commission's use of the industry-oriented Forestry Advisory Committee, helped ensure that forestry programs remained at the forefront of conservation department activities.[201]

Two significant forestry initiatives were begun during the 1950s, initiatives which would draw heavily on available funds. In 1949, the Forest Advisory Committee recommended that the department undertake an inventory of forest resources in the state. This inventory was to include an aerial survey, which would ensure accuracy in pinpointing the amount of harvestable timber available as well as the need for replanting. The inventory was expected to take three years and cost between $20,000 and $25,000 per year.[202] The commission approved the recommendation in 1951.

The inventory turned out to be more of an undertaking than originally planned. Initially, thirty-two counties in northern and central Wisconsin were to be inventoried. These were completed in 1956, two years later than anticipated, and they covered 18,000,000 acres. It was an expensive but comprehensive undertaking.[203] The inventory was then extended to the entire state.[204] The results were enlightening.

The completed inventory, published in 1961, revealed that forty-five percent of the state remained forested. Of this, approximately 15.4 million acres were productive

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[201]Wisconsin Conservation Commission, Biennial Report 1952-1954, pp. 9-10.

[202]Wisconsin Conservation Department, Activities Progress Report, August 31, 1949, p. 4.

[203]Wisconsin Conservation Commission, Biennial Report 1954-1956, pp. 85-9.

[204]"The Commission Decides," Wisconsin Conservation Bulletin, August 1956, p. 39.

commercial forest land, while 200,000 acres were non-commercial forests (such as parks or reserves). Almost a million acres of commercial forest had been lost since the 1930s, mostly to other uses such as farming. Public forests now totaled more than four million acres. The remainder were owned by wood-using industries or in single ownerships.[205]

Wisconsin's remaining forest resources were extensive and therefore well worth managing. Protection from forest fires had been undertaken as early as the 1920s. By 1951, almost a million dollars was being spent annually on fire prevention and suppression.[206] A decade later, more than 17,800,000 acres were under organized protection in twelve forest protection districts.[207]

The forests faced threats other than fire. In 1954 the conservation commission estimated that more forest was being lost to tree-damaging insects than to fires. Two entomologists were employed to survey the situation.[208] To deal with the issue, the legislature in 1956 passed the Forest Pest Control Act. The act established the Forest Pest Control Steering Committee as an advisory board to the conservation commission. In addition, the state was divided into five management areas, each with its own entomologist.

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[205]Robert C. Nesbitt, "The Cutover Today," in Wisconsin Since 1940 -- A Selection of Sources (Madison: University of Wisconsin-Extension, 1966), pp. 140-51.

[206]Wisconsin Conservation Bulletin, December 1951, p. 27.

[207]Nesbitt, p. 147.

[208]Wisconsin Blue Book, Wisconsin Department of Administration, Madison, 1954, p. 302.

Broad-scale DDT pesticide-spraying operations were begun in an effort to control seven tree-destroying insects.[209]

Aerial spraying absorbed an increasing portion of the Forest and Parks Division's budget. In 1957, an emergency request was made to the legislature for $414,000 to spray budworm in the north.[210] In 1959, a single, limited spraying on 1,500 acres cost $3,835. Insect control was an expensive undertaking.[211]

In spite of a budget crunch in 1960, the commission maintained the protective activities of pesticide spraying and fire prevention and suppression. In contrast, the parks system lost almost a third of its tiny budget during the same period.[212] While the commission was contemplating shutting down some parks for lack of maintenance funds, it also added approximately 12,000 acres to the state's forest reserves.[213] It was a telling comment on the relative worth of forests and parks in the state of Wisconsin.

Another year would elapse before parks were funded, and then the funding was generous. In 1961, Nelson had persuaded the legislature to pass the park sticker bill and to enact his dramatic Outdoor Recreation Act Program, which was funded by a one-cent tax on each package of cigarettes and provided $33 million for park programs.[214] By then,

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[209]Ibid.

[210]Wisconsin Conservation Commission minutes, March 15, 1957, p. 4.

[211]Wisconsin Conservation Commission minutes, July 10, 1959, p. 7.

[212]Smith, "The Big Cut," pp. 4-5.

[213]Wisconsin Conservation Commission, Biennial Report 1959-1960, p. 34.

[214]Huffman, Protectors of the Land, pp. 276, 299.

however, Nelson had called for direct National Park Service involvement in the Apostle Islands.

How to Classify State-Owned Land

The debate over the Apostle Islands that was yet to come was far more significant than a matter of choosing names. While in Wisconsin (as in many states) parks and forests were administered by the same bureau, there were substantial differences between a park, a forest, and a forest which was designated "wilderness." They were essentially distinct if related and complementary management units, and each had different goals and uses implicit and explicit in its definition.

State forests were (and are) primarily natural resource reserves; their present and future lay in use through timber harvests. Gifford Pinchot, who argued this before the Wisconsin legislature, said "that the planned and orderly development of the natural resources for the general welfare is the very essence of national common sense" (emphasis added).[215] This assessment was affirmed in the initial report of Wisconsin's first Forestry Commission, which stated that forestry was a form of agriculture and, as one writer described it:

> that good forestry sought principally to find means of using forests effectively so as to obtain the best possible yield.... [The commissioners] firmly disassociated themselves from "the plans advocated in the past ... by well-meaning people of reserving certain portions of natural forest as so-called 'parks' and allowed them to remain unutilized wilderness."

[215]Gifford Pinchot, "Address Delivered Before Joint Session of Wisconsin Legislature," March 24, 1927, p. 1.

Such actions, the commissioners said, were sentimental.[216] By 1954, Wisconsin had officially modified this definition to meet changing public demands:

> State forests are areas set aside primarily for timber production but managed under the principle of 'multiple use....' Although the primary use of state forests is the growing of recurring forest crops, scenic values, scientific and educational values, outdoor recreation, public hunting and fishing and stabilization of stream flow are important extra benefits. Under the principle of multiple use, forests contain special use areas such as recreation sites, wilderness areas, scientific areas, game refuges and canoe-ways within which specific uses take precedence over timber production.[217]

Multiple use had been endorsed by the State Planning Board as early as 1939 in recognition of changing public values.[218] In fact, the state's chief forester, E. M. Griffith, recognized the scenic and recreational values of the Brule River State Forest shortly after the turn of the century. By the time of the publication of the state's 1939 plan on recreation,[219] certain forests such as the Flambeau were officially recognized as having high recreational and scenic values. Yet the term "multiple use" was confusing. While by consensus certain forests, or areas in forests, might have scenic or other values worth consideration, by legal definition a state forest's primary purpose was to produce trees for harvest. Other values, while important, were distinctly secondary. Thus, while a certain level of protection might be afforded an area such as the Apostle Islands when it was designated as state forest, that

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[216]Carstenson, Farms or Forests, p. 24.

[217]"State Forests," Wisconsin Blue Book, 1954, p. 306.

[218]Wisconsin State Planning Board and Wisconsin Conservation Commission, A Park, Parkway and Recreation Area Plan, Bulletin Number 8, January 1939.

[219]Ibid.

protection was only as strong and long lasting as public pressure and support and agency compliance. Nothing in the statutes precluded logging of even scenic areas in state forests.

State parks, on the other hand, were intended first and foremost to be protected and preserved. The 1947 State Parks Act defined them as areas with unique cultural, historical, biological, or geological features, or areas of great scenic beauty. Their intended use was principally recreational: hiking, camping, and nature watching. The intent was to protect rather than to use in an exploitative sense. In 1954 the conservation department defined parks:

> The main purpose of state parks is to preserve the unusual or unique scenic or historic places of the state for all time, in a manner consistent with the legitimate use of such areas by the public. It is, therefore, necessary that the use of these parks be regulated in such a manner so as to preserve the qualities that justified the selection of the area for state park purposes.[220]

Although public use could be regulated, recreational development was necessary, so parks contained picnic shelters, flush toilets, parking lots, concession and souvenir stands, extensive road systems and graded trails and other human-made features that aided in the "legitimate use of such areas by the public."[221] Thus a park designation aided in the protection and preservation of some natural values in some ways but not in others.

The designation of wilderness areas was generally limited to state forests, since most of the parks had been too changed by human activity to merit such a title. What it meant to designate an area such as the Apostle Islands as "wilderness," however, was open to question, a problem frequently noted by Apostle Island advocates. Wildernesses clearly

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[220]"State Parks," Wisconsin Blue Book, 1954, p. 293.

[221]Ibid.

contrasted with well-developed parks, which had extensive facilities such as toilets and picnic shelters. Whether the idea of wilderness meant "untouched" or "unmanaged" was unclear.

Between 1949 and 1955 the commission and department debated the issue of designating state forests, or portions of state forests, as wilderness. The department generally interpreted wilderness in two related but distinct ways. First, wilderness was not to be managed. In the Flambeau River State Forest, for example, in designated areas, this meant that downed trees and dead timber were left to rot rather than to be hauled out. "Cleaning it up" was seen as tantamount to turning it into a park.[222] The second interpretation was essentially the restoration of wilderness in areas which had been developed and used. Again in the Flambeau, this meant relocating and obliterating forest roads and locating new roads away from river banks.[223] Thus the department saw no problem in designating an area as wilderness, in spite of earlier logging activity, if the area could be returned to "natural" conditions (although the definition of "natural" opened an entirely different sort of debate). Within this definition, the logged-over Apostle Islands qualified as wilderness, but purists could argue against such a designation. Within the context of the Apostle Islands debate, however, the distinction rested between a "developed" park and an "unmanaged" wilderness.

There were other vital differences between parks and forests in Wisconsin. For one, their funding came from different sources, and the forestry budget was greater and more

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[222]Wisconsin Legislative Council Conservation Committee minutes, September 26, 1955, pp. 2-3.

[223]Wisconsin Conservation Department, Activities Progress Report, August 31, 1949, p. 3.

stable than that of parks. And while parks often involved a great deal of financial outlay, not only for the original purchase but also for facility development and maintenance, forests, particularly wilderness areas within forests, required very little capital investment other than the cost of the original purchase. Thus, for many reasons, the decision on how the Apostle Islands would be classified was important.

Ten Years of Debate Over the Apostle Islands

In March 1950 the Milwaukee County Conservation Alliance called for a study of the feasibility of acquiring the twenty-two-island archipelago. Ten years later Stockton Island had become the first in the Apostle Islands State Forest. Over the course of that decade, a number of significant issues were raised, discussed and, if not settled, temporarily put to rest. Among them were the appropriate designation for the unit (park, forest, wilderness, or hunting and fishing grounds); which islands should be purchased; how the purchase could be financed; the attitude of local citizens and governments toward state acquisition in the Apostles; and the respective attitudes of the Wisconsin Legislative Council Conservation Committee, the Wisconsin Conservation Commission, and the conservation department toward this undeniably expensive and complicated proposal.

The Beginnings: 1950-1954

In the 1920s, initiatives on behalf of the Apostle Islands had come from local residents. This time the interest originated in southern Wisconsin. The Wisconsin Duck Hunters Association had raised the issue and was most likely interested in the hunting and fishing opportunities the islands presented, although the proposal called for a park. The proposal passed unanimously and the Milwaukee County Conservation Alliance sent it to

the conservation commission with the resolution.[224] The alliance proved to be the only organization ambitious enough during the decade to suggest that all the islands be acquired. No one else ever took seriously the possibility of securing all twenty-two islands, given the potentially staggering cost, especially when Madeline Island was included. The idea would not surface again until the 1960s, when Governor Gaylord Nelson proposed an Apostle Islands National Lakeshore, which included all the islands except Madeline.

Department director Ernie Swift presented the alliance proposal to the commission, which in turn approved the suggestion that the islands' ownership be investigated. The legislative council was advised of this action.[225] Six months later, Swift presented to the commission the results of the investigation into the islands' ownership; it was a mix of public (state, federal and county government) and private. The commission's early response to the alliance proposal was decidedly unenthusiastic. Swift was concerned that unless some definite plan were formulated, little would be gained by spending any more time or money. Forests and parks superintendent Harrington, however, questioned whether the islands could be used for a park; past explorations had concluded that "for general public use ... these islands were impractical for such purposes." The commission's conclusion in 1950 indicated its low level of enthusiasm for any further action: If some forestry employee happened to be near the Ashland County Courthouse, he or she could do a quick check on general land values.[226]

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[224]Wisconsin Conservation Department, Activities Progress Report, May 31, 1950, p. 17.

[225]Wisconsin Conservation Commission minutes, May 12, 1950.

[226]Wisconsin Conservation Commission minutes, November 10, 1950, pp. 25-6.

Although the commission took no action, a year later the department wrote to Ashland County regarding the possible purchase of Oak Island for a state forest. The chairman of the town of LaPointe estimated the value at two dollars per acre.[227] At a subsequent meeting of the Ashland County Board of Supervisors, one supervisor argued against selling Oak Island, and the matter was tabled.[228]

One year later, the Milwaukee County Conservation Alliance again recommended that the Apostle Islands be publicly acquired, this time in much stronger language. Earl May appeared before the commission to emphasize the alliance's interest and support. He specifically called for the establishment of public hunting and fishing grounds and proposed the use of public hunting and fishing budgets for the purchase.[229] The Green Bay Press-Gazette ran a story on the proposal, but cautioned that the acquisition would likely cost "millions." The newspaper instead suggested a more limited purchase of Oak and Stockton islands.[230]

When the Wisconsin Legislative Council Conservation Committee reported on its inquiries into the Apostle Islands a few months later, it reported widespread grassroots interest in the islands as public hunting grounds and recommended the adoption of the

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[227]Ashland County Board of Supervisors, Proceedings 1951-52, p. 26.

[228]Ibid., pp. 26-7.

[229]Wisconsin Conservation Commission minutes, February 20, 1952, p. 1.

[230]"Apostle Chain is Being Eyed for Recreation," Green Bay Press-Gazette, March 18, 1952.

alliance proposal.[231] The value of the Apostles as prime hunting grounds had been emphasized in the press early in the decade,[232] and island purchases might have been funded from hunting and fishing license fees and from federal Pittman-Robertson and Dingell-Johnson monies. Deer were abundant; new woody plant growth on the cutover islands provided ideal habitat. Bear hunting was also good. The islands had no inland lakes or streams; however, fishing was excellent on Lake Superior.

Still, the commission's interest in the Apostle Islands continued to be modest. It took up the question of the alliance proposal in July 1952 at a meeting in Ashland heavily attended by department personnel, conservation organization representatives, and local business people. The commissioners, department personnel Swift and Harrington, the alliance's Larry Shiffen, and Ashland County Board Chair Frank Shefchik toured the islands by boat. During lunch on Stockton Island, the possibility of using the Apostles for recreation was discussed; however, the department was most interested in Oak and Stockton, both fairly large islands, as potential additions to the state forest system.[233] Oak was largely owned by Ashland County, which simplified its purchase. And Stockton was the subject of a growing interest by the University of Wisconsin, which anticipated a donation

[231]Wisconsin Legislative Council Conservation Committee, Progress Report, July 28, 1952, p. 8.

[232]See, for example, Mel Ellis, "Apostle Islands Offer Taste of the Primeval," Milwaukee Journal, November 21, 1950; and "Apostle Chain is Being Eyed for Recreation," Green Bay Press-Gazette, March 18, 1952.

[233]"Apostle Chain is Being Eyed for Recreation," Green Bay Press-Gazette, March 18, 1952.

of the land.[234] The large amount of tax delinquent land Ashland County had acquired on other islands was also discussed, as was the need for close cooperation between the department and local officials on any development effort.[235] After the meeting, the conservation commission presented a progress report to the legislative council noting the public interest in seeing the Apostles turned into hunting lands, but no action was taken.[236]

Given the caliber of those supporting some sort of state acquisition of the Apostle Islands, it was surprising that commission members and department employees failed to express much more enthusiasm for the idea at this meeting than they had in 1950. Instead, during discussion over lunch, "Frosty" Smith, the commission chair, stated that any proposal for acquisition should go straight to the legislature for approval. Swift quickly agreed. No clear plans or time lines for acquisition were discussed. Essentially, the commission and the department were saying they wanted no part of the scheme unless specifically ordered to do so by the legislature.

At the time, both the commission and the department had good cause for referring the question to the legislature. In 1952, the financial situation of the state park system was deplorable, and short of an outright donation of the islands, funding for a proposed park would have to come through a special appropriation from the state's general fund, a move only the legislature could authorize. Some funding could have come from the state forestry

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[234]Wisconsin Conservation Commission minutes, July 12, 1952, pp. 2-4.

[235]Ibid.

[236]Wisconsin Legislative Council Conservation Committee, Progress Report, p. 8.

budget, but the conservation department had other uses for these funds.[237] The commission's and department's positions were understandable, given their deeply ingrained attitudes concerning the importance of resource "utility" and economic values.

In the meantime, the University of Wisconsin was attempting to pursue its interest in acquiring Stockton Island. In 1953, the agricultural agent for Ashland County, Dave Holt, presented to the Ashland County Board a university proposal for the purchase of Stockton. The chair of the town of LaPointe opposed the purchase, arguing that it would remove lands from the tax roles. He preferred that the island remain in private ownership. The board unanimously passed a resolution objecting to the university's effort to purchase Stockton Island.[238]

In 1954, the legislative council's conservation committee began to plan a tour of the Apostles to again evaluate requests that the islands be purchased.[239] Chief Forester Beale advised the commission that the department was in need of further time to complete a study of the Apostle Islands before a recommendation could be developed.[240] Interestingly, the assistant director of the conservation department, G.E. Sprecher,[241] advised the acting

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[237]Wisconsin Conservation Commission minutes, November 10, 1950, pp. 25-6.

[238]Ashland County Board of Supervisors, Proceedings, 1952-1953, p. 97.

[239]G.E. Sprecher, memorandum to L.P. Voigt, Wisconsin Conservation Department, July 6, 1954.

[240]Wisconsin Conservation Commission minutes, August 13, 1954, p. 16.

[241]George Sprecher was the Wisconsin Conservation Department's liaison with the state legislature and, given his long associations with legislators, was, next to Voigt, the most powerful person in the department.

director that the committee would be making a study of the islands as a potential forest.[242] This assumption was quickly corrected by a memo from Beale which pointed out the committee's task was to study the possibility of using the islands for forestry, park or other conservation purposes.[243]

Other department personnel also discussed the Apostles. At the August joint meeting of the Area I and II department conservation boards, which were made up of field supervisors of the various department divisions, the problem of the rapidly diminishing wilderness on the islands was discussed. Board members agreed that Stockton Island offered the best possibility for preserving wilderness, but decided that any action on the part of the boards should wait until after the upcoming legislative committee meeting.[244]

When the committee finally met on August 23, 1954, it focused on the possibility of a state park in the islands. Beale, however, strongly advised against establishing a park, arguing that a forest was a more financially feasible option. He was also concerned that if the state were to purchase some of the islands, as a park or a forest, public pressure would force the development of extensive recreational facilities, including accessible and inexpensive transportation to the islands (an incredibly expensive undertaking). The department was reluctant to commit to such expenditures using dollars earmarked for forestry purposes. The possibility of using state general funds was dismissed early after a

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[242]G.E. Sprecher, memorandum to L.P. Voigt.

[243]John Beale, memorandum to L.P. Voigt, Wisconsin Conservation Department, August 2, 1954.

[244]Minutes of a joint meeting of the Area I and Area II conservation boards, August 20, 1954, p. 2.

lively discussion. However, one vocal participant in the meeting, Ashland Daily Press editor John Chapple,[245] countered Beale's argument by stating that the Apostle Islands should be turned into either a state or a national park, as their potential was much greater than a forest. Chapple's concern, shared by many local people, was the perceived need to attract tourist dollars, something he felt a state forest was unlikely to do. Frank Dexter,[246] editor of the Bayfield County Press, also emphasized this concern by pointing out that the Bayfield City Council had offered a free block of land adjacent to the village for use as a park. The issue of lost property tax revenue in the event of public ownership was also discussed but not resolved.[247]

During an interview with the press after the meeting, one legislative committee member, Senator Melvin Olson, stated that the committee would recommend the purchase of four or five islands. While considerable debate had focused on the nature of the proposed acquisition -- some spoke in favor of a park, others a forest -- by the time of the press conference these distinctions were lost. Senator Olson was quoted to the effect that the committee would probably be recommending the

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[245]John Chapple, one-time owner of the Ashland Daily Press, was a strong supporter of public acquisition in the Apostle Islands. He had been a key figure in the 1927-1930s promotion of the Apostles as a national park and would continue in his support until the final enactment of the Apostle Islands National Lakeshore in 1970. He wrote numerous favorable stories on the islands for the Daily Press over a period of fifty years.

[246]Frank Dexter, the owner and editor of the Bayfield County Press, was a strong and continuous supporter of a developed park in the Apostle Islands. He wrote numerous stories on the matter during the era.

[247]Wisconsin Legislative Council Interim Committee on Conservation minutes, August 23, 1954.

> purchase of four or five of the Apostle Islands ... as an addition to the state's *park and forest system*.... Olson said plans call for one of the islands to be devoted to park purposes and others to be used as wilderness areas [emphasis added].[248]

Olson made it clear that the committee realized the difficulty of funding such a "mutt," commenting on the committee's discussion on increasing the mill tax (highly unlikely) and taxing soft drinks.

Press reaction to the 1954 meeting was mixed. Some offered cautions regarding costs. However, the Milwaukee Journal noted that the movement to make the islands into a state "preserve" should emphasize their unusual features.[249] Another important source of support came from the Ashland Chamber of Commerce in an endorsement for the establishment of a state park in the Apostles. The chamber also offered its assistance to the conservation commission.[250] However, not surprisingly given the lack of clear goals on everyone's part, nothing was to be done about the Apostle Islands until the following year.

The Turning Point: 1955

The year 1955 would be a key period for the Apostle Islands, as public, legislative, and conservation commission interest in some type of public acquisition mounted. Continued local interest was evident when the Bayfield County Board passed a resolution

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[248]"Ask State Buy Apostle Islands," Capital Times, August 27, 1954.

[249]Arthur Follows, "Scenery, Fish, Climate, History are Apostle Island Attractions," Milwaukee Journal, October 3, 1954.

[250]Merv Clough, Ashland Chamber of Commerce, letter to Victor Wallin, Wisconsin State Assembly, October 13, 1954.

calling for the state to establish either a park or forest reserve in the Apostles.[251] And, early in the year, the legislative council replaced the Interim Committee on Conservation with a permanent body designated as the Conservation Committee. The new committee was given four study topics, including the possible acquisition of the Apostle Islands for game management, park, or forestry purposes.[252]

Although Olson had stated in 1954 that the interim committee was recommending the purchase of four or five of the islands for a park and wilderness, it chose not to send a complementary recommendation to the state legislature regarding an appropriation for the purchase.[253] On reflection, the committee's decision seems to have been politically shrewd. Aware of past and current public support for state acquisition, especially by such influential and powerful groups as the Milwaukee County Conservation Alliance, the committee could not help but acknowledge that support. A decision clearly against acquisition in the islands might well have been viewed as a politically poor position to take. Instead, the committee supported a nicely balanced compromise of acquiring four or five islands to be kept as both park and wilderness. This action seems to have been neatly calculated to insulate committee members from public disappointment. Yet the committee, taking care not to irritate the commission and department, left them an escape route. They waffled. In a

[251]Ludwig Trammel, Bayfield County Clerk, letter to Victor Wallin, Wisconsin State Assembly, January 6, 1955.

[252]Wisconsin State Legislature, Joint Resolution 103A, 1955.

[253]"Ask State Buy Apostle Islands," Milwaukee Journal, August 27, 1954.

formal letter dated February 2, 1955, to Guido Rahr,[254] the chair of the commission, the committee's executive secretary wrote:

> At a recent meeting of the Legislative Council's Conservation Committee, the committee went on record in favor of your purchasing or making preparations to purchase the islands of Hermit, Manitou, Oak and Stockton [Basswood was inadvertently omitted and added later].... The committee's action was taken with the understanding that *if sufficient funds are not available to your commission at the present time, an option should be taken and the purchase consummated as soon as the money is available* [emphasis added].[255]

Notable by its omission was any suggestion that the legislature should consider a general fund appropriation. Thus, for the time being, everyone concerned was neatly off the hook for an expensive acquisition, while the public was left with the impression that action would be forthcoming.

The department response to the committee recommendation was predictable. Beale, at a commission meeting, requested a specific sense of direction. The commission told him to advise the legislative council that the conservation budget lacked sufficient funds for the acquisition of the five islands, and that if any such purchase were to take place in the near future it would have to be financed by the legislature. In his letter to the legislature, Voigt, conservation department director, went on to point out that while the legislative committee had recommended securing purchase options on the county-owned lands on the five islands, such options were normally of a short duration, and so needed to be supported by appropriations.

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[254]Guido Rahr, along with "Frosty" Smith, would dominate the Wisconsin Conservation Commission during the era.

[255]Earl Sachse, executive secretary of the Wisconsin Legislative Council, letter to Guido Rahr, chair of the Wisconsin Conservation Commission, February 2, 1955.

He then added:

> Cursory investigations have been made to determine the cost of purchasing the five islands by the [legislative] committee. To accurately appraise the purchase cost would entail a great deal of detailed work and it is the request of the [conservation] commission that I convey to you their feeling *that our most important project at this time is an all-out effort to control forest tree insects and diseases*. It is our belief that program will use up any funds that are available in the forestry fund. The acquisition of the Apostle Islands is looked on with great favor, but unless a definite method of financing such a purchase is provided, no conservation funds will be available [emphasis added].[256]

The priorities and preferences of the commission and the department were clearly on the table. If the Apostle Islands could be secured through a gift, or if the legislature would support the purchase through an appropriation, they were all for it. Otherwise they had other priorities.

However, other interests in the Apostle Islands were starting to emerge. Beale had reported in February that Ashland County was now interested in selling Oak Island to the state, and that the Vilas Estate (which owned most of Stockton Island) had contacted the department to determine its interest in the island.[257] The trustees for the estate were more interested in receiving a payment than in giving the land to the University of Wisconsin. While finances were a problem, at least one conservation commissioner, A.W. Schorger (a

[256]Minutes of a joint meeting of the Wisconsin Conservation Commission and the Forest Advisory Committee, February 9, 1955, pp. 7-8; L.P. Voigt, acting director of the Wisconsin Conservation Department, letter to Earl Sachse, executive secretary of the Wisconsin Legislative Council, February 24, 1955.

[257]Ibid.

professor of wildlife ecology at the University of Wisconsin-Madison), personally urged the purchase of Stockton.[258]

The Wisconsin Legislative Council Conservation Committee finally responded to the conservation commission's request for funding. The committee's executive secretary informed Voigt that it was very unlikely that any recommendations on acquisitions in the Apostles would be made, and that it was also unlikely that a request for an appropriation from the general fund for such an acquisition would succeed in the current session.[259]

Outside pressure kept the idea of public acquisition alive. One legislator, Republican assemblyman Victor Wallin,[260] personally took up the cause of the Apostles. In an appearance before the commission's Land Committee in April 1955, he urged that it explore alternative financing possibilities, including money from the fish and game fund or from the University of Wisconsin. In particular he noted the university's interest in Stockton Island and suggested that it might be willing to lend financial support for its acquisition.[261]

Voigt was also aware of the university's interest in Stockton. The university had completed a report on Stockton and had concluded that forestry, wildlife, marine and entomological research possibilities existed there; that was encouraging news to the professional resource managers in the department. One comment in the university report

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[258]A.W. Schorger, letter to L.P. Voigt, Wisconsin Conservation Department, March 14, 1955.

[259]Earl Sachse, letter to L.P. Voigt, Wisconsin Conservation Department, March 22, 1955.

[260]Victor Wallin, a moderate Republican, resided in the nearby village of Grandview. He was an ardent conservationist and a respected legislator, and he was held in high regard by his constituents.

[261]Wisconsin Land Committee minutes, April 1, 1955.

is worth noting. It observed that department director Swift had indicated that the commission was interested in the islands and that he had also suggested that the legislature might want to provide the funds for the purchase of all of the islands except Madeline over a period of several years to create a state forest for future logging and recreational use. Oddly, this comment by Swift never was recorded in commission minutes or other records of the department and was never raised in later years. (The university committee also noted that the acquisition of Stockton by the university would not be incompatible with this proposed forest [or park] and that it might put the university in a strategic position to help pull together the plans for the development and preservation of the entire archipelago.)[262] When the lawyers for the Vilas estate indicated their willingness to lease Stockton to the department, the university's interest ended.[263]

One key event coming out of Wallin's April appearance before the commission was his request that the commissioners prepare a summary of their position and the department's position on the acquisition of the Apostles. The commission chair agreed and Voigt began to draft a policy statement.[264] In May the commission adopted a draft resolution which 1) directed the department divisions to examine their roles and participation in acquiring land in the archipelago; 2) directed that land appraisals be initiated; 3) stated that major assistance might be required from the state general fund; and

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[262]Report of the Committee Investigating Stockton Island, Ashland County, Wisconsin, University of Wisconsin, May 1955.

[263]Ray M. Stroud of Stroud, Stebbins, Wingert and Stroud, letter to L.P. Voigt, Wisconsin Conservation Department, May 5, 1955.

[264]Wisconsin Land Committee minutes, April 1, 1955.

4) urged that contributions from local sources be encouraged if they endorsed the program.[265]

At this time, the commission also authorized attempts to seek a lease on Stockton Island. Within a few weeks, Voigt reported that the trustees of the Vilas estate had agreed to a five-year lease on Stockton Island for $1,000 a year, subject to a purchase option. Values were yet to be determined.[266] On June 10 the commission met to discuss the possible purchase of Stockton.[267]

There were, interestingly, internal differences and perceptions in the department regarding the use and values of Stockton. Chief Forester Beale favored designating the island "wilderness" for the time being because an acquisition would require few improvements and therefore little cash outlay. Voigt and Shorger discussed the possibility of logging the island to pay for the purchase. However, department wildlife ecologist Burton Dahlberg[268] supported the wilderness view:

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[265]Wisconsin Conservation Commission minutes, May 6, 1955; Wisconsin Conservation Department, Statement on Apostle Islands Program, adopted May 6, 1955. This proposal caused considerable debate within the department over the participation of individual divisions in Apostle Islands acquisition. Beale submitted a draft recommendation to members of the divisions for review. One recommended revision was the deletion of a controversial sentence: "This situation requires an appraisal of programs and values by other department divisions to determine the possible financial contributions they could make to this acquisition goal within the limits of their budgets and programs." The sentence was duly deleted [Memoranda from John Beale to L.P. Voigt and Edward Schneberger, Wisconsin Conservation Department, June 3 and July 22, 1955].

[266]L.P. Voigt, letter to the Wisconsin Conservation Commission, May 23, 1955.

[267]Stroud, letter to Voigt.

[268]Burton Dahlberg was a brilliant ecologist who was highly regarded within the conservation department and in the region. He was my supervisor at Spooner in the 1951-56 period.

> Blueberries, which grow on the old sand beaches, and cranberries growing in spruce-tamarack bog areas, are harvested by Indians from the Red Cliff and Bad River Reservations and residents of the mainland.... Brownstone outcroppings provide a very picturesque shoreline on the east side of the island. High clay banks, cut through by deep ravines, characterize the north and west shoreline. White sand beaches on the south shore and along the east side of Presque Isle Point are excellent.... The second growth forest cover of today consists of pole size stands of aspen, white birch and northern hardwoods. On Presque Isle a remnant stand of virgin hardwood and hemlock is present. The sand beaches support red and white pine.... Growing in many ravines ... are dense stands of pole size hemlock, cedar and balsam. There are a number of swamps containing spruce, tamarack and cedar.

He concluded:

> The value of an undeveloped area where it is possible to get away from the hustle and bustle of modern living cannot be overestimated. There are very few places left in the Middle West that offer an opportunity to establish a natural area, where future generations may know the value of natural things.... One of Stockton Island's greatest assets is its inaccessibility. The fact that a vacation on the island requires some planning and the possibility that one may be stranded for a few extra days makes it all the more desirable.[269]

In August 1955, the conservation commission met to present and approve its formal Policy on Acquisition of an Apostle Islands Wilderness Area. The meeting was held in Bayfield and, by special invitation, was attended by members of conservation organizations, local organizations, business people, and the press. The commission's policy stated:

> Because of the continuing interest of many citizens and organizations in the desirability of public ownership of some of the Apostle Islands in Lake Superior, and because the Legislative Council's Conservation Committee is on record in favor of purchase by the state of several of these islands, the Conservation Commission deems it advisable to adopt a general policy

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[269]B.L. Dahlberg, memorandum to L.P. Voigt, Wisconsin Conservation Department, May 17, 1955.

regarding an acquisition program of this nature. Therefore it is the policy of the Wisconsin Conservation Commission to:

1. Recognize the importance of the Apostle Islands in lake Superior to the future welfare of the citizens of Wisconsin for preservation of unusual historical, geological, plant and animal resources, for unique research opportunities, and for specialized recreational values, by establishing an acquisition unit to be known as the Apostle Islands Wilderness Area.

2. Encourage all citizens and organizations to work toward the accomplishment of this desirable goal and recommend increased scientific and social studies by departmental divisions and educational institutions of the human, forestry, fish and wildlife resources in this area and their potential aspects for multiple-use and wise management, and especially for their specialized wilderness-type recreational values.

3. Declare that although this acquisition program is most desirable, it is not immediately attainable and may be realized slowly because of already established commitments and priorities in the use of available funds. It also points up to the citizens of the state, their various organizations and their legislators the opportunity here presented for public service by helping to dissolve this financial barrier to a worthy social, educational and recreational project of importance to themselves today, but especially to the citizens of tomorrow who will need this type of recreational opportunity in the presence of greatly increased population pressures.[270]

The policy statement was masterful. It fudged nicely on what, precisely, this area was to be, and not incidently on who was going to pay for it. An interesting mix of key words was used: "preservation of unusual historical, geological, plant and animal resources" and "specialized recreational values" in one paragraph (clearly drawing on the 1947 State Parks Act), and in the next, "multiple-use and wise management," key forestry terms. The final

[270]Wisconsin Conservation Commission minutes, August 11-12, 1955; Wisconsin Conservation Department, Policy on Acquisition of an Apostle Islands Wilderness Area.

paragraph neatly emphasized the enormous financial hurdles the project would have to clear.

Further, the statement conveyed the impression that the commission was supportive of land purchase, but without identifying what islands would be acquired and without committing any division to taking the responsibility of paying for it. Because forestry values were noted, mill taxes could be used to finance the purchase. However, the commission was skirting this possibility and instead was urging several department divisions to support it with their funds.[271] The Game Management Division indicated a willingness to help, but the Fish Management Division was dead set against any involvement and the Forests and Parks Division could not force acquiescence. In the end, the commission left the financial responsibility to Wisconsin citizens, their conservation organizations, and their legislative representatives. On the one hand the policy statement highlighted the values of the Apostles. On the other it was a polite, political, "put-up-or shut-up" challenge which offended no one. Meaningful decisions would have to come later.

Although the policy did not identify the islands to be included in the wilderness area, a consensus existed within the department that Madeline Island was to be excluded. Local people were, however, interested in a park on that island, and a few weeks after the commission action, the Ashland County Board, at the request of LaPointe Town Chair Elmer Nelson, adopted a resolution favoring the establishment of a state park at Big Bay on the island. (A state park would eventually be established there.) At the same time, the

[271]John Beale, chief forester, memoranda to L.P. Voigt and Edward Schneberger, Wisconsin Conservation Department, June 3 and July 22, 1955.

county board expressed considerable frustration with the conservation department's failure to move decisively on the islands and the state's insistence on a forest over a park.[272]

By September, when the legislative committee met to again consider the Apostle Islands, supporters pushed strongly for an Apostle Islands park. Frank Dexter of the Bayfield County Press argued that the Apostle Islands should be designated as a park rather than wilderness because a developed park would attract more visitors. George Sprecher told the committee, in no uncertain terms, that there was no money to be appropriated from the forestry fund for a park (a legally questionable action anyway). The department's financial priorities were clear: defend the state's forests from the threat of insect infestation, a legitimate concern that year. Dexter was not easily put off and suggested an appropriation from the state's general fund, a highly unlikely occurrence. The cost of the five islands was at that point estimated to be around $100,000.[273]

Signs of Progress: 1956-1960

Early in 1956, the Wisconsin Legislative Council Conservation Committee met again to discuss the islands. A committee member noted that not all islands were available for purchase, but stated that Ashland County was willing to sell Oak for $5,000. Funding such a purchase was a matter of great concern, especially the potential for controversy over using the mill tax for wilderness purposes. Public support for an acquisition was again stressed, this time by Les Woerpel of the Wisconsin Federation of Conservation Clubs. Woerpel

[272]Ashland County Board of Supervisors, Proceedings, August 19, 1955, p. 133.

[273]Wisconsin Legislative Council Conservation Committee minutes, September 26, 1955, pp. 3-4.

favored an acquisition that would turn some islands into playgrounds while leaving others as wilderness for a variety of recreational opportunities. Woerpel's federation was largely made up of hunters and fishermen with quite legitimate concerns about retaining the right to hunt and fish in the area, an echo of the early Milwaukee County Conservation Alliance proposal. During the discussion, Sprecher indicated that using one island for park purposes and leaving the rest as wilderness, "in the raw," as he put it, for fish and game purposes had some support in the department. Some participants debated the merits of the islands for game management or for forestry; another argued that recreation was best in a wilderness park. It was clear that after six years of discussion, the legislative committee, the commission, the department, and Wisconsin citizens had yet to reach a consensus on how to acquire and manage the Apostle Islands.[274]

Local residents were, however, quite clear: They wanted a park, and a nicely developed park at that. But the Ashland County Board was making the acquisition of county lands in the islands a serious problem for the department. The board, initially willing to part with Oak Island and the seventy-two acres it owned on Stockton, suddenly turned difficult. At a committee meeting in March, Dexter spoke about his concern that private individuals would acquire the most scenic spots in the islands. He indicated that it was possible that Ashland County had been offered $75,000 from a private party for Oak Island, but that he had been unable to confirm that report.[275]

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[274]Wisconsin Legislative Council Conservation Committee minutes, January 9, 1956, pp. 2-3.

[275]Wisconsin Legislative Council Conservation Committee minutes, March 16, 1956, pp. 1-2.

The Ashland County Board was clearly frustrated with commission footdragging. In April it passed a resolution authorizing the sale of 9,000 acres on Oak and Stockton. The board placed no restrictions on who might purchase the land.[276] Although the county board never carried through on this resolution, it was a source of concern for department staff.

In August 1956, the legislative committee met in Ashland, and local residents again argued that northern Wisconsin already had enough wilderness; what was needed in the Apostles was a well-developed park. When Dexter tried to soften the comment by pointing out that the definition of wilderness was rather vague, Ashland County Board Chair Todd retorted that the people of Ashland wanted a money-maker that would pull in tourists and give the locals something new to look at. Eugene Toepel, a committee staff member, was quick to point out that the state park system, under-funded as ever, was now not even capable of maintaining existing properties. He did not think it likely that funding for new purchases would be available.[277]

Although the funding question had not been resolved, the committee decided to direct the conservation department to acquire purchase options on county-owned lands on Stockton, Hermit, Manitou, Oak, and Basswood islands by December 15, 1956. The options would then provide the stimulus for legislative debates and, hopefully, funding.[278]

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[276]W.E. Scott, memorandum to L.P. Voigt, Wisconsin Conservation Department, April 2, 1956.

[277]Wisconsin Legislative Council Conservation Committee minutes, August 24, 1956, pp. 5-6.

[278]John Beale, memorandum to Edward Erdlitz, Forest Crop Supervisor, Wisconsin Conservation Department, November 24, 1956.

Ashland County continued to maintain a hostile position toward the department and unanimously adopted a resolution to deny the state purchase options on the islands because it would remove land from the county tax roles.[279] In his progress report to the legislative committee, Voigt stated that a purchase price for Stockton had been set at $40,000 but that the purchase of Oak Island was now uncertain. He also reported that the U.S. Department of the Interior's Bureau of Land Management had offered the state its land on Michigan Island.[280]

At a legislative conservation committee meeting a month later, the Milwaukee County Conservation Alliance went on record in favor of the acquisition of as many of the islands as possible under the present circumstances.[281] It was the last action on the Apostles until late the following year, when at the final committee meeting in 1957, the alliance again appeared and strongly urged state purchase of as many of the islands as possible. In its Final Report to the Governor and the 1957 Legislature, however, the committee recommended only that the department purchase Stockton Island. Further acquisitions would depend on the availability of funds.[282]

Yet another year would pass before the Wisconsin Conservation Commission again addressed the Lake Superior region, and this time it was not the Apostles but a proposal

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[279]John Borkenhagen, memorandum to Edward Erdlitz, Wisconsin Conservation Department, November 24, 1956.

[280]Wisconsin Legislative Council Conservation Committee minutes, November 29, 1956.

[281]Wisconsin Legislative Council Conservation Committee minutes, December 21, 1956, pp. 2-3.

[282]Wisconsin Legislative Council Conservation Committee, Final Report to the Governor and the 1957 Legislature, Volume II, 1957, pp. 33-4.

for a new park along the south shore of Lake Superior, stretching some twenty miles from the city of Superior to the mouth of the Brule River. A citizen's group and the Superior Chamber of Commerce were promoting the park. Although the commission requested that the department investigate the proposal in late December 1958, it emphasized its inability to make any additions to the park system because of financial constraints.[283]

At the same time, the department was again considering some action on the Apostle Islands, specifically the purchase of Stockton Island (with $40,000 taken from the reforestation fund) and its establishment as a state forest.[284] A state forest was the most logical designation: Stockton had not been logged since 1918 and the island's principal value was in its $170,000 worth of timber. Wildlife research, hunting, fishing, boating, and camping would be secondary values.[285] At its first meeting of 1959, the conservation commission supported this action. It approved the purchase of Stockton Island and the Apostle Islands State Forest and directed that public hearings be held on the Stockton Island forest boundary.[286] Press coverage was favorable.[287]

During the public hearings on the proposed forest boundary, held in both Madison and Ashland, the public not only supported the Stockton Island purchase but specifically

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[283]"The Commission Decides," Wisconsin Conservation Bulletin, December 1958, p. 40.

[284]Wisconsin Conservation Commission minutes, January 9, 1959, pp. 8-10.

[285]John Beale, memorandum to L.P. Voigt, Wisconsin Conservation Department, December 24, 1958.

[286]Wisconsin Conservation Commission minutes, January 9, 1959, p. 8-10.

[287]"Apostle Isle Sold to State," Milwaukee Journal, January 10, 1959; "State Buys Island in Lake Superior," Green Bay Press-Gazette January 12, 1959; "Dream Coming True With Island Purchase," Milwaukee Sentinel, January 18, 1959.

called for the acquisition of other islands as well.[288] Emboldened by this public support, the department recommended in March that the forest be enlarged to include Oak and Basswood islands. (Basswood at the time was owned by private parties who were willing to sell to the state.) Voigt then drafted a formal order including all three islands in the proposed Apostle Islands State Forest. The order was subsequently approved by the conservation commission.[289]

During this period, the entire area received a great deal of attention. The state senate, following up on the earlier interest in a park along the south shore of Lake Superior, in March passed a joint resolution advocating an investigation of the "desirability of establishing a state park or forest in the area of the south shore of Lake Superior and adjacent to and including the Apostle Islands," with a recommendation that the acquisition not be delayed.[290] The assembly amended the joint resolution to direct the legislative council to study the possibility of acquiring land on the south shore of Lake Superior for a park or forest. The matter was referred to the conservation committee.

The area also received national attention following the publication of the National Park Service's "Fourth Shore Reports" early in 1959. These reports recommended that Wisconsin establish seven areas as state parks or forests on the south shore of Lake Superior. In response to a follow-up inquiry by the Ashland County Board, National Park Service Region 5 director Daniel J. Tobin described the entire Apostle Islands group as an

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[288]John Beale, memorandum to L.P. Voigt, Wisconsin Conservation Department, March 3, 1959.

[289]Ibid.; Wisconsin Conservation Commission minutes, March 12, 1959, p. 25.

[290]Wisconsin State Senate, Joint Resolution 39, March 17, 1959.

"outstanding feature" and recommended that the conservation department purchase Stockton Island.[291] Not everyone shared this view. Former department director Ernest Swift was highly critical of the later diversion of $75,000 from the forestry fund for park purposes, a portion of which was used to buy Stockton.[292]

Unfortunately, by 1960, Stockton was the only island to have been purchased. Negotiations for the purchase of Oak and Basswood had bogged down in the lack of cooperation from the Ashland County Board.[293] In March 1960, still angered by difficulties in dealing with the state, the board adopted a report from its land committee that recommended not selling county lands on Oak or Basswood islands until the department was able to demonstrate a suitable development program for Stockton.[294]

In his summation to the legislative committee in October 1960, Beale reported that the department simply couldn't afford to develop Stockton Island and that the two other islands proposed for the Apostle Islands State Forest were now likely to cost $48,000.[295] In the meantime, and quite oblivious to the fiscal constraints of the department, the

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[291]Ashland County Board of Supervisors, Proceedings 1959-1960, April 21, 1959, p. 59; Wisconsin Conservation Department, Biennial Report 1959-1960, p. 33.

[292]Ernest Swift, "Politics in Conservation," lecture delivered at Stevens Point, Wisconsin, May 14, 1960.

[293]Wisconsin Legislative Council Conservation Committee minutes, October 31, 1960, pp. 8-10.

[294]Ashland County Board of Supervisors, Proceedings, April 19, 1960, pp. 50-1.

[295]Wisconsin Legislative Council Conservation Committee minutes, October 31, 1960, pp. 6-10.

committee was still exploring the idea of another new park in the region along the south shore of Lake Superior.[296] It was not an auspicious beginning for the new decade.

The Apostle Islands and Local Interests

> WHEREAS, the Ashland County Land Committee has been contacted relative to the purchase of Oak Island....
> WHEREAS, the sale of said island by Ashland County if at a substantial price, would be advantageous to said county....
> BE IT RESOLVED, that the Ashland County Board of Supervisors authorizes [the employment of a real estate broker] to assist ... in the sale of Oak Island.... (1956 resolution adopted by the Ashland County Board of Supervisors.)[297]

The 1927 effort to turn some of the Apostles into a national park had been first and foremost a local effort. In contrast, the 1950-60 push for public acquisition of the Apostle Islands was largely the result of statewide impetus, support, and pressure. The idea originated with conservationists based in Milwaukee County, and the Wisconsin Legislative Council Conservation Committee saw enough merit in the idea to keep it on the agenda. Still, local citizens took an interest in the debate, and many supported the idea of public acquisition, although their positions often differed from those of the state. However, local governments which would have been most strongly affected by public acquisition -- Ashland County and the towns -- were often quite hostile toward public acquisition and the state agencies involved.

Many of the differences can be attributed to vastly different perceptions and lifestyles. Part of the problem may have been a failure of outsiders and state employees to understand

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[296]Wisconsin Legislative Council Conservation Committee minutes, October 3-4, 1960, p. 4.

[297]Ashland County Board of Supervisors, Proceedings 1955-1956, p. 39.

the consequences of a long-term economic depression in the region. Hard hit by the Great Depression and later by the loss of tourist dollars during World War II, the Chequamegon Bay region was not prosperous. The closing of the mines in the nearby Gogebic Range during the 1950s and early 1960s put thousands out of work. Logging and some commercial fishing operations were numerous but not highly profitable. Outsiders who saw the region as a natural paradise did not appreciate the fact that, for local residents, paradise had to bring money to the area. When the Wisconsin Conservation Commission and the conservation department focused on the region in the 1950s, local governments, hoping to revive tourism and summer home construction on the islands and the mainland, cannot be blamed for their interest in economic opportunities rather than public parks or forests.

Local citizens were involved in the 1952 commission meeting in Bayfield. State representatives were careful to emphasize their interest in working closely with local officials on any acquisitions.[298] However, there was little sustained effort to work cooperatively with local people except for the occasional request for information on land prices and availability.

Ashland County's primary and quite legitimate concern regarding public acquisition of any of the islands throughout the decade revolved around the potential loss of property tax monies. In particular, almost all of Stockton Island was private property. The prospect of seeing that amount of land in state ownership, and therefore not taxable, was disturbing. This was made clear when, in 1953, the county unanimously voted down a proposal by the University of Wisconsin to obtain Stockton Island, citing a wish to see it remain as private

[298]Wisconsin Conservation Commission minutes, July 12, 1952, pp. 2-4.

property and on county tax roles.[299] It was a concern that was to color the Ashland County Board's dealings with the state over the Apostle Islands well into the 1960s. (The legislature did, eventually, provide "in-lieu-of-tax" payments to local governments.)

While the Ashland County Board opposed public acquisition of the Apostles, some Ashland County residents and representatives of Bayfield County were in favor of state ownership. This became clear during the 1954 meeting of the legislative council's conservation committee in Washburn to discuss possible acquisition. Members of the local press, particularly Chapple and Dexter, were very active during this and subsequent discussions on the Apostles. Chapple pointed out to committee members that the islands held far more potential than a mere state forest. He noted that the popular feeling in Ashland was that the Apostles were a greatly underused asset. As a park, they were far more likely to attract significant numbers of tourists than would a state forest.

Other concerns were raised by Ludwig Trammal, the Bayfield county clerk, who stressed the need for the commission to work cooperatively with local governments. Ashland County already owned significant acreage in the islands and would suffer a significant economic loss if private land was removed from the tax roles. An alternate view was expressed by the chair of the Ashland County Board's finance committee. He shrugged off the possible tax loss, noting that it was likely to be recovered through the benefits a park would bring to the county. Although the finance chair was careful not to commit the county board to a position on the matter, a department staff person indicated that members of the board had told him that they had turned down private offers to purchase Oak Island,

[299]Ashland County Board of Supervisors, Proceedings 1952-1953, August 11, 1953, p. 97.

"thinking that someday the state would want to acquire the land." Finally, Dexter dangled the lure of an offer of a free block of land immediately adjacent to the community of Bayfield on the shore of Lake Superior to be included in a designated park. Docking facilities in Bayfield's excellent harbor were going to be necessary for the large number of park visitors anticipated, he said.[300]

Local residents were clear in their recommendations. In exchange for cooperation, they expected the state to establish a park, which would draw large numbers of tourists into the region. And they expected a high level of development of park facilities on the islands rather than a forest surrounded by Lake Superior. In 1954, private citizens, the local press, and members of the Ashland and Bayfield county boards had seemingly reached a consensus of support for state acquisition. The tentative support of the Ashland County board, however, did not survive long.

But the Ashland Chamber of Commerce and the Bayfield County Board were consistent with their support in 1954 and 1955 for a state park in the Apostles.[301] Such support did not go unnoticed, and in May 1955, the members of the commission commented that "it was not uncommon for localities to assist the Department in the purchase of properties such as the Apostle Islands," and pointed to the examples of Rib Mountain and Governor Dodge state parks. Unable to fund the purchase of the Apostle Islands, the

[300]Wisconsin Legislative Council Interim Committee on Conservation minutes, August 23, 1954.

[301]Merv Clough, Ashland Chamber of Commerce, letter to Victor Wallin, Wisconsin State Assembly, October 13, 1954; Ludwig Trammel, Bayfield County Clerk, letter to Wallin, January 6, 1955.

conservation commission and the department were unrealistically hopeful that the cash-poor region might help to do so in the interest of gaining long-term economic benefits. Where the funds were to come from, they didn't say.[302]

Some Ashland County officials were by now becoming disenchanted with the state. In August 1955, the board suggested that the department had lost repeated opportunities to secure local influence because of its inability to move decisively toward either a lease or a purchase in the island archipelago. The board further criticized the department for a lack of political sensitivity, indicated by the department's push for a state forest while ignoring the board's preference for a park. However, it did vote in favor of a proposal to create a state park on part of Madeline Island.[303]

In September 1955, at a meeting of the legislative committee, local newspaperman Frank Dexter again made the case for a park on the islands rather than a state forest. When asked about funding, he confidently replied that it should come from the state's general fund. There was, quite obviously, a local feeling that the state, not local units of government, should finance the proposal.[304] In March 1956, Dexter again appeared before the committee and pledged local citizen support for the acquisition of the Apostles. He described the new hard-surfaced road leading down to the Bayfield dock, and the new cruise ship that would be operating out of Bayfield.

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[302]Wisconsin Conservation Commission minutes, May 6, 1955, p. 133.

[303]Ashland County Board of Supervisors, Proceedings 1955-1956, August 19, 1955, p. 133.

[304]Wisconsin Legislative Council Conservation Committee minutes, September 26, 1955, pp. 3-4.

Dexter was concerned, however, that private interests would snatch the beauty of the islands away from the public before the state could acquire them. He related, but could not confirm, a report that the Ashland County Board had received a $75,000 purchase offer for Oak Island. However, the board's 1956 Proceedings indicate that it had voted to employ a real estate agent, who would receive a ten-percent commission to assist in the sale of Oak, after receiving an unspecified purchase inquiry.[305] As the resolution stated, "the sale of said island by Ashland County if at a substantial price, would be advantageous to said county..." and the board seemed to be getting little satisfaction from the state. In concluding his presentation to the committee, Dexter stated that he felt the people had supreme confidence in the ability of the commission and John Beale to administer the islands. It was a nicely orchestrated performance, and it wasn't his fault that the commission and the Ashland County Board were at loggerheads.[306]

In March 1956, the board passed another resolution to sell on the open market all 9,000 acres of its holdings on Oak, Stockton, and several other islands. The local rod and gun club promptly informed the department that it feared private individuals might purchase them.[307] The department's response was to support the club's resolution that the lands not go into private ownership. But the department faced formidable problems of finance. Voigt promised to encourage that another legislative committee meeting be held in the area

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[305]Ashland County Board of Supervisors, Proceedings 1955-1956, p. 39.

[306]Wisconsin Legislative Council Conservation Committee minutes March 16, 1956, pp. 1-2.

[307]W.E. Scott, memorandum to L.P. Voigt, Wisconsin Conservation Department, April 2, 1956.

to discuss the Apostles. He also noted the recent action on the part of the department to lease the Vilas estate holdings on Stockton Island.[308]

When the committee took the matter up again in August 1956, neither local officials nor state representatives mentioned the recent Ashland County vote to sell its land. Instead, Ashland County Board Chair Todd stated that the board wanted to know what the state intended to do with the islands if it acquired them. He pointed out that the north had more than enough wilderness and that the region would not benefit from the establishment of more. Todd emphasized that people in Ashland wanted something made of the islands, something that would turn them into an attraction both for tourists and local people. The committee's members failed to respond to the inquiry, asking instead what Ashland County was itself doing to develop the islands. Todd replied that a growing number of summer homes were being built in the area and expressed the local sentiment, first raised back in 1955, that a state park should be created on Madeline Island. Dexter also spoke in support of a park on Madeline, citing its historical significance and scenic beauty. The committee was quick to point out that as the state was not supplying enough money to maintain existing parks, funds for a new park were highly unlikely. Assemblyman Wallin urged the purchase of even a few islands, noting the strong local support the Apostle Island proposal had been given all along. The committee made no response.[309]

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[308]L.P. Voigt, letter to Victor Wallin, Wisconsin State Assembly, April 5, 1956.

[309]Wisconsin Legislative Council Conservation Committee minutes August 24, 1956, pp. 5-6.

In fact, by November the committee seemed to be growing hostile towards local interests. During the November 9 meeting, when it was pointed out that the local residents were strongly in favor of a state park on Madeline, Assemblyman Harvey Abraham retorted sharply that the local ideas were changing year to year and this one seemed to involve "an awful lot of state money." A year ago, he claimed, locals would have been glad to turn over the islands for a nominal sum.[310] The fact that the committee was losing local good will and support seemed to have escaped Abraham; neither did his comments reflect any realization that local ideas had not really changed from year to year; rather, the committee had failed to pay attention in the first place.

The lack of attention was costly. That same month, the conservation commission was directed to obtain purchase options on county lands on the islands of Manitou, Stockton, Oak, Hermit and Basswood. Alerted by the county agent that the Ashland County Board was to vote on this request, a conservation department representative arrived in Ashland in time to hear the board unanimously pass a resolution that the options not be accepted, as they would remove too much land from the tax roles. The former county board chair, who was present and discussed the matter afterwards, explained that a taconite mine proposed for the county was giving the board members a sense of financial security, so they felt free to turn down the offer. It seems possible, however, that they may have been responding to earlier misunderstandings.[311]

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[310]Wisconsin Legislative Council Conservation Committee minutes, November 9, 1956.

[311]John Borkenhagen, memorandum to E.W. Erdlitz, Wisconsin Conservation Department, November 24, 1956.

The 1957 legislative committee's report to the legislature on the acquisition of the Apostles noted, in passing, that committee members believed that the local people were anxious for the state to acquire some of the islands, but not as wilderness.[312] The committee seemed to have confused Bayfield County sentiments with those of Ashland County residents. Bayfield County remained in support throughout the decade, and the county certainly would have benefitted from the acquisition without a loss of tax base, but the report ignored opposition from the Ashland County Board.

The conservation commission had approved the acquisition of Stockton Island early in 1959 and had ordered public hearings on the Apostle Islands State Forest. After the hearings, Beale reported strong support for the purchase of Stockton and for the inclusion of Oak and Basswood islands.[313] The commission subsequently included all three in the forest, but land purchases were limited to Stockton for two reasons. First, Ashland County did not wish to sell, and second, the department did not have funds for land purchases.

Ashland County sought advice elsewhere. In February, the board contacted the National Park Service regarding the Great Lakes shoreline survey. In response to its inquiry, NPS Region 5 Director Tobin replied,

> Our thinking does not envision a National Park Area in the Apostle Islands.
>
> The entire island group is one of Wisconsin's outstanding natural features and the State's proposal on Stockton Island has considerable merit. Your county's concern over tax loss is understandable but our experience in the park and

[312]Wisconsin Legislative Council Conservation Committee, Final Report to the Governor and the 1957 Legislature, Volume II, 1957.

[313]John Beale, memorandum to L.P. Voigt, Wisconsin Conservation Department, March 3, 1959.

> recreation field has shown that such loss is only temporary. The establishing of a public park (especially one of state caliber) invariably meets the recreation needs and lures the spending power of thousands of people. In the case of the Apostle Islands, establishment of a state park would also attract related commercial enterprises to accommodate increased traffic and the general economy of Ashland would benefit. As in other areas throughout the county [he may have meant "country"] a temporary deficit in land taxes would be more than compensated by other taxable revenues.[314]

While sales to private owners would have resulted in taxable land, the county was not swamped with offers to buy. An offer from the state might have been as appealing as the illusory private purchases. The board was also inconsistent. It supported a state park on Madeline Island, which contained taxable lands.

In March 1960, the Ashland County Board's agriculture committee recommended that the board take two steps with regard to the Apostle Islands: 1) grant the agriculture committee discretionary powers to deal with the commission regarding the purchase of the county's 72 acres on Stockton, and 2) withhold the sale of the county's 317 acres on Basswood and all of Oak Island until the commission had demonstrated to the board an acceptable program on Stockton Island. The "use plans" for Oak Island and Basswood Island would be the same as those on Stockton Island or some other acceptable plan.[315]

The board adopted the recommendations. The committee prefaced its recommendations by detailing longstanding grievances between the county and the conservation commission, including the claim that the commission refused to accept county land into the Forest Crop Program, and refused to redesignate commission land from "deer

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[314]Ashland County Board of Supervisors, Proceedings 1959-1960, April 21, 1959, p. 59.

[315]Ibid., pp. 50-1.

yard" to "public hunting grounds," for which an in-lieu payment would be made. In each case, the committee reported, the commission had promised to reconsider its position with the unspoken assumption that this might lead to a favorable decision on the sale of the islands. The assumption appeared to have been incorrect.

While remarkably suggestive of blackmail, the county's actions indicated its poor relations with the state. Each side may very well have been justified in its position, since neither understood the other very well. The county's reluctance to sell any further lands in the islands without proof that the state would appropriately develop the land it already possessed on Stockton was clearly a legacy of the longstanding, unsettled difference of opinion over whether a developed park or a forest wilderness was the best use for the property. Without assurances that it would be giving up potential property taxes in exchange for something equally likely to bring in revenue, such as a park, the board seemed to have no incentive to cooperate with a state agency insensitive to its needs. By October 1960, Beale reported, the county had taken two positions. First, it demanded a land-use plan for the islands prior to state purchase, and second, it softened its position on Oak Island and now demanded payment up front.[316] In 1960 the Department adopted a more conciliatory tone in its dealings with the county government. Voigt had written rather plaintively to the Ashland County Clerk:

> The Conservation Commission is hopeful that they may be afforded the opportunity of acquiring all or part of the Ashland County's holdings [on Oak, Stockton, and Basswood]. Will you please call this matter to the attention of the Land Committee.... Any suggestions which you or the Land Committee

[316]Wisconsin Legislative Council Conservation Committee minutes, October 31, 1960, pp. 8-10.

> may have as to further negotiations leading to the acquisitions of the above lands would be greatly appreciated.[317]

But it appeared to be too late to salvage the relationship. The islands, outside of Stockton, were still out of state reach without a tangible commitment of state interest and resources to assuage local demands for a well-developed tourist attraction in the islands.

The Sellers of Dreams: The Popular Press and the Apostle Islands

> "[T]hey intrigue the minds of people (like us) who pore over maps and dream." Milwaukee Journal, November 15, 1954.[318]

While politicians and conservationists argued over the future of the Apostle Islands, all in the name of the people of Wisconsin, those most responsible for bringing the Apostles to the attention of the average Wisconsin citizen were the newspaper writers. The first time many people in Milwaukee or Madison or elsewhere in the state heard about the islands was through a press that was able to generate popular support for an Apostles program. This the writers did through skillful imagery.

By and large, most newspaper coverage between 1950 and 1960, when the writers chose to take a stand, was sympathetic toward state acquisition. The Milwaukee Journal was especially important not only in affecting public opinion but in influencing political thinking. The newspaper's editorial staff had close relationships with the wealthy, influential conservationists found in organizations such as the Milwaukee County Conservation

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[317]Ashland County Board of Supervisors, Proceedings 1959-1960, February 9, 1960, pp. 33-4.

[318]"State's Apostle Islands Have 300 Years of History," Milwaukee Journal, November 15, 1953.

Alliance. Furthermore, the paper was a significant force in supporting conservation programs. The Journal's position led many smaller Wisconsin papers to follow.

The press carried both feature and news stories on the Apostle Islands throughout the decade. This section does not offer a comprehensive survey of that newspaper coverage; rather, it intends to create a sense of the flavor of that coverage.

One of the most loyal supporters of the Apostles was the Journal's long-time outdoor editor, Gordon MacQuarrie. A native of Superior, Wisconsin, he was familiar with the area and set an early standard for writing about the issue. MacQuarrie was the first to report the alliance's 1950 request that the state consider the acquisition of the Apostles. Even before the conservation commission had formally considered the request, MacQuarrie ran a story strongly in support. After noting approvingly that the alliance had suggested the acquisition of all twenty-two islands before development caused land prices to skyrocket, MacQuarrie astutely commented:

> It would be difficult to argue that state acquisition of the Apostles would not be a good thing, in the long haul, for Wisconsin.... But to argue that because the big lumber is now gone, and therefore the state should not acquire the islands, would be to argue against the established policy of the state in previous land acquisitions, such as the thousands of acres picked up to form Flambeau State Forest....
>
> Any consideration of state acquisition must be on a basis of long range thinking, if timber is the deciding factor, and it was with the national park service people [in the 1930s]. Nevertheless, as they stand today, largely denuded of the big sticks, those islands are still mighty fetching and this reporter has nothing but sympathy for the Alliance proposal to study the idea. Furthermore, there are men on the state [conservation] commission who are thinking not particularly of today, but of forty or fifty years from now, and that's the only kind of thinking that could justify purchase of the Apostles.

While supportive, MacQuarrie was keenly aware of potential difficulties, including the largest stumbling block:

> The problem will be to determine where the money is to come from.... One of them, Madeline, is so developed by private owners that it seems unlikely the state will ever find enough money to buy it for the public.[319]

MacQuarrie's early observations proved to be correct: Finances remained a long-term problem, and Madeline Island was never acquired by either the Wisconsin Conservation Department or the National Park Service (although the state did establish a Big Bay State Park on part of the island).

While MacQuarrie argued the Apostles' aesthetic appeal, another Journal writer saw other potential. In 1950, Mel Ellis chose to describe the Apostle Islands as a hunter's paradise, teeming with birds, bear, and deer but very few hunters. Winningly, Ellis concluded,

> [A trip to the Apostles] could be something like a trip to Africa or Alaska at a small percentage of the cost. There's an idea for a 1951 hunting trip.[320]

After the 1954 decision to attempt to acquire four or five of the islands, Ellis again described the Apostles as a deer hunters' paradise, well worth preserving.[321]

The out-state press also took note of the state's interest in purchasing the islands. The Green Bay Press-Gazette was quick to report on the 1952 meeting of the Wisconsin

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[319]Gordon MacQuarrie,"Purchase of Apostle Islands Gets Backing," Milwaukee Journal, April 9, 1950.

[320]Mel Ellis, "Apostle Islands Offer Taste of the Primeval," Milwaukee Journal, November 21, 1950.

[321]Mel Ellis, "Apostle Islands Offer Excellent Deer Hunting," Milwaukee Journal, December 12, 1954.

Conservation Commission when the Apostles were discussed, and described the islands as "among the leading scenic attractions of northern Wisconsin." Aware of its audience's interests, the article also described the islands as a deer hunter's dream, with success rates of eighty or ninety percent.[322]

As discussions on the Apostles went on, newspaper descriptions of the islands became more romantically inclined. A 1953 "On Wisconsin" column in the Milwaukee Journal described them as a place to attract dreamers.[323] Journal writer Arthur Follows devoted three columns to the wonders of the Apostles in 1954, observing that with the growing movement to turn some of the islands into a state preserve, the area's unique features deserved to be recognized:

> Here the inexorable glaciers planed off the red-brown sandstone usually found at depths of 3,500 feet. Through centuries, the battering wave cut out great caves -- some big enough to hold a sixteen-foot speedboat easily. The most impressive are on Devils Island, the northernmost land in Wisconsin.
>
> Jumbled rocks give the impression that giant hands have smashed a jigsaw puzzle of stone into even more complications. Huge blocks lean at all angles, thin layers are stacked like lumber, great peaks suggest no modern architecture but that of Karnak and Ur, or its feathered serpent stairways of Mayan temples.
>
> The rocks are probably much older. Rock colors range from deep cream through blue-green, to somber red. Tints come in stripes, patches, swirls, stipples -- every way. Above the rock spreads a green mantle of pines with birch for lace. Trees cling where it seems even a fern could find no foothold.

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[322]"Apostle Chain is Being Eyed for Recreation," Green Bay Press-Gazette, March 18, 1952.

[323]"State's Apostle Islands Have 300 Years of History," Milwaukee Journal, November 15, 1953.

> Towering above all, is the lighthouse whose red and white flashes can be seen from Castle Danger on the north shore. Below, the singularly clear, cold water of Lake Superior permits a peek at depths that range down to some 1,200 feet.[324]

What romantic heart wouldn't be stirred?

But it was MacQuarrie who returned again and again, figuratively at least, to these northern islands. In August 1955, while the commission was at last giving serious thought to the possibility of acquiring some of the islands, MacQuarrie wrote two columns unabashedly in favor of acquisition. The first began by poking fun at the undeniably cool nature of the northern climate through the reminiscences of famed football coach Knute Rockne, who visited Superior one August. Climbing off the train from Chicago, dressed for the ninety-degree Illinois heat, Rockne reported,

> I was in a temperature near the low forties. I walked down the platform looking for a cab. I had a tennis racket strapped to my bag and as I passed the locomotive I saw the engineer point to my tennis racket and remark to his fireman, "Look at that man, coming up to Superior in August with only one snowshoe."

MacQuarrie concluded his column on a more thoughtful note:

> The value of the Apostles may not be immediately apparent to this generation, but as more and more of Wisconsin changes from rural to urban living, and as people with more leisure seek additional places of recreation, the Apostles most certainly will have to be considered.[325]

MacQuarrie's second piece played up the support for acquisition of the Apostles among the state's own employees:

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[324]Arthur Follows, "Scenery, Fish, Climate, History as Apostle Islands Attractions," Milwaukee Journal, October 3, 1954.

[325]Gordon MacQuarrie, "Haven From Heat -- State Studying Idea of Buying Apostle Chain," Milwaukee Journal, August 7, 1955.

> If you chat long enough with the state's game managers about the 22 Apostle islands in Lake Superior, they finally get down to hardpan and confess what they want to see done for this fetching archipelago in the world's biggest lake.
>
> They want Wisconsin to buy the islands, or all of them they can get, and as soon as possible.
>
> [District Game Manager George A.] Curran has studied the islands as a man reads a newspaper. He has fallen in love with them. That is why he is willing to go beyond a mere presentation of a deer report and declare:
>
> "We shouldn't let a thing stand in the way of getting these islands."[326]

MacQuarrie died late in 1956, but he lived long enough to see Wisconsin take the first steps towards acquiring a part of the Apostles when the department signed a five-year lease for Stockton Island in March 1956. He applauded the decision in an article that went on to warn of the chance of losing the rest of the archipelago through government inaction. He wrote:

> The Apostles are of Wisconsin, yet they are not. These islands ... have crept into the news occasionally in this century, hardly at all before that. They are, rather than subjects of news, relics of history....
>
> Everybody seems to be in favor of somebody doing something about buying the Apostle islands, or a part of them, but the commission's action [leasing Stockton Island] was the first state move in a direction which might lead to eventual acquisition.[327]

It was clear that MacQuarrie despaired of the state ever taking action on the Apostles (his article was entitled "The Islands Wisconsin Forgot"), and if he had known how long it would take for the Apostle Islands to finally find the protection he thought they

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[326]Gordon MacQuarrie, "Game Men Cast Covetous Eyes on Apostle Island Group for State," Milwaukee Journal, August 20, 1955.

[327]Gordon MacQuarrie, "The Islands Wisconsin Forgot," Milwaukee Journal, March 25, 1956.

deserved, his critique might have been harsh indeed. MacQuarrie would have approved, however, of the Milwaukee Sentinel article that trumpeted the actual purchase of Stockton Island by the state in 1959:

> Purchase of Stockton Island ... as the nucleus of an Apostle Islands state wilderness area is the beginning of the realization of a long-cherished dream in the Chequamegon Bay area.[328]

It was a dream that would not be fully realized for another ten years.

[328]"Dream Coming True With Island Purchase," Milwaukee Sentinel, January 18, 1959.

CHAPTER FIVE

THE EVOLUTION OF A NATIONAL PARK SYSTEM:

A CONTEXT FOR THE APOSTLE ISLANDS NATIONAL LAKESHORE

A Brief History

A proposed Apostle Islands National Lakeshore was timely in the 1960s; it fit nicely into policies that had been evolving for decades for a national system of parks, monuments, seashores, lakeshores, trails, and wild, scenic and recreational rivers to be primarily administered by the National Park Service.

The first national park was Yellowstone, established in 1872. Yosemite, Sequoia and General Grant national parks followed in 1890. By 1916, when Congress established the National Park Service, an odd assortment of lands were considered to be "national parks" or special preserves, a collection that according to historian Ronald Foresta had come about as a result of "pork barrel politics,... the need for a catch-all category for miscellaneous withdrawals of public lands and ... purely idiosyncratic circumstances."[329] An odd assortment of federal agencies were responsible for the administration of these lands, including the U.S. War Department (which helped manage Yosemite and Yellowstone and was responsible for many national monuments); the Department of Agriculture, which, through the Forest Service, managed the national forests; and the Department of the Interior, which had custodial responsibilities for the public domain through its General Land Office, and trust responsibilities for lands on Indian reservations, which the department

[329]Ronald A. Foresta, America's National Parks and Their Keepers (Washington, D.C.: Resources for the Future, 1984), p. 11.

administered through the Bureau of Indian Affairs. Proposals to consolidate this bureaucratic stew arose as early as 1900, with little incentive to do so, since the system essentially was perceived as functioning. However, in 1910, Chief Forester Gifford Pinchot introduced legislation to consolidate national parks under the authority of the Forest Service. It was a proposal that caused great concern on the part of park advocates.

Pinchot had been appointed to head the Agriculture Department's Division of Forestry in 1898. Pinchot, ever ambitious, had taken enormous strides to consolidate and increase the scope and power of the forest division. Forest reserves had been established in the country by the 1897 Forest Management Act, and their administration was delegated to Interior's General Land Office. Plagued by scandals and inefficient administration, the land office lost the responsibility for forest reserves in 1905 to Pinchot's expanded and renamed Forest Service. While it was not easily accomplished, Pinchot's political manuverings -- supported by President Theodore Roosevelt and his interior secretary -- finally enabled what was, in essence, a bureaucratic coup. With its new responsibilities, the Forest Service took on much of Pinchot's personal philosophy of efficiency and utilitarianism in natural resource management.

He was blunt in his assessment that forests, as well as other natural resources, should be made to serve the greatest public good through efficient and wise use and development:

> The timber, water, pasture, mineral, and other resources of the forest reserves are for the <u>use</u> of the people. They may be obtained under reasonable conditions, without delay. Legitimate improvements and business enterprises will be encouraged....

Forestry is tree farming. To grow trees as a crop is Forestry.[330]

This strict utilitarian attitude was evident in the famous battle for the Hetch Hetchy Valley, in which "preservationist" John Muir was pitted against "conservationist" Pinchot. Situated east of San Francisco, the Tuolumne River was seen as a splendid source of fresh water. A reservoir would meet the fresh water needs of the growing city. The approval by the interior secretary marked the beginning of a long and bitter battle, a battle which Muir and his supporters, who opposed the dam, lost decisively in 1913. Pinchot had been a key witness in numerous hearings, and personally convinced President Roosevelt of the importance of the project.[331]

Pinchot's 1910 proposal to absorb the national parks into the Forest Service therefore raised legitimate concerns over the long-term fate of the parks under such a man. That year, the Sierra Club took up the cause of an independent agency responsible for (and willing to fight for) the national parks. After a series of conferences on national parks, a mixed coalition successfully gained the support of President William Howard Taft for a park agency in 1912. The Forest Service, now bereft of Pinchot (who Taft fired in 1910), was, however, continuing to make a play for park responsibilities. The new chief forester, Henry Graves, was willing to broaden his predecessor's utilitarian emphasis in favor of initiatives, which included "preservation" and the expansion of recreational facilities in national forests. Using arguments of shared goals and the need for efficient public land administration, a

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[330]Cited in Glen O. Robinson, The Forest Service: A Study in Public Land Management (Baltimore: Resources for the Future, 1975), p. 9.

[331]See the discussion in Roderick Nash, Wilderness and the American Mind (New Haven: Yale University Press, 1967, 1973), pp. 161-81.

goal best accomplished by unified responsibilities, Graves spent much time lobbying for the transfer of parks to the Forest Service. However, the taint of utilitarianism was difficult to escape. Moreover, the interior department saw political benefits by adding a park service to its other natural resource responsibilities. In 1916, the National Park Service (NPS) was established within the Department of the Interior, and Stephen T. Mather was appointed its first director.[332]

Unfortunately, while Congress was willing to create the NPS, it did little to ensure agency survival or financial support. The early survival of the service and its ability to acquire lands for parks was due primarily to Mather's willingness to use his own money and his ability to cultivate the support of rich and influential men, who would lend political influence and financial contributions, and on occasion, even donate lands for national parks. The system grew slowly, largely through donations by states and private individuals and withdrawals from the public domain. It would not be until 1961 that Congress authorized funds for land acquisition for a recreational park when it established Cape Cod National Seashore. This was first national/recreational area for which Congress authorized land acquisition appropriations in the initial legislation. However, congress had previously appropriated land acquisition money for several parks.

In the early years of the National Park Service, Mather faced major challenges in ensuring the survival of his new agency, developing a national constituency, fighting for funds for existing parks, and fending off proposals for additions to the system that did not

[332]Ronald F. Lee, Family Tree of the National Park System (Philadelphia: Eastern National Park and Monument Association, 1972), pp. 9-15; Foresta, pp. 16-20.

meet national standards. To deal with the latter, he organized a state parks movement (in 1920, only twenty states had parks) and in 1921 convened a meeting of two hundred delegates in Des Moines, Iowa, to discuss the matter. The meeting resulted in the National Conference on State Parks with which the NPS would actively cooperate in the years ahead.[333] Mather told the delegates, "I believe we should have comfortable camps all over the country, so that the motorists could camp each night in a scenic spot."[334] The important role the conference would play in stimulating state park systems was brought out by the fact that by 1970, state parks served three times as many visitors as national parks on less than one-fourth of the acreage.[335]

Increased planning collaboration with the states by the NPS would be given a substantial impetus when President Franklin D. Roosevelt created the National Planning Board, which was to conduct broad-scale natural resources studies, including studies of state park needs. (The board was reorganized four times during the 1930s and was eventually named the National Resources Planning Board.) The recreational division of the board was set up in the NPS. In addition to planning for parks and recreation, $25 million was appropriated to acquire submarginal agricultural lands and place them in uses appropriate to their physical characteristics. Another $5 million was allocated for purchase of lands having recreational potential; the NPS was responsible for developing this part of the

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[333]Robert Shankland, Steve Mather of the National Parks (New York: Knopf, 1951), pp. 185-6.

[334]Quoted in William C. Everhart, The National Park Service (New York: Praeger Publishers, 1972), p. 138.

[335]Ibid., pp. 138-9.

program. Three types of areas were studied: 1) a few regional areas of 10,000 to 15,000 acres to be used by large numbers of visitors; 2) smaller tracts of 1,500 to 2,000 acres near large industrial centers; and 3) small wayside tracts or picnic areas.[336]

The board's Land Planning Committee also commissioned the NPS to study outdoor recreation, which resulted in a 1935 report, Recreation Uses of Land in the United States. The recommendations with regard to the service's role in planning and coordination were significant. The NPS was to 1) undertake a study of the nation's outdoor recreation resources, 2) assist states and their local governments in outdoor recreation planning, and 3) assist other federal bureaus and departments in protecting and developing recreational resources on lands they controlled. Further recommendations included the purchase of ocean-beach areas for recreational use and further studies on incorporating significant areas on the public domain or within national forests in the national park system.[337]

The careful planning for national parks, along with the strong relationships developed with the states, put Mather's successors in an excellent position to take advantage of President Roosevelt's Emergency Conservation Act (ECA), passed by Congress a few days after his 1933 inauguration. The ECA gave Roosevelt the authority to establish the Civilian Conservation Corps and CCC work camps throughout the nation. During the almost ten

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[336]John Ise, Our National Park Policy: A Critical History (Baltimore: John Hopkins Press, 1961), p. 364.

[337]Edwin M. Fitch and John F. Shanklin, The Bureau of Outdoor Recreation (New York: Praeger Publishers, 1970), pp. 46-9.

years that the CCC camps were in operation, millions of dollars were spent to improve and upgrade the national parks.[338]

The NPS was also responsible for working with the states and directing some five hundred CCC camps on state park lands across the nation.[339] However, Wisconsin's state parks and forests superintendent, Neil Harrington, was suspicious of federal involvement, and he kept CCC camps out of Wisconsin state parks for two years. Finally, Harrington yielded to pressure and camps were located in state parks.[340]

The NPS's involvement with recreation in the 1930s was not limited to the CCC camps. The agency took on major responsibilities for other depression-era programs. "Recreational demonstration projects" were established on the acquired submarginal agricultural lands and transferred to the NPS. The service then developed regional parks for long-term operation by state or local governments. However, four of these areas, Catoctin Mountain Park in Maryland (the site of Camp David), Prince William Forest Park in Virginia (operated as a unit of the National Capital Parks), the Hopewell Village National Historic Site in Pennsylvania, and the Theodore Roosevelt National Memorial Park in North Dakota, were retained as elements in the national system. The Blue Ridge and Natchez Trace parkways also began as public works projects utilizing NPS designers, but these, along with two existing parkways, were added to the system in the 1930s. These new areas in the eastern United States -- along with the earlier Acadia National Park in Maine,

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[338]Ibid., p. 360.

[339]Foresta, p. 44.

[340]Carol Ahlgren, "The Civilian Conservation Corps and Wisconsin State Park Development," Wisconsin Magazine of History 71(3), Spring 1988, pp. 184-204.

the Great Smoky Mountains National Park in North Carolina and Tennessee, Mammoth Cave National Park in Kentucky, and Isle Royale National Park in Michigan -- were slowly establishing the NPS as something substantially more than just an agency with responsibilities for the unspoiled wilderness parks of the western United States. Moreover, the recreational demonstration projects and the parkways had substantially different management criteria than those established for national parks. Mather and Horace Albright (who in 1929 succeeded Mather as director) were indeed broadening their geographical base and at the same time, coincidentally, their political base.[341]

Another major public works project, the construction of the Hoover Dam and the creation of mammoth Lake Mead, eventually resulted in NPS administration of five reservoir-related national recreation areas. During this period the NPS also initiated a new concept, national seashores, which more than three decades later would have significant implications for the Apostle Islands.[342]

It took the NPS time to assimilate the greatly expanded responsibilities the agency acquired in the 1930s. Conservationists and officials alike feared the dilution of national park standards if recreational areas were to become fully recognized units in the system. Further, the NPS lacked primary jurisdiction at federal reservoirs and other recreational areas, which were operated under cooperative agreements with other agencies. It was not until 1953 that Congress redefined the national park system. Under the definition, national

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[341]Foresta, pp. 35-7.

[342]Ise, pp. 367-9; Harlan D. Unrau and G. Frank Willis, Administrative History: Expansion of the NPS in the 1930s (Washington, D.C.: National Park Service, 1983), pp.129ff; Lee, pp. 20, 52-60; and Foresta, pp. 43-7.

recreation areas were not included in the categories comprising the system proper, but were relegated to a separate "miscellaneous areas" category for which the secretary had recreational or other related responsibilities.[343]

Based on the recommendations of the Recreational Division of the National Resources Planning Board, Congress passed the Parks, Parkways and Recreation Act of 1936. The object of the 1936 act was to establish a basis for coordinated planning among agencies responsible for park and recreation developments at all levels of government. It eventually would have an important role in expanding and broadening the national park system. Moreover, the act would establish the NPS as the dominant recreation planning agency at the national level and as a major leader and participant in planning at both the state and local levels. Its recommendations addressed current and future recreational needs and identified areas that should be conserved for their exceptional "scenic, historic, or educational value."[344]

Under the authority of the act, the NPS initiated collaborative planning programs with many of the states, including Wisconsin. The Wisconsin effort resulted in the first truly comprehensive recreation plan for the state. Recommendations were made for a state

[343]Lee, pp. 62-3.

[344]Ise, p. 367; National Park Service, A Study of the Park and Recreation Problem of the United States (Washington, D.C.: U.S. Government Printing Office, 1941), p. v; U.S. Department of the Interior, Memorandum for the Press, February 9, 1938, 601-11; Unrau and Willis, p. 122.

historic site on Madeline Island and the investigation of a state park on one or more of the islands.[345]

The final NPS report for the nation, published in 1941, emphasized the "paramount need" for public recreation facilities within reach of urban populations.[346] It recommended facilities ranging from playgrounds to expansive natural settings for vacation use, as well as highways improved by scenic protection and waysides to connect urban and rural regions. The focus, however, as Director Arno Cammerer had stated at the outset, was to bring recreational opportunities to large populations: "Use of recreational areas is a social activity, and the basis of all social activity is people. Around people -- populations -- all recreational planning should center."[347]

The role of the federal agencies was primarily to provide recreational facilities on federal lands in the eastern portion of the United States. The report envisioned that the NPS would continue to develop recreation demonstration areas to provide vacation areas close to large population centers. The report also recommended that the NPS be involved in planning a national parkway system and the public acquisition of at least ten percent of the nation's shorelines, including the shorelines of the Great Lakes, although the report did not identify the level of government that should accomplish this task.[348]

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[345]Wisconsin Planning Board, A Park, Parkway and Recreation Area Plan, January 1938, pp. 59-62.

[346]National Park Service, A Study of the Park and Recreation Problem, p. 122.

[347]U.S. Department of the Interior memorandum for the press, February 9, 1938.

[348]National Park Service, A Study of the Park and Recreation Problem, pp. 125-6.

Existing and proposed federal, state, and local recreational areas were identified for each state. The only federal proposal involving Wisconsin was a Mississippi River National Parkway. (The 1939 Wisconsin State Planning Board report contained a recommendation for a state parkway along the Mississippi and St. Croix rivers.) Other than Isle Royale National Park, this proposed national parkway would have been the first significant incursion of the NPS into mid-America. The proposed parkway was to run from the headwaters of the Mississippi River in Itasca State Park in Minnesota to the Gulf of Mexico. Nine of the ten states bordering the river sponsored the proposal and each appointed a parkway planning commission. By 1940, six states had enacted legislation enabling them to cooperate with the federal government in parkway planning and development, and bills in Congress authorized a survey to determine a suitable route for the parkway. However, although the NPS favored the bills in principle, it believed that action should await the formulation of a national plan for parkways. World War II intervened in the process as well. The states picked up on the idea after the war and several have designated a "Great River Road" along the Mississippi River.[349]

The report was careful to point out that the federal role should be limited to areas of truly national significance. It recommended the creation of a state monument at Sleeping Bear Dunes in Michigan and reiterated the earlier recommendation for a state park in the Apostle Islands. No recommendations were made for the area that would eventually

[349]Unrau, pp. 126-7.

become Voyageurs National Park in Minnesota, or for the Upper Peninsula of Michigan, where a national lakeshore would eventually be established.[350]

The report took an inconsistent position on the role of the National Park Service in providing recreation and in coordination and planning. On the one hand it declared that the dominant role of the NPS "has been refreshment of mind and spirit; that purpose could be accomplished with the utmost satisfaction only if the inspirational qualities of the areas it administered, whether based on natural scenery, or scientific, historic or pre-historic values, were safeguarded to the utmost; and that the provision of physical recreation was permissible only to the extent that it did not impair those qualities."[351] On the other hand, it also concluded that "if any existing agency is charged with coordination of all Federal activities in this field, the National Park Service is the logical choice for the task".[352]

While the NPS developed its plan and cautiously staked out a claim as the dominant outdoor recreation planning agency, another federal committee addressed the same issue. The Technical Committee on Recreation, consisting of eleven agencies including the NPS, had been created in 1935 as a subcommittee of the Interdepartmental Committee to Coordinate Health and Welfare Activities. Its report, submitted in 1937, was characterized by historians Edwin M. Fitch and John F. Shanklin as "a comprehensive and thoughtful

[350]National Park Service, A Study of the Park and Recreation Problem, pp. 131, 186-92, 266-7.

[351]Fitch and Shanklin, p. 52.

[352]Ibid., p. 53.

report, which deserves a high place in the history of federal efforts at recreation coordination."[353] The ultimate objective was national recreation planning.

Other recommendations included a call for the establishment of a new bureau to coordinate all federal agency recreation programs, assist state and local governments in recreation planning, and administer a grant-in-aid recreation program. Although the committee's sweeping recommendations were not enacted, they planted the seeds for what eventually became a Bureau of Outdoor Recreation in the 1960s.[354]

The final NPS report was released when the U.S. government's resources were dedicated to winning World War II. Interior Secretary Harold Ickes, however, anticipated that the plan might serve a new public works program in a post-war economy. At the very least, it would provide a basis for future development of a park and recreation program for the nation.[355] When President Richard M. Nixon signed the Apostle Islands National Lakeshore bill in 1970, the role of the 1936 act in providing the basis for the recreation area concept as a part of the national park system was acknowledged.[356] Ronald F. Lee, an NPS historian, has highlighted the significance of the 1936 act by noting that it initiated four new types of federal park areas -- national parkways, national recreation areas, national seashores, and recreation demonstration areas. Between 1933 and 1964, four national parkways, two recreation demonstration areas, five reservoir-related recreation areas, and

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[353]Ibid., p. 54.

[354]Ibid., pp. 53-6.

[355]Harold L. Ickes, Supplemental Foreword in A Study of the Park and Recreational Problem of the United States, February 10, 1942.

[356]U.S. Department of the Interior news release, October 25, 1970.

four national seashores were added to the system.[357] Fifteen years later, the NPS would again initiate comprehensive surveys for a new version of a national outdoor recreation plan.

National Seashores and Lakeshores

All of the national recreation areas established in the 1930s were a marriage of conservation, economic, and public recreation interests. In most cases, conservation meant the enhancement of the existing environment for recreational and aesthetic purposes rather than the protection of natural areas in a pristine condition. However, the National Park Service's involvement in national seashores shifted the focus. Although public recreation was the rubric under which shorelines were considered for national designation, the motivating factor in the 1930s was a desire to protect large coastal expanses.

Shoreline property development was big business in Florida and along the Gulf Coast during the 1920s, and although the boom slowed during the Great Depression, the razed dunes along these coasts presaged the eventual loss of most of the nation's pristine shorelines.[358] Secretary Ickes expressed the feeling of urgency behind NPS action:

> When we have reached the point that a nation of 125,000,000 people cannot set foot upon the thousands of miles of beaches that border the Atlantic and Pacific Oceans, except by permission of those who monopolize the ocean front, then I say it is the prerogative and the duty of the Federal and State Governments to step in and acquire, not a swimming beach here and there, but solid blocks of ocean front hundreds of miles in length.[359]

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[357]Lee, pp. 52-3.

[358]Conrad Wirth, Parks, Politics, and the People (Norman: University of Oklahoma Press, 1980), p. 192.

[359]Quoted in Ise, pp. 426-7.

With public works planning and development funds available, the National Park Service initiated surveys of the nation's shorelines to identify both exceptional areas that might be added to the national park system and other outstanding areas that would meet state recreational needs. The Atlantic, Gulf of Mexico, Pacific, and Great Lakes coasts were surveyed between 1934 and 1937. The final report recommended that twelve segments of Atlantic and gulf shorelines, totaling 4,327 miles of beaches, be considered as seashore units of the national park system and that another thirty areas be preserved as state parks. No mention was made of NPS involvement in the Great Lakes region.[360]

The 1937 authorizing legislation for Cape Hatteras, the only seashore authorized in this period, gave the NPS a new type of area, and it had a strong preservation emphasis. Local commercial fishermen retained the right to fish waters within the national seashore, and the act was amended in the 1941 by redesignating the area as a "national seashore recreational area" to permit limited hunting under carefully prescribed limits.[361] These activities, prohibited in national parks, were authorized in all subsequent legislation for national seashores and lakeshores, including the Apostle Islands. In fact, had it not been for the hunting and fishing (both sports and commercial) precedent, the Apostle Islands proposal, in its original form, would not have been politically feasible.[362]

Park service planners had a difficult time delineating boundaries for Cape Hatteras. Seven small communities on the outer banks in Pamlico Sound were eventually excluded to

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[360]Unrau, p. 156.

[361]Ibid., pp. 158-9.

[362]See Chapters Eight and Nine for a discussion of these activities and the debate over whether or not the Apostle Islands National Lakeshore should be a national park.

avoid a political uproar. The area was divided into "seven or eight" sections for planning purposes. The local newspaper printed detailed maps and, with the exception of vociferous opposition from employees of waterfowl hunting clubs, gained community approval.[363]

Other provisions for the use and development of Cape Hatteras were spelled out in a policy statement formulated by the NPS to guide planning for the cape and other shoreline areas. The main provisions were 1) a seashore was primarily a recreation area and should include ample shoreline for all types of beach recreation; 2) boundaries should "reach back into the hinterlands" to include adjacent lands important for scientific, historical, or scenic purposes; 3) lands needed for both administration and protection of the recreational or other primary values of the area should be included in the unit; and 4) seashores should be developed and operated in accord with "normal national park standards with the understanding that recreational pursuits shall be emphasized to provide activities in as broad a field as is consistent with the preservation of the area." Recreational fishing, boating, and aircraft landings would be permitted in designated areas when such activities did not "conflict with other factors of greater importance" and were consistent with "the interests of wildlife or proper development and use of the area."[364]

This policy statement went beyond the more pragmatic philosophy underlying the "emergency conservation" projects. Seashores would preserve scientific and historical values by acquiring adjacent lands with important natural and cultural features; they would even

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[363]Wirth, pp. 192-3.

[364]National Park Service, Prospectus of Cape Hatteras National Seashore, March 1938, pp. 1-2, quoted in Unrau, pp. 157-8.

include "buffer zones" of land or water as necessary to protect wildlife, scenic qualities, or recreational potential. Although seashore development would emphasize recreation and allow some uses prohibited in national parks, these uses had to be compatible with the preservation of the area.

The tensions between preservation and public use implied in the National Park Service's Organic Act (1916) were writ large in the Cape Hatteras Prospectus and would influence in a significant way subsequent policy decisions regarding national recreation areas such as seashores and lakeshores. Although Cape Hatteras was the only seashore authorized by Congress before World War II interrupted the program, the NPS would not lose sight of its goal to place significant portions of shoreline into the public domain.

The Cape Hatteras act did, however, contain an almost fatal flaw. The language stated that the land had to be given at no cost to the NPS before the area could be established. Sixteen years would pass before this occurred, and encroachments within the original boundary necessitated some land deletions. A combination of state and foundation money for land purchases finally allowed establishment on January 12, 1953.[365]

Almost a quarter of a century would pass before Congress again considered national seashores. When it did, it created the Cape Cod National Seashore in 1961 and established significant precedents for future national lakeshores and seashores. NPS Director Conrad Wirth summed it up:

> The legislation proved to be a milestone in the history of the National Park System, because Congress created a precedent by authorizing federal funding to buy the necessary land and all such bills passed by the Congress since then

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[365]Shankland, Steve Mather, pp. 333-4.

> have authorized appropriations for land purchases. Until then legislation ... had required that the lands be either federally owned or given to the government. It was what we often called the beg, borrow, or steal system.[366]

In contrast to Cape Hatteras, where villages were excluded from the boundary, Cape Cod used an innovative new approach. It included the settlements on the cape within seashore boundaries but prevented the interior secretary from acquiring land as long as a local zoning ordinance was in effect that met the secretary's standards. Historian Ronald F. Lee declared, "The provision resolved serious problems of conflict between long-settled private owners, the historic towns and the federal government and helped stabilize the landscape without the forced resettlement of numerous families."[367] Owners of improved property outside of the towns had several options. They could 1) sell their property immediately; 2) sell the property and retain a right of use and occupancy for twenty-five years with a right of assignment; or 3) sell the land but retain the use of the property for life. Cape Cod also created an important precedent for parallel provisions for other seashores and lakeshores.[368] The options provided land owners on Cape Cod were also incorporated in the Apostle Islands act. The zoning provision, known as the "Cape Cod formula," was considered during the debates on the lakeshore, but, for reasons explained in Chapter Ten, was not used.

By the late 1950s, the NPS had turned its energies from expansion to remedying the critical need for facilities and visitor services in existing national parks. Under Conrad

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[366]Wirth, p. 198.

[367]Lee, pp. 58-9; Foresta, pp. 238-9.

[368]Ibid.

Wirth's direction, "Mission 66" was launched with the same vigor that once fueled the CCC program. The NPS's involvement in national recreation planning and state cooperation had already dwindled during the post-war years, when the agency suffered from insufficient appropriations and indecisive leadership.[369] Now those "peripheral" responsibilities were put on a back burner while the NPS undertook major rehabilitation and development projects in the national parks.[370]

Wirth was enormously successful in achieving his "Mission 66" objectives. Appropriations climbed steadily through the years: $49 million for fiscal year 1956, and $68 million, $76 million and $80 million in 1957, 1958, and 1959, respectively. More than 2,000 miles of national park roads were either built or upgraded, and 114 visitor centers were built, along with administrative and maintenance facilities and employee housing.[371]

As a part of the "Mission 66" effort, the NPS resumed its seashore studies. Because many of the areas proposed as national seashores in the 1930s were now lost to private development, comprehensive surveys were undertaken for a second time, initially through private funding and later with "Mission 66" funds.[372]

Four studies were published:

1. Our Vanishing Shoreline (1955);

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[369]A weak Federal Interagency Committee on Recreation had functioned from 1946 to the early 1960s, but it did little to solve the problem of coordination or to deal with burgeoning outdoor recreation needs (Fitch, pp. 57-9).

[370]Foresta, p. 63.

[371]Ibid., pp. 53-4.

[372]Wirth, pp. 196-7.

2. A Report on the Seashore Recreation Survey of the Atlantic and Gulf Coasts (1955);

3. Our Fourth Shore: Great Lakes Shoreline Recreation Area Survey (1959); and

4. Pacific Coast Recreation Area Survey (1959).

Wirth was justly proud:

> Admittedly I take pride in pointing out that the shoreline preservation program sprouted from the NPS-CCC program of the 1930s and came into full bloom in the Mission 66 period in the late fifties and early sixties. Perhaps more importantly is the fact that the shoreline program set the policy for the Park Service to assume its full responsibilities as defined by Congress, which backed the program by providing legislative assurance of proper funding.[373]

He gave great credit to supporters in Congress, especially Wayne N. Aspinall, a Colorado Democrat who chaired the House Interior Committee, and Pennsylvania Republican John P. Saylor. Both of them would subsequently become key decision makers on the Apostle Islands. (The significance of the "Fourth Shore" studies to the lakeshore and a system of "parks" in the northern Great Lakes region is discussed further in Chapter Eight.)

To bring order into an increasingly complex and undifferentiated National Park Service, the new director, George B. Hartzog, Jr., drafted a 1964 memorandum for Secretary Stewart L. Udall's signature, instituting a new organizational framework. It was a major step in the evolution of the system. Hartzog's memorandum stated:

> It is clear that Congress had included within the growing system, three different categories of areas -- natural, historical and recreational.... A single broad management concept encompassing these three categories of areas within the system is inadequate either for their proper preservation or for realization of their full potential for public use as embodied in the expressions of Congressional policy. Each of these categories requires a separate

[373]Ibid, p. 200.

management concept and a separate set of management principles coordinated to form one organic management plan for the entire system.[374]

Lee described this innovation:

> The reorganization of 1964 prepared the way for Congress to replace the 1953 definition of the National Park System [which had related recreation areas to a category called "miscellaneous areas"] with a revised concept. For the first time it clearly and unequivocally established recreation areas as one of the three segments of the National Park System. Furthermore, it had the tremendous merit of differentiating recreation areas from natural areas. By this means, some of the earlier concern that identical policies might govern both natural and recreation areas was dissipated.[375]

Hartzog, in a 1985 interview with Kathleen Lidfors, reflected on how these changes were made. Lidfors summed it up:

> Secretary Udall and Hartzog were forced into developing new policies for recreational areas because traditional NPS policies of no hunting and of the demand to acquire land in fee were great obstacles in establishing Ozarks, the first breakthrough in these kind of areas. Ozarks residents responded to fee "taking" as originally proposed and the no-hunting policy by mobilizing the [International Association of Fish and Game Commissioners] against the NPS. There had been some previous skirmishes in Yosemite and Yellowstone, but they "bombed us on Ozarks." Ultimately a deal was worked out to allow hunting ... and scenic easements were purchased in lieu of fee. The NPS had experimented with easements in Natchez Trace Parkway, but that approach was really worked out with Ozarks....
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> In response to "pressures" from the Bureau of Recreation (BOR) and the lessons of Ozarks, Hartzog looked for a workable management approach: ... policies should recognize what each area was set up for, whether for natural, historical or recreational purposes... (Bob Coats, NPS chief of policy analysis, came up with the original three-part concept). Hartzog liked the idea immediately.... He set up a task force to implement the new concepts but they dragged their feet and didn't come up with the results. One weekend Hartzog went home and drafted three sets of policies.... "I can type as well as

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[374]Quoted in Lee, p. 61.

[375]Ibid., p. 62-3; see also George B. Hartzog, Jr., Battling for the National Parks (Mt. Kisco: Moyer Bell Limited, 1988), pp. 102-3.

> any secretary the Park Service had working back then." He got his division chiefs to review them, and the result was the Red Book, Green Book and Blue Book of NPS management policies.[376]

The three publications dealt with administration policies for natural, historical, and recreation areas.[377] The Apostle Islands and all the other national seashores and lakeshores would now become distinct elements in the national park system. Between 1964 and 1972, twenty new recreation areas, of four types, were added to the system: seashores, lakeshores (including the Apostle Islands National Lakeshore), reservoirs, and wild and scenic trails, and scenic riverways (including the St. Croix-Namekagon and Wolf rivers in Wisconsin).[378]

Recreation Planning and Coordination

Wirth and the NPS addressed seashores and "Mission 66" at the expense of maintaining formerly strong relationships with states and local units of government. At the same time, outdoor recreation problems were being felt across the nation. Federal recreation areas and state and municipal parks -- many with facilities developed in the 1930s -- were unable to handle the postwar increase in visitors. Additional recreational lands were needed to serve the nation's increasingly mobile and middle-class population. Further, cities were expanding without adequate land-use planning, and open spaces were rapidly disappearing.[379]

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[376]George Hartzog, interviewed by Kathleen Lidfors, March 7, 1985.

[377]Lee, p. 63.

[378]Ibid., pp. 77-84.

[379]Foresta, p. 62.

The Senate Select Committee on National Water Resources highlighted needs: Visits to national parks during the 1946-1956 period rose 153 percent; attendance figures at federal reservoirs increased a dramatic 200 percent in six short years (1952-1958). Projected increases to the year 2000 for all types of facilities were staggering.[380] Marion Clawson, an economist with Resources for the Future, a private, non-profit research organization, called it a crisis in a widely publicized series of thoughtful articles in American Forests.[381]

In lieu of turning to the NPS for advice on burgeoning increases, Congress in 1958 established the Outdoor Recreation Resources Review Commission (ORRRC) to study what was perceived to be a national crisis in outdoor recreation.[382] Early in 1962, ORRRC reported to the president and Congress, supporting their recommendations with a 246-page summary report and twenty-seven study reports.[383]

One report, Federal Agencies and Outdoor Recreation, reported that ten federal land and water managing agencies had major involvement with outdoor recreation, and that another eight had a "peripheral interest." As many as 450 million visitors came to federally

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[380]Senate Select Committee on National Water Resources, Water Resources Activities in the United States: Water Recreation Needs in the United States, 1960-2000, Committee Print No. 17 (Washington: U.S. Government Printing Office, 1960), p. III.

[381]Marion Clawson, The Crisis in Outdoor Recreation, reprinted from American Forests (Washington, D.C.: Resources for the Future, March-April, 1959).

[382]Lee, p. 60.

[383]Outdoor Recreation Resources Review Commission, Outdoor Recreation for America, Washington, D.C., January 31, 1962.

managed, operated, or licensed facilities for recreational purposes, yet no federal agency had recreation as its primary mandate. As one official put it, "This thing is rolling over us."[384]

Recognizing the lack of coordination between federal and state agencies, the sometimes conflicting allegiances of each, the waste from duplicated efforts, and the absence of clear national goals, the ORRRC report concluded that either a reorganization of responsibilities was needed within existing agencies, or a separate agency should be established to coordinate federal outdoor recreation programs and activities.[385] Although the National Park Service contended that it had first claim as the federal recreation coordinator, many of the agency's constituents opposed its involvement in recreation. Park supporters feared compromises in the NPS's preservation commitment would lead to parks being made into playgrounds. Recreationists, on the other hand, questioned whether the park service could truly manage for recreational use, or whether playgrounds might be made into parks.[386] Perhaps more important, however, was the erosion of the NPS's leadership and political support in the public recreation arena during the post-war years. By the time the ORRRC was established, it found a "lack of anything resembling a national recreation

[384] Outdoor Recreation Resources Review Commission, Federal Agencies and Outdoor Recreation (A Report to the ORRRC by the Frederic Burk Foundation for Education, San Francisco State College), ORRRC Report 13 (Washington: U.S. Government Printing Office, 1962), pp. viii-ix, 1.

[385] Ibid., p. 68.

[386] Outdoor Recreation Resources Review Commission, Federal Agencies and Outdoor Recreation, p. 35.

policy."[387] NPS's momentum, generated by the 1930s Emergency Conservation Act programs and the 1936 Parks, Parkways & Recreation Act had been lost.

In spite of the park service's problems, however, the reorganization of existing agencies would have been extremely difficult for bureaucratic and political reasons. In its summary report, ORRRC recommended the establishment of a separate agency to coordinate federal agency recreation programs and to take the lead in national outdoor recreation planning. Although the NPS continued to argue that it should be the dominant recreation coordination and planning agency, three powerful individuals stood in its way: Secretary of the Interior Stewart Udall, Secretary of Agriculture Orville Freeman, and John Carver, Jr., a former congressional aide to Senator Frank Church of Idaho who had been appointed assistant secretary for public land management. Historians Fitch and Shanklin noted that "the odds against the Park Service had become prohibitive and ... there could be no alternative to their somewhat grudging surrender".[388] A few months after the ORRRC report had been submitted, Udall established the Bureau of Outdoor Recreation (BOR) within the Department of the Interior and transferred the longstanding NPS responsibilities for the formulation of national outdoor recreation and coordination with the states to the new bureau. In May 1963, Congress passed organic legislation confirming the responsibilities of the BOR. Although the act did not identify the bureau, the recreation authorities and functions enumerated were made the responsibility of the secretary of the

[387]Ibid., p. 1.

[388]Fitch and Shanklin, p. 81.

interior, who in turn delegated them to the BOR.[389] Within the bureau, a Division of Resource Area Studies was established with primary responsibilities for planning land and water areas proposed as national recreation areas, national seashores and lakeshores, national wild and scenic rivers, and national trails.[390] A year later, BOR's power would increase enormously with the passage of the Land and Water Conservation Fund (LAWCON), a grant-in-aid program to states and local units of government and a pot of dollars earmarked for federal acquisition of recreational lands. BOR was to administer the program.[391]

Tucked away in the large Interior Department bureaucracy, with the responsibility of coordinating federal agencies, a new bureau could have been in a relatively weak position to meet its responsibilities. To deal with the potential weakness, President John F. Kennedy formed a Recreation Advisory Council. Composed of the secretaries of the interior, agriculture, defense, commerce and health, education and welfare, along with the administrator of the Housing and Home Finance Agency, the council was charged with coordinating federal outdoor recreation activities. BOR would, in effect, serve as staff to the council.[392] Moreover, the director of BOR was appointed chairman of the staff of the council, which in effect permitted him to act independently of the interior secretary and

[389]Ibid., pp. 86-91.

[390]Ibid., pp. 100-1.

[391]Lee, p. 60; Foresta, p. 63-4, 173.

[392]Lee, pp. 76-7.

increased his powers to influence coordination and planning functions.[393] The strong political base established by the NPS in the 1930s had eroded so badly that ORRRC and Udall could easily set this new agency in place. Congress concurred. Instead of staffing BOR with NPS people, Udall selected a high-ranking official from the U.S. Forest Service, Edward P. Crafts,[394] as director. Crafts in turn did not go to the NPS when filling his top positions.[395]

The first policy decision of the council was the adoption in 1963 of "Policy Circular No. 1," which established criteria for new national recreation areas (including seashores and lakeshores).[396] In line with ORRRC recommendations, the circular envisioned a limited role for the federal government in the establishment of new recreation areas. States and local units of government were expected to meet most of the needs of the American people for outdoor recreation. National recreation areas were to be spacious, with a high recreation carrying capacity, and with natural endowments greater than those normally associated with state projects, but less significant than the unique scenic and historic elements represented in the national park system.[397] "Policy Circular No. 1" would play

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[393]Fitch and Shanklin, p. 66.

[394]Edward P. Crafts had substantial Washington experience, knew Congress and would effectively organize a new agency. Eventually he would support an Apostle Islands National Lakeshore and other Nelson initiatives affecting Wisconsin, such as the St. Croix-Namekagon National Wild and Scenic River.

[395]Foresta, p. 64.

[396]Recreation Advisory Council, Federal Executive Branch Policy Governing the Selection, Establishment, and Administration of National Recreation Areas, R.A.C. Circular No. 1, Washington, D.C., March 26, 1963.

[397]Lee, p. 77.

a significant role in obtaining Interior Department approval of the Apostle Islands National Lakeshore and other lakeshores on the Great Lakes.

These steps -- the establishment of BOR, the Recreation Advisory Council, LAWCON funding, the appointment of Crafts, and the adoption of "Policy Circular No. 1" -- would make an Apostle Islands National Lakeshore a real possibility. On the other hand, a new set of hurdles that would substantially slow lakeshore planning would now have to be cleared. Four years would pass after the adoption of "Policy Circular No. 1" before the Department of the Interior would formally endorse the lakeshore.

CHAPTER SIX

AN APOSTLE ISLANDS PARK: EARLY FEDERAL AND STATE PROPOSALS

Introduction

When Congress authorized the Apostle Islands National Lakeshore in 1970, it crowned the efforts of many individuals and groups who, over a period of forty years, had sought to establish a park or a monument in the area. As early as 1891 the Ashland Daily Press proposed a national park for the Apostle Islands.[398] However, it was not until the late 1920s that local groups, pressed by economic need, organized to promote the establishment of a park. The economic picture was grim throughout the Apostle Islands region. The last sawmill had shut down in 1924, as had the Ashland blast furnace. The luxury railroad hotels in Bayfield and Ashland had been torn down, and few tourists in automobiles made their way as far north as the peninsula. This local economic decline would only be intensified by the onset of the Great Depression.

Given the region's relatively long history of tourism, it was logical that the business community would turn to the recreational potential of the islands and peninsula -- lands now depleted of extractable resources -- for future economic development. During 1927 and 1928, a series of local organizations formed to promote the Chequamegon Bay and south shore area. The first of these was a local chapter of the state-wide "Lucky 13" organization, which promoted tourism along Wisconsin Highway 13 from the south-central portion of the

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[398]Warren Bielenberg, "The Apostle Islands National Lakeshore: History of Development and the Research Base for Planning," Northland: Journal of the Sigurd Olson Institute for Environmental Studies, Vol. 3, No. 2, 1976, p. 8.

state to the northern tip. This group participated in the 1928 Chicago Outdoor Show, printing 100,000 circulars to tout the recreational advantages of Bayfield and the Apostle Islands.

The efforts of the "Lucky 13" group were joined by a new Bayfield Booster Club, which soon constituted itself as a chamber of commerce. However, it was President Calvin Coolidge's vacation in the area during August 1928 that gave impetus to what would become a local national park movement.

President Calvin Coolidge Visits the Apostle Islands

In the months before Coolidge's visit, the press bubbled with hopes to make Madeline Island a summer White House. The President, however, bypassed the offer of the Old Mission or the Elmore home as "the summer capital of the U. S." in favor of the large summer home of William Clay Pierce on the Brule River.[399] He did visit the Apostle Islands briefly during his stay. Hosted by Frank Woods of Lincoln, Nebraska, the president cruised the archipelago, enjoyed a picnic on Devils Island, and toured the historic Indian and fur-trade sites on Madeline Island.

The National Park Service is Authorized to Study the Apostle Islands for a National Park

In October the Brule Tri-County Association, with representatives from Douglas, Bayfield and Ashland counties, organized to "capitalize on President Coolidge's summer visit here."[400] Three months later the association launched a project "to obtain a national park

[399]Bayfield County Press, March 18, 1927.

[400]Bayfield County Press, November 22, 1928.

on one of the Apostle Islands."[401] To this end, the association appointed a committee to investigate the availability of land and requested that its congressman, Hubert H. Peavey, introduce legislation to authorize a national park.

Since neither the congressman nor his constituents had a very clear notion of National Park Service procedures for establishing national parks, Peavey wrote to the director to make preliminary inquiries. In his response of January 19, 1929, Acting Director Arno B. Cammerer outlined the requirements for a national park: the area must 1) "be of outstanding scenic quality, examples of unusual natural phenomena or extraordinary results of such phenomena, or of unusual historical or scientific interest"; 2) "contain a minimum of privately owned land"; 3) "be of sufficient size to allow the development of tourist facilities on a large and comprehensive scale"; and 4) "not duplicate the major characteristics of any existing national park." Cammerer summarized the philosophy of the Department of the Interior, stating that "each national park created should be a unique example of its kind, should be of national interest, and capable of broad comprehensive development for national use."[402]

Regarding procedure, Cammerer advised Peavey that if the area seemed to meet these criteria, the congressman might introduce legislation to establish a park. The Department of the Interior would report on the bill, and "if provisions were made for the

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[401]Bayfield County Press, January 31, 1929.

[402]Arno B. Cammerer, letter to Hubert H. Peavey, January 19, 1929, Records of the National Park Service, Record Group 79 (Proposed Parks, 0-32, Apostle Islands), National Archives, Washington, D.C.

necessary expenses of inspection,"[403] the NPS would investigate the site and report to the department concerning its potential as a national park.[404]

Mr. Peavey expressed his thoughts on this guidance in an open letter to the Ashland Daily Press:

> I have studied this matter over quite carefully, and it occurs to me that the requirement set forth by the Department would preclude the establishment of a park on any of the Apostle group unless it would be Madeline Island....[405]

He reasoned that Madeline Island was the only island with historical and scenic features important enough to warrant national park status. In addition, Madeline Island had the advantage of proximity to shoreline communities and commercial functions, and it was much larger than the other islands. Peavey reiterated that it would be necessary to determine whether a sizeable portion of the island, including the areas of historical significance, could be made available for park purposes.

In the months that followed, local organizations began to gather information and raise funds to support legislation. The Brule Tri-County Association named a committee comprised of John B. Chapple, editor of the Ashland Daily Press; Glenn F. Scott, editor of the Bayfield County Press; and Ludwig Trammal, Bayfield county clerk, to oversee the project. One of their tasks was to seek the support of some of the prominent Madeline

[403]At this time the National Park Service did not request appropriations for new area studies.

[404]Cammerer, letter to Peavey, January 19, 1929.

[405]Ashland Daily Press, January 31, 1929.

Island property owners, particularly George and Frank Woods of Lincoln, Nebraska, and Hunter L. Gary and his wife of Kansas City.

The support of these individuals would have been critical to the project. It was the opinion of Charles Sheridan, a local newspaper man and one of the leading park promoters who eventually went to Washington to testify for the park bill, that this support was never forthcoming. He later said, "On the surface they favored the park because they knew people around here favored it, but I'm sure that underneath they didn't like it at all. And I'm sure that they did whatever they could to stop it.... They were wealthy people and wanted to keep that as sort of a private refuge...."[406]

Congressman Peavey certainly understood the realities of the situation. When he was advised that if Congress followed its own precedents, private lands would have to be conveyed to the government without cost, Peavey "frankly admitted that this would be a very difficult obstacle to overcome," according to newspaperman Sheridan.[407] Nonetheless when the bill came up before Congress, George Woods wrote a letter of support to the local committee and promised to use his influence to support the bill's passage.[408]

By November, Horace Albright, director of the National Park Service, had been fully apprised of the project. A memorandum to Albright from his assistant, W. B. Lewis,

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[406]Charles M. Sheridan, interviewed by Lawrence Rakestraw, March 14, 1975. In Rakestraw, "Forest and Cultural History in Apostle Islands and Pictured Rocks National Lakeshores, Lake Superior," Michigan Technological University, report to the National Park Service, 1975, pp. 59-72.

[407]W.B. Lewis, memorandum to Horace Albright, November 26, 1929, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington D.C.

[408]Bayfield County Press, February 13, 1930.

summarizes the ownership status and development on Madeline Island and informs him that Bayfield and Ashland counties had appropriated funds to assist in the government's study of the project. Lewis reported that Congressman Peavey viewed about half of Madeline Island and perhaps two or three other islands as candidates for the park.[409]

Lewis, in conversation with Peavey, had encouraged him to hold off on special legislation and allow the NPS to study this proposed area, along with several others, in the new fiscal year beginning July 1, 1930. Lewis informed Albright that Peavey "seemed to think better of the idea of introducing a special bill" so that the study could be made early in the next session.[410]

The first year of activity on the project closed with a banquet at the Du Pont Club in Washburn. Officials of the Omaha and Soo railroads attended and offered their support and assistance. Congressman Peavey summarized the year's progress, and a new committee was appointed to oversee readying the park proposal for the ongoing session of Congress.

Peavey's bill, "To authorize investigation and report on proposed Apostle Islands National Park," was introduced in the House of Representatives on January 17, 1930, and referred to the Committee on the Public Lands.[411] The Interior Department reported favorably on the bill; NPS Director Horace Albright had recommended only one change,

[409]Lewis, memorandum to Albright, November 26, 1929.

[410]Ibid.

[411]H.R. 8763, 71st Congress, 2d session, 1930.

which was to delete the authorization of appropriation of funds to conduct the study, since funds for this purpose would be available.[412]

In northern Wisconsin, park promoters were raising funds and preparing information for the hearing, including a pamphlet of Apostle Islands history and lore researched and written by Charles Sheridan.[413] Sheridan and W.B. Koons of Ashland traveled to Washington in late March to lay their case before the House Committee on the Public Lands. They emphasized the strategic location of the Apostle Islands, which could become "a national playground for millions of middle westerners for whom other parks are inaccessible," as well as the rich history, scenic beauties, and outstanding recreational opportunities for fishing, boating, and invigorating swimming. Much of this testimony was included in the committee's final reports.[414]

The bill passed smoothly through both the House and Senate, and on May 9, 1930, President Herbert C. Hoover signed it into law. The study of the proposed area, along with several others in the Midwest, would be conducted by Harlan P. Kelsey, a Boston landscape

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[412]Horace Albright, memorandum to the secretary of the interior, February 1, 1930, in House Committee on the Public Lands, National Park in Wisconsin: Report to Accompany H.R. 8763, House Report 997, 71st Congress, 2d session, 1930.

[413]Charles Sheridan, Legends and History of the Apostle Islands, a series of articles originally published in The Superior Telegram in 1930 and reprinted in The Washburn Times in 1930 and 1931.

[414]House Committee on the Public Lands, National Park in Wisconsin: Report to Accompany H.R. 8763, pp. 2-3; Senate Committee on Public Lands and Surveys, Proposed Apostle Islands National Park, Wisconsin: Report to Accompany H.R. 8763, Senate Report 547, 71st Congress, 2d session, 1930, pp. 2-3.

architect whose abilities were apparently known and trusted by the National Park Service.[415] Director Albright had hoped to use Roger Toll, who often investigated park proposals, but his duties as superintendent of Yellowstone National Park were too pressing.

Kelsey was asked to inspect several potential national park areas: the Apostle Islands, the Menominee Reservation in Shawano and Oconto counties in Wisconsin, the Quetico Provincial Park-Superior National Forest (this to be a confidential report), and, if time permitted, the upper Mississippi Valley from Minneapolis to Dubuque, Iowa. For his services, he would be paid twelve dollars per day plus transportation expenses not to exceed six dollars per day. Additional compensation, Cammerer suggested, was the "three or four weeks in an unusually beautiful section of the Great Lakes."[416]

Cammerer himself was less than enthusiastic about the project. He wrote to Gilbert Pearson, president of the National Association of Audubon Societies, whom he had hoped would collaborate with Kelsey:

> I don't suppose either of these (the Apostle Islands and Menominee Reservation) amounts to a hill of beans, but there is a congressional direction to investigate the former and a bill passed the House recently to investigate the latter....[417]

The National Park Service Turns Down a National Park in the Apostle Islands

Harlan Kelsey arrived in Bayfield the afternoon of August 6 after a detour to Red Cliff Bay and a view of the islands from Ole Olsen Hill. The next day he toured the islands

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[415]Arno B. Cammerer, memorandum to Harlan P. Kelsey, July 7, 1930, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[416]Ibid.

[417]Quoted in Sheridan, interviewed by Rakestraw, p. 53.

on board the Gary yacht Lamora in the company of Congressman Peavey, the park committee, and a contingent of prominent local residents and reporters. On the following day, Kelsey flew over the islands and the Bayfield Peninsula.

At a dinner held in his honor, Kelsey offered his impressions from the first two days of his visit. He stated that if the government acquired the islands, they would be developed "to their natural state." He deplored what logging had done to the forest, but felt that restoration could be accomplished. He noted that the NPS opposed economic development, permitting only enough services to provide a "playground for the people" to "have recreation of their own," and

he urged the gathered citizenry to keep working toward establishing "some sort of a national area here."[418]

What the local newspaper did not report, but which Kelsey pointed out in his account to NPS Director Albright, is that he "impressed on all ... the real meaning of national parks and the extremely high standards that are necessary to have a project endorsed by the National Park Service." Kelsey noted that no one at the dinner had ever visited a national park or seemed "to fully realize what is involved in National Park standards."[419]

During the final three days of his visit, Kelsey visited several islands and toured the Bayfield Peninsula by automobile. Although he remarked on the sandstone formations and

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[418]Bayfield County Press, August 14, 1930.

[419]Harlan P. Kelsey, "Report on Apostle Islands National Park Project: Memorandum for Mr. Horace M. Albright," January 20, 1931, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C., p. 5.

the scenic qualities of the islands, the tone of his report is dominated by horror at the effects of logging:

> What must have been once a far more striking and characteristic landscape of dark coniferous original forest growth has been obliterated by the axe followed by fire. The ecological conditions have been so violently disturbed that probably never could they be more than remotely reproduced.

From his tour of Outer Island, where the John Schroeder Lumber Company was working, Kelsey noted that there had been "no attempt at scientific cutting to preserve a future crop" and that the resultant fires "destroy the few remaining seed trees and burn the thin soil down to the rocks."[420]

Kelsey concluded that "the hand of man has mercilessly destroyed [the islands'] virgin beauty, and, therefore, a largely controlling element as outstanding national park material even if other reasons made them eligible." Even if Isle Royale were not being considered as a national park, he reported, "this project does not meet National Park Service standards."[421]

Kelsey's report adds that, qualifications aside, the establishment of a park in the Apostle Islands would pose serious problems of administration and use. Kelsey notes that "reasonably large boats would be required for safe operation of traffic between islands" because of the violent nature of Lake Superior storms, and that access to the many of the islands is difficult, if not impossible, for several months of the year. A mainland location

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[420]Ibid., p. 7.

[421]Ibid., p. 8.

for a headquarters would be required.[422] These observations were proven valid years later when the NPS acquired the area.

Although Kelsey could not recommend national park status for the Apostle Islands, he found that "Madeline Island and the whole vicinity are rich in historic interest, and the Islands constitute a fine and possibly unique example of red sandstone geological formation." He felt strongly that the area ought to be preserved:

> The Apostle Islands have so much inherent beauty and offer such wonderful possibilities for recreation and as a game and bird refuge, or for the production of forest products, or a combination of these, that it would be a tragic loss ... if they were further despoiled or left abandoned to individual exploitation.[423]

To this end, Kelsey made some additional recommendations: 1) If the islands could be obtained free of cost to the government, their historic and scientific qualities would recommend them as a national monument; 2) the state of Wisconsin could establish a park; and 3) the area could be designated a national forest. In any case, preservation of some of the surrounding mainland would be essential to a project involving the islands. These ideas would be pursued with more or less enthusiasm by a number of state and federal officials over the next two decades.

The promoters of an Apostle Islands national park were surprised and chagrinned at Kelsey's report. Seizing upon the National Park Service's interest in Isle Royale as the cause of the Apostle Islands' rejection, Congressman Peavey wrote an indignant letter of rebuttal to Director Albright, in which he proposed combining the two areas into a single

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[422]Ibid., p. 9.

[423]Ibid.

Lake Superior National Park with rail access in Duluth. Ignoring the logging issue, Peavey asserted that he was "reliably informed that the only single attraction that Isle Royale possesses not held by the Apostle Islands is the several hundred moose that live on the island." He could not resist adding, "Is it not possible that your inspector got so close to one of these animals that he was unable to see anything else?"[424]

Albright's response was to the point:

> The fact of comparative isolation of Isle Royale has resulted in the conservation of its forest cover and wild life, whereas one of the outstanding objections to the Apostle Islands project appears to be its denudation of original forest covering with consequent disappearance of wild life. Cutover areas do not make a national park.[425]

Because of the congressman's great interest in the matter, however, Albright offered to obtain Roger Toll, superintendent of Yellowstone National Park, for a second investigation of the area.

The record shows that Conrad Wirth, who was the new assistant director for lands, objected to the follow-up study. In a memorandum to Director Albright, he asserts that on the basis of a "very complete" report from Kelsey, "it is very clear that we do not want these islands as a national park." He recommended that Toll not visit the area, that a summary

[424]Hubert H. Peavey, letter to Horace M. Albright, March 2, 1931, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[425]Horace M. Albright, letter to Congressman Hubert H. Peavey, illegible date, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

be drawn up on the basis of the existing information, and that "we definitely kill this project."[426]

Albright responded that although he had the utmost faith in Kelsey, they were on "insecure ground" since no permanent member of the National Park Service had examined the area. Roger Toll needed to look at the area again because the congressman "would never be satisfied with Mr. Kelsey's report alone."[427]

In the lull between Kelsey's report and the next investigation, the Wisconsin State Legislature passed a resolution in support of the national park proposal. From the perspective of today's carefully orchestrated park bills, the lack of political coordination in this effort seems incredibly naive: Assemblyman Robert Nixon of Washburn introduced a joint resolution to memorialize the secretary of agriculture, the U.S. Forest Service, and Congress to establish "a national park embracing all of the Apostle Islands or so many of them as it may be deemed advisable to acquire."[428] The secretary of agriculture found it necessary to reply to the president of the state senate that national forests are under the jurisdiction of the Department of Agriculture, and matters related to national parks must be taken up with the Department of the Interior.[429]

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[426]Conrad L. Wirth, memorandum to the director of the National Park Service, March 21, 1931, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[427]Horace M. Albright, memorandum to Conrad L. Wirth, March 23, 1931, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[428]Wisconsin State Legislature, Joint Resolution No. 121A, 1931.

[429]R.N. Dunlap, letter to Henry A. Huber, June 15, 1931, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

The National Park Service Makes a Second Investigation of the Apostle Islands

In August of 1931, when Toll was still unable to leave Yellowstone, Arno Cammerer, the associate director of the National Park Service, traveled to Bayfield to investigate the Apostle Islands. At the banquet concluding his two-day tour, Cammerer explained to the group of park promoters that "the cutover character of the land was an insurmountable obstacle to its being considered for a national park."[430]

Genuinely impressed with the scenic qualities and recreational potential of the region, however, Cammerer urged the local committee to work toward establishing a state park "which would be second to none in the country." He suggested they might invite the National Conference on State Parks to hold a meeting in the area to help promote the project. Although he could not have been unaware of the irony, Cammerer expressed the hope that as Isle Royale National Park was developed, a steamboat terminus could be located in one of the towns on Chequamegon Bay, so that future park visitors might come by way of the Apostle Islands.[431]

Before Cammerer closed the files on the Apostle Islands project he contacted Herbert Evison, secretary of the National Conference on State Parks, to point out the area's potential as a state park and urge that he consider holding a conference meeting there. His

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[430]Arno B. Cammerer, "Memorandum for Director Albright covering report on inspection of the Apostle Islands (Wisconsin) project," no date, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[431]Ibid.

words were prophetic: "This area holds marvelous recreational possibilities for the future, and in time will come into its own."[432]

This was not the end of the matter, however. To trace the convoluted course of the Apostle Islands park idea through the 1930s, it is important to understand something of the state and federal parks programs developed out of depression-era legislation.

A State Park in the Apostle Islands is Recommended

National Park Service Director Stephen Mather initiated federal involvement in state parks in the 1920s. He had felt increasing pressure to take new areas into the national park system but resisted any compromise of national park standards. Because dozens of worthy areas were promoted intensely from the local level, Mather moved to relieve the pressure on the NPS by organizing a state parks movement. Mather recruited conservationists from the public and private sectors to work to obtain uniform state park legislation across the country, thus enabling the creation of a large number of new parks. The National Conference on State Parks was established in 1921 as an organization that would have NPS support and cooperation.[433]

It was under the New Deal, however, that state parks programs were institutionalized in the National Park Service. With new responsibilities resulting from the Emergency Conservation Works legislation in 1933, the agency established two new branches: the Branch of Forestry and the Branch of Planning and State Cooperation. Conrad Wirth was

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[432]Arno B. Cammerer, letter to Herbert Evison, November 2, 1931, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[433]Robert Shankland, Steve Mather of the National Parks, pp. 185-6.

appointed chief planner, with Herbert Evison, formerly of the National Conference on State Parks, as assistant. Four -- eventually eight -- district or regional directors administered the state parks program, supervising the work of the Civilian Conservation Corps and recommending future projects. The regional offices also assisted states in drafting legislation for the planning, development, and maintenance of state park systems.[434]

In 1934 the state parks movement was further advanced by President Franklin Roosevelt's creation of the National Resources Board to study the use of natural resources, including federal and state parks, and related recreational uses. A recreation division of the board was established in the NPS with George Wright as director. Recommendations of this division resulted in the Park, Parkway, and Recreation Area Study Act of 1936, which called for a national plan to assure adequate public park facilities through federal and state cooperation. The National Park Service would assist other federal agencies and state and local governments with its specialized knowledge of park planning and development.[435]

Wisconsin had its own legislation and resulting bureaucracy for administering state parks programs. The Wisconsin Conservation Act of 1927 established the Wisconsin Conservation Department, a division of which was responsible for state parks. The department fell under the oversight of the Wisconsin Conservation Commission, a six-member board appointed by the governor and charged with long-range policy and program

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[434]John C. Paige, The Civilian Conservation Corps and the National Park Service, 1933-1942: An Administrative History (Washington, D.C.: U.S. Department of the Interior, National Park Service, 1985), pp. 42-4.

[435]John Ise, Our National Park Policy: A Critical History (Baltimore: Resources for the Future, Johns Hopkins University Press, 1961), pp. 364-7.

administration. A separate Regional Planning Committee, which later became the State Planning Board, coordinated all state efforts with the midwest regional office of the National Resources Board.

In 1934, in response to National Resources Board direction, the Regional Planning Committee issued the Wisconsin Regional Plan.[436] The plan addressed recreational needs of the northwest portion of the state (Region A), which included the Apostle Islands. It identified a need for an additional 1.5 million acres of state park lands in this region, on the basis of a desired ratio of ten acres per 1,000 citizens. The plan noted that fifteen percent of the total acreage in Region A was available for public use, the bulk consisting of forests and Indian reservations. Regions A, B and C together were identified as "the outstanding recreational area of the state.... It is a region that far exceeds the recreational needs of its home population and offers recreational facilities and possibilities for a large 'vacation population.'" However, the plan made no specific recommendations for the Apostle Islands-Chequamegon Bay area. In fact, the committee emphasized zoning regulations for this region rather than new state park proposals.[437]

Given the National Park Service's encouragement of a state park initiative for the Apostle Islands, the state legislature's support of the earlier federal park effort, and the local determination to pursue park or monument designation, the 1934 plan would seem to have been a logical source for a park recommendation -- especially considering the assistance

[436]Wisconsin Regional Planning Committee, Wisconsin 1934 Regional Plan: A Study of Wisconsin, Its Resources, Its Physical, Social, and Economic Background, First Annual Report, Natural Resources Board, Madison, Wisconsin, 1934.

[437]Ibid., pp. 163-4.

available through federal Emergency Conservation Works programs. However, National Resources Board programs focused on park development near large population centers, all of which were in the southern portion of the state. The ingrained resistance of Wisconsin state government to federal prompting and, possibly, its reluctance to commit resources to the far north, may also have worked against the Apostle Islands.

Locally, it would appear, efforts to promote the Apostle Islands flagged in the wake of defeat at the national level. Late in 1934, however, a new local committee had formed to pursue the establishment of a national monument or state park on Madeline Island and a state park on Stockton Island (Presque Isle), the second-largest of the Apostles. Consistent with the recommendations of the regional plan, by the end of 1934 both Bayfield and Ashland counties had passed zoning ordinances placing all of the islands except Madeline and most of the northeast coast of the Bayfield Peninsula in a recreation district.

By the spring of 1935, the work of the local organization -- led by Charles Sheridan, who was active in the 1929-31 effort -- had begun to pay off. A letter from Conrad Wirth to Bernard Gehrmann, the congressman from the seventh district of Wisconsin, indicates that Gehrmann had renewed inquiries with the National Park Service on behalf of the Apostle Islands. Although Wirth informed Gehrmann that the status of the area had not changed, he added:

> At the time the investigation was made this area was recommended on its high recreational value as a state park. This Service believes this area has excellent possibilities for development into one of the best State recreational parks in the country.[438]

[438]Conrad L. Wirth, letter to Bernard J. Gehrmann, House of Representatives, April 2, 1935, Records of the National Park Service, Record Group 79 (0-32), National Archives,

A copy of this letter was sent to Herb Evison in the Branch of Planning and State Cooperation.

About the same time the state legislature passed a resolution, sponsored by Representative Melvin Olson of Ashland County, directing the State Conservation Commission to report on the potential of the Apostle Islands as a state park and to ask the Department of the Interior, once again, about the possibility of establishing a national park in the area.[439]

In response to the first mandate, Superintendent of Forests and Parks C. L. Harrington fired off letters of inquiry. From Arno Cammerer, now director, he requested copies of the National Park Service's previous studies of the area "as it has occurred to us that the information you gathered ... might be helpful to us in the investigation that we are about to make."[440] From his district forest ranger in Park Falls, Harrington requested information about the size, value, tax status, and timber cover of the islands. The tenor of his letter indicates almost complete ignorance in Madison regarding the subject area. "How many of these islands are there?" Harrington asks, and adds, "It might also be well if you could locate some book up there that has a history of the islands...."[441]

Washington, D.C.

[439]Wisconsin State Legislature, Joint Resolution 77A, 1935.

[440]C.L. Harrington, memorandum to the director of the National Park Service, May 25, 1935, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[441]C.L. Harrington, letter to John Borkenhagen, district forest ranger, May 27, 1935, Wisconsin Conservation Department files, Madison.

From the National Park Service, Harrington received a copy of Cammerer's report and further encouragement to proceed with an Apostle Islands state park.[442] From District Ranger Borkenhagen, he received a brief report of acreages and land values.[443]

Within a few weeks, the Wisconsin Conservation Commission submitted budget recommendations to the legislature, should the state proceed to establish a park at Apostle Islands: $40,000 should be appropriated for land acquisition and $7,500 for the first four years' operation, with $4,000 per year, thereafter. The commission intended that the park be developed as a CCC project, if the National Park Service would authorize it.[444]

It is almost certain, given the urging of the NPS to proceed, that had the legislature authorized a state park at the Apostle Islands, full support would have been forthcoming from the Midwest Region (Region Five) of the Branch of Planning and State Cooperation. But no bill came forward.

One probable reason the legislature did not act was that the conservation commission's recommendation hinged on obtaining a CCC camp to develop the park, and the state's powerful superintendent of forests and parks, C. L. Harrington, intensely opposed federal involvement in state parks and had kept CCC projects out of the state for several

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[442]Conrad L. Wirth, letter to C.L. Harrington, June 18, 1935, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[443]John Borkenhagen, memorandum to the director of the Wisconsin Conservation Department, June 5, 1935, Wisconsin Conservation Department files, Madison.

[444]Wisconsin Conservation Commission minutes, June 18, 1935, Wisconsin Department of Natural Resources central files, Madison.

years.[445] Another reason can be found in the second part of the commission's recommendations to the legislature, which focused on an "opportunity" to establish a state park "of reasonable size and at a good location on the east shore of Lake Winnebago" in the central portion of the state.[446]

At the same time, the Wisconsin Conservation Commission responded to the second mandate of the legislature's joint resolution directing it to communicate with the Interior Department on the matter of a national park. The commission's report was pro forma only, since the department was fully aware of the NPS's position.[447] Yet the commission did recommend advising the Department of the Interior that the Apostle Islands "are available for National Park purposes if they are found to meet the standards ... for the establishment of such park areas."[448] The department's response was predictable: It referred to the earlier findings and recommended a state park.[449]

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[445]Carol Ahlgren, "The Civilian Conservation Corps and Wisconsin State Park Development," Wisconsin Magazine of History, 71 (3), Spring 1988, pp. 184-204.

[446]Wisconsin Conservation Commission minutes, June 18, 1935. (In fact, High Cliff State Park on Lake Winnebago was not established until the 1950s; however, Kettle Moraine State Forest was established in 1939 and was the focus of major state forest funding.)

[447]C.L. Harrington, memorandum to Conrad L. Wirth, June 20, 1935, Wisconsin Conservation Department files, Madison.

[448]Wisconsin Conservation Commission, "A Report on the desirability of the Apostle islands in Lake Superior for National Park purposes, pursuant to Joint Resolution 77A of the Wisconsin Legislature," June 20, 1935, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

[449]H.W. MacKenzie, letter to Harold L. Ickes, June 20, 1935, Wisconsin Conservation Department files, Madison; T.A. Walters, letter to MacKenzie, July 1, 1935, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

The National Park Service Makes a Third Investigation of the Apostle Islands

It is not clear why, sometime in the next few months, Region Five of the Branch of Planning and State Cooperation again investigated the Apostle Islands for a national park. Perhaps, as a courtesy to the state of Wisconsin, the Interior Department forwarded the joint resolution and report to the NPS for action, despite Secretary Ickes' stated position that the matter was closed. Or the Apostle Islands may have been re-examined in the context of the mid-1930s national seashore studies, which were conducted through the state offices. Ickes' emphasis on recreation and shorelines would suggest this is the case.

The perceptions of G.M. Lamb, an NPS official who inspected the area, differed from those of Kelsey and Cammerer. Lamb found the surfaces of the Apostle Islands generally uninteresting because of their low- topography and lack of streams. Although his descriptions suggested that the forest cover was inferior, he did not treat the effects of logging as a major factor in his recommendations, except to say that if a national park were established, logging must stop. Lamb was primarily concerned with the recreational potential of the area. For him the chief attraction was the shoreline: "From the water [the islands] are intensely scenic and a boat trip among [them] is delightful as well as instructive." Lamb acknowledged that the islands "might be suitable for recommendation as a national park" and even claimed that "probably no similar area may be found in the United States."[450]

[450]G.N. Lamb, "Report of Investigation of Proposed National Parks, Apostle Islands National Park," no date, National Park Service, p. 4; "Proposed National Parks and Monuments," no date, p. 2.

Yet the report recommended that a national park not be established for two principal reasons: 1) there was no danger of the shorelines being "compromised by exploitation," and 2) the area was not located near a metropolitan center of population.[451] In the same report, Lamb noted numerous commercial fishing operations on the islands, continued logging, and the potential for national use of summer cottages and tourist accommodations. He also reported that existing means of access to the Apostle Islands included four railroads, two state and two federal highways, and the Great Lakes waterway. He estimated the population within a radius of 200 miles at 1,224,800 -- which probably included Minneapolis and St. Paul, but excluded Madison, Milwaukee and Chicago, which lay within another day's drive.

Today it is evident that all the elements were present in 1935 for both the destruction of the Apostle Islands' scenic qualities through shoreline development and an explosion of recreational use by midwestern urban dwellers. Lamb's investigation, however, took place in the lull between the era of luxury tourism and industrial boom and the coming wave of automobile tourism and recreational boating. Moreover, Lamb would have seen indications of general economic and population decline in the northern portion of the state, which lagged behind other regions in recovering from the depression. Equally important, as an engineer in Region Five's State Conservation Work Branch, Lamb's assessment of the Apostle Islands would have been colored by the Emergency Conservation Works Act and

[451]Paul V. Brown, letter to National Park Service Branch of Planning and State Cooperation, January 11, 1936, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

the National Resources Board's emphasis on recreational facilities for large, urban populations.

That recreation, and not conservation, was the primary consideration in Lamb's assessment is evident in his additional reasons for his recommendation against a national park: the water was too cold for swimming, the inconvenience of getting to the islands from the mainland would inhibit recreational use, Lake Superior was too hazardous for small boats or canoes, and the recreational value of the islands was limited by short summers.[452]

Although Harlan Kelsey had originally urged that some of the Bayfield Peninsula be included if a national park were established, Lamb went further, stating that the public would benefit more from the acquisition of the mainland than of the islands. He recommended setting aside at least twenty miles of coastline reaching three to four miles onto the peninsula. Lamb felt the mainland was more suitable for recreation than the islands because of better access, more interesting topography, better forest cover, and sandstone formations equal to those on the islands. This concept of a mainland coastal unit was ultimately developed in the 1960s proposal for an Apostle Islands National Lakeshore.

By the time Conrad Wirth's memo to the files put the Apostle Islands national park issue to rest for another thirty years,[453] local promoters had turned their attention to other projects. The same committee that had promoted a park supported a proposal for a sheep ranch and boys' camp on Stockton Island and, later, sought the establishment of a Coast

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[452]Lamb, pp. 4-5.

[453]Conrad L. Wirth, memorandum to the files, March 19, 1936, Records of the National Park Service, Record Group 79 (0-32), National Archives, Washington, D.C.

Guard station there.[454] Local governments also sought ways to turn coastal lands to economically viable uses: the Bayfield City Council solicited Congressman Gehrmann's help to obtain an Army or Navy installation at Roy's Point on the mainland, while the Ashland and Bayfield county boards sought to place the islands -- with the exception of shoreline suitable for summer home development -- within the Chequamegon National Forest.[455] Local discouragement with park projects was reflected in the final entries of Lamb's report to the National Park Service:

Local attitude:	Passive.
Persons interested:	Don't know.[456]

Before the decade closed, however, a phoenix arose from the ashes of earlier Apostle Islands park proposals. The final report of the Wisconsin State Planning Board, produced under the 1936 Park, Parkway and Recreation Study Act, recommended the Apostle Islands for inclusion in the state recreation system. The plan used the National Resources Board's definitions, under which state parks must have either "superlative scenic characteristics" and "fairly extensive opportunity for active recreation," or "distinctive scenic character and exceptional opportunity for ... recreation."[457] The Apostle Islands were recommended for development as a state park.[458] The planning board would report to the Wisconsin

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[454]Bayfield County Press, October 25, 1934; October 3, 1935.

[455]Ibid., May 16, 1935; November 14, 1935.

[456]Lamb, p. 4.

[457]Wisconsin State Planning Board and Wisconsin Conservation Department, A Park, Parkway and Recreational Area Plan, September, 1938, p. 187.

[458]Ibid., pp. 214-5.

Conservation Commission, which would be the final agency to determine the suitability of the area and its appropriate place in the state plan.[459] In July 1939, Wisconsin Conservation Department officials toured the islands. But, another decade would pass before this "phoenix" would fly.

The Lessons of the 1930s

This decade of frustrated efforts to establish a park at the Apostle Islands holds several political lessons. The original campaign of the Brule Tri-County Association had many ingredients of success: It pulled together an aggressive local constituency with a strong, common need. However, the promoters lacked an understanding of National Park Service criteria for establishing a park and had little knowledge of national parks in general. Although their motive for wanting a park was clear, their rationale was not. Their concept was vague and not developed in terms of either the special character of the resources or of NPS objectives.

This lack of focus contributed to the negative outcome of the site visits. Because the special character and potential value of the Apostle Islands were not clearly articulated, both Kelsey and Cammerer were guided by their preconceptions. Kelsey, a nurseryman, could hardly see the islands for the logging of the trees; historic and geologic values did not seem to interest him. Cammerer based his evaluation on Kelsey's report and the current National Park Service criterion of "pristine" conditions in parks, with a comparison to Isle Royale ready at hand. Since the national recreation area concept had not yet been developed, there was no reason to further consider the Apostle Islands.

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[459]Ibid., pp. 187, 215.

Local political efforts stood a chance of at least gaining national monument status for a portion of the islands. Local organizers had sufficient support to raise funds needed for the NPS study of the area, and Congressman Peavey was successful in his efforts to get an Apostle Islands bill through Congress and to keep pressure on Director Albright. However, Peavey's ignorance of park service bureaucracy, policies, and planning processes allowed him to charge on the wrong fronts. Further, local political efforts were limited to recruiting one congressman (where was the rest of the Wisconsin delegation?), a strictly local press campaign, and to sending two representatives to the hearings in Washington.

The role of Madeline Island's politically influential Garys and Woods could have been much stronger. Although they did not publicly oppose the project, there is no evidence that they promoted the idea in Washington. Tensions between the mainland entrepreneurs who spearheaded the effort and the wealthy Madeline Islanders may also have been a factor.

In any case, this effort did not bring together the needed strategy or political support to win National Park Service consideration for an area the agency viewed as inferior. Subsequent local efforts toward obtaining a state park, Coast Guard station, or some other economic development project were fragmented; promoters were grasping at straws in the face of dire economic need. There appeared to be no communication with the Wisconsin Conservation Department or with the State Park Division of the Branch of Planning and State Cooperation (Region Five), which could have been critical in moving both offices from assessments to proposals in 1935.

Bureaucratic structure and politics also played a role in the failure of the mid-1930s discussions to bring about a park. The Wisconsin 1934 Regional Plan was prepared by a regional planning committee established in 1931 under the Highway Department's Office of Regional Planning. Although after 1933 its work was coordinated with the National Resources Board, the 1934 plan was obviously not influenced by the National Park Service's interest in the Apostle Islands.

Political divisions between the northern and southern parts of the state also may have been a factor. Since the capital and major population centers are in the southern portion of the state, the north has often been bypassed in legislation with regional economic benefits. Strong support in the southern portion of the state for establishing the Kettle Moraine State Forest developed through the 1930s and resulted in legislation in 1939. The Apostle Islands may have been relegated to a back burner in 1934 and ultimately not acted upon in part because of its far-northern location, and in part because political interest and support were focused elsewhere.

When, finally, the 1938 Park, Parkway and Recreational Area Plan put forth a recommendation to establish a state park at the Apostle Islands, at least four substantive investigations already had been made into the area's potential as a park. However, the reports showed little consistency regarding the number of acres involved, the essential character of the area, and the potential for visitors to use the islands. At the close of the decade a fresh investigation was proposed. Superintendent Harrington's question still echoed: "How many of those islands are there, anyway?"

CHAPTER SEVEN

A NEW ERA: GAYLORD A. NELSON AND CONSERVATION

Introduction

The 1958 election of Gaylord Nelson to the governorship marked a turning point in the fate of the Apostle Islands. Nelson was born in Polk County in northwestern Wisconsin. His parents were active in Progressive politics and he would follow in their footsteps. After World War II, in which he served, and the demise of the Progressive Party, Nelson became active in Democratic Party politics. He was elected from Dane County to the state senate in 1948, an office he held for ten years. Thomas Huffman described Nelson as a person "considered both an intellectual liberal and a charming small town boy raconteur [who] personified the sophistication and subtlety of the new-style Wisconsin Democrat and developed these characteristics into an appearance that transcended partisan boundaries."[460]

Nelson, the first Democrat in the governor's office in more than a quarter of a century, brought to his new job a deep personal interest in conservation issues and natural resources management and a willingness to shake up entrenched bureaucratic complacency. It was Nelson and his staff who would take the debate over the protection and management of the Apostle Islands archipelago out of the state arena, advocating instead federal acquisition and designation. This was to be a dramatic shift not only in terms of the participants but in terms of the vision of what the islands could become. Nelson's fight on behalf of the Apostle Islands between 1960 and 1970 resulted in the protection of all but

[460]Huffman, Protectors of the Land, p. 150.

two of the twenty-two islands in the archipelago (Long Island was initially excluded; in 1986 it was added to the lakeshore). This was a significant departure from the five islands considered by the state in the 1950s or the islands studied by the National Park Service in the 1930s. The preservation of an ecologically, culturally, and scenically unique area in the middle United States remains a significant Nelson legacy today.

The Political Setting

To understand the post-World War II resurgence of the Democratic Party, the election of Nelson to the governorship, and his battles with the traditional Wisconsin conservation establishment, including arguments over an Apostle Islands National Lakeshore, it is useful to describe the emergence of a two-party system in the state.

The historian Robert C. Nesbit described Wisconsin politics from the Civil War to 1890 as "a comfortable, corrupt Republican majority occasionally jolted out of its complacency by a coalition of the disorganized but numerically dangerous Democrats and whatever elements were abroad."[461] A strong anti-Republican sentiment swept the country in the election of 1890, and Wisconsin dramatically shifted its politics, electing a Democrat to the governor's chair and changing Wisconsin's congressional delegation from seven Republicans and two Democrats to one Republican and eight Democrats.[462]

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[461]Robert C. Nesbit, Wisconsin: A History (Madison: University of Wisconsin Press, 1973), p. 339.

[462]H. Russell Austin, The Wisconsin Story: The Building of a Vanguard State (Milwaukee: The Journal Company, January 1969), pp. 252-3. (Governor George W. Peck, the author of the comic strips "Peck's Son" and "Peck's Bad Boy," would be the last Democratic governor until 1932, when a coalition of Democrats and Republican Progressives elected Albert G. Schmedeman, who served only one term.)

Although the seeds for the LaFollette Progressives who would follow were, in part, set in place in the 1890 election, the Republicans, shaken out of their complacency, recaptured the governorship and all congressional seats in 1894.

In 1896, a Republican again won the governor's race, but only after a spirited race with Robert M. ("Fighting Bob") LaFollette, who represented the Republican Party's Progressive wing. The LaFollettes and the Progressives would strongly influence Wisconsin politics from the election of Robert M. LaFollette to the governorship at the turn of the century until 1946, when his son, the Progressive U.S. Senator Robert M. LaFollette, Jr., lost to Republican Joseph R. McCarthy by 5,378 votes in a primary race for the nomination. Indeed, the strength of the Progressives was a significant constraint on the Democrats during this era that would not be overcome until late in the 1950s.

The Progressives and the LaFollettes had campaigned on the need to reform government, and once in power they did indeed institute reforms. Wisconsin became a pioneer with new programs: taxes on corporations, a direct primary for nominating candidates, a corrupt practices act, the regulation and taxation of railroads, a civil service law, a progressive income tax, workers' compensation, child and woman labor laws, an industrial commission, state life insurance, a law favoring cooperatives, and an aggressive forestry program. Many of these reforms were the first in the nation.[463] The voters' willingness to support public policy innovations, governmental reform, and an activist state government would surface once again with Nelson's 1958 victory.

[463]Ibid., pp. 274-90.

With the demise of the Progressives, the Democrats began to build a revitalized party, in part from a base of liberal but not office-holding Progressives. Those Progressives still in office became Republicans. But it would not be until 1957 that the Democrats made a breakthrough with the election of William Proxmire to the U.S. Senate for the remaining one-year term of the late Senator Joe McCarthy. Proxmire scored a smashing victory, winning with more than fifty-eight percent of the vote over former Republican Governor Walter Kohler. Gaylord Nelson solidified Democratic power in 1958 by winning the governorship with 88,000 votes (fifty-four percent) over Republican Vernon Thompson. In that same election, Proxmire secured his U.S. Senate seat, taking fifty-seven percent of the vote. The majority in the state assembly were now Democrats, the first time they had controlled either house since 1935. The Democrats also won two more congressional races and now held five of the state's ten seats.[464] The success in rebuilding the Democratic Party in large measure can be attributed to the efforts of Gaylord Nelson, John

[464]Ibid., pp. 343-80.

Reynolds,[465] William Proxmire, Patrick Lucey[466] and Philleo Nash[467]. All would become lakeshore proponents.

Nelson Conservation Initiatives: 1958-1962

In the 1958 race for the governorship, conservation issues played a major role. Incumbent Republican Governor Vernon Thompson, who came from rural Richland County, had paid scant heed during his two-year term to conservation matters, feeling comfortable that they were under the control of the party -- and indeed they were. By exploiting this complacency, Nelson was able to develop a number of themes and charges in his critique of existing natural resource management policies. His charges, according to Huffman:

1. Public rights in the outdoors needed strengthening.
2. The current conservation administration needed reorganization.
3. Problems of urbanization and population growth were not being addressed.
4. Existing conservation policies were "laggard."
5. "Twenty straight years of dry-rot Republican administration [had] left Wisconsin's fish, game and public parks programs helplessly behind the time."

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[465]John Reynolds had served as attorney general and was elected to the governorship in 1962, succeeding Nelson. He served one two-year term.

[466]Patrick Lucey, a key participant in the rebuilding of the Democratic Party, would serve as lieutenant governor from 1964 to 1966 and as governor from 1970 to 1976. Although Lucey represented a faction within the Democratic Party that did not always agree with Nelson, his support for the lakeshore was strong and consistent and he, as governor, would play the key role in the transfer of the state lands to the NPS. Both Reynolds and Lucey were strong Apostle Islands supporters.

[467]Philleo Nash, educated as an anthropologist, would serve as Nelson's lieutenant governor from 1958 to 1960. He was defeated in the 1960 election. President Kennedy appointed him commissioner of the Bureau of Indian Affairs in the U.S. Department of the Interior. In that role, Nash strongly supported the lakeshore and Red Cliff and Bad River Indian interests.

6. "Wisconsin's conservation policy [was] largely dictated as if the state were running nothing more than a rich man's rod and gun club.... [The conservation commissioners] were wealthy men who have laymen's interest in hunting and fishing, but a big businessman's interest in Republican politics.... They do their own hunting in Canada and even go as far as Alaska to fish."

7. The commission should be abolished and a cabinet system put in place.

8. The Republicans had blocked increased public access to lakes, had failed to improve roads to the tourist regions and had ruined a "vigorous fisheries program."

9. No long-range resources planning had been done. (The initial ideas for a Wisconsin Department of Resource Development, so important to the future Apostle Islands National Lakeshore, were being planted.)

10. Wetlands and watersheds were neglected.

11. Lands for parks and forests were not being acquired.

12. "Republican conservation was turning Wisconsin into a have-not state, forcing it to lag far behind its neighbors Michigan and Minnesota in parks and outdoor policy."[468]

Although these charges were vigorously denied by the Wisconsin Conservation Commission and the conservation department as well as Thompson, they held a broad appeal for Wisconsin voters, especially the large numbers of hunters and fishers.

Nelson offered new and positive conservation programs with broad appeal. As historian Huffman explains, "This new theme was state-sponsored natural resources planning, strengthened environmental emphasis in the field of regional planning, in land and water zoning and recreation management in response to population growth...."[469] Not only

[468]Huffman, pp. 156-60.

[469]Ibid., p. 162.

was Nelson appealing to the traditional rural Wisconsin conservationist, but to voters in the sprawling urban areas of the state as well. Nelson handily won over Thompson.[470]

Once in the governor's seat, Nelson and his young and energetic staff (called the "crew cuts" by the press because of the way they wore their hair[471]) embarked on an ambitious conservation program based on the rhetoric of the campaign.

To bring Wisconsin into the "modern age," Nelson proposed a massive reorganization of the seventy-nine uncoordinated agencies then in existence, including the conservation commission over which governors had little or no control. The proposal failed. The political and bureaucratic forces behind this agency morass were simply too powerful.[472]

A second major reorganization proposal involved only the Wisconsin Conservation Commission. Nelson proposed to keep a six-person commission, to be appointed by the governor, subject to senate confirmation, and to serve staggered terms. But the existing Republican-dominated commission would be replaced with six new members drawn from a slate of nominees developed by a non-partisan "Citizens Natural Resource Advisory Committee." This, according to Nelson, would take the conservation commission "out of politics." In addition, he proposed some 250 amendments to the fifty Wisconsin statutes relating to conservation. These proposals caused intense public and legislative debate. The conservation institutions in Wisconsin -- the commission and the conservation department, the pulp and paper industry, and the press, especially the Milwaukee Journal -- came out

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[470]Ibid., p. 167.

[471]Ibid., p. 186.

[472]Ibid., pp. 166-7.

in vigorous opposition. Although the Democratic-controlled state assembly passed the bill, it lost on a party vote in the Republican-controlled senate.[473]

Nelson was more successful with two other significant organization proposals. The first established the Wisconsin Department of Administration (DOA); the second created the Wisconsin Department of Resource Development (DRD). Both agencies were to be headed by directors appointed by the governor, subject to senate confirmation.[474] These were the first significant steps on the part of Wisconsin's new administration to move to a cabinet system; the DOA would bring all state housekeeping functions into one agency. The most important of them was the responsibility for the development of the state budget, which the governor presented to the legislature each biennium.

Nelson had planted the seeds for a Wisconsin Department of Resource Development in his 1957 campaign after reviewing a position paper developed by University of Wisconsin-Madison professors Jacob Beuscher, a legal scholar, and Raymond Penn, an agricultural economist, along with David Carley, one of Nelson's campaign advisors. The paper, written by Beuscher, called for a commission on economic development to integrate planning for economic development, natural resources and land-use planning, and urbanization. Beuscher said, "This horizontal agency operation on a broad functional front could integrate these things."[475]

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[473]Ibid., pp. 172-94.

[474]Ibid., pp. 162-7.

[475]Ibid., p. 162.

Both proposals, which would increase the power of the governor, again stimulated vigorous debate. Predictably, conservation interests vigorously opposed the DRD as a major infringement into their areas of responsibility. The Republican president pro tem of the senate, Frank Panzer, declared that a DRD would pass over his dead body. In spite of Panzer's objections, both bills passed. The DRD squeaked through with a two-vote plurality, thanks to former Republican Progressives still in the senate.

Joe Nusbaum, a professional in public administration, was picked to head the Department of Administation, and he brought to his new agency a tight-knit group of professionals with similar backgrounds. Nelson's influence over the sprawling state bureaucracy would slowly increase under Nusbaum's direction.[476]

David Carley, then a thirty-one-year-old Ph.D. candidate in political science at the University of Wisconsin-Madison, was picked to head the state resource development department. (His doctoral thesis dealt with the use of executive powers by Wisconsin's governors.) Some Republicans viewed him as a traitor; he had been the former research director for the Wisconsin Chamber of Commerce. He had been a close advisor to Nelson in the 1958 campaign, had strong ties to the University of Wisconsin, and was the catalytic agent behind many of Nelson's planning programs.

Although the senate initially refused to confirm both men, Nusbaum, with his more reserved and affable personality, was eventually confirmed. Carley, with his brilliance, strong partisanship, oftentimes acerbic wit, and keen analytical mind, was turned down three times. In addition to his personality, the Republicans were aware that Carley had political

[476]Ibid., pp. 193-4.

aspirations and they used every possible means to constrain him. However, because both departments were new state agencies and thus had no incumbent directors, both men could serve without confirmation.

The DRD brought together the Division of Industrial Development from the governor's office and the almost-defunct Division of State Planning, which was tucked away in an obscure office in the Bureau of Engineering. Major new functions were added to the agency charge, including recreation, resource, land use, and transportation planning. The authorizing act also provided for the appointment of a "recreation specialist" for resources planning and assistance to the tourism industry. A "recreation research coordinator" was to be appointed at the University of Wisconsin-Madison.[477] (After a ten-year career with the Wisconsin Conservation Department as a field biologist and federal aid coordinator, I joined the DRD on July 1, 1960, and served for almost three years as the recreation specialist. I directed the DRD for approximately eight months during the 1962 campaign year, and then served as deputy director.)

Using state dollars and a heretofore unexploited source of federal funds available under Section 701 of Title VII of the 1954 Housing Act, Carley and Nelson began to build an agency and to sell the idea of state and substate multi-county regional planning to the people of Wisconsin. Planners at both levels placed a strong emphasis on natural resources planning, which, as described later, had significant influence on Apostle Islands. With a strengthened and revised state law on regional planning, these efforts paid off. When Nelson left for the U.S. Senate in 1963, regional planning commissions were in place in the

[477]Ibid., p. 189.

economically depressed resource region of northwestern Wisconsin, the urbanizing metropolitan region of the southeast, Brown County, and in what Nelson described as "a sleeping recreational giant," the Wolf River basin in the northeast portion of the state. The seeds of "regionalism," planted by Nelson and the DRD, would eventually result in most of Wisconsin being blanketed by planning commissions. In the years ahead, they were to provide Nelson with another base of political support. Regional planning commissions also broadened the DRD's sphere of influence statewide as the agency had influence over federal and state funding to support them. Also, in some instances, the DRD provided staff support to the commissions. Collaboration between state and regional planning was thus closely tied together.[478]

Other Nelson conservation initiatives in his first term included substantial increases for the Wisconsin Conservation Department budget, especially for parks and forest recreation and lake classification programs. Also, the first systematic studies of the Wisconsin tourism industry were initiated at the University of Wisconsin-Madison School of Commerce by Professor I.V. Fine.[479]

In his first two years as governor, Nelson had created an environment that stimulated and encouraged a new generation of ideas and approaches to issues in need of immediate attention, as well as those on the horizon. University faculty were back in the mainstream of the state policy process. Nelson had an open-door policy, and influential citizens were called on for advice. He generated enthusiasm, debate, and discussion over his ideas and

[478]Ibid., pp. 210-18, 303-5.

[479]Ibid., pp. 199-200.

ideas originating elsewhere. His interest in and love for conservation was contagious. Moreover, he was willing to take political risks.[480]

During his 1960 gubernatorial campaign, Nelson emphasized his record in conservation and promised more if re-elected -- more parks, a massive new outdoor recreation program, strengthened lake classification and lake access programs, and more investments benefiting the tourism industry. He again indicated that he would reorganize the Wisconsin Conservation Commission and take it out of the control of rich Republicans.

In October of that year, Nelson had released the preliminary results of the tourism studies. They documented in great detail the importance of recreation and tourism to the state's economy and the importance of maintaining the state's natural resources and scenic quality as a means of enhancing that economic importance.[481]

Although the conservation commission used its allies to counter Nelson's changes, it appealed to its traditional political base, the hunters and fishers and the pulp and paper industry. Nelson was appealing to a much broader, bipartisan group of Wisconsin citizens.

Phillip Kuehn, the conservative Republican candidate, lost to Nelson by approximately 50,000 votes. Nelson's majority was substantially lower than in 1958, but any governor has to make tough decisions on taxes, budgets, and other policy matters that inevitably alienate some voters and groups. Also, the fact that Republican presidential candidate Richard

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[480]Stephen M. Born and Harold C. Jordahl, Jr., "The Wisconsin Idea: Today and Tomorrow," in The Wisconsin Idea: A Tribute to Carlisle P. Runge (Madison: University of Wisconsin-Extension, 1981), pp. 73-89; Gaylord Nelson, "The Legend and the Legacy," in The Wisconsin Idea, pp. 17-26.

[481]I.V. Fine and E.E. Werner, The Tourist-Vacation Industry in Wisconsin (Madison: University of Wisconsin, School of Commerce, 1981).

Nixon carried the state (although not the country) over Democrat John F. Kennedy had some influence on the Nelson vote. In the election, the Democrats lost control of the assembly. Warren Knowles,[482] a popular Republican state senator well known in state conservation circles, beat Philleo Nash for the lieutenant governorship.

In spite of a lower margin of victory, the election was a considerable triumph for Nelson. In the northern and central resource and tourism regions, he carried fifteen of the twenty-seven counties and outpolled Kuehn in total votes in all of them combined. Huffman wrote that "conservation was critical to his re-election;... [it formed] a non-partisan conservation coalition which would serve him as an electoral power base for years to come."[483]

The victory ensured that Nelson's conservation initiatives would accelerate during the next two years. Many of these initiatives would strongly influence the Apostle Islands in the years ahead.

Not all Nelson initiatives succeeded. He would fail again to reorganize the Wisconsin Conservation Commission, but he did secure senate confirmation of two additional appointees to the commission, one a Republican and the other a Democrat. Thus it could be said, superficially, that he could now exert influence over the commission and therefore the conservation department. However, the real control would continue to rest with the two

[482]Warren Knowles had served in the state senate from 1941 to 1954. He was elected lieutenant governor in 1954, 1956 and 1960, and served as governor from 1964 to 1970. He came from rural Polk County-as did Nelson-and would become a significant participant in the debates on the Apostle Islands. Knowles had a strong personal interest in conservation and made significant and lasting contributions to state programs.

[483]Huffman, p. 242.

strong-willed carry-over Republican appointees, "Frosty" Smith and Guido Rahr, as well as department Director Voigt, who had now for eight years adroitly managed the department and maintained strong support from his commission.

Nelson also failed in his efforts to achieve lake classification, tough billboard controls along the state and federal highway system, and zoning around interstate highway interchanges. These measures were controversial and ran head-on into well-organized opposition interest groups.

In spite of the broad charge given the Wisconsin Department of Resource Development, another statutory body, the Natural Resources Committee of State Agencies (NRCSA), had the potential to give Nelson problems. The NRCSA consisted of the conservation, agriculture and highway departments, the Public Service Commission, the University of Wisconsin, and the State Committee on Water Pollution. Governors statutorily chaired the committee, but they seldom attended. The vice chair, elected by the committee, normally set the agenda and ran the meetings. The NRCSA had neither staff nor a budget. It published excellent reports on the state's natural resources, dealt with obvious needs for coordination, and each biennium recommended new laws to the legislature. The NRSCA seldom attacked controversial conservation issues or tough inter-agency coordination questions. In spite of the NRSCA's inherent weaknesses, the Wisconsin Conservation Department used the committee effectively to support and advance its programs. Nelson was determined during his second term to make the NRCSA more

responsive to his needs. Nelson, William Fairfield,[484] and I met to discuss strategy and to develop position papers for future NRCSA activities.

As chairman, Nelson, in his second term, personally met twice with the NRCSA. At the first meeting he outlined the shortcomings of the committee and summarized major problems and opportunities facing the state. He also requested that the NRCSA appoint me as secretary to the committee to fill the vacancy created by the retirement of the former secretary. Committee members agreed, and I was placed in the single most important NRCSA post, where I could influence its direction, block any efforts to challenge or criticize Nelson's initiatives, and express his views.

In his second appearance before the committee, Nelson established five subcommittees to address contemporary issues and long-range needs. With regard to criticisms of the ongoing state comprehensive planning program, he said:

> "An objective planner, whether he be in the Public Service Commission, the Conservation Department, the Board of Health, or any other agency of state government, quickly finds that his planning must be a part of a larger planning process. If such planning is to be effective it must have a means whereby it can be related to total state goals. In the absence of such mechanisms, the inevitable result is failure to achieve planning objectives and inefficient use of the taxpayers' dollar. The NRCSA, the State Department of Resource Development, [and] the State Recreation Committee ... provide this necessary outlet for our respective state agencies."[485]

[484]William Fairfield served as Nelson's press secretary. He had a strong personal interest in conservation that complemented Nelson's interests.

[485]Wisconsin Department of Resource Development, The Biennial Report to the Legislature of 1963 on the Activities of the Natural Resources Committee of State Agencies, Madison, February 26, 1963, pp. xi-xii.

He could now influence conservation policy through the NRCSA and the DRD. Influencing the conservation commission was another matter. The Nelson charge to the NRCSA, the splendid work that came out of his five subcommittees, and the work of the DRD would set much of the state's conservation agenda for the next decade.

Other successes came including the establishment of a state parks entrance sticker (two dollars annually or fifty cents per day) to fund the malnourished state parks program, along with a requirement that the conservation department develop long-range plans and report to the governor and the legislature each biennium.

In February 1962 the first phase of the state's comprehensive plan, developed by the DRD, was unveiled in a day-long conference on the University of Wisconsin-Madison campus. The unveiling was well attended by the press, planning professionals, and elected officials. The audience reception was warm. Once again, planning was becoming a legitimate activity for state government. The press response was also favorable, including that of the Milwaukee Journal, which had heretofore been cool to many of Nelson's controversial conservation proposals. Although the plan was comprehensive in scope, the element dealing with outdoor recreation attracted the most attention. Outdoor recreation was placed in a much broader context than that of the traditional approach of the Wisconsin Conservation Department. The purposes, in brief, were "to maximize social values which include those intangibles which we associate with outdoor recreation, and to maximize the economic value of recreation,"[486] language that fit well within the breadth of Nelson's vision of conservation and the environment, concerns that he was using with increasing

[486]Huffman, p. 338.

effectiveness in speeches throughout the state and the nation. Secretary of the Interior Stewart Udall[487] was lavish in his praise of the Nelson initiatives, and the Interior Department's Bureau of Outdoor Recreation used the 1961 recreation plan as a prototype in its Guide Book for State Outdoor Recreation Planning.[488]

As a result of these planning activities, and because a recreation plan was in hand, Wisconsin was the first state in the nation to receive a matching grant from the federal government for urban open space. The Federal Housing and Home Finance Agency followed this honor with another large grant to the DRD for state planning purposes, including recreation planning. Federal officials said Wisconsin had "the broadest planning and development program ever undertaken by any state.... Wisconsin, always a leader in social and economic movements, is now leading the way toward new concepts in shaping the future of cities, metropolitan areas, and entire regions."[489]

Nelson took yet another step to broaden and increase his influence statewide. He appointed an advisory committee to the DRD and called the first meeting. Consisting of three university professors, the director of the Wisconsin Geological and Natural History Survey, influential conservationists and leaders from the business and tourism community, this committee would help counter some of the strength of the Wisconsin Conservation

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[487]Stewart Udall, a congressman from Arizona, was appointed by President Kennedy to be secretary of the interior in 1961. He served in that role until 1969. Udall became a close friend of Nelson; in his role as interior secretary, he was a strong supporter of the lakeshore.

[488]Huffman, p. 413.

[489]Cited in Huffman, p. 341.

Commission. Moreover, Nelson had in this committee a sounding board for his new initiatives and a source for new ideas and fresh approaches to old conservation issues.[490]

By far the most dramatic Nelson initiative during his second term was contained in his special "Resource Development Message" to the joint session of the legislature on March 15, 1961.[491] The program later known as the Outdoor Recreation Act Program (ORAP) called for a one-cent-per-package tax on cigarettes to fund a $50 million expenditure over a ten-year period. It would pay for tourist information centers, the construction of new lakes in southwestern Wisconsin as a part of the federal small watersheds program, conservation youth camps, a greatly expanded program of conservation easements to protect beauty along the state's significant scenic highways and to protect fish and game habitat, and open-space grants-in-aid to the largest metropolitan cities. Thirty-three million dollars were earmarked for parks, including a ring of new parks around the metropolitan Milwaukee region. Other parks were planned around the new interstate highway system to make significant outdoor resources available to the public and to meet overnight camping needs of the traveling tourist.[492]

Nelson barnstormed the state selling his proposal. The Wisconsin Department of Resource Development printed thousands of booklets for mailing throughout the state.

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[490]Huffman, p. 264.

[491]The phrase "resource development," used in the speech, obviously referred to the Department of Resource Development, where the program was formed. Walter Scott, a skilled Wisconsin Conservation Department bureaucrat, later maneuvered a change, renaming the program the Outdoor Recreation Act Program (ORAP), a name that continued through the history of the program.

[492]Huffman, pp. 271-94.

Department staff openly sought opportunities to publicly speak about the program. Media coverage was enormous. Fairfield, using funds provided by the state Democratic Party, issued a press release each week along with detailed maps locating each new park, fish and wildlife area, lake and other improvements. This carefully orchestrated media blitz ensured strong statewide public support and formal endorsements by many civic and conservation organizations. The plan attracted national attention. Udall wrote Nelson a glowing letter of support. Francis Sargent, director of the Outdoor Recreation Resources Review Commission, William Whyte, editor of Fortune and an authority on easements, and numerous other political leaders lauded Nelson's new program.[493]

ORAP passed easily in the assembly on a vote of eighty-seven to six. The senate, however, stalled the measure for months. The Republicans were reluctant to pass the program, for which a Democratic governor would take credit. When the senate finally acted, and much to the surprise of the Republicans, four former Progressives (now Republicans) voted for ORAP. One additional Republican maverick, Leo O'Brien, who owed Fairfield a vote, also voted in favor, giving Nelson a seventeen-to-fifteen majority. Although fifteen amendments were offered by the Republicans, the two-vote margin held on each vote. The defeated amendments would have given the conservation commission control of the program, deleted the cigarette tax, and changed projects to districts controlled by Republicans. Had O'Brien not voted in favor, the senate would have deadlocked,

[493]Ibid.

allowing Lieutenant Governor Knowles, as presiding officer, the tie-breaking vote in favor of the Republicans and the conservation commission.[494]

Much to the chagrin of the commission and the conservation department, and in spite of heated opposition on the floor of the senate, Nelson successfully established a recreation committee to guide the ORAP program. The committee consisted of the chairs of the departments responsible for program implementation; the highway commission, the Soil and Water Conservation Committee, the conservation department, the welfare department, and the recreation specialist in the DRD (me).[495] The committee, chaired by the governor and consisting of a majority of Nelson appointees, was responsible for guiding the program through outdoor recreation planning, managing program expenditures, preparing biennial budgets, controlling appointments of additional staff, and reallocating unexpended funds.[496] The recreation committee assigned the planning responsibility to the DRD. Through these moves and his earlier actions, Nelson broke the almost complete monopoly of the Wisconsin Conservation Commission, the conservation department, and the conservatives in the state senate over state conservation policy. Moreover, a new flow of funds to DRD permitted

[494]Ibid., p. 291; also my personal files and recollections.

[495]The initial proposal provided that the attorney general and the director of the Department of Resource Development would serve. An ad hoc group of Republicans and Democrats met with Fairfield and me over several weeks to hammer out several amendments to ORAP, including the deletion of the attorney general and Carley as members of the committee. The group was willing to settle for the "recreation specialist," my position in the DRD. Two other amendments dealt with recreation aids to county forests and a limit on new state parks in Door County unless approved by the county board.

[496]Huffman, pp. 305-7.

staff increases. Slowly, the resource development department increased its capacity to deal with the Wisconsin Conservation Department.

In the south-shore region of Lake Superior, ORAP provided for the acquisition of 20,000 acres of fish, game and forest lands, and several public access points to lakes, including a site at Little Sand Bay within the Red Cliff Indian Reservation. ORAP also appropriated funds to study the proposal for a south-shore scenic drive. The road had substantial support from Democrats in the north, especially from the city of Superior. The twenty-two-mile scenic highway along the lake from Superior to the Brule River in Douglas County would tie in with the "Great Circle" route around Lake Superior. Tourism impacts would be substantial. There were, however, major problems with the proposal which Nelson and I discussed. The proposed right-of-way traversed highly erodible red clay soils, streams and deep ravines would need bridging, and the scenic mouth of the Brule River, where it empties into Lake Superior, would be dramatically altered. The highway would have irreversibly changed the wild character of the shoreline and would have been costly. And the most scenic portion of the Lake Superior shoreline, including the headlands in Bayfield County, was not part of the proposal. A study would temporarily appease road supporters, and Nelson would identify alternatives for capitalizing on the scenic qualities of the region. The $50,000 appropriation was to include a regional analysis of outdoor recreation, open space, scenic beauty, harbors of refuge, and an analysis of necessary improvements to existing State Highway 13 to capitalize on the area's scenic beauty, especially in Bayfield County. Nelson also emphasized that the study would provide direction for the long-term economic development of the region through outdoor recreation

and tourism. The funds were allocated by the recreation committee to the DRD. The funds now coming into the DRD permitted me to hire a veteran game management employee from the conservation department, Ralph B. Hovind,[497] to handle the analysis of public outdoor recreation demand, and Phillip H. Lewis, Jr.,[498] a regional landscape architect, to study the recreation resources. Hovind and Lewis hired staff to develop their plans. Faculty from the University of Wisconsin were also engaged to initiate the south-shore studies.

The momentum continued in 1962, although the conservation commission attempted to slow it by successfully lobbying a bill through the legislature that would weaken the recreation committee. Nelson vetoed it; his veto was sustained.[499]

With a sympathetic Democratic administration in Washington, Nelson was able to keep federal dollars coming to the DRD. Administration officials lent their support. Udall praised Nelson as the "leading conservation governor in the United States" and also provided strong support for Nelson's contention that it was important to retain executive control over

[497]While with the Department of Resource Development, I had recruited Ralph Hovind, a veteran game management supervisor in the Wisconsin Conservation Department, to work with us on the demand side of the state comprehensive outdoor recreation plan. He brought a great deal of imagination and enthusiasm to the task. Hovind remained a vigorous supporter of Nelson's policies, which were also incorporated into Reynolds's conservation programs.

[498]Philip H. Lewis, Jr., an imaginative landscape architect, was hired from the University of Illinois to conduct the natural resources analysis for the comprehensive outroor recreation plan. His graphic designs highlighted the significant resources in the Apostle Islands region and northern Wisconsin.

[499]Huffman, pp. 345-7.

centralized state planning. He praised the DRD as a model for how other states could revitalize their conservation and planning programs.[500]

Nelson also turned around what could have been serious political problems for himself in northern Wisconsin. In brief, the conservation commission and the department, after two years of fractious debate with the twenty-seven counties owning county forest crop lands, had successfully lobbyed a bill through the legislature that would have effectively terminated the program. At stake were 2.3 million acres of public forests. Nelson courageously vetoed the bill and was sustained. He immediately appointed a bi-partisan advisory committee (I was vice chairman) to develop a new program. In an election year, deadlines were tight. Nelson wanted to be in a pro-active position on the issue in the upcoming election. The advisory committee, which was strongly directed by the DRD, completed its work in August 1962 and published its report. The recommendations called for substantially increased financial aids to county forests and a new method of sharing income from forest products sales. All told, the counties benefited substantially, yet the forests would remain in public ownership.[501] Nelson immediately endorsed the proposals and used them effectively in the campaign, especially in the north.[502]

As a capstone to his conservation programs, in May 1962 Nelson proposed to Udall a "national shoreline recreation area" in the Kakagon-Bad River sloughs within the Bad

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[500]Ibid., pp. 309-10.

[501]County Forests in Transition (Report of the Forest Crop Advisory Committee to Governor Gaylord A. Nelson, August 1962).

[502]Jordahl, County Forests in Transition, pp. 94-5.

River Indian Reservation. The initial steps were being taken to establish an Apostle Islands National Lakeshore.

Conservation and the 1962 Political Campaign

When, on May 28, 1962, Nelson announced his intention to run for the U.S. Senate against the eighty-year-old, three-term incumbent Senator Alexander Wiley, he was able to list fourteen major studies in the conservation field initiated under his administration, a host of new conservation laws, and the implementation of ORAP, which he viewed as his most significant achievement. He skillfully hammered on these substantial accomplishments during the 1962 campaign.

To lend support to the campaign, the Wisconsin Department of Resource Development in September transmitted to Nelson the preliminary south shore report entitled, South Shore Resource Development Potential.[503] The report skillfully tied the protection of natural resources and scenic beauty to the existing and potential economic impact of commercial tourism for the region. It stressed the beauty of the Apostle Islands and noted Nelson's proposed national lakeshore. Twenty-two recommendations were made for developing the recreation potential of the south shore area, including utilizing the cultural and ethnic values of the Red Cliff and Bad River Indian reservations. A scenic road was ruled out. Nelson again found the report useful in his campaign swings into northern Wisconsin.

[503]I.V. Fine, Ralph B. Hovind and Philip H. Lewis, Jr., The Lake Superior Region Recreational Potential: A Preliminary Report, Wisconsin Department of Resource Development, Madison, 1962.

To highlight his accomplishments and to point to the future, Nelson called a conference titled "The Unfinished Task" to be held in Madison only days before the election. All major conservation organizations in the state were invited; more than 139 attended. Secretary Udall was the keynote speaker. DRD was able to once again bring to the attention of the attendees and indeed to the entire state (media coverage was extensive) the Nelson conservation accomplishments of the past four years and to address future opportunities, including the Lake Superior and Apostle Islands region. Out of the conference came the "Wisconsin Council for Resource Development and Conservation," or more popularly, "The People's Lobby," to serve the total cause of conservation.[504] Martin Hanson[505] was elected secretary. The "lobby" would become a significant force for the lakeshore in the years ahead (see Chapter Thirteen).

Wiley, aging and in the judgment of some Democrats senile, spent much of his time in Washington. He had done little or nothing for conservation and had consistently voted against Kennedy initiatives. During the campaign he came to Madison and held a press conference. Wiley was doggedly questioned by reporters about his votes against Kennedy's programs. Bill Bechtel[506] of the Milwaukee Journal was especially persistent. Wiley finally

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[504]Huffman, pp. 376-8.

[505]Martin Hanson, an ardent conservationist who lived in northern Wisconsin, would become a strong and continuing voice for the lakeshore. He would effectively use the statewide "Peoples' Lobby" to support the lakeshore.

[506]Bill Bechtel, chief of the Madison bureau of the Milwaukee Journal, was an incisive reporter. During Nelson's tenure as governor, Bechtel reported favorably on many of Nelson's conservation initiatives, in marked contrast to other Milwaukee Journal stories. Bechtel eventually became Nelson's administrative assistant in Washington and was involved in the effort to establish the Apostle Islands National Lakeshore.

lost his temper and told him, "Keep your damn nose out of my business and I'll keep mine out of yours."[507] The press, radio, and especially television gave this embarrassing outburst statewide coverage. To avoid further embarassments during the balance of the campaign, Wiley stuck to small rural communities and did not attract much attention.

The 1962 elections would prove significant to the lakeshore. Attorney General John Reynolds, a Democrat, campaigned for the governorship on a broad conservation plank that included the Nelson initiatives. Reynolds squeaked by Phillip Kuehn by a mere 12,000 votes. Carley, one of Nelson's most prominent advisors and who campaigned on the Nelson and DRD programs, lost the race for lieutenant governor to Jack Olson, also by 12,000 votes. In the northern congressional district that included the Apostle Islands, J. Louis Hanson[508] of Mellen, a personal friend of Nelson, lost in his race against long-term incumbent Congressman Alvin E. O'Konski.[509] In contrast to the above, Nelson won over Wiley handily, garnering fifty-three percent of the vote. The importance of the "conservation vote" is brought out by the fact that in the twenty-seven northern and central Wisconsin counties, Nelson outpolled all the other major candidates in total votes. The election broadened and

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[507] Quoted in Huffman, p. 379.

[508] J. Louis Hanson, brother of Martin Hanson, was also a strong lakeshore supporter. In the 1960s he chaired the state Democratic Party; with his statewide network of contacts, Louis Hanson could marshall formidable support for the lakeshore.

[509] Alvin E. O'Konski, a Republican, had been elected to the U.S. House of Representatives in 1942. He would hold the seat until 1969. Because of his long tenure in the House and his familiarity with the people of his district, O'Konski would wield a formidable influence on the Apostle Islands National Lakeshore.

strengthened Nelson's bi-partisan conservation coalition, which would stand him in good stead in the years ahead.[510]

[510]Huffman, pp. 38l-6.

CHAPTER EIGHT

NEW IDEAS FOR THE APOSTLE ISLANDS

First Steps

Within this new and exciting era of emerging federal and state leadership in the conservation arena, the 1960s version of an Apostle Islands National Lakeshore was born.

Because Nelson had appointed the Wisconsin Department of Resource Development, in lieu of the state conservation department, as liaison with the federal Outdoor Recreation Resources Review Commission, we were poised to become acquainted with major outdoor recreation policy makers at the federal level who were developing new national initiatives. Of special interest to us were the proposed new national seashores at Cape Cod, Fire Island, and Point Reyes. Bills then under consideration in Congress were carefully analyzed to determine if they would set a precedent for Wisconsin and especially the Lake Superior region.

In the spring of 1961, on an Outdoor Recreation Act Program speaking tour in northern Wisconsin, Nelson, Carley, and I had met and stayed with brothers Martin and Louis Hanson at their forest lodge on Beaverdam Lake near Mellen. We also visited the top of Mt. Whittlesey, one of the highest points in the state, which had possibilities as a state park and was potentially a site for a splendid ski hill. After a ski consultants' study was completed, the Hansons, along with representatives of the northern Five County Development Group, came to Madison to secure state assistance on the development of Mt.

Whittlesey.[511] During the course of the visit, Phil Lewis presented his preliminary maps and analysis of the significant landscape features and environmental corridors in the Lake Superior south shore region. The large-scale multi-colored maps hanging on the walls in our offices in the basement vaults of the State Capitol were dramatic graphic displays of the region's splendid resources.

The Mt. Whittlesey proposal appeared to be impossible, and the suggestion was made that the group consider exploring, in conjunction with the Bad River Band of Chippewa Indians, the potential economic implications of a national lakeshore in the Kakagon-Bad River sloughs and the Chequamegon Point portion of the reservation. The area had significant natural resources, scenic beauty, and fish and wildlife. A national lakeshore would not only protect these resources but would attract significant numbers of tourists and related economic benefits to the region. Indians on other reservations were beginning to see the positive benefits of developing their recreational resources. For example, the White Mountain Apaches in Arizona had successfully developed public recreation on their

[511]U.S. Steel owned the hill, which consisted of magnetic taconite. At that time, taconite technology had been developed and major investments were made by mining companies in adjacent Minnesota and Michigan. At the same time, the deep-shaft hematite mines on the Gogebic Range in Wisconsin were closing, putting thousands of miners out of work. The ski hill would have been a significant economic boon to Mellen and nearby communities. Efforts by the Wisconsin Department of Resource Development and the Five County Development Group to either lease or buy a portion of the hill from U.S. Steel were unsuccessful. Today, almost thirty years later, Mt. Whittlesey still stands, unused, overlooking the small village of Mellen.

reservation, attracting 600,000 visitors annually.[512] The positive implications for the Bad River Band were obvious.

We also discussed the possibility of including some of the nearby Apostle Islands in the study; the Bayfield Peninsula was not considered at this point. The idea of including the islands was dropped. Lacking any kind of local public understanding and support, and with the certainty that the Wisconsin Conservation Department would oppose any proposal involving their islands, we confined our initial discussions to the sloughs and the sand spit. We were fighting with the conservation department on numerous fronts at that time; to engage them on yet another major issue would have been ill-advised.

The Hanson brothers subsequently discussed the matter with Nelson while on a visit to Ashland and provided him with a copy of the park service's Great Lakes studies which identified the Kakagon-Bad River sloughs as potentially of national significance. Nelson advised them to see what the Indians thought about it.

Martin Hanson and Bud Peters,[513] as representatives of the Five County Development Group, then met at Bad River. Hanson described the meeting:

> It was a Tribal Council meeting. Donald Ames was chairman and we met ... at Muskrat Hall, which was built by the Mormons [in the old village of Odanah] and the chief people as far as I was concerned were George Ackley, Fred Connors, Albert Whitebird and Donald Ames.... They passed a resolution in favor of making a recreation area out of the Bad River Sloughs ... which were part of the ORRRC report where the report recommendations [indicated the sloughs] were a unique area....

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[512]Jim Cook, "Apaches Run Recreation 'Gold Mine,'" Arizona Republic, January 14, 1962.

[513]Bud Peters made his living in logging and the forest product industries. He would become a sustaining supporter of a lakeshore in spite of the fact that he was a major landowner on Sand Island.

With regard to Indian consensus, Hanson said,

> Well, these were the older Indians that had been around for quite awhile.... [Ackley] had a much broader knowledge than the average Indian, having gone to the Indian College, Carlisle.... Those three guys [present] were older....[514]

Louis Hanson also recalled the events:

> About the same time [as Nelson's first visit to the Hanson estate], the chairman of the Bad River Band of Chippewas came to Martin and me, mainly to Martin, trying to see if we couldn't get some sort of federal recognition of that part of the reservation known as the Kakagon Sloughs in the Bad River. Back in the fifties the Rockefeller Commission had identified the Kakagon Sloughs as of national significance.... We posed the question to Don Ames (the tribal chair), "What would you think if we combined it with something to do with the islands so that it could be packaged and perhaps sold at the national level?"... We thought if we tied this bundle in with something Rockefeller called "nationally significant" people might look at it again. So we ran this by Gaylord and he had been born and raised in the same congressional district ... and had often come up to the Mellen and Ashland area with his father, who was a doctor in the area, to attend Progressive Party doings. His father and mother were very active Progressives in Wisconsin. In fact, his mother was the first woman to sit on the central committee of any party in Wisconsin, so he was aware of the Apostle Islands and visited them as a young man, and as a teenager and he thought it was a great idea....
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> This [lunch arranged for by the Hansons during a subsequent visit to the area by Bureau of Outdoor Recreation Director Edward Crafts] was very well received and that was really the kick-off and that got federal involvement. The governor had been involved and was responsible, under his ORAP program, for establishing a state park on Madeline Island. There was some local opposition to making it too big and no one on Madeline wanted Madeline to be included in the national thing.
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> The [tribal] chairman [Don Ames] came to us independently and we decided that this was feasible -- it would be helpful for them and it would also preserve and yet still be open to the public, this beautiful, beautiful area.... And if we could bring in the islands, so much the better....

Louis Hanson further indicated that the resolution had not been solicited.

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[514]Martin Hanson, interviewed by Harold C. Jordahl, Jr., September 4, 1989.

> What had happened is Don Ames had been looking at a National Geographic and had seen pictures of some bird sanctuary somewhere, where there were bridges and walkways built over the marshes and people could look at the various aquatic life and so forth. He wondered if something like that could be done in his area. We suggested to him that after he bought the idea of tying the thing together with the Apostle Islands, that he get the ball rolling by getting something from the tribal council. But we did not go to them. He came to us.[515]

The Bad River Tribal Council was interested and on May 10, 1962, unanimously passed a resolution requesting that the interior secretary and the governor of Wisconsin study the feasibility of establishing a "national shoreline recreational area on the Bad River Reservation." The resolution noted that President John F. Kennedy had designated the area as chronically depressed and that future efforts should ensure that the ancient customs and culture of the Chippewa Indians and the development of the area should contribute to the economic well being of the Bad River Band. The tribal resolution stressed the scenic beauty and the important wildlife values of the sloughs and the shoreline to the people of the United States, as well as the need for prudent and sensitive development. The proposed study area comprised 20,000 acres north of U.S. Highway 2 (see Map 3).

Ames, as chairman of the Bad River Band and as secretary-treasurer of the Great Lakes Inter-Tribal Council, transmitted the statements to Secretary Udall, Governor Nelson, and Bureau of Indian Affairs Commissioner Nash. He stressed the economic potential of the project and urged early action.[516]

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[515]J. Louis Hanson, interviewed by Kathleen Lidfors, March 27, 1985.

[516]Donald R. Ames, chair of the Bad River Band, letter to the U.S. Secretary of the Interior, the Governor of Wisconsin and the Commissioner of Indian Affairs, May 10, 1962.

Thus, the first step was taken in what would become an eight-year struggle to establish an Apostle Islands National Lakeshore, an effort that involved the presidential administrations of Kennedy, Johnson, and Nixon, resulted in twelve bills and bill drafts being written and re-written before one was finally enacted, was considered by the U.S. Senate and House committees on interior and insular affairs and their subcommittees on many different occasions, produced thousands of pages of congressional testimony and hearing records, and involved countless numbers of citizens and elected and appointed officials and numerous federal and state agencies. The final outcome of all this effort was to be substantially different than what was envisioned by the authors in 1962.

Nelson Meets with Udall

On several occasions, we met with Nelson to discuss possible courses of action regarding the Bad River Tribal Council's resolution. Federal involvement seemed most appropriate for a number of reasons. First, although modest funds were available in ORAP for the Lake Superior south shore area, none were targeted for the Kakagon-Bad River sloughs. Second, the secretary of the interior held trust responsibilities for the Indians and therefore could represent their interests more effectively than could the state. Third, federal involvement meant that a study of the sloughs could be broadened to the larger region. Fourth, Nelson was already using ORAP dollars to emphasize a costly "ring of parks" around metropolitan areas in southeastern Wisconsin, which made the diversion of ORAP funds to the north difficult. Fifth, congressional initiatives were already underway on national seashores, making the possibility of federal involvement promising. Finally, Nelson had excellent relations with Secretary Udall.

Later reflecting on the matter, Nelson said:

> Well, I was satisfied, in any event, that it was a resource of national value.... By the time we really got things going and studying it and so forth, I was in the [U.S.] Senate. I am not going to be running something through state government from the Senate position, but it would obviously involve a considerable amount of money.... By the time we got around to designing the whole thing, in particular since it involved the Indian Reservations ... and those lands were under the jurisdiction of the interior department.... I decided the best way to finally push it was to push for national recognition.[517]

Nelson took the proposal to Washington. Phil Lewis had prepared a splendid set of maps and graphics of the area to accompany the written proposal. A statewide press release was issued. On May 22, 1962, Nelson met with Udall, Nash, and BOR Director Crafts. In addition to the points raised in the Bad River proposal, Nelson noted that the area under discussion should be designated a recreation area rather than a national park; this would permit continued Indian and non-Indian hunting, fishing and harvesting of wild rice, and protect the area's wilderness character at the same time. Nelson also discussed the economic importance of the proposal and the relationship it had to his proposed $3 million ORAP expenditure in the Lake Superior region. Intrigued, Udall instructed Crafts to inspect the area. Media coverage was both favorable and substantial.[518]

Although the meeting was upbeat, the Wisconsin Conservation Department not unexpectedly warned that we would be in for an arduous and long bureaucratic fight with them. The Milwaukee Journal would carry their arguments. One pointedly negative

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[517]Gaylord A. Nelson, interviewed by Kathleen Lidfors, March 4, 1985.

[518]"Shoreline Park Sought At Bad River," Milwaukee Journal, May 23, 1962; "Lake Superior Area Suggested for Recreation," Stevens Point Daily Journal, May 22, 1962; "Bad River Proposed As Recreation Area," Milwaukee Sentinel, May 23, 1962.

editorial noted that swimming in Lake Superior was fit only for "the Polar Bear Club," and that the state and the Wisconsin Conservation Department had long-standing interests in the area and in fact might have been able to acquire the areas with ORAP funds if the federal government had not backed Chippewa claims to lands given the state under the Swamplands Act.[519]

Broadening the Parameters

After more than four years of fighting with the state conservation commission and department, Nelson was unfazed by the criticism. In a news release he noted the upcoming meeting with Crafts and the official inspection of the proposed recreation area. The inspection was also to include the Apostle Islands and the Bayfield Peninsula. Moreover, discussions would center on federal participation in the recreational development of those areas.[520]

When, on June 11, 1962, Crafts, Nelson, and staff from the state departments of resource development and conservation inspected the sloughs by boat and the islands and peninsula by air, Crafts was impressed. Most importantly, he stated that "a more inviting package" would include the twenty-two islands and the Bayfield Peninsula in addition to the sloughs. He did not, however, commit his Bureau of Outdoor Recreation to a federal study. Therefore, at a luncheon after the trip, Nelson stated that the DRD would immediately initiate a study "of the feasibility of making the area more attractive while preserving its

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[519]"Plan For Bad River Public Area Has Pros and Cons," Milwaukee Journal, May 24, 1962.

[520]"Udall Interested in Superior Park," Wausau Record Herald, May 31, 1962.

natural beauty."[521] Craft's significant contribution had been to broaden the area for study, which Nelson quickly embraced. In public, the Wisconsin Conservation Department could hardly object.

Public momentum for the idea was pushed by the governor's office and the resource development department. Enormous newspaper, radio, and TV coverage resulted. There were ahead, however, bureaucratic, political, and institutional obstacles to overcome. Fortunately, control over recreation planning, and therefore planning for the lakeshore, was firmly in the hands of the DRD, and Crafts had sanctioned the concept of a broader regional study. But the lack of direct federal involvement meant that the DRD would have to add the lakeshore proposal to a planning agenda, which was already overloaded. We took two actions to deal with these problems. First, we directed the planners involved in the Lake Superior "south shore studies" to work with local people and to begin to develop a constituency for a lakeshore. Second, we continued to study and analyze the federal bureaucratic and political thicket to determine how best to secure federal involvement.

Storm Clouds

In spite of the success of the inspection tour, warnings from the conservation department increased. Another editorial in the Milwaukee Journal cautioned that the recreational possibilities in the area "should be judged from the standpoint of total public needs and benefits, not what will especially help this group or that area or win local votes in some coming election," a pointed reference to Nelson's campaign at that time for the U.S.

[521]Harvey Breuscher, "Lake Superior Recreation Area Proposed by Nelson," Eau Claire Telegram, June 12, 1962.

Senate.[522] In spite of Nelson's substantial success as a "conservation governor," the conservation commission and the department continued their challenges to his initiatives. In particular, they suspected that Nelson's efforts on the lakeshore would result in direct federal involvement. Thus they launched a counter attack. The conservation department, the commission, and the press, including the Milwaukee Journal, inspected the area in July 1962. The governor's office and the DRD were not invited. Roman Koenings,[523] the forests and parks superintendent, outlined an ambitious program for the islands. Koenings stated that the "state can't wait.... The National Park Service has rejected the islands twice. We will go ahead...."[524]

The parks admission sticker and Nelson's ORAP had indeed pumped millions of new dollars into the state parks program. In contrast to the 1950s, when the parks budget was minuscule, Koenings could now think and plan in an expansive manner. Again, Nelson did not directly challenge these plans. Rather, he kept the idea of federal involvement alive through his speeches and through press releases. These efforts were successful in broadening citizen understanding and support for a national area. For example, in a

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[522]"Chequamegon Area Recreation Study Is Called For," Milwaukee Journal, July 7, 1962.

[523]Roman Koenings had replaced Neil Harrington, who had retired. Koenings was a strong parks advocate and brought new ideas and energy to the program. A year later Crafts appointed him regional director for the Bureau of Outdoor Recreation at Ann Arbor, Michigan. Because I had been a key planner for Nelson's initiatives, many of which impinged on Koening's areas of responsibility, a degree of competitiveness existed between us. However, as regional director, he seldom confronted me on the lakeshore or the St. Croix-Namekagon Rivers National Wild and Scenic Rivers proposal. Problems with the BOR came primarily from Washington.

[524]R.G. Lynch, "State Recreation Area Planned in Apostles," Milwaukee Journal, July 22, 1962.

laudatory article in the widely read Monday issue of the liberal Madison Capital Times, writer Dan Satran described the beauty of the sloughs, the lake, and the islands and summarized Nelson initiatives for a national lakeshore over the past year.[525]

Developing Support

Throughout 1962 and 1963 we worked to develop support for Nelson's proposal. There was a consensus that the area would include the sloughs, the Apostle Islands, and the Bayfield Peninsula. We then began to intensively analyze Indian treaty complexities, including questions of land ownership and Indian hunting, fishing, and trapping, and wild-rice gathering rights. Meetings were held with members of the Bad River and Red Cliff bands and the Bureau of Indian Affairs (BIA).[526]

At the federal level, a significant policy step was taken in early 1963 when Secretary Udall and Secretary of Agriculture Orville Freeman announced that the president's Recreation Advisory Council had approved the creation of a new, limited system of national recreation areas to implement the outdoor recreation program of the administration. Two new areas were to be included in recommendations to Congress: Whiskeytown-Shasta-Trinity in California, and Flaming Gorge in Wyoming and Utah. U.S. Forest Service lands were also to be transferred to create a new Oregon Dunes National Seashore. Criteria for new national recreation areas were then being developed by the council. These areas would be administered primarily for recreation but with utilization of other resources permitted if

[525]Dan Satran, "View, Fish Spectacular on Bad River Reservation," Capital Times, August 13, 1962.

[526]Harold C. Jordahl, Jr., personal notes, 1962-63.

such use was compatible and did not interfere with the basic recreation purpose. The secretaries also noted that national recreation areas would only be established by an act of Congress and could be administered by a number of federal agencies.[527]

In spite of the Udall-Freeman announcement, which was a clear signal that we could develop lakeshore plans as an exclusive federal project, we prepared a first-draft bill envisioning a federal-state collaborative project. Lakeshore planning, which was to be coordinated with the state, would be undertaken with a $100,000 appropriation to the interior secretary. Once planning was completed, the state would enact legislation to protect and manage the area in accordance with the plan and federal standards and criteria. The secretary would then designate the boundaries and formally establish the lakeshore. Funding for the acquisition, development, and maintenance of the lakeshore would be split, seventy-five percent federal and twenty-five percent state, except on the two Indian reservations, where the funding would be completely federal. This format was patterned closely along the lines of the Ice Age National Scientific Reserve proposal for Wisconsin, which was then under consideration in Congress. The lakeshore draft was designed to avoid a direct confrontation with the state, while at the same time giving the area national status. Given the complex nature of a federal-state project and the participation of the two Indian bands, the draft provided that an advisory commission be established to advise the secretary and the governor. The commission would consist of the chairs of the Bad River and Red

[527]U.S. Department of Agriculture and Department of the Interior joint news release, USDA 397-633, February 5, 1963.

Cliff Tribal Councils and two members each to be appointed by the secretary and the governor.

During the balance of 1963, the draft was discussed with officials in the Wisconsin Conservation Department, the attorney general's office, Governor Reynolds, and with bureaus within the Interior Department. Finally, late in 1963, we concluded that, given the complexities of Indian treaty rights, the pattern of land ownership, and the fact that the conservation department was cool to the proposal, the establishment of a federal national recreation area was the route to take.[528]

In late March 1963, I resigned as deputy director of the Wisconsin Department of Resource Development and joined the Resources Program Staff in the office of the secretary of the interior. I eventually became the Department of the Interior's regional coordinator for the upper Mississippi-western Great Lakes area. The substantial staff resources of the Interior Department would now be more readily available to help deal with the complexities of the Apostle Islands proposal.

The process of involving Interior Department bureaus began when a meeting was convened in Ashland July 9-11, 1964. Boat, car, and aerial inspections were made of the

[528]Jordahl, personal notes, 1963. This is the only time in the many iterations of legislation for the lakeshore that an advisory commission was mentioned. Most lakeshore and seashore acts during this era mandated advisory commissions. It was the judgment of the Interior subcommittee eventually established to develop plans and legislation for the lakeshore that the secretary and the park service, if they wished, could establish informal advisory committees. There was no need to complicate the act by formalizing such a process.

area. The meeting was attended by Andrew Feil[529] of the National Park Service, Emmett Riley[530] of BIA, Jack Eichstat of B0R, the state conservation department's Alan Nelson, and Indian leaders Fred Conners[531] and Albert Whitebird from the Bad River Reservation and Rose Duffy from the Red Cliff Reservation. Martin Hanson and Culver Prentice[532] also attended, representing the recently formed Citizens' Committee for an Apostle Islands National Lakeshore. The Indian leaders were receptive to the broad outlines of the proposal. Most importantly, Feil was enthusiastic, and this was perhaps the most significant accomplishment of the meeting.[533]

Higher-level bureau staffs were also exposed to the proposal at the first meeting of the North Central Field Committee[534] on Isle Royale in August. Regional directors of all

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[529]Andrew Feil, a National Park Service planner out of the Philadelphia regional office of the NPS, would play a critical role in lakeshore planning during the initial years. He was highly supportive of the proposal.

[530]Emmett Riley was superintendent of the Bureau of Indian Affairs office in Ashland. Having grown up there, he knew the area and the Indians well. He represented the Indian people with sensitivity and skill and kept them involved in every step in the proposal.

[531]Fred Conners was a Bad River Chippewa Indian who was involved in and supportive of the lakeshore throughout its entire history.

[532]Dr. B.C. Prentice was a highly respected Ashland physician who, prior to receiving his medical degree, had been a professional forester with the U.S. Forest Service. Prentice, a good friend of the Hansons, had a great deal of insight about the natural history of the archipelago and personal knowledge of the local communities. Prentice, with the Hansons, organized the Citizens Committee for an Apostle Islands National Lakeshore and had significant influence on the development and passage of the enabling legislation.

[533]Jordahl, personal notes, 1964.

[534]The origins of field committees can be traced to the so-called "Pick-Sloan" plan for the Missouri River Basin. In the mid-1940s, Col. Lewis Pick of the Army and Bureau Engineer W. Glenn Sloan of the U.S. Department of the Interior Bureau of Reclamation got together over a bottle of bourbon in a St. Louis hotel and divided up responsibilities for the Missouri

interior bureaus in the region, or their designees, were present. Martin Hanson narrated a fifteen-minute movie of the area which he had produced. Planning efforts to date were summarized for the group. The response was favorable.[535]

To develop further interest and support at the top levels of the NPS, I held another meeting to discuss the Apostle Islands and a system of national parks and lakeshores in the upper Great Lakes region with NPS Director Conrad Wirth and staff members George

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River basin. Congress concurred in the division. To implement the "Pick-Sloan" plan, cooperation from other agencies was necessary. Thus the Missouri River Basin Inter-Agency Committee (MRBIAC) was created with one representative from each federal department and the governors of each of the ten states in the basin. The committee had no administrative authority.

The interior representative to the MRBIAC found that he needed assistance from other interior bureaus. For that reason the department's Missouri River Basin Field Committee was established. Funds were made available to the bureaus through river basin planning appropriations. Again, the field committee had no direct line authority. The committee was chaired by a regional coordinator appointed by the secretary.

Lack of coordination in river basin planning between interior bureaus was also evident elsewhere, and field committees were established in all regions of the country except for the Ohio River-Appalachian region and the upper Mississippi-western Great Lakes region. Regional coordinators were appointed by the secretary. (Ottey Bishop of the Bureau of Mines, letter to Harold C. Jordahl, Jr., May 12, 1967, with attached report entitled, "First Field Committee Establishment," by Leon Dupuy of the Bureau of Mines.)

In the 1960s, as a part of Udall's strategy to bring the interior department east of the Mississippi, field committees were established for these regions.

Although coordinators had no direct authority, the imprimatur of the secretary's office made the committees useful devices, especially when dealing with natural resource issues that transcended bureau lines. This was especially true in comprehensive river basin planning, a high priority for the Kennedy administration. It would also be important for the Apostle Islands proposal, which involved at least seven interior bureaus: commercial fisheries, sports fisheries and wildlife, outdoor recreation, the park service, Indian affairs, the solicitor, the geological survey, and mines.

[535]Jordahl, personal notes, 1964.

Hartzog, Theodor Swem[536] and Ronald F. Lee[537], the director of the Philadelphia regional office, which handled planning responsibilities for the Great Lakes region. In contrast to his opposition in the 1930s, Wirth this time was favorably disposed toward the Apostle Islands. In a letter to me, Lee noted, "Connie's personal interest in that part of the county is long standing and deep."[538]

The Philadelphia office of the NPS got busy. The first preliminary draft plan for the lakeshore, prepared by Feil, was completed in early September and marked "Not For Any Release." This plan proposed a national lakeshore of 294,000 acres (110,000 acres of land and 184,000 acres of water). The report was enthusiastic.[539]

President John F. Kennedy Comes to the Apostle Islands and Ashland

During the 1960 presidential primary campaign between Hubert H. Humphrey and John F. Kennedy, Nelson had maintained a publicly neutral position, although it was widely known that he favored Humphrey. Wisconsin Democrats often referred to Humphrey as Wisconsin's "third senator," a reflection of personal fondness and a sharing of strong political ideologies. The two contenders fought vigorously. Kennedy spent time in northern Wisconsin. Louis Hanson recalls the primary:

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[536]Theodor Swem was an assistant director of the National Park Service in Washington. He supported the lakeshore.

[537]Ronald F. Lee was regional director of the National Park Service in Philadelphia. He was well known in the NPS, was a recognized park service historian, and was an important lakeshore supporter.

[538]Ronald F. Lee, letter to Harold C. Jordahl, Jr., August 22, 1963.

[539]National Park Service, Report on Proposed Apostle Islands National Lakeshore, Bayfield, Ashland, Iron Counties, Wisconsin (Philadelphia: U.S. Department of the Interior, September 1963).

> During the '60 primary, Wisconsin was one of the crucial states and the whole family campaigned. If you remember, Hubert Humphrey said that running against the Kennedys is like an independent grocer running against the A & P. There were Kennedys everywhere. Senator Kennedy was in Mellen, Bobby [Kennedy] was in Mellen, his mother was in Ashland. [John. F.] Kennedy was in Ashland on several occasions.... A lot of people have a lot of memories of having met the soon-to-be president of the United States up in the area because he was all over the place.[540]

Although Kennedy won the primary, he lost Wisconsin in the November election.

After his 1962 election to the U.S. Senate, Nelson suggested that the president make a national conservation tour. Kennedy did and credited Nelson with the idea,[541] but a political flap between factions of the Wisconsin Democratic Party, Nelson, and the White House almost caused Wisconsin to be left off the tour agenda.

The dispute arose over earlier differences between the factions. The Democratic slate for state offices in 1962 had included John Reynolds, then attorney general, for governor, and Patrick Lucey for lieutenant governor. Both had been active Kennedy supporters in the Wisconsin primary. Lucey and Reynolds and their close political advisor John Gronouski, another Kennedy supporter, had in 1962 campaigned against the enacted "Nelson sales tax" and were pledging its repeal if elected. After decades of debate on the sales tax, which Democrats historically considered regressive, Nelson, facing a grave state fiscal crisis, had given it his approval late in 1961. To have the issue raised by members of his own party in a tough senate race was, to say the least, disturbing to Nelson. Although Nelson carried a significant larger majority over Reynolds in the election, and Lucey lost, the political scars

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[540]J. Louis Hanson, interviewed by Kathleen Lidfors, March 27, 1985.

[541]"J.F.K.' Hails Upstate Resource: U.S. Help Pledged to Develop Region," Duluth News Tribune, September 25, 1963.

over the sales tax issue remained. Another disagreement arose shortly before the presidential tour. The White House had contacted Nelson in a general way regarding Gronouski, then Reynolds's tax commissioner, but did not inform him that the president was going to appoint him postmaster general. Normally, as a matter of courtesy, senators are informed of such appointments. It's also a matter of pragmatic politics. Nelson was understandably upset by the handling of the appointment when it was announced.[542]

Nelson also had had another disagreement with the White House, Reynolds and Lucey over the appointment of a federal judge to the seat in Wisconsin's western district, left vacant by the death of Judge Patrick Stone. Efforts by the two factions to influence U.S. Attorney General Robert Kennedy and the White House had been going on for almost nine months. Nelson favored James E. Doyle. In early September 1963, however, the president had appointed David Rabinovitz, an early and active Kennedy supporter in the 1960 Wisconsin primary.[543]

While these events were transpiring, the White House announced the details of the president's national conservation tour. Wisconsin was excluded. Nelson was upset!

William Bechtel, Nelson's press secretary, recalls the disputes:

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[542]"Nelson Says JFK May Visit State," Milwaukee Sentinel, September 10, 1963.

[543]"Kastenmeier Joins Nelson in Backing Doyle for Judge," Milwaukee Sentinel, March 16, 1963; "DeWitt Reported Judgeship Leader," Milwaukee Sentinel, March 27, 1963; Cy Rice, "Three Try to Stop DeWitt," Milwaukee Sentinel, April 9, 1963; Rice, "Bob Kennedy Still Opposed to Doyle," Milwaukee Sentinel, April 10, 1963; Rice, "Five Still in Running For Judgeship," Milwaukee Sentinel, April 19, 1963; "Hint Rabinovitz Top Judge Choice," Milwaukee Sentinel, June 6, 1963; "Rabinovitz Seems Choice for Judgeship," Milwaukee Sentinel, July 12, 1963; "Rabinovitz Nominated as Federal Judge," Milwaukee Sentinel, September 6, 1963; "Nelson Says J.F.K. May Visit State," Milwaukee Sentinel, September 10, 1963; "J.F.K. Visit Definite: Nelson," Milwaukee Sentinel, September 12, 1963.

Senator Nelson was called by the White House one afternoon ... and was asked what he thought of John Gronouski. John Gronouski was a brilliant Ph.D. from Michigan State ... who Nelson had recruited and eventually made tax commissioner.... When Nelson indicated that he was going to run for the Senate,... John Reynolds indicated he was going to run for governor [and] he recruited John Gronouski as his advisor. Reynolds and Gronouski immediately proposed to repeal Nelson's tax reform program (which in Bechtel's opinion was Nelson's greatest accomplishment as governor). There is nothing more violent than political fights within political families, you know. This just enraged Nelson, so he is down here a year or two later and the White House calls and says, "What do you think of John Gronouski?" Biting his tongue and digging his nails into his hands, he said, "Well, why do you want to know?" They said they were just building a talent bank ... of people who might be considered, so Nelson then relaxed and gave them a very positive description of John Gronouski, although he said he had this very sharp conflict with him but that he was an outstanding person, a very able person and would be great for anything they had in mind. Almost the next day ... he picks up the paper and here he has been named postmaster general and, furthermore, that Congressman Clem Zablocki from Wisconsin announced it in Milwaukee. Nelson went to a cocktail party that night ... and he started talking ... and saying, "By God, those Irishmen in the White House didn't know what they were getting into now." And that he was half Irish and he was going to give them a piece of his mind and if they thought they were ever going to get that guy confirmed they were crazy.... We came into the office Monday morning and these stories were coming back to us. Reporters were calling saying, "Is Nelson going to fight the Gronouski nomination?" Which would have been a dramatic story. At almost the same time, we got an invitation: Would Senator Nelson be willing to come over to the White House and talk to the president? I drove him over and sat out in the driveway, drumming on the steering wheel. He came out [and] ... was very delighted that he had had a nice chat with the president and that the president had pointed out that he had no idea that this was happening -- "You can't oversee everything your staff does. By the way, senator," the president said, "I understand that you have requested that I come up to northern Wisconsin and that my staff had turned it down. I want you to know that I would <u>love</u> to come up there." And Nelson clapped me on the knee and said, "You are supposed to call Jerry Bruno at the White House and start making arrangements immediately." From the moment of this confrontation, everything fell into place. We worked with the White House, we arranged the tour....[544]

[544]William Bechtel, interviewed by Kathleen Lidfors, March 4, 1985.

Nelson had also hoped that the president would take a boat trip through the Bad River Indian Reservation in addition to the air tour.[545] A boat trip was ruled out, but the Democrats had mended their fences and the president had come to Ashland to see and talk about the Apostle Islands.[546]

The president's visit had another salutary impact within the bureaucracy. Responding to a request from the White House, I prepared a background statement on the proposal, which at this time included three units: the islands (except Madeline), the Bayfield Peninsula, and the Kakagon-Bad River sloughs. It also included the possible establishment of a national monument on Madeline Island.[547] The statement was important in that it once again alerted top policy makers in the Department of the Interior to the fact that indeed there was a significant proposal out there and the president was interested.

Bechtel recalled the president's visit:

> They ... flew out over the Kakagon Sloughs and along the Lake Superior shoreline, landed in Ashland to a tumultuous celebration. As you know they named the airport after him after he left.... It's the greatest thing that ever happened in that area. I had been asked to write a speech in advance. It shows, again, the degree of cooperation. [The president] said that every day that went by without considering this magnificent area for inclusion in our park and recreation system was a day wasted and that it reminded him of Cape Cod and things like that.[548]

Bechtel, in a summation of the trip, wrote:

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[545]"President May Visit State Isles," "President Doesn't Rule Out Side Trip to Wisconsin," Milwaukee Journal, September 10, 1963.

[546]"President Will Talk at Ashland Stopover," Milwaukee Journal, September 15, 1963; "Visit to State to be Brief," Milwaukee Journal, September 19, 1963.

[547]Harold C. Jordahl, Jr., memorandum to Ruth Chance, September 9, 1963.

[548]Bechtel, interviewed by Lidfors.

Senator Gaylord Nelson's long campaign for conservation of natural resources was suddenly thrust on the national scene by the dramatic conservation tour by President Kennedy. For the first time since Theodore Roosevelt, a president is vigorously sounding the alarm to preserve outdoor resources.

Joined by fifty of the nation's top reporters and cameramen, mobbed by throngs everywhere, the president marched across the northern and western United States carrying his conservation message.

For Wisconsinites, the climax, of course, came at Ashland, in the shadows of the Apostle Islands, where the president and his whirling retinue dropped out of the sky in a fleet of army helicopters to find 10,000 cheering residents, fighting to break a cordon of snow fences held up by state traffic patrolmen.

"This trip came about as a result of a suggestion by your junior senator, Gaylord Nelson," said President Kennedy....

For a time, it looked as this might be just another day wasted. The Senate was scheduled to vote on the crucial Nuclear Test Ban Treaty at the very moment the presidential jet was to take off. Nelson, a strong backer of the treaty, faced the prospect of missing out on the presidential tour.

But helped by some schedule juggling, Nelson and senators Humphrey and Eugene McCarthy managed to vote for the treaty, then race to the White House lawn to catch the presidential helicopter in time to link up with the big plane.

Then weather tried to waste the day. Northern Wisconsin, decked out in brilliant fall colors, was blanketed by a leaden sky. As the big plane neared Duluth, thunder, lightning and drenching rain lashed the Lake Superior shore which the president was to tour with Nelson. Secret servicemen showed their concern and Nelson aides faced the possibility of months of work being washed out in a few minutes of grim luck. Actually, the breaks were all favorable. The jet got to Duluth before the storm broke and the helicopter armada promptly choppered off to the Apostle Islands and Ashland, which somehow had missed the downpour.

In the presidential helicopter, Nelson ... and Martin Hanson gave the president a solid briefing on the south shore area, the twenty-two islands and the marshes. Kennedy called the miles of sand beaches as "bountiful as any I've ever seen." Just as Hanson was telling him that this area was a nesting ground for the fast-disappearing national bird, the bald eagle, two of the big birds rose up from the marsh.

Then on to Ashland.[549]

There, two weeks of frantic work by those energetic brothers, Louis and Martin Hanson, resulted in a smashing success. Five-hundred civic leaders "sat in chairs while one of the biggest crowds Ashland has ever seen spread out across the meadows to view the first visiting President since Calvin Coolidge in 1928."[550] In a 1985 interview, Louis Hanson reflected on the president's trip to Ashland:

> Yes, I was elected state [Democratic Party] chairman in June of 1963. Gaylord had gone into the Senate in January of the same year. He was not getting the response from the Kennedy administration on a number of things that he thought he should. So he started voting on things that had nothing to do with Wisconsin, the way the administration didn't want him to vote. Larry O'Brien [an assistant to the president] came over and asked him what was going on. He said, "I have some things I would like to talk to the president about." [O'Brien replied,] "What kind of things?" And [Nelson] gave him chapter and verse, but one of the main things that he wanted to talk to him about was [for] the ... president of the United States to really go out and sell the people of the United States, inform, teach ... about our out-of-door resources and what was happening to them....
>
> I got a call from the senator in the first part of July of '63 saying that he had an appointment ... to see the president and he would like me to come along. So ... I flew out there and went with Gaylord to the White House. [The record is not clear, but this meeting was probably the same one referred to by Bechtel earlier.] Gaylord gave him his pitch. We were with him for half an hour, forty-five minutes. The proposal that the president take a trip -- the last president to have done so was President Roosevelt -- and the president said it sounded like a good idea and would Gaylord put together a letter spelling out what he had in mind ... which Gaylord did.... The fact that the president did come ... was a hell of a leg up and brought us national attention.... I was designated to be in charge of the presidential visit.... But here again we got the current names of every county board member in nineteen counties in northern Wisconsin. They got a formal invitation with the presidential seal on

[549]William Bechtel, The Nelson Newsletter, September 1963.

[550]Ibid.

it.... We hoped to get 5,000 people for the president, we got over 10,000. The biggest traffic jam in Ashland's history, I'll tell you.[551]

Nelson also recalled the president's trip:

> It is a remote area. Not many people are aware of the Apostle Islands -- their uniqueness as an archipelago in the Great Lakes. So when Kennedy did his tour ... I persuaded him to fly over to Ashland. I flew with him along with Hubert Humphrey and Gene McCarthy [a Democratic U.S. Senator from Minnesota] from Washington to ... Pennsylvania and then to Duluth. His remarks on the Apostle Islands were drafted in my office ... so we flew by helicopter from Duluth. Martin Hanson was in the plane with him. Fortunately, as we were flying over, a bald eagle comes soaring off to one side.... We landed; there was a big crowd. He gave a speech, including an endorsement of the idea of saving the Apostle Islands, so that kind of got it at the presidential level and, of course *it would be noticed by the park service and everybody else* [emphasis added]. Then the president was assassinated.[552]

Louis' brother, Martin, in a 1989 interview said:

> I was the tour director.... Well, we started off in the helicopters and ... the phone rang from the pilot. We were to tour the islands first, and then go to Ashland. The pilot told the president that ... there were storm clouds gathering over Ashland and maybe they should go there first because the crowd is bigger than anticipated.... And so John Kennedy asked me, "Should we go in there first?" I said, "Well, let's take the short sweep around the islands...." Let the press helicopters land first." I think he gained an appreciation; there were numerous sailboats out of Bayfield, out around Madeline Island, and of course he sailed Cape Cod, and then he started to understand better the recreational opportunities and the protection of the islands.... We actually [on] Long Island ... saw a black bear running on the beach ... and a pair of eagles flying over the mouth of the Bad River; so those kinds of things he hadn't been subjected to a lot ... and [he] realized that there was a potential for not just sailing recreation, but for wild lands and for the appreciation of the beauty of the area. And when we landed in Ashland he was well received and when we went back to Duluth he said he appreciated the trip and saw the value of why Gaylord was quite insistent that he go there.[553]

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[551]J. Louis Hanson, interviewed by Lidfors.

[552]Nelson, interviewed by Lidfors.

[553]Martin Hanson, interviewed by Jordahl.

The president's speech emphasized the national need to preserve natural resources. He did not endorse the lakeshore per se, but did say, "We, with you in this state and with your governor, will work closely to develop the resources of northern Wisconsin so this area can rise and provide a life for its people and an attraction for people all over the Middle West." He coupled the seeming incongruity of preservation and development by noting the economic hardships the region faced, his efforts to deal with these issues through area redevelopment programs, conservation, rural development and increased fisheries research -- "all important parts of my program for rural America ... and we have the brightest hopes in this section of Wisconsin for the development of outdoor recreation facilities. If promptly developed, recreational activities and now national park, forest and recreation areas can bolster your economy and provide pleasure for millions of people...."

The president went on to say,

> The precise manner in which these resources are used, land and water, is of the greatest importance. There is a need for comprehensive local, state, regional and national planning. I think you are fortunate in this state, because of Gaylord's work and because of John Reynolds' work, you have made a detailed study of the resource development potential of its resources. [Reynolds had provided the president with the plan, which was released at a press conference later that evening.] You are also fortunate in having underway a $50 million program for acquiring recreational resources.
>
> Lake Superior, the Apostle Islands, the Bad River area, are all unique. They are worth improving for the benefit of sportsmen and tourists.... Lake Superior has a beauty that millions can enjoy. These islands are part of our American heritage. In a very real sense they tell the story of the development of this country. The vast marshes of the Bad River are a rich resource providing a home for a tremendous number and varied number of wild animals. In fact, the entire northern Great Lakes area, with its vast inland sea, its 27,000 lakes, and thousands of streams, is a central and significant part of

the fresh water assets of this country and we must act to preserve these assets.[554]

The Superior Evening Telegram described the president as "impressed by white sand beaches gracing the shoreline of the world's biggest fresh water lake and [he] commented that the Apostles reminded him of Cape Cod."[555]

During the course of his visit, the president asked Nelson what the Apostle Islands would cost, and Nelson in turn asked me. I made a ball-park estimate of $4 million to $5 million. Nelson reported this to the president, who indicated that that posed no problem. Nelson was quoted in an Associated Press story saying, "The President was astounded at the modest amount needed to purchase the islands, which the Senator said was the bargain price of $500,000."[556] The Milwaukee Journal reported the costs as $250,000 to $750,000. These estimates did not match the estimate given the president, but the point had been made that the Apostle Islands project was not costly.

The benefits as a result of the president's visit were enormous. Interior Secretary Udall and Agriculture Secretary Freeman accompanied the president on his visit to the Apostles. Although Freeman was familiar with the area, it was Udall's first visit. Under their leadership, joint interior and agriculture department wild rivers studies were underway in the region, including a study on the nearby St. Croix and Namekagon rivers. Plans for a Voyageurs National Park in Minnesota were being formulated. Udall began to see the

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[554]Public Papers of the Presidents of the United States: John F. Kennedy (Washington: U.S. Government Printing Office, 1964), pp. 707-9.

[555]"Park Idea Is Eyed Favorably," The Superior Evening Telegram, September 25, 1963.

[556]Harvey Breuscher, "J.F.K. Sees State Islands, Backs Park," Wisconsin State Journal, September 25, 1963.

value of a system of national areas in the upper Great Lakes. Governor Reynolds and a myriad of public officials were in attendance during Kennedy's visit. Both Bad River and Red Cliff tribal leaders had seats on the podium. Wisconsin conservation commissioners attended, and an enthusiastic crowd of thousands of people heard the president's words. The only notable person missing was the congressman from the district, Alvin E. O'Konski, who could not attend "because the tax bill is being considered in the House of Representatives."[557] The president's visit had given the idea of a "national park" in the Apostle Islands region a tremendous boost. Media coverage, in the region and nationally, was enormous.

After the Ashland stop, the president went to Duluth, where he was met at the airport by a crowd of more than 1,000 people; an enthusiastic crowd of 50,000 lined the streets to observe the motorcade as it traveled to his hotel. He was kicking-off a two-day "Northern Great Lakes Land and People Conference" organized by the U.S. Department of Agriculture. That evening, in the gymnasium at the University of Minnesota-Duluth, Kennedy spoke to 5,000 people on the problems and the opportunities people faced in the region. One specific recommendation would have significant implications for the lakeshore and a system of national parks in the upper Great Lakes.

The Duluth News Tribune reported:

> He urged the governors of Michigan, Minnesota and Wisconsin to develop a plan similar to that in operation by Appalachian States Governors working together across state borders to develop a regional program for action,... "and I would like nothing better than to sit down with the leaders of Michigan, Wisconsin and Minnesota to discuss a similar program for development in the

[557]Duluth News Tribune, September 24, 1963.

appointed chair. A progress report was requested by July 1, 1964, followed by further reports every three months until the assignment was completed.

The study was to:

1. Prepare a management and development plan.
2. Estimate costs.
3. Analyze economic impacts, including impacts on property taxes.
4. Analyze land ownership and tenure and undertake a complete analysis of these factors as they relate to Indian lands.
5. Document the relationship of the area to the Recreation Advisory Council's "Policy Circular No. 1."
6. Study the relationship of the proposed area to other proposed federal recreation areas in the upper Great Lakes region.
7. Develop draft legislation to authorize the area as a unit of the national park system.[575]
8. Provide for the equitable treatment of Indian interests.

Letters were also sent to the governor and the two tribal chairs asking them to designate representatives to serve on the subcommittee; in addition to the tribal chair, one additional member of each tribe was to serve.[576]

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[575]I had repeatedly debated this provision with Bureau of Outdoor Recreation staff. Traditionally, field-level reports were submitted to Washington for review; a policy decision, if favorable, was followed by the drafting of legislation. Substantial changes can occur between field-level recommendations and legislative proposals. I simply wanted to ensure as much control over the legislative process as possible.

[576]Stewart Udall, memorandum to the undersecretary, the assistant secretary for public lands management, the assistant secretary for fish and wildlife, the administrative assistant secretary, the solicitor and the director, and Resources Program Staff, April 4, 1964; Stewart Udall, letters to Alex F. Roye, chair of the Red Cliff Tribal Council; Fred Connors, chair of the Bad River Tribal Council; and Governor John W. Reynolds, April 4, 1964.

excluded![569] I was also surprised that he was willing to delegate the lead to NPS. I responded to the recommendation with detailed changes, the most important being the creation of a field-level subcommittee to prepare the report to be chaired by myself.[570] Caulfield's response to Crafts indicated that a "full-scale" study was not necessary, and that the study committee under my leadership should be established.[571] To keep the pressure on, I prepared a letter to Udall for Nelson's signature urging departmental action.[572]

Another month passed, and then on March 6, 1964, Crafts reversed Shanklin and wrote Udall recommending that I chair a special subcommittee to undertake a "full-scale" study. He cautioned the secretary that the state had interests in the area, that there were Indian concerns, and that the analyses of the relationship to the criteria were inconclusive.[573] He also wrote Nelson informing him of the action.[574] But nearly a month would pass before Udall signed a memorandum on April 4, 1964, establishing the subcommittee, which was to consist of representatives from BIA, NPS, BOR, BSF&W, the regional office of the solicitor, the state of Wisconsin, and the two tribal councils. I was

[569]Director of the Bureau of Outdoor Recreation, memorandum to the U.S. Secretary of the Interior, through Assistant Secretary Carver, January 8, 1984.

[570]Jordahl, personal notes, January 8, 1964.

[571]Henry P. Caulfield, memorandum to the assistant director of the Bureau of Outdoor Recreation, January 20, 1964.

[572]Gaylord A. Nelson, letter to Stewart Udall, February 11, 1964.

[573]Edward Crafts, memorandum to Stewart Udall, through the assistant secretary for public lands management, March 6, 1964.

[574]Stewart Udall, letter to Gaylord A. Nelson, April 4, 1964.

Program Staff again argued for the establishment of a subcommittee. Shanklin ended the meeting and indicated that a memorandum authorizing additional study would be prepared for the secretary of the interior.[568]

Crafts, in January 1964, circulated to the bureaus a draft memorandum to the secretary that was not encouraging. Crafts stressed the state's intense interest in the Apostle Islands area, as evidenced by the newly authorized Big Bay State Park, dock construction on Stockton Island, comprehensive state recreation planning in the area and the state's interest in acquiring Oak, Outer and Otter islands. Moreover, the federal Area Redevelopment Administration was financing studies of economic development opportunities on the Bad River and Red Cliff Indian reservations. Apparently BOR had been in touch with the Wisconsin Conservation Department, which now had broadened its acquisition plans to include two additional islands in the state forest.

The memorandum was obviously designed to placate state concerns. With the passage of the Land and Water Conservation Fund (LAWCON), state park agencies would be BOR's natural constituency, and Crafts wished to maintain good relations with the state conservation department. He further indicated that the preliminary NPS plan, and my draft analysis of the relationship of the area to federal criteria, were inconclusive. He recommended that a study committee be formed under the leadership of the National Park Service, including representatives of BIA, BSF&W, BOR, and the Wisconsin Conservation Department, which would undertake a field study to be completed by July 1, 1964. I was

[568]Bureau of Outdoor Recreation field coordination assistant, memorandum to Henry P. Caulfield, December 18, 1963.

The report was presented to bureau representatives on December 6, 1964. John Shanklin, the assistant director of the recreation bureau, raised a series of questions and objections. In spite of the fact that the report strongly recommended a recreation area, it was not clear to him if the area should be a recreation area, a national park, or a national monument.[566] Furthermore, he argued that BOR had not yet made a determination on whether the area met the criteria for national recreation area status. He also had concerns regarding the Indian lands. In spite of the fact that Roderick Riley, a special assistant to Bureau of Indian Affairs Commissioner Philleo Nash, indicated that the question of Indian lands could be worked out satisfactorily, Shanklin was not persuaded. He also felt that each island and the mainland area needed to be carefully analyzed to determine if preservation or recreational use was to be more significant. Shanklin grabbed the ball by indicating that the initiative was now with the BOR, and that he would call a meeting of bureau representatives in the near future.[567]

In the next meeting, Shanklin continued his objections and questioned further the priority the area should have, particularly in view of administration efforts at the time to reduce federal spending. He and NPS representative Joe Carithers urged further field investigations. Riley and a new member of the team, Tom Schrader of the Bureau of Sports Fish & Wildlife (BSF&W), urged immediate action. Gordon E. Joslyn of the Resources

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Selection, Establishment and Administration of National Recreation Areas, U.S. Department of the Interior, March 26, 1963.

[566]The report also recommended the establishment of a forty to eighty-acre national monument on Madeline Island to recognize, preserve and interpret the significant archeological and historical values there.

[567]Gordon E. Joslyn, memorandum to Henry P. Caulfield, December 10, 1963.

a bill ready for introduction early in 1964. I believed that it was incumbent upon the Interior Department to act to prepare a plan and legislation for the end of the year.[562]

In spite of my urgings, BOR threw up roadblocks, and understandably so, as it had responsibilities, assigned by the secretary, for new area planning. At a Washington, D.C., meeting in October, I had to agree to prepare a preliminary analysis of the relationship of the area to Recreation Advisory Council "Policy Circular No. 1," which governed the selection of new federal recreation areas. The interior bureau representatives could not agree, however, on whether the Apostle Islands should be a state project or a national area. BOR, however, did insist on reserving the right to make the final judgment as to whether or not it qualified for national status.[563] In spite of BOR's position, the NPS office in Philadelphia contended that the three-unit lakeshore had national potential.[564]

After the meeting, I prepared a detailed twenty-eight page single-spaced report with twenty-four citations; obviously I reached the conclusion that the area qualified. I recommended the early authorization of the project by Congress. This report was probably the most detailed analysis of the relationship of an area to Recreation Area Council criteria that had been made to date.[565]

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[562]Harold C. Jordahl, Jr., memorandum to Henry P. Caulfield, October 1, 1963.

[563]Henry P. Caulfield, memorandum to Stewart Udall, October 23, 1963.

[564]National Park Service assistant regional director, memorandum to the acting area director of the Bureau of Indian Affairs, October 11, 1963.

[565]Harold C. Jordahl, Jr., memorandum to the directors of the Resources Program Staff, the Bureau of Outdoor Recreation and the National Park Service, and the Commissioner of the Bureau of Indian Affairs, December 4, 1963, with attached Preliminary Draft: Relationship of the Proposed Apostle Islands Region National Lakeshore to Recreation Advisory Council Policy Circular No. 1, Federal Executive Branch Policy Governing the

The Struggle to Control Planning For the Apostle Islands

During his visit to the Apostle Islands, Kennedy had described the area as a tremendous and unique natural resource and had pledged the assistance of the federal government. But eight months would lapse before the Department of the Interior formalized a planning process for the area. The assassination of the president later that fall may have accounted for part of the confusion and bureaucratic delay in the department. But an ongoing struggle to control the planning task within the Department of the Interior accounted for most of the delay.

Shortly after the president's visit, I submitted a memorandum to Henry P.Caulfield,[561] the director of the Resources Program Staff, urging that a subcommittee of the North Central Field Committee be established by the secretary to develop the plan. I also argued that I knew the area intimately, had worked with Nelson on the initial proposal, and was under pressure from local citizens who wanted action. Neither the National Park Service nor the Bureau of Recreation had personnel familiar with the area, nor were they acquainted with Governor Reynolds and key state political leaders and legislators. We were assuming that state legislation had to be enacted and such legislation had to come in the fall of 1963; otherwise the legislature would adjourn until 1965. I stressed that Nelson wanted

[561]Charles H. Stoddard, who had persuaded me to join the Resource Program Staff, came from northern Wisconsin and knew the Apostle Islands. Udall appointed him director of the Bureau of Land Management, and Henry Caulfield became the policy staff director. Both Stoddard and Caulfield would be highly supportive of the Apostle Islands National Lakeshore.

Regional Commission (UGLRC), authorized by the Public Works and Economic Development Act of 1965.[560]

In his speeches, the president had linked tourism, parks, and conservation with economic development. The theme was to be reiterated time and time again during the two-day conference. Regional approaches were stressed. Out of this, and the subsequent work of the UGLRC, the concept of a system of "star attractions" in the northern Great Lakes region was reinforced. The system would include the Boundary Waters Canoe Area in Minnesota, six national forests in the three states, Isle Royale National Park in Michigan, Grand Portage National Monument in Minnesota, the proposed national lakeshores at Sleeping Bear Dunes and Pictured Rocks in Michigan and the Apostle Islands in Wisconsin, a new Voyageurs National Park in Minnesota, and a National Wild and Scenic River on the St. Croix-Namekagon and Wolf rivers in Wisconsin. The "star attractions" were to be major inducements for increased tourism and tourism spending in the region (see Appendix One, Map 4). Economic development and new national parks were being tightly linked together. More importantly, a bipartisan political consensus was developing which would lead to UGLRC support for the new proposals, including the Apostle Islands, as they began to wend their way through Congress.

[560]A coalition of senators from New England, the upper Great Lakes, the Coastal Plains, and the Ozarks had, in 1965, pressured the White House to amend their bill authorizing an Appalachian Regional Commission to permit similar federal-state commissions for other lagging regions. The White House was not willing to amend the bill, but an understanding was reached that a new public works and economic development bill, then being drafted, would provide for similar commissions in other parts of the United States. Nelson was a key proponent in urging the amendment to deal with human, economic and resource problems in the upper Great Lakes region.

> Upper Lake States Area." The President also announced that "to further improve federal participation I have directed the Department of the Interior to establish a North Central Field Committee with headquarters in Minneapolis and St. Paul."[558]

That fact that the field committee was noted in the remarks of the president would be most useful to me in later years in dealing with the numerous federal and state agencies involved in the lakeshore, some of which would prove to be obstinate.

The president's speech also noted that unemployment in the region was more than double the national average. "The economy of a region that should be prospering has reflected instead a series of economic setbacks as mines and mills shut down or curtailed their operations.... Our goal," he said, "is the full employment of both the natural and human resources which this area still possess in abundance."[559]

Advocates for the national lakeshore would use these statements in stressing the economic impacts of parks and lakeshores in the region.

The president had skillfully placed conservation and resource development at the top of the national agenda for lagging regions of the United States and pledged the help of the federal government. Minnesota Governor Karl F. Rolvaag, Wisconsin Governor John Reynolds, and a representative for Michigan Governor George Romney were also quoted as supporting a united effort for the solution of the economic problems of the region. The foundations were being laid for what eventually was to become the Upper Great Lakes

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[558]"Prepared Text of President Kennedy's Address at University of Minnesota-Duluth Tuesday Night," Duluth News Tribune, September 25, 1963.

[559]Ibid.

Although not explicit in Udall's memorandum, a consensus had developed among the local communities, the Indians, and Nelson and within the Interior Department that the area to be studied consisted of the three units. Agreement had not been reached on a national monument on Madeline Island. Specific boundaries were to be delineated when the detailed planning was complete.

National and Multi-State Planning and the Apostle Islands

The timing for the lakeshore could not have been better. The building blocks for a vastly expanded national parks and recreation system had been put in place in the late 1950s, through such initiatives as the Our Fourth Shore Studies of the NPS, the work of the federal Outdoor Recreation Resources Review Commission (ORRRC), and the initial steps taken by the NPS to develop a national plan. These reports and programs would give lakeshore proponents powerful arguments to use in persuading the public, Congress, and federal and state bureaucrats that the lakeshore was a legitimate, worthy, and necessary addition to the national park system.

In the 1950s the NPS dramatized the lack of significant public access to the shorelines and waters of the Great Lakes system; of the approximately 4,000 miles of mainland shoreline, only 497 miles were in some type of public ownership. The Our Fourth Shore Study[577] identified some 426 additional miles as possessing important opportunities for outdoor recreation. In Wisconsin, areas identified as needing protection by public

[577]National Park Service, Remaining Shoreline Opportunities in Minnesota, Wisconsin, Illinois, Indiana, Ohio, Michigan, Pennsylvania, New York (Washington: U.S. Department of the Interior, 1959), pp. 2, 21, 39-41, 45-147; Our Fourth Shore: Great Lakes Shoreline Recreation Area Survey (Washington: U.S. Department of the Interior, 1959).

Six months had passed since the presidential visit, and almost two years had gone by since the Bad River Tribal Council resolution had been submitted, before the Department of the Interior formally embarked on a study of the Apostle Islands region. The delay could be attributed to a number of things: 1) the assassination of President Kennedy, which made agencies and bureau chiefs uncertain of their tenure in office; 2) uncertainty as to whether or not the Kennedy initiatives would be continued; 3) although the BOR had recreation area planning responsibilities, it was a new agency and was still working out its relationship with the National Park Service, which historically did new area planning; 4) additional appropriations to federal recreation agencies and a new grant-in-aid program, LAWCON, were not yet authorized and funds were scarce; 5) concern as to whether or not the area qualified for national status; 6) the number of new seashores and lakeshores being proposed as additions to the national park system and the need for assurances that rigid criteria were being applied; 7) my inexperience at the federal level and my obvious strong bias favoring national status for the area; 8) the fact that field committees had not been involved in new recreation area planning; 9) the state's numerous interests in the area; and 10) uncertainties regarding the incorporation of Indian lands into the proposal.

In spite of the long delays, the charge from Udall was clear and explicit. A complete study was to be done. The professional staff resources in the interior bureaus were now available for the effort, and the Indians and the state were to be full participants. Perhaps most importantly, Udall's charge implicitly recognized that the area had national status; he requested that draft legislation be prepared authorizing the area as a unit of the national park system.

acquisition included several small units on the Bayfield Peninsula, Stockton Island, the Brule River, and the Lake Superior shoreline west of the mouth of the Brule. The potential national significance of the "Bad River marshes" was recognized by a recommendation for further study.

In Minnesota, a "parkway-like" development was proposed for U.S. Highway 61, which paralleled Lake Superior north of Duluth to the Canadian border. The Fourth Shore study also recognized the potential national significance of Pigeon Point, Grand Portage, and the lands along the Pigeon River west to the boundary of the Superior National Forest and recommended an enlargement of Split Rock State Park.

The study also noted the potential national significance of the Indiana Dunes. In the Upper Peninsula of Michigan, thirteen areas with a combined shoreline of 195 miles on Lake Superior were selected for public recreation. The potential national significance of the Huron Mountains and Pictured Rocks was recognized. Along the lower Great Lakes, another twenty-seven sites totaling 100 miles were recommended on lakes Huron, Michigan, St. Claire, and Erie. Sleeping Bear Dunes was identified as having significant national potential. A "scenic shore drive" along forty-five miles of U.S. Highway 2 west of the Straits of Mackinac was also urged. Although the studies were basically an inventory, the recognition of potential national significance in two sites in the northern Great Lakes region was important for the Apostle Islands.[578]

The U.S. Senate Select Committee on National Water Resources was to push the idea of seashores and lakeshores even further. The chairman, Senator Robert S. Kerr, an

[578]Ibid.

Oklahoma Democrat, highlighted the need in his transmittal letter to the committee's report: "These [NPS recommendations] suggest that we should consider taking steps for the acquiring of 15 percent of our general ocean and major inland water shoreline; about 6 1/2 percent are presently in Federal and State ownership for public recreation purposes along our Atlantic and Gulf coasts...." In the report to the committee the park service had urged legislation to effect a program of seashore and lakeshore preservation and use.[579]

The ORRRC summary report, accompanied by twenty-seven appendices, constituted the most massive study of outdoor recreation ever conducted by the federal government. The recommendations were of significance to the Apostle Islands. First, and most importantly, the report called for a vastly expanded public outdoor recreation effort at all governmental levels. Second, it recognized water as a focal point of outdoor recreation. Third, it noted the economic benefits of outdoor recreation. Fourth, the report recommended immediate action on the part of federal, state, and local governments for the acquisition of shoreline areas. Fifth, a new agency, the Bureau of Outdoor Recreation, was to be established to coordinate planning and to administer a new grants-in-aid program known as LAWCON. The report also highlighted the need for access to the Great Lakes shoreline, where demand was great but public access scarce.[580] Shoreline needs, problems,

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[579]Water Resources Activities in the United States: Water Recreation Needs in the United States, U.S. Senate Select Committee on National Water Resources, Committee Print No. 17, Eighty-Sixth Congress, 2nd Session (Washington: U.S. Government Printing Office, May 1960), pp. III, 4.

[580]Outdoor Recreation Resources Review Commission, Outdoor Recreation for America: A Report to the Congress by the Outdoor Recreation Resources Review Commission (Washington: U.S. Superintendent of Documents, 1962), pp. 1-10, 70.

and programs were discussed in a detailed appendix, which summarized each state's program. For Wisconsin, the report noted the unique biotic diversity of the Bad River marshes.[581]

Although the appendices were not formally approved by the federal outdoor recreation commission, they would influence public opinion and public policy. One appendix gave even greater credence to Great Lakes recreational needs. "Not one of the Great Lakes states ranks above the national average in federal recreation lands (relative to the total state area) and purchases by the federal government would have the advantageous result of spreading national facilities throughout the nation."[582]

Another appendix recognized that most shoreline needs would have to be met by state and local governments because they would primarily serve local people, but the need for federal involvement was recognized in the call for acquisition of the few remaining areas of national significance.[583]

When he established the Bureau of Outdoor Recreation, Udall assigned it recreation planning responsibilities and transferred the functions of the Nationwide Planning and Cooperative Services of the National Park Service to the new bureau. He did, however,

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[581]Outdoor Recreation Resources Review Commission, Shoreline Recreation Resources of the United States, A Report to the Outdoor Recreation Resources Review Commission, ORRRC Study Report 4 (Washington: U.S. Superintendent of Documents, 1962), pp. 142-3.

[582]Outdoor Recreation Resources Review Commission, Trends in American Living and Outdoor Recreation: A Report to the Outdoor Recreation Resources Review Commission, ORRRC Study Report 22 (Washington: U.S. Superintendent of Documents, 1962), p. 77.

[583]Outdoor Recreation Resources Review Commission, Federal Agencies and Outdoor Recreation: A Report to the Outdoor Recreation resources Review Commission, ORRRC Study Report 13 (Washington: U.S. Superintendent of Documents, 1962).

permit the NPS to publish in 1964 a report titled Parks for America, which was in draft form at the time BOR was created. In the foreword he made it clear that the report represented only the views of the NPS and did not necessarily reflect the views of BOR.[584] Nonetheless, the views and recommendations of the NPS would continue to carry weight and would be useful to proponents of a "national system" in the upper Great Lakes.

The NPS report recommended the establishment of the Pictured Rocks and Sleeping Bear Dunes national lakeshores in Michigan, further study of the Huron Mountains in the Upper Peninsula of Michigan and a Lake Superior Shoreline Parkway extending from Superior, Wisconsin, to Sault St. Marie, Michigan. In Wisconsin, the report urged the establishment of a National Ice Age Scientific Reserve as well as state action to protect Oak Island in the Apostles and the Bad River marshes. State protection for recreational purposes was also urged for the Brule, Flambeau, Namekagon, St. Croix and Wolf rivers.

In Minnesota the report called for further study of the national significance of the Kabetogama Lake region (which eventually became Voyageurs National Park) and a Pigeon Point Indian Park at Grand Portage.[585]

Challenged by exciting new presidential and interior secretarial leadership, the establishment of BOR, and proposals for a massive infusion of new funds through LAWCON, Congress began to respond. National seashores were authorized at Cape Cod, Massachusetts in 1961, and Point Reyes, California, and Padre Island, Texas in 1962.

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[584]National Park Service, Parks for America: A Survey of Park and Related Resources in the Fifty States and A Preliminary Plan (Washington: U.S. Department of the Interior, 1964), pp. V-VI.

[585]Ibid., pp. 265-83; 329-35.

Sleeping Bear Dunes, Indiana Dunes, Pictured Rocks, and the Ice Age National Scientific Reserve were also being considered by Congress in 1962.[586] In no small measure, Udall was the motivating force behind this exciting new era in national parks development. Early in his administration he met nightly with his advisors to consider two items, the national parks and seashores and Indian affairs. His objective was to "double the acreage of the NPS in eight years."[587] He was well on his way to meeting that goal.

The concept of a system of "star attractions" in the northern Great Lakes was taking hold. The proposed new additions to the national park system, existing national forests and parks, and adjacent parks in Canada -- Quetico Provincial Park along with Lake Superior Provincial Park and Pukaska National Park and the recently completed road along the north shore of Lake Superior in Ontario -- in effect constituted a "national recreation system plan" for the region. Not only did the "plan" make conceptual sense, but it would be enormously important in achieving strong political support from the congressional delegations from the three states. Moreover, significant economic benefits to the region would be associated with tourism if the national areas could be promoted as a great national system equaling those of the western states.[588]

Park service planners picked up on this idea in their first draft plan by noting that the Apostle Islands "stand as a major attraction, 'a grand tour' system of parks and

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[586]Ibid., pp. VIII-IX.

[587]Henry Caulfield, "The Conservation and Environmental Movements: An Historical Analysis," in Environmental Politics and Policy, edited by James P. Lester (Durham: Duke University Press, 1989), p. 28.

[588]Harold C. Jordahl, Jr., personal notes, 1963; Ronald F. Lee, letter to Jordahl, August 22, 1963.

recreation areas," and when tied together, the system would "greatly facilitate tourism."[589] The preliminary draft analysis of the relationship of the lakeshore to federal recreation area criteria also strongly endorsed a multi-state regional approach to new national areas in the upper Great Lakes.[590]

The regionally based approach to national recreation areas was reinforced by Udall in a speech in Madison, Wisconsin, in 1964 in which he declared, "The NPS has no real foothold in the upper Great Lakes region.... The Midwest has been passed by, so I have assigned a special task force (the subcommittee of the North Central Field Committee) to study which areas should be preserved."[591] He also noted that a national wild and scenic rivers study was currently underway on the St. Croix-Namekagon and Wolf rivers, and that additional studies were underway on the Apostle Islands, the Ice Age reserve, Voyageurs National Park, and the proposed lakeshores in Michigan.

In the following years the concept was advanced repeatedly. The Northern Great Lakes Resource Development Committee, an influential three-state citizens' group organized and staffed by the University of Wisconsin Cooperative Extension Service, followed up on the "Land and People Conference" held in Duluth in 1963 and pushed these national proposals with vigor.[592]

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[589]National Park Service, Preliminary Draft Plan for Apostle Islands National Lakeshore (Washington: U.S. Department of the Interior, October 1963).

[590]Harold C. Jordahl, Jr., memorandum to U.S. Department of the Interior bureau chiefs, December 4, 1963.

[591]Gene Divine, "Areas Studied for Midwest Parks: Udall for Midwest Sites," Milwaukee Sentinel, April 4, 1964.

[592]"3 National Parks Urged for Tri-State Region," Duluth News Tribune, May 22, 1964.

The interior subcommittee report emphasized the relationship of the Apostles to recreation in the larger upper Great Lakes region and stated that "the Apostle Islands region will fit nicely into a system of national areas on the Great Lakes and will complement other public outdoor recreation projects at inland sites."[593]

Each iteration of master plans for the lakeshore also called attention to its relationship to a regional system of national areas. Although not known as a "preservationist," even Alvin E. O'Konski, the veteran congressman from the district, would eventually note that the greatest weakness in the 119-county area represented by the Upper Great Lakes Regional Commission was the lack of national parks, like the Apostles, with which to attract tourists.[594] Most importantly, on two occasions (August 28, 1967, and September 4, 1968) the UGLRC, which now consisted of three Republican governors, passed resolutions in support of the lakeshore.[595] Drawing on the earlier regional park concepts, a plan or strategy for outdoor recreation in the region had been prepared by this commission and submitted to Congress in the commission's annual report of 1969:

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[593]U.S. Department of the Interior, Proposed Apostle Islands National Lakeshore, Bayfield and Ashland Counties, Wisconsin (Washington: March 1965), pp. XII-XIII.

[594]"Apostle Islands Project OK Seen," Milwaukee Sentinel, July 30, 1968.

[595]Thomas Francis was appointed by Lyndon Johnson as the first federal co-chair of the Upper Great Lakes Regional Commission. Later, I was appointed by the president as alternate federal co-chair. Shortly before the 1968 presidential election, Francis moved to the Economic Development Administration. I continued to serve as alternate and acting federal co-chair until May 1970, when I joined the University of Wisconsin faculty. In these respective positions, I was able to continue to be actively involved in the planning and political process for a lakeshore.

> A principal strategy ... is to create a network of natural and historic areas that would have a national appeal to the higher spending, mobile tourists. Most immediately, this means gaining Congressional approval of the proposed Sleeping Bear Dunes and Apostle Islands National Lakeshores and the Voyageurs National Park, along with accelerated acquisition and development of authorized projects. Improvement of the national monument and working with the Indians to establish an Indian park on the Grand Portage Indian Reservation in Minnesota is also proposed.
>
> This network will comprise natural areas of national significance. In addition to the proposals listed above, the network would be made up of the following already established areas: Pictured Rocks National Lakeshore, Sylvania Recreation Area, and Isle Royale National Park, all in Michigan; the Ice Age National Scientific Reserve in Wisconsin; the Boundary Waters Canoe Area in Minnesota; the St. Croix and Namekagon National Wild Rivers in Minnesota and Wisconsin and the Wolf River in Wisconsin.
>
> These attractions will gain the region national recognition as a place of outstanding beauty and recreational appeal. The additional visitors that such facilities would attract (for four proposed new areas, an estimated 5.8 million per year) would have impact initially in the commercial tourist field. However, such attractions would also make the Region a better place in which to live, thus attracting additional residential and manufacturing growth.
>
> In addition, creation of the four proposed new areas would, over time, bring into the region an estimated $84 million in federal funds for acquisition and development. An important supplement to the network is the system of state and local parks which is undergoing continual expansion and improvement.[596]

Furthermore, the commission had proposed to the administration a supplemental funding request for fiscal year 1970[597] to accelerate the acquisition and development of key

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[596]Upper Great Lakes Regional Commission, Development Strategies: Upper Great Lakes Region (Washington, D.C., January 1969), pp. 15-16.

[597]The request for supplemental funding was denied. The great promises of the so-called "Title V" commissions (Ozarks, Upper Great Lakes, New England, and Four Corners) were never achieved largely because of spending on the Vietnam War. The Appalachian Regional Commission, organized earlier under a special act with sophisticated bipartisan political support, was able in each budget year to capture the bulk of the appropriations allocated to regional commissions. The Nixon administration unsuccessfully attempted to

facilities in the authorized national network and those which were expected to be authorized in 1970.[598]

The UGLRC followed up on the "star attractions" concept with a proposed highway network that would permit tourists to travel on the most scenic roads in the region, "an alternative to moving from one grand recreation experience, along the typical roadside clutter and billboards, to the next great site." In other words, the plan called for a recreation experience at the great sites and scenic touring.[599] It was patterned after Martin's much earlier grand scheme for a western highway system that would tie all the western parks into "one grand touring circuit".[600]

The UGLRC plans, strategies, and resolutions were significant. During the period that the Apostle Islands National Lakeshore was under debate in Congress, the following governors were involved with or served on the commission: Warren Knowles of Wisconsin; Karl F. Rolvaag and Harold LeVander of Minnesota; and George Romney and William Milliken of Michigan. The federal co-chair and acting federal co-chair, both appointees of

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abolish the commissions. Not until the 1981 Tax Reduction and Budget Reconciliation Act of the Reagan administration were conservatives able to abolish "Title V" commissions. In spite of the Reagan initiative, the Appalachian Regional Commission was able to survive.

[598]This was noted in the statement of Harold C. Jordahl, Jr., Acting Federal Co-Chair of the Upper Great Lakes Regional Commission, during a hearing on S. 621 before the Subcommittee on Parks and Recreation of the U.S. Senate Committee on Interior and Insular Affairs, Ninety-First Congress, First Session (Washington: U.S. Government Printing Office, 1969), pp. 57-68.

[599]Institute for Environmental Studies and Recreation Resources Center, Upper Great Lakes Regional Recreation Study: Part 5, Scenic Highway System, University of Wisconsin-Madison, 1974.

[600]Foresta, America's National Parks, p. 27.

the president, reflected the administration's position. Even with a change in the national administration from Johnson to Nixon, the new federal co-chair of the UGLRC, Alfred E. France, vigorously supported the "star attraction" concept and the lakeshore.[601]

The Bureau of Outdoor Recreation eventually subscribed to the concept when Assistant Director Daniel Ogden finally approved the analysis of the relationship of the lakeshore to Recreation Advisory Council criteria. (Ogden previously had been on the Resources Program Staff and was sympathetic to the lakeshore.) His report stated that the

> Apostle Islands [proposal] is in conformity with the National Outdoor Recreation Plan. [The plan was still in draft form.] The recreation areas under review will constitute a key unit in the system of existing and proposed national recreation areas and thus will be an essential element in the prospective National Outdoor Recreation Plan....
>
> The lakeshore would be a key link in a network of natural and historic attractions of national value that is taking shape in the north-central United States.... The Apostle Islands would be a pivot point in this network for east-west and north-south travelers.[602]

Certainly the repeated emphasis on an upper Great Lakes system of "star attractions," which attracted bipartisan political support as well as strong public support, was important to the eventual passage of the lakeshore. Moreover, the concept played an important role

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[601]Apostle Islands National Lakeshore, Part II, Hearings Before the Subcommittee on National Parks and Recreation of the Committee on Interior and Insular Affairs, U.S. House of Representatives, Ninety-First Congress, Second Session on H.R. 555, H.R. 9306 and S. 621, Serial No. 91-9 (Washington: U.S. Government Printing Office, 1970), pp. 319-22.

[602]Bureau of Outdoor Recreation, Relationship of the Proposed Apostle Islands National Lakeshore to Recreation Advisory Council Policy Circular No. 1, "Federal Executive Policy Governing the Selection, Establishment and Administration Of National Recreation Areas of March 26, 1963 (Washington: U.S. Department of the Interior, January 14, 1966).

in the eventual authorization of every major proposal for the region except Grand Portage Indian Park in Minnesota.[603]

The Apostle Islands and State Planning

Nelson's initiatives had invigorated planning for the state and especially for the north. Not since the 1930s, with the work of the National Resources Planning Board and the Wisconsin State Planning Board, had the north received such intense attention. And the planning would be sensitive to Nelson's policy initiatives; the Wisconsin Department of Resource Development's state recreation plan, the "south shore studies," the planning for the lakeshore, and the plans being developed for the state recreation committee by the Wisconsin Department of Resource Development. To have assigned the Wisconsin Conservation Department planning responsibilities for a national lakeshore, given its interests in some of the islands and its antipathy to both federal involvement and Nelson himself, would have presented the proposed lakeshore with enormous, and perhaps impossible, difficulties. In contrast, the state's planning programs supported and reinforced a national lakeshore.

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[603]The director of the Resources Program Staff, with the approval of Udall, established a special committee, which I chaired, to explore with the members of the Grand Portage Band of Chippewa Indians the feasibility of establishing an Indian Park to supplement the small Grand Portage National Monument situated within the reservation. The committee recommended an Indian Park of 12,644 acres at a cost of approximately $6 million. This proposal, as with the lakeshore, became embroiled in the "Red Power" movement of the late 1960s. Inaccurate charges of "another white man's land grab" were levied against the committee by Indian Community Action Agency employees, represented by attorney Rodney Edwards of Duluth, who also represented the Bad River Tribal Council in the late 1960s. The proposed Indian Park was turned down by the Indian people. (See Grand Portage: A Task Force Report (Washington: U.S. Department of the Interior, May 24, 1967.)

Recommendations to protect important recreation and scenic resources in the state would be joined with persuasive arguments that tourism spending was important to the state's economy. The University of Wisconsin commercial tourism study reported that during one twelve-month period (1959-1960), individuals who spent at least one night away from home spent a combined total of $581,295,311 in Wisconsin on vacation-recreation activities. (If expenditures for activities not involving an overnight stay had been included, the total would have been much higher.) Slightly more than half of this revenue was derived from non-residents. The number-one attraction to tourists was scenery and sight-seeing (forty percent), with fishing ranking second (twenty-three percent).[604]

This data, and data developed in subsequent studies, attracted a great deal of media and public attention and support. Recreation and tourism were becoming major elements in the state's economic development strategy, especially for the north. But more than just promoting commercial tourism development, the studies repeatedly demonstrated the importance of protecting scenic beauty, the single most important reason for tourists to recreate in Wisconsin. Tourism proponents and parks advocates saw the wisdom in joining forces to support Nelson's recreation initiatives and a national lakeshore.

Local units of government in northern Wisconsin did not have the money to carry out recreation programs and to capitalize on tourism. For example, both Bayfield and Ashland counties had been designated as "redevelopment areas" by the U.S. Department of Commerce. Problems of high unemployment and underemployment, a declining population, and rising property tax loads precluded any meaningful action by local governments.

[604]Fine and Werner, The Tourist-Vacation Industry in Wisconsin.

Moreover, the two counties -- Ashland especially -- were not interested in keeping their lands available for public recreation. In fact, Ashland County, at one point, wanted to sell Oak Island to private developers.[605]

Although the Wisconsin Conservation Department had numerous interests in the region, and in spite of the fact that new Outdoor Recreation Act Program (ORAP) dollars were available for outdoor recreation, the department's capacity to meet needs statewide was still limited. Parks Director Koening's rather expansive plans for the Apostle Islands were simply not realistic. The department was committed to completing state acquisition on Stockton and acquiring Oak and Basswood islands, and it had also initiated a new Big Bay State Park on Madeline Island. The conservation commission's earlier adoption of the "Policy on Acquisition of an 'Apostle Islands Wilderness Area'" indicated that its limited acquisition goals could only be realized slowly because of established commitments and other priorities in the use of available funds.[606] This was adopted prior to ORAP, but would continue to hold true.

The first iteration of the Wisconsin Department of Resource Development's comprehensive recreation plan would further emphasize that Wisconsin needed to address outdoor recreation needs in other parts of the state. Facilities were severely limited in the populous southeastern and east-central Wisconsin; an additional 1,000 acres of beach lands

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[605]Harold C. Jordahl, Jr., Preliminary Draft: Relationship of the Proposed Apostle Islands National Lakeshore to Recreation Advisory Council Policy Circular No. 1: Federal Executive Branch Policy Governing the Selection, Establishment and Administration of National Recreation Areas, U.S. Department of the Interior, December 3, 1963.

[606]Wisconsin Conservation Commission, Policy on Acquisition of an Apostle Islands Wilderness Area, Madison, August 12, 1955.

were needed in these areas immediately, and by the year 2000 needs would reach 7,050 acres. Of the Great Lakes shoreline in the state, only twenty-eight miles out of 820 miles were in public ownership, and most of that was on remote Stockton Island. Acquisition needs on the Lake Michigan shoreline were especially critical, and because no sites met national criteria on this shoreline, state action was vital. Although the emphasis for state action was placed on the Lake Michigan shoreline, the DRD plan recognized the high recreational and aesthetic qualities of the Apostle Islands region.[607]

Both the preliminary and final "south shore studies" also emphasized the need for federal action in the Apostle Islands region:

> [The national lakeshore] will provide an economic stimulus to a region which is financially depressed, will meet the social goals of providing Americans with valuable outdoor recreation amenities in a unique area, and will materially assist the members of the two tribal councils to improve their economic and social status. The Department heartily concurs in the foregoing federal proposal and is working closely with the agencies concerned to promote this concept.[608]

The final south shore report further recommended that the state abandon its plans in the Apostle Islands region in the event the federal proposal materialized, and focus instead in the north on 1) the acquisition of some 53,000 acres of land for established and new state parks and forests; 2) the acquisition of 25,000 acres for additional wildlife habitat

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[607]Wisconsin Department of Resource Development, A Plan for Wisconsin, Madison, 1963, p. 83; Wisconsin Department of Resource Development, Recreation in Wisconsin, Madison, 1963.

[608]Jordahl, Preliminary Draft: Relationship of the Proposed Apostle Islands Region National Lakeshore; Wisconsin Department of Resource Development, South Shore Resource Development Potential: A Preliminary Recreation Report, Madison, 1963, p. 58-9; Wisconsin Department of Resource Development, The Recreation Potential of the Lake Superior South Shore Area, Madison, 1963, p. 71.

and 11,840 acres for fish habitat; 3) the creation of 175 new public landings on lakes and streams; 4) a purchase goal of 25 percent of the shores of lakes to protect spawning areas; and 5) the acquisition of 81 miles of stream frontage.[609] These were formidable planning goals and would require substantial funds. The Wisconsin Conservation Commission was already beginning to struggle with the fiscal demands of a greatly enlarged state recreation program. In 1963, it estimated that its established program would take 21 years to complete at a cost of $150 million; acquisition costs alone were $50 million. The massive infusion of new funds had brought about a sense of euphoria within the conservation department, but its expanded goals were not in keeping with the fiscal realities of the time. Thus, in October of that year, the commission adopted a new policy of completing established projects while initiating no new major projects and dropping low-value projects.[610]

In spite of the "south shore studies" and the work of the interior subcommittee, the Wisconsin Conservation Department remained cool to federal involvement in the region. In 1964 I reviewed with top department officials the outlines of the lakeshore proposal. Although interested, they would make no commitments. They also advised me that they planned to continue their acquisition and development plans for the islands, a park at Big Bay on Madeline Island, and land purchases at Raspberry Bay and other areas on the Bayfield Peninsula.[611]

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[609]Wisconsin Department of Resource Development, Recreation Potential.

[610]Jordahl, Preliminary Draft.

[611]John A. Beale, memorandum to George E. Sprecher, Donald J. Mackie and Edward Schneberger, December 1, 1964; Edward D. MacDonald, memorandum to Mackie, July 15, 1964.

In addition to recreation planning, the state was engaged in economic development planning for rural regions. The Overall Economic Development Plans (OEDP) prepared by the Wisconsin Department of Resource Development proposed investments in public recreation as one mechanism to attract tourists and tourism spending to the Apostle Islands region. County-level OEDPs made similar recommendations. Both drew upon the conclusions of the university tourism studies. Earlier, at the September 25, 1963, "Land and People Conference" in Duluth, Minnesota, the conferees agreed that recreation and tourism offered the northern Great Lakes region its greatest undeveloped economic opportunity.[612]

Because many tourists came from out of state, planners further argued that the federal government had a responsibility to the region. Highway checks made at Superior and Ashland had shown that eighty percent of the people who indicated that their trip purposes were vacation and recreation were out-of-state visitors. They came from Minnesota, Michigan, Illinois, Indiana, Ohio and Iowa, and indeed represented all major regions of the United States. Canadian visitors also were present in significant numbers.

The first-phase plan stated:

> The results of the DRD recreation and economic studies in the Apostle Islands region could only lead to the conclusion that the state did not have the fiscal capacity to undertake the Lakeshore and that Federal involvement was necessary. This conclusion was summarized in the first phase of the state recreation plan as follows:

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[612]U.S. Department of the Interior, Preliminary Draft: Preliminary OEDP For Northwestern Wisconsin, Madison, 1963; Transactions of Land and People Conference, Duluth, Minnesota, September 25, 1963; U.S. Department of Agriculture, Resources and Recreation in the Northern Great Lakes Region (Washington: U.S. Department of Agriculture, 1963).

> The [lakeshore] area conforms with the first phase of the Wisconsin Comprehensive Plan. It conforms with the Preliminary Report on the South Shore Area and the unpublished final report on the region. The proposal is consistent with the policy position of the Wisconsin Conservation Commission. The proposal conforms to findings of landscape architects, consultants to the Wisconsin Department of Resource Development, who made a complete Lake Superior Shoreline survey, that the environmental resources within the proposed area have high recreation potential.[613]

In spite of the fact that the state had changed governors, from Reynolds to Knowles, civil service planners in the DRD had continued the momentum with the second phase of the recreation plan, which echoed and reinforced the first phase:

> The Apostle Islands offers a unique potential as a recreation area. The creation of a National Lakeshore in the Apostle Islands area is consistent with this plan on the assumption that this federal facility will be established, and that no state or local funds will be involved. No allocations are made in this plan for the acquisition or development of this area.[614]

The plan further noted that the state had 690,000 acres of potential park land, of which more than 250,000 acres were rated "top quality." Needs were greatest in the southern and eastern counties and DRD plans called "for protection and development of these sites close to where large numbers of people live. It recommends against expansion of public recreational lands in sparsely settled northern counties."[615]

The tourism studies and the planning reports were repeatedly used in congressional hearings on the lakeshore. At one hearing, Congressman Roy A. Taylor, a North Carolina Democrat, noted that the lakeshore was one of the most thoroughly studied and planned

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[613]U.S. Department of the Interior, Preliminary Draft.

[614]Wisconsin Department of Resource Development, The Outdoor Recreation Plan, Wisconsin Development Series, Madison, 1966, p. 138.

[615]Wisconsin Department of Resource Development, Wisconsin Development Plan, Madison, 1966, pp. 55-6.

proposals ever to come before the U.S. House Committee on Interior and Insular Affairs. At another hearing before a Senate subcommittee, I brought along all of the planning documents relevant to the lakeshore. The chair, Nevada Democrat Alan Bible, was startled when he saw the pile of documents; he apparently feared a long discourse based on the reports. I quickly reassured him that my purpose was simply to impress the subcommittee with the fact that careful studies supported a lakeshore.

The Apostle Islands and Sub-State Regional Planning

Centralized state recreation planning and support for a lakeshore was one thing. As importantly, sub-state regional planning -- after careful analysis of the data -- should likewise show consistency with state planning and state goals. The Northwestern Wisconsin Regional Planning Commission (NWWRPC) would serve that role. The Wisconsin Department of Resource Development provided planning assistance. During the 1960s the planning commission was struggling with pervasive problems of economic stagnation and decline. It elected to make tourism an important element in its economic development strategies. Fortunately, the University of Wisconsin tourism studies were partially completed. Others were underway. The analysis of the economic implications of a lakeshore would predict that when fully developed, the area would attract 920,700 visits, resulting in a $7.25 million economic impact on the local economy.[616] These data would be persuasive and were made

[616]I.V. Fine, Apostle Islands: Some of the Economic Implications of the Proposed Apostle Islands National Lakeshore, Wisconsin Vacation-Recreation Papers, Vol. 111, No. 1 (Madison: University of Wisconsin, School of Commerce, May 1965), pp. 8, 14. After establishment, and in spite of the fact that the lakeshore boundaries had been substantially reduced, these numbers concerned local people who were apprehensive that tourists would overwhelm their communities. They failed to distinguish the difference between visits and visitors and the fact that the scenic road which would attract numerous visits had been

available in preliminary form to the Northwestern Wisconsin Regional Planning Commission and would be useful in enlisting its support for the national lakeshore. (The university's economic impact studies on the lakeshore, led by Professor I.V. Fine, will be referred to as the "Fine study.")

Members of the northwestern regional planning commission staff met with the Interior Department's subcommittee in 1964 to review the relationship of the proposed lakeshore to their tourism and economic development strategies. We urged them to designate the Apostle Islands region as a special study area in their forthcoming comprehensive plan.[617] Because the NWWRPC had in part been organized in response to Nelson's charges in 1957 and 1958 that the state had done nothing on regional planning, I was concerned that there might still be some political antipathy vis a vis Nelson. This was not the case; instead, the commission reiterated the following recommendations emanating from the state: "Local residents, the Regional Planning Commission and private promotional groups should press for the establishment of the ... Apostle National Park area. Such a project would draw many vacationers into the region."[618] The commission's members were appointed by county board chairs, so it had significant influence on tourism groups and local residents in the five northwestern Wisconsin counties, including Ashland and Bayfield.

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dropped.

[617]North Central Field Committee subcommittee minutes, October 1, 1964.

[618]Northwestern Wisconsin Regional Planning Commission, Northwestern Wisconsin Regional Planning Program, with assistance from the Wisconsin Department of Resource Development, Madison, January 31, 1965, p. 145.

In addition to planners, the commercial tourism industry also saw the wisdom of large-scale regional efforts. For example, Tony Wise, an imaginative and innovative developer in Hayward, reflected this recognition in a statement to the press: "Regional development is essential to succeed as opposed to local development. No one is big enough to cope with the demand for recreation facilities. We must pool our resources and our attractions for developing them."[619] In relation to the lakeshore, he proposed a new hundred-unit hotel for Bayfield and a tourist train running from Bayfield to Hayward on a soon-to-be abandoned right-of-way.[620] Unfortunately, this idea was not implemented, but Wise was a highly visible and respected leader, and his staunch support for the lakeshore was significant. (Wise also supported Nelson's proposed St. Croix-Namekagon National Wild and Scenic River legislation.) He understood the importance of public protection of significant natural resources in the region, resources which would attract large numbers of tourists, and the development of appropriate private tourism facilities nearby. His Mt. Telemark Ski Hill in Cable, adjacent to the Namekagon River, "History Land" and logging-camp dining at Hayward, were excellent examples of sensitive developments. In fact, the Mt. Telemark development was used by the DRD as an example of prudent development.[621] Wise's enterprises employed significant numbers of local people. When he took a position, the media and the public took notice.

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[619]"Speakers Stress Islands Potential," Duluth News Tribune, March 26, 1965.

[620]Ibid.

[621]Wisconsin Department of Resource Development, Recreation Land Development, Madison, 1967, pp. 2-3.

The Apostle Islands and Local Planning

Nelson, as governor, had made planning a central element in his programs for the state, which included a strong emphasis on land-use planning. He would continue to be interested in planning as a U.S. senator. The "Fine study's" prediction that more than 900,000 visitor days in the Apostles region would occur each year meant concomitant impacts on private land use adjacent to the lakeshore. Thoughtful local citizens were also concerned. The small communities of Washburn, Bayfield, Cornucopia, and La Pointe had a distinctive charm. Would this charm be lost with unplanned tourism development? The federal government, however, had little or no direct influence on land-use planning and regulation. This was a power reserved by the states, and in Wisconsin it was delegated to local units of government. They would have to act.

An attorney in Ashland, Allan T. Pray, was a catalyst in focusing on the issue. He wrote Nelson, "I ... fear that the development may take the course of many other similar developments and be attractive to concessionaires and those who are interested purely in the money return. I am worried about the land speculator and the promoter of cheaper attractions which frequently bring undesirable people with much rubbish and who are interested only from a profit standpoint."[622]

Nelson's response was directed not only towards Pray but to a much wider audience:

> I am writing to ask your suggestions on what can be done to protect the natural beauty and the authentic flavor of northern Wisconsin during the coming period of fairly rapid development of the tourist industry.... We have an historic opportunity to decide whether this tourist industry development will improve and enrich the north or turn it into a honky tonk. I believe that

[622]Allen T. Pray, letter to Gaylord Nelson, September 21, 1965.

> the decisions we make within the next few years will set the pattern for our northland for the next 50 to 100 years.... Development resulting from tourism already has blighted many sections of America with garish signs, roadside carnivals, fake souvenir stands, and entertainment gimmicks which fight for the eye and the dollars of the passing tourist. Such development often destroys the very qualities which made the area worth visiting in the first place.... I think it has been fully demonstrated that a tourist area which preserves its natural beauty and its unique flavor is far more favorable both economically and aesthetically over the long run.[623]

Nelson recognized the task as both difficult and controversial and emphasized the critical role to be played by local leaders in the development of zoning ordinances, architectural control commissions, the development of comprehensive community plans and, in some cases, "actual purchases of property by local civic organizations."[624]

> The quality of the north... rolling-green countryside; the evergreen, the pine, the spruce and white birch; the keen air; the lovely dark and deep woods; breath-taking views of fresh water; sea gulls; an aging inn with a friendly tone and outdoors quality; the rich historical background of Madeline Island; water-worn caves and extensive beaches and singing sands. These are things that make our northland unique. These are the features that we should preserve and enhance and introduce to millions of tourist from all across our land who will come to see and enjoy them.[625]

He further noted that Bayfield could become nationally known as an authentic Great Lakes fishing community and as the gateway to the lakeshore. But it also could conceivably be turned into a cheap tourist trap, indistinguishable from thousands of others across the

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[623]Gaylord Nelson, letter to Harold C. Jordahl, Jr., November 18, 1965; the same letter was sent to a wide audience of Wisconsin citizens.

[624]Ibid.

[625]Ibid.

country. The same opportunity and dangers existed for all communities along the entire Lake Superior shoreline and on the highways leading to them.[626]

Nelson supported tourism as an economic development strategy, but he wanted prudent development. He could work to authorize a lakeshore, but it was up to local units of government and local citizens to ensure that the associated tourism developments enhance and reinforce aesthetic values rather than destroy them. To encourage local action, Nelson proposed a conference to address the issues. The chancellor of the University of Wisconsin-Extension, Donald R. McNeil, and the president of Northland College, Richard P. Bailey, formed a committee that included many of those involved in state planning during Nelson's years as governor. The conference, "Developing Without Destroying: Opportunities and Problems," held at Northland College, was a great success. More than two hundred people attended from throughout the state. Most importantly, local elected officials, the people who could make planning and sensitive development happen, were there in good numbers. Planning was put on the front page of the regional newspapers and in editorial columns in the downstate press.

The Ashland Daily Press said:

> The opening talk by Tony Wise ... was sizzling and explosive in its demand for action to protect the natural resources of northern Wisconsin for a high type of recreational development.... A panel discussion laid it on the line in outlining local area problems and the need for protecting natural beauty.... Harold Jordahl.... stirred the crowd with numerous specific references to developments in the right direction already underway.[627]

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[626]Ibid.

[627]"Recreation Development Without Destruction Is North Challenge -- Nelson," Ashland Daily Press, June 4, 1966.

Virginia Burtness of Bayfield spoke of the need to control the unsightly features of commercial development and to prevent visual pollution, noting that "we have no big problems now,... only the beginnings."[628] Nelson said:

> This conference is intended to open a new chapter in history of northern Wisconsin. If the spirit of this conference can be spread beyond the group of dedicated people we have had here today, it could mark the beginning of a new era of carefully planned, tasteful development of rural areas not only in our northlands, but throughout Wisconsin and much of the nation.[629]

The conference even came to the attention of the first lady. Mrs. Lyndon B. Johnson wrote, "One of the nicest items to cross my desk in recent weeks is the news of the anti-blight conference to be held in Ashland, Wisconsin. Our nation has been blessed with a rich scenic heritage, and as our civilization grows, it is up to all of us to have the wisdom to preserve nature's corners of beauty and channel our growth in ways that enhance -- and do not diminish -- our natural surroundings."[630] To have the first lady, with her national program for scenic beauty, taking note of activities in the far away northern community of Ashland was gratifying indeed.

The conference skillfully joined the idea of a national lakeshore with needs for prudent tourism and economic development in the north. The coalition of support for a lakeshore was being strengthened to include not only conservationists, but people concerned with economic development. Nelson, the first lady, and conference speakers had given explicit recognition to economic growth while at the same time arguing for a lakeshore. The

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[628]"Wisconsinites Eye Future of Tourism," Duluth News Tribune, June 4, 1966.

[629]"Recreation Development Without Destruction," Ashland Daily Press.

[630]"Tourist Attraction," Sheboygan Press, June 3, 1966.

linkage of tourism with the proposed new national park areas in the region was becoming an important element of a regional development strategy. The challenge, however, was to guide that growth in a meaningful and sensitive manner.

The Apostle Islands and University Planning

University of Wisconsin-Extension had a long history of working with counties on land use planning and zoning. For example, Bayfield and Ashland counties, with the assistance of UW-Extension, had enacted their zoning ordinances in the 1930s. In preparation for the "Developing Without Destroying" conference, UW-Extension had produced a new film, "What's Happening to our Landscape?" which was shown at the conference. The movie dramatically highlighted the problems of blight and the destruction of scenic beauty associated with unwise and unplanned development. Following the conference, local citizens requested ongoing assistance from UW-Extension to deal with the growth anticipated as a result of a national lakeshore. UW-Extension responded favorably. A sequel to the movie was then produced for the village of Bayfield, "Bayfield: Face of a Community," which graphically displayed the human and natural charm of the area and what might happen unless local citizens planned and guided development. Two detailed reports were also developed for the community. The first dealt with needs and opportunities and the steps necessary to achieve community goals. The second addressed the fiscal implications of new private tourism investments and the community tax base.[631] UW-

[631]Department of Landscape Architecture, Blueprint for Bayfield: A Decisive Study for a Great Lakes Community (Madison: University of Wisconsin, College of Agricultural and Life Sciences, 1969); Department of Landscape Architecture and the Environmental Awareness Center, Blueprint for Bayfield: The Relationship Between New Private Investment in Basic Tourist Facilities and Bayfield Tax Revenue For Public Development

Extension also began working with Bayfield County to update and modernize its 1934 planning and zoning ordinance. Walter Rowlands, an extension specialist who worked with local citizens, also urged them to support a lakeshore.[632]

Three years later, local citizens, University of Wisconsin-Extension, and local, state and federal agencies came together in a two-day seminar to discuss the steps that had been taken and to chart directions for the future.[633] Although much still needed doing at the local level, the conferees concluded that many of the communities in the Apostle Islands region had taken meaningful actions to deal with growth.

Although the federal government had no direct role in planning for land use adjacent the lakeshore, we recognized that National Park Service staff and staff from other Interior Department bureaus could assist local units of government. Thus, a sub-section of an early version of draft legislation contained the language:

> In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with the state of Wisconsin, its political subdivisions, and other Federal agencies and organizations in formulating comprehensive plans for the lakeshore and for adjacent lands and waters, and to enter into agreements for the implementation of such plans. Such plans may provide for land use and development programs, for preservation and enhancement of the natural

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(Madison: University of Wisconsin, College of Agricultural and Life Sciences, 1969).

[632]Walter A. Rowlands, telephone conversation with Caryl Johnson and Harold C. Jordahl, Jr., June 1965.

[633]"Citizen Concerns for Bayfield, Wisconsin," Partial Summary of Seminar Proceedings, Title I Consortium Project, Higher Education Act 1965, University of Wisconsin-Extension, September 24-27, 1969.

beauty of the landscape and for the conservation of outdoor resources on land and water areas surrounding the lakeshore.[634]

I had argued that language along these lines should be included in all new NPS authorizations. Although the language did not require such cooperation, a strong statement would encourage federal agencies to cooperate with local governments if assistance was requested. The solicitor's office in the U.S. Department of the Interior objected and argued that the secretary had such powers without having to make them explicit in legislation. It further argued that the vague language would create uncertainty regarding the distance from the lakeshore boundary where such cooperation could be extended. The solicitor's office prevailed and the language was deleted. In one last effort to deal with potential blight adjacent the lakeshore, I proposed that the park service be authorized to acquire scenic easements along U.S. Highway 2 on non-Indian land within the Bad River Reservation. Again, the solicitor's office said no.[635]

The studies, reports, and films, and the numerous meetings over the years between citizens and planners, had significantly heightened community salience regarding local responsibilities and opportunities to manage growth associated with a national lakeshore. Seldom had local governments, especially that of the village of Bayfield, been better prepared to meet the demands of a burgeoning tourist population expected as a result of a new lakeshore. Nelson's challenge for "tasteful development" was being addressed.

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[634]Summarized in letter from Harold C. Jordahl to James Oberstar, administrative assistant to Congressman John Blatnik (D-Minnesota), January 21, 1969.

[635]Ibid.

The Apostle Islands and Planning for the Bad River and Red Cliff Reservations

Economic development in rural regions, initiated by President Kennedy, was significantly strengthened during the Johnson administration. Funds from the U.S. Area Redevelopment Administration were being made available for in-depth studies of rural communities and for Indian reservations, where chronic under- and unemployment was pervasive. Such studies were underway on the Bad River and Red Cliff Indian reservations, and coordination between lakeshore and reservation planning was critical.

Thus I met with Charles Aguar, the planning consultant, and officials of the Bureau of Indian Affairs for a lengthy discussion of the matter. We concluded that the two reservation studies would be developed around the national lakeshore proposal.[636] The boundaries of the Lakeshore had in fact been drawn to enhance the recreational development opportunities for the two bands. Aguar capitalized on the potential of the proposed lakeshore and recommended tent and trailer campsites for the adjacent lands, canoeing facilities, scenic drives, hiking trails, visitor orientation centers and waysides, new home sites, and the restoration and development of historical sites on both reservations. All told, funds totalling $321,000 were recommended for Bad River and $280,000 for Red Cliff for these investments; twenty-four new seasonal jobs would be created. Aguar said, "In effect, [the Indians] will gain a maximum of economic development and opportunity [with the lakeshore] without relinquishing any important rights to the area."[637]

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[636]Harold C. Jordahl, Jr., memorandum to Ronnie Lee, March 24, 1965.

[637]Tourist and Recreational Resources, Bad River Indian Reservation, Wisconsin; Red Cliff Indian Reservation, Wisconsin (Prepared for the U.S. Department of the Interior Bureau of Indian Affairs by Aquar, Tyring, and Whiteman Planning Associates, Duluth,

CHAPTER NINE

PLANNING FOR AN APOSTLE ISLANDS NATIONAL LAKESHORE

Discussions on Designation

In the 1930s Apostle Island enthusiasts urged the establishment of a national park on one or more of the islands. The concept of "recreation areas" had not yet evolved in either National Park Service or congressional policy. By the 1960s, however, the question was, Should the Apostles be a national park or a recreation area? It was an important question because of the different uses and management programs engendered in each designation. Furthermore, the chosen designation would significantly influence public acceptance of the proposal.

Nelson's original proposal called for a "lakeshore recreation area" encompassing the Kakagon-Bad River sloughs and the long sand spit along Lake Superior. The proposal was strongly influenced by evolving legislation on national seashores. Cape Cod, Oregon Dunes, Point Reyes, Fire Island, and Padre Island, and lakeshores at Sleeping Bear Dunes, Pictured Rocks, and Indiana Dunes, were all to be recreation areas, and recreation was their primary purpose, although other non-conflicting uses were to be permitted. To have proposed a national park for the Apostle Islands, with restrictions on hunting, commercial fishing, wild ricing, and trapping, would have been highly controversial among the Bad River Indians and local sportsmen who freely used the sloughs and who had hunting and fishing shacks there. When the proposal was expanded to include the Bayfield Peninsula, parts of the Red Cliff Reservation, and twenty-one of the twenty-two islands, it faced an increased need to allow Indians to hunt, fish and gather, and to address the desires of both Indian and non-Indian

sportsmen to hunt deer and bear on the islands. To have proposed a national park would have doomed the proposal from the start. A recreation area would fit the region nicely and avoid conflict. The Recreation Advisory Council's "Policy Circular No. I" spelled it out clearly:

> Within National Recreation Areas, outdoor recreation shall be recognized as the dominant or primary resource management purpose. If additional natural resource utilization is carried on, such additional use shall be compatible with fulfilling the recreation mission, and none will be carried on that is significantly detrimental to it.[638]

Other uses could occur without major conflicts. For example, hunting and trapping seasons were limited to the fall and thus were unlikely to significantly conflict with recreation, primarily a summer activity. Although harvesting wild rice occurred in August, the small skiffs and canoes used to gather rice would not conflict with other uses. Sports and commercial fishing both took place in the summer but did not appear to pose major conflicts.

In spite of the obvious need to maintain strong support from the two reservations as well as with local communities and hunters and fishers, the idea of designating the Apostle Islands as a national park continued to surface during the planning and legislative process. The Bureau of Outdoor Recreation initially took the position that judgments on this question should not be made until each island and the mainland units had been evaluated and classified according to the Outdoor Recreation Resources Review Commission (ORRRC) system, leaving open the question, "Is it a national park, a recreation area, or a

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[638]Recreation Advisory Council, Federal Executive Branch Policy Governing the Selection, Establishment and Administration of National Recreation Areas (Circular No. I), Washington, D.C., March 26, 1963.

national monument?"[639] The commission had proposed six classifications: high density recreation areas, general outdoor recreation areas, natural environment areas, unique natural areas, primitive areas, and historic and cultural sites.[640]

Interior Secretary Stewart Udall first saw the area while accompanying the president on his helicopter trip, and he shared with me his excitement over the outstanding resources he had seen. He thought the area was of such outstanding quality that it deserved national park status. After I explained the political complexities of such a designation, he appeared, at the time, to be satisfied with a recreation area. Two years later he again suggested designating the Apostle Islands a national park. I urged the secretary's policy staff to withhold its recommendation on the matter until I had the opportunity to discuss it in detail with Gaylord Nelson and with supporters. During these discussions, the idea was advanced that perhaps the twenty-one islands could be designated as a national park while the mainland units could be given recreation area status. Subsequently, Nelson, his staff, Martin Hanson and I agreed that national park status, even for a portion of the area, would raise too many complex issues, and that we should maintain the position that the area should be classified as a recreation area.[641]

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[639]Gordon Josllyn, memoranda to Henry P. Caulfield, December 10, 1963 and December 18, 1963.

[640]Outdoor Recreation Resources Review Commission, Outdoor Recreation for America, p. 7.

[641]Harold C. Jordahl, Jr., memorandum to James Smith, December 17, 1965; William Bechtel, letter to Martin Hanson, December 17, 1965; Jordahl, letter to Bechtel, December 22, 1965.

Other classifications for the area were explored by the subcommittee North Central Field Committee in the U.S. Department of the Interior; these classifications included the establishment of a national wildlife refuge for the sloughs in lieu of including it in the recreation area.[642] A refuge proposal had been turned down by the Bureau of Sports Fisheries and Wildlife in 1959. At that time, bureau officials had noted that although the sloughs were important to waterfowl during migration periods, they were not significant as nesting areas. Furthermore, they did not see any threats of immediate development in the sloughs. Should threats develop, they could acquire the area as a refuge using federal duck stamp funds. The bureau held to this position and recommended that the sloughs become an integral part of a national recreation area. From a pragmatic point of view, the establishment of a refuge in the sloughs would have posed serious conflicts with the Indians and their hunting, fishing, and gathering activities and thus was not realistic.[643]

During the final congressional hearing in 1970, George Hartzog again raised the possibility of a national park, stating, "Except for the non-conforming uses of hunting and resource utilization,... in my judgment this is a great national park, because it is scientific, has scenic values in every sense of the word, and measures up to that standard."[644] The

[642]Andrew Feil, memorandum to Harold C. Jordahl, Jr., September 25, 1964.

[643]Harold C. Jordahl, Jr., memorandum to Robert W. Burwell, regional director of the Bureau of Sports Fisheries and Wildlife, October 13, 1964; Burwell, memorandum to Jordahl, November 20, 1964; North Central Field Committee, subcommittee minutes, October 23, 1964, and November 23-24, 1964.

[644]"Apostle Islands National Lakeshore," Hearings Before the Subcommittee on National Parks and Recreation of the Committee on Interior and Insular Affairs, House of Representatives, Ninety-First Congress, Second Session on H.R. 555, H.R. 9306 and S. 621, Serial No. 99-9, March 23, 24 and June 3, 1970 (Washington: U.S. Government Printing Office, 1970), p. 272. (Identified as HSC Hearing, with date, in subsequent citations.)

eventual inclusion or exclusion of Indian land had at that point not been decided by the House Subcommittee on National Parks and Recreation. Hartzog had, of course, targeted the primary issue of resource utilization, which we had argued as being critical to passage of the legislation. Congress eventually concurred and the lakeshore was established as a recreation area. (In hindsight, given the decision to exclude Indian land, the area authorized could have been designated as a national park. The hearings were in the final stages of the legislative process, and there would have been no opportunity for potential opposition groups -- deer hunters and commercial fishers -- to organize.)

Lakeshore Boundaries

The line on the map drawn by the planner is one of the most significant steps in the evolution of a park proposal; it determines which lands to include and which to exclude. The boundary should ensure that the park includes an ecosystem protected from the adverse impacts of adjacent human activities. Furthermore, the boundary should permit the development of necessary park facilities, such as visitor centers, ranger stations, roads and trails, and campsites with minimal impacts on the natural resources within the park. Diversity in opportunities for recreation is another important consideration. Political questions have to be raised and answered. Total costs must be realistic. Judgments have to be made on potential opposition from private landowners whose holdings fall within the boundary. As planning for the lakeshore proceeded, planners faced these and other difficult choices.

The initial boundary included the unique and distinctive Kakagon-Bad River sloughs and the long sand spit. Parameters were subsequently broadened to include all of the islands but Madeline and an undefined portion of the Bayfield Peninsula.

The first draft of a lakeshore bill envisioning a federal-state collaborative program was broad in its scope and sweep. The draft proposed the following areas for potential inclusion (see Appendix One, Map 5):

1. The Apostle Islands, including the Apostle Islands State Forest;

2. All of the Bad River Reservation land north of U.S. Highway 2, including Long Island and Chequamegon Point, and a buffer strip extending south of Highway 2;

3. A buffer strip on the Red Cliff Reservation extending south of State Highway 13;

4. The Bark Point and Siskiwit Bay area, including the undeveloped lands along Lake Superior;

5. The Bayfield Peninsula area, including lands within the Bayfield County Forest and the Chequamegon National Forest and other lands south and west of State Highway 13 and north of U.S. Highway 2; and

6. Related areas that the secretary and the governor of Wisconsin agreed were important to the preservation and protection of the public enjoyment of the area.[645]

A second proposal, which was discussed with Interior Department and state officials, reduced the size of the proposed lakeshore considerably (see Appendix one, Map 6). The Bayfield Peninsula unit was limited to the tip of the peninsula from Bark Point to the eastern Red Cliff Reservation boundary; on the Bad River Reservation the sloughs and the land north of Highway 2 were included. The twenty-one islands were included. The

[645]Harold C. Jordahl, Jr., Apostle Islands Draft Bill, March 25, 1963.

proposal now included a study of the feasibility of establishing a national monument on Madeline Island.[646]

The first preliminary National Park Service plan, prepared by landscape architect Andrew Feil, broadened the scope considerably (see Appendix One, Map 7). The area now encompassed approximately 294,000 acres -- 110,000 acres of land and 184,000 acres of Lake Superior. The water boundary was drawn to include all of the islands except Madeline; the boundary extended one-half mile beyond the outermost islands in the group. The island land area was 40,000 acres. The boundary on the Bayfield Peninsula extended from the village of Red Cliff on the east to Bark Point on the west, a total of forty-five miles of Lake Superior shoreline that encompassed 50,000 acres. The village of Cornucopia was excluded. The boundary extended south of state Highway 13 and included the Sand and Raspberry River corridors. On the Bad River Reservation, the boundary included the Kakagon-Bad River sloughs north of U.S. Highway 2 and extended east almost to Marble Point for a total of 20,000 acres.[647] At the time, I also urged the NPS to include a narrow strip of land south of U.S. Highway 2 on the reservation to prevent billboards and other unsightly blight.[648]

The NPS plan was bold in concept. It recognized political reality by emphasizing that two-thirds of the area was already in some form of public or tribal ownership. The lake

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[646]Harold C. Jordahl, Jr., "Notes on the Proposed Apostle Islands National Recreation Area," September 23, 1963.

[647]National Park Service, Report on Proposed Apostle Islands National Lakeshore, Bayfield, Ashland, Iron Counties, Wisconsin, Northeast Regional Office, Philadelphia, September 1963.

[648]Harold C. Jordahl, Jr., memorandum to Ronald F. Lee, September 24, 1963.

bottom and Stockton Island were owned by the state. The plan further noted that summer-home development was not extensive in area and building activity was minimal.[649] One year later, however, Feil recommended significant boundary changes (see Appendix One, Maps 8-A, 8-B, and 8-C). On the Bayfield Peninsula, the planned western entrance was now located at Squaw Bay, and the east entrance was off Highway 13, west of the village of Red Cliff. A narrow corridor along the shoreline would permit the construction of a scenic highway. The amount of land on the peninsula had been reduced from 50,000 to 6,000 acres. The interior subcommittee believed that, although the area west of Squaw Bay and along to Bark Point qualified for inclusion in the lakeshore, it would complement the federal area as a private residential, commercial and service center area. As such the local property tax base would be protected and improved. The subcommittee also strongly recommended careful local planning and zoning to protect that scenic portion of the Lake Superior shoreline.[650]

All of the islands except for Madeline were included. The water boundary had been deleted. State-owned lands on Stockton, Oak, and Basswood would either continue in state ownership or the state could sell or give them to the federal government. In the Kakagon-Bad River sloughs, the boundary had been moved north of U.S. Highway 2 and reduced from 20,000 acres to 10,000 acres. Approximately 326 acres of land on Sand Island and fifty-nine acres at Little Sand Bay were excluded because of sizable summer colonies. The total

[649]National Park Service, Report on Proposed Apostle Islands National Lakeshore.

[650]U.S. Department of the Interior, Proposed Apostle Islands National Lakeshore: Bayfield and Ashland Counties, Wisconsin, Washington, March 1965, p. XVIII.

project was now 56,000 acres, a substantial reduction from the earlier 294,000 acres of land and water.[651]

The subcommittee struggled with the question of including or excluding the two summer colonies on Sand Island and Little Sand Bay. In October 1964 there seemed to be a consensus that they could be excluded and perhaps covered by special provisions; for example, life tenancy for owners who wished to sell, or restrictive covenants and other legal devices to ensure compatible development. The subcommittee also explored the application of the Cape Cod National Seashore formula which suspended the secretary's power to acquire land within villages and settlements when appropriate local zoning ordinances were in effect. The matter was to be studied further.[652] However, in November, after substantial discussion, the earlier consensus was reversed and the decision was made to include the summer colonies within the boundary. Life tenure or twenty-five-year tenure with a right of assignment was believed to provide adequate protection of private property rights at the sites. With the inclusion of the summer colonies, the total project acreage was now 56,385.[653] Questions regarding the two colonies would arise repeatedly during the legislative debates. For example, applying the Cape Cod formula to the two areas was raised by senators Bible and Frank Moss at the U.S. Senate subcommittee hearings in June 1967, when they questioned Sand Island and Little Sand Bay property owners. Most owners

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[651]Andrew G. Feil, Jr., and Harry S. Smith, Report on Development, Boundaries and Costs, Proposed Apostle Islands National Lakeshore, National Park Service, Northeast Regional Office, Philadelphia, November, 1964.

[652]North Central Field Committee, subcommittee minutes, October 1, 1964.

[653]North Central Field Committee, subcommittee minutes, November 23-24, 1964.

were adamant, however, and urged exclusion of the two areas from the lakeshore boundary. Only one owner, S. W. Jensch, testified in favor of the application of the formula.[654]

The interior subcommittee endorsed the Feil recommendation excluding a water boundary. Conflicts over water-use regulations were to be worked out cooperatively between the National Park Service and the state. In spite of the subcommittee recommendation, officials higher up in NPS continued to push for a water boundary, regardless of potential political problems with the state.[655] Allen Edmunds, the NPS regional coordinator,[656] argued that a water boundary would permit the park service to protect resources, regulate visitors and preserve marshes, waterfowl habitat and fish breeding grounds within the lakeshore.

> It would allow the service to develop marinas, other docks and piers, float plane facilities, swimming beaches, docks and similar facilities in the water adjacent to the land area. It would allow us to regulate visitor use of the adjacent water area for swimming, boating, fishing, ice fishing, waterfowl hunting, landing of float planes, and other activities. A water boundary would also prevent adverse uses such as commercial fishing adjacent to public use areas. Finally, the control of the water ... would preserve the environment of the remote northwoods wilderness, water and island combination which is the great charm of this proposal.[657]

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[654]"Apostle Islands National Lakeshore," Hearings Before the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, U.S. Senate, Ninetieth Congress, First Session on S.778, May 9, June 1-2, 1967 (Washington: U.S. Government Printing Office), p. 58. (Identified as SSC Hearings, with date, in subsequent citations.)

[655]Harold C. Jordahl, Jr., memorandum to Allen T. Edmunds, January 30, 1967.

[656]Allen T. Edmunds was a veteran National Park Service employee. He had established an office in Lansing, Michigan, to coordinate the many evolving NPS proposals in the northern Great Lakes region.

[657]Allen T. Edmunds, letter to Harold C. Jordahl, Jr., January 16, 1967.

Edmunds noted that water boundaries were routinely established in older parks such as Isle Royale, and in new seashore and island authorizations.

Edmunds presented four boundary alternatives:

1. The boundary could correspond to the shoreline; the land area enclosed would be 57,500 acres;

2. The boundary could extend one-quarter mile from the shore of each island and the mainland units; the area enclosed would be 57,500 acres of land, and 32,000 acres of water;

3. An irregular boundary could encompass the islands and extend one-quarter mile from the shorelines of the outer islands and one-quarter mile from the mainland units; the area enclosed would be 57,500 acres of land and 150,000 acres of water;

4. A straight-line boundary could encompass the islands and extend one-quarter mile from the outermost islands and one-quarter mile from the mainland units; the area enclosed would be 57,500 acres of land and 150,700 acres of water.[658]

The Washington office of the NPS was pushing for the irregular boundary. Superintendent C. E. "Corky" Johnson at Isle Royale National Park believed a quarter-mile boundary was adequate, and the Washington office concurred.[659] Nelson agreed to amend his bill. He also advised Governor Knowles to this effect. Predictably, the Wisconsin Conservation Department reacted adversely. Voigt, in a letter to Knowles, cautioned against including the water zone within the boundary because the state and the U.S. Coast Guard had jurisdiction and adding a third agency could create serious problems. Commissioner

[658]Ibid.

[659]Letter from Allen T. Edmunds to Harold C. Jordahl, Jr., January 16, 1967; letter from Jordahl to Edmunds, January 30, 1967; memorandum from the associate regional director of the National Park Service to the regional director, December 22, 1966; memorandum from the chief of the Division of New Area Studies and Master Planning to the chief of the Office of Resource Planning, National Park Service, December 9, 1966.

"Frosty" Smith said, "I would recommend that the water area not be included in the national lakeshore at this time, but rather that a thorough legal review be made of this matter with the understanding that the water area could be added later if it appears legal and advisable."[660] Final authorization included the quarter-mile water boundary around the islands and off the Bayfield Peninsula.

Lakeshore Development Plans (see Appendix One, Maps 8-A, 8-B and 8-C)

The Kakagon-Bad River Sloughs

Once agreement was reached on the lakeshore's boundaries, decisions had to be made on classifying the lands for various purposes and associated development. Nelson had initially urged "wilderness preservation" for the sloughs. We struggled with the issue of achieving that goal while at the same time permitting public use and enjoyment in the area. Could we permit extensive bathing and beach facilities along the sand spit? Although large campgrounds were not feasible, should primitive camping be permitted on the sand spit or on highlands to the south? How could the wild rice beds be protected while still permitting boating?

These and other issues in the sloughs were resolved by the interior subcommittee and the Bad River Indians in the 1965 final report to the secretary. The unit was to remain

[660]Harry R. Anderson, assistant secretary of the interior, letter report to U.S. Senator Henry M. Jackson, Chair of the Senate Committee on Interior and Insular Affairs, February 18, 1967; Gaylord A. Nelson, letter to Governor Warren P. Knowles, May 18, 1967; L.P. Voigt, letter to Knowles, May 29, 1967; Charles F. Smith in a statement to the SSC Hearings, June 21-22, 1967, p. 128; National Park Service, "Map of the National Lakeshore -- Apostle Islands," Map No. 91,000, June 1970.

undeveloped as "a unique shore and marsh area." Limited road access would be provided from U.S. Highway 2, two miles west of the village of Odanah, where a ranger station and visitor center were planned. A parking area would provide access to nature trails, walkways and observation towers. Docking and launching facilities were to be provided at Bear Trap Creek in addition to the two Indian-operated boat facilities on the Bad and Kakagon rivers. Primitive camping, reached only by water, would be limited to Oak Point, south of the sand spit, and at the mouth of the Bad River. The Indians were already developing campgrounds accessible by car east of Honest John Lake, outside the project boundary.[661]

At the request of Bad River Tribal Council members, additional studies were proposed to explore the feasibility of dredging a boat channel between the Kakagon and Bad River sloughs. Such a channel would permit a ten-mile protected small boat course that would avoid the frequent rough waters of Lake Superior. In the absence of a channel, one could enter the sloughs off the Kakagon River, or follow Bear Trap and Wood Creek sloughs and boat to the south side of Chequamegon Point. To continue the trip meant a long ride around Long Island or dragging a boat through the shallow waters in the cut between Long Island and Chequamegon Point before reaching the open waters of Lake Superior. From that point, it was a six-mile trip to the mouth of the Bad River.[662] The notion of dredging a channel within the sloughs was eventually dropped because of the possible adverse ecological impacts of mixing waters from the watersheds of the Bad and

[661]Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 75-7.

[662]Feil and Smith, Report on Development, Boundaries and Costs.

Kakagon rivers. All in all, the plan for the sloughs nicely met the goal of preservation of the great marsh areas while permitting some public access, use and enjoyment.[663]

The Islands

From the beginning, plans called for keeping the islands wild. Minimum docking facilities were planned along with simple campsites, which included Adirondack-type shelters, fireplaces and toilet facilities, to be established on certain islands. Trails would be constructed. To assist visitors and to serve as a base of operations for patrols engaged in preservation and protection, a ranger station was planned for one of the centrally located islands. The only exception was Sand Island, which was easily accessible from Little Sand Bay. Here a concessionaire-operated lodge and a large group campground was planned to give visitors a readily accessible overnight island experience. Visitors could also enjoy overnight camping on Madeline -- easily accessible by car ferry -- where the state was planning Big Bay State Park.[664]

The NPS summed it up in the subcommittee report:

> The islands are the core on which the entire proposal revolves. Collectively, rather than singularly, they form a unique environment for recreation. They should be considered as primitive or wild areas and as such only minimum basic facilities are necessary for their use and enjoyment.[665]

The Bayfield Peninsula

The Bayfield Peninsula posed more difficult questions. Some favored keeping it wild and primitive, with minimal camping facilities and trails. Others favored development.

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[663]Department of the Interior, Proposed Apostle Islands National Lakeshore.

[664] Ibid., pp. 70-1.

[665]Ibid., pp. 65-6.

The issues were debated, in part, within the context of plans for scenic roads along Lake Superior. Nelson had been elected to the U.S. Senate by the time the "South Shore Studies" were completed. The proposed twenty-two-mile lakeshore drive from Superior to the mouth of the Brule River was not recommended by the planners. Rather, they proposed for that area the improvement of existing roads leading to the most scenic areas on Lake Superior and a conceptual framework for a primary and secondary scenic highway system, called "The Wisconsin Heritage Trail," which included improvements to State Highway 13 on the Bayfield Peninsula.[666]

The National Park Service recognized the great scenic qualities of the Bayfield Peninsula and suggested in its first preliminary plan a "possible shoreline touring road with overlooks and interpretive stops."[667] The concept was ratified by the interior subcommittee, and in its final report to the secretary it recommended that the peninsula provide maximum recreation use and development for the entire lakeshore, including a thirty-mile scenic tour. The drive would have entrances at Red Cliff on the east and ending at Squaw Bay on the west. A hiking trail following the shoreline and the road was also planned. In addition, park headquarters were proposed at Red Cliff Creek, which would include employee housing, visitor orientation services, an interpretive center, and a marina. The site would be the major jumping-off point for trips to the islands and the scenic tour.

[666]I.V. Fine and Philip H. Lewis, Jr., Recreational Potential of the Lake Superior South Shore Area, Wisconsin Department of Resource Development, Madison, 1964, pp. 20-9.

[667]National Park Service, Proposed Islands National Lakeshore, p. 15.

A major camping and trailer park was envisioned at Frog Bay. Minimal development was planned at Raspberry Bay to protect natural and scenic values, but included trails, picnic facilities, and a canoe-launching site. At Little Sand Bay, a marina would permit easy access to Sand Island. At Sand Bay, plans called for a major tent and trailer campground, trails, boat launching facilities, a concessionaire-operated lodge, stables, and related service facilities. At Squaw Bay, plans envisioned a campground, picnic facilities, and an information center to orient visitors entering the lakeshore from the west.

The "Shore of Rocks," a two-mile stretch of shoreline between Squaw Bay and Sand Bay, was viewed as one of the key geological phenomena in the lakeshore. Here, rock formations had been eroded into interesting forms, including castle rocks, buttresses, natural bridges, and caves. The plan also called for parking overlooks, small picnic sites, and a system of trails and interpretive signs. The scenic road and the extensive developments on the Bayfield Peninsula would permit easy access to a portion of the lakeshore, and the largest number of visitors were expected to come here. High visitation numbers would help the lakeshore meet "Policy Circular No. 1" criteria, which required that recreation areas have a high carrying capacity. Visits to the Kakagon-Bad River sloughs and the islands would require substantially more effort, time and money, and would therefore receive substantially less use than that expected on the peninsula.[668]

[668]Department of the Interior, Proposed Apostle Islands National Lakeshore.

The park service, followed the lead of the subcommittee and in their master planning process placed the bulk of the lands within the lakeshore in a "primitive" designation.[669]

Lakeshore supporters did not necessarily agree with the development plan's tradeoff between recreation and wilderness. B.L. Dahlberg, an ecologist with the Wisconsin Conservation Department at Spooner, raised concerns that a road on the peninsula would adversely impact scenic and wilderness values.[670] We both knew the area well, having fished the streams and snowshoed into the numerous deer yards in the deep coniferous ravines. I took some time to respond to his concerns.

> I have, as do you, mixed emotions on the road. The plan is to keep it far enough from the lake so that natural beauty is not destroyed and to permit a continuous hiking trail around the entire area. The road will, however, permit tourists to select views of some of the outstanding scenery. If I had my "druthers," the peninsula should have been kept wild and natural. To do this would have meant national park status, which opens up a whole series of other problems associated with hunting, logging and public use. Keep in mind our recommendation for preserving the islands and the sloughs and this is already giving me considerable problems with the Bureau of Outdoor Recreation. In fact the road was put in to permit mass recreation ... to help qualify the area for recreation status. Because of dual goals (massive recreation use and preservation), Secretary Udall has already asked Nelson if he would consider the area for national park status. At this point, I am still urging recreation area status.[671]

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[669]The 1968 National Park Service plan for the entire lakeshore classified land as follows: 48,791 acres (84.8%) as Class V, Primitive; 1,730 acres (12.1%) as Class III, Natural Environment; and 40 acres (0.1%) as Class VI, Historic and Cultural Sites. No land had been assigned to Class I, High Density Recreation, or Class IV, Outstanding Natural Features. Thus, this plan followe the 1965 plan of the North Central Field Committee subcommittee.

[670]B.L. Dahlberg, letter to Harold C. Jordahl, Jr., September 18, 1965.

[671]Harold C. Jordahl, Jr., letter to B. L. Dahlberg, September 20, 1968.

As the proposal advanced, others raised concerns and objections to the road, including the National Parks Association, the secretary and chair of the State Board for the Preservation of Scientific Areas, and the Michigan and Wisconsin John Muir chapters of the Sierra Club. A consultant in leisure living warned of car-deer accidents and severe erosion hazards with road construction on the peninsula.[672]

The tourism industry, on the other hand, offered enthusiastic support for the road. Henry Jardine, president of the South Shore Scenic Drive Association, which included as many as two hundred area businesses, said, "This is one of the best things that ever could happen to the south shore and the whole area."[673]

The road also raised the overall development cost for the project substantially. As the costs of the Vietnam conflict escalated, the federal budget tightened. Nelson became concerned and asked me to review with the National Park Service ways of reducing road costs, which he could then present in testimony at upcoming House hearings. His plan was to shift road development costs into future years. The NPS agreed that if this was necessary, a road to Squaw Bay and one to Red Cliff Bay would be satisfactory, with the construction of the scenic highway deferred into the future. This strategy would reduce costs from $6,037,100 to $3,400,000. In House hearings, however, Nelson did not make the proposal, and the road continued to be an integral part of the project.[674] Because of the controversy

[672]Edward Schneberger, letter to Harold C. Jordahl, Jr., October 16, 1965; SSC Hearings, pp. 63, 173, 176, 191, and 220.

[673]SSC Hearings, p. 93.

[674]Harold C. Jordahl, Jr., memorandum to Gaylord A. Nelson, July 1, 1968; Richard Whittpen, memorandum to the acting chief of the Division of New Area Studies and Master Planning, National Park Service, July 26, 1968.

that erupted over the road at the hearings in Ashland in 1967, George Hartzog personally intervened and brought together those groups opposing the road. A compromise was hammered out consisting of a two-part, one-way drive. The eastern portion had a counter-clockwise traffic flow to an exit near the midpoint of the Red Cliff unit. The western part had a clockwise traffic flow to the same exit. Although this solution lacked unanimous support, the road as a significant issue was defused.[675]

Hartzog had a record of opposing roads in parks and in an interview indicated that he viewed roads in the lakeshore as he had at Assateague -- something you would swallow if that was the only way to get the legislation. But he said he would always put it at the bottom of the list for development funding, and that way the roads never got built.[676]

Madeline Island

Madeline Island was the largest in the archipelago, as well as the most extensively developed. The island in its entirety had been excluded from the lakeshore proposal. However, the interior subcommittee sought to determine 1) the potential for a national monument commemorating the significant archeological and historic values of the island; 2) the relationship of Big Bay State Park to the lakeshore; and 3) the possibility of a long-term lease with the Bad River Indians of a small tract in tribal ownership on the northern tip of the island. Developments on the island were extensive. Two firms operated ferry

[675]National Park Service, A Master Plan for Apostle Islands National Lakeshore, Washington, D.C., 1968, p. 7.

[676]George Hartzog, interviewed by Kathleen Lidfors, March 7, 1985.

services from Bayfield to Madeline. There were a large number of homes and vacation cottages and a network of roads. During the winter, cars had access across an ice road.

Big Bay State Park, established by the Wisconsin Conservation Commission in 1962, consisted of 2,732 acres, including 2.5 miles of beautiful beach. At that time, local residents had pleaded for the park as a stimulus to the economy of the village of LaPointe.[677] The state park, in effect, obviated any need for direct federal involvement on the island for recreation purposes.

Historic and archeological resources posed more difficult questions. The island was rich in history and still contained some archeological resources. A small private museum at LaPointe was operating in the 1960s and contained the only original building associated with the fur trade. Nearby, a small Roman Catholic cemetery, known as the "Indian Cemetery," contained little frame houses erected by the Indians to protect the graves. Many were badly deteriorated. The local Chippewas had as early as 1955 proposed that the cemetery be acquired by the government; the Indians offered to donate the necessary labor to renovate it and put the grounds in shape.[678]

Preliminary proposals for the lakeshore urged consideration of a forty- to eighty-acre tract for a national historic monument to commemorate and interpret the archeological and historical values of the island and the larger Lake Superior region. A monument would

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[677]Memorandum from the director of the Bureau of Outdoor Recreation to the U.S. Secretary of the Interior, March 6, 1964; "Madeline Island Park is Opposed," Ashland Daily Press, September 27, 1966; Gene Devine, "Apostle Backers Urge State Park Elimination," Milwaukee Sentinel, May 4, 1967.

[678]Northwest Wisconsin Regional Planning Commission, Northwest Wisconsin Comprehensive Planning Program, Spooner: December 31, 1965, p. 270.

have been a significant addition to the natural resource values of the rest of the lakeshore. Moreover, it would be readily accessible with a fifteen-minute ferry boat ride at a nominal cost. A short walk to a historic monument and the adjacent private museum would have been significantly attractive to recreationists, many of whom would not have the time or the money for longer trips to other islands. Not only would they have "an island experience," but they would gain an increased awareness of the historic and cultural values of the region. And, of course, a monument would increase visits to the area, further justifying the lakeshore, and would have concommitant economic impacts.[679]

Planners in the NPS consistently took the position, however, that the archeological and historical values on Madeline Island, or in the immediate area, should "stand on their own merits," and not as a part of the national lakeshore. Their first preliminary master plan stressed the ecological, geological, and natural resource values of the three units. Madeline was not discussed. Cultural values -- archeological, Indian, logging, fur trade, farming, fishing, for example -- were to be presented as part of the overall lakeshore interpretive program.[680]

By late 1964 it was evident that the NPS would find that Madeline did not warrant designation as a "national historic site." Park service historians contended that a site must be of such quality that it can stand alone rather than gaining designation because it is within

[679]See, for example, arguments made for a monument in a memorandum from Harold C. Jordahl, Jr., September 9, 1963; in Jordahl, Preliminary Draft, 1963; and in a memorandum from Jordahl to Andrew Feil, September 11, 1964.

[680]National Park Service, Proposed Islands National Lakeshore.

a project area.[681] The report of the interior North Central Field Committee's subcommittee stated that "Madeline Island was excluded ... for the following reasons:

1. It contains many fine summer and permanent homes and has a permanent population.

2. It has an extensive network of permanent roads and trails.

3. Property values are high.

4. It presently serves as a private recreation area and should continue to do so in the future....

5. The state has started a splendid 2,700 acre recreation area on the island which will meet public needs.

6. Moreover, the town government presently maintains public outdoor recreation facilities on the island.

The report further stated:

> Historic sites outside the boundaries of the National Lakeshore should be preserved on their own merit and managed as separate historic sites rather than national lakeshore units.[682]

Sydney Bradford, the NPS historian based in Philadelphia, wrote the historical section of the report. He stated, "No major event or national personality is associated with the island. The island is most meaningful in relation to the history of Lake Superior and the State of Wisconsin." He also noted that

> time has dealt harshly with most of the historic sites on Madeline Island. Early Indian sites have been disturbed.... Evidences of Cadotte's cabin were destroyed as that ground was landscaped by a summer resident... [and]

[681]Feil memorandum to Jordahl, September 25, 1964.

[682]North Central Field Committee, subcommittee minutes, November 23-24, 1964; Feil and Smith, Report on Development, Boundaries and Costs; Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 97-8.

additional foundation ruins were also obliterated as another summer resident landscaped some of his ground.[683]

The report did recommend that NPS interpretative programs be cognizant of the historic values of the region and further urged the state and local groups to accelerate their efforts to protect and interpret the history of Madeline Island. It made special note of the need for protection of the "Indian cemetery," which was "in danger of complete destruction from over-use by the public and curious souvenir hunters."[684]

One other matter relative to Madeline Island was explored by the interior subcommittee: the possibility of a lease or cooperative management of the small two-hundred-acre tract of Bad River tribal land on the tip of the island. The tract was established by the 1854 treaty as a fishing site.[685] The piece had potential as a marina and, because of its closeness to the rest of the archipelago, a park service ranger contact station. This exploration was subsequently dropped when the Bureau of Indian Affairs, in cooperation with the tribe, subdivided the land into ten parcels, each containing one hundred feet of lakeshore frontage. Twenty-five-year leases were being offered with renewal options. Lessees would be required to make $5,000 worth of improvements within the first two years.[686]

As the interior subcommittee continued to plan, the state continued to acquire land at Big Bay. At the same time, a controversial real estate development was announced for

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[683]Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 25-6.

[684]Ibid., p. 97.

[685]Jordahl, Preliminary Draft.

[686]Edward D. MacDonald, memorandum to Donald J. Mackie, July 15, 1964.

Madeline Island. The developer, Theodore Gary, opposed Big Bay and put pressure on the Wisconsin Conservation Commission and Republican State Assemblyman Bernard Gerhmann to stop any further state land purchases. The commission instructed the conservation department to negotiate with Ashland County and the town of LaPointe to resolve the issue. As a compromise, the conservation department proposed a reduction of Big Bay from 2,700 acres to 1,700 acres. The town of LaPointe rejected the compromise.[687]

The department then held a public hearing. The developer, described by the Ashland Daily Press as "one of the nation's most prominent utility executives, who flew from Hawaii for the meetings,... expressed opposition to a state park on Madeline."[688] Both Gary and his wife Patricia spoke in opposition, arguing that private development would provide a sounder tax base for the island. Of the more than 150 people who attended, only one out of ten supported the state project. A handful of lakeshore proponents were present and argued that Big Bay would nicely complement the federal proposal.[689]

Gerhmann introduced legislation to put a two-year moratorium on any further state acquisition at Big Bay. He noted that there was no need to take more land off the tax rolls; private land development was progressing nicely, and if the lakeshore passed, a state park would not be needed. He further argued that he was not against a park but wanted to wait and see what happened to the lakeshore proposal. He urged the Wisconsin Conservation

[687]Wisconsin Conservation Commission minutes, July 26 and December 9, 1966; "Opposition Raised to Apostle Project," Capital Times, April 21, 1967.

[688]"Madeline Island Park is Opposed," Ashland Daily Press, September 27, 1966.

[689]Ibid.

Department to support Nelson and the lakeshore proposal and to stop further land purchases at Big Bay until the federal interest was "clear."[690]

The Ashland City Council supported Gerhmann's position even as it urged action on the lakeshore. Others, however, proposed a trade of the 1,000 acres now owned by the state at Big Bay for Oak Island, owned by Ashland County, arguing that the state should permit local government and private interests to develop Big Bay.[691]

The matter became politicized when the development firm, Apostle Islands Improvement, hired the public relations firm of McDonald, Davis & Schmidt of Milwaukee to promote public understanding and support for their opposition to Big Bay. The firm provided the press with air transportation, a luncheon, and a boat tour of the area. Although the group opposed Big Bay, it did, however, favor Nelson's lakeshore proposal. The Wisconsin Conservation Department responded with vigor, noting its willingness to reduce its acquisition goal from 2,700 acres to 1,700 acres if the town would provide scenic easements on the fringes of the park, and lease or sell the town park at Big Bay to the state to provide access to a scenic sand bar. Department representative Don Mackie called Big Bay "a little jewel we don't want to lose for the public."[692]

Sigurd J. Dahlquist, president of the development group, made a persuasive case "for a coordinated and unified approach to effective development of the assets and natural

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[690]"Gehrmann is Opposed to Lake Purchase," Ashland Daily Press, April 25, 1967; Bernard Gerhmann, letter to Virginia Burtness, May 11, 1967.

[691]"Private Group Urges Apostle Islands Swap," Milwaukee Journal, May 4, 1967.

[692]Gene Divine, "Apostle Backers Urge State Park Elimination," Milwaukee Sentinel, May 4, 1967.

resources of the Apostle Islands region." He said, "For too long the development of this great national heritage has been approached on a fragmented basis by various elements of government and by private interests all operating without coordination or shared plans." He noted that the federal government was going ahead on a proposed lakeshore, the state was planning for Big Bay, and a real estate firm was planning a development of considerable magnitude for Madeline Island. "No joint development plan has ever been prepared among these groups." He urged a coordinated plan which would 1) protect and enhance the tax base; 2) prevent blight and honky-tonk development; 3) provide for a safe and pleasant highway system to accommodate the estimated 920,000 visitors who would come to the area; 4) protect and enhance Indian culture and tradition; 5) ensure the development of a comprehensive land use and zoning plan; and 6) provide public access to recreational areas. He said, "The objective of this entire program is coordination, cooperation and achievement in what will be a unique application of the respective genius of government and the private economy."[693]

Although the developers wished to stop further state land purchases at Big Bay, enhance private land development opportunities, and encourage a trade of Big Bay state lands for the county-owned Oak Island, their arguments for comprehensive planning made sense. Communication and coordination between planners could have been improved. The argument that public planning should be closely tied to private development planning to ensure greater economic benefits for the area was especially persuasive and was responsive

[693]"Island Park Group Pushes for Coordination in the Creating of Federal Park," Ashland Daily Press, May 4, 1967.

to the interior subcommittee's goal that the lakeshore stimulate the local economy as a result of tourism expenditures and federal investments.

The press negatively reacted to the effort. The Capital Times went after the public relations firm with a headline that declared, "McDonald Davis Fights State Park: Fronts For Private Development Project in Apostle Area." The newspaper noted that the firm "usually promotes Governor Knowles [and] is running a campaign for a wealthy Miami, Florida, industrialist aimed at killing a state park on Madeline Island."[694] Richard A. Brown, representing Gary's interests, was quoted as saying that a state park would bring about an "undesirable" influx of campers to the island. The Times also declared the real bone of contention in the dispute to be the opposition of a group of out-of-state summer residents to opening up Madeline Island to campers and picnickers. Later, a scathing Capital Times editorial blamed the Florida millionaire for wanting to block the state park so he could develop Madeline for his own ends. It claimed that the public relations firm had

> created Governor Warren Knowles, running both of his campaigns for governor. It writes his speeches. It clears his appointments.... Members of the firm wander at will through the Governor's office...."[695]

The editorial noted that Knowles claimed no knowledge of the firm's efforts to stop Big Bay, but found it difficult to accept that position. It urged that he make his position clear.[696]

Gary opened his 1,300-acre development with a "lavish party," which included fresh lobster flown in from Maine. He had platted 102 one-and-a-half-acre lots for owner-built

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[694]"McDonald Davis Fights State Park," Capital Times, May 5, 1967; "Governor's Public Relations Firm Sabotages Apostle Islands Park," Capital Times, May 12, 1967.

[695]Ibid.

[696]Ibid.

homes, six eighteen-unit buildings for guests, an eighteen-hole golf course and clubhouse, tennis courts, a large marina and a game farm. The seven-acre marina would require the removal of 180,000 cubic yards of earth. Costs were in the $3 million to $4 million range. Governor Knowles dedicated the clubhouse in the fall of 1966.[697] The developers kept the pressure on; a year later the president of the "Island Association," Leon Lewandowski, wrote Knowles noting that most islanders favored the lakeshore, but "feel it is rather ridiculous to have a large federal park in the area and immediately adjoining it have a state park." He argued that there would be ample public recreational facilities with a national lakeshore, that further state land purchases on Madeline would have adverse impacts on the local property tax base, and that the island was more suitable for private development, which would enhance the local economy.[698]

In response, Knowles stated that he was pleased with local support for the lakeshore and noted that Wisconsin had taken a leadership role in preserving the Apostle Islands. He did not directly address the question of stopping Big Bay but said, "Following the election, I was a guest on Madeline Island with Pat and Ted Gary and, of course, I know full well how they feel about the state park. I was most impressed with what the Garys have done in preserving the historic sites, helping to create jobs for the native people, and it is with that type of guidance that Madeline Island will be maintained as a fine recreation area."

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[697]Edmund Phelps, Jr., "Lavish Party Opens Luxury Development on Madeline Island," Minneapolis Tribune, July 16, 1967.

[698]Leon Lewandowski, letter to Governor Warren P. Knowles, October 23, 1968.

He did promise to continue to meet with the Department of Natural Resources, the agency that in 1967 succeeded the conservation department, on the matter of the state park.[699]

Unfortunately, the Gary development was initiated before the enactment of the National Environmental Policy Act in 1970 and the Wisconsin Environmental Policy Act in 1972. Consequently, environmental impact studies, including archeological and historic evaluations, were not made in the areas prior to development. Because the land had been occupied by Indians for hundreds of years and later by fur traders representing three different nations, it was likely that significant resources were destroyed by the development, diminishing the potential for cultural interpretation on the island, which would have complemented the natural resource values in the rest of the archipelago.

Recreation and Resource Use Within the Lakeshore

Wilderness

Overall, the interior subcommittee report proposed boundaries and development plans and nicely balanced preservation and recreational use goals for the lakeshore. The sloughs and the islands, with the exception of Sand Island, were to be de facto wild or wilderness areas. In spite of this balance, which recognized the political and economic realities and the special needs of the Indian people, environmental organizations, with their more focused agenda, recommended that the legislation be amended to immediately designate the islands and sloughs as NPS administered units of the national wilderness system. Those favoring a cautious approach at the time knew that the wilderness act mandated that the NPS would have to consider wilderness designation in their master planning process after authorization.

[699]Warren P. Knowles, letter to Leon Lewandowski, November 13, 1968.

In preparation for the first hearings on the legislation, the Wilderness Society sent a special memorandum to lake-states members and cooperators urging them to testify that all of the islands and the sloughs should be immediately designated wilderness and that the proposed lodge on Sand Island be deleted. In Wisconsin, the John Muir chapter of the Sierra Club also took this position and urged the elimination of the scenic road. It also urged a substantial broadening of the proposal by including the Bad River from Copper Falls State Park to Lake Superior, the Potato River from Gerney to the Bad River, and the Marengo River from County Trunk C to the Bad River, all to be considered for special scenic status. The Michigan chapter of the Sierra Club also supported wilderness designation for the sloughs and the islands and argued the need to exercise great care on the construction of the scenic highway.[700]

Rupert Cutler, the assistant executive director of the Wilderness Society, urged the immediate designation of the islands as wilderness. He also pushed for cooperative studies with the Bad River Tribe to include portions of the sloughs in the wilderness system. Cutler further urged that development be largely confined to the Red Cliff unit. He expressed concerns that, as a developed recreation area, the lakeshore would attract too many visitors.[701]

Others testifying in favor of wilderness designation for the sloughs included Henry Kolka, chairman of the Wisconsin Council of Scientific Areas. The state board had earlier

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[700]The Wilderness Society, memorandum to lake states members and cooperators, May 19, 1969; Statement by the John Muir Chapter and the Michigan Chapter of the Sierra Club to the SSC Hearings, June 1-2, 1967, pp. 67, 176, and 220.

[701]SSC Hearings, March 17, 1969, pp. 116-17.

urged that North Twin and Devil's islands be designated as scientific areas because they were not occupied by deer and the vegetation was in an "essentially primeval state."[702] Conservation Director L.P. Voigt also favored wilderness designation because it would fit in with his department's plans for the Apostle Islands State Forest.[703]

With a touch of nostalgia, Sigurd Olson, a well-known conservation writer and president of the Wilderness Society, noted that he had spent part of his boyhood in Ashland and had attended Northland College. He had recently taken a walk along the lakeshore,

> and it brought back many memories. I looked across at Barksdale, up the lake to Washburn, over toward Long Island where I used to camp and pick blueberries and arbutus and where I was stranded once over night when a storm came up.... I thought to myself, this country is just as beautiful as it always was and I was thrilled with the idea of this incorporation into the Apostle Islands National Lakeshore.[704]

He urged that the legislation be amended to provide that the "superb string of islands be immediately designated ... as a unit of the National Wilderness Preservation system." He also raised concerns that, because "recreation areas" provide for high recreation carrying capacity, the park service would be tempted to overdevelop the area. He felt that statutory limitations would protect the wildland resources of the islands and over-development.[705]

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[702]SSC Hearings, August 19, 1969, p. 63; R. Dannell, chair of the State Board for the Preservation of Scientific Areas, letter to Harold C. Jordahl, Jr., March 30, 1965.

[703]SSC Hearings, August 19, 1969, p. 126.

[704]SSC Hearings, June 2, 1967, p. 179; HSC Hearings, August 19, 1969, p.171.

[705]Ibid.

The Friends of the Earth took a more conservative position and, in lieu of immediate wilderness designation, suggested an NPS study of wilderness values.[706]

From the first drafts of the bill to the many iterations of the legislation considered by the Congress, explicit recognition had been given to wilderness values, but not to statutory wilderness designation. The National Park Service's 1968 revised master plan recognized wilderness concerns by designating major portions of the lakeshore as "primitive." Campsites on the islands and in the sloughs would be primitive, although a group campsite was still planned for Sand Island. Perhaps in response to wilderness advocates, the proposed lodge on Sand Island had been eliminated.[707] The first bill, introduced in Congress 1965, was Nelson's S. 2498. (During the period the lakeshore was under consideration by the Congress, three bills were introduced in the Senate and five in the House. (In lieu of treating bills in chronological fashion, they are discussed according to topics. Thus the reader may find it useful to refer to Appendix Six to follow the sequence of events as they occurred.) It recognized wilderness values, as did S. 778, introduced by Nelson in 1967 and passed in the Senate on August 21 without a dissenting vote. The latter bill defined the goals of the management plan to be developed by the secretary of the interior as "preservation of the unique flora and fauna and the physiographic geologic conditions now prevailing on the Apostle Islands ... [and the] preservation and enhancement of the unique characteristics of the Kakagon-Bad River sloughs." The secretary was authorized to develop

[706]George Alderson, statement to Roy A. Taylor, SSC Hearings, March 24, 1970, p. 369.

[707]National Park Service, A Master Plan.

facilities necessary for recreational use -- for example, roads, trails, observation points, and exhibits. In the sloughs, the bill constrained the secretary, mandating "that no such development or plan for the convenience of visitors shall be undertaken ... if it would be incompatible with the preservation of the unique flora and fauna or the present physiographic conditions."[708] The U.S. Department of the Interior's letter report on S.778 made no comment on the preservation language quoted above other than to note that "wilderness camping, natural science studies, hiking and some boating" in the sloughs would be acceptable activities.[709]

The same strong preservation language was used in S.621, Nelson's third bill, introduced on January 24, 1969, and subsequently passed by the Senate. The letter report was similar. This committee report made no special mention of wilderness designations. H.R. 555, comparable to S. 621, was introduced in the House by Wisconsin Democratic Congressman Robert Kastenmeier[710] on January 3, 1969. It reiterated the earlier language of S.778 regarding preservation and wilderness values. (H.R. 9306, introduced on March

[708]S. 778, in SSC Hearings, May 9 and June 1-2, 1967.

[709]Harry R. Anderson, assistant secretary of the interior, letter report to Senator Henry J. Jackson, SSC Hearings, February 18, May 9, and June 1-2, 1967, pp. 5-6.

[710]Robert Kastenmeier represented Wisconsin's second congressional district, which included Madison. He was a member of the House Committee on Interior and Insular Affairs and served on the parks subcommittee. He played a critical role in the eventual passage of the lakeshore.

20, 1969, was the same bill with co-sponsors.) Interior's letter report on H.R. 555 noted the same wilderness values as earlier and repeated earlier language regarding the sloughs.[711]

The legislation, when enacted, reiterated the original language of S. 778. Because the Indian lands had been deleted in the final law, there were no references to the sloughs. The House committee report on H.R. 9306 made no specific reference to wilderness per se, but did note that the development of docking facilities for private and excursion boats would permit island camping, hiking, photography, nature study, and sight-seeing. The greatly reduced area on the peninsula was to be appropriately developed with the protection of natural values. The committee believed the peninsula would "serve the greatest portion of the visiting public to the lakeshore." Committee Chair Wayne Aspinall said, "It is expected that this area will be the center attraction for the bulk of the visiting public. Camping, hiking, picnicking, sightseeing, and fishing will all be popular activities and the area should be useful as well for winter sports and outings. With snowmobiles increasing in popularity, it is expected that trails will be developed for their use."[712]

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[711]S. 621 in SSC Hearings, March 17, 1969; Harry R. Anderson, assistant secretary of the interior, letter report to Senator Hubert H. Humphrey, SSC Hearings, January 16 and March 17, 1969, p. 6; Report No. 91-276 to accompany S. 621 in SSC, June 25, 1969; HSC Hearings, August 19, 1969; HSC Hearings, March 23-24 and June 3, 1970; Leslie L. Glasgow, U.S. Department of the Interior letter report to Congressman Wayne N. Aspinall, HSC Hearings, March 19, 1970, p. 237.

[712]"Providing for the Establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for Other Purposes," Committee on Interior and Insular Affairs, House of Representatives, Ninety-First Congress, Second Session to accompany H.R. 9306, Report No. 91-1280, July 7, 1970 (identified as HIIAC Report in subsequent citations), p. 4; Wayne Aspinall in Congressional Record, September 10, 1970, p. H8559.

Although Nelson had empathy for those who had urged immediate designation of the islands as a part of the national wilderness system, (he personally favored keeping the islands wilderness) such an amendment would have created substantial political problems with local people. In a recreation area the Indians would be permitted to hunt, fish, trap and harvest wild rice within the reservation. They would have preferential rights to any timber harvests. Hunting, trapping, and fishing -- both sport and commercial -- would be permitted in the entire lakeshore for both Indians and non-Indians. Such usage was inconsistent with formal wilderness designation. Furthermore, the idea of designating the project as a national park with restricted usage had been discussed on numerous occasions and discarded in favor of keeping it a recreation area. But this had posed another dilemma; recreation areas had to meet mass-recreation criteria. The trade-off was the proposed thirty-mile scenic road and other developments on the peninsula, and wilderness-like management of the sloughs and the islands.

In spite of the substantial changes in boundaries in the final legislation, the record is clear that Congress made no changes in the National Park Service plans for the islands. With the exception of Sand Island, they were to be kept essentially wild and primitive. The peninsula was to be appropriately developed with attention paid to protection of natural values.

Logging

Although timber harvest in recreation areas was permissible if it did not interfere with recreation, the House subcommittee, following the recommendations of interior's North

Central Field Committee subcommittee, recommended that logging not be permitted in the lakeshore for several reasons:

1. The Bayfield Peninsula consisted of a narrow strip of land, and logging would be incompatible with recreation use;

2. The islands were to be maintained in a "wilderness-like condition" and for the most part their small size precludes timber harvest that would not conflict with outdoor recreation; and

3. There was no significant acreage of commercial forest land in the sloughs.

The House committee further noted that there was a surplus of wood products in the region and, in fact, throughout the lake states, and that eliminating timber harvest within the lakeshore would not adversely impact the local economy. Subtle forms of forest management designed to improve visual impacts, including the salvage of unsightly or dangerous blowdowns, and management to prevent insect infestations and fire hazards would be permitted.[713]

Mining and Mineral Rights

Fortunately, little potential existed for metallic and non-metallic minerals within the lakeshore, and mining was never an issue in the legislative process.

Historically, the islands and the Bayfield Peninsula had been important sources of brownstone for building purposes in the north-central states and in cities as far distant as New York, Buffalo, Cleveland, Cincinnati, Kansas City, St. Louis, Chicago, Detroit, Minneapolis, and Winnipeg, Ontario. By 1898, eight important quarries were in operation in the area. By 1900, more than twelve million cubic feet of brownstone had been quarried

[713]HIIAC Report, July 7, 1970, pp. 90-1.

and shipped to ten or more states and more than forty cities. Changing building technologies, however, brought an end to the use of stone as a building material.

At one time, sand had been dredged off Sand Island for use in the Duluth-Superior area. Since 1918, Ashland and Bayfield counties had produced about 1.9 million tons of sand and gravel, but the portion derived from the lakeshore was not known. At the time of the interior subcommittee studies, sand extraction from the area was not important.

To the south of the lakeshore, the Lake Superior sandstone was in contact with Lower Keweenawan rocks from which extensive deposits of native copper had been mined in Michigan. Prospecting in the 1850s, test holes in the 1954-55 era, and exploration by a private corporation in the late 1950s showed that the values were too low for commercial exploitation.

The Gogebic Iron Range some twenty-five miles south of the lakeshore had, at one time, been a major producer of high-grade hematite ores, which were shipped out of Ashland to mills on the lower lakes. Some 320 million long tons of iron ore had been removed from the range. In 1965, foreign competition and the exhaustion of the high-grade hematites resulted in the closing of all mines on this range in Wisconsin.

At the western end of the range, near Mellen some twenty-five miles south of the lakeshore, substantial deposits of magnetic taconite existed. The Bureau of Mines believed these deposits had high mining potential. Mining here could pose a problem to the lakeshore; large quantities of water would be drawn from the Bad River basin for grinding and beneficiating the low-grade ores. Although ninety-five percent of the water used in such

mining operations would be returned to surface waters, it might be degraded and could adversely impact the Bad River Slough within the lakeshore.

The Bureau of Mines stated that "existing geologic evidence and interpretations lead to the conclusion that the Apostle Islands and adjacent Lake Superior shore areas have a very limited mineral industry potential."[714]

However, the Bureau of Mines in Washington, ever mindful of its mission to maintain a vigorous minerals industry, wanted to keep mining as an option and suggested that the interior subcommittee report be modified to read: "Should mining [in the lakeshore] become in the national interest, arrangements for operations would be made to provide adequate and reasonable protection to recreational features and still permit the enjoyment of mineral benefits."[715] This suggestion, however, was not included in the report.

Harvesting Wild Rice

Plans for the lakeshore envisioned continued harvesting of wild rice in the Kakagon-Bad River sloughs. During good crop years, approximately 6,000 to 10,000 pounds of rice were gathered by as many as forty harvesting teams during a six- to twelve-day harvest period. Bad River Indians were the main harvesters; they used the rice for family needs and for sale. Although the total value of the crop was not great, ricing was an important element of the Chippewa lifestyle. The lakeshore would not interfere with that tradition. To protect rice stands from adverse wave action, the interior subcommittee recommended

[714]Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 34-40.

[715]Memorandum from the director of the Bureau of Mines to Henry P. Caulfield, May 7, 1965.

restrictions on outboard motors and proposed "no-wake" speeds in the Kakagon Sloughs portion of the lakeshore.[716]

Trapping

As with wild rice, the trapping of furbearers, although not commercially important, was symbolically important to the Indian people and would continue to be permitted in the lakeshore. At one time, more than 2,000 muskrats and lesser numbers of mink, beaver, and otter were trapped in the sloughs. With management, biologists estimated that an annual harvest of some 20,000 muskrats would be possible. At the time of the interior subcommittee studies, only a handful of muskrats were being trapped, and without a significant increase in fur prices, future trapping was not viewed as significant.[717]

Sports and Commercial Fishing

The only significant sports fishing within the lakeshore area was in the sloughs on the Bad River Reservation; this activity could continue for both Indians and non-Indians. Over-fishing and the invasion of the parasitic sea lamprey had practically eliminated sports fishing in Lake Superior by the mid-1960s. Before the fishery collapsed, forty sports fishing charter boats operated in the area along with an equal number of private trolling boats. During the winter, it was not uncommon to see more than two hundred fishermen bobbing for lake trout through the ice. Although sixty commercial fishermen still operated out of Washburn, Bayfield, Cornucopia, and Port Wing in the 1960s, the bulk of their catch consisted of low-

[716]Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 40-2; 91.

[717]Ibid., p. 42.

value herring, chub, and smelt. No significant increases in commercial fishing were expected until the lake trout fishery was restored.[718]

Even though the area was to be established as a national lakeshore, commercial fishing was expected to continue. The interior subcommittee -- especially member William Dryer of the Bureau of Commercial Fisheries -- and I carefully investigated methods of eliminating potential conflicts. At the time, a water boundary for the lakeshore was not envisioned. However, the responsibility of the National Park Service for public use, safety, and enjoyment was explicitly recognized. The subcommittee recommended collaborative efforts with the state and local governments to deal with conflicts. The final report recommended that:

1. The secretary of the interior be empowered to regulate hunting, fishing and related activities where there existed a threat to public safety, use, or enjoyment on lands and waters under his jurisdiction. This authority would be no greater than that enjoyed by any landowner and in no way implied that the secretary was regulating the harvest of wildlife, which was a state responsibility.

2. The lakeshore be located adjacent to and on a large body of water, providing a spatial cushion to mitigate conflicts over surface water use by pleasure and commercial craft. Moreover, the cold waters of Lake Superior would prevent large numbers of people from swimming or water skiing, activities that frequently conflicted on intensively used inland lakes. Because no serious conflicts existed then, nor were anticipated, the responsibility for surface water control would continue with the state government and conflicts would be resolved through cooperative efforts.

3. The state has the right to regulate commercial fishing, to open and close seasons, and to determine the manner in which fish might be taken and the types of gear which might be used. Furthermore, resolution of the historic arguments between commercial and sport fishers had been a responsibility of the state. These responsibilities should continue and any conflicts were to be resolved through cooperative efforts.

[718]Jordahl, Preliminary Draft, p. 4.

Wisconsin statutes required that gill nets be marked with a buoy on each end of the gang. The buoy was to be two feet above the water with a sixteen-inch-square flag attached. The only marker required for pound nets was a board placed three feet above the water. If these markers were not sufficient, the U.S. Coast Guard suggested that the state, commercial fishers, and the Department of the Interior arrange cooperatively to mark such nets with luminous tape for night identification (lighted buoys on nets were illegal because they interfered with permanent lighted navigational aids).

The interior subcommittee report concluded that "the potential conflicts ... do not appear at this time to be sufficiently serious to the subcommittee to warrant major changes in the historic roles played by the state and federal governments on these matters. Moreover, if a National Lakeshore is established, state officials have indicated their willingness to cooperate fully with the Department in resolution of conflicts over which they have jurisdiction."[719]

Because a water boundary was still being considered, I cautioned that the legislative history should clearly show that commercial fishing would not be eliminated within the lakeshore but would be managed in such a way that conflicts between recreationists and commercial fishermen would be held to a minimum. Any attempt to eliminate commercial fishing within the one-quarter-mile area would cause a fight with the commercial fishers, who up to that point had been either neutral or generally supportive. A quarter-mile water boundary might also give the National Park Service the power to limit the number of

[719]Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 93-6; Jordahl, Preliminary Draft; Jordahl, memorandum to Caulfield, May 11, 1964; Memorandum from the director of the Bureau of Sports and Commercial Fisheries, November 27, 1964.

commercial fishers in this zone for public safety. Limited entry, in addition to safety considerations, would control overfishing.[720]

Hunting

Hunting within the lakeshore would continue. At the time of the proposal, the sloughs were recognized as one of the better waterfowl hunting areas in the state; twenty-four species of ducks had been observed there. Long Island and Chequamegon Point were often good spots for hunting Canada, snow, and blue geese. Ruffed grouse were important game birds on the mainland, although they were not found on the islands. Deer had shown an eruptive population behavior on the islands in the 1950-60 era and provided marvelous hunting. By the 1960s populations were rapidly declining, although in 1963 some 4,700 hours of hunting on the islands had resulted in a kill of eighty-three deer and an unknown number of bear.[721] Louis Hanson summed up the political realities of hunting in the lakeshore, and especially in the sloughs, in an interview with Kathleen Lidfors in 1985:

> I think the hunting thing was brought up by concerned citizens who were -- well, to be frank about it, the east end of Ashland, which is a highly Democratic area; [they] had voted solidly in '58 for then-State Senator Nelson to become governor, and his re-election to governor in 1960. [But] after the Apostle Islands proposal ... he did not lose what was then the eighth, ninth and tenth wards [in Ashland], but his popularity dropped markedly. They didn't want this to be done. Politics is the art of the possible and to mediate that, I think hunting was included and trapping, which was never much of a problem.[722]

[720]Harold C. Jordahl, Jr., memorandum to Allen Edmunds, January 30, 1967.

[721]Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 55-6.

[722]J. Louis Hanson, interviewed by Kathleen Lidfors, March 27, 1985.

General Observations on Resource Use

The overall strategy on the part of the interior subcommittee had been to permit most traditional uses within the lakeshore and to enlist the various user groups to either remain neutral or to support the proposal. In general, the strategy worked. Because there were no important minerals within the lakeshore, mining was not an issue. Only one person recommended that the islands be managed for timber on a selective basis. With such minimal interest, logging never became a significant issue. Sportsmen, primarily from Ashland, many of whom had hunting shacks in the sloughs, did raise some strong opposition to the lakeshore through signed petitions. They were appropriately afraid that what they viewed to be their private hunting grounds would be infringed by outsiders attracted to the sloughs as a result of national designation and publicity. Research by students and faculty at Northland College and by members of the Citizens' Committee for an Apostle Islands National Lakeshore demonstrated conclusively the invalidity of the petitions (see Chapter Thirteen). Although hunting did not become an important substantive issue in the debates before Congress, hunters did use their influence with the Bad River Indians to enlist their support to oppose the lakeshore proposal.

One commercial fishing family, the Hokensons, opposed the lakeshore because their home and base of operation were within the lakeshore boundary and would be acquired by the National Park Service. Other commercial fishers generally remained neutral. Roger Bodin, a well-known commercial fisherman, was a strong advocate, but he urged that commercial fishing be regulated by the state, the one-quarter-mile water boundary be

eliminated, and the use of roads and landings within the lakeshore for getting on and off the winter ice continue "as they have done for hundreds of years in this area."[723]

In part, because state jurisdiction over hunting, fishing, trapping and wild ricing would continue, Knowles and Voigt eventually supported the lakeshore.[724] The national and Wisconsin chapters of the Wildlife Federation and the Izaak Walton League also came out in support if these activities would continue.[725] As a matter of principle, the National Parks Association objected to continued hunting, although it supported the proposal in general.[726] In the end, the language in the act explicitly allowed a variety of activities:

> The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin and the United States to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, trapping, or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, trapping, and fishing activities.[727]

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[723]SSC Hearings, June 1, 1967, p. 219.

[724]Ibid., pp. 128-9.

[725]SSC Hearings, March 17, 1969, pp. 29, 31.

[726]SSC Hearings, May 9, 1967, p. 63.

[727]Public Law 91-424, Ninety-First Congress, Second Session, September 26, 1970.

CHAPTER TEN

LAND ACQUISITION ISSUES IN THE APOSTLE ISLANDS NATIONAL LAKESHORE

Introduction

In 1967, ownership and improvements within the proposed lakeshore were:

Acreage	
Total in Lakeshore	57,511
Public Acreage	
Federal (largely for light houses)	1,213
State (largely Stockton Island)	9,920
Local (largely Oak Island)	10,325
Total	21,458
Private Acreage	25,186
Indian Land	
Red Cliff Reservation	
Tribal	1,724
Allotted	535
Total	2,259
Bad River Reservation	
Tribal	3,178
Allotted	5,430
Total	8,608
Improvements	
Year-round residences	14
Seasonal cottages	115
Lodges	1
Rental cottages	11
Restaurants, stores, taverns	3
Docks	27
Airstrip	1
Total	172

Outside of the reservations, forty-six percent of the land was already in public ownership. There were only fourteen year-round residences within the lakeshore boundaries. Seasonal cottages were located at Little Sand Bay, on Sand Island, and at scattered locations throughout the islands; hunting and fishing shacks, largely

owned by non-Indians, were located in the Kakagon-Bad River sloughs. Within the Indian reservations, seventy-two percent of the land within the proposed national lakeshore was already either alienated from the tribes or allotted to individual Indians, and the tribes exerted little or no control on these lands.

Given the large amount of public land, the modest number of year-round residences, the mixed land tenure pattern within the reservations and the outstanding natural resources, a persuasive case could be made for the establishment of a national lakeshore in the region. Although the case was persuasive, land issues, including those concerning Indian lands, would dominate much of the congressional debate over the lakeshore.

Reactions on the part of government officials varied from the state, county, and town levels; they also changed over time. The posture of these officials would strongly influence the debates.

Normally, federal recreation-area legislation provided that state and local government lands within the boundaries would be donated to the National Park Service. In the case of the Apostle Islands, the field office of the solicitor and I argued that an exception should be made providing that town and county lands would be purchased by NPS and that state lands would continue to be managed by the state or could be donated at a future date. Because the project was in a federally designated economic redevelopment area that had chronic problems of out-migration and under- and unemployment, the modest number of dollars to purchase town and county lands would have little or no impact on authorized land acquisition

expenditures, but would be significant in terms of public relations with local governments. Initially, these arguments did not prevail. The solicitor's office in Washington was concerned that the purchase of town and county lands would set a precedent for future park service projects. Moreover, they, and the interior committees in the U.S. Senate and especially the House, believed that state and local governments should be willing to donate lands in exchange for the favorable economic benefits as a result of a national park or recreation area. This policy position was consistent with legislation enacted for Pictured Rocks National Lakeshore in Michigan, the Bighorn Canyon National Recreation Area in Montana and Wyoming, the Indiana Dunes National Lakeshore in Indiana, all established in 1966, and the legislation under consideration for Sleeping Bear Dunes National Lakeshore in Michigan, which was authorized on October 21, 1970.

Thus, bills S. 2498 (1965) and S. 778 (1967) contained language specifying that "any property or interests therein owned by the state of Wisconsin, or any political subdivision thereof, may be acquired only with the concurrence of such owner." No mention was made of donation; however, donation was assumed. The House subsequently changed the language to explicitly provide that lands owned by the state be acquired only by donation. No mention was made of locally owned land.

State Government and the Apostle Islands National Lakeshore

The Wisconsin Conservation Department's efforts to acquire land within the boundaries of the lakeshore were debated at length between 1961 and 1970. The state had investigated the possibility of acquiring lands on the islands since the 1930s.

However, the area was remote, funds were lacking, and the state legislature was unwilling to make appropriations from the state general fund. Finally, in 1955, the Wisconsin Conservation Commission acted on an "Apostle Islands Wilderness Area" policy and subsequently leased the bulk of the land on Stockton Island. The purchase of this land was consummated in 1959 as part of an Apostle Islands State Forest.[728] During the 1960s, the Wisconsin Conservation Department consistently maintained a position that it would vigorously pursue land purchases within the established Apostle Islands State Forest and on other islands as the opportunities presented themselves. In addition, during this period, the conservation commission approved the establishment of the 2,732-acre Big Bay State Park on Madeline Island.

The U.S. Department of the Interior supported state land acquisition within the proposed lakeshore boundary, and in its reports and public testimony stated that the state conservation department could manage its lands in a manner consistent with NPS standards when the lakeshore was approved. But, we stressed that the state lacked the fiscal capacity to accomplish the larger goals envisioned for the lakeshore. With help from the Wisconsin Department of Resource Development we did successfully persuade the conservation department to drop plans for selected acquisitions on the Bayfield Peninsula.[729] The arguments for joint management worked reasonably well, although the state raised concerns from time to time.

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[728]Edward McDonald, statement at a public meeting on the Apostle Islands National Lakeshore, Ashland, Wisconsin, August 28, 1965.

[729]Jordahl, Preliminary Draft.

Subtle arguments emanating from the Wisconsin Conservation Department were frequently reported by the press, especially the Milwaukee Journal. In part, the arguments arose because of escalating competition between recreation planners in two state agencies, the departments of resource development and conservation. William Rennebohm, a planner with the Wisconsin Department of Resource Development, had been enticed to join the state conservation department as its first recreation planner. Rennebohm had serious reservations regarding the Apostle Islands. He doubted that the area would begin to attract the numbers of tourists envisioned in the "Fine study." He thought the waters of Lake Superior were too cold for swimming and that pools would be necessary. A planned million-dollar state investment in the area was substantially more than a modest program, and the state should be reimbursed for any lands which went into the lakeshore. On one positive note, Rennebohm thought a national lakeshore would benefit the state as a result of "national advertising."[730]

Another problem arose when the conservation department fisheries staff requested federal funds under the Anadramous Fish Act to acquire access points at Siskiwit, Raspberry, and Frog bays on the Bayfield Peninsula. Bill Dryer of the Bureau of Commercial Fisheries, a member of the interior subcommittee, recommended against approving this request; it was eventually denied.[731]

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[730]William Rennebohm, memorandum to John Beale, Wisconsin Conservation Department, April 26, 1965.

[731]Bill Dryer, memorandum to the regional director of the Bureau of Commercial Fisheries, August 15, 1968; Harold C. Jordahl, Jr., memorandum to the regional director of

Another issue repeatedly raised by state and local officials was an in-lieu-of-property-tax payment of thirty cents per acre made by the Wisconsin Conservation Department to local units of government for state-owned land in their jurisdictions. Our response was to stress that new private development would offset the modest tax losses. In spite of this reassurance, the department effectively represented local government concerns on this issue and repeatedly urged that federal legislation be amended to include a comparable in-lieu payment by the Interior Department to local units.[732]

As Interior Department staff assigned to the Apostle Islands changed over time, it was continually necessary to advise them not to join the arguments over state land donations. For example, Al Edmunds, the National Park Service coordinator, wanted a formal opinion from the state on a donation of its land to the federal government. I responded by outlining our overall strategy vis a vis the state:

> This project potentially could go "aground" on political shoals. Keep in mind that the incumbent Governor represents a party different from the Senate sponsor, Mr. Nelson. Newspaper speculation indicates that the Governor may run against the Senator.
>
> We have had no problems on this matter to date, because we have not forced the state government (The Governor, Legislature, Conservation Commission, or Conservation Director) to take a formal position. I think I am safe in generalizing by saying that these individuals and bodies basically support the proposal, but because of political considerations, might assume a posture inimical to the project, if they are forced to take a position. So, at this time, I strongly urge that no

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the Bureau of Sports Fisheries and Wildlife, September 16, 1968.

[732]L.P. Voigt, director of the Wisconsin Conservation Department, letter to Governor Warren P. Knowles, May 29, 1969.

direct formal approach be made. When hearings are scheduled, the strategy regarding a formal state position can be decided.[733]

In spite of this, a new park service planner, Richard "Dick" Whittpen, in a revision to the lakeshore master plan and conforming to other precedents, recommended that the state donate its land. Fearing an untimely debate, I urged him to modify this language to provide for state management, which he did.

We refused to be drawn into arguments regarding the donation of state lands and noted that joint federal-state management would be consistent with lakeshore goals. To reinforce this position, Nelson wrote Knowles and stated that his bill, then S. 778, would not necessitate any change in the Apostle Islands State Forest and that the Interior Department could only acquire state lands with the consent of the owner. He indicated that members of the Senate subcommittee would be interested in knowing if the state conservation department would like to continue to maintain the state forest.[734]

The first formal position by the state was articulated at the first Senate subcommittee hearings in 1967, when Voigt said, "for, and at the request of Warren P. Knowles, Governor of the state of Wisconsin,... I would like to say that we strongly recommend passage of this bill. We are strongly in favor of an integrated and well-coordinated state-federal program for the area." Commissioner "Frosty" Smith put the Wisconsin Conservation Commission on record as supporting the governor and the bill. He noted that a joint state-federal study might suggest that the long-term public interest would best be met by the sale of state lands

[733]Harold C. Jordahl, Jr., memorandum to Allen T. Edmunds, January 30, 1967.

[734]Senator Gaylord A. Nelson, letter to Governor Warren P. Knowles, May 18, 1967.

on Stockton and Basswood islands. The issue of the sale of state land was now on the table, but fortunately the senators did not join the issue. For the next two-and-a-half years the state maintained that it would continue land purchases, and in the event of a transfer, the land would be sold.[735]

By 1970, the state Department of Natural Resources (DNR), the conservation department successor, had made considerable progress on its land-purchase program; ninety-six percent, or 16,609 acres, of the state forest on Oak, Stockton, and Basswood islands had been acquired at a cost of almost $250,000. A dock and public-use facilities on Stockton had cost $120,000. Voigt had no fears regarding joint management and cautioned that the transfer of state lands to the federal government would take legislative action, "which of course cannot be predicted."[736]

During the 1970 House interior committee hearings, National Park Service Director George Hartzog shifted from favoring joint state-federal management to favoring donation of lands owned by the state and local governments to the NPS. In direct response to a question by the chairman, he indicated that the park service would not pay for these lands, and he was not expecting any problems over a land donation. Represenative James McClure, an Idaho Republican, was uneasy over the fact that Ashland County had not been concerned and in fact had attempted to market their land to private parties. Representative Abraham Kazen, a Texas Democrat, was also concerned about the lack of commitment to

[735]SSC Hearings, June 1-2, 1967, pp. 126-31.

[736]HSC Hearings, June 23-24, 1970, p. 243.

donate state lands. Nelson indicated that he was not worried and believed the state would eventually donate its lands.

That ended the discussion of state and local government land ownership during House hearings. However, a few days before final markup of the legislation in the House in 1970, the issue resurfaced. At that time, my contacts and communications with the House committee had not been as close or sustained as those with the Senate. The House staff was therefore not as familiar with the legislative history. At the request of Chairman Aspinall, Lee McElvain, a House committee consultant on national parks and recreation, called me and requested that I obtain a letter from the state indicating that it would be willing to donate its lands. In fact, the DNR had written the congressional delegation to oppose the language requiring donation. If a transfer was to be made, the DNR wanted reimbursement. I gave McElvain a lengthy review of the history of planning for the lakeshore, the longstanding antipathy between Nelson and the DNR, the depressed nature of the local economy, and problems we faced vis a vis the town and county boards. I then assured McElvain that even though a letter from the state indicating its willingness to donate its land could not then be secured, a donation could likely be accomplished after enactment. A negative response from the state at this critical time would certainly muddy the political waters. In the interim, joint management was feasible. McElvain agreed with my arguments, and the language in H.R. 9306, as reported by the House committee and as

enacted into law, provided that state lands could only be acquired by donation. Any reference to the donations of lands by local governments was deleted.[737]

The issue of state lands in the archipelago was ever-present in the lakeshore debate. The state took careful, conservative positions vis a vis Nelson and a federal proposal. No state lands were involved in the initial Nelson proposal. Conservation department officials, in fact, were not advised of the proposal; they read about it in the newspapers. When the islands were included, great care in dealing with the state would be required; in fact, the first unsure steps in developing legislation were based on the idea of a joint project. The federal government would provide the funds; the state, under joint agreements, would manage the area. Such an arrangement posed few problems for the state. As the proposal evolved and the need for direct federal involvement became apparent, the state informally warned that the legislature would have to enact enabling legislation to permit the federal government to establish a lakeshore. (In the 1930s the state had enacted enabling legislation authorizing the federal government to acquire 800,000 acres in the Chequamegon National Forest and 600,000 acres in the Nicolet National Forest. But that legislation was in response to the federal act that required such permission.) We did not argue the point; we simply side-stepped it. Joint management of the islands by NPS and the Wisconsin Department of Natural Resources was a satisfactory solution. And by the mid-1960s,

[737]Summarized in a memorandum from Harold C. Jordahl, Jr., to Pat Miller, July 28, 1980. (For a careful analysis of this precedent see the memorandum from the regional solicitor, Rocky Mountain Region, to the regional director, Midwest Region, National Park Service, August 20, 1980, and the minutes of the meeting of the Wisconsin Natural Resources Board, October 6, 1970.)

political and popular support for a lakeshore had risen to the point where direct state opposition would have been politically damaging to the agency.

Edward Crafts, the director of the Bureau of Outdoor Recreation, was especially sensitive to state interests in the area. Support from the Wisconsin Conservation Department for his fledgling agency was probably more important in the long run than transitory support from a governor and a staff closely aligned with the governor. The conservation department had a large professional staff, was in charge of managing the state's outdoor recreation programs, and would be the eventual recipient of federal grant-in-aid funds then being considered by Congress. Crafts's political strength would in no small measure be based on his success in using the grant-in-aid dollars to build a strong national coalition of state park agencies. On the other hand, he had to balance his sensitivity to the state conservation agency interests with those of Nelson and Udall. He therefore took the position of neither opposing the lakeshore nor supporting it. But he repeatedly slowed the planning process and brought to Udall's attention the state's interest in and activities on the islands and at Big Bay State Park. Finally, two years later, when it was obvious that the state would support the project, he wrote Udall a letter of support.[738]

An objective analysis of the situation might lead to a conclusion that state support for a national lakeshore and a free transfer of state lands made eminent good sense. The islands could continue as "wilderness areas" under federal management and would be available for public use. The substantial annual budget savings that would accrue to the

[738]Edward Crafts, memoranda to Interior Secretary Stewart Udall, March 6, 1964, and December 21, 1965.

state conservation department could be allocated to the new Big Bay State Park and other substantial needs identified in the "South Shore Studies" and the State Comprehensive Outdoor Recreation Plan. But objectivity does not necessarily lead to a reasoned conclusion. There were numerous reasons for the state to choose a different course of action.

The state had a history of dealing with its own problems; during the Progressive era, Wisconsin became a national model. The state had been addressing conservation issues since before the turn of the century, drawing on its strong tradition of independence, especially in matters relating to natural resource management. For example, in spite of the massive economic depression of the 1930s, the superintendent of state parks and forests kept the federal Civilian Conservation Corps from establishing work camps on state lands for more than two years.[739]

In the central and northern "cutover" lands, the overwhelming economic, fiscal, and social crisis in the 1920s and 1930s forced the state to permit the federal government to establish national forests and national wildlife refuges (including Horicon, Upper Mississippi and Necedah) and large Farm Security Administration land utilization projects in the Central Wisconsin Conservation Areas at Black River Falls and Meadow Valley. However, the Apostle Islands region was not of sufficient import to the state for any serious attention. It had given at best only lukewarm support in the 1930s for a national park in the Apostle Islands (see Chapter Six). And when the NPS at that time rejected a national park, the

[739]Carol Ahlgren, "The Civilian Conservation Corps and Wisconsin State Park Development," Wisconsin Magazine of History 71(3), Spring 1988, pp. 184-204.

state made no effort to have the decision overruled, and in fact resisted park service pressure to establish a state park there.

Independence, self-reliance, and a distrust of federal agencies and programs accounted for the state posture toward the 1960s lakeshore proposal. Moreover, human emotions played a part. The state had made a substantial fiscal commitment to the area. It persisted in its attempts to acquire Oak Island from Ashland County; it took eight years of effort, innumerable personal contacts and communications with local citizens and officials, and five formal appearances before the county board before it succeeded. In addition, the state had made a substantial effort to obtain local support for Big Bay State Park. Field staff, administrators, and policy makers were justly proud of their accomplishments.

Other mundane but important factors also played a role. An Apostle Islands State Forest and a Big Bay State Park justified conservation department presence in the area through personnel, buildings, and boats. Boats were especially useful for "official inspections." Their presence translated into political influence with officials elected to local office and state positions. A transfer of lands, either as a gift or sale, meant a substantial loss in the department's local influence. More parochially, this area was its turf and any infringement by the National Park Service would be resented.

Lastly, the conservation department justified its aggressive acquisition program by pointing to the perpetual uncertainty of establishing a lakeshore. The National Park Service had turned it down in the 1930s, and Nelson's original 1961 proposal took nine long years to enact.

County Government and the Apostle Islands National Lakeshore

Ashland County particularly resisted donating its lands to the federal government for a lakeshore, especially in view of the fact that it had resisted a sale to the state. For example, in 1962, the state offered the county $80,000 for Oak Island. A conservation department staff member even flew to Ashland to present the check to the county board; it was rejected.[740] A year later the board asked for private bids on the island, again turned down a state offer, and reviewed with favor a tentative offer of $50,000 from a developer.[741] In 1969 the state finally succeeded with the purchase of Oak Island and five additional parcels on Stockton and Basswood islands for $201,000. The state was the only bidder on all six parcels; the Basswood Island parcels drew bids from three private individuals, including William C. Brewer of Chicago, a staunch opponent of the lakeshore. The only dissenting vote came from board member Hugo Piper, who, believing land values would continue to rise, argued, "Just four years ago the state had offered $80,000."[742]

Piper was also concerned that in the event that the state gave its lands to the park service, the town of LaPointe would lose the thirty-cent state in-lieu-of-tax payments. Al Ehly, the director of state parks and recreation, assured the county board, stating that the "DNR was not in the habit of putting a million dollars into property and [then] donating it

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[740]Wisconsin Conservation Commission minutes, September 21, 1962; Report by L.P. Voigt, Wisconsin Conservation Commission minutes, November 2, 1962.

[741]Russ Tall, "Apostle Islands Plan Debated," Midland Cooperator, October 14, 1963.

[742]"Island Sale to State is Favored," Milwaukee Sentinel, June 24, 1969; "Ashland Board Votes to Sell Islands," Milwaukee Sentinel, June 25, 1969.

to anybody."[743] Because town and county governments depended in large measure on property taxes for their budgets, any removal of lands from tax rolls was viewed negatively, and arguments regarding the long-term benefits of a lakeshore were not persuasive. For example, the Fine study showed a gross property tax on private lands within the lakeshore of $9,055 in 1963 (an estimate substantially lower than figures used by local officials), which included the $2,940 in-lieu-of-tax payments by the state. Under joint management, state payments would continue. Thus, the net property tax loss was $6,115, which would be more than offset by new tourism developments, an $8 million lakeshore development program, the permanent employment of twenty-one persons, and tourist spending with an annual impact on the region of $7.5 million.[744]

Ashland County's opposition to either the sale or donation of its lands went further: the county initially opposed the entire proposal. The chair of the board, Ken Todd, pointed out that forty-eight percent of the land in the county was owned either by the state or the federal government. Todd stated, "I can't imagine how they can make a national park out of those islands."[745] Over the next several years members of the Citizens' Committee for an Apostle Islands National Lakeshore lobbied county board members with little effect. In fact in 1966, the board voted against the taking of any privately owned developed property

[743]Ibid.

[744]Fine, Apostle Islands: Some of the Economic Implications, pp. 10-14.

[745]Tall, "Apostle Islands Plan Debated."

within lakeshore boundaries. It further resolved that the county be compensated for any loss of property taxes.[746]

The parochial view of Ashland County was brought clearly into focus in 1967 when C.E. "Corky" Johnson, the superintendent of Isle Royale National Park, and I engaged in a contentious discussion with the board. The Ashland Daily Press headlined the meeting, "Island Park Sizzles: Meeting Called." Although we carefully explained the proposal and answered numerous questions, the board was not prepared to act. One board member declared that Oak Island was worth $160,000 and "we better get some money for Oak Island." Another meeting was called for a month later in preparation for the upcoming June hearings.[747] Perhaps in response to the publicity and pressure, the board shifted its position. A few days before the Senate hearings, Senator Nelson's assistant William Bechtel and I appeared before the board urging support. This time, on an eleven-to-six vote, board members favored the sale, but with conditions. The first of these required a trade of Oak Island for a marina in Ashland or equivalent land in the Chequamegon National Forest in Ashland County, or a purchase of Oak Island by the state with subsequent transfer to the National Park Service. The second condition opposed any further acquisition and development by the state on Big Bay State Park until the lakeshore was authorized, at which time the size and type of park on Madeline Island could best be determined.[748]

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[746]Resolution of the Ashland County Board of Supervisors, March 1, 1966.

[747]"Island Park Sizzles: Meeting Called," Ashland Daily Press, April 19, 1967.

[748]Ashland Daily Press, May 27, 1967.

With a favorable resolution now in hand, board chair Todd could now testify with enthusiasm:

> Mr. John Rybak, Ashland County Board Vice Chairman and myself have proudly delivered to this inspired committee ... a certified copy of a resolution ... passed by the County Board ... endorsing and supporting the Apostle Islands National Lakeshore in the setting up of this great nature's wonderland of America, for the world to see and use; [it] will be infinitesimal as compared to the exhilaration and joy that will fill the hearts of endless thousands when they witness and partake of this outdoors treasureland.[749]

The Bayfield County Board also endorsed the proposal, but with a proviso that no privately owned or developed land could be acquired for the lakeshore and that the sale of county land to the federal government be withheld until further action by the board.[750] The proviso regarding private land was an attempt to accommodate the chairman of the town of Russell. It did not work; he was the only member of the board to vote against the resolution.[751] The Bayfield County Board held to this position at the House hearings in 1969.

In spite of the caveats of the two boards, only some of which could be met, their resolutions were significant statements of overall support. Other local governments were also supportive, including the Ashland, Washburn and Bayfield city councils, the Iron and Polk county boards, the towns of Iron River and Bayview, the Washburn Planning

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[749]SSC Hearings, June 1, 1967, pp. 131-3.

[750]Ibid., pp. 133-5.

[751]Martin Hanson, letter to William Bechtel, April 21, 1967.

Commission and the Bayfield Harbor Commission. At the time of the 1967 and 1969 Senate hearings, such support from local government was impressive and important.[752]

Town Governments and the Apostle Islands National Lakeshore

Town governments were responsible for property value assessments, tax collection, refuse disposal, and roads. Within the lakeshore were four town governments: Russell and Bayfield in Bayfield County and LaPointe and Sanborn in Ashland County. Among town governments, support for the lakeshore was mixed. They traditionally represent rural, conservative constituencies that resist state and federal interference in their affairs.

When hearings were held, supervisors from the town of Russell on the Bayfield Peninsula expressed themselves in no uncertain terms. Robert Hokensen stated,

> speaking as a supervisor for the Town of Russell which the park takes in over 95 percent of our shoreline, I have to take a stand in their favor against the park. We have a lot of private property in each one.... I understand the government won't buy lands owned by a municipality, they want them donated. I am here to tell you our town is not going to sell, lease or donate any land for this park. This shoreline as of now is one-third of our tax base, $3,000 a year and getting bigger.[753]

Another member declared, "I'm writing ... so I just can't sit back and take all this without a fight."[754] A third town supervisor said:

> I am one of the town supervisors. Our township will lose in taxes based on the 1968 valuation ... $9,469.... I would like to know how the taxpayers ... can pick up this amount of tax loss.... Where are we going to get this money? I

[752]SSC Hearings, June 1, 1967, p. 286; March 17, 1969, p. 16.

[753]HSC Hearings, June 1, 1967, p. 157.

[754]HSC Hearings, August 19, 1969, p. 103.

also found that the Town of Bayfield will lose from $5,000 to $7,000 in taxes. Also the Town of LaPointe, excluding Madeline Island, will lose $22,487.[755]

The Russell Town Board remained adamant in its opposition and on April 11, 1970, advised House committee Chairman Aspinall to that effect. Town Board Chairman Arthur Meierotto declared, "As chairman of the town of Russell, I oppose the proposed national lakeshore park. The federal government already owns some 250,000 acres of national forest in Bayfield County.... When and where will this land acquisition stop?"[756]

The town of La Pointe in Ashland County contained all of the islands except Eagle, Sand, York, and Raspberry which were in Russell and Long Island in the Town of Sanborn. Except for a small park on Madeline, the town owned no lands in the archipelago. In spite of the fact that the town would lose tax base, Elmer Nelson, La Pointe town chairman in 1963, favored the lakeshore proposal.[757] Four years later, Town Chairman Daniel B. Angus, after taking a "person-to-person" poll, found that the majority of the electors were still in favor of the lakeshore:

> Most of us, of course, regret the necessity for taking established homesites in other units of this proposed park, i.e., owners not able to pass lands onto heirs, and disturbing some of our Indian residents whose historical rights have often been abrogated -- although under Senator Nelson's bill, their rights appear to be fully protected.... We regret the initial loss of some few thousand dollars in taxes and fees received from the islands other than Madeline, particularly in reference to state funds supplied the township in lieu of taxes for state forest lands, if the state should decide to include such lands in the national program.

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[755]HSC Hearings, August 19, 1969, p. 92.

[756]HSC Hearings, June 6, 1970, pp. 158, 386.

[757]Tall, "Apostle Islands Plan Debated."

He further noted that town responsibilities would in effect be reduced to one island, Madeline. Despite these reservations, Angus stated, "I am in favor of including our islands in the Apostle Islands National Lakeshore, fully understanding the country-wide urge to set aside lands for public use."[758]

Thus, the town of LaPointe broke ranks with the town of Russell, in spite of the fact that the Ashland County Board had called for a moratorium on state land acquisition at Big Bay State Park on Madeline Island.

Private Land Owners and the Apostle Islands

The Setting

The struggle for control and ownership of land in the Apostle Islands region was no different from that in the rest of the northern Great Lakes region. However, the remoteness of the islands influenced the timing and sequence of their ownership and exploitation.

Long before European exploration into the region, Indians battled for control of the land, not for individual ownership per se but for control of the game, fish, wild rice, and other resources necessary for tribal survival. Since post-glacial times nine different Indian groups had occupied the region; the Chippewas were the last and remain there today.

The land claims of the Indians were settled by treaties signed in the early 1850s. The Chippewas ceded to the U.S. government much of northern Wisconsin and agreed to settle on reservations. They retained, however, their rights to hunt, fish, and gather in the ceded territories. The Indian treaties permitted the federal government to dispose of the land

[758]SSC Hearings, May 9, June 1-2, 1967, p. 310.

through land grants to railroads and to the state for school purposes, as "bonus" land to veterans and homesteaders, and through outright sale to individuals and corporations. On the Apostle Islands, the only public lands to be reserved were strategic points and highlands suitable for lighthouses.

Lumbering, farming, brownstone quarrying, and other forms of resource exploitation quickly followed private ownership. Careless logging practices destroyed the forests. Changing building technologies soon made brownstone obsolete as a building material. And the agricultural depression in the early 1920s followed by the Great Depression in the 1930s all but eliminated agriculture on the islands and the adjacent mainland. Tax delinquency and the loss of farms prevailed.

In the Apostle Islands region, recreational development, such as summer cottages, was substantially slower than in other portions of northern Wisconsin because of the islands' remoteness, frequently inclement weather, cold water, short summer seasons, and long winters. Seasonal and year-round occupancy was largely confined to easily accessible Madeline and Sand islands. If the other islands and the mainland had been more extensively developed by private landowners, a lakeshore might not have been possible. In fact, Madeline Island was excluded from the proposal specifically because of its extensive development, and the U.S. Department of the Interior subcommittee seriously and carefully considered excluding portions of Sand Island because of development there.

Government Planning and Action

The flurry of planning activity surrounding the lakeshore understandably caused considerable uncertainty on the part of the public -- especially private property owners. The

state had approved acquisition of three islands for an Apostle Islands State Forest in the mid-1950s. In the early 1960s, it considered a new state park at Big Bay on Madeline Island and land purchases on the Bayfield Peninsula. At the same time, the Wisconsin Department of Resource Development was completing the first phase of the state outdoor recreation plan, which included intensive studies on the south shore of Lake Superior.

Nelson's initial proposal to Udall had been confined to the Kakagon-Bad River sloughs. Some months later the planning parameters had been broadened to include the islands and the Bayfield Peninsula. President Kennedy had described the natural resources of the region in glowing but very general terms in 1963. By this time, the public was wondering, and rightly so, if and where boundaries would be drawn for a lakeshore. How many islands would be included? What lands within the reservations and on the Bayfield Peninsula would make up the project?

At the time of the president's visit, the National Park Service had developed a preliminary plan that included all the islands except Madeline. It also included a Bayfield Peninsula unit with a shoreline of forty-five miles and 50,000 acres and a Chequamegon Bay unit (essentially the Kakagon-Bad River sloughs) that totaled 20,000 acres. However, the plan was stamped, "Not For Any Release."[759] Had the report been released at that time, it would have prompted a substantial public reaction because the proposed boundary included numerous improved properties. For the next two years the interior subcommittee met, planned, and refined the proposal; it confined public participation to the Citizens' Committee for an Apostle Islands National Lakeshore. It was not until August 1965 that a

[759]National Park Service, Proposed Islands National Lakeshore.

condensed report,including maps showing the acquisition boundaries, was released to the public. Although it was identified as a "field-level report" and did not carry the endorsement of the Interior Department, for the first time landowners could determine whether or not their land was proposed for purchase.

Until the boundaries were identified, property owners had found it difficult to take a stand on the matter and organize themselves. Even after the release of information, opponents would face formidable resources; the professional staffs of the state and the Interior Department, the resources of a popular U.S. senator, and a local Citizens' Committee for an Apostle Islands National Lakeshore. They also faced enormous statewide support for the project and a press that was highly favorable.

Landowner concerns and opposition took several predictable forms. Petitions in opposition were circulated. Owners formed an association to oppose the proposal. They made direct appeals to federal officials and to Nelson, requesting that their lands be excluded. On the other hand, some owners indicated their support and their willingness to sell their lands to the federal government.

The Petition as an Opposition Technique

In 1965, the Chequamegon Outboard Boating Club and the Ashland Rod and Gun Club, led by a member named Fred Huybrecht, began to circulate petitions opposing the lakeshore. They most likely saw it as a threat to their favorite hunting and fishing areas in the sloughs. Club members claimed, in letters to Udall, Proxmire, Nelson and O'Konski, to have collected more than 1,095 signatures on their petitions, representing forty-two communities and cities in the state. They opposed the inclusion of the Kakagon-Bad River

sloughs and Long Island in any federal or state park.[760] When public hearings on the proposal were held in June 1967, the clubs indicated that they now had 2,000 signatures on file and that about 500 South Shore property owners had signed the petition. Senator Moss, the committee chair, gave Joseph Bradle, the spokesman for the two organizations, more than the allotted three minutes to talk because "I thought that you were entitled to enter your dissent and have it in full." Although Bradle testified that the petition was in opposition to the "park," the wording of the document limited the opposition only to the Kakagon-Bad River sloughs. Bradle did not make this fact clear in his testimony.[761] He did, however, note the strong opposition of the Chequamegon Outboard Boating Club and the Ashland Rod and Gun Club to the lakeshore proposal.

The impact of the so-called "Huybrecht petition" on the Senate committee prior to Bradle's testimony had been substantially softened by earlier testimony by members of the Citizens' Committee for an Apostle Islands National Lakeshore. Culver Prentice, one of the citizens' committee founders, said the organization had written to 987 of the petition signers, asking them if "in light of present information and further consideration they would like to have their names remain on the petition or to have their name removed if offered a choice again." They received 229 responses; 110 said they wanted their names removed and nine indicated that they had no knowledge of signing the petition and felt their names had been

[760]Fred Huybrecht, letter to Stewart Udall, William Proxmire, Gaylord Nelson, and Alvin E. O'Konski, March 25, 1965.

[761]SSC Hearings, May 9, June 1-2, 1967, pp. 144-6.

forged or misrepresented. Only 105 signers wanted their names to remain on the petition.[762]

To further reduce the impact of the petition, the citizens' committee had encouraged the social studies division of Northland College to study the petition. Prentice submitted its report, "A Study of the Validity of the Huybrecht Petition," which concluded:

1. That the Huybrecht petition as of February 24, 1966, had diminished in reliability and/or validity by 61.7 percent since March 29, 1965.

2. That this discrepancy might have been much larger had this survey sampled those "remotely concerned" petitioners who resided far from the areas of direct impact of the proposed project.

3. That this discrepancy may be due to changes in the minds of the petitioners, and/or a large-scale invalidity originally involved in the signature-gathering process.[763]

Although the petition continued to be used by those in opposition, the credibility of the document had been so weakened that it had no significant influence on Congress.

The South Shore Property Owners Association also used petitions to argue against the lakeshore. In the 1969 Senate committee hearings, the vice chairman of the association, William C. Brewer, indicated that he had a petition in opposition signed by more than 300 permanent area residents, which seemed to belie the "overwhelming support" in the area for the lakeshore that promoters alleged. In a subsequent submission to the Senate, the petition contained signatures of 478 residents.[764] Both the Senate and the House subcommittees attempted to relate the signatures on the two petitions to the number of members in the

[762]Ibid., pp. 81-3.

[763]Ibid.

[764]SSC Hearings, March 17, 1969, pp. 96-7.

association and the numbers of private property owners within the boundary. (In earlier testimony, Willard E. Jurgens had indicated there were 156 owners along the thirty-mile strip.)[765] In the 1969 House hearings, Congressman Roy Taylor asked Jurgens how many homes were in the south shore area within the park. He replied, "I do not have those figures." Under further questioning, Jurgens indicated he could not differentiate between permanent homes and seasonal residences.[766]

A year later in House hearings, Jurgens again indicated that the association had 300 members. Congressman Kastenmeier asked if that number represented 300 separate parcels of property, to which Jurgens responded, "Well, if it represents less than 300, it is not much less than 300 parcels of land represented." Kastenmeier noted that Jurgens' numbers were at considerable variance with data provided by National Park Service Director George Hartzog. Hartzog had indicated that there were 197 improvements in the entire lakeshore, most of which were seasonal structures. There were fourteen year-round residences within the lakeshore boundary, 135 seasonal residences, sixteen commercial rental units, and twenty-eight docks and miscellaneous structures. Jurgens' response was that Hartzog's figures were "very inaccurate."[767] As with the "Huybrecht petition," the inaccurate and frequently vague responses to committee members weakened the property owners' petitions.

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[765]SSC Hearings, May 9 and June 1-2, 1967, p. 86.

[766]HSC Hearings, August 19, 1969, p. 83.

[767]HSC Hearings, June 3, 1970, p. 303.

The South Shore Property Owners Association

The South Shore Property Owners Association appointed Donald F. Schumacher, an attorney from Illinois and a south shore land owner, to represent its interests at the first Senate hearings in Washington on May 9, 1967. The group had joined with the Chequamegon Outboard Boating Club and the North Wisconsin Rod and Gun Club in vigorous opposition to the project. Schumacher presented voluminous documents in opposition and gave a lengthy statement. All told, his statement and attachments filled fifteen pages in the hearing record. He was received with courtesy by the chair, Senator Bible, and by Nelson. In brief, he argued that:

1. Too much public land existed in the northern Great Lakes and additional and for recreation was not necessary.

2. The area should be developed commercially and with small businesses to provide year-round employment in lieu of seasonal employment associated with tourism.

3. The thirty-mile scenic highway would violate the wilderness character of the Bayfield Peninsula and cause serious erosion on the unstable red clay soils.

4. Treaties and agreements with the Indians were once more being broken by the government.

5. Federal acquisition would take additional land off the property tax base, worsening the economic conditions of local government.

6. The proposed park would attract too many people, thus destroying the tranquil nature of the Apostle Islands.

7. Seasons were short and the water was cold and unsuitable for swimming and unsafe for recreational boating.

8. The project was costly and would further strain the federal budget and the American taxpayer.

9. The university economic impact study was grossly inflated.[768]

In addition to having Schumacher testify, the association persuaded property owners to testify in opposition. They would continue their efforts to block the proposal, and at the second Senate hearing in March 1969, they restated their arguments and provided the committee with numerous opposition calls and letters. The owners had become more strident, and they made personal attacks on committee members, Nelson, me, and an alleged lack of due process. Their behavior weakened their effectiveness with the committee.

During the two-year hiatus between the first and second Senate hearings, they had also encouraged the two Indian tribes to oppose the project and in their statements made repeated references to Indian concerns. This effort was fairly successful. In 1969, the Red Cliff Band appeared and vigorously opposed the lakeshore; the band chair rejected it "as more of the paternalistic garbage that the federal government had fed to Indians for too many years"[769] (see Chapter Fourteen).

Between the March, 1969, Senate hearing and the August, 1969, House hearing, property owner opposition intensified. Members of the House committee were greeted at the entrance to the hearing room in Ashland with picketers carrying signs that read, "Keep Land On Tax Roll -- Vote No, No, No," "Nelson's Proposal Unfair to Indians and

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[768]SSC Hearings, May 9, 1967, pp. 45-59.

[769]Statements by William C. Brewer, vice chair of the South Shore Property Owners Association; S.W. Jenson; Eric P. Westhagen; and Phillip Gordon, chair of the Red Cliff Band of Lake Superior Chippewa Indians, at the SSC Hearings, March 17, 1969, pp. 46-57, 75-106.

Landowners," "Lakeshore Proposal Unconstitutional," "We Oppose the Federal Land Grab," and "A National Lakeshore Means Higher Taxes."[770] Fourteen land owners vigorously testified in opposition.[771]

A new organization, the "Apostle Islands Residents Committee," based in Minneapolis, Minnesota, had been formed in the interim. William G. McFadzean, president of his own public affairs consulting firm, was the residents committee's executive drector. McFadzean was not a property owner in the Apostle Islands region, but he indicated that he owned land within the proposed Voyageurs National Park in Minnesota, which he would be willing to sell for park purposes. McFadzean stated that he "had cause to have developed a little booklet on questions and answers on the Apostle Islands."[772] Portions of the booklet had been prepared by a Lieutenant Robert E. Evans of the U.S. Coast Guard Reserve in Excelsior, Minnesota. Evans had served on ice breakers in the Great Lakes, had sailed in the Apostle Islands region, and was currently writing a book on sailing. Another author was James N. Brodie of Brodie Engineering Corporation of St. Paul, Minnesota. Brodie had testified in 1967, at that time arguing that costs would be "1,000 percent higher" than National Park Service estimates.[773] Although the booklet had been prepared in 1967, it was not brought to the attention of the House committee until 1970 when Brodie,

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[770]"Advocates, Pickets Appear at Islands Hearing," Ashland Daily Press, August 19, 1969.

[771]HSC Hearings, August 19, 1969.

[772]SSC Hearings, March 23-24, 1970, p. 364.

[773]SSC Hearings, June 1-2, 1967, p. 116.

McFadzean, and Evans formally presented it with their arguments.[774] The twenty-four-page booklet was professionally printed and illustrated and represented substantial effort on the part of the authors. It emphasized the hazards of recreational boating in the archipelago, claiming that 1) fetches and occasional seiches were dangerous; 2) most recreational boats were too small and inappropriately designed for safety on Lake Superior; 3) "the extreme cold of the water will cause death from exposure at any time of the year within a short time. Superior is known as the lake that does not give up its dead. Because of the cold, bodies tend to sink to the bottom and are rarely recovered"; 4) iron ore deposits in the region cause error in the use of magnetic compasses; and 5) rapid shifts in weather and erratic winds made most shorelines dangerous.

They reprinted the Recreation Advisory Commitee criteria in full and in an analysis indicated that the lakeshore did not qualify as a national recreational area. Their arguments were based on the premise that recreation would not be the dominant use because the islands were inaccessible, boating was dangerous, and the Kakagon-Bad River sloughs were to be kept wild and primitive. Unless the National Park Service subsidized boat tours, they contended, recreational boating would be limited to rich persons owning large boats suited to Lake Superior.

The Apostle Islands Residents Committee took sharp umbrage with Fine's estimates of 920,000 visits, but weakened their argument in erring by equating number of visits with number of visitors. A visit was defined by Fine as one person's use of the area for one day.

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[774]HSC Hearings, March 23-24, 1970, pp. 326-32, 360-67, 375-80.

If that person used the area for five days, five visits would result.[775] The residents committee noted that Grand Portage National Monument in Minnesota had had only 103,500 visitors in 1967, while nearby Isle Royale National Park had had only 9,500 visitors that same year. They also disagreed with the park service cost estimate of $13,310,000. Brodie estimated costs at $65,000,000 based on higher land costs, a thirty-mile modern road with two lanes in each direction, sewage treatment plants, ranger stations, and Coast Guard facilities.[776]

During the hearing, the question of boating safety was taken up in detail by Lee McElvain, the counsel to the committee, and Lieutenant Evans:

Mr. McElvain:

> Mr. Chairman, we have heard a great deal about the danger of traveling between these islands and so forth. I suppose this is probably the first of the witnesses we have had who is any sort of an expert on the water. Could you tell us how many people have actually lost their lives in the last five years, per year?

Mr. Evans:

> No sir, I cannot. But I can tell you there are 8,000 wrecks on the bottom of Lake Superior reported.

Mr. McElvain:

> From when?

Mr. Evans:

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[775]Fine, Some of the Economic Implications, p. 6.

[776]William G. McFadzean, "Questions and Answers About the Proposed Apostle Islands National Lakeshore," Apostle Islands Residents Committee, Minneapolis, Minnesota, April 1969.

All time.

Mr. McElvain:

Of course, this is only a small part of Lake Superior, is it not?

Mr. Evans:

Yes sir.

Mr. McElvain:

Would you be able to supply the committee with information about the number of boating accidents in this vicinity annually for the last five years?

Mr. Evans:

I suppose it could be dug up. The Coast Guard would undoubtedly have a record.[777]

Supplemental information was provided to the committee.[778] This had indicated that in 1969, three accidents had occurred in the Apostle Islands region: a collision between two vessels with no injuries or fatalities, resulting in $700 damage; a collision between two

[777]HSC Hearings, March 23-24, 1970, p. 329.

[778]In earlier testimony, William Sivertson of Ashland, owner of a portion of Long Island, had warned the House subcommittee of the dangers of Lake Superior: "The main thing that concerns me about this national park is the safety involved. I do not know if men understand or have ever been out on a rough sea in your life but this Lake Superior, its waves are over 25 feet high and I have seen many people, a lot of casualties around Long Island and you get novice and layman people out in the lake in 16- or 20-foot boats and they are nothing but trouble.... When you push a national park, you are pushing the safety involved.... Do you want to see lives taken? No, you do not, and I do not, because when you get laymen people in here, I think gentlemen, you are in for a shock." (HSC Hearings, August 19, 1969, pp. 159-60.) Tragically, Sivertson drowned in a storm twenty years later while attempting to reach his property on Long Island from the mainland.

vessels with no injuries or fatalities, resulting in $165 damage; and a capsizing of a vessel with no injuries or fatalities, resulting in $1,000 damage.[779]

Brodie also erred in his exaggeration of costs and was sharply rebuked by Congressman Saylor:

> Mr. Saylor:
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> Mr Brodie, have you ever worked for the Corps of Engineers?
>
> Mr. Brodie:
>
> Well, I have done projects for them, yes sir.
>
> Mr. Saylor:
>
> I knew it. I knew it just as sure as the sun rose in the east this morning. You have used the Corps of Engineers approach to projects.... While I have disagreed violently sometimes with the figures that have been presented by the park service as being an underestimate, this is the most fantastic estimate I have ever seen presented to this committee in 21 years, even by representatives of the Corps of Engineers. I would not say that I am heartily in favor of this project in all of its aspects, but if there was ever any testimony that convinces me we ought to buy it, your testimony has made me the outstanding advocate of this park, with or without Indian lands.[780]

Saylor noted that the road plan had been changed in 1967, that the federal government did not charge interest on costs associated with park investments, and that Brodie's estimate of annual operating costs of $6 million was totally unrealistic when the National Park Service had managed to operate 274 parks the previous year at a cost of

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[779]J.H. Bruce, U.S. Coast Guard, letter to Wayne N. Aspinall, chair of the House Committee on Interior and Insular Affairs, May 20, 1970, placed into HSC Hearings, March 23-24, 1970, p. 330.

[780]HSC Hearings, March 23-24, 1970, pp. 375-9.

$53,343,000. Further, he noted that the state had managed to acquire two islands for a modest $250,000.

Because of grievous errors and downright misrepresentation, the credibility of the booklet and the Apostle Islands Residents Committee was largely destroyed, although some of the information was used in the dissenting views of five members of the House committee in the report of H.R. 9206, which recommended passage of the lakeshore.[781]

The "Cape Cod Formula"

The Cape Cod National Seashore in Massachusetts, authorized in 1961, was the first major addition to the national park system in many years. Moreover, it was the first time Congress had authorized funds for land acquisition in the act authorizing a natural or recreational park. Early additions to the park system had been based on withdrawals from the public domain or land purchases by private persons or foundations.

Cape Cod included numerous villages and small communities that made up an important part of its seashore charm. To purchase these communities would have been prohibitively expensive and politically unacceptable. The question seashore planners and Congress faced was how to permit these communities to remain private and still protect their integrity and ensure that they would not adversely impact the seashore. Because the federal government lacked zoning powers, a novel approach was used. The boundaries of the seashore included the communities, but the interior secretary's powers to acquire lands within these communities was suspended as long as local zoning ordinances that met federal

[781]"Providing for the Establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and For Other Purposes," U.S. House of Representatives, Ninety-First Congress, Second Session, Report No. 91-1280, July 7, 1970, pp. 11-15.

standards were in effect. Thus, the communities would remain private, while their charm, so important to the mystique of the cape, could be ensured.

Apostle Islands planners explored carefully the application of this concept to the developed portions of Little Sand Bay and Sand Island, but discarded it for two reasons. First, the number of improved properties was not large, and second, eventual federal ownership was deemed necessary for the lakeshore. To give owners of improved properties some protection, the legislation drew on another Cape Cod innovation, which provided that buildings and a modest amount of land could continue to be held privately for either twenty-five years with a right of assignment, or for the life of the owners without assignment rights. The owners could select either option.

A careful review of the record suggests that had the property owners been better informed and organized, and had they been represented by a person who understood the application of the zoning provisions used at Cape Cod, they may have succeeded in excluding the developed portions of Sand Island and Little Sand Bay from the lakeshore. Senators Bible and Frank E. Moss, a Utah Democrat, brought the matter up on a number of occasions. Bible, in fact, suggested in 1967 that the "Cape Cod zoning" might be used and that "the committee could take care of [opposition by owners] if that develops to be the main problem of opposition to this particular national lakeshore bill."[782] It was an open invitation for owners to organize, draw boundaries excluding developed areas, and to testify in an informed manner. Although Schumacher, the South Shore Property Owners Association attorney, and S.W. Jensch, another property owner, had suggested using the

[782]SSC Hearings, May 9, 1967, p. 37.

formula at the first Senate hearing, their presentation had not been effective. Schumacher had not been clear on what the formula actually meant, and Jensch, by stressing his adamant opposition to the lakeshore, had failed to capitalize on Bible's observation that the formula had worked well in other areas. Bible closed the Washington hearing by indicating he wanted more testimony on the issue at the upcoming Senate hearing, to be held in Ashland, after which the committee would make a decision.[783]

At the Ashland hearing, property owners continued to stress their overall opposition to the lakeshore but failed to recognize that perhaps some compromise was possible. Senator Moss asked Brodie, "Would you think that it would be better if the landowner might continue beyond that term [twenty-five years or life tenure] provided he retained his lands for simply residential purposes, non-commercial purposes?" Brodie responded that he had not considered this. Moss proceeded to explain to Brodie how zoning might work and indicated that the hearing record would be kept open for ten days if Brodie wished to respond to the use of the formula. Brodie responded with a lengthy and detailed diatribe against the lakeshore, but failed to recognize the application of zoning to his property and other improved properties by not addressing the issue.[784]

Senator Moss inserted into the record communications received by the committee, one from a park proponent who suggested using the Cape Cod zoning principle. Two other letters suggested another approach that would provide the federal government with an

[783]Ibid., pp. 33-41, 58.

[784]SSC Hearings, June 1-2, 1967, pp. 115-18.

option to acquire improved properties when owners wished to sell. Given Moss's sensitivity to the issue, oral testimony would have been more effective.

Even during the 1967-69 hiatus, property owners failed to see the potential for a compromise and kept up their vigorous opposition to the lakeshore. Nelson gave Brewer an opening by bringing up the Cape Cod formula in 1969, but Brewer's response was that he did not want it if it provided for twenty-five-year or life-tenure rights. Jensch pleaded for the formula but failed to provide maps or supporting documents suggesting areas that might be excluded. The effectiveness of his arguments was compromised when he concluded by stating the bill was unconstitutional.[785]

A flurry of letters and statements were submitted for the record by property owners opposing the lakeshore. Only one letter, from Mr. and Mrs. Carl O. Dahl, urged the adoption of the Cape Cod formula, "whereby families could keep their property as long as they wish." Carl Dahl and Robert Dahl, who were brothers, and their relatives had, in lengthy oral testimony, opposed the lakeshore, but in that oral testimony did not suggest the use of the zoning concept.[786]

At the time of the final House hearing, property owners were represented by the South Shore Property Owners Association, the Apostle Islands Residents Committee, and a newly formed organization, the Apostle Islands Wilderness Council. Spokespersons Brewer, Brodie and Eric P. Westhagen, a property owner, provided no new arguments in their opposition to the lakeshore; however, they did emphasize Indian opposition,

[785]SSC Hearings, March 17, 1969, pp. 81-95.

[786]Ibid., pp. 68-75, 129.

recognizing that the committee was struggling with the issue of whether or not a viable lakeshore could be created without the Indian land. Westhagen recommended that the interior secretary's authority to acquire private property without the owner's consent be limited to the purchase of scenic easements when the owner's use was compatible with standards established by the secretary for private lands within the boundaries. The subcommittee did not address this option, and in the final draft of the legislation, owners were given twenty-five-year or life-tenure rights.[787]

The Concerns of Private Land Owners

Many persons protesting the inclusion of private land within the lakeshore boundary had a deep love for their property and the environment of the Lake Superior region. For many, their land had been in family ownership for decades. Their pleas to the House and Senate were often highly emotional, heartfelt, and honest. The dilemma Congress faced was summed up by the Bayfield County Press as a choice

> where one may suffer a crushed dream -- hundreds, for generations to come -- will be there to dream, to realize their dream of a vacation in a very beautiful section of our country.[788]

The Sawyer County Record editorialized that the

> opponents of such a project would use [loss of tax base, federal control, and costs] as a basis for their arguments against the move, and ordinarily we would agree. But in this case we feel that government intervention is a "must" if we are to preserve the spectacular beauty of the region.[789]

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[787]HSC Hearings, March 23-24, 1970, pp. 314-17.

[788]"Sen. G. Nelson Reveals Plans for Fed. Recreation Area," Bayfield County Press, September 2, 1965.

[789]"Apostle Islands Plan Merits Support," Sawyer County Record, September 16, 1965.

The depth of many landowner's anguish can be found in their letters and statements on the matter.

A.D. Hulings:

> Betty and I have been coming up since we were married in 1938. Mrs. Jench originally came to Sand Island as a little girl when her father was the Indian Agent at Ashland. She still comes up from Hudson, Wisconsin at approximately 90 [years of age]. Her family has been on the island summers for at least 60 years and the Andersens for 35 years.... On some summer weekends there are 50-75 people on Sand Island.[790]

James H. Brodie:

> I am the owner of Ironwood Island, it is one of the smaller islands, roughly 600 acres. One of the most beautiful islands in the group.... This Ironwood Island has been the property of my family for 65 years. My grandfather acquired it and we have held it through three generations, with the idea in mind that this was a treasured spot of the Nation and we feel as owners of this land, we are entitled to some of the credit for preserving this great natural beauty.... Now we have enjoyed this island many years. First, as a small child and through my life and now my family is enjoying it.... The owners of this land have been the ones who have kept its beauty intact and maintained it to a point where. I think that many of us who are the old time owners feel our great propriety [interest] towards this project....[791]

Howard L. Palm:

> [T]his is a plea for mercy. I am lifelong resident of Sand Island.... My grandfather, Peter Nelson, settled in Bayfield in 1890. My mother has been visiting and residing on Sand Island since 1897. I have visited and resided on Sand Island since 1923. My children are the fourth generation to enjoy this beautiful area.... Our roots are deep.... One of the pathetic results created by the confiscation of land is the unhappiness which is instilled in the hearts of people who are forced to leave the land they all love so dearly.[792]

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[790]A.D. Hulings, Anderson Corporation, Bayport, Minnesota, letter to Tom Vennum, Chataux Madeline, October 1, 1965.

[791]SSC Hearings, March 23-24 and June 3, 1967, pp. 114-15.

[792]Ibid., pp. 273-4.

Frederick N. Dahl:

> I am a fourth generation property owner on Sand Island. My great-grandparents settled on the island in the late 1800s. My family was engaged in commercial fishing until 1952.[793]

Alden Allen:

> I did without new cars and the niceties of life so I could own this and leave it to my kids.... Now I have to leave it to a bunch of long hairs.[794]

Helen and Eleanor Neuraber, who had recently sold their house in Chicago to move to the area:

> The lakeshore is jeopardizing our dream of living on the 58 acres along Little Sand Bay that our father had purchased 48 years before. I dreamed for some 40 years that some day I'd be able to come out here.[795]

Lawrence Halverson:

> My grandfathers were two of the first homesteaders in this area. One of my grandfathers was the first white man to build and keep his house at Little Sand Bay, sharing bed and food with travelers stranded on the beach.... There is no dire need for a park in this area.[796]

The Dahls:

> We are third generation land owners from Sand Island who have lived there most of our lives so our grass roots are deep. Both of us completed our first eight years of schooling on the Island. My husband and I have five children and seven grandchildren who along with us spend their vacations and every

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[793]Ibid., p. 325.

[794]Sandra Cota, "Apostle Islands Law Arouses Anger, Hope," Milwaukee Journal, November 15, 1970. (Alden was then the chair of Russell Town Board and owned 1,800 feet of lakeshore; he had also donated two acres of land on York Island to the town of Russell as a memorial to his son, who was killed in Vietnam.)

[795]Ibid.

[796]SSC Hearings, March 23-24 and June 3, 1967, p. 257.

weekend they can on Sand Island. We are against this Apostle Islands National Park.[797]

Melvin Dahl:

> I am a property owner on Sand Island and have been since 1940. My father and mother lived there for many years and I was born and raised on Sand Island and attended school there.... If Madeline can be excluded because it has been developed, why can't Sand Island and Little Sand Bay be excluded because we have kept it the way our fathers and forefathers developed it and that was to keep it the way they found it.... As we inherited from our fathers and forefathers so would our children like to inherit from us....[798]

The Real Estate Market

The real estate market in the region obviously functioned during the nine years the proposal was under consideration. It is likely that buyers and sellers substantially differed in the amount and accuracy of their information regarding the impacts the lakeshore proposal would have on specific tracts of land and on land values. The market was also probably influenced by a high level of uncertainty as to whether or not the proposal would be enacted by Congress. This was most certainly true in the volatile years of 1969 and 1970, when the House debated the efficacy of the proposal without the Indian land.

During the 1960s, recreational land values significantly increased statewide. Increases in the Apostle Islands region may have been greater than statewide averages because the region was just beginning to catch up with real estate values in other parts of the state. The enormous statewide publicity on the project may also have directed buyers' attention to this remote part of northern Wisconsin. The interior subcommittee report had noted that

[797]Ibid., p. 129.

[798]Ibid., p. 132.

private and alienated reservation lands would continue to be developed, especially on the Bayfield Peninsula, where lakeshore frontage values had increased from a few cents per foot to more than fifteen dollars per foot. Choice lots south of Bayfield were being advertised at forty dollars per frontage foot.[799]

Some investors, both buyers and sellers, were forthright in their transactions. Others were perhaps less so, and may in fact have exploited the lakeshore proposal to influence prices. For example, in spite of the fact that the islands were not easily accessible, the Campfire Land Company of Appleton, Wisconsin, in 1965 promoted the sale of lots on Cat Island. Its advertising circular stated:

> for someone who wants remote secluded cottage and hunting cabin sites, we offer this outstanding value in the Apostle Islands group. The state recently bought Stockton Island for a state park. The Apostle Islands are known throughout the world.... The deer hunting and fishing in the area is terrific and if you like this kind of wilderness, we suggest you buy one of these parcels. There is talk now in Congress about making this a national park area because of its great beauty and unique features....[800]

At that time, three lots had been sold; seven remained for sale at $795 each and could be acquired with a $10 down payment and a monthly payment of $13.50. Later in 1965, the company increased the subdivision on Cat Island to twenty-three lots; six had been sold. The price for lots with 110 feet of lakeshore frontage (650 feet in depth) had increased to $995 with $10 down and monthly payments of $16.75.

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[799]U.S. Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 43-5.

[800]Martin Hanson, letter to Harold C. Jordahl, Jr., November 24, 1965.

The company was also active selling lots in many other recreational areas in Wisconsin, including, from time to time, lots within authorized state projects.[801]

Other islands were being offered for sale. John Galke & Sons, realtors from Stevens Point, Wisconsin, ran an ad in the "Real Estate Corner" of the Wall Street Journal offering the 1,332-acre Otter Island, "a real jewel," for $100 per acre, and the 7,720-acre Outer Island, with "three miles of sand beach, an inland lake, an airstrip and scenic shoreline," for $100 per acre.[802] Three years later, Outer Island was still being offered for sale, this time by Robert L. Berrard & Associates of Stevens Point, Wisconsin, for $125 per acre. Their advertisement noted the island's unlimited potential for resort development and its suitability for the Boy Scouts and for religious and outdoor organizations. The advertisement did not note that the island was included in the lakeshore legislation then under consideration by Congress.[803]

The owner of Michigan Island, Professor Athelstane Spillhouse of the University of Minnesota, a well-known, syndicated natural science cartoonist, had attempted to interest "Bud" Peters, a logger from nearby Mellen, to log the island. Peters had logging experience on the islands. He declined because "it catches so many storms that getting the logs off the island presented such a risk." Spillhouse was also interested in selling. Robert Reilly of Previews, Inc., a real estate firm in Chicago, Illinois, had called Gene Roark of the Wisconsin Conservation Department regarding the proposed lakeshore. He indicated that

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[801]Ibid.

[802]William Sayles, Wisconsin Public Service Commission, letter to Harold C. Jordahl, Jr., September 1, 1966.

[803]Wall Street Journal, June 21, 1968.

Spillhouse owned all of the island (1,450 acres) except the lighthouse "and was speaking in terms of $300,000 to $400,000." Roark wondered if the Nature Conservancy could possibly buy the island and hold it until the National Park Service could acquire it. I advised him that I was not optimistic that the Nature Conservancy would buy lands on non-authorized park service projects.[804]

Spillhouse then subdivided the island into thirty-five parcels. Martin Hanson and Culver Prentice apparently discussed the purchase of the island with the Nature Conservancy. Prentice indicated his willingness to pay the property taxes ($1,814.90 in 1968) if he would subsequently be reimbursed when the National Park Service had acquired the island. Michigan Island issues were resolved in September 1970 when the Izaak Walton League of America announced that it had turned over $47,500 to the Nature Conservancy to acquire all but fifty acres of the island for eventual transfer to the park service.[805]

Real estate interests planning subdivisions were naturally concerned about the lakeshore proposal. William Caldwell of Columbus, Wisconsin, visited me in 1965 to express his concerns regarding the proposal, as he had subdivided a portion of Squaw Bay on the western end of the Bayfield Peninsula. I advised him to write to Nelson and to appear at hearings. Caldwell subsequently wrote Nelson expressing opposition to the project and stressed the substantial increased property tax benefits associated with cottage

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[804]Martin Hanson, letter to Gene Roark, Wisconsin Conservation Department, November 14, 1968; Roark, memorandum to Harold C. Jordahl, Jr., November 13, 1968; Jordahl, letter to Roark, November 18, 1968.

[805]Martin Hanson, letter to Harold C. Jordahl, Jr., no date; Culver Prentice, letter to Jordahl, January 9, 1970; "Conservationists Will Buy Island," Milwaukee Journal, September 25, 1970.

development. He had "in the summer of 1963 sunk his first shovel into the sand at Squaw Bay" (this was two years before the proposed lakeshore boundaries were known by the public). In testimony before the Senate in 1967, Caldwell had indicated that five cottages had been constructed. His subdivision included 4,000 shoreline feet. He felt that the area would have been considerably more developed had not the federal government announced its plan to revert the area to its natural wilderness state. He said, "If this proposal is forced on us, we can only promise you that this area will be one of the most exorbitantly priced pieces of campgrounds on the federal rolls."[806] Subsequent investigations showed Caldwell owned 1,845 shoreline feet that had been subdivided into twelve lots, of which seven had been sold for $25 to $30 per foot.[807]

Schumacher, who represented the South Shore Property Owners Association, owned land on Lake Siskiwit south of the lakeshore where, at his wife's insistence, he built a cabin on it as a place to recover from hepatitis. He expressed his interest in the Bayfield Peninsula by saying, "When I was up here I found this area so restful to me that I thought I would like to have some [land] on Lake Superior, so my wife and I negotiated with Loretta Meyer to buy her property on Squaw Bay."[808] The Schumachers had paid $50,000 for the land in 1965, which included 700 acres and a half-mile of frontage, and although it was not subdivided at that time, they planned to so do in the near future. Schumacher told the

[806]Harold C. Jordahl, Jr., memorandum to the regional director of the National Park Service, October 5, 1965; William Caldwell, letter to Senator Gaylord Nelson, November 30, 1965; SSC Hearings, May 9 and June 1-2, 1967, p. 254.

[807]SSC Hearings, May 9 and June 1-2, 1967, p. 254.

[808]Ibid.

Senate committee that "as a matter of fact, the first time [the lakeshore] came to my attention was in the Chicago Tribune which came out Sunday, August 29, 1965 ... and on my word, I had no knowledge when my purchase was made of this proposal, and I was not doing it for speculating purposes.... If I had known about this, I would not have tied myself up in this contract."[809] Schumacher was also an articulate and vigorous representative of the Chequamegon Outboard Boating Club and the North Wisconsin Rod and Gun Club of Ashland.[810]

Little Sand Bay, on the mainland, had been subdivided long before the lakeshore had been proposed. The president of the South Shore Property Owners Association, Willard Jurgens, was a vigorous spokesperson in opposition to the proposal. Under questioning by Nelson, he indicated that he had owned land at Little Sand Bay since he retired in 1960. By 1967 Jurgens had acquired ten lots within the existing subdivision. He estimated frontage values at $20 to $40 per foot. During the 1969 House hearings, congressmen Kastenmeier, Taylor and Philip E. Ruppe, a Michigan Republican, attempted to elicit testimony from him as to how the Little Sand Bay subdivision had been alienated from Indian ownership. Jurgen's best guess was that a forty-acre tract had come out of Indian ownership in 1926 and was subsequently subdivided.[811]

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[809]Ibid.

[810]HSC Hearings, August 19, 1969, p. 102; Harold C. Jordahl, Jr., letter to the regional director of the National Park Service, October 5, 1965; SSC Hearings, May 9 and June 1-2, 1967, pp. 53-9.

[811]SSC Hearings, May 9 and June 1-2, 1967, pp. 83-7; HSC Hearings, August 19, 1969, pp. 81-4.

The Caldwell and Schumacher subdivisions illustrate the problem landowners had in knowing exactly what lands were to be included in the lakeshore. Not until the release of the Interior Department's report in August 1965 were boundary maps available. On the other hand, wide-scale publicity in the press as early as 1962 had indicated that the lakeshore would include three major units: the twenty-one islands, the Bayfield Peninsula, and the Kakagon-Bad River sloughs. Realtors and lawyers in the area should have known these facts and could have alerted buyers to the proposal.

Landowners and Logging in the Apostle Islands

In spite of destructive logging earlier in the century, some of the islands still contained merchantable timber. When the lakeshore proposal was made, loggers and property owners faced uncertainty regarding timber harvest. Some owners opposed to the lakeshore went ahead and logged out of spite. In 1965, Bill Dryer of the Bureau of Commercial Fisheries, a member of the interior subcommittee, reported that extensive logging was currently underway on Michigan and Outer islands. He described it as "a crash program to remove timber before it becomes a national lakeshore."[812]

Bud Peters, who owned land on Sand Island, discussed the lakeshore proposal with me in early 1965. At that time he was a strong advocate of the proposal, in spite of the fact that he believed it would be more advantageous to him to log Sand Island and then sell the property to subdivision speculators. He held in abeyance any decision to log, but by 1969, although still a strong advocate for the lakeshore, he was impatient. He advised the House committee that he owned 1,040 acres on Sand Island and told them:

[812]Bill Dryer, memorandum to Harold C. Jordahl, Jr., June 10, 1965.

> I would like to say this and impress upon you gentlemen that I do believe the government should either fish or cut bait in the sense that the project should move forward. Various property owners in the area involved do not really know where they are at the time.... Like myself ... and several others we have development plans for this property in the event the park does not go through. If it waits too long, my plans for development might possibly start in the summer of 1970. If I do develop, I will develop with the idea of eventually park takeover.[813]

Peters felt that without a park the islands would eventually be subdivided and "if [they are] developed on a private basis and subdivided there is going to be an extreme amount of trouble such as in other areas."[814]

Some Owners Were Willing to Sell

Not all land owners opposed the project. Elizabeth Hawkes,[815] a local attorney, represented a number of supportive owners. In her testimony to the House committee in 1969, she indicated that a Mrs. Irene Carson of South Gate, California, owned a mile of shoreline and 104 acres on the peninsula and was willing to negotiate its sale. Mrs. Carson had, in fact, rejected numerous private offers for the sale of this land for the past several years:

> her interest has been to facilitate the development of a national park area since the proposal was initially made. They bought the land, her husband bought the land originally -- he was a retired newspaper editor from New York City, a Washburn native -- because he knew that it had unique cultural

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[813]Harold C. Jordahl, Jr., memorandum to Henry P. Caulfield, January 20, 1965; HSC Hearing, August 19, 1969, pp. 144-5.

[814]Ibid.

[815]Elizabeth Hawkes had served on the staff of Congressman Peavy in the 1930s and was involved in drafting the legislation authorizing the first National Park Service study. She returned to Washburn and established a law office. Hawkes was active in state Democratic Party politics.

values and bought it for the purpose of hoping eventually there would be a park development. She is now a widow.[816]

H. Donald Bliss of Bellevue, Washington, was also a client of Hawkes. Bliss owned seventy-seven acres on Michigan Island, including the historic lighthouse and the caretaker's residence, and was looking forward to negotiating a sale. In a letter, Bliss said,

> I am happy to learn that the federal government is moving forward in its program of expansion of the National Park system.... Here is a vast capacity for wilderness and marine therapy. The lighthouse should offer real historic and aesthetic values to an organized island complex.... My files should prove helpful to future curators of a museum at the site.[817]

John Daley, also represented by Hawkes, indicated that he, "as spokesman of approximately sixty percent of the title ownership of some 500 acres of allotted Indian land within the Red Cliff Reservation, was ready to negotiate a sale." He wrote:

> we believe this development holds out great hope for a substantial future for the Red Cliff Band of Chippewa interests.[818]

Herman Johnson, a key property owner at Sand Bay, was also sold on the idea of a park. A local supporter reported:

> But eureka he has gone "Gung Ho" on the idea now, and this was because he just took the circle route [around Lake Superior] and his eyes were opened to see the North Shore business still flourishing and the good highways and the industrial development back off the roads ... and he said the argument about losing taxes is ridiculous in view of the business opportunities near the park.[819]

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[816]HSC Hearings, August 19, 1969, pp. 145-6.

[817]SSC Hearings, May 9 and June 1-2, 1967, pp. 183-4.

[818]SSC Hearings, May 9 June 1-2, 1967, pp. 182-4.

[819]Roger Bodin, memorandum to Martin Hanson, September 24, 1965.

CHAPTER ELEVEN

POLITICS WITHIN THE UNITED STATES DEPARTMENT OF THE INTERIOR

The Subcommittee Report of the North Central Field Committee

Although the charge from Interior Secretary Stewart Udall to the subcommittee of the North Central Field Committee in 1964 was clear and explicit, months would go by before the subcommittee approved its report for public release, and it was merely a field-level document without Interior Department support. The report, entitled Apostle Islands National Lakeshore: A Proposal, was dated August 1965. But it took until February 18, 1967, before Assistant Interior Secretary Harry Anderson, in a letter to the chair of the Senate Committee on Interior and Insular Affairs, wrote that "S. 778, if amended as recommended ... would be in accord with the program of the President."[820] The long delays within the U.S. Department of the Interior were due to debates on substantive issues and bureaucratic political forces.

The lakeshore proposal was complex, especially in relation to Indian issues. New approaches had to be tested for their efficacy and their legal basis. Relations with the state needed resolution. Furthermore, the lakeshore had to fit into the context of the "third wave of the conservation movement" initiated by President Kennedy and enlarged upon by President Johnson.

The interior subcommittee was established because the full North Central Field Committee consisted of busy regional directors of bureaus having major responsibilities in

[820]Harry R. Anderson, assistant secretary of the interior, letter to Henry M. Jackson, chair of the Senate Committee on Interior and Insular Affairs, February 18, 1967.

the eastern United States. Their formal participation would have been at best sporadic. Thus, a subcommittee representative for each of their bureaus would keep the regional directors informed and allow them the right to approve the final report.

The task was one of organizing a subcommittee whose members had home offices in six cities stretching from Minneapolis, Minnesota, to Philadelphia, Pennsylvania, and in the two Indian communities in northern Wisconsin. Much of the work was therefore done through phone calls, correspondence, and meetings with the chair and individual members. Only three formal subcommittee meetings were necessary.

The state was represented by Ralph B. Hovind of the Wisconsin Department of Resource Development, who was appointed by Governor Reynolds, and John Beale of the Wisconsin Conservation Department. Interior bureau representatives were R.W. Sharp of the Bureau of Sport Fisheries and Wildlife, William R. Dryer[821] of the Bureau of Commercial Fisheries, Carl E. Dutton of the U.S. Geological Survey, Paul Winsor of the Bureau of Indian Affairs, Ronald F. Lee and Andrew G. Feil, Jr., of the National Park Service, O.M. Bishop of the Bureau of Mines, Lawrence H. Mirkes of the Bureau of Outdoor Recreation, and Daniel S. Boos of the Office of the Field Solicitor.

Martin Hanson of Mellen and Dr. B.C. Prentice of Ashland, as members of a recently formed Citizens Committee for the Apostle Islands National Lakeshore, participated informally. The subcommittee members brought substantial professional knowledge to bear on the many complex issues that needed to be addressed: minerals and mining potential;

[821]William R. Dryer, who supported the Apostle Islands National Lakeshore, was helpful in working out a satisfactory rationale for continuing commercial fishing within lakeshore boundaries.

impacts of restricting logging; balancing recreational use with wilderness values; commercial and sports fishing, hunting, and trapping and wild ricing; water safety and navigation; complex legal and social issues affecting Indian rights and Indian land ownership; and acquisition and development costs.

Udall had indicated that members of the Red Cliff and Bad River bands of Chippewa Indians should participate in subcommittee deliberations and the preparation of the recommendations which would "provide the necessary equitable treatment of Indian interests."[822] During the course of the study, Indian interests were represented by Albert Whitebird, the chair, and Fred Connors, the former chair, of the Bad River Tribal Council; Gus Whitebird, the chair of the Bad River Resource Committee; Rose M. Duffy, a former member of the Red Cliff Tribal Council; and Richard Gurnoe and Philip Gordon of the Red Cliff Band.

The Indian representatives and subcommittee members agreed that formal action on their part regarding the report would be inappropriate.[823] The legislation would be drafted in such a way that after enactment each tribe would hold a referendum to determine their participation. The Indians fully participated in field trips, subcommittee meetings and informal sessions, and they made many substantive suggestions that were incorporated in the final report. They supported the nineteen major recommendations regarding Indian matters and the principles embodied in the proposed legislation that reflected their needs.

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[822]Department of the Interior, Proposed Apostle Islands National Lakeshore, Appendix C.

[823]Ibid.

To launch the studies, a field trip and full meeting of the subcommittee was set for early summer 1964. At that time, study methods, a report outline, and assignments were to be agreed to.[824] The subcommittee held a second two-day meeting in the fall in Minneapolis; progress reports were presented. A good deal of discussion involved Indian issues and land acquisition within the reservations. The possibility of establishing a national wildlife refuge in the Kakagon-Bad River sloughs was also discussed at length.[825]

Unraveling the complex Indian issues took more time than anticipated. Thus, a progress report was submitted to Udall with a request that the deadline for the report be extended into 1965. Udall was pleased with the progress and hoped we would complete the work and submit a report to him by the first of the year so that any legislation could have been presented to Congress at the beginning of the next session.[826]

A draft report was circulated to the subcommittee for comments in January 1965. The response was excellent. Bishop, Dutton, and Boos had no comments of significance. Other than editorial clarification, Sharp said, "If the lakeshore becomes a reality, I will be proud to have had a small part in it." Bernard Granum,[827] representing the Bureau of

[824]North Central Field Committee, subcommittee minutes, June 24-26, 1964.

[825]North Central Field Committee, subcommittee minutes, September 30-October 1, 1964.

[826]Henry P. Caulfield, letter to Harold C. Jordahl, Jr., August 6, 1964.

[827]Bernard M. Granum, a seasoned Bureau of Indian Affairs employee in Minneapolis, supported the lakeshore and worked diligently to reflect Indian interests. Because of his prior experience with the Minnesota Department of Natural Resources, Granum also brought useful insights into the complex arena of state's rights regarding resource management.

Indian Affairs, and David Vrooman,[828] representing Boos of the solicitor's office, clarified and sharpened language regarding Indian matters. Edmunds, representing Lee and Feil of the National Park Service, called the report "excellent." In keeping with the park service mission, Edmunds suggested prohibiting plant collecting and exercising caution on intensive management of wild rice and wildlife in the sloughs. NPS Regional Director Ronald Lee later said, "This is an excellent report.... We look forward to the day when legislation can be enacted to make the project a reality. We in this office certainly want to help in any way to make that possible." Emmett Riley, a BIA representative, provided detailed editorial comments and concluded, "We have found this report to be very factual and interesting reading, as well as very convincing, as to the need for the [lakeshore]." Dryer had no suggestions for substantive changes.[829] The Bureau of Outdoor Recreation did not respond -- a warning signal for future problems.

In terms of size, the final report was impressive; it was more than an inch thick with 112 pages of text, nine figures, six maps, eight appendices, and thirty-eight photographs. Draft legislation was included. "Appendix F" contained an analysis of the relationship of the area to Recreation Advisory Council's "Policy Circular No. 1." The report was marked "Not

[828]David V. Vrooman was an experienced lawyer with the Office of the Field Solicitor. Granum and Vrooman worked as a team to develop the best possible package for the Indian people. Their proposals, however, would be challenged repeatedly by the lawyers in the solicitor's office in Washington.

[829]Daniel S. Boos and O.M. Bishop, letters to Harold C. Jordahl, Jr., January 26, 1965; R.W. Sharp, letter to Jordahl, January 1965; Bernard M. Granum and David V. Vrooman, letter to Jordahl, January 29, 1965; Allen T. Edmunds, letter to Jordahl, February 5, 1965; Ronnie Lee, letter to Jordahl, June 3, 1965; E.J. Riley, letter to Jordahl, February 5, 1965; William Dryer, letter to Jordahl, January 27, 1965.

for Release." A copy of Professor Fine's study on the economic implications of the proposed lakeshore accompanied the report, and added substantial credibility to the merits of the lakeshore proposal.[830] Fine's talents had been obtained at no cost through the efforts of the Hanson brothers and Nelson. Martin Hanson recalls these events:

> My brother and I both asked Arthur DeBardeleben, who was then on the board of regents, to have the university do a study of the economic impact and that opened a lot of eyes ... for the area as far as tourism is concerned, so I think that made a lot of the business interests look at it in an entirely different light than ... just recreation,... as something that would have an economic impact on the area, which it has had.[831]

Nelson at the same time called the president of the university to enlist Fine's help. Fine had worked closely with Governor Nelson and with Carley and me on the first statewide tourism studies. He was well qualified to extend his research to the lakeshore proposal. To minimize costs to the university, I agreed to have the necessary data collected locally; this was done by Howard Potter[832] of the BIA and me. The report was prepared in short order and was published by the university.

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[830]Fine, Some of the Economic Implications.

[831]Martin Hanson, interviewed by Jordahl.

[832]Howard Potter, an employee of the Bureau of Indian Affairs in Ashland, was assigned by Emmett Riley to provide whatever assistance I needed on the lakeshore planning effort. Because he had access to BIA files and could collect data at the local level, he was enormously helpful. Moreover, he knew the Indian leaders on both reservations and local citizens. He subsequently accepted a position with the Bureau of Outdoor Recreation in Philadelphia, and at my request continued to provide staff services to me in advancing the lakeshore proposal.

The effort of the interior subcommittee had brought together the Indian people and seven Interior Department bureaus to support the lakeshore proposal.[833] Only BOR remained aloof.

On the state level, Ralph Hovind of the Wisconsin Department of Resource Development was an enthusiastic and helpful participant in the planning process. The department's "South Shore Studies" and state recreation plans had consistently supported the lakeshore. Hovind also reflected the governor's favorable position. However, the Wisconsin Conservation Department would pose problems. Edward MacDonald, a nursery superintendent at Hayward, represented Beale and participated in all meetings and field inspections. I had hoped that all major issues of concern to the state would have been discussed, debated, and resolved. Failing consensus, our task vis a vis the conservation department was to control adverse reaction and attempt to neutralize any opposition. Of course, a positive reaction from the conservation department would have been highly desirable, but not attainable. In addition to MacDonald, I kept its top officials informed of every step in the process; they remained cool to the plan. An official conservation department position on the lakeshore would have to wait until congressional hearings. Thus, in the transmittal letter to the interior secretary, I sidestepped the question of the state conservation department and simply noted that both the resource development department

[833]Harold C. Jordahl, Jr., letter to Henry P. Caulfield, March 15, 1965; Subcommittee of the North Central Field Committee, Draft Report, Proposed Apostle Islands National Lakeshore, January 1965.

and the Wisconsin Conservation Department had "assisted in report preparation and review."[834]

Although the conservation department never publicly challenged the report, it criticized it internally, and the issues raised would repeatedly find their way into subsequent legislative debates and into the media. Department officials questioned Fine's estimates of visits. They felt that a large pool should have been recommended because the waters of Lake Superior were too cold for swimming. They feared that the high costs of boat trips would limit visits to the islands. They questioned Fine's assumption that state and county lands would be acquired at no cost. And they challenged the contention that the state would never have more than a modest program in the area, noting that the department planned to spend more than a million dollars on lands and development and $30,000 in annual operating costs in the area. Conservation department officials did conclude that the state would benefit from a national lakeshore, provided the same goals be achieved as under state management and the state be reimbursed for its present equity in the lands involved.[835]

The state position eventually softened. Donald J. Mackie, the new superintendent of state parks and forests, took a more favorable position toward the lakeshore, stating that he favored a national lakeshore that would complement state programs.[836] Likewise, Wisconsin Conservation Commission member "Frosty" Smith wrote Nelson indicating that

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[834]Department of the Interior, Proposed Apostle Islands National Lakeshore.

[835]William E. Rennebohm, memorandum to John A. Beale, April 26, 1965.

[836]Donald J. Mackie, letter to James W. Good, Wisconsin Conservation Department, October 1, 1965.

the conservation department planned to continue its programs in the area but that it was possible that federal involvement would go a long way towards protecting the area.[837]

Securing Release of the Report

Gaining approval of the report at the field level had been relatively easy. Approval for public release of the report from Washington would be much more difficult and would take another five months. Copies of the draft, which had been revised to reflect bureau comments at the regional level, were sent to the Washington bureaus. Meetings with Washington staffs were also arranged.[838] At this point all we were looking for was "informal approval" before the formal submission to Udall.[839] Scheduling a Washington meeting finally prompted a response from the regional office of the Bureau of Outdoor Recreation. Its detailed comments on various sections of the report were of value, but they were couched in negative terms. Moreover, Roman Koenings, the regional director, was concerned that the "rights" of Indians might conflict with other public usage and management of the area.[840]

The meeting with Washington bureaus was held on March 9, 1965. No major changes in the report were made except to delete the draft legislation from the formal report and to include it as a separate attachment. The solicitor's office insisted on a more careful

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[837]Charles F. Smith, Wisconsin Conservation Commission, letter to Gaylord A. Nelson, December 30, 1965.

[838]Harold C. Jordahl, Jr., letter to members of the subcommittee of the North Central Field Committee, with attached revised draft report, February 23, 1965.

[839]Henry P. Caulfield, memorandum to interior department bureau directors, February 24, 1965.

[840]Roman H. Koenings, letter to Harold C. Jordahl, Jr., March 10, 1965.

review of proposed legislation, especially as it related to Indian matters. The report was then transmitted by the interior subcommittee to Resources Program Staff Director Caulfield in the office of the secretary on March 15, 1965.

Public release of documents of this size was obviously not realistic. Instead, we decided to put together a popular condensation of the report to be used in conjunction with the report by Professor Fine.[841] Culver Prentice and Martin Hanson of the citizens' committee were busy generating pressure on Caulfield and myself for the quick release of the reports. Four years had passed since the introduction of Nelson's original proposal. No specific plan was available for public review, and people were becoming impatient.[842] Nelson was already publicly stating that he would have a bill ready for early introduction in Congress.[843]

The popular brochure would be funded by interior bureaus; this in turn would reinforce bureau commitment to the report.[844] Caulfield advised the Washington bureaus that we were going to publish the popular brochure with the understanding that it would not represent an official endorsement by the Department of the Interior. Moreover, no reference would be made to draft legislation, "or the adaptability of the area to national

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[841]Harold C. Jordahl, Jr., memorandum to Stewart Udall, March 12, 1965.

[842]Roger M. Bodin, letter to Harold C. Jordahl, Jr., March 3, 1965; Jordahl, letter to Bodin, March 4, 1965; Jordahl, memorandum to Henry P. Caulfield, April 16, 1965.

[843]Gaylord A. Nelson, "Apostle Islands National Park Bill Introduction is Predicted for Early 1965," Ashland Daily Press, January 30, 1965.

[844]Harold C. Jordahl, Jr., memorandum to the director of the Resources Program Staff, March 19, 1965.

recreation area criteria."[845] Most bureaus responded favorably, although the Bureau of Mines wanted to leave mining open as an option if the national interest justified such action.[846] This issue was side-stepped. The only comment from the solicitor's office indicated that it would proceed to improve the draft bill and prepare a transmittal letter for submission to Congress.[847] The office was concerned, however, that Nelson would introduce legislation without waiting for an Interior Department draft and urged me to have him request one. Initiating his own bill "might put things 'out-of-joint' in the department."[848]

The Bureau of Outdoor Recreation was sticky. At the regional level, its review of the draft of the popular brochure had been late, and it was critical: the bureau did not want Indian preferences stressed; it contended that a quote from President Kennedy's Ashland speech was too political; and it cast doubt on the statement that Wisconsin was favorable toward the proposal, citing various conservation department planning documents.[849] The Department of the Interior's public information office made the final decision on using "political quotes"; it authorized statements from Presidents Kennedy and Johnson and Secretary Udall.

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[845]Henry P. Caulfield, memorandum to bureau directors, April 30, 1965.

[846]Memorandum from the director of the Bureau of Mines to the director of the Resources Program Staff, May 7, 1965.

[847]Lewis A. Sigler, assistant legislative counsel, memorandum to the director of the Resources Program Staff, May 6, 1965.

[848]Caryl Johnson, memorandum to the file, May 20, 1965.

[849]Lawrence H. Mierkes's review and critique of the manuscript for the Apostle Islands brochure, June 10, 1965.

By late July we still did not have final Washington bureau clearance for the brochure. Therefore, Frank Mentzer of the National Park Service, who worked with me on the popular draft, and I spent two days visiting bureau chiefs. All of the bureaus except BOR gave their approval. In spite of the fact that we met with BOR officials three times over two days, we could not win them over. They were still raising questions as to whether or not the area met "Policy Circular No. l" criteria. I responded by noting that the interior subcommittee report, which included an analysis of Recreation Advisory Council criteria, had been thoroughly reviewed by bureau regional offices and at the Washington level. Moreover, the brochure had been reviewed three times at the field level and twice in Washington. Edward Crafts finally indicated that he found it satisfactory if we included language to the effect that the interior subcommittee believed the area met the criteria. Larry Stevens, his associate director, and others in the bureau did not agree.

Because BOR was not responding, I reminded them that the secretary's charge to the interior subcommittee had been that we do "a complete analysis of these factors as they relate to the Recreation Advisory Council Policy Circular No. l...."[850] Thus I stated that we were going ahead with the publication, and the bureau's comments should be in Caulfield's office by July 26. BOR's response was to insist that the brochure contain language indicating that the bureau would judge whether or not the lakeshore met the

[850]Memorandum from the secretary of the interior to the undersecretary, assistant secretaries, and solicitor and the director of the Resources Program Staff, April 4, 1964.

criteria set forth in "Policy Circular No. 1."[851] I was willing to compromise by including the language:

> In the opinion of the subcommittee, the proposed lakeshore meets the primary and secondary criteria for National Recreation Areas set for in Recreation Advisory Council Policy Circular No. 1,... [but] the finding is subject to review by the Bureau of Outdoor Recreation.[852]

Help finally came from James Smith, Caulfield's assistant, who decided to delete such language. Smith observed in a note to Caulfield that

> this is pure and simple bureaucratism. A report for public informational use should not be cluttered up with this sort of thing.... The lakeshore is still strictly a field level proposal and as such is subject to the review of all of the bureaus at the Washington level. BOR will have a chance to take another crack at it if that is what they are after.[853]

While the arguments over the criteria raged, BOR launched another attack. Crafts, in a memorandum to Caulfield, raised a set of substantive issues. First, he reiterated the demand that BOR would make a final judgment on "Policy Circular No. 1" criteria. Second, he said,

> We have serious questions as to the wisdom of proposing the area described in this report as a national Lakeshore. The management proposed for the area does not conform with the basic objective of a national lakeshore which is to provide outdoor recreation to large numbers of people. A large part of the area would be managed as a wilderness area and another large part pretty much as a wildlife refuge.[854]

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[851]Harold C. Jordahl, Jr., memorandum to Henry P. Caulfield, July 20, 1965; Jordahl, memorandum to the file, August 9, 1965.

[852]Memorandum from the director of the Bureau of Outdoor Recreation to the director of the Resources Program Staff, August 10, 1965.

[853]Jim Smith, note to Henry Caulfield, August 10, 1965.

[854]Edward C. Crafts, memorandum to Henry P. Caulfield, August 10, 1965.

Then he selectively quoted from the report those sections that emphasized that the islands would be managed as "wild natural areas," and that most of the Kakagon-Bad River unit would be preserved as a unique natural shore and marsh. Crafts' most serious objection was that the provision of outdoor recreation was not listed as one of the three goals. He urged that the proposed management of the area, especially as applied to the islands, be reconsidered before the area was proposed as a national lakeshore.[855]

The interior subcommittee had erred in not placing greater emphasis on outdoor recreation in the primary goals for the lakeshore, which were "1) to preserve a splendid remnant of Great Lakes shoreline for public use; 2) to improve the conditions of the Bad River and Red Cliff Bands of the Lake Superior Tribe of Chippewa Indians of Wisconsin; and 3) to stimulate the local economy as a result of tourism expenditures and Federal investments."[856] Crafts pounced on this omission; "Policy Circular No. 1" emphasized that "within National Recreation Areas, outdoor recreation shall be recognized as the dominant or primary resource management purpose."[857]

In spite of this strategic error, the report did emphasize that the lakeshore, when fully established, would provide an estimated 920,000 visitor-days of recreation annually.[858] Visitors would spend $4.1 million, which when multiplied meant a total impact of $7.25 million. (A multiplier of 1.75 was used; that is, every dollar spent by tourists results in total

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[855]Ibid.

[856]Department of the Interior, Proposed Apostle Islands National Lakeshore, p. 2.

[857]Recreation Advisory Council, "Policy Circular No. 1," March 26, 1963.

[858]A visitor-day refers to one person visiting for one day; thus a five-day stay in an area results in five visitor-days.

spending of $1.75 in the area.)[859] These estimates, which were repeatedly challenged by BOR, were realistic when compared to studies on the estimated numbers of people expected to visit the proposed Pictured Rocks and Sleeping Bear Dunes national lakeshores in Michigan and the Voyageurs National Park in Minnesota. For example, in 1961, the National Park Service estimated that an additional 1.2 million persons would visit the Sleeping Bear Dunes region if the lakeshore was established. Direct expenditures by the additional tourists would generate an estimated annual income to the region of some $10.8 million (no multiplier was used).[860] A second study six years later estimated that the proposed park is "expected to draw in excess of three million annual visits, which it is estimated would result in an additional $10 million being spent annually in the local economy" (no multiplier was used).[861]

In 1963, Michigan State University estimated that Pictured Rocks in 1973 would have 750,000 annual visitors, and an additional economic impact of $2.8 million (no

[859]Fine, Some of the Economic Implications.

[860]National Park Service, Sleeping Bear Dunes National Lakeshore: A Proposal, U.S. Department of the Interior, Washington, D.C., 1961, p. 22.

[861]Donald Blome, The Proposed Sleeping Bear Dunes National Lakeshore: An Assessment of the Economic Impact, Institute for Community Development and Services, Michigan State University, Lansing, 1967, p. 3.

multiplier).[862] In 1966 the NPS used the 750,000 annual visit estimate and projected a total economic impact of $6.2 million as a result of the lakeshore.[863]

Research in Minnesota in 1964 indicated that within a decade, attendance at Voyageurs National Park would double from an average of 2,178 transient tourists per day during the summer season. By 1974, 4,000 to 4,500 visitors per day would stay at the International Falls and Rainy or Kabetogama lakes. The economic impact would be at least $4 million or more per year. This would add about $2 million per year to the economy of the region (apparently a multiplier was not used).[864] Fine, using the Minnesota data, estimated that the visitor-days at Voyageurs when completed would be 480,000 to 540,000.[865]

The thirty-mile scenic road in the Bayfield Peninsula was a key element in the development plan because it would generate large numbers of visitors, thus meeting an important criterion of "Policy Circular No. 1." Although Fine's analysis did not break down the estimated number of visitors who would be attracted to the lakeshore as a result of the

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[862]Institute for Community Development, The Proposed Pictured Rocks National Lakeshore: An Economic Study, Continuing Education Service, Michigan State University, Lansing, 1963, p. 59.

[863]National Park Service, Pictured Rocks National Lakeshore: A Proposal, U.S. Department of the Interior, Washington, D.C., 1966, p. 23.

[864]Richard O. Sielaff, Cecil H. Meyers and Philip L. Friest, The Economics of the Proposed Voyageurs National Park (Duluth: University of Minnesota, Division of Social Sciences, 1964), p. 113.

[865]Fine, p. 7.

proposed highway, he did emphasize that sightseeing was the single most important element in a vacation trip to Wisconsin.[866]

Some members of the interior subcommittee had reservations regarding the scenic road. It would be an intrusion into a spectacularly wild and remote Lake Superior shoreline, viewed perhaps more suitably from carefully designed hiking and skiing trails. Also, opponents of the national lakeshore repeatedly raised the issue of the road and noted the potential adverse impacts on the peninsula, such as crossing deep river gorges and causing erosion, as well as costing too much. Numerous conservation organizations likewise objected.

As the arguments went on over "Policy Circular No. 1" criteria, it came to our attention that BOR had completed an analysis for Pictured Rocks National Lakeshore. The bureau found that the "proposed area falls within the scope of the definition for national recreation areas."[867] The development plan for this lakeshore also envisioned a scenic road traversing the entire thirty-five-mile lakeshore boundary. The park service estimated annual visitation at 700,000 to 1,380,000.[868]

If Pictured Rocks could meet the criteria, then the Apostle Islands, which were much more accessible to tourists than the remote northern portion of the Upper Peninsula of Michigan, also met the criteria.

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[866]Ibid., p. 6.

[867]Letter from the secretary of the interior to Senator Henry Jackson, July 10, 1964.

[868]Pictured Rocks National Lakeshore: A Proposal, pp. 11-13; National Park Service, Summary of Basic Facts, Proposed Pictured Rocks National Lakeshore.

In spite of BOR objections, the decision was made to print the report with a proviso that the interior subcommittee believed that the lakeshore met the criteria. We simply deleted any reference to BOR approval.[869] Caulfield advised the undersecretary and assistant secretaries that the report, "in my opinion,... is an excellent product, representative of the best work of our bureaus in the field." James Smith transmitted the report to the Washington bureaus and thanked them for their help and cooperation in its preparation.[870] Secretary Udall was photographed in a public ceremony presenting the first copy of the report to a beaming Senator Gaylord Nelson.[871]

Five years after Nelson's original proposal, the supporters of the lakeshore now had a specific plan to take to the public. Public meetings were held in Ashland to present the report. Private sessions were also held with the Bad River and Red Cliff tribes.[872] As expected, opposition came from private property owners from Little Sand Bay, and from hunters and fishers who used the sloughs. Overall, however, public response and media coverage were highly favorable. Members of the two Indian communities also viewed the report with favor. Momentum for the lakeshore was building.[873]

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[869]Department of the Interior, Proposed Apostle Islands National Lakeshore.

[870]Henry P. Caulfield, memorandum to the undersecretary and assistant secretaries, August 31, 1965; James N. Smith, memorandum to U.S. Department of the Interior bureaus, August 31, 1965.

[871]"Nelson's Bill Triggers Debate," Duluth Sunday News-Tribune, August 29, 1965; James N. Smith, memorandum to Bob McConnell, congressional liaison, August 18, 1965.

[872]Harold C. Jordahl, Jr., memorandum to the subcommittee of the North Central Field Committee and interested parties, August 10, 1965.

[873]Harold C. Jordahl, Jr., memorandum to the director of the Resources Program Staff, September 9, 1965.

Nelson received the draft legislation from the Department of the Interior at the end of August and, with Senator William Proxmire, introduced it in the Senate on September 7, 1965, as S. 2498. Congressman Alvin O'Konski also introduced into the House on September 8, 1965, the companion bill, H.R. 10902. The National Park Service was totally supportive, and in response to Nelson's requests for comments on the bill, it recommended that it be enacted. It further noted that the Advisory Board on National Parks, Historic Sites, Buildings and Monuments had recommended national lakeshore status for the Apostle Islands and believed that it met in full all Recreation Advisory Council criteria.[874]

Stanley Cain, the assistant secretary for fish and wildlife and parks, also favored the proposal and noted that the report "should do much to speed the formation of a National Lakeshore at this site."[875] In spite of Cain's support, we still needed two responses: a report from BOR Director Crafts on the "Policy Circular No. I" criteria, and a letter report on the legislation from the Department of the Interior to Congress. To speed the matter along, Nelson and his assistants Bill Spring and Bill Bechtel met with Crafts. Crafts then advised Udall:

> I told Senator Nelson I thought this area qualified under the Criteria for National Recreation Areas and that we would do our best to get a favorable report from the [Interior] Department as promptly as possible. It seems to me that the Apostle Islands might well qualify under the guidelines as

[874]Caryl Johnson, memorandum to the file, September 1, 1965; Memorandum from the chair of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments to the secretary of the interior, October 7, 1965. (In 1966, The board re-endorsed "this important proposal" at meetings on April 18 and 21, 1966; see a memorandum from the assistant director of the National Park Service to the legislative counsel in the Office of the Solicitor, December 16, 1965.)

[875]Stanley P. Cain, memorandum to Henry P. Caulfield, September 24, 1965.

> something new and interesting, and also not costing too much money. I shall work with Max Edwards (of the solicitor's office) in trying to expedite this because I know you are for it.[876]

Thus, the BOR director finally overruled his staff. Another important bureaucratic hurdle had been cleared.

A few weeks later, Crafts' assistant director, Dan Ogden, formerly under Caulfield in the Resources Program Staff and sympathetic to the lakeshore, ratified Crafts' decision and submitted a terse four-and-a-half-page statement finding that the lakeshore met all primary and secondary criteria.[877]

Another Bureaucratic Slowdown

Although we now had a report and a plan before the public, fourteen more months would pass before the U.S. Department of the Interior would transmit a favorable report on the lakeshore to Congress. We were disappointed with President Johnson's 1966 "Special Message to the Congress Proposing Measures to Preserve America's Natural Heritage." He urged the enactment of eight new national parks and recreation areas, including Sleeping Bear Dunes and Indiana Dunes national lakeshores on the Great Lakes. But with regard to the Apostle Islands, Johnson proposed the "early completion of studies and planning."[878] The suggestion that studies on the lakeshore be completed was a signal to both the

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[876]Memorandum from the director of the Bureau of Outdoor Recreation to the secretary of the interior, December 21, 1965.

[877]Dan Ogden, "Relationship of the Proposed Apostle Islands National Lakeshore to the Recreation Advisory Council Policy Circular No. 1," Bureau of Outdoor Recreation, Washington, D.C., January 14, 1966.

[878]Lyndon B. Johnson, Special Message to the Congress Proposing Measures to Preserve America's Natural Heritage, February 2, 1966, Public Papers of the Presidents of the United States, Book 1 (Washington: U.S. Government Printing Office), pp. 195-203.

opponents within the Department of the Interior and the Bureau of the Budget (BOB), which had reservations, to delay the proposal. The situation was exacerbated by budget problems. As the war in Vietnam escalated, pressures on the federal budget had increased enormously and would affect federal agencies in many ways. In fact, the president and the interior secretary had issued orders to federal employees to curtail travel. This order, for example, prevented BOR's assistant director from coming to Wisconsin for a conference on the lakeshore and a "wild rivers" day on the Namekagon with senators Fritz Mondale and Nelson.[879] Any additional expenditures were being discouraged.

In addition to budget problems and in spite of the fact that we had clearance from the bureaus, one person in the solicitor's office, Louis Sigler,[880] became a formidable obstacle.

The interior subcommittee report, the popular brochure, and the draft legislation all contained language that authorized the secretary to acquire the substantial acreages of non-Indian-owned land within the two Indian reservations within the lakeshore boundary. These lands were then to be sold back to the tribal councils and then leased back to the secretary for lakeshore purposes. Nelson's bill, S. 2498, contained this language. This provision had been reviewed numerous times with tribal councils and with field-level and Washington

[879]Daniel Ogden, Bureau of Outdoor Recreation, memorandum to Harold C. Jordahl, Jr., May 27, 1966.

[880]Louis Sigler was the most knowledgeable lawyer within the Department of the Interior that I encountered when it came to Indian legal matters. He was ideologically and fiscally conservative and always cast the lakeshore within a context of setting unwise national precedents for Indian people. He left the interior department and joined the House Committee on Interior and Insular Affairs as legal counsel.

bureaus. Other than Sigler, no one opposed the plan. To change this provision at this stage in the planning process would cause serious problems of trust with the two tribes.

We held intensive discussions and meetings on Indian preferences within the Department of the Interior and with the Bureau of the Budget. I argued that the language in the secretary's memorandum establishing the interior subcommittee was intended to mean preferential treatment for Indian people. Sigler argued that the phrase, "to provide the necessary equitable treatment of Indian interests," did not mean preferential treatment (emphasis added).[881] The debate on this issue held up final clearance of the legislation within the department. Sigler's position finally prevailed. Because of this problem I tried, without success, to get the letter report out of the Interior Department. Bill Bechtel, in Nelson's office, also put pressure on the department and the budget bureau to no avail.[882] The year 1966 came to a close without formal clearances.

The impasse would be broken when White House staffers prepared the president's 1967 environmental message. President Johnson, in his message to Congress, "Protecting our Natural Heritage," said, "I recommend that the 90th Congress ... establish the Apostle Islands National Lakeshore in Wisconsin, to add a superb string of islands to our national seashore system."[883] A month later came those marvelous words, which were transmitted to Congress, "The Bureau of the Budget has advised that there would be no objection to the

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[881]Precise semantics would suggest that he was correct. I had erred in drafting the secretary's memorandum by not using the word "preferential."

[882]William Bechtel, letter to Harold C. Jordahl, Jr., August 2, 1966.

[883]Lyndon B. Johnson, Protecting Our Natural Heritage, Special Message to the Congress of the United States, January 30, 1967.

presentation of this report [the Interior Department's letter report to Congress], and that enactment of S. 778, if amended as recommended herein, would be in accord with the program of the President."[884] In spite of that support, the amendments, drafted by Sigler, posed serious problems to the carefully negotiated language on purchases, sales, and leasebacks within the reservations. Sigler had successfully argued and had included in the letter report that lease costs would "exceed the amount it received from the sale of the land to the Indian bands."[885] Furthermore, the letter report indicated that leasing of tribal land was not favored, and it was stricken from the bill. It instead provided for the outright purchase of such lands and payment in either a lump sum or in installments, which in the aggregate would equal the purchase price plus interest on unpaid balances. Sigler believed that payment in installments would, at least for a short period of time, meet the subcommittee objective of assuring the tribes of an annual income for a period of time. It did nothing, however, to assure them of long-term annual incomes.

Reflecting on the matter later, we should have taken these issues to the secretary and argued the Indian position. I suspect we would have prevailed. The letter report, however, was the last step in the Department of the Interior's bureaucratic process. Sigler's amendments would have to be dealt with, as they were, by Congress.

[884]SSC Hearings, 1967, pp. 5-9.

[885]Ibid.

CHAPTER TWELVE

THE POLITICS OF THE APOSTLE ISLANDS NATIONAL LAKESHORE

The Apostle Islands and State Politics

As governor, Gaylord Nelson exerted a substantial influence on people and agencies at the state level to support the Apostle Islands National Lakeshore. He also blunted criticism from those who opposed it. He was succeeded by another Democrat, John Reynolds, who continued to support Nelson's initiatives, including the lakeshore proposal.

Reynolds presented to President Kennedy, at the time of his visit to Ashland, the state's comprehensive outdoor recreation plan, which strongly supported the national lakeshore. The president noted the significance of the plan in his Ashland speech, and Reynolds continuously and publicly stated his support. For example, on an inspection trip to the islands arranged by Martin and Louis Hanson and accompanied by Nelson, Reynolds said, "this is a wonderful area. There's nothing like it anywhere." He welcomed federal participation and saw no conflict with state interests, and he noted that he was approving a $25,000 dock for Stockton Island. In a cautious comment during the trip, John Beale of the Wisconsin Conservation Department, though not opposed to the project, suggested a coordinated state-federal plan with the state administering the program.[886]

With the defeat of Reynolds in the 1964 campaign, we now had to relate with Warren Knowles, the new Republican governor. He would serve an unprecedented three two-year terms extending through 1970. He was a popular governor and fortunately had a strong

[886]Don Johnson, "Reynolds Booms Island Parks. Apostles? 'No Place Like It,'" Milwaukee Sentinel, July 19, 1964.

personal interest in conservation. Moreover, he was willing to innovate. During his governorship, Knowles signed into law a complete reorganization of the resource agencies in Wisconsin, which resulted in the creation of an integrated umbrella agency, the Department of Natural Resources (DNR). Knowles eventually gained influence over the policy-making Natural Resources Board through his appointments. He also took the lead in strengthening the role of the state in water resources. Furthermore, he greatly expanded funding for outdoor recreation programs and for the first time put the state directly into funding water pollution programs. He was building a formidable record, and if there was anyone on the Wisconsin political scene worthy of opposing Nelson for his U.S. Senate seat, it was Knowles.

As a conservationist, Knowles did not wish to directly oppose Nelson on the lakeshore proposal. It simply had too much public support, and to commit the state to accomplishing the same goals would have been a substantial drain on state recreation budgets. His strategy was to keep pressure on Nelson and congressional committees to act, to commit federal funds for the project and to make the best possible deal with Congress on matters of direct concern to the state -- matters such as hunting and fishing and the recapture of the state's investment.

We had three important considerations to deal with: Knowles as governor, with all the substantial powers of the office; Knowles as chief executive, with strong influence over state agencies; and Knowles as a political leader. When governors speak, the media report. Our early strategy then, simply put, was to maintain and increase our base of citizen support for the lakeshore while keeping Knowles informed. We would not formally ask for his

endorsement of the proposal until it was absolutely necessary. To this end, I met with him in July 1965 in advance of the public release of the Department of the Interior's subcommittee report and the Fine report on the economic implications of the lakeshore. I did not want him to read about the proposal in the press. At this meeting, I did not ask him for an endorsement or to take positions on the numerous issues of concern to the state. He was, as always, affable and courteous. Although I had suggested that conservation department Director Voigt and Beale attend, and they were invited, they were not present. Their absence, in fact, was helpful; we could easily have been mired in the many details of concern to the department. Paul Hasset, Knowles' executive assistant, did join us.

I briefly outlined the proposal. Knowles knew the area well, having frequently fished and vacationed there. He had three concerns. First, he wanted to know if the lakeshore would be patterned along the lines of the Ice Age Scientific Reserve, which provided for national designation and state management. However, Congress had directed the state to use federal grant funds allocated under the Land and Water Conservation Fund (LAWCON). Understandably, state officials took umbrage with federal direction on how they were to use what they believed to be state funds. The Ice Age Scientific Reserve had in fact been hung up up in Congress for several years over this issue. I assured Knowles that that would not happen with the Apostle Islands. Instead it would be a federal project using LAWCON funds allocated to federal agencies.

Secondly, Knowles was concerned about private property rights. I explained that owners of improved property would have options of immediate sale, life tenure, or a twenty-five-year tenure with a right of assignment. His third concern was the availability of

LAWCON funds to the state. I advised him that $194,669 would be available as soon as the state's comprehensive plan was approved by the federal Bureau of Outdoor Recreation. I left the meeting with the firm belief that Knowles would eventually support the national lakeshore.[887]

Knowles did, however, continue to hammer on the issue of federal funding: "The plan of Senator Nelson for the Apostle Islands is a meritorious one, but I'll be anxious to see the bill to find out where the money is coming from. I hope he doesn't take it out of the land and water fund as they did on the Ice Age Park bill. That caused real headaches."[888] He also told representatives of nine northern counties to "think big" in asking for federal dollars for the lakeshore.[889] Nelson, finally responding to Knowles' criticisms, stated that the lakeshore would be funded with federal LAWCON dollars, and this would be in addition to the amounts Wisconsin was already receiving for state and local parks.[890] He also wrote Knowles to this effect.[891]

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[887]Harold C. Jordahl, Jr., memorandum to Henry P. Caulfield, July 7, 1965; Jordahl, letter to Governor Warren P. Knowles, July 7, 1965.

[888]"Knowles To Be Named to Committee," Milwaukee Sentinel, September 11, 1965.

[889]"'Think Big' Says Gov. Knowles in Speech Here," Ashland Daily Press, October 11, 1965.

[890]Gaylord Nelson, "Apostle Islands Project," Ashland Daily Press, May 15, 1967.

[891]Gaylord A. Nelson, letter to Warren P. Knowles, May 18, 1967.

At the June 2, 1967, congressional hearings, Knowles went on record in support of the lakeshore with caveats laid out by his representatives, Voigt and "Frosty" Smith[892] (see Chapter Ten). Knowles continued to pressure Nelson. Late in 1968 he said:

> We at the state level have also endorsed this national area.... The former Conservation Commission and now the Natural Resources Board have also favored its creation, but it takes the federal government years to move while Wisconsin has moved on the Apostle Islands State Forest.[893]

A few days later he was more negative in his comments before the executive committee of the Natural Resources Committee of State Agencies, when he said:

> The dream of Apostle Islands as a recreation area right now is rather remote. When you go up there and see the remoteness of those islands ... my opinion is that the recreational usefulness [of federal designation] of the islands is nothing more than the identification of an area.... It would be better to look for more "inland parks" to develop than to rely on the Apostle Islands Lakeshore.

He also disagreed with the Fine report, contending, "To get that many people into the region (as Fine projected), you would have cars backed up on those highways all the way to Ashland and Rice Lake and Wausau." He also noted the disadvantages of cold water temperatures in Lake Superior.[894]

Knowles also kept the pressure on the congressional committees. In 1970, in a strongly worded telegram to Congressman Roy Taylor, who chaired the House subcommittee, he said, "The state of Wisconsin has already acquired extensive areas for

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[892]SSC Hearings, June 1-2, 1967.

[893]Warren P. Knowles, letter to Leon Lewandowski, November 13, 1968.

[894]"State Urged to Obtain Some Apostle Islands," Milwaukee Journal, November 19, 1968; John Wyngaard, "Governor Warns: 'Dream of Apostle Island Recreational Complex is Pretty Remote,'" Badger Sportsman, November, 1968.

public use within the proposed National Lakeshore boundaries while awaiting Federal action. Your committee has the opportunity and I believe the obligation to take the first Federal step ... by taking favorable action on H.R. 555.... As Governor of the state of Wisconsin I endorse this bill."[895]

Although Knowles had varied his positions, in 1970, when the legislation was in serious trouble in the House, the governor came through with strong support and indicated to Congressman Kastenmeier that the Upper Great Lakes Regional Commission, which he co-chaired, might meet on other matters and send another telegram reiterating its earlier support.[896]

To obtain support from leading Democrats in Wisconsin was easy. For example, the Hansons conducted a tour of the islands for Wisconsin Attorney General Bronson LaFollette, after which he wrote Udall a strong letter of support. Udall responded, "In 1963, I visited this area with President Kennedy and share your admiration for the natural charm and wilderness quality of the islands." Udall also stated his strong support for the work of the Interior Department subcommittee. "I am pleased with the work which the North Central Field Committee has done, and the report is now being reviewed in Washington in preparation to reach agreement with the Bureau of the Budget to establish the Lakeshore."[897] (Udall was somewhat premature; we had not yet cleared the report, and

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[895]HSC Hearings, March 24-25, 1970, p. 242.

[896]Harold C. Jordahl, Jr., telephone call to Stuart Applebaum, staff assistant to Robert Kastenmeier, June 1, 1970.

[897]Bronson LaFollette, letter to Stewart Udall, September 15, 1965; Udall, letter to LaFollette, October 5, 1965.

draft legislation within the Department of the Interior and discussions with the Bureau of the Budget had not yet commenced. However, his letter was most useful to me in keeping pressure on the Interior Department to approve the legislation.)

In addition to his letter to Udall, LaFollette presented a strong supportive statement during the first congressional hearing. He stressed his role in protecting Indian rights to hunt, fish, trap, and gather wild rice on reservations without being subject to state regulations. (In spite of his formal opinion, however, the Wisconsin Conservation Department still enforced its regulations.) LaFollette further noted that he was developing legislation to provide Indians with exclusive rice rights on reservations. His support -- especially his concerns regarding Indian rights -- reassured the Senate subcommittee.[898]

Lieutenant Governor Patrick Lucey also visited Ashland, where he applauded Nelson and said, "It goes beyond anything which can be accomplished by local governments or the state." As a pragmatic politician, Lucey recognized the need for more formal action and urged a joint resolution of the state legislature to Congress indicating support, but the Republicans controlled the legislature and did not act. Lucey also urged local residents and organizations to pass resolutions and write letters in support.[899] David Carley, former head of the Wisconsin Department of Resource Development and now a candidate for governor, urged bold action by the state in calling upon Congress to act on the lakeshore and on Nelson's St. Croix National Wild and Scenic Rivers bill. Carley recognized the important

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[898]HSC Hearings, May 1, June 1-2, 1967, pp. 75-7.

[899]"Lucey Commends Nelson Plan for Apostle Islands: Cites Value to North," Capital Times, September 30, 1965; "Island Park Endorsed by Pat Lucey," Ashland Daily Press, September 30, 1965.

role of the state and local governments and urged that their full capabilities should be immediately mobilized to deal with land-use issues and the threat of over-commercialization. "We cannot expect the federal government to invest a predicted $17 million in these areas if the parks are surrounded by billboard clutter and trash on the one side and polluted waters on the other," said Carley.[900]

Because conservation was strongly supported by coalitions of voters from all political spectrums, obtaining support from Republicans was achieved, although not as easily achieved from Democrats. This support made it possible for the Republican assemblyman from the area, Bernard Gehrmann, to speak strongly in favor of the national lakeshore. At the same time he urged Congress "to listen closely to the people who testify both for and against the proposal ... so that in your wisdom you can proceed ... in a well planned program, which even our children's children can live proudly with in the years to come."[901] Gerhmann's statement was important. He had served as a city councilman, a county board member and now as a state representative. His father, a Progressive, had represented northern Wisconsin in Congress for many years, and voters placed their trust in the name. His successor, Democrat Ernie Korpela, continued to support the lakeshore.[902]

Vic Wallin, the former Republican assemblyman from the area, was likewise supportive during House hearings and urged Congressman O'Konski to be favorable. Wallin noted that even though some private property owners would be hurt, the option of life

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[900]"Carley Asks Bold Action on Parks," Duluth News Tribune, April 17, 1966.

[901]SSC Hearings, June 1, 1967, pp. 77-8.

[902]HSC Hearings, August 19, 1969, pp. 25-6.

tenure provided some economic protection.[903] He further stated his strong belief in capitalism and private property rights, but said the lessons of unshackled exploitation of northern Wisconsin had led him to conclude that strong government involvement in the region was necessary, including a national lakeshore. Wallin said:

> These Apostle Islands and lakeshore lands are not man made. Created in ages past, they are a gift, an inheritance.... We can preserve this large scenic natural resource area and offer enjoyment through wise use, to those of us now, and to those who come.[904]

The Apostle Islands and Congressional Politics

In addition to partisan considerations, Nelson would be continually frustrated with procedural issues in Congress -- in spite of the fact that both houses were controlled by Democrats. It had taken Nelson two years to get a bill draft out of the Department of the Interior that he could introduce in the Senate.

To start the legislative process, Nelson, along with senators Proxmire and Paul Douglas, an Illinois Democrat, introduced S. 2498 in the Senate on September 7, 1965. (At the time, Douglas was also battling for the Indiana Dunes National Lakeshore.) Congressman O'Konski introduced companion bill H.R. 10902 in the House a day later.

Because of the bill's late introduction, no hearings were held in 1965. Furthermore, President Johnson had called for more study of the Apostle Islands; another year would pass before any action would take place. Thus, Nelson had to reintroduce the old bill, now numbered S. 778, in January 1967. He met with Alan Bible, chairman of the Senate

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[903]Vic Wallin, letter to Congressman Alvin O'Konski, March 29, 1967.

[904]SSC Hearings, June 1-2, 1967, pp. 108-9.

subcommittee, but was unable to obtain a commitment for early hearings.[905] By this time, Nelson's frustration was evident, and he told reporters, "The bill has been two years in Capitol Hill doldrums."[906] In spite of the inaction, he was still unrealistically hopeful for successful passage of the bill by early summer.

Nelson finally secured Senate hearings in May and June. The lakeshore proposal received overwhelming support, and it was not difficult for Nelson to move the bill through the Senate. The subcommittee approved it on August 16, followed by the full committee two days later. On August 21 Nelson was able to place it on the consent calendar, and it passed on the same day.[907]

House action was to be another, much more difficult matter. Before Nelson introduced the bill in the Senate, he had conferred with Chairman Aspinall of the House Interior and Insular Affairs Committee. As for the House, Aspinall told Nelson he would have to get in line; numerous proposals for new parks, seashores, and lakeshores already stood before his committee. Although Nelson went out of his way to develop strong collegial and social relationships with Aspinall, his turn in line would not come up for two more years. Nelson, reflecting on it later, said, "I also did a lot of talking about it with Wayne Aspinall. I had him out to my house on his birthday and was pushing both the St.

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[905]William Bechtel, letter to Martin Hanson, February 9, 1967.

[906]Baxter Omohundro, "Sen. Nelson Expects Passage of Apostle Islands Bill," Duluth News Tribune, February 26, 1967.

[907]"Apostle I. Park Bill in Senate," Superior Evening Telegram, August 18, 1967; "Lakeshore Project to Cost $13 Million," Milwaukee Sentinel, August 22, 1967.

Croix and the Apostle Islands and, without his consent, nothing passed that committee. Finally, he agreed that both were good ideas. So finally it did pass in 1970."[908]

Under these circumstances, action in the House in 1967 was not realistic. It is instructive to look at the case of the administration-sponsored "wild and scenic rivers" legislation to understand why the Apostle Islands was held up so long. In 1966 the Senate had passed the rivers bill, but Aspinall refused to put it on his agenda, stating that it needed further study. The Senate again unanimously passed the rivers bill in 1967, but the best Aspinall would promise was hearings later in the year.[909] It was obvious that the Apostle Islands bill, having passed in the Senate for the first time in 1967, would continue to take its place in line in the House.

Nelson's separate proposal for a St. Croix-Namekagon Wild and Scenic Rivers bill was dealt with in the same fashion. Aspinall had advised Nelson not to tie the St. Croix-Namekagon rivers bill to the administration's proposal, calling the latter the "craziest idea he ever heard of."[910] The Senate had passed the St. Croix-Namekagon bill in 1966, but once again, Aspinall left it off his agenda.

The deliberate and methodical fashion by which Aspinall operated his committee was evident again in 1968, when he indicated he would hold hearings in February on the administration's rivers bill, which had been passed by the Senate in 1967 and to which Nelson had now attached the St. Croix-Namekagon rivers proposal. The bill now included

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[908]Gaylord A. Nelson, interviewed by Kathleen Lidfors, March 4, 1985.

[909]"Preserving the Nation's Unspoiled Rivers," Minneapolis Tribune, August 19, 1967.

[910]Tim Palmer, Endangered Rivers and the Conservation Movement (Berkeley: The University of California Press, 1986), p. 144.

seven rivers throughout the nation. Aspinall spurned the Senate version and introduced his own bill, which included four rivers to be designated immediately and targeted twenty rivers, including the St. Croix-Namekagon and Wolf rivers (also in Wisconsin), for further study. After a series of compromises, the House in September passed a rivers bill, which was concurred in by the Senate. The legislation included the St. Croix-Namekagon and Wolf rivers.

Lack of money for LAWCON in 1968 further delayed House action on the Apostle Islands and other lakeshore proposals. Aspinall did not want additional authorizations until funding was secure. The House acted on the funding issue in mid-summer by doubling the money available to an assured $200 million a year. Aspinall then promptly scheduled hearings on the Apostle Islands for July 29.[911]

Richard F. Fenno, Jr., in his book, Congressmen in Committees, provides an excellent analysis of House committee processes and the reasons for the Apostle Islands and the rivers bills to pass easily in the Senate, twice, before Aspinall would hold hearings. Fenno points out that senators reflected both rural and urban interests, with the latter playing a predominant role in their election and re-election probabilities. Urban people were significantly more interested in environmental matters, conservation, and outdoor recreation. The Senate committee was willing to let a member of the committee, such as Nelson, gain something for his state that did not have significant national policy precedents. Although dominated by western senators, the Senate committee normally took a pro-park position and

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[911]Albert Eisele, "Rep. Aspinall Bottleneck For New National Parks," Duluth News Tribune, January 4, 1968; "Wild Rivers Bill Up for Consideration," Duluth News Tribune, January 19, 1968; The Nelson Newsletter, August 1967, July 1968; Palmer, p. 144.

acted far more quickly than the House. For example, in the 1955-66 period, of the thirteen major parks and land bills reported by the House committee, the Senate committee had reported the bill first in ten instances, sometimes more than once, before the House acted.[912]

Aspinall, a former school teacher, had been in elective politics continuously since 1931, first as a state legislator and after 1948 as a congressman. Aspinall's committee was the hardest-working committee in the House and reported on more substantive legislation than any other.[913] He maintained absolute control over the committee and its agenda. He decided when matters were to be taken up, when hearings were to be held, and when decisions were to be made. He hired the staff and kept it attached to his office and the full committee; aides were not assigned to subcommittees. Although Aspinall maintained tight control, committee members found him to be "fairness personified."[914]

Bills were carefully and thoroughly scrutinized in his committee and all interests were given an opportunity to present their cases. As one member characterized him:

> Wayne Aspinall is an old schoolmarm. He gives us civics lectures up there in the committee about the three coordinate branches. He tells us we don't have to accept the administration bill or the Senate bill -- that we are going to take our time and do it our own way. We are schooled in that philosophy of independence. This committee is pretty independent. I don't think it's an arm of the executive department. We make the policy, we are the policy makers. That's a right that's very jealously guarded by the committee.[915]

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[912]Richard F. Fenno, Jr., Congressmen in Committees (Boston: Little, Brown and Company, 1973), pp. 165-71, 270-71.

[913]Ibid., pp. 99, 256.

[914]Ibid., pp. 119, 122.

[915]Ibid., pp. 60, 118.

The fact that Aspinall was thorough, orderly, and insisted on full and complete reviews of legislation accounted for the long delay before he would take up the Apostle Islands. The committee simply had too much other business before it. As one committee member observed, "You can't keep up with the Senate if you want to do a thorough job."[916] And Aspinall insisted on a thorough job.

Another significant factor was the view that Aspinall and the committee had of their policy responsibilities. He continually reminded committee members that they made the policy, not the executive branch. This posture had significant implications for the Apostle Islands when Hartzog kept insisting that the project would not be viable without the Indian land. The committee, in its report to the House, addressed the issue squarely:

> After considering all of the arguments and weighing all of the competing interests, it is the Congress which must decide what action should be taken.[917]

The House committee was not split along partisan or ideological lines. Its members' primary interests were projects for their own districts. Aspinall and the ranking minority member, John Saylor of Pennsylvania, worked well together. In Fenno's analysis, "Saylor shared a desire to maintain the committee's reputation for careful, expert and independent handling of its legislation and consequently the confidence of the House. Saylor's support

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[916]Ibid., p. 271.

[917]"Providing for the Establishment of the Apostle Islands National Lakeshore in the State of Wisconsin and For Other Purposes," U.S. House of Representatives, Ninety-First Congress, Second Session, Report No. 91-1280, Washington, D.C., July 7, 1970, p. 7.

on the House floor helped legitimize the committee product in the eyes of non-westerners."[918] This was certainly true for the Apostle Islands.

Although preservationists attacked Aspinall for holding up House action after the Senate had passed legislation on wild and scenic rivers, a Redwood National Park, the Apostle Islands, and a bill on wilderness, an astute Interior Department official observed that Aspinall knew what his committee would do and how to reconcile competing interests. Had the Senate-approved versions not received substantial modification in the House committee, they would not have passed on the floor. The House respected Aspinall and the thorough work of the committee. Consequently, when bills from his committee reached the floor, they were passed.[919]

The Apostle Islands and the Congressman from Northern Wisconsin

To enact park bills, support from the district's congressional representative was typically required. The Apostle Islands were in Republican Alvin E. O'Konski's sprawling northern Wisconsin district, which he had represented since 1942.

O'Konski recognized Nelson's popularity in the north and did not challenge him while he was governor, and later, senator. In fact, he had supported many of Nelson's programs. O'Konski was not a strong legislative leader and typically "tested the winds" in his district before taking positions. Constituent relations and service was his political forte. Provided there was strong local support, he would not be a direct threat to the lakeshore. As a veteran congressman, even though he was a member of the minority party, O'Konski's tacit

[918]Fenno, p. 93.

[919]Ibid., pp. 121, 123, 260.

support in the House would at a minimum probably be necessary. Of course, strong support would be even more helpful.

Although Nelson had not informed O'Konski when he made his first proposal in 1961, it posed no problem. The governor was simply responding to a request for planning from the Bad River Indian Tribal Council. Thereafter, I made sure that O'Konski was informed of every step in the process, frequently stopping by his Washington office for brief visits on the lakeshore as well as other federal programs affecting his district. William Bechtel in Nelson's office had excellent relations with O'Konski and made it a point to keep him informed. We did not ask the congressman to take a position. Evidence of local support would be a stronger stimulus for him to take action than any suggestions from either myself or Bechtel.

O'Konski's initial posture was one of caution. In 1963 he had reservations because he viewed the project as controversial. But, he added, "If the federal government really means business and will spend $5 million or so really making it a park of consequence, I am all for it. If, however, the government purchases the land to call it a national park and does no investing other than buying the land, I do not foresee where the project would help our economy very much."[920] Two laters year, his position was stronger, and he introduced a companion bill to Nelson's, H.R. 10902, in the House at the same time.

By 1966 pressure from south shore property owners caused him to revise his position. O'Konski then felt, as did many local people, that the federal government was taking too much land in Bayfield County. More than half of the county was now federally owned land

[920]"Nelson's Bill Triggers Debate," Duluth News Tribune, August 29, 1965.

on which no property taxes were paid. Local owners viewed taxes as breaking their backs. O'Konski reassured them and noted that the park proposal was running into trouble in Washington.[921] A year later, when substantial property owner opposition had developed, O'Konski suggested dropping the mainland units.[922]

Supporters of the lakeshore provided countervailing pressure, and in May 1967 O'Konski reported that he was receiving twenty-five letters a day in support of the lakeshore from within and outside the district. His stock reply was now generally supportive. He urged the letter writers to attend the upcoming hearings and to "make a good case for the project. If this is done, I am sure that the members of the subcommittee will come back to Washington sold on the idea.... The success or failure of the project will depend on the enthusiasm or lack of enthusiasm of the people in the area."[923] When the first hearings were held in Ashland in 1967, O'Konski, pleading business in Washington, was absent. The hearings, held in the Alvard Theatre at Northland College, were jammed with people, most of them supporters. During the hearings, O'Konski called John Chapple of the Ashland Daily Press and asked him to read a surprisingly strong statement in his behalf: "I have studied this project for the past ten years. I have concluded that the establishment of an Apostle Islands National Lakeshore is good for the area, good for the state and good for the

[921]Alvin E. O'Konski, letter to Roy Hokenson, May 20, 1966.

[922]Alvin E. O'Konski, letter to Michael G. Brecke, March 17, 1967.

[923]Alvin E. O'Konski, letter to William Bechtel, May 1, 1967.

nation. Furthermore, it is the only opportunity for this area to get substantial Federal assistance."[924]

Nelson maintained the pressure on O'Konski. After overwhelming support was demonstrated during the Ashland hearings, he wrote letters to every supportive organization and individual urging them to write committee members and O'Konski. O'Konski responded by stating that "his mail was running overwhelmingly in favor of an Apostle Islands National Lakeshore."[925]

In 1968, when the first House hearings were held in Washington, O'Konski was enthusiastic. He had had oral surgery only hours before the hearings but showed up to say, "It's of utmost importance to my district. I would be here if I'd had to come on a stretcher." The Milwaukee Journal noted that it was the first time O'Konski had appeared in person to testify and had turned out to be an enthusiastic co-sponsor. Any loss in property taxes, he felt, would be offset by positive economic impacts. He was highly complimentary of Nelson's accomplishments in conservation as governor and as a U.S. senator and said, "Nelson is the Gifford Pinchot of Wisconsin."[926]

From that point onward he never wavered in his support. In spite of the intense national concern that was developing over the proposed inclusion of the Indian lands, O'Konski wanted action after all these years. He made an eloquent statement dealing with the long-standing vacuum local property owners had faced for many years. He felt that

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[924]SSC Hearings, June 1-2, 1967, p. 75.

[925]"Across the Editor's Desk," Bayfield County Press, March 1968.

[926]"Apostle Islands Bill Gets No Opposition in House Hearing," Ashland Daily Press, July 30 1968; "Apostle Park Given Boost," Milwaukee Journal, July 30, 1968.

Indian lands could now be excluded with the belief that they eventually would support the project. Moreover, he directly challenged his Republican colleague from Kansas, Joe Skubitz, by stating that the Apostle Islands were quite safe for recreational boating.[927] O'Konski and Kastenmeier signed a joint letter to all members of the House committee. The letter pointed out that even though the Indian lands were deleted, the proposal still constituted a viable project.[928] O'Konski also joined Nelson in a personal visit to Secretary of the Interior Walter Hickel to make the case. Hickel indicated his full support even with the deletion of the Indian lands. He also promised to send people to make congressional contacts and urge support. After meeting with Hickel, O'Konski said he "was confident the Interior Department would agree to develop the lakeshore as proposed by the House committee. Hickel wants to move full speed ahead on the project."[929]

At the time, House members were under intense pressure from Indian groups throughout the county to defeat the proposal. However, O'Konski continued to support the project without the Indian lands, and when the bill was debated on the House floor declared that he

> could find no Indian opposed to the project. No one is more concerned about Indian welfare than I am. I happen to be an honorary Chief of the Chippewa Tribe of the Bad River Indian Reservation and I have been an honorary Chief of that tribe for 20 years. [I] held office hours in Ashland the last month and no one expressed opposition.... Twelve Indians queried me about where all

[927]HSC Hearings, March 23-24, 1970, pp. 246-9.

[928]Alvin E. O'Konski, letter to Robert Kastenmeier, May 1970.

[929]Stuart Applebaum, telephone conversation with Harold Jordahl, Jr., June 1, 1970; Richard Bradee, "Hickle to Help on Apostle Islands Bill," Milwaukee Sentinel, June 2, 1970.

this opposition was coming from. They couldn't understand why they were being quoted as saying they were opposed to this bill.[930]

Congressman John Kyle, an Iowa Republican who was trying to stall the bill, said he had a telegram from the chief of Red Cliff in opposition. O'Konski responded, "The Chief who sent you that telegram is no longer chief. They changed chiefs." O'Konski closed his speech on the House floor by stating, "This is the first time I took the floor of the House this session and probably will be the last time in this session of Congress. In closing, I would like to wish you a Merry Christmas and a Happy New Year." The bill passed 197 to 29.[931]

Developing a Bipartisan Coalition

Enlisting support for the lakeshore from Democrats was not difficult. Congressmen Henry Reuss and Clement J. Zablocki, both Democrats from urban Milwaukee, submitted strong statements in support at the initial hearing. Senator Proxmire also testified in favor and suggested naming the scenic shoreline drive in honor of Senator Nelson.[932] Vice President Hubert H. Humphrey gave Nelson a ringing endorsement and applauded the Apostle Islands National Lakeshore at a dinner attended by 1,100 people in Nelson's home town of Clear Lake.[933]

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[930]"House Approves Apostle Isle Bill," Milwaukee Sentinel, September 11, 1970.

[931]Ibid.

[932]SSC Hearings, May 9, 1967, pp. 12-18.

[933]"Humphrey Lauds Nelson on Lakeshore Park Bill," Ashland Daily Press, October 3, 1967.

When hearings were held in Washington in 1968, the base of congressional support had broadened. Kastenmeier testified that the legislation had strong bipartisan support. He listed its backers as Wisconsin Republicans O'Konski, John W. Byrnes, Mel Laird and Willam A. Steiger and Democrats Zablocki and Reuss; Minnesota Republican Albert Quie and Democrats Ronald Fraser and Joseph Karth; Illinois Republicans John Anderson and Robert McClory; and Michigan Democrats John Conyers, John D. Dingall, and Republicans Jerry Ford and Martha Griffiths.[934] Letters and telegrams from the Wisconsin Council for Resource Development and Conservation and the Citizens Committee for the Lakeshore to Wisconsin's Republican members of Congress had been important in building this congressional support.[935] The fact that the three Republican governors from Michigan, Minnesota and Wisconsin, as members of the Upper Great Lakes Regional Commission, had supported S. 778 was also emphasized at these hearings.[936] Congressman Skubitz said, "It seems like the kind of project on which we should move quickly."[937] For reasons explained later, Skubitz became a vigorous opponent. Saylor, the ranking minority member on the House committee, called the proposal "one of the finest projects ever presented to

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[934]Congressman Robert Kastenmeier, statement before the National Parks and Recreation Subcommittee of the House Committee on Interior and Insular Affairs, July 29, 1968. (No hearing record published.)

[935]Congressman John Byrnes, letter to Paul Romig, March 6, 1968; Culver Prentice, letter to Harold C. Jordahl, Jr., March 15, 1968; Victoria McCormick, letter to Melvin Laird, March 4, 1968.

[936]Harold C. Jordahl, Jr., statement before the National Parks and Recreation Subcommittee of the House Committee on Interior and Insular Affairs, July 29, 1968. (No hearing record published.)

[937]"Senator Nelson Urges Quick Action on Islands Park," Ashland Daily Press, July 29, 1968.

the committee."[938] Philip E. Ruppe, a Republican, who represented the Michigan congressional district adjacent to O'Konski's, was also a member of the House committee. He said, "I recognize it as one of the most magnificent areas in the country, and certainly the proposal that we are discussing could be a far-reaching one for the people of the entire Midwest."[939]

By 1969 Nelson could justifiably say that the bill had been endorsed by a solid bipartisan majority of the Wisconsin congressional delegation and "has received support as well from members of the Minnesota and Michigan delegations."[940]

However, as opposition from Indian groups intensified, this bipartisan support would weaken. Skubitz raised questions regarding the region's cold weather, cold water, and boating safety, and wondered why the lakeshore was expected to have 920,000 visits when nearby Isle Royale National Park had only 9,700 visits in 1967.[941] (He confused visits with visitors.) Congressman Abraham Kazen, Jr., a Texas Democrat, and Republicans James A. McClure of Idaho and John Kyl of Iowa also raised tough questions with O'Konski regarding the viability of the lakeshore without the Indian lands. O'Konski remained firm that the Indian lands could be deleted and the project would remain viable.[942] These same

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[938]Albert Eisle, "Apostle Islands Lakeshore Gains House Unit Support," Duluth News Tribune, July 30, 1968.

[939]HSC Hearings, August 19, 1969, p. 10.

[940]Ibid.

[941]HSC Hearings, March 23-24, 1970, pp. 248-9.

[942]Ibid., pp. 246-53.

members hammered Hartzog on many aspects of the project and continued to raise questions regarding the viability of the project without the Indian land.[943]

Given Indian unrest, Kyl and Skubitz insisted on a full House committee meeting on the proposal. Stuart Applebaum, in Kastenmeier's office, believed the congressmen were attempting to force full committee consideration of S. 621, the original bill, which included the Indian land, to paint both Nelson and Kastenmeier as anti-Indian.[944] (S. 621 was not "anti-Indian"; amendments had made Indian interests more explicit.) Because the Department of the Interior had not taken a position on the bill that deleted the Indian land, the Kyl-Skubitz strategy worked. The House subcommittee did not take action, but forwarded the bill to the full committee without recommendation.

Kyl and Skubitz kept the pressure on Hartzog and the full committee at the June 3, 1970, meeting. Although Hartzog indicated he could not support the substitute bill, which deleted the Indian lands, he refused to speculate on whether or not the legislation would be vetoed in such an event.[945] The House committee acted by deleting the Indian land and recommended full House support by a vote of twenty-two to two on June 17, 1970. Republicans Kyl, McClure, Skubitz and Sam Steiger of Arizona were joined by one Democrat, James A. Haley of Florida, in submitting a dissent to the committee report.[946]

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[943]Ibid., pp. 254-85.

[944]Stuart Applebaum and Harold C. Jordahl, Jr., telephone conversation, May 8, 1970.

[945]HIIAC Hearing, June 3, 1970, pp. 393-435.

[946]Report No. 91-1280 from the Committee on Interior and Insular Affairs, U.S. House of Representatives, July 7, 1970, pp. 11-15.

The Wisconsin bipartisan coalition held together, and on September 9, 1970, four Wisconsin Republicans joined four Wisconsin Democrats in a letter to each member of the House urging the support of H.R. 9306. (Wisconsin Republicans Vernon Thompson and Glen Davis did not join.)[947] The House debate that followed underscored the importance of this bipartisan support.

Saylor made an eloquent speech in favor of H.R. 9306. David Obey, the new Democratic congressman from northern Wisconsin, spoke in favor of the bill and warmly praised Saylor and O'Konski. Phillip Burton, a California Democrat, said, "Mr. Chairman, after the profound and moving address of the gentleman from Wisconsin [O'Konski], there is little that anyone can add. I rise in support."[948]

Opponents attempted to kill the bill. Kyl offered an amendment to eliminate all lands on the Bayfield Peninsula. He would support the bill if the boundaries were limited to 39,000 acres on the twenty-two islands, "and we will have given some respect to the Indians, whom all of us bleed for and speak for all of the time." Both Roy Taylor and Saylor spoke in opposition to the amendment, which lost. Kyl followed with a motion to resubmit to the House committee. The motion lost on a voice vote. Kyle then objected that a quorum was not present. The roll was called. The motion lost 29 to 197. The bill then passed on a voice vote. A motion to reconsider was laid on the table.[949] The Milwaukee Journal summed it up:

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[947]Alvin O'Konski et al., letter to "Colleague," September 9, 1970.

[948]Congressional Record, September 10, 1970, pp. H8557-68.

[949]Ibid.

A strong coalition of Wisconsin congressmen and leaders of the House Interior Committee whipped a small group of opponents led by Representative John Kyl (R-Iowa) in gaining passage.[950]

The bill moved back to the Senate, where immediate concurrence was expected. However, Senator John J. Williams, a Delaware Democrat, objected that proper procedures had not been used. Nelson had to persuade Senator Majority Leader Mike Mansfield and others that legislation coming from the House on which the Senate had previously voted, even if in a different form, did not require the same procedures as a new bill for placement on the calendar. During the week that this issue was debated, Indian groups again marshaled opposition to Senate action.[951] In spite of their pressure, the bill was placed on the calendar for September 16, and with nineteen Senators present, Nelson declared that "the Apostle Islands is an idea whose time has come." The bill passed.[952]

The Apostle Islands National Lakeshore bill now moved to the White House. Robert Kahn, appointed by President Nixon to the newly formed Council on Environmental Quality, advised Nelson that an environmental impact statement would now have to be filed by the National Park Service under the provisions of Section 102 of the National Environmental Policy Act. Nelson aide John Heritage and I were concerned that such a step might give the park service an opportunity to say once again that the project was not viable without the Indian land, thus providing Nixon a rationale for a veto. The record is not clear as to how it was accomplished, but this step was avoided. Pressures had to be kept on the

[950]John W. Kole, "House OK's Apostle Isle Lakeshore," Milwaukee Journal, September 11, 1970.

[951]Harold C. Jordahl, Jr., memorandum to the file, September 17, 1970.

[952]Congressional Record, September 16, 1970.

administration. Although Interior Secretary Walter Hickel was pushing new urban parks, he fortunately had been quoted in the press as favoring both the Apostle Islands and Sleeping Bear Dunes national lakeshores. To ensure a consistent position within the Interior Department, Heritage was to make informal contact with Hartzog for a current reading of NPS views on the bill. Nelson was to write a letter to a White House staffer noting that the Indian lands had been deleted at his request, and that strong bipartisan support existed in Congress for the project. We hoped that the White House would treat the legislation in a normal and routine fashion.[953]

While the bill was under consideration by the White House, the Indians took inconsistent positions. In spite of the fact that Indian lands had been deleted, members of the Bad River and Red Cliff bands wanted assurances from Nelson that NPS would employ up to ten Indians on the lakeshore. Nelson, in response, contacted Hartzog, noting that Indian employment would be highly desirable and that the 1964 Civil Rights Act permitted discrimination in favor of Indians for employment.[954] In the meantime, the National Congress of American Indians (NCAI) and other Indian groups were sending letters and telegrams to the White House urging a veto. In spite of this pressure, Nixon signed the bill on September 26, 1970. White House counsel Leonard Garment responded to Indian letters by noting that their concerns had been met in the amended bill. Furthermore, he drew on

[953]Harold C. Jordahl, Jr., memorandum to the file, September 17, 1970.

[954]John Heritage and Harold C. Jordahl, Jr., telephone conversation, and Jordahl, note to the file, September 21, 1970.

Saylor's remarks in the Congressional Record that indicated that "other interests besides purely Indian interests may have been using Indian groups to exploit this issue."[955]

Given the votes in the House and the Senate and strong bipartisan support, a presidential veto would not have been realistic.

The Apostle Islands and Presidential Politics

The Apostle Islands were under consideration in three administrations, those of Kennedy, Johnson, and Nixon. The role of a president and his staff in the White House, and especially in the Bureau of the Budget, would in no small measure influence passage.

Kennedy visited the area late in 1963, and although he pledged the support of the federal government to Wisconsin and the upper Great Lakes region, he did not endorse the lakeshore per se. To receive presidential support required the support of the Department of the Interior and the approval of the Bureau of the Budget. Four years would pass before those hurdles were cleared.

I worked within the Interior Department to develop a bill that would satisfy the myriad interests that were affected. Nelson would work from the outside on the secretary's office, the Bureau of Outdoor Recreation and the White House. Late in 1965, Nelson and Bechtel met with Joseph Califano, a key aide to President Johnson. Califano was encouraging, but noted "that money is going to be a terrible problem." Nelson argued the low cost of the lakeshore, but all Califino would promise was a call to Udall to determine

[955]Leonard Garment, letter to Bruce Wilkie, National Congress of American Indians, September 28, 1970.

his recommendations on the matter.[956] Later, Nelson was invited to the president's ranch in Texas. Bechtel commented on the trip:

> We loaded him up with material, we primed him and briefed him. We said again, since we were so totally preoccupied with this, we thought, my goodness, if you are going to Lyndon Johnson's farm, this is an opportunity to talk about the Apostle Islands bill. So he went down and he made the visit and when he came back we all pounced on him and asked him, "How was it?" and he said, "Oh, great. We got in that old car and drove across those farmlands and everything like that." We kept saying, "But, but, what did he say about the Apostle Islands?" "Oh" he said, "It really wasn't convenient or appropriate so I never brought it up." We could have lynched him.[957]

Clearances from within the Interior Department came slowly, and when they were finally achieved, the budget bureau held up approval in spite of Nelson's pressure.[958] Nelson again visited Califano.

> Then I went over ... to the White House to see Joe Califano, who was on Johnson's staff. There was, as always, money problems.... I talked with Joe for an hour or so to persuade him to get the president, in the message to the Congress, to endorse the idea of the Apostle Islands. I told him it wouldn't cost very much ... so Joe wrote that up and put it in the president's speech. So now we had two presidents that had endorsed it.[959]

Johnson, in his 1967 message to Congress, recommended four new parks and recreation areas and the establishment of the Apostle Islands National Lakeshore.[960]

The president's wife added her support. In a 1968 visit to Wisconsin, she deftly accomplished two things. She praised the lakeshore proposal, and she added an aura of

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[956]William Bechtel, letter to Harold C. Jordahl, Jr., December 27, 1965.

[957]William Bechtel, interviewed by Kathleen Lidfors, March 4, 1985.

[958]William Bechtel, letter to Harold C. Jordahl, Jr., August 2, 1966.

[959]Gaylord A. Nelson, interviewed by Kathleen Lidfors, March 4, 1985.

[960]Lyndon B. Johnson, "Special Message to Congress," January 30, 1967.

bipartisanship; she was met at the airport by Governor Knowles and stayed as an overnight guest at the executive mansion.[961]

President Johnson again included the Apostle Islands in his 1968 legislative program and in his budget message. Nelson said, "The president's firm support of these vital Wisconsin conservation projects [Johnson also recommended the national rivers system, including the St. Croix, Namekagon and Wolf rivers] should be of real help in getting them through the House. The budget recommendation gives them a priority rating which is very helpful."[962] The president followed up in his message, "To Renew a Nation," which called for the enactment of Redwood National Park and "two other major additions to the park system that I sought and the Senate approved last year: North Cascades National Park ... and Apostle Islands National Lakeshore, along Wisconsin's most scenic water areas."[963] A few weeks later, at a White House reception held during the President's Conference on Scenic Beauty, Johnson again called for the enactment of the Apostle Islands National Lakeshore and the reservation of a million acres for the wilderness system, saying, "The aim was to preserve the solitude and splendor of the land as God made it."[964] Within the span of three short months the president had given the Apostle Islands ringing endorsements on four occasions. In spite of that support, the House committee was not to be hurried. Hearings on the Apostle Islands would not come until Land and Water Conservation Fund

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[961]"Mrs. Johnson Praises Apostle Islands Area," Milwaukee Sentinel, September 23, 1967.

[962]"President Endorses Apostle Islands Plan," Milwaukee Journal, January 29, 1968.

[963]Lyndon B. Johnson, Message to Congress, "To Renew a Nation," March 8, 1968.

[964]Ibid.

problems were cleared up later that year. Once that hurdle was cleared, the House committee acted, and Johnson had the satisfaction in 1968 of signing into law the Redwood and North Cascades national parks, a National Trails System, and a Wild and Scenic Rivers Act, which included the St. Croix, Namekagon and Wolf rivers in Wisconsin.

A nation divided over Vietnam, however, led him to decide not to run in the 1968 presidential election. The following January, Richard Nixon took office.

With a new Republican administration, the Apostle Islands suddenly faced new uncertainties. The divisiveness over the war in Vietnam had dominated the campaign. The environment had not been debated and there was no clear sense on how the new president would view such issues, especially those left over from the Johnson administration. Fortunately, the last Johnson budget, under consideration by the new administration, contained funding for the lakeshore.[965]

Hartzog and Crafts remained as directors of the National Park Service and the Bureau of Outdoor Recreation. They, too, were pondering an uncertain future, and how and in what way they might respond to new leadership.

Udall had departed. Walter Hickel, former governor of Alaska, had been nominated by President Nixon to be his secretary of the interior. Nelson, perhaps feeling that he had strong bipartisan congressional support for the Apostle Islands and other environmental issues, decided to put Hickel on notice that his pro-development record in Alaska was not suitable for his new role as head of the Department of the Interior, an agency with major conservation responsibilities. They eventually worked out their differences, and the

[965]"Apostle Isle Bill Again Introduced," Milwaukee Journal, January 24, 1969.

department submitted to Congress the same Apostle Islands bill that had died the year before.[966] When Hickel was subsequently fired by Nixon because of his opposition to the Vietnam conflict, Nelson publicly stated that he had been wrong in his sharp criticisms of the secretary and praised him highly.[967]

So the momentum developed for the Apostle Islands in 1968 carried over into the initial days of the Nixon administration. But within a few months the Senate's interior subcommittee received new signals when the associate director of the park service, Edward Hummel, who had no prior direct involvement with the Apostle Islands, suggested that the Nixon administration would probably not favor additional parks at this time because of a shortage of funds. The Milwaukee Journal reported that an incredulous, angry Nelson fired back with the harshest language he had ever used with Interior Department officials: "If you're not going to fight for conservation, I think we should move these responsibilities to some other department.... Your position would mean suicide for the Apostle Islands National Lakeshore."[968]

The Aspinall committee began to seek more definitive answers on the new administration's position on parks and called for informal briefings by NPS and BOR. The two agencies did not completely shut the door to new authorizations, but indicated "that it

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[966]Letter from the assistant secretary of the interior to the president of the senate, January 16, 1969.

[967]"Apostle Isle Bill Again Introduced," Milwaukee Journal, January 24, 1969.

[968]John W. Kole, "Apostle Isle Plans Hit New Obstacles," Milwaukee Journal, March 18, 1969.

is unlikely that new conservation areas will be established this year."[969] Indeed, the administration was recommending slashing $30 million from the Land and Water Conservation Fund. Senate subcommittee members indicated that "there is little point in authorizing new areas and adding to the backlog. If the policy prevails it would appear to preclude favorable consideration of Sleeping Bear Dunes, Apostle Islands, Buffalo and Potomac National Rivers, Connecticut River National Recreation Area and others."[970] In spite of these negative signals, the Senate passed the Apostle Islands in June and the House subcommittee held hearings on it in August.[971]

All committee action ceased in September when Budget Director Robert Mayo, in an attempt to curb inflation, imposed a federal spending curb and recommended the halt to all new park authorizations involving land purchases. Aspinall stated that the House committee was faced with a half-billion-dollar backlog of requests for new authorizations and development projects. He cancelled all House hearings and said, "The administration isn't willing to go ahead and spend the money. It's about time to quit fooling the people by authorizing more. What we need is closer cooperation between the two departments of government [legislative and executive], and until I get it, I'm not willing to be the legislative scapegoat."[972] Important new pending authorizations included the Apostle Islands, Voyagers National Park, Big Thicket National Park, Sleeping Bear Dunes National

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[969]National Wildlife Federation, Conservation Report, April 25, 1969.

[970]Ibid.

[971]"Senate Passes Apostle Isles Lakeshore Bill," Milwaukee Sentinel, June 27, 1969; SSC Hearings, August 19, 1969.

[972]"Apostle Islands Plan Delayed," Wisconsin State Journal, September 21, 1969.

Lakeshore, Sawtooth National Recreation Area, and Buffalo National River.[973] Ironically, while the budget bureau imposed spending curbs, Hickel said he was considering a new $6.3 billion, five-year park and recreation program to relieve social pressures in big cities. This was a follow-up to his initiative of "urban parks," which included a proposed Gateway National Recreation Area in New York and New Jersey of approximately 15,000 acres, much of which was already in public ownership.[974]

The Bureau of Outdoor Recreation sent out further budget warnings by pointing out that the acquisition program for the National Park Service after fiscal year 1970 would cost about $275 million, without any new authorizations. These constraints meant that the NPS would not be able to complete land acquisition on existing projects by 1973, when the current augmented fund authority would expire. The only accommodation the budget bureau was willing to make was to approve those requests presently before the House committee for increased authorizations for the national seashores at Point Reyes and Cape Cod. But the bureau warned that such action meant that already programmed land purchases elsewhere would be extensively curtailed.[975]

Both Aspinall and Henry Jackson, who chaired the Senate interior committee, charged the administration with bad faith. They pointed out that in 1968 Congress had

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[973]"Budget Bureau Says 'Not Yet' to Parks and Recreation Areas," Conservation Report, National Wildlife Federation, September 26, 1969; "Cutback to Delay Apostle Park," Milwaukee Journal, September 21, 1969.

[974]"Secretary Hickel Announces Proposed 'Gateway National Recreation Area,'" U.S. Department of the Interior news release, May 13, 1969; "Administration Quashes Establishment of New Parks," Conservation Report, National Wildlife Federation, September 26, 1969.

[975]Ibid.

authorized a minimum $200 million for the Land and Water Conservation Fund each year for the next five years regardless of any other budgetary consideration. Johnson's request of $154 million had been reduced by Nixon to $124 million. However, the House and Senate appropriation committees did not agree with the interior committees and accepted the $124 million recommendation.[976]

Conservationists took exception with the apparent inconsistencies between Hickel, who was recommending expensive new urban parks, and Mayo's no-new-authorizations posture.[977] This turn of events elated private property owners in the Apostle Islands region. Richard Kuhns, a landowner, in a letter to the Ashland Daily Press, invited visitors to the region and stated, "The beautiful lakeshore will continue to be unspoiled, the forests will not be ravaged, the bulldozers will not take over. The area will not become a dust bowl and the lake will not become like the Chicago River, as the promoters tried to scare us into believing."[978] His optimism was justified when the House took no further action on the Apostle Islands in 1969.

The inconsistency on the part of Nixon's advisors was resolved, obviously in Hickel's favor, in the president's first "Environmental Quality" message to the Congress on February 10, 1970. Nixon recommended "full funding in fiscal 1971 of the $327 million available

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[976]"Budget Bureau Says 'Nyet' to Parks and Recreation Areas," Outdoor News Bulletin, Wildlife Management Institute, September 26, 1969; "The Apostle Islands," Washington Perspective, (a weekly newsletter from Congressman Bob Kastenmeier), September 26, 1969.

[977]"Conservationists Claim U.S. Reneged on Park Promise," Milwaukee Journal, September 28, 1969.

[978]"Thwarting of Lakeshore Project Cheered: Apostle Islands 'Resolved,'" Ashland Daily Press, September 28, 1969.

through LAWCON for additional park and recreational facilities, with increased emphasis on locations that can be easily reached by the people in crowded urban areas." He also proposed legislation to protect LAWCON, "ensuring that its sources of income would be maintained and possibly increased for purchasing additional parkland."[979] Hickel had managed to gain presidential support for his urban parks without jeopardizing pending new authorizations in rural regions. The House committee could now go back to work. Aspinall then wrote Hickel and requested Interior Department reports on the Apostle Islands, Sleeping Bear Dunes National Lakeshore, Voyagers National Park, and the Gulf Islands National Seashore.[980] The next time the White House would address the Apostle Islands occurred after Congress passed the bill, and the president had to decide whether to approve it. Nixon signed the Apostle Islands National Lakeshore into law on September 26, 1970.

[979]Weekly Compilation of Presidential Documents, Vol. 6, No. 7, February 16, 1970, pp. 169-70.

[980]Robert W. Kastenmeier, letter to Harold C. Jordahl, Jr., February 11, 1970.

CHAPTER THIRTEEN

THE ROLE OF THE MEDIA AND CITIZEN GROUPS

Almost a decade passed between the formulation of the initial proposal for an Apostle Islands National Lakeshore and final approval by President Nixon in 1970. Maintaining strong media interest and support during this lengthy period would be critical for the passage of legislation. The task took an enormous, sustained effort on the part of supporters.

The Early Role of the Press

Long before Nelson introduced the first lakeshore bill, a base of local support had been built by three energetic news people in the area: John Chapple and W.B. "Bud" Koons of the Ashland Daily Press and Charles "Chick" Sheridan, a reporter for the Superior Telegram and the Washburn Times and a well-known free-lance photographer.

Sheridan's pictures of the region appeared frequently in the local press and often in the large metropolitan papers of Milwaukee, Madison, Chicago and Minneapolis-St. Paul. Over a forty-year period, these journalists printed thousands of words on the beauty of the area. Chapple had also done a lengthy series on the region in the Ashland Daily Press that was later reprinted as a booklet and given wide distribution over many years.[981] His family owned the Press until 1945, but John's career as a writer and reporter spanned seventy-five years. Sheridan had also done a series on the islands for the Superior Telegram, which he placed in a "blue booklet" that was also widely distributed.

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[981]John B. Chapple, "The Wisconsin Islands: The Famous Apostle Islands at the Top of Wisconsin," Ashland Daily Press, 1945.

Koons and Sheridan, representing Ashland and Bayfield counties, respectively, had traveled to Washington in the 1930s and appeared before the congressional committee that was considering authorization of a National Park Service study. Sheridan presented his "blue booklet" of photographs and text to the committee to familiarize its members with the beauty of the region.

I interviewed Chapple shortly before his death at the age of eighty-nine. His wife, Irene, joined us. He had a good grasp of events that occurred more than fifty years earlier. We talked about his participation in the early negotiations with the park service regarding a study:

> Harold C. Jordahl, Jr.:
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> There was strong local support, as I understand it, from the business interests; from the people.
>
> John Chapple:
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> I would say, if you allow me to brag -- I would say that I spent all my summers on the island. I'm an islander, second nature. I spent my time for ten years trying to throw this idea of at least one island [probably Stockton] has got to be a national shrine or something like this so I will accept a certain amount of credit for being one of the chief figures and I would say that [Congressman] Peavy and Chick [Sheridan] [and I] were a trio... Well, anyway, we were very red hot for this idea; they had to protect this pristine beauty of the islands....
>
> Jordahl:
>
> But you did have a lot of local support up here.
>
> Chapple:
>
> Oh, I say we not only had it, we developed it.
>
> Jordahl:

I think that's the important point.

Chapple:

We rammed it down their throats.

Jordahl:

You were writing, Chick Sheridan was writing, Koons was writing, and you people built a base of political support, John.

Chapple:

That's correct... Well, then the great thing about it was my idea was that we got to protect one of these islands and I never dreamed that we could take the whole damn thing, you know....

Jordahl:

Are you happy the way Apostle Islands ended up?

Irene Chapple:

Oh yes.

John Chapple:

Oh, happy... Heaven on earth.[982]

Regarding the role of John Chapple and the Ashland Daily Press, J. Louis Hanson said, "Well, John Chapple liked Gaylord Nelson for a number of reasons. Number one, he told me once, 'That was the seat I pretty near had in the Senate.' And he did; he was the Republican nominee for the Senate in 1932. He beat Senator John J. Blaine ... in the Republican primary -- he beat him on the strength of the book he published two years before, 'Sex and Communism on the Campus of the University of Wisconsin.' And number

[982]John and Irene Chapple, interviewed by Harold C. Jordahl, Jr., April 5, 1989.

two, that Gaylord paid attention to northern Wisconsin, which was quite unusual for governors at that time. No news was here.... He still was influential ... and they gave us front page all over the place. That's helpful."[983]

I also interviewed Chick Sheridan. At the age of eighty-four, he had a good recall of the past. Reflecting on the trip he and "Bud" Koons took to Washington, he said:

> We drove out there, yeah, and ... we had a fine trip; it was a lark as well as business you know, and we had great cooperation [from] our congressman, H.H. Peavy. He and I, I guess, wrote the bill.... His office girl, who was a Washburn girl who was a classmate of mine, Elizabeth Hawkes, [helped].... She was a brilliant girl [and later a staunch supporter of the Lakeshore and Nelson]. Well, anyhow ... we had cooperation from them and ... a man named John Walsh who was a Washburn man and had become a prominent attorney in Washington. (Another attorney of prominence, Alvord, also helped them.) Oh yes, you bet, you bet he was, not merely in the halls of Congress.... We got an invitation to appear in Congress as Peavy did, you see, and ... we gave them the whole story of the islands and situations, why we wanted it, why it would be a virtue and an advantage to the people of this area, and so it was no trouble getting the thing through because it was a minor deal.... They appropriated something like $15,000, I guess....

When I asked him if he was pleased that the Apostle Islands were now a national lakeshore, he responded, "Oh yes, yeah, I certainly am. I think it is better as that, than it would be privately owned, even with all the bureaucratic nonsense that goes on [chuckle, chuckle]."[984]

Media Strategies

Gaylord Nelson was popular with reporters. An irrepressible and delightful raconteur, especially over an after-hours drink, he instinctively attracted reporters to him.

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[983]J. Louis Hanson, interviewed by Kathleen Lidfors, March 27, 1985.

[984]Chick Sheridan, interviewed by Harold C. Jordahl, Jr., April 5, 1989.

He was accessible, forthright and candid. During his ten years as a state senator and four years as a popular governor, Nelson went out of his way to court members of the press. Given Wisconsin's strong conservation tradition, his bold conservation initiatives were widely reported in the media. He exploited media coverage. On one occasion he used a voluminous scrapbook of news clips on conservation programs enacted while he was governor to persuade Attorney General Robert Kennedy to convince the president to make a national conservation tour. Nelson argued that conservation was not only good, solid public policy, but also good politics. His record as governor demonstrated that fact. President Kennedy made the trip in 1963, and his speech generated enormous favorable media coverage for the Apostle Islands.

When Nelson went to Washington, he left behind a press corps of admirers. As a senator, he continued to cultivate the press and staffed his Washington office with skilled reporters. Bill Bechtel, former chief of the Madison bureau for the Milwaukee Journal, was his administrative assistant during the years that the lakeshore was under consideration. Bechtel knew media professionals throughout Wisconsin. Moreover, his family owned a cottage on the Bayfield Peninsula; thus he was intimately acquainted with the area. John Heritage, formerly an environmental reporter for the Minneapolis Tribune, was also on Nelson's staff during much of this period.

To launch the initial lakeshore proposal in 1962, careful preparations for media coverage were made. For his formal presentation to Secretary Udall, Nelson had in hand the Bad River Tribal Council resolution requesting a state and federal study of the area. Philip Lewis had prepared a set of dramatic maps in color. I prepared descriptive text that

outlined the potential of the areas for a national lakeshore. Nelson presented these materials to Udall and Indian Affairs Commissioner Nash. Photographers were on hand for this first important session. Statewide press coverage was substantial. The wire services -- Associated Press and United Press International -- published favorable reports. Pictures of the Kakagon-Bad River sloughs appeared in many newspapers, as did photographs of Udall and Nelson holding up the Lewis' maps.[985]

Immediately following the meeting, dates were arranged for an inspection of the area to be made by Nash and Bureau of Outdoor Recreation Director Crafts. With press interest running high, a second series of releases from Nelson's office announcing the trip again received substantial coverage.[986]

The Hanson brothers and Bad River Tribal Chairman Don Ames made arrangements for the inspection. Although we wanted Wisconsin Conservation Department participation, we did not want it to control the trip. Thus, boats from private parties were secured for the trip through the sloughs. The state plane was used for an aerial inspection of the islands and the Bayfield Peninsula. The press was invited to join the tour. Harvey Breuscher, an Associated Press reporter, described the trip:

> A northern Wisconsin wilderness tract fringed by the white sand shore of wind tossed Lake Superior was host Monday to state officials who want the federal government to preserve it as a national recreation area. The unblemished natural beauty of the land ... was the strongest testimony in support of the

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[985]"Shoreline Park Sought for Bad River: Nelson Requests U.S. to Establish 20,000 Acre Recreation Facility in State," Milwaukee Journal, May 23, 1962; "Bad River Proposed as Recreation Site," Milwaukee Sentinel, May 23, 1962; "Lake Superior Area Suggested for Recreation," Stevens Point Daily Journal, May 22, 1962.

[986]"Udall Interested in Superior Park," Wausau Record Herald, May 31, 1962.

appeal. But Governor Nelson, who headed the visiting party, personally undertook the job of selling the proposition to Edward Crafts.[987]/[988]

These initial strategies in dealing with the media on the lakeshore proposal provided a model that was consistently followed thereafter. Almost every summer, an "official inspection," announced in advance by Nelson and arranged by the Hansons, generated media attention. The Wisconsin Conservation Department would participate, but we controlled the agenda and the guest list. Governor John Reynolds joined one trip.[989] Lieutenant Governor Patrick Lucey visited the area and commended Nelson for his leadership on the lakeshore.[990] Indian leaders and local officials frequently joined in these inspections. Fortunately for lakeshore proponents, the major daily papers normally assigned their political and state reporters to cover these trips, rather than the outdoor writers who were much more dependent upon and supportive of the conservation department. Moreover, the political reporters were often the people who had covered Nelson as governor and had established relationships with him.

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[987]Harvey Breuscher, "Nelson Becomes Salesman to U.S. on Lake Sueprior Recreation Area," Janesville Gazette, June 12, 1962.

[988]More than twenty-six years later I ran into Breuscher on the University of Wisconsin Campus and asked him if he remembered the trip. He said he certainly did and "thought he had written a good story until [he] saw George Armour's piece in the Milwaukee Journal. It was a classic and Huckleberry Finn would have loved to walk barefoot on that sand." In fact, Breuscher and Armour, both veteran and incisive reporters, were so entranced with the beauty of the sand spit that they had walked a considerable distance down the spit. I waited for them in the last boat to leave. Our motor broke. If Crafts, in a boat far ahead, had not looked back and observed what had happened, the rest of the inspection would have been delayed considerably. Crafts' boat returned and towed us to safety.

[989]Don Johnson, "Apostles? 'No Place Like It,'" Milwaukee Sentinel, July 19, 1964.

[990]"Lucey Commends Nelson Plan for Apostle Islands," Capital Times, September 30, 1965; "Island Park Endorsed by Pat Lucey," Ashland Daily Press, September 30, 1965.

The charm and the beauty of the Apostle Islands region would virtually sell itself. Some reporters who consistently attended meetings and joined in tours became almost as knowledgeable about the area as those of us involved in the planning. Favorable stories and pictures were the normal result. (Dissent, when it did appear, was also reported; this is discussed later.)

Nelson also used his periodic newsletter, which was sent to Wisconsin voters, the media and local, state and national organizations, as an effective method of maintaining high visibility for the lakeshore. Every significant step in the long process was reported in the newsletter. For example, Nelson in 1965 reported that the proposed national lakeshore had had an enthusiastic reception in the New York Times, the Chicago Tribune, the Chicago American, and in newspapers in Minneapolis and St. Paul. He reprinted editorial support from the Ashland Daily Press, the Wisconsin State Journal, the Milwaukee Sentinel, the Eau Claire Daily Telegram, the Milwaukee Journal, the Portage Daily Register, the Appleton Post-Crescent, the Chippewa Herald Telegram, the Superior Evening Telegram, and the Mellen Weekly Record.[991] He also noted support from the Ashland and Bayfield chambers of commerce, the Bayfield Harbor Commission, the Lucky 13 Association, the Wisconsin Indianhead Country Association, the South Shore Scenic Drive Association, the Bayfield Electric Cooperative, the Wisconsin Federation of Women's Clubs, and the Bayfield Common Council. This was accompanied by a list of some twenty influential persons who had written letters of support.[992]

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[991]Nelson Legislative Memo, September 14, 1965.

[992]Nelson Legislative Memo, November 10, 1965.

Nelson also found the newsletter useful for clarifying misunderstandings or misinformation regarding the proposal. In 1967, he announced in the newsletter the upcoming congressional hearings and noted local concerns regarding property tax losses, hunting and fishing, and the tenure rights of owners of improved property. Each concern was carefully addressed in a thorough and sensitive manner. One of the newsletters was devoted exclusively to questions and answers regarding the lakeshore. Others described important events (such as the president's visit) or summarized government reports.[993]

In 1965, when the subcommittee report of the Interior Department's North Central Field Committee was made public, Nelson's office sent out news releases, including maps and photos, timed to appear in Sunday newspaper editions.[994]

The Milwaukee Journal featured the area in its Sunday supplement, " Picture Journal," in October 1965. The front page was a full color photograph of the Bad River region in fall colors followed by five additional color pictures of the islands and the sloughs.[995] The New York Times devoted a full page to the proposal in a September 1967 Sunday edition, including aerial and ground pictures. The Ashland Daily Press declared, "A full page in the Sunday New York Times is the latest proof that the entire nation is turning

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[993]Nelson Legislative Memo, April 10, May 15, May 26, and June 1967.

[994]"Lakeshore Area Sought in Wisconsin," Minneapolis Tribune, August 29, 1965; "Nelson's Bill Triggers Debate: Apostle Islands -- Their Beauty Prompts Plan," Duluth News Tribune, August 29, 1965; "A Wisconsin Park Proposed by U.S.: National Lakeshore Urged in Apostle Islands Area," New York Times, August 29, 1965; Ray Moucha, "Nelson Details Apostle Islands Proposal," Wisconsin State Journal, August 29, 1965; Ann Terry, "Apostle Islands National Lakeshore Project Hailed," St. Paul Sunday Pioneer Press, September 15, 1965.

[995]"National Lakeshore: Ready and Waiting," Milwaukee Journal, October 24, 1965.

its interest in this direction." It reprinted the entire article.[996] Martin Hanson escorted Minneapolis Tribune reporter Ron Way on a boat trip through the area in 1969. The result: two full-color pictures and a long, favorable story.[997]

Bechtel recalled the efforts to gain favorable press:

> We did speech after speech on the subject ... and when Bud Jordahl finally came up with the bill, we had maps prepared. I got them to the Milwaukee Journal in advance, which I formerly worked for. I remember I was back in Wisconsin when the story broke and I rushed into a drugstore in Madison and bought a copy and, to my delight, I think it was a top story at top of page one in the Sunday newspaper with a color map. John Wyngaard, the distinguished Capitol correspondent for the Appleton and Green Bay papers, and, I would say, the most prestigious reporter in the last twenty-five years in Wisconsin, wrote once that he had never seen an issue as effectively developed for publicity purposes as the Apostle Islands National Lakeshore. I take a certain amount of pride in that.[998]

By 1970, given the high media visibility and support the proposal had generated, Nelson was able to insert into the House hearing record a list of organizations in support: thirty-seven businesses; seventeen civic organizations; twelve national organizations including all major conservation groups; sixteen farm, two labor and six regional organizations; twenty-four newspapers; two state magazines; Duluth and Milwaukee television stations; thirteen government agencies; and fifty conservation clubs. After Nelson had submitted the list for the record, Congressman Don H. Clausen, a member of the House committee, said, "I am concerned, you have not mentioned the Green Bay Packers." Nelson responded, "That was

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[996]"New York Times Full Page on Islands," Ashland Daily Press, September 26, 1967.

[997]Ron Way, "The Apostle Islands: Scenic Wonderland," Minneapolis Tribune, August 17, 1969.

[998]William Bechtel, interviewed by Kathleen Lidfors, March 4, 1985.

a winning year too; I should have had them."[999] (In his campaign for re-election to the Senate in 1968, Nelson did receive a marvelous endorsement from the successful and popular Green Bay Packers coach, Vince Lombardi.)

When Nelson introduced his Apostle Islands bill (S. 2498) on September 8, 1965, it received substantial media coverage. In a letter to the editor, the local assemblyman, Gehrmann, supported the concept, but suggested that Nelson amend his bill if the people wanted change.[1000] The Superior Evening Telegram wrote that the economic impact was significant and "the lakeshore development plan would appear at this time to be a highly desirable project."[1001]

The Ashland Chamber of Commerce notified Nelson, Proxmire and O'Konski of its support.[1002] The Lucky 13 Board (a group of businesses along State Trunk Highway 13, a major access road to the region) approved an "island park."[1003] The Mining Journal of Marquette, Michigan, reprinted an editorial of support from the Green Bay Press Gazette and suggested that the poor economy of the region would be helped by a lakeshore.[1004] The Badger Sportsman, a monthly newspaper for Wisconsin hunters and fishers, came out

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[999]HSC Hearings, March 23-24 and June 3, 1970, pp. 334-8.

[1000]"Assemblyman Gehrmann Gives Views on National Park," Ashland Daily Press, September 23, 1965.

[1001]"Lakeshore Plan Is A Good One," Superior Evening Telegram, September 29, 1965.

[1002]"Chamber of Commerce Is In Support Of National Park," Ashland Daily Press, September 24, 1965.

[1003]"Lucky 13 Board Approves Island Park Proposal," Ashland Daily Press, October 7, 1965.

[1004]"Apostle Islands Park," Mining Journal, October 12, 1965.

strongly in support.[1005] Nelson summarized this editorial and citizen support in his fall newsletters.[1006]

When the Interior Department subcommittee report was released at a public meeting attended by some 150 people, the overall response was excellent. Some opposition surfaced from shack owners in the sloughs; observers described them as the "T-shirt crowd or bar-room ruffians." Also, property owners from Sand Island and Little Sand Bay, who had legitimate concerns, raised objections. News stories covered these concerns without emphasizing them.[1007]

Public information efforts were sustained and vigorous. Nelson recorded a four-and-a-half-minute tape which was sent to forty-two radio stations. Molly Sulewsky of the Wisconsin Federation of Women's Clubs distributed a hundred copies of the subcommittee report to local chapters.[1008] I mailed a release and copies of the report to all the major national conservation organizations. The University of Wisconsin printed and began distribution of an additional 2,500 copies of the "Fine study." The National Parks Association gave the lakeshore prominent coverage in the December issue of its magazine.[1009]

[1005]"Help Wanted: For Apostle Islands," Badger Sportsman, November 2, 1965.

[1006]Nelson Legislative Memo, September 14 and November 10, 1965.

[1007]Harold C. Jordahl, Jr., memorandum to Henry P. Caulfield, September 9, 1965.

[1008]Harold C. Jordahl, Jr., letter to Molly Sulewsky, September 15, 1965.

[1009]"Proposed Apostle Islands National Lakeshore and Plans For Its Development," National Parks Magazine, December 1965.

Because the lakeshore was held up in the Department of the Interior and later in the Bureau of the Budget, press interest was muted in 1966, although the Northland College conference, "Developing Without Destroying: Opportunities and Problems," received good coverage. In spite of the 1966 hiatus, in January 1967, additional support came from the Fond du Lac Conservation Alliance, the Northeast and North Central Audubon Clubs, the town of Bayview, Bayfield County, the Ashland County Board, the Wisconsin Resource Development and Conservation Council, the Sierra Club, the Wisconsin and National Wildlife Federation, and the Wisconsin Izaak Walton League.[1010]

In anticipation of the 1967 congressional hearings, Bechtel wrote Martin Hanson indicating that an overwhelming endorsement was now needed. "Have Prentice and his Citizens Committee take the lead," Bechtel wrote. "There is a good chance a bill can pass, yet we must make a massive case for it. We need endorsements from outside Wisconsin also. I think we should try to get thousands of people to sit down and write individual letters to Senator Nelson."[1011] Hanson got busy and mailed a letter along with the interior subcommittee's popular brochure to 750 people. He urged them to send letters in support of the lakeshore to the Senate Subcommittee on National Parks and Recreation.[1012]

This effort, and others, allowed Nelson to insert into the 1967 hearing record support from thirty-five business, seventeen civic, nine national, fifteen farm, two labor, six regional,

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[1010]Martin Hanson, letter to Harold C. Jordahl, Jr., January 27, 1967.

[1011]William Bechtel, letter to Martin Hanson, February 9, 1967.

[1012]Harold C. Jordahl, Jr., letter to Martin Hanson, March 8, 1967; Hanson, letter to Jordahl, March 9, 1967.

twelve government, and forty-six conservation organizations, as well as twenty-eight newspapers.

Other endorsements poured in. The Northern Great Lakes Resource Development Committee, formed after the Duluth Land and People Conference in 1963 and made up of influential leaders from Minnesota, Wisconsin and Michigan, wrote to leaders in northern Wisconsin and urged them to write the Senate committee.[1013] Supportive newspapers editorially reaffirmed their positions.

In preparation for the Ashland hearings, Nelson reissued his "Questions and Answers on the Lakeshore." He also sent to the press a list of the organizations that supported the lakeshore. The Minneapolis Tribune reported that 200 people had asked to testify during the hearings.[1014] (The Capital Times estimate was 240.)[1015] Miles McMillin, editor of The Capital Times, gave the lakeshore and Nelson strong support in his weekly statewide radio program.[1016] The efforts paid off. The Milwaukee Sentinel, reporting on the hearing, described it as "an almost monotonous parade of witnesses representing thousands of Wisconsin residents supporting the establishment of a [national lakeshore]."[1017] Some

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[1013]Don Schink, letter to Harold C. Jordahl, Jr., May 15, 1967.

[1014]"Hearings to Open on Apostle Islands National Park," Minneapolis Tribune, May 31, 1965.

[1015]"Madeline Island Park Supported," Capital Times, June 2, 1976.

[1016]Miles McMillin, "Will People or Promoters Get Apostle Islands?," Capital Times, May 29, 1967.

[1017]Gene Divine, "Apostles Hearing Draws Long Line of Supporters," Milwaukee Sentinel, June 2, 1967.

coverage was also given to the opposition.[1018] Nelson's staff estimated that close to 250 people had testified at the hearing and that their support was overwhelming. Opposition had been limited mostly to private owners and several Indians who were "skeptical of white man's promises."[1019] The Ashland Daily Press estimated that lakeshore supporters outnumbered opponents ten to one:

> Coupled with strength in the House and with President Johnson's personal approval and with Congressman O'Konski's approval ... it is possible that the Apostle Islands measure may become law before Congress adjourns in the fall. The impressive thing about the two-day hearing was the large number of persons who came all the way from Milwaukee, Madison and elsewhere, just for a five-minute opportunity to go on record in favor of the legislation."[1020]

The writer, probably John Chapple, then listed the numerous organizations in favor.[1021] Two months later, when the Senate approved the bill, the press was laudatory.[1022]

The massive effort had depleted the supply of colorful reports. To provide the public with a continuous flow of information, the National Park Service printed thousands of copies

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[1018]Wallace W. Morgan, "Apostle Islands Plan Supported," Duluth News Tribune, June 2, 1967; Ralph Thorton, "Lakeshore Issue Stirs Village: Some Favor it, Some Don't," Minneapolis Star, June 3, 1967.

[1019]Nelson Newsletter, June 1967.

[1020]"Nelson Hopes for Approval of Park," Ashland Daily Press, June 3, 1967.

[1021]Ibid.

[1022]Merlo J. Pusey, Washington Post Special, "Proposed Present Great Lakes' Parks Deserve National Status," Milwaukee Sentinel, August 21, 1967; "Priceless Shore," Milwaukee Sentinel, August 23, 1967; Donald Jansen, New York Times News Service, "National Park Nears Reality," Wisconsin State Journal, September 3, 1967; "The Apostle Islands," Ashland Daily Press, September 9, 1967; Donald Janson, "A National Lakeshore is Proposed for Wisconsin," Ashland Daily Press, September 26, 1967; "Senate OK's Apostle Bill: Lakeshore Project to Cost $13 Million," Milwaukee Sentinel, August 22, 1967.

of a two-page, two-color summary of the proposal.[1023] This summary, along with a sustained public relations effort, was the payoff for some sixty public meetings with local people that had been held in prior years.[1024] When Senate hearings were held again in 1968, Nelson could now point out that the list of organizations in support had grown to 150.[1025]

Nelson, reflecting on these efforts, said:

> Well, there were a lot of hurdles. You ended up with the Indian hurdle. You ended up with the park service against it without the Indian lands in. We were ... going at it year after year after year, and then, of course, there were the Sand Island people who stirred up a big fuss and came to Washington and lobbied. The Ashland Rod and Gun Club raised hell about it. There was a lot of ferment going on and you just had to keep batting it down and fighting. That was one reason we went to the great lengths we did to get endorsements. We were sending stuff to every single newspaper in the state, including Minneapolis, which gave us editorials. We were contacting chambers of commerce, labor unions and everything you can imagine around because you had to offset that opposition. It just took a lot of time to do it.[1026]

The Wisconsin Tales and Trails Reprint

In 1964, Howard Mead, editor and publisher of Wisconsin Tales and Trails, a quarterly Wisconsin magazine with a circulation of 20,000, proposed that the 1964 summer edition be largely devoted to the Apostle Islands region, including an article on the

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[1023]National Park Service, Proposed Apostle Islands National Lakeshore.

[1024]Harold C. Jordahl, Jr., personal notes, 1967.

[1025]Gaylord A. Nelson, statement before the National Parks and Recreation Subcommittee of the House Committee on Interior and Insular Affairs, July 29, 1968 (no hearing record published).

[1026]Gaylord A. Nelson, interviewed by Kathleen Lidfors, March 4, 1965.

Kakagon-Bad River sloughs. Mead's editorial staff published the edition in such a way that it could be easily reprinted.

The issue contained five dramatic color photographs, a detailed colored map of the region describing twenty-seven points of interest, a state location map, thirty-two black and white pictures, and a solid body of prose carefully juxtaposed with graphics. It made a splendid twenty-two-page reprint. Much of the prose was written by George Vukelich, a popular radio personality and environmental writer. The issue also included an interview by Vukelich of Nelson, accompanied by a photo of Nelson framed by dramatic pieces of driftwood. In the interview, Nelson warned that the area was vulnerable to unwise and unplanned development which might trigger a small-scale, short-term tourist boom at the cost of "the loss of a great national treasure... a national recreation area, clearly labeled on the maps of American travelers [which] would identify this area for the entire nation.... We must have something worth seeing, and we must protect what we have so that it can be enjoyed by many people over a period of many years."[1027]

Nelson tied the Apostles proposal into a series of developing national recreation areas -- Sleeping Bear Dunes and Pictured Rocks national lakeshores, the Great Circle Route around Lake Superior, the awesome bridge spanning the straits of Mackinac, Voyageurs National Park, the Quetico-Superior wilderness region, and Isle Royale National Park. These areas, he noted, could stimulate related commercial development of taste and dignity and lasting economic benefit. He commented, "Slowly and carefully, we are

[1027]Wisconsin Tales and Trails, Summer Edition, Madison, Wisconsin, 1964.

developing a sound proposal to preserve much of the best of this priceless area and make it available to all our people and their children."[1028]

The reprint also included articles by Howard Mead on the history of the region, including early Indian history and culture, French exploration, and the geology and ecology of the area; and "Fisherman's Cove," a story by Fred Morgan that included the delightful reminiscences of John Hagen, an eighty-two-year-old fisherman who had fished the Apostles for sixty-five years (Morgan was a free-lance writer and photographer who lived in the north); an article by me that dealt with Indian history, including the movement of the Chippewa people to the sloughs of the Kakagon and Bad rivers and the nineteenth-century treaties; the article also stressed outdoor recreation opportunities (with a caution to exercise care on the open waters of Lake Superior); and coverage of the authorization of the secretary of the interior to conduct a study of the feasibility of a national lakeshore.[1029]

Some 20,000 reprints were published. Martin Hanson ordered 3,000. Chuck Stoddard, then director of the Bureau of Land Management, paid for 10,000. Prentice ordered 150 and used them as his Christmas cards that year. Molly Sulewsky distributed 300 to the Wisconsin Federation of Women's Clubs. Nelson used it effectively in presentations before Senate and House committee hearings. All key officials in the Department of the Interior, at both the Washington and regional levels, were provided copies. Press packets were mailed to key newspapers. The reprint was used effectively at the many public meetings held in Ashland and the surrounding communities and was enclosed with replies

[1028]Ibid.

[1029]Ibid.

to route requests to Nelson and to me for lakeshore information. The regular circulation and the reprint reached some 40,000 homes and offices including every important organization and individual in Wisconsin interested in the lakeshore.[1030]

This skillful and beautifully illustrated publicity piece did exactly what it was intended to do: it created a highly visible and favorable image of the Apostle Islands region and the proposed lakeshore.

The "Apostle Islands Region" Movie

Martin Hanson, a professional wildlife photographer who was sensitive to the impacts of visual images, made a fifteen-minute silent color movie of the area, which he presented and narrated to various state groups early in the lakeshore planning process. He presented it at a meeting in 1962, called by Nelson, of some 400 conservation leaders from across the state. Fortunately, Udall, who had been invited by Nelson to address the group, was in attendance and saw the movie. His response was as enthusiastic as that of the audience.[1031]

In 1963, at Isle Royale National Park, Hanson presented the film at the first meeting of the regional directors of Interior Department bureaus, who made up the North Central Field Committee. It was an excellent introduction for them and their staffs, who would soon be deeply involved in lakeshore project planning.

[1030]Charles Stoddard, letter to Harold C. Jordahl, Jr., September 9, 1964; Martin Hanson, letter to Jordahl, April 1, 1964; Culver Prentice, letter to Jordahl, December 19, 1964.

[1031]"The Unfinished Task," Wisconsin Department of Resource Development conference, Madison, October 10, 1962.

Fortuitously, another film producer, Stuart Hanish of Ash Film Productions in Madison, became interested in the region. He had contacted Kastenmeier's staff regarding the production of a movie on the Apostle Islands region. He wanted to present the history of the region, its beauty, the story of the Indian people, and a message that stressed the need for preservation for the people of the area. He also saw the film as a potential inducement to tourists and the money they would bring.[1032]

Kastenmeier brought it to our attention and we joined forces with Hanish. Hanson wrote Nelson outlining the idea for a longer movie; being sensitive to costs, he suggested that Nelson's friend well-known radio commentator Edward P. Morgan do the narration. Nelson obtained the free services of Morgan, whose only caveat was advance review of the film and a right to change phrasing.[1033]

Because the Department of the Interior had no budget per se for film productions, Hanson agreed to donate his film footage to Hanish along with assistance on filming, boat trips, travel expenses, and the like. To raise money for the film, and to obtain broad support and commitment, we went to local, state, and federal agencies. Not wishing to give either the Bureau of Outdoor Recreation or the Wisconsin Conservation Department an opportunity to object to or influence the movie, we simply did not ask for their financial support. State support came from the Department of Resource Development, which would be the primary sponsor. Hanson obtained $650 each from the Ashland and Bayfield county

[1032]George Allez, letter to William Bechtel, August 13, 1963; Bechtel, letter to Stuart Hanish, August 20, 1963.

[1033]Martin Hanson, letter to Gaylord A. Nelson, October 11, 1963; Nelson, letter to Hanson, October 22, 1963.

boards. I obtained $650 each from the Bureau of Indian Affairs and the National Park Service. All told, and because of Hanson's generosity, the final cost of the film was slightly less than $3,000.[1034] Each participating agency was given credit in the film, thus helping to ensure their support for the lakeshore.

Vukelich wrote the script. He plowed through several feet of background reports and other materials and in a few weeks completed a marvelous narrative. (Part of the emphasis in the movie had to be shifted during the production period because of the assassination of President Kennedy.)

With the script in hand, Morgan, in silence, viewed the film, made several notations, looked up and said, "This is good copy, let's go." Without a pause or a break, he completed the narration. The film was introduced by Morgan accompanied by shots of waterfowl in flight and panoramic views of the unspoiled beauty of the region. The camera then focused on Nelson, who talked about the marshes, blue-winged teal, sand spits, and, using wall maps of the Midwest and Wisconsin, located the Apostle Islands region for the viewer. Nelson said:

> Within a few hours distance of this area live some fifty million people. This magnificent outdoor resource should be preserved for their enjoyment and for the enjoyment of posterity.[1035]

[1034]Martin Hanson, letter to Ralph Hovind, November 18, 1963; Stuart Hanish, letter to regional directors of the National Park Service and the Bureau of Indian Affairs, November 14, 1963, transmitted by Harold C. Jordahl, Jr., November 27, 1963.

[1035]"The Apostle Islands Region," Wisconsin Department of Resource Development; Ashland and Bayfield counties, Wisconsin; Bureau of Indian Affairs and National Park Service, 1964.

He stated that only two percent of Wisconsin's shoreline was in public ownership; the rest was privately held and the public had to keep out. Nelson said, "It would be nice to leave ... this lakeshore area -- their unspoiled back yard, unspoiled."[1036] These statements were the only direct and explicit references to a national lakeshore. The decision had been made to emphasize the beauty and the values of the region and rely on the visual images to sell the viewer on the importance of preserving the area.

The Hanish film presented the geologic origins of the region, native plants and animals, the human history, the exploitation of the area's resources and its subsequent economic decline, as well as the current recreational use and seasonal cycles. In poetic words and in pictures, the Chippewa were introduced:

> The sons of the Chippewa are still here. They live on the reservation and the living is not easy. The annual gathering of the wild rice crop is one source of income. By itself, it could provide only a marginal existence. But in guiding fishermen and the rental of boats, there is some hope of a better future. The old chiefs and leaders understand the problem. They have lived with it all their lives. They must learn new ways, new skills, a new life. They do what they can to prepare the young ones; schools, books, education, skills. This is the country of their fathers. Now these young ones face an uncertain future in their own lands. And sometimes it seems as though there will be no future for them. Sometimes it seems as though no one cares.[1037]

The film led into the president's visit.

> A man came to this country in September of 1963. A man who did care for their future and for the future of this land. He was the President of the United States. The people shook his hand and thanked him for coming and they had new hope. The people had come to Ashland from Bayfield and Cornucopia and Madeline Island and Mellen and all around. They had come to hear their chief and what he would say. It was not a political speech. A

[1036]Ibid.

[1037]Ibid.

lot of the people who listened on this day had not even voted for him. But after he finished speaking, they shook his hand. In the sloughs, the canadas and the mallards rested and formed their great living rafts. In Ashland, Wisconsin, the President of the United States spoke with the sons of the old settlers and the sons of the Chippewa nation. And then the President was gone.

The Wisconsin winter would be lonelier this year than any winter within the memory of man. The red cliffs standing mute and forlorn, again an ice field covering the land and the water, the great long silence of winter wrapping this land in a white winding sheet. But life goes on.

In hutches and burrows, nervous twitchings and watchful eyes alerted for flight; beneath the snows, seeds in secret places waiting for warmth. A land -- an idea -- lies fallow here.

Many things die in a Wisconsin winter. It is the way of nature. To say nature is cruel is half true. To say nature is kind is half true, too. Nature is nature and some will die. The strong ones will live to see the spring.[1038]

The film concluded with a shot of Chippewa lads biking down a long hill.

Down the hill the sons of the Chippewas come gliding on balloon tires, silent as the very shadows, dreaming of yet another summer in the sun.

A man can return to these islands time and time again and never get his fill -- never know it all. There is the wind and the water and the feeling of eternity. This is how it must have been in the beginning on the very first beaches.

A man -- walking -- and looking -- and knowing that he is alone.

And yet not ever really feeling alone -- at all.[1039]

These were powerful words joined with powerful images.

The first showing of the film was before the Madison Press Club. Fortunately, Udall was once again present. John Patrick Hunter, a veteran reporter for the Madison Capital

[1038]Ibid.

[1039]Ibid.

Times, summarized the response in an article titled "Film on Apostles Steals Show from Nelson, Udall."

> A cabinet member and a U.S. Senator spoke at a luncheon meeting ... of the Madison Press Club ... and they drew the largest crowd in the group's history, but a movie stole the show. The Cabinet member was Secretary of the Interior Stewart Udall. The Senator was Madison's own Gaylord Nelson. The film captures the eloquence of loneliness that caresses the northland area that includes the Bayfield Peninsula, the Chequamegon Bay region and the sloughs of the Bad River near Odanah.... The 'Apostle Islands Region' is a masterpiece and with it, its sponsors hope to draw national attention to that special corner of the Lake Superior region that is rich in Wisconsin history dating back to the earliest French explorers and the Jesuit missionaries.[1040]

Hunter made note of the fact that several agencies had sponsored the film. And with 260 persons present, including many media reporters, the Apostle Islands received tremendous publicity.

Nelson then called the national conservation organizations together in Washington to view the film in order to garner national attention.[1041] Prints were made for the Bureau of Indian Affairs, the National Park Service, the Wisconsin Department of Resource Development, the Bureau of Audio-Visual Instruction at the University of Wisconsin, and for Hanson and me. We secured national distribution and publicity on the film through Sterling Movies-USA.[1042]

The film was in immediate demand. Howard Potter of the Bureau of Indian Affairs office in Ashland literally wore out his print showing it to audiences in northern Wisconsin.

[1040]John Patrick Hunter, "Film on Apostles Steals Show From Nelson, Udall," Capital Times, April 3, 1964.

[1041]Martin Hanson, letter to Warren Sewall, aide to Senator Nelson, April 1964.

[1042]Ray Sale, Sterling Movies-USA, letter to Bert Minwegen, June 17, 1964.

Hanson and I used it frequently before state conservation organizations. The film was awarded a "Certificate of Acceptance" by the San Francisco International Film Festival. The Michigan Outdoor Writers' Association awarded it an honorable mention in their outdoor travel adventure category. The national Izaak Walton League of America, after viewing it at one of its monthly roundtable sessions, felt that a bill should be introduced immediately. The group "really wanted to get behind it."[1043]

J. Louis Hanson later described one impact of the movie:

> I used to use it going around to various meetings. The largest local in the state is what I call the 'Nash Local,' which is American Motors -- and that's how old I am -- and there must have been 1,000 people in all at a regular union meeting. There were at least ten or fifteen people who came up to me after showing the film and said, 'Louis, why didn't you get a picture of so-and-so?' They were all from the Hurley-Ironwood area who knew the Apostle Islands backwards and forwards, who had lost their jobs as miners and were working at American Motors. Showing that film down there all of a sudden got support from a bunch of labor leaders because some of their guys knew about it. It got used. And, of course, when you get it on television, and it was shown several times, you reach a lot of people.[1044]

The movie, viewed by thousands of people, gave the lakeshore a powerful boost, and it garnered highly favorable coverage for Nelson. (Twenty-five years later, Hanish still receives several requests for prints each year.)

The Use of Government Reports

Nelson, as governor, had skillfully exploited the fourteen reports dealing with natural resources and conservation that had been prepared by his Department of Resource

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[1043]Stuart Hanish, letter to Harold C. Jordahl, Jr., September 16, 1964; Hanish, letter to Jordahl, March 2, 1965; Martin Hanson, letter to Jordahl, January 29, 1965.

[1044]J. Louis Hanson, interviewed by Kathleen Lidfors, March 27, 1985.

Development. The reports furthered his programs and also advanced his public image as Wisconsin's "Conservation Governor."

The pattern would continue with the reports on the Apostle Islands prepared by the Department of the Interior. But first we needed the reports. The interior subcommittee report, with 116 pages, nine figures, six maps and eight appendices, was obviously much too bulky for public distribution and had been condensed in a popular report. Furthermore, the "Fine study," a twenty-one page document, succinctly and incisively made a persuasive case for the lakeshore. It was in four colors and included two large fold-out maps, fifty-eight pictures, and dramatic graphics. It was an attractive report indeed for public distribution.

With the two reports in hand, Nelson distributed them to the media along with a press release. He also arranged to have Udall present them to him in a ceremony, which was recorded by photographers; the photos and release were given wide distribution. To ensure that Nelson had first crack at media coverage, we arranged for Wisconsin's congressional delegation to receive the materials the day after meetings in Ashland, when the reports were first presented to the public. In addition to the published reports, we also prepared several thousand four-page summaries. A packet of the materials was prepared for the state press and released a day after Nelson's Washington office release. The University of Wisconsin News Service also summarized the "Fine study" and released it at the same time through its news system.[1045]

[1045]Fine, Some of the Economic Implications; Harold C. Jordahl, Jr., memorandum to Henry Caulfield, August 1965; U.S. Department of the Interior, Proposed Apostle Islands National Lakeshore.

This carefully orchestrated strategy paid handsome dividends in media coverage. The Ashland Daily Press reprinted most of the materials and included extensive photo coverage of the August 28 meeting when the reports were made public.[1046] The Sunday Milwaukee Journal carried a five-column banner which proclaimed, "U.S. Proposes $11 Million Plan for Apostle Islands." Maps and photos were included with substantial text explaining the proposal.[1047] The Duluth News Tribune gave it front-page coverage in its second news section on Sunday, including maps and photos.

Newspapers nationwide carried stories of the proposal focusing recreational attention on this region.[1048] The Wisconsin State Journal gave it editorial support.[1049] The Mellen Weekly Record called it a "must" for the northern Wisconsin economy and stated, "The sincere approach and extensive work in compiling data and information that went into Saturday's meeting and the enthusiastic and almost feverish willingness of U.S. Senator Gaylord A. Nelson to 'see it through' has kindled an amazing interest for the project. This

[1046]"Proposed Apostle Islands National Park Set for Congress Introduction," Ashland Daily Press, August 30, 1965.

[1047]John W. Kole, "$11 Million Plan Urged for Apostle Islands," Milwaukee Journal, August 29, 1965.

[1048]James J. Tills, "Apostle Islands -- Their Beauty Prompts Plan," Duluth News Tribune, August 29, 1965.

[1049]Ray Moucha, "Nelson Details Apostle Islands Park Proposal," Wisconsin State Journal, August 29, 1965; "Nelson Proposal Merits Support: Apostle Islands Recreation Plan," Wisconsin State Journal, September 1, 1965.

is by far the soundest of any proposal to help the North that has been presented in many years."[1050]

The Bayfield County Press editor, heretofore negative, said, "Although I have generally opposed intervention of our government into affairs that have previously been left in the hands of 'people,' I must conclude that there are situations which call for action of this kind."[1051] The Milwaukee Journal, although discounting some of the visit and economic estimates, lent it editorial support.[1052] The Ashland Daily Press reprinted the Journal editorial. The Iron River Pioneer also supported the project, stating that it "will help the area economy."[1053] The Vilas County News-Review printed a strong editorial in support.[1054] The Milwaukee Sentinel, in an editorial, strongly supported the lakeshore along with the proposed St. Croix-Namekagon National Wild and Scenic River.[1055] A Milwaukee television station, WTMJ-TV, also gave it editorial support.[1056] The Milwaukee Journal followed its editorial with a marvelous story and photographs in its

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[1050]Jasper Landry, "A 'Must' For Northern Wisconsin Economy," Mellen Weekly Record, September 2, 1965.

[1051]"Sen. G. Nelson Reveals Plan for Federal Recreation Area," Bayfield County Press, September 2, 1965.

[1052]"Apostle Islands Park," Milwaukee Journal, September 5, 1965.

[1053]"Editorial -- Economic Boost for Area," Iron River Pioneer, September 9, 1965.

[1054]"Apostle Island Plan Deserves Our Support," Vilas County News-Review, September 9, 1965.

[1055]"Growing Late," Milwaukee Sentinel, September 7, 1965.

[1056]"Editorial," WTMJ-TV, Milwaukee, September 20, 1965.

Sunday "Picture Journal."[1057] The Bayfield Chamber of Commerce publicly endorsed it.[1058] And the Sawyer County Record declared, "Apostle Islands merits support."[1059]

Nelson, reflecting on the "Fine study," said:

> Fine did some studies but [chuckle] how accurate his predictions turned out to be, I don't know. But the idea was that a national designation would give it more attention by far than just a state park. People travel all over the country looking at national park lands, and therefore they are advertised nationally. I think it was pretty clear that a national designation would give it more attention, although it never will be a high-intensity-use area because it is isolated; you have to get there by water, which is a good thing. It preserves its natural characteristics, which, given the size of those islands, wouldn't last long if you had a causeway out there and roads running all over.[1060]

The Wisconsin Council for Resource Development and Conservation: "The People's Lobby"

When Nelson left for Washington to assume his Senate seat, he left the Wisconsin Department of Resource Development staffed by persons supportive of his long-term interests. Planning for the lakeshore by that agency would continue. Moreover, the State Recreation Committee, Nelson's creation, would continue to guide recreation expenditures and would support statewide recreation planning. The "South Shore" studies, then underway, would support plans for a lakeshore.

To ensure an organized base of citizen support for his programs, Nelson had also formed the Wisconsin Council for Resource Development and Conservation, the"People's

[1057]"National Lakeshore: Ready & Willing," Milwaukee Journal, October 24, 1965.

[1058]"Bayfield CC Votes for Island Park," Ashland Daily Press, September 16, 1965.

[1059]"Apostle Islands Merits Support," Sawyer County Record, September 16, 1965.

[1060]Gaylord A. Nelson, interviewed by Kathleen Lidfors, March 4, 1985.

Lobby." During his tenure as state senator and governor, he had long believed that support for conservation programs was fragmented and ineffective. A coalition of conservation groups could, however, marshall sufficient political strength in the legislature to obtain passage of new initiatives that he had called for as governor. Moreover, a new coalition would also serve as a useful check on other statewide organizations over which the Wisconsin Conservation Department exerted considerable influence -- for example, the Wisconsin Conservation Congress, an advisory group to the department and the Wisconsin Conservation Commission; the Wisconsin Wildlife Federation, a coalition of hunting and fishing clubs; and the Citizens' Natural Resources Association, which was formed in part through conservation department leadership in the 1950s.

To form the new coalition, Ralph Hovind and I in the Wisconsin Department of Resource Development extended several thousand invitations, not only to conservation organizations, but also to civic groups, labor unions, and the like. Staff papers were prepared for the session. The kick-off conference, entitled "The Unfinished Task," was held in Madison on October 10, 1962. Four hundred people representing 139 organizations attended. Secretary Udall was the featured speaker. Nelson also addressed the group and in his speech outlined the emerging needs in the decade ahead. He described the conference as "the broadest range of conservation interests ever assembled in our state; united in a 'People's Lobby For Conservation,' the participants would counterbalance special interests and could lead to the most powerful force for preservation of outdoor resources that has ever been created in any state."[1061] Substantive workshops were held on topics

[1061]Quoted in Huffman, Protectors of the Land, pp. 376-8.

such as land use, pollution, outdoor recreation and planning. Martin Hanson presented the Apostle Islands movie. Out of this flurry of activity came the Wisconsin Resource Development and Conservation Council. Its primary purpose was to promote sound legislative proposals. The use of the phrase "resource development" also made it clear that the organization supported the state Department of Resource Development and the numerous Nelson initiatives underway at that time.

Nelson used this as another base of support to unseat incumbent Senator Wiley. After the election, one of the Nelson's last actions as governor was to call together a small group of leaders from the larger October conference to formalize the council and to elect officers. Nelson chaired the initial session. Huffman described this meeting:

> His speech before the group summarized every important environmental idea he had proposed as chief executive.... Beginning in 1963, the new council could safeguard the integrity of the environmental achievements of the past four years ... and promote responsibility in natural resource use by action as a watch dog.[1062]

Huffman further suggested that the council would serve as a political base for the senator.

> In many ways, this group proved a forerunner of the Wisconsin environmental organizations of the 1970s. It joined other reform-oriented Wisconsin groups like the Izaak Walton League and the Citizens' Natural Resources Association in establishing an intellectual perspective involving the issues of the 'new conservation,' an approach considerably broader than hunting, fishing and forestry, concerns of the traditional state conservation community.[1063]

Martin Hanson was put in a leadership position as "secretary." He served well,

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[1062]Ibid., pp. 393-4.

[1063]Ibid.

contributing substantial time, energy and resources to the council. In addition to attending quarterly meetings, he made frequent appearances before legislative bodies to advance council positions. In 1969, when he testified for the lakeshore before the House committee, he indicated that the Wisconsin Resource Development and Conservation Council consisted of thirty-three organizations, including thirteen sportsmen's clubs, of which three were themselves alliances of other groups; seventeen conservation groups, including the Izaak Walton League and the Sierra Club; two forestry groups; and the Wisconsin Federation of Women's Clubs. All told, it was a formidable organization with statewide roots.[1064]

Under Hanson's leadership over the years, the council was responsible for a continuous flow of press releases, resolutions and letters to the press, to agency staffs and to Congress. In no small measure they served well in the cause of the lakeshore and in Nelson's efforts to shepherd it through Congress.

Reflecting on the council, Martin Hanson observed,

> Well, it's easy to turn up people to be against something, but for people that are for something to turn out is always more difficult.... So that organization was very helpful in getting people to come to the hearings,... to be for it; it worked especially well at the Senate hearings, and when the House hearings came about [we] had to get the same people again, and the opposition wised up that they had to do some work; so the House hearings weren't as successful as the Senate hearings were initially.[1065]

Although the council could not completely counteract all the adverse testimony at this House hearing, its continuous support over the years made a significant difference.

Nelson has noted the importance of the Hansons' involvement:

[1064]HSC Hearings, August 19, 1969, p. 38.

[1065]Martin Hanson, interviewed by Harold C. Jordahl, Jr., September 4, 1989.

> They were deeply involved in helping with the politics of the bill.... When we had hearings, they always had a reception out at their house and we would have senators and congressmen out there for the evening or for all night.[1066]

Historian Kathleen Lidfors describes National Park Service Director George Hartzog's view of the Hansons' role this way:

> He was impressed by their workings on behalf of the park and their great enthusiasm for the area. He allowed that bringing people up to their beautiful place, taking them out on the houseboat for cocktails and not bringing guests back in until they were good and ready -- sometimes more than ready -- was good strategy.[1067]

The Citizens' Committee for an Apostle Islands National Lakeshore

To stimulate local support for the lakeshore, the Citizens' Committee for an Apostle Islands National Lakeshore (CCAINL) had been formed. Membership consisted of influential local citizens. Dr. Culver Prentice was the chair. At an early meeting of the Interior Department subcommittee, Prentice made a presentation that indicated that his "committee" consisted of community leaders from Ashland, Washburn, Bayfield, Mellen and other local units of government, including members of the Bad River and Red Cliff tribes.

During Senate hearings in Ashland, Prentice described the committee:

> The Citizens' Committee for an Apostle Islands National Lakeshore was conceived late in 1962. This was a purposely small and quite loosely formed group of 38 responsible men about the two counties whose purpose was to keep informed of the nature and the progress of the proposal and to aid wherever possible in furthering its progress. Its membership has fluctuated.... A good many of the people you will hear in these two days have never actually been a part of our committee, but have become so enthusiastic in their attitudes and actions that we have come to regard them as a part of it;

[1066]Gaylord A. Nelson, interviewed by Kate Lidfors, March 4, 1985.

[1067]George Hartzog, interviewed by Kathleen Lidfors, March 7, 1985.

> for example, Dr. Richard Bailey, the President of Northland College, and Mayor Harry Perrin of Ashland, and others. The enlistment of the support of such responsible people is a basic purpose of the Citizens' Committee. We feel we have achieved much in this direction with a minimum number of highly responsible citizens.[1068]

Prentice noted that the CCAINL had been meeting in small informal groups over the previous few years and strongly favored the idea of a national lakeshore.[1069]

Prentice operated in an informal and quiet but highly effective manner. For example, the Midland Cooperator reported that he was working quietly behind the scenes to drum up support for the lakeshore. Prentice was quoted as saying, "The only thing we have here is recreation. The people want places to go for recreation and the government wants to create more places where they can go. What could be more logical!"[1070] He was highly respected in the community and was especially effective in public meetings. He and Hanson covered most of the organizational and operational costs of the CCAINL.[1071]

At the first House hearing in Ashland, Prentice said:

> I have been privileged to work with the Interior Department Task Force.... This association has convinced me that this is a clearly conceived, forward

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[1068]SSC Hearings, June 1-2, 1967, pp. 81-3.

[1069]Ibid.

[1070]Russ Tall, "Apostle Islands Plan Debated," Midland Cooperator, October 14, 1963.

[1071]Two activities of the citizens' committee are covered in the following documents: Minutes of the North Central Field Committee subcommittee, June 24, 1964; B.C. Prentice, "Letter to the Public: Dr. B.C. Prentice calls a meeting of the Citizens' Committee," November 30, 1964; Prentice, letter to Harold C. Jordahl, Jr., December 19, 1964; Prentice, letter to L.P. Voigt, director of the Wisconsin Conservation Department, and other public officials, August 9, 1965; Prentice, "Letter to the Public," August 12, 1965; Ashland Daily Press, September 16, 1965; Prentice and Martin Hanson, letter to Hopeming Audubon Society, April 15, 1966.

looking proposal. I strongly endorse the intent and the purpose of the present House bill and urge its passage.[1072]

In response to a question from Kastenmeier regarding public involvement, he noted that the Department of the Interior subcommittee had held more than a dozen open meetings in the area, and that many of the issues being raised during the hearings had already been discussed at length during these meetings. He stated that meetings had also been held with the Indians, that his committee had held at least a dozen or more small meetings at the bank building in Ashland and that an allegation that "something secret was going on here" was unfounded.[1073]

Prentice and the CCAINL were enormously useful to me in my position as a representative of the interior secretary's office. Over the years, he kept up a steady stream of correspondence with me, with his membership, the press and the community at large. He encouraged and stimulated attendance by local citizens and officials and state representatives to attend committee meetings and congressional hearings. He was especially effective in chairing the meeting at Northland College when the Interior Department subcommittee report was made public. Following that meeting, he generated a flurry of letters to Udall and members of Congress urging early action. Moreover, he made presentations to local groups and urged their support for the lakeshore.

The Citizens' Committee for an Apostle Islands National Lakeshore, working with faculty from Northland College, was instrumental in demonstrating that the so-called

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[1072]HSC Hearings, August 19, 1969, pp. 78-81.

[1073]Ibid.

"Huybrecht petition" in opposition to the lakeshore was largely invalid (see Chapter Ten). When controversy and conflict erupted, Prentice, as a respected local physician, had a calming influence. He provided the Interior Department subcommittee with useful advice on planning, policy and local political considerations, and he urged us to establish lines of communication with the land committees of the Ashland and Bayfield county boards. He also kept pressure on me to move the proposal along and supported my efforts in dealing with the oftentimes obfuscating bureaucracy within the Department of the Interior.

The citizens' committee and Prentice helped to legitimize our efforts and our plans with the local community. Prentice was also useful to Nelson and his staff as an influential local contact, arranging for and participating in local meetings attended by Nelson. Importantly, Prentice sustained local support over the many years that the lakeshore was debated in Congress.

His sense of commitment to the lakeshore is best illustrated by a phone call he made to me from his hospital bed in Milwaukee, a day after open-heart surgery. Deeply concerned over the proposal by the owner of Michigan Island to log the island, Prentice told me that he would be willing to pay the $1,815 annual property tax on the island until the Nature Conservancy or the National Park Service could acquire it.[1074]

Of the citizens' committee, Louis Hanson said:

> Martin and a good friend of ours, Dr. Culver Prentice, set about putting together an organization, and the doctor spent many, many evenings talking to all kinds of groups in a four- or five-county area about this, as did my brother.... You really can't -- you can, but it's not wise -- place something

[1074]Culver Prentice, telephone call to Harold C. Jordahl, Jr., January 9, 1970; Martin Hanson, letter to Jordahl, January 1970.

upon an area if they don't want it. So through an educational process, they built support, and it was strong support. It was witnessed by the attendance of those who testified at both the House hearings and Senate hearings. I think that was when George [Hartzog] was out here. Then when Congressman Kastenmeier ... chaired the meeting on the House side, and [Republican] Congressman Ruppe of the Upper Peninsula of Michigan was here, and once again, they all stayed out here,... there [was] very little negative and those who were negative had something very personal -- they were losing their homestead -- and you can understand people having that feeling. Yet there were landowners up there who testified for it. It was the people in the area who generally thought it was a good thing to do [as a result of Prentice's effort]; they still think it is.[1075]

Martin Hanson also reflected on the citizens' committee:

Well, we talked and met with people in the bank and various interests ... to explain the park idea, and there were endless amounts of meetings.... There were lists, there were answers and questions.... And so that committee got people to be for it. As with anything, there's always a few percentage of people that are for something, and a few percentage of people against something, and then you have this other large group of people -- the highest percentage -- that really haven't thought the matter through,... but you needed a vehicle to get that big majority of people ... informed of what was really being proposed ... and that's who you had to work on.[1076]

The Support of Political Leaders

Wisconsin Governor John Reynolds, Lieutenant Governor Patrick Lucey and Attorney General Bronson LaFollette, all Democrats, provided support for the lakeshore and for Nelson. In addition, the continuous support of the Upper Great Lakes Regional Commission and the three participating Republican governors of Minnesota, Wisconsin and Michigan gave the lakeshore a bipartisan legitimacy. And, of course, President Kennedy's visit to Ashland and President Johnson's final endorsement of the national lakeshore were

[1075]J. Louis Hanson, interviewed by Kathleen Lidfors, March 27, 1985.

[1076]Martin Hanson, interviewed by Harold C. Jordahl, Jr., September 4, 1989.

critical events. Special mention, however, should be made of Interior Secretary Udall's visits to Wisconsin.

From its inception, Udall was supportive of the Apostle Islands National Lakeshore, and he went out of his way to publicly support Nelson. They became good friends. He came to Madison to launch Nelson's Wisconsin Resource Development and Conservation Council during the 1962 senatorial election campaign. He accompanied President Kennedy on his visit to the area in 1963 and became even more enthusiastic, believing then that the area was so outstanding that it qualified for national park status. He joined Nelson in speeches before the Madison Press Club in 1964 and was visibly influenced after viewing the movie of the area. On that same trip, he and Nelson made major speeches to a statewide audience of 600 people attending the University of Wisconsin's annual "Farm and Home Week" conference. Udall lauded Wisconsin's conservation initiatives under Nelson's leadership, and he gave the lakeshore another boost by announcing the formation of the subcommittee to develop plans.[1077]

[1077]Loren H. Osman, "Udall Plans Survey of Apostles Park Site," Milwaukee Journal, April 2, 1964; "Welcome to Cabinet Member: Udall Fights for Tomorrow," Wisconsin State Journal, April 2, 1964; William Stokes, "Conservation Cause Given Boost: Udall, Nelson Call for Action Now," Wisconsin State Journal, April 3, 1964; John Patrick Hunter, "Udall Hails State's Resource Program," Capital Times, April 2, 1964; Gene Divine, "Udall For Midwest Sites: Areas Studied for National Parks," Milwaukee Sentinel, April 4, 1964; Hunter, "Film on Apostles Steals Show From Udall, Nelson," Capital Times, April 2, 1964.

When the Interior Department's popular brochure was ready for public release, Udall publicly presented it to a beaming Nelson. Press photographers captured the moment. Nelson immediately dispatched the photo in a release to the press.[1078]

Udall also joined Nelson in an aerial tour of Wisconsin the day after President Johnson signed acts approving the Redwood and North Cascades national parks and a system of national trails and wild and scenic rivers. The trip was notable in that Nelson was responsible for bringing to fruition the inclusion of three Wisconsin rivers in the national rivers system: the Wolf, St. Croix and Namekagon. Although the lakeshore legislation languished, the wild and scenic rivers victory demonstrated to voters that Nelson could be effective in Congress in bringing to Wisconsin significant national projects. On this trip, Nelson and Udall rafted the Wolf River, met with the Menominee Indians, viewed the Apostle Islands and the Namekagon and St. Croix rivers from the air and ended up before a crowded, emotionally charged group of supporters at the Hudson House in western Wisconsin. Re-election to the U.S. Senate was only weeks away. Nelson went on to win a smashing electoral victory.

Given Udall's enthusiasm and personal knowledge of the lakeshore, he made a special effort to testify in person before the House committee, declaring of Hartzog and himself that "We are here today because of our enthusiasm and keen interest in this

[1078]James Smith, memorandum to Bob McConnell, U.S. Department of the Interior congressional liaison, August 1965; James J. Tills, "Apostle Islands -- Their Beauty Prompts Plan," Duluth News Tribune, August 29, 1965.

particular area."[1079] His sustained personal support for the lakeshore was critical in the eventual success of the proposal.

The Opposition's Use of Media

The forces in support of the lakeshore weren't the only ones to use the media to influence public opinion. The Wisconsin Conservation Department, initially in opposition, effectively used the press to advance its position. For example, the Milwaukee Journal's veteran conservation writers, John Baker and Russ Lynch, both department supporters, would not be easily swayed. Baker, and sometimes Lynch, wrote a daily editorial entitled "On Wisconsin," printed in the out-of-state edition on the lower-left corner of the front page. At the time, the Journal was Wisconsin's most influential paper, and Baker's and Lynch's words carried weight. Lynch was an unabashed supporter of Voigt, then the conservation department's director. Lynch's basic conservatism later earned him an appointment by Governor Knowles to the Natural Resources Board, where he would wield a powerful influence.

Nelson's initial meeting with Udall, and the subsequent inspection by Crafts, were coolly greeted by the Journal. Editorials declared that the proposal raised "mixed feelings; weather makes the season short. Bathing is for the Polar Bear Club... The Conservation Department long has wanted control of this area [the Kakagon-Bad River sloughs]; Indian retention of hunting and fishing rights needs attention and they should abide by State

[1079]HSC Hearings, May 9, 1967, pp. 18-19.

regulations."[1080] Another editorial stated, "It will be questioned whether the campers, boaters and fishermen attracted to this very cool and very beautiful area on Lake Superior will spend much locally to help the economy. The proposal must be looked at realistically and the possibilities ... judged from the standpoint of total public needs and benefits, not what will especially help this group or that area or win local votes in some coming election."[1081] (Nelson was running against Wiley for the U.S. Senate).

The Wisconsin Conservation Department also took initiatives to stake out its claims in the Apostle Islands. Shortly after Crafts' visit in July 1962, the conservation commission and staff inspected the islands. In spite of the fact that they were well aware of Nelson's interest in the area and that he had assigned the planning task to the Department of Resource Development, we were not advised of the trip. Lynch covered the event with a major story on the front page of the "Men's Section" in the Milwaukee Journal's Sunday edition. The headline read, "State Recreation Area Planned in Apostle Isles":

> Within ten years the Apostle Islands may be dotted with wilderness campsites, docks for island-hopping boaters and a few beaches for public picnicking and bathing. [Earlier the Journal had indicated bathing was fit only for the Polar Bear Club!] These are the Conservation Department plans approved by the Commission.[1082]

Lynch became poetic in his description of the islands, the land, and skyscapes. He noted that two islands had slipped through the state's fingers the week before when a real

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[1080]"Plans for Bad River Public Area Has Pros and Cons," Milwaukee Journal, May 24, 1962.

[1081]"Chequamegon Area Recreation Study Is Called For," Milwaukee Journal, July 1962.

[1082]R.G. Lynch, "State Recreation Area Planned in Apostle Islands," Milwaukee Journal, July 22, 1962.

estate broker sold Outer and Otter islands to a Dr. R.N. Saunders of Stevens Point for a reported price of $97,500. Lynch did note Udall's interest in the area and the fact that Bureau of Outdoor Recreation Director Crafts was impressed with the area after flying over the islands. But the state's position was made clear in a statement by Roman Koenings, the state superintendent of forests and parks:

> "But the state can't wait," said Koenings. "The National Park Service has rejected the islands twice. We will go ahead and the Commission can decide what to do if the federal people want the islands."[1083]

Koenings also proposed to acquire two miles of fine beach at Big Bay on Madeline Island for picnicking and bathing, and to begin the construction of a new dock, campsites, and toilets on Stockton Island. The article further suggested that a national area would include other portions of Madeline Island, which the state could not acquire because of development.[1084]

On a positive note, the state's inspection did generate publicity for public protection of the area. Importantly, the Wisconsin Conservation Commission demonstrated its willingness to spend more money for protecting and managing the area, a laudatory step given the long delays in securing federal approval. The trip also served as a warning to Nelson and myself that we could expect difficulties with the Wisconsin Conservation Department.

Still, the Milwaukee Journal's "On Wisconsin" column periodically dampened public enthusiasm for federal involvement. It posed the questions, "Is the area too remote from

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[1083]Ibid.

[1084]Ibid.

mass population centers to justify extensive developments?... Despite some superb sand beaches, is the big lake too cold for swimming?... Can the rights of the Indians on the Bad River Reservation be protected?" The editorials also noted that the area needed much more careful study, that there was a potential for vocal opposition from property owners on Madeline Island and that many residents preferred the state's less sweeping plan for a 2,731-acre park at Big Bay.[1085]

Not all the of publicity and reporting by the national conservation organizations was favorable, either. Even before the release of the Department of the Interior subcommittee report, a blast came from Ernie Swift of the National Wildlife Federation. Swift believed strongly in his brand of conservation: the scientific management of natural resources using sound and efficient organizational methods.[1086]

Given his national stature, his articles in the federation's Conservation News, which were often polemic in nature, had a wide readership. In an article on the Apostle Islands, he took umbrage with the federal proposal and the film, stressing that the advocates were "promoting politics and gross commercialism."[1087] Ralph Hovind, the director of the Department of Resource Development, responded to Swift with vigor, noting the ongoing Interior Department study and the emphasis being placed on preservation and wilderness.

[1085]"Idea of National Park on Superior's South Shore Needs Much Study," Milwaukee Journal, April 7, 1964.

[1086]Huffman, Protectors of the Land, pp. 90-1.

[1087]Ernest Swift, Conservation News, National Wildlife Federation, Washington, D.C., November 1, 1964; Ralph Hovind, letter to Louis S. Clapper, editor of the Conservation News, November 20, 1964; Clapper, letter to Hovind, November 23, 1964; Swift, letter to Hovind, November 27, 1964; Hovind, letter to Swift, November 30, 1964; Swift, letter to Hovind, December 2, 1964.

He said project supporters were not promoting "hurdy-gurdy fringe establishments." Swift's response:

> I intended to open an artery in your outfit and I did better than anticipated. I might add that from the number of letters of commendation on that article, there are others throughout the U.S. that differ with you. The organization you now work for was sponsored by Gaylord Nelson, then Governor and now Senator, after he attempted to destroy the present Conservation Commission. He did not destroy the Commission but did manage to get a DRD. He wanted the Commission to bootlick the Governor's office and be subject to his whims.[1088]

He further criticized the planning reports of the Department of Resource Development as being much too commercial; he claimed, for example, that the proposed Ice Age National Scientific Reserve was being promoted by Congressman Reuss and Nelson only because of its potential commercial tourism value. In a flurry of letters between Hovind and Swift, Swift moderated his position, but said, "I think the total effort, federal and state, is too much commercial in relation to recreation. All state agencies including [the conservation department] emphasize that too much. The Sand County Almanac [by Aldo Leopold] describes my feelings better than I can say it."[1089]

Editorial comments in the Milwaukee Journal's "On Wisconsin" column were muted in 1965. Dick Kienitz, a veteran reporter who covered conservation on a statewide basis, reported on lakeshore meetings with accuracy and without editorial comment. It took until September 5, 1965, after our enthusiastic meetings in Ashland, for the Journal to come out in support. Although the editors questioned the economic and visitor data, they said, "The

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[1088]Ibid.

[1089] Ibid.

important thing is to preserve portions of this superb region, while it is still available at such a bargain price and develop it wisely as a whole in the future public interest."[1090] Thereafter the Journal was steadfast in its support, using even stronger supportive language after that date.[1091] When Senator Walter Mondale, a Minnesota Democrat, inserted into the Congressional Record a statement in praise of Nelson, he included six editorials from the press, including the Journal's editorial of September 13, 1970, which declared:

> Senator Nelson may take the bow in the starring role. It was he who picked up the old cause nine years ago... The 20 rocky wilderness islands in the preserve, with 11 miles of mainland shore, make a necklace in Lake Superior around Wisconsin's Bayfield Peninsula. Just a day's drive from Milwaukee, our treasure looks secure at last.[1092]

The Bayfield County Press, situated next door to the Little Sand Bay and Sand Island property owners, predictably opposed the lakeshore in the beginning. In an article entitled "Think Before You Leap," the writer suggested that there were arguments pro and con on the proposal. When local people were told "time after time that they live in a depressed area and that their standard of living is below normal, some are inclined to believe it. They become susceptible to promises of an improved economy. Unfortunately, these handouts always require a sacrifice. Any time the Federal Government 'gives' it also 'takes'!"[1093]

[1090]"Apostle Islands Park", Milwaukee Journal, September 5, 1965.

[1091] "National Park Status will Save Apostles Area for Future," Milwaukee Journal, April 19, 1967; "Apostle Park Closer," Milwaukee Journal, August 23, 1967; "Johnson Calls Again for National Park in Apostle Area," Milwaukee Journal, January 31, 1968; "Citizens Must Speak for Preservation of Apostle Islands," Milwaukee Journal, August 12, 1969; "Lake Superior Gem, Apostle Islands Tracts Saved," Milwaukee Journal, September 13, 1970.

[1092]Congressional Record, Proceedings and Debates of the Ninety-first Congress, Second Session, No. 181, Part 2, October 14, 1970.

[1093]"Think Before You Leap," Bayfield County Press, October 10, 1963.

The writer went on to suggest that the proposal was politically motivated, and that federal involvement would mean a loss of local freedom. She suggested letting the federal government have half of the islands followed by an evaluation of that decision and whether the federal government delivered on its promises.[1094]

The reporter and editorial writer Eleanor Knight continued to run negative stories in the Press. Because much of the shoreline in Bayfield County was included the lakeshore, "the howl went up, for that is a mighty large chunk off the tax rolls... We would rather add taxpayers than lose them. I have no reason to howl, but I will howl with you ... out of loyalty." With tongue in cheek she suggested legalizing gambling on York Island as an inducement for people to use the tourist passenger rail line from Hayward to Bayfield proposed by Tony Wise. It was not until 1965 that the publisher of the Bayfield County Press finally endorsed the proposal.[1095]

The promoters of the "Huybrecht petition" also used the press to report their positions. In response, Prentice discounted the petition during House hearings. He also got busy and arranged with Ralph Borst, the president of the Northern Wisconsin Rod and Gun Club, and Norrie Swanson, who chaired the group's board of directors, to issue a statement disclaiming the Huybrecht assertion that their club endorsed the petition. The Ashland Daily Press reported that "Huybrecht had never come before their club and they had no

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[1094]Ibid.

[1095]Eleanor Knight, "Editorial -- Bayfield to Fit Into $15 Million Tourist and Recreation Program," Bayfield County Press, February 4, 1965; Knight, "Gamble While you Gambol," Bayfield County Press, March 11, 1965; "Sen. G. Nelson Reveals Plan for Feds Recreation Area," Bayfield County Press, September 2, 1965.

knowledge of the petition. The club in no way had ... ever blocked establishment of an Apostle Islands National Lakeshore."[1096]

The South Shore Property Owners' Association also capitalized on the media's interest in reporting conflict. At one of the group's early meetings, members made sure that a reporter was present; the first significant opposition to the lakeshore was reported in the Ashland Daily Press when all sixty-five people in attendance voted against the proposal.[1097] Members wrote "letters to the editor" that were frequently published.[1098] Kuhns wrote an especially bitter and lengthy letter to Aspinall, which was reprinted in the Bayfield County Press. In his letter, he attacked Nelson, accusing him of stacking the hearings, and claimed that the bill had been sneaked through the Senate, that the scenic drive wouldn't work and that the Indians would be given menial jobs.[1099] Prentice later wrote to Aspinall, "My real reason for writing to you is to apologize to you for the utterly shocking tone of the letter written to you by a man in our community."[1100] Aspinall's response to Prentice was unperturbed: "This is not the first time I have been favored by such a letter.... You will find a few people in any community ... willing to blow off steam in this fashion.

[1096]"Petition Opposing Islands for National Park Area Has No Backing of Rod-Gun Club," Ashland Daily Press, August 27, 1965.

[1097]"Bayfield Assoc. Not For Park," Ashland Daily Press, October 20, 1965.

[1098]"Letters to the Editor," Duluth News Tribune, June 3, 1967; Chicago Daily News, March 28, 1968.

[1099]Bayfield County Press, March 1968.

[1100]Culver Prentice, letter to Wayne Aspinall, March 15, 1968.

Such letters do not bother me very much over the long run, though I must admit that my immediate reaction to them often falls short of being a model of Christian charity."[1101]

The association also used the Senate and House hearings in Ashland to dramatize its case, even picketing the House session. The press picked up on the controversy, and the Ashland Daily Press included photographs of the pickets.

The attempts of the opposition to defeat the lakeshore failed for a number of reasons. The opposition was never well organized or well represented at the hearings; it frequently did not use legal counsel. Simply put, it was up against a formidable array of talent and agency capability dedicated to creating favorable media coverage for the lakeshore. Moreover, reporters were attracted to the area; they truly liked the proposal and reported with that bias. Indian opposition was a different matter. As the "Red Power" movement grew, Indian leaders became sophisticated in using the media. Moreover, they were increasing their capacity through the establishment of organizations such as the National Congress of American Indians (NCAI) and in hiring educated, committed, and skilled staff. Given the many Indian injustices of the past, and the legitimacy of their claims for justice and equality, their story attracted sympathetic national and even worldwide coverage. The lakeshore became caught in the middle of these larger forces and issues. As Indian opposition mounted, it became inevitable that the inclusion of reservation lands within the lakeshore would become politically impossible.

[1101]Wayne Aspinall, letter to Culver Prentice, March 22, 1968

CHAPTER FOURTEEN

INDIANS AND THE APOSTLE ISLANDS NATIONAL LAKESHORE

Introduction

The May 10, 1962, resolution of the Bad River Tribal Council, which requested that the secretary of the interior and the governor of Wisconsin initiate studies into the feasibility of "the establishment of a National Shoreline-Recreational Wildlife Area consisting of approximately 20,000 acres of land within the Bad River Reservation north of the Village of Odanah and U.S. Highway 2," opened up a complex series of legal, institutional, and political issues regarding the Chippewa Indians with which the state of Wisconsin, the U.S. Department of the Interior, Congress, and the tribal councils grappled for eight years. These issues were rooted in the history of the Chippewa people, the treaties they signed with the U.S. government, and the experiences of the two reservations, Bad River and Red Cliff, that were involved in the establishment of the lakeshore.

After the Americans had established their presence in the region (1812), government policies toward Indians followed two themes: removal and assimilation.[1102]

Removal took two forms. First, it was a deliberate policy of extermination, leading to the great Indian Wars of the 1830s, 1850s, and 1860s. This had little effect on the Chippewa, however. They were more subject to their removal to reservations after signing

[1102]The sources for this section include: Donald J. Fixico, editor, An Anthology of Westen Great Lakes Indian History (Milwaukee: University of Wisconsin Press, 1985); Basil Johnston, Ojibwa Heritage (Toronto: McClelland and Stewart, 1976); Nancy Luire, Wisconsin Indians (Madison: State Historical Society of Wisconsin, 1980); Carol Mason, Introduction to Wisconsin Indians: Prehistory to Statehood (Salem: Sheffield Publishing Co., 1988).

lands away through treaties. This policy was particularly brutal in the East, where tribes were removed from their lands and forced to march or travel by water hundreds of miles to "useless" lands in the west. By the time the more westerly tribes began signing treaties, however, there were no places for them to go, and western tribes, including the Chippewa, generally were given reservations that were drastically reduced parts of their own former territories.

The treaties were essentially legally binding agreements between two sovereign independent nations. Once signed by representatives of the tribes, they were ratified by the U.S. Senate and became part of U.S. federal law.

The Chippewa ceded their lands in the Wisconsin territories over a period of several years. They were divided into different bands by U.S. government decree; one band ceded a large piece of land, including the Apostle Islands in 1837. The treaty did not require the Indians' removal, and the band retained its rights to hunt, fish, and gather on the ceded territory. In 1854, a second treaty authorized the establishment of several reservations in northern Wisconsin, which were to be held in trust for the tribes by the Secretary of War. (Later, responsibilities for Indians was transferred to the secretary of the interior.) The Lake Superior band, which had been living principally on Madeline Island and on the mainland, was split. Some Indians were settled on the 124,000-acre Bad River Reservation on Chequamegon Bay, while some went to a second reservation, Red Cliff, 14,092 acres of land on the Bayfield Peninsula, although Red Cliff boundaries were not settled until 1863. The split was essentially along religious lines, with converted Protestants settling in Bad

River and the Catholics going to Red Cliff. Significant differences existed (and continue to exist) between the two reservations, and each acted independently in all further negotiations.

The second focus of American Indian policy was assimilation. Essentially this meant converting Indians to lifestyles comparable to those of whites. Religious conversions had come early in the nineteenth century and were well under way by the time the two Lake Superior reservations were established. Other efforts included sending children to boarding schools to learn how to "be white," and turning their parents from roaming hunters to settled agriculturalists. Assimilation was well on its way by the 1850s, especially on the Bad River Reservation, which looked very much like any other northern Great Lakes town. Making a living off natural resources by hunting and fishing was by then quite difficult; many species were scarce, and many tribal adults were taking day jobs in the fishing, mining, or lumber industries. However, the U.S. government contended that the best means of encouraging rapid assimilation was to turn the Indians into farmers. The General Allotment Act of 1887 was designed to do just that.

Allotment for Bad River and Red Cliff had been provided for in the 1854 treaty, when the president was authorized to "assign 80-acre tracts to individual Indians for their separate use and to issue patents [land titles] accordingly with '... such restrictions of the power of alienation as he may see fit to impose.'"[1103] With the passage of the General Allotment Act thirty years later, the break-up of Indian reservations began in earnest. Allotment affected tribes across the country. Under the act, each male of the tribe (subject

[1103]Quoted in C.W. Loomer, Land Tenure Problems in the Bad River Indian Reservation of Wisconsin, Research Bulletin 188 (Madison: University of Wisconsin, December 1955), p. 17.

to certain restrictions) was allotted a piece of land to which he was to hold title and which he was to farm. Family heads were given 160 acres, single men were given eighty acres, and minors under the age of eighteen received forty acres. The lands left over were termed "surplus," and the "surplus" lands -- and there was usually a lot of "surplus" on the reservations -- were often sold to white settlers. Many tribes lost almost three-quarters of their original reservations. The allotment process was disastrous for the tribes, including those of Bad River and Red Cliff. Most Indians proved to be remarkably poor farmers, and the land they tilled was so poor that even white farmers couldn't make a go of it. Furthermore, the concept of private property was alien to most Indians, and many didn't see the need to hold it. Allotments were initially restricted in terms of their transfer to non-Indian owners. Later, however, allottees could dispose of their land with the consent of the Interior Department; according to economist C.W. Loomer, such consent was "usually obtainable without difficulty."[1104] To remove restrictions on allotments and to permit sales to non-Indians, a certificate of competency had to be issued. "Historically, the certificate of competency has meant that the Indian was adjudged fully capable of handling his own affairs without the continued supervision of the Federal guardian and without the necessity for further limitation of his personal rights," according to Loomer. Competency related only to rights in land, and as Loomer states, "an incompetent Indian may be fully competent in the ordinary legal sense." Tribes therefore continued to see their land base erode away as individuals sold their holdings to meet short-term needs.[1105]

[1104]Ibid., p. 19.

[1105]Ibid.

Further complicating the situation was the fact that the tribal population began to expand significantly after the turn of the century, but those not given allotments in the 1880s were not entitled to land later on. The next generation to come along had to depend essentially upon inheriting land from the original allottees. Unfortunately, dividing a land inheritance of perhaps eighty acres between several heirs over a few generations resulted in impossibly confused land tenure patterns and individuals holding rights to tiny portions of useless land. For example, Loomer analyzed heirship in one township within the Bad River Reservation. He concluded that 109 allotments had 529 owners. Some tracts had one or two owners; others as many as thirty-four. Loomer states, "many of the individual heirs had interests comprising two or more shares in the same allotment. That is, some heirs inherit a fractional interest from the original allottee and later acquire additional shares as heirs of deceased heirs." Thus the 529 heirs actually held 700 fractional shares in the allotments.[1106]

Allotments frequently ended up in non-Indian ownership, and on the Bad River Reservation lands frequently became tax delinquent. These lands and other non-Indian lands were purchased by the Farm Security Administration (FSA) under the 1930s depression-era submarginal-land-acquisition program. The U.S. Department of Agriculture held the titles, but administrative responsibility had been given to the Bureau of Indian Affairs.[1107] Indians were permitted some use of the lands, but proceeds from the sale or

[1106]Ibid., p. 41.

[1107]Executive Order of President Franklin D. Roosevelt, No. 7868, April 15, 1938.

lease of products was placed in escrow pending final disposition by Congress.[1108] Even though the lands had been acquired, in part, to assist Indian communities, the Interior Department charged Indians for the use of such lands until 1964, and it was not until then that Secretary Udall found no legal basis for such lease charges and terminated the program.[1109]

The Indian Reorganization Act of 1934 stopped allotment and its subsequent land alienation, but it did not repair the original damage. Allotment was no longer allowed, but alienated land was not returned. The tribes could, if they had the financial resources and the opportunity, attempt to buy back alienated reservation land. Most, however, had to compete on the open land market and had limited resources to begin with, so the re-acquisition of land was neither quick nor comprehensive.

The act also took some powers away from the U.S. government (and its Bureau of Indian Affairs) and returned them to the tribes -- if they were willing to establish tribal governments based on the American model, complete with constitutions and official elections. The act was well intended, but its results were less than successful; many tribal councils stood against traditional white organizational structures and power hierarchies, often leaving tribes torn between "official" and unofficial leaders and policies.

In part, the inability of the federal government to deal successfully with the tribes resulted from certain inaccurate assumptions. First, it was assumed that the "Indian

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[1108]Loomer, p. 10.

[1109]Stewart Udall, Secretary of the Interior, letter to the Commissioner of the Bureau of Indian Affairs, October 22, 1964.

problem" would eventually disappear. Initially it was thought that the Indian people might simply die off. Instead, their populations increased. Later it was assumed that the government could eventually get out of the "Indian business" as the peoples became assimilated into the American culture. By the 1950s, this assumption was ingrained in federal policy, according to historian C.W. Loomer:

> The long-time role of the Federal government as a trustee and guardian of Indian interest originated in a desire to protect Indians during the difficult transition period while Indian civilization was adopting to the customs of the White man. Implicit in this policy is the eventual relinquishment of Federal authority and responsibility for the Indians. Most Indian trust lands in fact were originally meant to be held in trust by the Federal government only for a stated period, such as 25 or 50 years. The rate at which Federal authority has been withdrawn, however, has varied from time to time, depending somewhat on whether the policy of consolidating or opening up Indian lands was dominant in Congress. The period of restriction has been extended several times for lands in the Bad River Reservation (and presumably for the Red Cliff Reservation) and for all practical purposes it can be said that the expiration of the statutory period is postponed indefinitely.[1110]

In spite of this extension, however, Loomer indicates that the 1952 Governor's Commission on Human Rights was aware of a general feeling that federal trusteeship on the Bad River Reservation, for example, would be terminated in the near future. And indeed, the federal government worked hard during the 1950s to get rid of its responsibility for Indians through relocation to urban areas and termination of trust responsibilities. The urban relocation policy resulted in a new problem: large numbers of unemployed Indians who lacked the ability to turn to community and government services available on the reservations. And the policy severely disrupted the social fabric of the tribal communities as the younger generation was drawn away from its culture.

[1110]Loomer, p. 18.

Under termination, the U.S. government simply declared that the special trust status that existed between the federal government and the tribes was ended. The tribes, as independent legal entities, would cease to exist. In 1954 the policy was carried out, using the Menominee of Wisconsin as a test case. The results were disastrous, and the Termination Act was repealed in 1973. The Menominee were again granted reservation status.

When Nelson proposed the Apostle Islands project in 1962, there was a 200 year history of bad blood and poor faith dealings between the U.S. government and the Indian tribes, and a legacy of economic hardship and social disruption on the reservations, including Bad River and Red Cliff. Unfortunately, the lakeshore was to become a victim of that legacy. It ran up against a tide of rising militancy on the part of American Indians across the country: the "Red Power" movement.

Social and Economic Conditions on the Red Cliff and Bad River Reservations in the 1960s

Given the federal land policies from the signing of the treaties in 1854 through the mid-1950s, it is not surprising that much of the Bad River and Red Cliff reservation lands had been alienated. The Bureau of Indian Affairs reported the following land ownership pattern as of 1989:

Bad River Reservation

Total reservation area	124,434.50 acres
Tribally owned	23,733.55 acres[1111]

[1111]During the 1950s, the federal courts were weighing Wisconsin's claim, under the 1850 Swamplands Act, to 11,500 acres within the Bad River Reservation (see Loomer, p. 14). This claim, along with claims on the Lac du Flambeau, Mole Lake and Lac Courte Oreilles

Allotted (individual Indians)	33,083.00 acres
Government owned	1.00 acre
Alienated (non-Indian owners)	67,616.95 acres

Red Cliff Reservation

Total reservation area	14,092.81 acres
Tribal	5,963.98 acres
Allotted	1,917.14 acres
Alienated	6,211.69 acres

During the Apostle Islands debates in the 1960s, the land categories for those portions of the two reservations within the proposed lakeshore boundary were:

Bad River

Tribal	3,178 acres
Allotted	5,430 acres
Alienated	1,762 acres
Total	10,370 acres

Red Cliff

Tribal	1,724 acres
Allotted	535 acres
Alienated	4,941 acres
Total	7,200 acres[1112]

reservations, was settled in 1961. The state received $750,000 in lieu of the land (B. L. Dahlberg, letter to Martin Hanson, March 9, 1962). As early as 1954, game managers in the Wisconsin Conservation Department had urged the State Land Commission to exempt the block of disputed land on Bad River from a cash settlement because of its high public value. The stimulus for this recommendation came from the sale of a twenty-acre allotment to a non-Indian that blocked an important portage that had been used by both Indians and non-Indians (B.L. Dahlberg, memorandum to J.R. Smith, May 6, 1954).

[1112]Department of the Interior, Proposed Apostle Islands National Lakeshore, p. 109.

Given the fractionated nature of land tenure and the problem of multiple heirships on allotted lands, a cohesive resource management strategy for lands on reservations within the lakeshore boundary was not possible without a number of special provisions, which are discussed later.

The Bad River Tribal Council resolution on the national lakeshore proposal strongly emphasized improving the economic well-being of the tribe through development; the economic conditions of the Indians were deplorable. More than five hundred Indians lived on the Bad River Reservation in 1965; only twenty-nine percent of them (147 people) were in the employable group (ages 18-55). Of this group, only twenty-one percent were permanently employed; an additional eighteen people held temporary jobs during the course of the year. The average family income of those employed ranged from $1,500 to $2,000 annually, considerably below that of other rural Wisconsin residents.[1113]

Conditions on the Red Cliff Reservation were comparable. More than 300 people resided on the reservation. About ten families obtained their livelihoods through the timber industry, twelve adults were employed as machine tenders in a Bayfield manufacturing plant, ten were employed at a tribal garment factory at Red Cliff, and two were commercial fisherman. The average annual income for a household head was approximately $2,250. Unemployment was especially severe in winter months. Housing consisted of deteriorating

[1113]Charles E. Aguar, Jyring and Whiteman, Tourist and Recreational Resources: Bad River Indian Reservation-Wisconsin, U.S. Department of the Interior, Washington, D.C., April 1965, p. 18.

frame or log-construction buildings. Many lacked indoor plumbing and relied on community wells for their water supply.[1114]

One might ask why Indians chose to remain on reservations given the deplorable economic conditions. Bureau of Indian Affairs Commissioner Philleo Nash explained:

> Tribal ties are strong and the Indians' emotional feelings about their ancestral land is deep and compelling. Its possession gives them a sense of security wholly unrelated to its prospective economic value. This psychological fact, which has its counterpart in many non-Indian depressed areas, helps explain why a population double the size that the land can support remains on the reservation.[1115]

Interior Secretary Udall was specific in his instructions that the economic plight of the Indians be addressed; Indian interests were to be equitably treated.[1116] The Interior Department's subcommittee of the North Central Field Committee hoped these goals would be met by recommending two primary purposes for the lakeshore: the improvement of the social and economic conditions of the two bands and the improvement of the local economy as a result of tourism expenditures.[1117]

The Legislation Would Be "Permissive"

The first draft of lakeshore legislation, prepared in 1963, envisioned a collaborative federal-state program patterned in part along the lines of legislation to authorize an Ice Age National Scientific Reserve in Wisconsin, then under congressional consideration. The

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[1114]Ibid., pp. 19, 68.

[1115]Philleo Nash, speech delivered in St. Paul, Minnesota, October 1964.

[1116]Stewart Udall, memorandum to the undersecretary, assistant secretaries, solicitor and the director of the Resources Program Staff, April 4, 1964.

[1117]Department of the Interior, Proposed Apostle Islands National Lakeshore, p. 2.

lakeshore draft called for the state to eventually own and manage the lakeshore under federal standards and criteria. However, given the complex nature of Indian rights and land tenure within the two reservations, a decision was made to make the lakeshore a federal project, with the state managing its islands in a collaborative fashion. Congress could then enact the many special provisions designed to improve Indian conditions through the delegation of authority to the secretary of the interior as a trust officer.

The Interior Department subcommittee recognized the unique relationship between Indian tribes and the federal government:

> No other group of citizens stands in precisely the same relationship to the Federal government as do Indians. The unique nature of this relationship is rooted in treaties and laws which provide that the Secretary of the Interior has a responsibility for the protection of Indians and their resources. The Subcommittee was ever aware of the strategic location of Red Cliff and Bad River Indian Reservations. Thus, the proposed development gives credence to Indian ownership and occupation with a marked degree of national indebtedness to the Indians for preserving a significant portion of the Lakeshore. The Subcommittee believes that the recommendation provides for a means whereby the Secretary can meet his trust responsibility to the Indians while at the same time achieving his other responsibility of providing Americans with significant outdoor opportunities.[1118]

Early in the subcommittee's deliberations and in discussions with the tribes, a decision was made to structure the proposed legislation for a lakeshore in such a way that the tribes could decide whether they wished to be included after the legislation was enacted. This judgment was based on several factors. First, only Congress and the president could make the final decision on the legislation and the special provisions for the Indian people. Second, the subcommittee report was a field-level report. It would not become an official

[1118]Ibid., p. XVII.

policy of the Interior Department or the president without the approval of the regional and Washington office directors of eight Interior Department bureaus, the Secretariat (offices of the solicitor, legislative counsel, assistant secretaries, and the secretary), and the Bureau of the Budget. Third, the report would also require the approval of the Senate and House national parks subcommittees and their full committees, as well as full House and Senate backing. Finally, the president would have to approve.

The subcommittee report's transmittal letter acknowledged the formal participation of seven Indians in the development of the document. Don Ames, who chaired the Bad River Tribal Council at the time of the 1962 resolution, was most favorable regarding the study. Alex Roye, the Red Cliff chair, wrote to Udall in 1964, "It is very encouraging to know of your concern for the interests of the Red Cliff Indian community in regard to this development. I will be very pleased to serve on this subcommittee and am appointing Mrs. Rose Duffy to also represent the Red Cliff Tribe."[1119] Responses from the other Indian participants during the course of the studies were also favorable. They pointed to a number of problems but believed they could be worked out.[1120] Consistent with the earlier policy position, the Interior Department subcommittee stated in its report, "It was premature to ask for any formal indication from either Band on whether or not they favored recommendations in the report. Indian leaders have indicated their sincere interest in the proposal and plan to discuss the report in detail with their people when it is released."[1121]

[1119]Alex Roye, letter to Stewart Udall, May 22, 1964.

[1120]North Central Field Committee subcommittee minutes, June 24 and September 30, 1964; Harold C. Jordahl, Jr., memorandum to Henry P. Caulfield, July 30, 1964.

[1121]Department of the Interior, Proposed Apostle Islands National Lakeshore, p. 2.

Prior to the release of the report, the subcommittee met with representatives from the Red Cliff and Bad River bands and agreed that the Indians would not take a formal position on the proposal until after the legislation passed.[1122] Throughout the legislative process, the permissive nature of the legislation was emphasized with the Indian people. Secretary Udall made this clear in his testimony in 1967, during the first hearings on the bill in Washington, when he stated:

> The bill provides that the lands within the lakeshore held in *trust* for the Red Cliff or Bad River Bands may be acquired only with their consent. Some of the Indian tribal lands are essential to the proposed lakeshore, and we will need to acquire them before the lakeshore is established. *We will not proceed with the project until we have obtained the consent of the Indian tribes to the acquisition of these lands* (emphasis added).[1123]

At a continuation of the same hearings in Ashland, Nelson also emphasized that tribes would have options with regard to the inclusion of their lands within the lakeshore.[1124]

During the final hearings on the bill in 1970, I addressed this issue:

> I would like to emphasize that since the inception of this proposal, it has always been my position and the position of the Department of the Interior when I was employed by that agency, that the legislation as drafted did not do anything to Indian people and Indian land. All that it does is to provide them and the Federal government with an opportunity to sit down and negotiate acceptable arrangements for including their lands in the lakeshore. I have consistently urged them not to take positions until the Congress has acted and mutually agreed to terms are ratified by tribal referenda.[1125] In my opinion it would be a tragic mistake to foreclose to the Indian people

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[1122]Harold C. Jordahl, Jr., memorandum to Henry P. Caulfield, May 18, 1965.

[1123]SSC Hearings, May 9, 1967, p. 21.

[1124]Ibid., p. 13.

[1125]Approximately 275 people on the Red Cliff Reservation and 200 on Bad River were eligible to vote in a referendum (Emmett Riley, letter to Harold C. Jordahl, Jr., July 26, 1968).

> the opportunity to negotiate with the Federal government for a proposal which potentially will have a significant impact on their economy and which will provide them with job opportunities related to their cultural heritage; guiding, sale of native crafts, naturalists, park rangers, etcetera, and hopefully in the not too distant future, a Chippewa Indian Lakeshore Superintendent.[1126]

Land Issues

Farm Security Administration Lands

Although the Farm Security Administration (FSA) lands within Indian reservations were acquired primarily for the benefit of Indian people, all proceeds from leases or permits from these lands were placed in escrow. Throughout the United States in 1964, some 828,000 acres of such lands existed.[1127] Although no FSA lands fell within the proposed lakeshore boundary, the issue was raised by the Bad River Tribal Council as one of many complex land tenure questions on the reservation. Thus, as a demonstration of good faith on the part of the Interior Department subcommittee, an attempt would be made to have these lands transferred to the secretary of the interior to be held in trust for the benefit of the Bad River Tribe. After discussions with tribal councils and with the Ashland office of the Bureau of Indian Affairs, it was agreed to explore the feasibility of having the six senators from Minnesota, Michigan, and Minnesota introduce legislation turning the FSA lands in the northern Great Lakes over to the secretary of the interior (in Wisconsin the Stockbridge-Munsee Reservation had 13,077 acres; Bad River Reservation, 13,109 acres; and the Lac Courte Oreilles Reservation, 13,184 acres. In Michigan the L'Anse Reservation had

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[1126]HSC Hearings, March 23-24 and June 3, 1970, pp. 348-9.

[1127]Stewart Udall, letter to the commissioner of the Bureau of Indian Affairs, October 22, 1964.

4,016 acres. The White Earth Reservation in Minnesota had an estimated 27,000 acres.)[1128]

Individual bills dealing with the FSA issue had also been introduced. In 1963, Congressman Melvin Laird, a Wisconsin Republican, introduced H.R. 999, which transferred the Stockbridge-Munsee FSA lands to the Department of the Interior. Secretary Udall favored this bill. H.R. 4385, introduced by a congressman from Minnesota in 1963, would have transferred the FSA lands on the Minnesota White Earth Reservation.[1129] Such transfers had precedents; earlier laws had transferred such lands from the Seminole Indian Reservation in Florida and from the Pueblo Indian Reservation in New Mexico.[1130]

Senator Nelson's staff and I explored the matter with the offices of the senators from the three states and prepared legislation. Unfortunately, the concerns of congressional members from the Great Plains and western states over the possible loss of potential oil and natural gas reserves and the disposition of current receipts from mineral leases on FSA lands to tribal councils made action impossible.[1131]

[1128]E. J. Riley, letter to Harold C. Jordahl, Jr., July 21, 1964.

[1129]Stewart Udall, letter to the chairman of the House Committee on Interior and Insular Affairs, March 29, 1963.

[1130]Stewart Udall, letter to the commissioner of the Bureau of Indian Affairs, October 22, 1964.

[1131]Senator Nelson persevered and with support from the freshman Congressman David Obey in 1973 successfully passed legislation for the transfer of Farm Security Administration lands on the Lac Courte Oreilles, Bad River and Stockbridge-Munsee reservations to the interior secretary to hold in trust. The legislation was coupled with the restoration of tribal status for the terminated Menominee Reservation.

Tribal Land

The Interior Department subcommittee recommended that the tribes be provided several alternatives for the use of tribal lands as part of the lakeshore (1,724 acres on Red Cliff and 3,178 acres on Bad River). They could sell the lands to the interior secretary; lease the lands to the secretary (this would provide annual income to tribal treasuries); or exchange the lands for other suitable lands within the reservation boundary (this would help maintain the tribal land base and would also permit ownership consolidation within the reservations but outside of the lakeshore boundary.)[1132] Nelson's bills on the lakeshore, S. 2498 and S. 778, included these provisions.[1133]

Allotted Land

The Interior Department subcommittee also recommended that alternatives for dealing with allotted lands within the proposed lakeshore (535 acres on Red Cliff and 5,430 acres on Bad River). It recommended sale to the secretary; the exchange of the lands for other suitable lands within the reservation boundaries (this would permit the allottee to continue to own land and be eligible for trust benefits); or sale to the secretary and purchase by the secretary of substitute land within the reservation boundary.[1134]

In addition, to deal with the difficult problem of tangled heirships on allotments, the bills provided that the secretary could acquire allotments, if fifty percent of the owners agreed when there were ten or fewer (when there were more than ten heirs, twenty-five

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[1132]Department of the Interior, Proposed Apostle Islands National Lakeshore, p. 109.

[1133]SSC Hearings, May 9, 1967, p. 2.

[1134]Department of the Interior, Proposed Apostle Islands National Lakeshore, p. 109.

percent of the owners had to agree); and the secretary was authorized to represent any Indian owner who was a minor, who was "non compos mentis," or who could not be located.

The Leasing of Indian Lands

The Interior Department subcommittee made two innovative and highly controversial recommendations with regard to tribal lands within the reservations inside the lakeshore boundary. The first provided for the long-term leasing of tribal lands for lakeshore purposes. The second provided that alienated and allotted lands acquired by the secretary of the interior could then be acquired by the tribes and in turn leased to the secretary for lakeshore purposes. The secretary in effect would act as a "banker" for the Indian people by providing the capital for land purchases, capital which the tribes lacked. This interest-free loan would be amortized with the lease payments. This provision would result in the restoration of Indian ownership of ancestral lands and, once paid off, would provide a stable flow of income to the tribes. Lease prices were to be adjusted every five years to meet changing economic conditions.[1135]

These provisions were agreed to by regional and national Interior Department bureau chiefs and, after numerous meetings, were found acceptable by tribal leaders. Unfortunately, Lewis A. Sigler, the legislative counsel in the Office of the Solicitor who was responsible for the final form of an acceptable bill, did not agree to the provisions. This difference of opinion held the lakeshore bill up for months. The secretary, in his memorandum of instructions to the Interior Department subcommittee, requested that provisions be made "for the necessary equitable treatment of Indian interests." Sigler argued

[1135]Ibid., p. 110.

that equity meant "fairness," not "advantage." My position was that anything we could do to return alienated lands to the Indian people and to provide some semblance of stability in the flow of income to the tribal treasuries constituted "equity." I further argued that these provisions had been discussed on numerous occasions with the Indian people. To change the department's position at this time would be to break faith with the Indian people. We argued it both orally and in writing. Within the Interior Department, however, Sigler's position prevailed.[1136] (Upon reflection, we should have argued the issue in the presence of the secretary with the Indian affairs commissioner present. We might have prevailed.)

In any event, final clearance within the Department of the Interior was achieved when this issue was resolved, and Sigler, representatives of BIA, BOR, NPS, and I met with the Bureau of the Budget to obtain the approval of the administration. In our appearance before the budget bureau, the BIA representative again raised the leasing provision. Sigler

[1136]The arguments for and against the purchase of allotted and alienated lands within the lakeshore boundary and within the reservation, sale to the tribal councils and subsequent lease to the interior secretary, and the long-term lease of existing tribal lands, were discussed at great length within the Interior Department. The issues and arguments are contained in the following documents: Memorandum from the director of the National Park Service to the legislative counsel, July 25, 1965; Memorandum from the assistant director of NPS to the legislative counsel, December 16, 1965; Memorandum from the director of the Resources Program Staff to the legislative counsel, January 21, 1966; Harold C. Jordahl, Jr., memorandum to the director of the Resources Program Staff, January 13, 1966; Memorandum from the associate commissioner of the Bureau of Indian Affairs to the legislative counsel, January 26, 1966; Memorandum from the assistant legislative counsel to the assistant secretary for public land management, the assistant secretary for fish and wildlife and parks, March 2, 1965; Memorandum from the director of the Resources Program Staff to the legislative counsel, January 19, 1966; Jordahl, "Regarding the Legislation Establishing the Apostle Islands National Lakeshore in Wisconsin," (Notes provided Resources Program Staff), April 6, 1966; Memorandum from the acting legislative counsel to the secretary, the assistant secretary for public land management, and the assistant secretary for fish and wildlife and parks, April 13, 1966.

quickly dismissed this, saying it was not the department position. Had we become involved in a lengthy discussion with budget officials, we might well have held up approvals once again. Instead we obtained clearance. Walking back to the Interior Department building, Sigler was furious that the leasing provision had been mentioned, recognizing that it would have jeopardized approval. With the budget bureau hurdle cleared, now some five years after Nelson had made his initial proposal, we had succeeded in obtaining that marvelous language: that Nelson's bill, S. 778, as amended, "would be in accord with the program of the President."[1137]

The bill had provided for the acquisition and leaseback of alienated and allotted lands. In accordance with the agreements on leases, the Interior Department's letter report to Congress stated that leaseholds were not a satisfactory basis on which to administer a lakeshore. The letter further pointed out that the sale and leaseback of aliented and allotted land could result in the federal government paying rentals that exceeded the amount it received from the sale of the land to the Indian bands. The Interior Department proposed an amendment that would authorize the secretary to acquire tribal land and to pay the purchase price in either a lump sum or in installments that in the aggregate would equal the purchase price plus interest on unpaid balances. The amendment would enable the Indian bands to receive an assured annual income for a number of years. By the time the payments were completed, the lakeshore would be fully developed and the Indian bands

[1137]Letter from the assistant secretary of the interior to the chair of the Senate Committee on Interior and Insular Affairs, February 18, 1967, cited in Senate Hearings on S. 778, pp. 5-8.

would be able to capitalize on the economic potential associated with providing visitor accommodations and services.[1138]

Purchase of alienated and allotted land, sale to the tribal councils and subsequent lease to the secretary was stricken from the bill. The Senate passed S. 778 on August 17, 1967, and accepted the Interior Department's amendment on sale and leaseback. Although the department argued against ninety-nine-year leases of land already in tribal ownership, the Senate kept that provision in the bill. The Senate also authorized capital expenditures on lands leased from the tribes, a provision to which the department had objected.[1139] Sigler, who later joined the staff of the House Committee on Interior and Insular Affairs, was furious with me over the insertion of the lease provisions for tribal land. I could only shrug and note that the Senate, acting within their prerogatives, had made a value judgment.

Although Interior Department officials preferred to acquire the fee to tribal land, they eventually and reluctantly accepted the lease provision, and in their letter report to the House on S. 778 and H.R. 13124 (the complementary House bill sponsored by Kastenmeier and fifteen others), indicated that they would lease the lands for ninety-nine years with an option to renew. Sigler's conservative fiscal position became evident, however, with a clause that provided a negotiated fixed annual rental with the Indians for at least the initial ninety-nine-year period.[1140] Thus the leaseholds made no provision for either rising land values

[1138]Ibid., p. 7.

[1139]"Apostle Islands National Lakeshore," Senate Committee on Interior and Insular Affairs, Report No. 516, to accompany S. 778, August 17, 1967, pp. 2-3.

[1140]Letter from the assistant secretary of the interior to the chair of the House Committee on Interior and Insular Affairs, July 27, 1968; Letter from the assistant secretary of the interior to the president of the Senate, January 16, 1969.

or inflation. Almost two years later, S. 621, passed by the Senate on June 2, 1969, contained the same language regarding leases, as did Kastenmeier's H.R. 555 and H.R. 9306, sponsored by Kastenmeier and eleven others, which were then being considered by the House committee in March and June 1970.

Sigler persisted in his opposition to leases of tribal land. During the March 1970 House committee hearings, as National Park Service Director Hartzog was answering questions, Sigler made the point that no prior national park had been established on the basis of leaseholds. Hartzog indicated that he preferred to acquire the fee simple title to Indian lands, or a scenic or development easement, in lieu of leases. However, though leases would be less desirable in his opinion, he would find them acceptable. Sigler then tried to include lease costs in the ceilings on land acquisition costs normally imposed on the National Park Service by Congress. Hartzog argued that lease costs should not be a part of a ceiling, but indicated that he would be happy to return to the House when such costs were determined for the committee to exercise its oversight function. During initial questioning he would not agree to limits on lease costs. In subsequent testimony he shifted positions and indicated his willingness to limit lease costs over the ninety-nine-year period to no more than the appraised fair market value of the fee.[1141] In any event, with the eventual elimination of the Indian land from the lakeshore, leases and their costs were not relevant.

[1141]HSC Hearings, March 23-24, 1970, pp. 279-83.

Natural Resource Issues

Wild Rice

Wild rice held considerable cultural, as well as economic, value for the Chippewa peoples. The Kakagon-Bad River sloughs contained wild rice beds, which were harvested yearly by the Bad River Band. Their May 10, 1962, resolution called for propagation of additional rice beds, and the Interior Department subcommittee recommended additional detailed planning for wild rice management and preservation and a restriction on use of the sloughs to small pleasure craft and canoes to prevent large motorboat wakes that injure rice stands.[1142]

Questions with regard to the ownership of wild rice were more complex. In general, the state took the position that rice ownership on lakes rested with the state, and on navigable streams with the riparian owner. Attorneys with the state suggested that in the event the alienated lands within the sloughs were acquired, the title to the rice should rest with the interior secretary, and in turn the secretary could give the Indians exclusive rights to harvest the rice. The state would, however, continue to insist that anyone harvesting rice purchase a state permit.[1143] The Bureau of Indian Affairs concurred with this position, especially regarding the permit requirement, and stated, "We likewise are not aware of any

[1142]Department of the Interior, Proposed Islands National Lakeshore, pp. 106-7.

[1143]Notes of meetings between Harold C. Jordahl, Jr., and Emil Kaminski, legal counsel, Wisconsin Conservation Department, and Assistant Attorney General Roy Tulane, Wisconsin Department of Justice, October 11 and 22, 1963.

special right granted by treaty, statute or agreement whereby Indians are exempted from the licensing requirement to harvest wild rice on the Bad River Indian Reservation."[1144]

To deal with the question of rice ownership, I conferred further with Bad River leaders, state attorneys, and Assemblyman Norman A. Anderson, who chaired the Assembly Committee on Conservation. Martin Hanson called Attorney General Bronson LaFollette and requested that he introduce legislation granting the Mole Lake, Bad River, St. Croix and Lac Courte Oreilles reservations in Wisconsin exclusive rights to the rice within their boundaries. The legislation would be patterned after a Minnesota law that gave Indians exclusive ricing rights on certain lakes and streams.[1145] Bureau of Indian Affairs Superintendent Emmett Riley and I also enlisted the aid of Wisconsin Judicare (established under the federal Office of Economic Opportunity to represent economic minorities in dealing with legal matters) to pursue the matter for Bad River through the courts, and to assist in drafting suitable legislation, which Anderson introduced.[1146] Through the efforts of Anderson and LaFollette, the legislation passed the Wisconsin State Assembly in 1967 and was to be reintroduced in the 1969 legislative session.[1147] Before the state legislature could act, however, Congress had passed the lakeshore law, which deleted all Indian lands from the lakeshore. Consequently, interest in state wild rice legislation was dropped.

[1144]Letter from the commissioner of the Bureau of Indian Affairs to Senator Gaylord A. Nelson, October 2, 1963.

[1145]Martin Hanson, letter to William Bechtel, January 1965.

[1146]Harold C. Jordahl, Jr., letter to Emmett Riley, October 13, 1966.

[1147]Harold C. Jordahl, Jr., statement before the HSC Hearings, July 29, 1968 (no hearing record published).

The state permit requirement for both Indians and non-Indians to harvest wild rice would exacerbate relations with the Indian people, especially the Bad River Band. They took umbrage with the state's position; this caused the lakeshore proposal substantial difficulties. Wisconsin Conservation Department Director Voigt rationalized the requirement for such permits in a letter noting that it was limited to state residents, and would thus prevent non-residents, especially those from Minnesota, from moving into the abundant wild rice beds in northwestern Wisconsin, which were traditionally harvested by Indian people. He noted that in the past, Indians had been ordered off rice lakes by non-residents who claimed riparian ownership rights. The modest one-dollar license fee permitted an entire Indian family to harvest rice. He stressed that compliance by the Indians had been good except from one Indian at Bad River.[1148] Initially the Indians supported proposed wild rice regulations during public hearings; in fact, they wanted them more restrictive. Fred Connors, the chair of the Bad River Tribal Council, stated, however, that treaty rights prevented him from making recommendations on ricing, and that state enforcement was causing problems. With the advent of the August ricing season on Bad River, the local conservation warden, Kyle Smith, had arrested members of the band when they started ricing one day in advance of the state season and without permits. The matter was referred to both the county judge and the Ashland County district attorney. Given these

[1148]L.P. Voigt, letter to Gaylord A. Nelson, September 30, 1964; Harold C. Jordahl, Jr., memorandum to the director of the Resources Program Staff, August 9, 1964.

actions, Connors, an ardent supporter of both Indian rights and the lakeshore, resigned as tribal chair.[1149]

Hunting, Fishing, and Trapping

The May 10, 1962, Bad River resolution requested "that the old and historic Indian treaty rights and customs be allowed the Indians such as: hunting, fishing, trapping and gathering wild rice." In its early discussions on hunting, fishing, and trapping, the Interior Department subcommittee proposed that these rights be extinguished within that portion of the reservation included in the lakeshore boundary. This issue, though inconsistent with the Indian position, was explored at both the state and federal levels. Max Edwards, an assistant to the interior secretary and a legislative counsel, advised Nelson that the rights could be terminated by legislation, but such a provision might provide the Indians with the basis for a claim against the United States for the value of the rights terminated. He also noted that these activities must be conducted in accordance with state law.[1150] The matter of extinguishing their rights was dropped. Questions then arose regarding alienated land to be acquired as part of the lakeshore and Indian rights to hunt and fish. Fortunately, Emil Kaminski, the legal counsel for the Wisconsin Conservation Department, took the position that it was not necessary for the state legislature to grant Indians these rights when alienated lands came into Indian ownership as long as they were within the reservation boundary,

[1149]Ibid.

[1150]Max N. Edwards, letter to Gaylord A. Nelson, October 1, 1963.

where Indians were not required to abide by state laws regardless of ownership.[1151] The BIA commissioner took the opposite point of view, that state law prevailed:

> The rights of Indians to hunt and fish on the Bad River Reservation appear to be subject to the laws of the State of Wisconsin pursuant to the Act of August 15, 1953 (P.L. 280, 83rd Congress; 67 Stat. 588) in the absence of any right, privilege or immunity afforded under treaty, agreement or resolution thereof. Neither the treaty of September 30, 1854 (10 Stat. 1109) under which the Bad River reservation was established nor any other treaty, federal statute or agreement of which we are aware appears to afford any special rights, privileges or immunities to Indians concerning hunting, fishing and trapping on the Bad River Reservation.[1152]

Given these complex and conflicting views, the subcommittee reached a prudent decision, that an Apostle Islands National Lakeshore Act could not solve the complex issues of hunting, fishing, and trapping. Therefore, the draft legislation provided that no new rights were created, but that existing rights, whatever they were, would not be diminished. The only exception in the draft was a provision for the interior secretary to establish zones where such activities would not be permitted for reasons of public safety, administration, or public use and enjoyment.[1153]

In spite of Kaminski's position two years earlier, state enforcement of ricing laws paralleled the state's insistence on regulation of hunting, fishing, and trapping on reservations. Wisconsin's Attorney General George Thompson, a Republican who had been elected when LaFollette ran unsuccessfully for governor, responded to a formal request for

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[1151]Notes from a meeting of Harold C. Jordahl, Jr., with Emil Kaminski, October 11, 1963.

[1152]Letter from the commissioner of the Bureau of Indian Affairs to Gaylord A. Nelson, October 2, 1963.

[1153]Memorandum from the field solicitor and attorney advisor to Harold C. Jordahl, Jr., November 23, 1964.

an opinion by Voigt and declared that the Indian rights to hunt, fish (and trap) on reservation lands without regard to conservation laws no longer existed even on non-patented (Indian) lands. It was his opinion that the state legislature should enact new laws to extend state regulations to reservations.[1154]

This opinion was unfortunate, as it prompted the Bad River Band to indicate that it now wanted to stay out of the lakeshore. Nelson attempted to soften the impact by noting that his legislation in no way affected Indian hunting and fishing rights and expressed the hope that the dispute would soon be settled.[1155] The Wisconsin Conservation Department, however, kept the pressure on. A Bad River Indian, Mike Neveaux, set a net in Lake Superior within one mile of the mouth of the Bad River and was arrested by the conservation warden. Judge Lawrence K. Blanchard of Bayfield found him guilty on two counts: he had no state license and was in violation of state fishing seasons.[1156]

Bronson LaFollette recouped his loss of the governorship by being re-elected attorney general, and we urged him to re-examine Thompson's earlier opinion.[1157] In the spring of 1966, LaFollette reversed the opinion and declared that the conservation department did not have the authority to regulate hunting and fishing on non-patented

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[1154]Attorney General George Thompson, letter to L. P. Voigt, December 30, 1964.

[1155]Gaylord A. Nelson, Legislative Memo, November 10, 1965.

[1156]Milwaukee Journal, September 15, 1965.

[1157]Harold C. Jordahl, Jr., memorandum to William Bechtel, December 31, 1965.

Indian land.[1158] Bad River Chair Albert Whitebird said he "was very happy that [Jordahl] had presented some of the facts to the Attorney General ... and that Bad River would now be more receptive [to the lakeshore]."[1159] Whitebird's position was important, as the "Huybrecht petition" had caused considerable concern at Bad River. Persons circulating the petition at Bad River and among factory workers at Munsingwear and other firms in Ashland alleged that hunting and fishing would be banned on the Kakagon-Bad River sloughs. BIA Superintendant Riley had pointed out to Whitebird that members of the local rod and gun club responsible for the petition had taken action against the lakeshore for their own selfish reasons, and that their agitation among Bad River members was not in the best interest of the tribe. Whitebird agreed and indicated that council members were now disenchanted with the actions of the rod and gun club. Tribal leaders wrote Nelson, O'Konski and Proxmire, saying:

> The people of the town of Sanborn (which included Bad River) and members of the Bad River Indian tribe do not choose to oppose or support a National Lakeshore until we know all the facts.... This will be forthcoming when the Secretary's task force makes public its findings. Thus the [Huybrecht] petition is premature. We will appreciate your disregarding this petition as it is the feeling of our people that this proposal could be very meaningful to the people in this town, members of the tribe, people of Northern Wisconsin and all of the Midwest.[1160]

[1158]Attorney General Bronson LaFollette, letter to Harold C. Jordahl, Jr., March 28, 1966; The Northern Lakes Area Regional News, April 7, 1966; LaFollette, letter to Joseph Preloznik, director of Wisconsin Judicare, and Phillip S. Habermann, executive director of the State Bar of Wisconsin, January 23, 1967.

[1159]E. J. Riley, letter to Harold C. Jordahl, Jr., April 6, 1966.

[1160]George Ackley, chair of the town of Sanborn, and Albert Whitebird, chair of the Bad River Tribal Council, letter to senators Nelson and Proxmire and Congressman Alvin E O'Konski, April 12, 1965.

In spite of the attorney general's new opinion, the Wisconsin Conservation Department still insisted on the strict enforcement of state laws on reservations and arrested two more Bad River Indians for trapping fish.[1161] In part, the conservation department position might be traced to its antipathy for a national lakeshore. On the other hand, it could have simply been an adherence to law as the department viewed it.

The Shacks in the Kakagon-Bad River Sloughs

The Interior Department subcommittee and the Citizens' Committee for the Lakeshore made substantial efforts to assist the Indians on other problems. The Bad River Band had repeatedly brought up the matter of white-owned hunting and fishing shacks in the sloughs, which were built on poles or rested on floats. Bad River Chair Bernard Lemieux brought the shacks to the attention of the House committee, noting that the shack owners were squatters, paid nothing for using Indian land, and were polluting the water.[1162] Fred Connors, the former chair of the Bad River Tribal Council, noted that shack owners, who were using the area without charge, were also spreading false propaganda and pressuring the Indians to oppose the lakeshore. Connors reported that when he chaired Bad River, eighty percent of the Indians favored the lakeshore.

> But after things got really going, the people who own shacks ... began working here on a small minority, telling them all sorts of things [such] as a big land grab and they kept at it and made good progress. That's why I wanted to go and tell them in Washington about the sudden change in the Bad River Band.[1163]

[1161]Bronson LaFollette and Rodney Edwards, statements before the SSC Hearings, June 1, 1967, pp. 77, 101.

[1162]HSC Hearings, August 19, 1969, p. 57.

[1163]Fred Connors, letter to Martin Hanson, May 9, 1969.

The Indians obviously did not want the shacks in the sloughs; they wanted them out. Connors said he knew of seventeen in the area; he added, "That is an awful sight according to the tourist people that I have out. They want to know what they are doing on the reservation." He noted that they were ruining the Kakagon Sloughs and that a ninety-nine-year lease with the federal government for lakeshore purposes would protect the area. In a perceptive comment he added, "with the trade [as a guide] I have had with the tourists and their comments on the beauty of the place and of the lake shoreline, many times when we go ashore for lunch they do not care to fish anymore, they want to go through the woods, travel the beaches, or I show them the old Indian trails in the forest areas and I tell them the history of the Indians years back."[1164]

To help the Indians, Prentice raised the issue of the shacks with the state Public Service Commission, which had jurisdiction on navigable waters. The commission took the position that nothing in the treaties made specific reservation of any rights to Indians in navigable waters or on the underlying beds, and that their rights were comparable to the rights common to any citizen. (Keep in mind that much of the land within the sloughs was non-Indian owned.) Thus they reasoned that shacks anchored on the bed of navigable waters within the Bad River Reservation required state permits, which had not been issued. Attorney General Bronson LaFollette noted, "The Public Service Commission has responded with predictable 'gobbledy gook,'" and he urged Prentice to send photographs to the

[1164]HSC Hearings, August 19, 1969, pp. 151-2.

commission and demanded action. LaFollette also intended to apply pressure.[1165] Because of these pressures and Indian action, the shacks were removed a few years after the lakeshore was established.

Economic Development Issues

In the initial discussions, the Bad River and Red Cliff bands had stressed their need for economic development and jobs. This need was coupled with the need for economic development in the northern Great Lakes region in general. The lakeshore was not only to "preserve" a significant national resource on the south shore of Lake Superior; it was also meant to attract tourists and tourism spending to the region. To help meet the employment needs of the Indian people, a number of special provisions were recommended.

First, Indians were to be granted preferential rights to harvest timber within the reservation boundary included in the lakeshore. The first Nelson bill, S. 2498 (introduced in 1965), and the subsequent S. 778 (1967), clearly spelled out this provision, which was reiterated in every subsequent House and Senate bill.

Second, Indians wanted preferential employment rights. This was recommended in the Interior Department subcommittee report and the draft legislation. Bills S. 2498 and S. 778 stated that Indians would be

> granted, to the extent practicable, a preferential privilege of providing such visitor accommodations and services, including guide services, as the Secretary deems are desirable [as long as Secretarial standards are met] and granted employment preference for construction or maintenance work or for

[1165]William E. Torkelson, chief counsel of the Public Service Commission, letter to Culver Prentice, September 23, 1965; Bronson LaFollette, letter to Prentice, October 4, 1965.

other work in connection with the lakeshore for which they are qualified.[1166]

Comparable language was included in all subsequent bills.

Even when they were militantly opposed to the lakeshore in 1970, and perhaps because they may have had second thoughts after the legislation passed, members of both tribes still wanted preferential employment rights even though the Indian lands and Indian preferences had been deleted.[1167]

Third, the subcommittee recommended that Indians be permitted to traverse the area within their reservations without charge. Provision was made for this in S. 2498 and S. 778; the latter bill stated that recognized members of the Bad River and Red Cliff bands would be "permitted to traverse such areas in order to hunt, fish, boat or gather wild rice or to obtain access to their homes or businesses." There were to be no charges to Indians for use of dock facilities anywhere within the lakeshore. Comparable language was included in all subsequent bills.

Fourth, to capitalize on tourism, the Interior Department subcommittee recommended that the Indians develop an Indian crafts industry. Every bill, from S. 2498 on, provided for the encouragement of a crafts industry for sales to tourists.

Fifth, the final boundaries of the lakeshore were purposefully drawn to put both tribes in an excellent position to develop ancillary tourism facilities on their lands next to

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[1166]S. 778, in SSC Hearings, May 9 and June 1-2, 1967, p. 4.

[1167]John Heritage, telephone call to Harold C. Jordahl, Jr., indicating that Michael Connors of the Bad River Reservation had requested of Nelson that five to ten Indians be hired; Victoria Gokee, quoted in Sandra Cota, "Apostle Islands Law Arouses Anger, Hope," Milwaukee Journal, November 15, 1970.

the lakeshore. The eastern terminus of the thirty-mile scenic road on the Bayfield Peninsula was situated next to the village of Red Cliff. Here it would have been possible for the Red Cliff Band to have developed facilities -- motels, restaurants, and gift shops -- to capitalize on what would have been the most heavily visited portion of the lakeshore.

At Bad River, the Indians would have been able to develop facilities for boat and canoe rentals, access to the sloughs, and guide services on the Bad River and Bear Trap Creek, which led into the Kakagon Sloughs. Other tourism facilities, such as motels, could have been developed between the lakeshore boundary and U.S. Highway 2 to the south within the reservation.[1168]

The successive lakeshore bills also provided consultative or advisory assistance to the bands with respect to planning facilities or developments on tribal lands outside of the boundaries of the lakeshore. From the initial discussions with Bad River in 1962 to the establishment of the lakeshore in 1970, numerous meetings were held with both tribes to refine and develop the economic opportunities associated with public use of the lakeshore. University of Wisconsin Professor I.V. Fine had estimated that the National Park Service would employ twenty-one full-time and fifty seasonal employees and that tourism spending would generate an additional 363 positions in the region.[1169]

All told, the special Indian provisions comprised an attractive package that would have had a substantial impact on employment and the economies of both tribes, had the lakeshore included the Indian lands.

[1168]Department of the Interior, Proposed Apostle Islands National Lakeshore, pp. 7l-7.

[1169]Fine, Some of the Economic Implications, p. 15.

Shifting Indian Positions

Over the years, frequent meetings were held with the Indians to explain and discuss the complexities of the legislation as it evolved and to secure their advice and counsel. Also, at the request of Indian leaders, Howard Potter, a staff employee within the Bureau of Indian Affairs office in Ashland, met with them frequently to explain the proposal and to assist them in the preparation of statements for presentation to the Senate and House subcommittees. The Indians were open with him; on several occasions they reported to him that south shore property owners had hosted parties for members of the Red Cliff Band where alcohol flowed freely. Potter recalled these events:

> At the time of the first Senate hearings the white men had thrown a party for the Red Cliff Indians. These investors that were opposing us, trying to talk the Indians out of going along with it, and there was a big booze party and the next morning we didn't have Indians [for the hearings]. I went out and picked up a few; I think we had only three or four of them that first day; on the second day it picked up a little bit, but they had convinced them at the party that that [opposition] was the thing for them to do.

At the time, Alex Roye was chairman of the Red Cliff Council, and Potter observed, "He worked very close with me all the time I was out there.... Oh yes, [he was a supporter]. We had a lot of [supportive] Indians out there."[1170]

On another occasion, one Indian leader, who requested Potter's assistance in the preparation of a statement for the congressional committee, participated in one of these

[1170]Howard Potter, interviewed by Harold C. Jordahl, Jr., April 5, 1989.

parties, and because of an "enormous hangover" on the day of the hearing was unable to appear.[1171]

Whites continued to pressure both the Red Cliff and Bad River bands to repudiate the lakeshore. Fred Connors noted that shack owners were putting pressure on Bad River; the same techniques had been used by big landowners or cottage site owners on Red Cliff.[1172] South shore property owners also encouraged Red Cliff members to visit Bad River and urge its members to oppose the lakeshore.[1173] These efforts bore results, and a resident of Bayfield County, a lakeshore supporter, was "shocked" at the newly developed vociferous objections on the part of the Chippewas to the proposal:

> If they are successful... it will be a victory not for the Indian tribe, but for the South Shore Owners Association, a group of individual selfish interests.... Recently they have had meetings with the tribe. In confusion and lack of complete and accurate information about the national lakeshore proposal, the Indians have been easy prey to this small group of antagonists who have had time to organize and strengthen their position and have successfully talked the Indians over to their side while the rest of us, a silent majority, remained completely silent in the belief that the Indians were maintaining their position of being neutral.... It is my fervent hope that you will be able to recognize this devious tactic of using the power of the Indian tribe to further the interest of a selfish few.[1174]

In a letter to the editor of the Chicago Daily News, William Brewer, a non-Indian, said the Interior Department "was poised to confiscate our reservation and the lands of the owners

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[1171]Howard Potter, notes from the daily diary, September 4-5, October 1, December 7, 14, 24 and 28, 1964; January 6, February 1, March 29, April 8, May 1 and 14, 1965; May 18, 21, 24, 29-31, and June 1-2, 1967; and ibid.

[1172]Fred Connors, letter to Martin Hanson, May 9, 1969.

[1173]Fred Connors, letter to Howard Potter, September 1969.

[1174]Gilbert A. Larson, letter to Edward A. Hummel, assistant director of the National Park Service, April 11, 1969.

[emphasis added]."[1175] Donald Schumacher, a south shore property owner, had met with Bureau of Outdoor Recreation officials and members of the Red Cliff Band and claimed that the twenty-one planned park service positions would be filled on a competitive basis that would exclude Indians. He further claimed that their hunting and fishing rights would be taken away in the interest of public safety.[1176] Elizabeth Hawkes, an attorney for some of the Indians, observed that there had been considerable attrition in Red Cliff support which, in almost every instance, had been due to the efforts of the white cottagers. But she added, "The Indians are now being satisfied that the white cottagers were merely using them to serve their own cause and are rapidly resuming support of the plan."[1177]

The south shore property owners were also instrumental in getting Red Cliff members to vote on the issue at a tribal meeting; thirty voted in opposition while fourteen were in favor. Although 280 eligible voters lived on the Red Cliff Reservation[1178] and this vote could hardly be considered representative, it further fueled the south shore owners' opposition. The same techniques were being used at Bad River but at times were not successful. Albert Whitebird, a former Bad River chair, reported to Nelson that taxpayers (non-Indians) were strongly objecting to the lakeshore and were influencing the Indians on

[1175]Letter to the editor, Chicago Daily News, March 28, 1968.

[1176]"Views Conflict on Isle Project," Duluth News Tribune, May 24, 1967.

[1177]Elizabeth Hawkes, letter to William Bechtel, April 17, 1967.

[1178]Harold C. Jordahl, Jr., memorandum to Fred Madison, July 31, 1967.

Bad River to oppose it. He did not think this was the time to take a referendum vote at Bad River as "the peoples' minds are confused with agitation."[1179]

Given the long period of time over which the lakeshore proposal evolved, shifting circumstances, the Wisconsin Conservation Department position on the enforcement of state laws, the reversal of the Interior Department subcommittee recommendation regarding purchase and leaseback, the confusion and pressure caused by non-Indians, and so on, it is not surprising that Indian opinions shifted. We continuously urged them not to take positions until the lakeshore legislation was enacted; then they could make a decision. Bureau of Indian Affairs Commissioner Bennett reinforced this position, stating:

> As Senator Nelson cogently stated before the recent hearings,... the purposes of the legislation is to establish Congressional authorization on terms that permit the Indian people to consider whether and with what modification they wish to take advantage of its provisions. We recommend support of the proposed legislation.[1180]

The Indians, however, would not follow this advice.

Negotiations with the National Congress of American Indians

During the course of the Senate and House hearings, Nelson had repeatedly emphasized that the legislation did absolutely nothing to the Indian people other than to give them an opportunity to negotiate with the federal government. If they did not wish to be included in a national lakeshore, their wishes would be respected. Second, he was willing to negotiate with the Indians further amendments and clarifications to the legislation. During the 1969 hearings, at the request of the Red Cliff and Bad River tribal councils, John

[1179]Albert Whitebird, letter to Gaylord A. Nelson, March 17, 1967.

[1180]Robert L. Bennett, letter to the assistant legislative counsel, March 28, 1969.

Belindo, executive director of the National Congress of American Indians (NCAI) -- a group that, according to Belindo, represented 105 tribes and more than 350,000 individual Indians -- filed a lengthy written statement. To deal with the issues raised, Nelson invited Harold Gross, NCAI's legal counsel, to meet to discuss and negotiate further amendments. From March through May 1969, Gross met with Nelson and Nelson's staff assistant John Heritage to work out changes. The initial discussion on March 28 was amicable. Nelson was willing to accommodate Indian interests further, and Gross was optimistic that the bands would approve S. 621, if it were amended per their discussions.[1181] They agreed on the following changes:

> Amendment 1: The bill would specifically find that "the culture, heritage, homeland, and rights of the native Chippewa Indians, who have so greatly contributed to the preservation of such shorelines, beaches, sandspits, and other natural and historical features in their unspoiled and natural condition, should be preserved and protected."
>
> Amendment 2: No Indian tribal lands within the Red Cliff unit would be included in the national lakeshore unless the tribal council of the Red Cliff Band so petitioned. Specifically, after authorization, it would be up to the tribal council to consider the matter of including their land, if it chose to do so. If it did not, the matter would rest there. If an agreement was reached with the council, the matter would go to a referendum vote by the tribe. If that vote was favorable, the secretary of the interior would then publish the vote in the Federal Register, along with a specific description of the lands involved, the development plan, and the financial consideration. The information would also be transmitted to the president of the Senate and the speaker of the House for referral to the Senate and House interior committees. If there was no congressional objection, tribal land would be included in the lakeshore ninety days after the plan had been transmitted to Congress.[1182]

[1181]Harold M. Gross, letter to Gaylord A. Nelson, April 1, 1969.

[1182]Precedents existed for the amendment that provided for tribal council approval. For example, in the congressional act of 1966 providing for the establishment of the Bighorn

Because the Red Cliff Band was opposed at that time, this amendment was directed specifically to meet its needs. It did not deal with Bad River because at that time "the members of the Bad River Band appear to be of the consensus that some use of their reservation land for this project might be in order, provided that the land was leased rather than purchased or traded to the Federal Government."[1183] The bill S. 621, as had always

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Canyon National Recreation Area, a specific provision stated that "No part of the tribal mountain lands or any other lands of Crow Indian Tribe of Montana shall be included within the recreation area unless requested by the Council of the tribe" (Public Law 89-664, October 15, 1966). Similar procedures were included in the act establishing the Grand Portage National Monument in Minnesota (as reported in "Apostle Islands National Lakeshore," Report No. 91-276, Committee on Interior and Insular Affairs, Senate, Ninety-First Congress, 1st session, June 25, 1969, pp. 5-6). Also, the congressional review provision was similar to that provided in the National Wild and Scenic Rivers Act of 1968 (ibid., p. 6). A year after the passage of the Bighorn Canyon National Recreation Area, Secretary Udall signed a fifty-year agreement with the Crow Tribe to include its lands in the recreation area. The agreement had been requested by the tribe. Udall said, "This arrangement will permit a splendid Indian-owned resource to be put to use for the recreational advantage of the public, while the Indians themselves derive substantial economic benefits from the influx of tourists." Edison Red Bird, the tribal chair, pointed out that "under this agreement certain rights or privileges including the sale of fishing or hunting permits, native handicrafts, overnight accommodations and boat, camper and auto supplies will be extended to the tribe." The tribe was to become the principal concessioner for the recreation area. Udall felt that this cooperation with NPS established a new feature in government-Indian relations which could be a model for the United States (U.S. Department of the Interior news release, December 1, 1967). The hunting and fishing question on the Big Horn had been resolved with language similar to that incorporated in the Apostle Islands National Lakeshore bill: "That nothing in this section shall impair the rights under other law of the Crow Tribe and its members to hunt and fish on lands of the Crow Tribe that are included in the recreation area" (Public Law 89-664, October 15, 1966). By 1970, George Hartzog was able to report to the House subcommittee that concession agreements had been signed and one of the park service's largest concessioners had pledged his skilled hotel and restaurant operations to train members of the Crow Tribe (HSC Hearings, 1970, p. 414).

[1183]John Belindo, statement to the SSC Hearings, June 25, 1969, p. 6.

been the case, still provided that no tribal land could be taken without a favorable tribal referendum. Further, it provided for for the leasing of tribal land.[1184]

> Amendment 3: Allotted Indian land could be acquired through negotiation by the secretary only with the consent of fifty-one percent of the beneficial owners. Furthermore, the amendment deleted the provisions that the interior secretary could represent minors or incompetents.
>
> Amendment 4: Tribal councils were authorized to be represented at negotiations between the secretary and the owners of allotted lands if the owners of such land agreed to such representation.
>
> Amendment 5: The secretary would be given more flexibility in locating an administrative site within the lakeshore. As the bill was written, the administrative site was located at Red Cliff Creek within the Red Cliff Reservation; access to the site crossed Indian land. The amendment provided for flexibility in the right-of-way to the site and/or selection of a different site.
>
> Amendment 6: Within the reservation boundaries within the lakeshore, the only regulations that the secretary could prescribe regarding the rights of recognized members of the bands to hunt, fish, trap, gather wild rice, or gain access to their homes or businesses, dealt with the discharge of firearms, and then only to ensure public safety.
>
> Amendment 7: Employment preferences for Indians in lakeshore jobs extended, where the person was qualified, to all employment, not just to menial jobs.
>
> Amendment 8: Regulations involving the discharge of firearms were clarified subsequent to Amendment 6, above.[1185]

The eight amendments helped to clarify and make explicit protection of Indian interests. Nelson, in a letter to Gross, transmitted the amendments. Gross responded:

[1184]The bulk of the tribal lands within the Bad River unit were located in wet marshland areas and were almost inhospitable to any development. Therefore it was not urgent and perhaps would never have been necessary to include these lands in the lakeshore (ibid., p. 6).

[1185]Ibid., pp. 4-7.

> Working with you and your staff to arrive at this consensus between us has been a most pleasant and we believe mutually beneficial experience. Your willingness to deal in an open-minded way with a bill of such interest to you, is a tribute to your fair mindedness and is certainly to be applauded. I hope to have a favorable report from Wisconsin, since I think the corrected bill has important favorable implications for the future of Indian affairs.[1186]

Gross also noted that the amendments were subject to ratification of the two bands and that he planned to meet with the Bad River and Red Cliff tribal councils in June. At the Red Cliff meeting, Council Chair Phillip Gordon agreed to call for a secret ballot one week later. Only a handful of eligible voters cast ballots; twenty-four voted no and two voted yes.[1187]

Gross advised the Senate committee and noted that although the amendments were approved by the NCAI, the Red Cliff Band had voted against them. Gross explicitly said, "The form of the bill, as a procedure for establishment of a park where Indian or allotted lands are concerned, has our support" (emphasis added).[1188] After meeting with Gross, the Bad River Band requested three more amendments. The first dealt with leasing. The second required more specific language regarding Indian employment, and the third required explicit recognition of Indian contributions to and preservation of the area and their significant role in the cultural history of the region. The Bad River council put off further comment on the bill until more information was available on their amendments.

Senate bill S. 621, with the amendments agreed to by Gross and Nelson, passed the Senate in June and was referred to the House. The additional Bad River amendments would be considered there.

[1186]Harold Gross, letter to Gaylord A. Nelson, May 29, 1969.

[1187]Emmett Riley, letter to Howard Potter, June 13, 1969.

[1188]Harold M. Gross, letter to Gaylord A. Nelson, June 17, 1969.

A Summary of Tribal Responses to the Lakeshore

Bad River

The tribal councils were buffeted by many opposing forces and interests, and they were ambivalent as to whether to vote the proposal up or down or to influence the language of the bill. The majority of their objections -- other than adamant opposition to the lakeshore -- had been met by the amended bill, S. 621. Several suggestions could not be accommodated, and they are not noted.

The 1962 Bad River resolution favored a lakeshore, provided that certain Indian conditions were met. Because of Wisconsin Conservation Department enforcement actions, the band changed its position in 1965 when five council members voted in opposition. At that time, Tribal Chair Albert Whitebird said:

> We as a tribe of Indians in the past have ceded large areas of land to the U.S. government and what we have reserved for ourselves under treaty we aim to keep.... It's another step by government to acquire Indian lands and destroy Indian hunting and fishing and gathering wild rice without just compensation. The Band hereby opposes any and all bills to create within the original boundaries of the Bad River Reservation any part or parcel of the so-called Apostle Islands National Lakeshore.[1189]

Not all members of the band agreed to this position, and they initiated a petition among the Bad River people favoring the proposal.[1190]

[1189]Bad River Tribal Council news release, October 19, 1965; Resolution of the Bad River Tribal Council, October 7, 1965; "Bad River Tribe Has Mixed Feelings on Recreation Plan," Ashland Daily Press, October 12, 1965.

[1190]"Bad River Tribe Has Mixed Feelings on Recreation Plan," Ashland Daily Press, October 12, 1965; Emmett Riley, letter to Harold C. Jordahl, Jr., October 18, 1965.

Recognizing that there was still support within the Bad River Band and that the council was reacting to state enforcement actions not directly relevant to the lakeshore, Prentice, Hanson, and Riley met and agreed to stimulate interest in the petition. Also, a picture of Indian girls on a float in the Bayfield Apple Festival parade with the banner, "Red Cliff -- Gateway to the Apostle Islands National Lakeshore," was circulated among Bad River people. Hanson remarked that the picture "might cause them to be concerned that they would be left out of the lakeshore."[1191] In 1967, the Bad River Band hired Rodney Edwards, an attorney from Duluth, to represent its interests. The funds to hire Edwards had been made available to the tribe through Nelson's efforts.[1192] At this point, the Bad River Tribal Council shifted its position, indicating that if the bill was amended, the council favored the lakeshore.[1193] When Edwards took this position to the Senate committee and reiterated that Bad River would support S. 778 if it was amended 1) to provide that the Indians would be parties to negotiations on any land within the reservation boundary; 2) to strengthen hunting, fishing, trapping and ricing provisions; 3) to hold in trust for the Bad River Band the alienated land acquired by the interior secretary, which would be leased for lakeshore purposes; and 4) to provide for the leasing of tribal land (the Interior Department at this time opposed leasing).[1194]

In addition to Edward's testimony, individual Bad River Band members testified:

[1191]Martin Hanson, letter to William Bechtel, October 27, 1965.

[1192]Harold C. Jordahl, Jr., memorandum to the file, April 6, 1966.

[1193]Emmett Riley, letter to Harold C. Jordahl, Jr., February 17, 1967.

[1194]SSC Hearings, May 9 and June 1-2, 1967, pp. 101-5.

Albert Whitebird, a former chair, supported the project.

> The people of the Nation are entitled to a playground, a place they can come to and enjoy themselves and relax on vacation and time off away from their workshops. I am highly in favor of this park but only under the conditions that the wishes of the Chippewas and their tribal government are met.

Whitebird wanted all reservation lands within the lakeshore boundary to be placed in trust for the band and leased to the government.[1195]

Michael Connors was vigorously opposed.[1196]

Gus Whitebird, another former chair, stated that Indians would not be qualified for park jobs; he also took strong umbrage with state enforcement of hunting and fishing regulations.[1197]

Fred Connors, also a former chair, supported the proposal provided the amendments proposed by Rodney Edwards were approved.[1198]

Two years later, before the Senate committee, members of the Bad River Band testified:

Bernard F. Lemieux, the tribal chair, wanted further discussion on the bill and supported the Red Cliff position of opposition to the lakeshore.[1199]

[1195]Ibid., pp. 107-8.

[1196]Ibid., p. 317.

[1197]Ibid., pp. 270-2.

[1198]Ibid., pp. 106-7.

[1199]Bernard F. Lemieux, letter to John Belindo, chair of the National Congress of American Indians, in SSC Hearings, March 17, 1969, p. 127.

Fred Connors strongly endorsed the lakeshore, stating that "it will be the first step in righting some wrongs to the Chippewa Nation."[1200]

John Belindo, the executive director of the NCAI, said that Bad River could not endorse the lakeshore unless the amendments proposed by Edwards in 1967 were adopted.[1201]

Red Cliff

The Red Cliff Reservation did not have the rich rice, fish, and wildlife resources of the Kakagon-Bad River sloughs, and state law enforcement was not as important there as it was at Bad River.

In July 1965, Henry Daley, the Red Cliff chair, did not take a position, but said, "The park would be a great benefit in some ways, creating employment,... but it might also hurt because timber could not be cut."[1202]

Later that fall, the Red Cliff council went on record as unanimously in favor of the lakeshore; its float in the Bayfield Apple Festival proclaimed Red Cliff as the "Gateway to the Apostle Islands National Lakeshore." Three Indian girls, Ruth Bresette and Linda and Sherry Gokee, dressed in native costume, rode on the float. At that time, Red Cliff leaders were concerned that opposition from Bad River would jeopardize the project.[1203]

[1200]SSC Hearings, March 17, 1969, p. 128.

[1201]Ibid., pp. 123-6.

[1202]"Nelson's Bill Triggers Debate," Duluth News Tribune, August 29, 1965.

[1203]Gaylord A. Nelson, Legislative Memo, November 10, 1965; Photo, Ashland Daily Press, October 4, 1965; Bernard Granum, Bureau of Indian Affairs, telephone message to Harold C. Jordahl, Jr., October 1965.

In 1967, the Red Cliff Tribal Council engaged attorney Elizabeth Hawkes from Washburn to represent its interests. She raised ten questions dealing with hunting and fishing, use of federal funds, land matters, concessions, and job qualifications. After a visit with Red Cliff Tribal Chair Ken Andrews, Hawkes said, "I am satisfied that with just a few reservations, all members of the Council are definitely in favor of the proposal. Kenneth has been doing an excellent job of reasoning with the various members of the tribe who have been opposed to the plan by discussions rather than broad-axe arguments, but he tells me that the questions listed above are unanswerable by him in detail." Hawkes urged that Nelson, Bechtel, or I meet with the Red Cliff council to discuss the questions.[1204] I did so on April 18, 1967, and discussed their questions and the proposal in detail. Their response was favorable.

During the June 1, 1967, Senate hearings, members of the Red Cliff Band articulated their positions:[1205]

Alex Roye, a former chair, felt it would be beneficial if Indian rights were protected.

Elizabeth Hawkes, representing Indian owners Jim Daley and his relatives, declared that these owners were ready to negotiate the sale of more than 500 acres including a substantial amount of shoreland.

Irene Duffy expressed opposition because of past broken promises as well as job qualification requirements that would preclude Indians from park employment.

[1204]Elizabeth Hawkes, letter to William Bechtel, April 17, 1967.

[1205]SSC Hearings, May 9, June 1-2, 1967, pp. 183, 225, 246, 248, 261, 266.

Caroline and Walter Newago and Jeannette and Phillip Gordon also were in opposition.

Fred Bresette, a Red Cliff Tribal Council member, favored leasing and wondered why it had been removed from the bill. He was also concerned that Indians would not qualify for jobs.

Franklin Basina, who had a share in 666 inherited acres and other shares in 320 acres, was in favor of the project if hunting and fishing rights were protected. He believed that the other heirs were in favor. He preferred a twenty-five-year lease with the provision that if it was not renewed the land would be returned.

Ken Andrews, the chair of the Red Cliff Tribal Council, stated that the council had voted to remain neutral, although he personally favored the project. He favored leasing tribal land and wanted hunting and fishing rights protected; if the recreation area was ever terminated, he said, the land should revert to Red Cliff.

Two years later the Red Cliff position had shifted again.[1206]

> Phillip Gordon, a strong opponent in 1967, was the new Red Cliff chair, and at the 1969 Senate hearings he said: It is the opinion of the overwhelming majority of the Red Cliff people, and therefore, the unanimous opinion of the tribal council, that the proposal for a national lakeshore park which takes away any of our tribal land be turned down.[1207]

The council had, by formal vote, unanimously turned down the proposal on March 13, 1969. Gordon further noted that the people had voted on a referendum on July 5, 1967, three to one in opposition. He did, however, state that they were not opposed to a national park in

[1206]SSC Hearings, March 17, 1969, pp. 46-56, 123-6.

[1207]Ibid.

the area, including non-Indian lands on the Bayfield Peninsula, but opposed inclusion of any tribal land. He further objected to the interior secretary representing Indians who owned allotted land. He also raised concerns over state enforcement of state hunting and fishing regulations. Margaret Pascale, a Red Cliff member, appeared with Gordon and also expressed opposition to inclusion of tribal land, but not to a national park.[1208]

Belindo recommended the deletion of the Red Cliff Reservation lands because of tribal opposition. He did, however, provide a possibility for future action by stating that if the amendments he was proposing were enacted -- along with those proposed by Rodney Edwards for Bad River -- Red Cliff would, in his opinion, support the bill.[1209]

The House Hearings, 1969

In spite of the thorough and careful negotiations between Nelson and Gross and the eight substantive amendments to S. 621 approved by the Senate, the August 19, 1969, House committee hearing was contentious with regard to Indian matters. Edwards, representing Bad River, said in a confusing statement:

> The Bad River Band has to some extent in the past, felt some inclination to support some legislation that would put up a park, but in their pleas for changes in the proposed legislation, they have been pretty well ignored... [S.621] makes no mention of preserving their right to control and license and regulate this hunting and fishing and these rights that were reserved under P.L. 280 to them. And P.L. 280 specifically mentioned it, ending up with that they shall have the right to control the licensing and regulation thereof.... The Indians have attempted to control and license and regulate the hunting, fishing and ricing activities on their reservations. They passed regulations under P.L. 280. The State of Wisconsin law enforcement people are supposed to enforce those laws. They took on criminal jurisdiction on

[1208]Ibid.

[1209]Ibid.

that reservation under P.L. 280.[1210] (The issues raised by Edwards in this statement could only be addressed by the state of Wisconsin, not by Congress.)

Given the tribal council's position, Edwards therefore opposed both H.R. 555 and S. 621.[1211]

Bernard Lemieux, the Bad River council chair, stated that the council on August 18, 1969, had voted four against, none for, with two members abstaining. He planned to hold an advisory vote of the members of the tribe on September 13, 1969. He stated that harassment by Wisconsin Conservation Department wardens was a major concern to him.[1212]

Gus Whitebird, a resource counselor with the Bad River Reservation, reiterated his arguments in opposition.[1213] Fred Connors expressed his concerns regarding the enforcement of state fish and game regulations but noted that the only way to save the sloughs was through a national park.[1214]

Phillip Gordon, the Red Cliff chair, expressed his satisfaction with Nelson's amendments but indicated that they had not gone far enough. He reiterated the vote of the Red Cliff Tribal Council, which on June 8, 1969, had unanimously voted to oppose the

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[1210]HSC Hearings, August 19, 1969, pp. 57-8.

[1211]Ibid.

[1212]Ibid., pp. 56-7.

[1213]Ibid., p. 194.

[1214]Ibid., pp. 150-2.

inclusion of any tribal or allotted land in the lakeshore. In addition, he stated that he was now opposed to a national park in this region.[1215]

Victoria Gokee, a member of the Red Cliff Band and a great, great granddaughter of Chief Buffalo, a signer of the 1854 LaPointe treaty, appeared in vigorous opposition. "I would like to dispute the man who welcomed you to God's country," said Gokee. "This is not God's country. It is Indian country. We already gave you everything we had -- Wisconsin, Michigan, Minnesota -- I do not know where you are going to push us -- out in the lake?"[1216]

The House Hearings, 1970

For reasons explained in Chapter Fifteen, further House hearings were adjourned until the following year. When they were held, they again were highly contentious regarding Indian matters. Bad River had referred the matter for review to the Great Lakes Intertribal Council, which acted in opposition.

The council declared, "Be it resolved, that the Great Lakes Intertribal Council and its ten member bands serve notice of their intent to give the Bad River and Red Cliff member bands their full, active and continued support throughout their opposition to the Apostle Islands proposal."[1217]

[1215]Ibid., pp. 49-56.

[1216]Ibid., pp. 136-8.

[1217]HSC Hearings, March 23-24 and June 3, 1970, pp. 305-6.

The primary reason for this opposition was the proposed deprivation of the two bands of their Lake Superior lakeshore territory and the wishes of the two bands "to develop themselves in the creation of a national park."[1218]

Sam Livingston, the new Bad River chair, said, "We have not had this referendum until we got into office and the majority voted against it." He indicated strong dissatisfaction with Edwards, who Livingston claimed did not know what he was talking about and "if I had my choice of attorneys, this is one guy I would not have." (Livingston did not indicate when the referendum vote had been taken and the results.) Obviously, there had been a political change at Bad River, in part because of the lakeshore proposal.[1219]

Richard Ackley, a Bad River member, in responding to questions about past council support, said, "I think we should not be charged by what has happened in the past. We now have a very strong group at Odanah who are very much concerned and they can handle their own affairs."[1220] Congressman Kastenmeier, a member of the House committee, asked about past Bad River positions; the band had first supported the bill, then opposed it, then supported it, and now opposed it. "Is that a correct characterization of the band's position?"[1221] Sam Livingston replied, "No sir, that is not correct. We had a referendum

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[1218]Ibid., pp. 303-14.

[1219]Ibid.

[1220]Ibid.

[1221]Ibid.

vote on this particular bill and the majority of the people voted against it. I consider that one official [position]. But as far as the other ones, that is all...."[1222]

Jerome Arbuckle of the Bad River Band urged that the bands be allowed to control the park so that the tribes could raise revenue. "Permit us to operate the park, giving us technical assistance."[1223] It was a worthy suggestion, but not realistic at the time, given the long legislative history of the proposal. Alma Peterson, a Red Cliff council member representing the tribe, said, "We oppose any proposal to take any lands within the original boundary of the Red Cliff Reservation.... This has consistently been the position of the Red Cliff Band." She opposed the acquisition of allotted or alienated land within the reservation boundary, even though tribal land would not be included.[1224]

Martin Hanson commented that it was the younger Indians who started with treaty rights and felt that the white man shouldn't be running their reservations. He observed that although both Red Cliff and Bad River had endorsed the idea, "they changed their minds, that's all.[1225]

Reflecting on the Indian opposition, J. Louis Hanson said:

> The Indians became radicalized in the 60s with the American Indian Movement; the younger people in the tribes who were mainly responsible for it were fighting their elders at the same time. This was a proposal backed strongly by their elders and the young [Indians] didn't like the idea. This wasn't confined to the Apostle Islands question at all. Wounded Knee and the take-overs of various places and so forth coincided with this. There was

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[1222]Ibid.

[1223]Ibid.

[1224]Ibid.

[1225]Martin Hanson, interviewed by Harold C. Jordahl, Jr., September 4, 1989.

> no way they were going to get a consensus on this with the Indians once the opposition arose. It's just ironic that it did because I think it would have been helpful to them. It's too bad that that chunk of land isn't a part of it, but there was no sense letting the whole thing go down the tube in order to have the original plan in total. You never get that anyway.[1226]

Given the conflicting and frequently inconsistent and confusing positions of the two tribes, it is no small wonder that the House committee was uncertain as to an appropriate course of action. The issues being raised were of relevance not only to the lakeshore; they were germane to the larger issues of past and contemporary injustices to the Indian people. The context for the debate can be better understood within the framework of the "Red Power Movement."

[1226]J. Louis Hanson, interviewed by Kathleen Lidfors, March 27, 1985.

The Red Power Movement[1227]

The "Red Power Movement" followed the civil rights movement of the mid-1960s. Indians and Indian organizations became more militant in asserting their rights and insisting on redress for the many injustices of the past. The Apostle Islands National Lakeshore was, to a great extent, caught in the rising tide of "Red Power" militancy. Regional and national Indian organizations, and non-Indians concerned with the injustices of the past, seized upon the lakeshore proposal as a significant national symbol of continued Indian repression. They made little or no effort to examine the legislation or attempt to understand the long, arduous planning process that went into the proposal. As discussed earlier, although the

[1227]Most works on modern Native American history will discuss, at least in passing, the Red Power Movement of the 1960s and 1970s. For more specific information, we refer the reader to the following: As general references, see Sandra L. Cadwallader and Vine Deloria, Jr., The Aggressions of Civilization: Federal Indian Policy Since the 1880s (Philadelphia: Temple University Press, 1984); Rex Weyler, Blood of the Land: The Government and Corporate War Against the American Indian Movement (New York: Everest House, 1982); and Peter Matthiessen, In the Spirit of Crazy Horse (New York: Viking Press, 1983, 1991); for texts specifically written from the Native American's perspective (including contemporary writings), see Ward Churchill, Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement (Boston: South End Press, 1988); Vine Deloria, Jr., and Clifford M. Lytle, American Indians, American Justice (Austin: University of Texas Press, 1983); Deloria, Behind the Trail of Broken Treaties: An Indian Declaration of Independence (New York: Delacorte Press, 1974); and Deloria, Custer Died for Your Sins: An Indian Manifesto (New York: MacMillan, 1969). For the U.S. government's reaction to the Red Power Movement, see U.S. Senate, Committee on the Judiciary, Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, Revolutionary Activities Within the U.S. -- The American Indian Movement, Hearing Before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee of the Judiciary, U.S. Senate, 94th Congress, Second Session, April 6, 1976, and Revolutionary Activities Within the U.S. -- The American Indian Movement, Report of the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee of the Judiciary, U.S. Senate, 94th Congress, Second Session, September 1976 (Washington, D.C.: U.S. Government Printing Office, 1976).

Allotment Act of 1887 was finally repealed in 1934 under the Indian Reorganization Act, Indian lands that were alienated and now owned by non-Indians were not repurchased. The consequences were pernicious. Reservations across the country had been broken up, and in some instances up to three-quarters of the original land had been lost to non-Indian owners. By the time of the Indian Reorganization Act, poverty was endemic on the reservations, and indeed the act itself had been prompted by a wide-scale and scathing indictment of the federal government's treatment of the Indians under its care by a congressional investigation, the "Merriam Report." The act was, for many on the reservations, far too little and too late.

World War II would interrupt programs set up in the 1930s under the Reorganization Act to assist Indian people. By the 1950s this disinterest had turned into an active policy of getting the government out of the "Indian business" through termination and relocation. These efforts have been discussed earlier.

In a sense, the history of government dealings with Indians reflected a growing split in policy. In signing treaties with various Indian tribes, the federal government had essentially taken on certain responsibilities: the provision of food supplies when necessary and lands as specified in the treaties, and responsibilities for education and health care. These responsibilities were handled through the Interior Department's Bureau of Indian Affairs. The interior secretary was trustee for the Indian people. The BIA exercised that responsibility in a paternalistic fashion.[1228] By the 1950s, Congress was weary of funding

[1228]Alvin M. Josephy, Jr., Red Power: The American Indian's Fight for Freedom (New York: McGraw-Hill Book Co., 1971), p. 43.

Indian programs and returned to the old idea that the best course for the Indian was assimilation into white society. Hence Congress began to adopt the complementary policies of termination of Indian trust status and relocation of Indian people.

Although these policies of the 1950s were eventually abandoned because of growing Indian and non-Indian opposition, congressional pressure for terminating governmental responsibilities continued well into the 1960s and was an issue of great concern. BIA Commissioner Nash was fired in 1964 when he opposed a move to terminate the Colville Reservation in the state of Washington. Senator Henry Jackson, the chair of the powerful Senate Committee on Interior and Insular Affairs, had personally been pushing the termination, and he forced Secretary Udall to fire Nash or face the prospect of a hostile committee. Although Nash was successful in preventing the Colville termination, it cost him his position.[1229]

The success of the 1960s civil rights movement, with its freedom riders and dramatic marches, gained power for disenfranchised African Americans. Indian leaders also began a series of dramatic and militant demands for greater control over their own lives. "Red Power" and "self determination" became rallying cries across the country, and actions similar to those of the "Black Power Movement" became common. Historian Alvin Josephy describes the Red Power Movement:

> In the new climate, the strongest and loudest voices are those that speak selflessly and patriotically of Red -- or Indian -- Power. Their numbers are swelling, particularly among the younger Indians. In substance, their message is no different from what it has been for decades, but it is more

[1229]Vine Deloria, Jr., and Clifford M. Lytle, The Nations Within: The Past and Future of American Indian Sovereignty (New York: Pantheon Books, 1976), p. 216.

> challenging and insistent. It demands, rather than pleads for, self-determination: the right of Indians to decide programs and policies for themselves, to manage their own affairs, to govern themselves, and to control their lands and its resources. It insists on the inviolability of their land and on the strict observance and protection of obligations and rights guaranteed the Indians by treaties with the federal government.[1230]

Although the 1934 Indian Reorganization Act had given the tribes the right to establish tribal governments, with legal constitutions and regular elections, the organization, form and electoral process of these tribal councils were based on non-Indian understandings and were always tightly controlled and managed by BIA representatives. Dissatisfaction was widespread among the reservations, and over the years significant splits grew up between the elected, bureau-sanctioned tribal councils and the more traditional "natural" lines of power. The Red Power Movement was, in some respects, a rebellion against the councils, which rarely sanctioned controversial undertakings, and adhered to traditional, or often different, power structures. A number of different organizations grew up between World War II (when returning veterans brought back to the reservation an expanded sense of world affairs) and the 1960s, including the NCAI and the American Indian Movement (AIM). Perhaps the most significant feature of these new movements, besides their breaking away from tribal council government, was the reflection of a pan-Indian alliance. For the first time, Indians from vastly different tribes and cultures were joining together and presenting a united front.[1231]

[1230]Josephy, p. 17.

[1231]The term "American Indian" is roughly as accurate as the term "European." They both cover a somewhat arbitrary collection of cultures and political sensibilities with very deep and significant differences. While there may be some similarities, there are vastly greater differences, and treating all tribes the same is like treating France and Germany as

The National Congress of American Indians was the more conservative of the new organizations. Formed in 1944, the NCAI worked through negotiations to try to reach compromises acceptable to both sides. It was active, for example, in attempting to reach compromises on the proposal to incorporate Indian land into the Apostle Islands National Lakeshore. By 1961, younger Indians grew dissatisfied with NCAI's negotiated positions. They formed an offshoot organization, the National Indian Youth Council. (A participating chapter, the Chippewa Youth Council, actively opposed the lakeshore.)

The relocation policies of the 1950s had produced a large group of displaced, restless, and economically disadvantaged younger Indians residing in large urban areas and cut off from the social support networks of the reservations. Nearly as many Indians lived in cities by the 1960s as were on the reservations. They had little organized representation; the BIA limited its services to the reservations. The NCAI was working, again, mostly on the reservations, including fighting against termination. In the fall of 1966, many of the more militant Indians came together and formed the American Indian Movement.[1232] It was AIM activities which, in many peoples' minds, remain representative of Indian militancy.

Activism first focused on treaty rights issues. During the early 1960s, fishing conflicts between Indians and non-Indians in the Pacific Northwest resulted in well-publicized "fish-

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indistinguishable from each other. Roughly 400 cultural and linguistic groups inhabited the North American continent before the European invasion. Tribes formed alliances, but they were equally likely to go to war with each other, and indeed often allied themselves with Europeans against other tribes. These cultural differences and lack of "Indian" allegiances persist today.

[1232]Jennings C. Wise, The Red Man in the New World Drama: A Political-Legal Study with a Pageantry of American Indian History (New York: MacMillian Publishing Co., 1971), pp. 372-7.

ins," which, through the assistance of celebrities such as Marlon Brando and Dick Gregory, garnered nationwide attention for the failure of the U.S. government to honor its treaties.[1233] In the fall of 1969, another group took over the abandoned former federal prison on Alcatraz Island in San Francisco Bay to dramatize and call attention to Indian grievances. The "Indians of all tribes" argued that the U.S. government had no use for the island and should return it to the tribes under standing treaties. Again, the event, although ultimately unsuccessful, fostered national media coverage.[1234]

Incident followed incident, including the 1970 two-day occupation of the Washington, D.C., Bureau of Indian Affairs office by angry demonstrators. A major confrontation occurred at the Wounded Knee Agency in South Dakota in 1974. Two FBI agents were killed and several people were seriously injured in clashes between Indians and the National Guard. Activist Vine Deloria, Jr., comments that

> it became increasingly obvious that tribal rights in many parts of the country were being trampled underfoot and these incidents, representative of the general condition under which many tribes had to live, turned the issue of Indian rights, in part, into the struggle of a domestic American ethnic-racial group.[1235]

Two positive events of the 1960s helped strengthen the call for Indian self-determination. During the Kennedy administration, the Area Redevelopment Act was passed; it increased federal spending on the reservations and gave Indians a greater role in how it was spent. Then, through the lobbying of Indian activists, Johnson's "War on Poverty"

[1233]Deloria and Lytle, p. 235.2

[1234]Josephy, p. 198.

[1235]Deloria and Lytle, pp. 235-6.

program was amended to specifically target Indian reservations. For the first time, American Indians were asked to propose and work on plans for programs that they thought would alleviate conditions on their reservations. Once proposals were approved, funds were handed over to tribal councils for local implementation and program administration. For the first time, councils demonstrated that they were capable of managing funds and taking responsibility for their own affairs. With the success of this initiative, many Indians began to demand the transfer of responsibility for other vital programs, including education and health care, from the paternalistic Bureau of Indian Affairs to the tribes themselves.[1236]

Still, the political response was slow in coming. Richard Nixon campaigned in 1968 on a promise to terminate the "termination" policy, but did not do so until two years after his election. The battle at Wounded Knee in 1974 illustrated, however, that the government had a long way to go in its relations with its own "domestic dependent nations," the Indian tribes. The bad feelings and militancy of the Red Power Movement quieted after Wounded Knee. (To a large extent it went underground; the bitterness and distrust on many reservations toward the federal government and non-Indian society remains today.) But hostility was at its height when the Apostle Islands National Lakeshore proposal was before Congress in the 1960s. The lakeshore proposal was to prove an irresistible target for Indians and Indian sympathizers.

[1236]Josephy, pp. 226-9.

Standing on Principles: Indian Activism and the Apostle Islands National Lakeshore

While the Red Power Movement and Indian activism in general was reacting to longstanding, deep, and legitimate grievances against treatment at the hands of the federal government and of "white" society, its opposition to the lakeshore proposal seems more a question of standing on principle rather than taking action against a deliberately hostile "white" policy.

It is important to remember that both Bad River and Red Cliff peoples generally supported the lakeshore proposal early in the process. In fact, the Bad River Tribal Council had made the initial request for a study on a possible park in the area. Support for the proposal was strong until the mid-1960s, when white residents opposed to the lakeshore began agitating on the reservations, claiming that the proposal was a land grab, that it would result in lost hunting, trapping, and gathering rights, and so on. The simultaneous rise of general Indian activism picked up on these "introduced" concerns and used them without evaluating the safeguards and benefits built into the lakeshore legislation. When the proposal was challenged by Indian activists on both reservations, additional benefits and safeguards were worked out, which at the time were accepted by the tribal councils, although Bad River wanted even more amendments. By 1969, at the height of Indian activism across the country, the lakeshore was being widely criticized. Some critics may have had legitimate concerns and an understandable reluctance to accept good-faith initiatives by a federal government that in the past had been unfaithful. Others may have been responding to self-serving manipulation by outside concerns.

The lakeshore issue drew fire from across the spectrum, both locally and nationally. For example, in 1969 I was asked to appear before a group of Indian students on the University of Wisconsin-Madison campus to explain the lakeshore proposal. As a prelude to the discussion I asked the small group of about a dozen Indians where they came from. There were Canadian Athabascan, Alaskan Tlingit, New Mexico Apache, Nevada Navajo, and others. Not one was a Chippewa Indian. After a detailed explanation of the complex options provided to the Indians, the group concluded it was just another "white man's land steal" and voted to oppose the proposal.

Opposition to the lakeshore took other forms. When Nelson spoke at a federal conference in Milwaukee on Lake Michigan pollution, he had to negotiate his way through a group of picketers at the hotel entrance carrying signs with messages such as "Stop Land Grabs" and "Would You Like to Live in a Park?" "Earth Day" speeches given by Nelson in Madison, Milwaukee and other places in Wisconsin in 1970 were also disrupted by Indian and non-Indian militants protesting the federal "land grab." Nelson recalled these events:

> On Earth Day, I traveled across the country and I spoke at Madison at eight o'clock and I spoke at ten o'clock at night at the University of Milwaukee to a full house. I had a group of Indians [chuckle] from maybe both Red Cliff and Bad River ... and they had a sack full of tin cans, trash, which they threw upon the stage while I was talking. They were arguing that we were taking their land away. So I interrupted my speech to tackle them right on, to tell them they were wrong.... But once the Indians got attacking it, they were blind to what we had drafted and worked out ... and were claiming it was unfair. So I tackled them head on, to a big audience ... and the students gave uproarious applause to my position because when I got through explaining it, they could see that the claim of the Indians and the literature they were passing around was simply false.[1237]

[1237]Gaylord A. Nelson, interviewed by Kathleen Lidfors, March 4, 1985.

Michael Connors, a Bad River Indian residing in Milwaukee and the first secretary of the Chippewa Indian Youth Council, kept the pressure on and declared that Nelson had lost control of the bill and that the National Park Service was now looking covetously at Indian land. Connors' statements reflected the new militancy embodied in the Indian takeover at Alcatraz, the charge at Fort Lawton in Washington, and the seizure of Bureau of Indian Affairs offices in Washington, Denver, and Chicago.[1238]

Systematic, organized Indian opposition was also being mounted on the House Subcommittee on National Parks and Recreation, where discussions on the lakeshore were beginning. Opponents recognized that the ambivalence of subcommittee members left them vulnerable to pressure. In April 1970, the House subcommittee debated the issues for more than two hours in closed session. In May, responding to committee sensitivity, Lee McElvain, a consultant to the House committee, prepared two additional alternatives for committee review. The first was S. 621 with amendments, as passed by the Senate. The second declared that, except for six allotments on the Bayfield Peninsula, all Indian tribal and allotted land on both reservations would be excluded. This alternative still included 11.75 miles of shoreline, averaging a half mile in width on the northern boundary of the Bad River Indian Reservation and the sand spit known as Chequamegon Point and Long Island.[1239]

[1238]Shirley J. Hatchett, "Indian Uprising," Milwaukee Journal, May 28, 1970.

[1239]"New Apostles Plan Frees Indian Land," Milwaukee Sentinel, April 24, 1970; Lee McElvain, confidential memorandum to HSC members, May 1, 1970.

Members of the Red Cliff and Bad River bands, however, were in Washington at that time and were lobbying against S. 621. Some Republicans on the House committee wanted to stay with the bill in its original form to "hang Gaylord Nelson and Bob Kastenmeier as 'anti-Indian.'"[1240] Gross, who now served on Vice President Spiro Agnew's Council on Indians, had indicated that he might use the Apostle Islands National Lakeshore as a classic case of Indians trying to reacquire alienated lands within their reservation.

The impact of the mounting Indian opposition was keenly felt at the June 3, 1970, House committee hearing. Representative Skubitz noted that the committee had received a dozen telegrams in opposition just that morning.[1241] James A. Haley, a Florida Democrat, said that practically every Indian tribe in the country opposed the bill. He had had calls and telegrams from Indians in Florida, California, North Carolina, and "every other place throughout the U.S."[1242] Ed Edmondson observed that "unless there was some moderation in the [Interior Department] position, you are going to have an Indian uprising on your hands. The messages that the gentleman from Florida [Haley] has received -- and I have received many of the same messages -- are coming from all over the country."[1243] Roy Taylor expressed the opinion that Indians were being used and were fronting for

[1240]Stewart Applebaum, telephone call to Harold C. Jordahl, Jr., May 8, 1970.

[1241]HSC Hearings, June 3, 1970, pp. 421-2, 425, 429, 431.

[1242]Ibid.

[1243]Ibid.

whites.[1244] Kastenmeier observed that the committee had been through a series of crises, more or less, on the Indian question but said:

> I hope you [Mr. Chairman] are sensitive to at least the political difficulties we find ourselves in with respect to accommodating to the so-called Indian problem. I do think you are correct in pointing out that this is not a land grab of the Indian lands and that any stack, whether it is 200 telegrams ... from every state in the Union, does not express any information about this bill, or the problems involved, but rather, I am sure, are at the direction of some central person or group that has decided to oppose the bill.[1245]

Wayne Aspinall, the chair of the House committee, was also present and summed up the problem succinctly:

> If you get this bill to the floor with the Indians of the United States against it, you are not going to pass it. Let us just be realistic. Today the people of the United States are sympathetic towards the Indians. They would rather take care of the Indians than a park proposal.... Our colleague from Wisconsin [Kastenmeier] can not carry it on the floor successfully and I will just be perfectly honest with you, the chairman of the full committee who has not yet lost a bill on the floor, [but you] cannot carry this on the floor with the Indians of the United States against it.... The chairman of this committee is not afraid to confront the issues and principles involved. We have never taken a step backward on that, but we also have never walked into a fire that we knew would consume all of us.[1246]

Eric P. Westhagen, the "regional coordinator" for a newly formed organization, "The Apostle Islands Wilderness Council," urged the deletion of all Indian lands and continued private property ownership within the lakeshore subject to scenic easements and zoning. Westhagen distributed to members of the committee and to the press a statement by Red Cliff Tribal Council Chair Albert Bresette and a picture of Red Cliff and Bad River leaders

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[1244]Ibid.

[1245]Ibid.

[1246]Ibid.

standing before the Capitol.[1247] Bresette declared that they would lose more than ten miles of the most valuable shoreline and said, "A vote for this legislation would be a vote for termination."[1248] National Park Service Director Hartzog, who had testified before the committee, quickly disagreed, stating, "This legislation does not take one square inch of Indian land.... A lie goes around the world before the truth can get its britches on, and that is what has been peddled.... There is absolutely no substance to it.... We will not lean on the Indians." [1249]

The Indians kept the pressure on long after the June 1970 House hearings. Red Cliff members sent numerous letters and telegrams in opposition. The chair of the Nez Perce Tribal Council telegraphed to the House committee his opposition.[1250] (On May 19, 1970, Interior Secretary Hickel had dedicated the Nez Perce National Historical Park; two units included Indian land. The first would be administered jointly by the tribe and the NPS; the second, jointly by the tribe and the BIA.)[1251] The Mutual Radio Network News out of Washington, D.C., summed the situation up by declaring that the Indians were "on the warpath" again and were converging on Washington because of the lakeshore legislation;

[1247]Ibid., pp. 314-7.

[1248]Ibid.

[1249]Ibid., p. 43.

[1250]Telegram from the chair of the Nez Pierce Tribe to James A. Haley, member of the HIIAC, June 2, 1970.

[1251]U.S. Department of the Interior news release, May 19, 1970.

they believed that the House committee was not telling the truth and Indian land would be taken.[1252]

Tempers flared. After visiting congressional offices, Mrs. Loretta Ellis, an NCAI regional representative, alleged that Aspinall had said that American Indians had no special trust relationship with the U.S. government and that treaties signed a hundred years ago were not meant to apply now. Aspinall was further reported to have said that "he has been 'poorest of the poor' and had to work his way up. The Indians must do the same." After visiting Congressman Saylor, Mrs. Ellis reported that he had angrily threatened to take away all Indian land because two bands of Lake Superior Indians are being used by white men. Saylor alleged that telegrams reaching Washington were financed by white men. The Indians responded that Indian tribes were financing them. Saylor reportedly left his office in anger.[1253]

Rumors were rife. My office, as well as Nelson's, was bombarded with phone calls on the Indian land question. The Wisconsin State Advisory Committee to the U.S. Commission on Civil Rights sent a telegram to Aspinall urging that the House committee respect Red Cliff and Bad River requests that their land be preserved intact "because of allegations that a foreign based land company and white developers will profit at the expenses of Indian holdings."[1254]

[1252]Mutual Radio Network News, Washington, D.C., July 3, 1970.

[1253]Loretta Ellis, National Congress of American Indians, statement issued in June 1970.

[1254]Telegram from the Wisconsin State Advisory Committee to the U.S. Commissioner for Civil Rights, May 1970.

While the debate over Indian land and the lakeshore raged in Congress, the Indians took an action that was inconsistent with their strong feelings in opposition to inclusion of any Indian lands into the lakeshore, even if under lease arrangements. They embarked on a new program of leasing reservation lands to non-Indians for recreational purposes. Needless to say, this inconsistent position further confused Congress regarding the question of Indian lands and the lakeshore. The Ashland office of the Bureau of Indian Affairs was distributing printed brochures titled "Lakeshore Lots in Northern Wisconsin." They declared that

> beautiful wooded lakeshore lots located on Indian reservations in northern Wisconsin are being offered for vacation or retirement home sites on long-term leases. They are located on some of the finest inland lake areas in the midwestern United States. Selected and reserved by treaty, these large and unspoiled tracts are noted for their hunting, fishing, and wild rice harvests. They are offered today to the summer vacationist looking at the unexcelled beauty of lakes and streams.[1255]

Leaseholds were available on the Lac du Flambeau, Lac Courte Oreilles, Potowatomi, St. Croix, Red Cliff and Bad River reservations. Leases were for fifty years, with price adjustments in the lease every five years. On the Bad River Reservation, leases were available on a magnificent sand beach on the 200 acres of tribal land on Madeline Island (not within the proposed lakeshore), which had been reserved for fishing purposes in the 1854 treaty.[1256] A check with the bureau office indicated that there were then fifteen annual leases on allotted land on Bad River. At Red Cliff, leaseholds on tribal and allotted

[1255]Brochure, Bureau of Indian Affairs, Ashland, Wisconsin, July 1970.

[1256]Harold C. Jordahl, Jr., telephone call to the Bureau of Indian Affairs Ashland office, July 1970.

land were available between Red Cliff Village and Red Cliff Bay and in the Raspberry Bay Area, all within the lakeshore boundary.[1257]

A BIA spokesperson at Ashland admitted in a public statement that some of the land proposed for lease was within the lakeshore boundary. He said that Red Cliff and Bad River had made their lands available "only recently." Nelson and Kastenmeier were quick to request an Interior Department explanation of the apparent contradiction in Indian policies. The bureau's regional director in Minneapolis side-stepped the issue by refusing to comment on the controversy except to say that "the authority to lease had been turned over to the tribal councils."[1258] The question of Indian leases would come up again in House debates.

When the lakeshore bill went to the House (it now excluded all Indian land except several small allotments on the Bayfield Peninsula), Aspinall dealt with the Indian opposition:

> The Indians involved in the area, in my opinion, desire to have their cake and eat it at the same time. They do not desire any development to take place that would serve anybody else except themselves. If we are going to serve the public in this area ... it is my opinion that it is about time the Indian population is fitting itself into the general complex of the general population. We have seen that in the past, that the tribe involved has seen fit to sell their land to non-Indians. The lands in the proposal are not Indian. The great opposition that we currently have simply comes from the fact that the Indians would like to have back the lands they have heretofore sold to non-Indians. How they are going to get it is not apparent to me after hearing the testimony.[1259]

[1257]Richard Bradee, "Leases Offered On Apostles Site," Milwaukee Sentinel, August 4, 1970; "New Controversy Over Apostles," Ironwood Daily Globe, August 4, 1970.

[1258]Ibid.

[1259]Congressional Record, September 9, 1970, pp. H8557-68.

Saylor then took the floor and noted that the Bad River unit had been dropped, as had all Indian land on Red Cliff (with the exception of small tracts), "but the remarkable thing about those who oppose the bill [is that they] now say that because we have included some land that is still presently within the original boundaries of the Red Cliff Indian Reservation, we should exclude that land also." He noted that the Indians had, by tribal action and with the full approval of the Bureau of Indian Affairs, sold these lands to non Indians.[1260]

Regarding Indian opposition, Saylor said:

> Now I was impressed, as were a number of other members of the committee when we began to get telegrams from all over the United States from all the Indian tribes and Indian Councils to the effect that they were opposed to this bill. I would like to tell you that somebody slipped along the line after all; you sometimes think that these Indians in the west and in the south and in the central part of the country have a common interest and, therefore, it was because they belonged to the National Association of Indians that they got the word. But lo and behold, the Western Union one day made a mistake. I found out about one of the telegrams ... was to be charged not to the Indian tribe out in California that sent me the telegram, but it was to be charged to a man who is a white man and lives in the area, and who, in my opinion, is trying to use the Indians. In other words, this is not a spontaneous group of telegrams that have come from the Indian tribes who are looking out for their Indian brethren. These are telegrams that have been inspired by a white man who is in the real estate business up in that area and who is trying to use the Red Cliff Band of Indians for his own use and benefit.[1261]

Kastenmeier pointed out to his colleagues in the House the inconsistency of the Indian position: "If the Indians are so anxious to repurchase alienated lands, why are they engaged in leasing tribal lands for fifty-year periods for vacation home sites? The wish of

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[1260]Ibid.

[1261]Ibid.

the Indians to reacquire alienated lands, however admirable, is based on vague hopes and dreams." Kyl dissented, arguing, "I do have messages from Indians, from New York to Wisconsin to New Mexico and to Alaska. I have talked with some of these people, and they certainly were not being led around by the nose by some white developer."[1262]

Congressman Taylor characterized his view of what the Indians were saying: "'Do not create a park on this land because we may someday want to buy the land back.' In my opinion this is going too far. I believe the Indian hostility has been encouraged to a great extent by white property owners for whom the Indians work.... These Indians are being used for selfish purposes."[1263]

On one hand, the tribes were leasing their lands for recreational purposes. On the other, they were expressing a desire to acquire alienated land within their reservations. Aspinall observed that Indian acquisition of alienated land was not realistic. In the debate, the point arose that the Indians planned to use funds derived from settlements then before the Indian Claims Commission. The House committee staff had investigated this possibility with the commission and were advised that

> assuming judgments in favor of the plaintiffs are eventually reported to the Congress in some of the above mentioned dockets, so many Chippewa bands are named in the claims, and so involved is their interrelationship, it can reasonably be predicted that it will not be known with certainty who the beneficiaries will be until after the Congress has enacted legislation providing for the disposition of the judgment money.[1264]

[1262]Ibid.

[1263]Ibid.

[1264]Indian Claims Commission, March 12, 1970, documented in the Congressional Record, September 10, 1970, pp. H8557-68.

Thus the Indians' hope that claims would provide capital funds for purchase of alienated land in the foreseeable future was not realistic.

The Interior Department subcommittee established by Udall had grappled with the same issue. After extensive discussions with the Indians and the Bureau of Indian Affairs, the subcommittee concluded that the lack of tribal capital then and in the future precluded the repurchase of alienated land. This conclusion was the basis for the recommendation that the Interior Department, in effect, act as a "banker"; the lands would be acquired, transferred to the tribes and then leased for lakeshore purposes. Now, some five years later, the tribes were still grappling with the issue. Although the Interior Department had not approved the scheme for alienated land, the proviso for leases of tribal land would have provided some capital to the tribes, which in turn could have been used for purchase of alienated lands and subsequent lease to the interior secretary. Had the two tribes joined and coordinated with other national Indian organizations, they might have pushed successfully to have Congress override Interior Department objections. They, however, had chosen a different course, and both sides ended up losing.

CHAPTER FIFTEEN

THE BLOW UP -- OR DO WE HAVE A LAKESHORE?

Contentious Senate Hearings

Gaylord Nelson's first lakeshore bill on which hearings were held, S. 778, passed the Senate on August 21, 1967, and was introduced on September 26 in the House by Congressman Kastenmeier and fifteen co-sponsors (including O'Konski) as H.R. 13124. House hearings on H.R. 13124 were held a year later on July 29, 1968, when testimony was limited to government officials, although the House committee indicated that it would receive letters from interested parties. No hearing record was printed, perhaps because the committee was busy with legislation on Redwood and North Cascades national parks and a national system of trails and wild and scenic rivers. Other than this preliminary hearing and the backlog, the Apostle Islands would have to wait its turn in line in the House.

Nelson's third bill, S. 621, was introduced in the Senate on January 24, 1969. The Nixon administration was now in place. The March Senate hearings on the bill were contentious. The National Park Service threw two bombshells into its testimony. The first dealt with funding constraints; the second was the absolute insistence on the inclusion of Indian lands before a lakeshore would be established.

With the change in the administration, Nelson and I had lost our direct influence within the Interior Department. As a consequence we did not know what to expect, although we still had supporters within the agency. Appearing for the park service before the Senate committee were Edward Hummel, an associate director; Lemuel Garrison, a regional director; James M. "Mike" Lambe from the Office of Legislation; Richard P. "Dick"

Wittpenn, a landscape architect; and Theodor R. "Ted" Swem, an assistant director. Wittpenn was the only witness who had seen the area, having spent some three weeks there working on the master plan. The others had no direct familiarity with the area or the issues, and lengthy testimony and cross-examination by the chairman and committee members made it obvious they were not well informed. Chairman Bible expressed extreme frustration with park service representatives and their inability to answer questions:

> I have always demanded and insisted that whoever is testifying on a park or recreation area visit it so he knows what he is talking about, not read about it or describe it when he cannot make the grand tour of the area. I do not know how you can know it is breathtaking and everything else having never been there. You cannot develop that by reading about it or maybe even looking at some pictures.[1265]

He threatened to adjourn the hearings until NPS could provide witnesses who had actually set foot on the territory. Bible said, "There is no need of bringing in a whole battery of witnesses who do not know the area or the costs involved."[1266]

The letter report of the Interior Department to the Senate had indicated departmental approval for the lakeshore; it had also stated that the Bureau of the Budget had advised "that this legislative proposal is in accord with the President's program."[1267] The letter simply reiterated the agency's earlier position. In spite of that, however, Hummel's prepared statement threw cold water on the Apostle Islands. He noted an enormous backlog of authorized parks and recreation areas and insufficient funds to

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[1265]SSC Hearings, March 17, 1969, pp. 43-4.

[1266]Ibid.

[1267]Ibid., pp. 4-8.

purchase lands throughout the nation.[1268] Nelson asked him, "Is this specifically an announcement by the Department of the Interior that they will not recommend any further national recreation or park areas this year?" Hummel replied, "I cannot speak for the Department completely, Senator, but this particular statement indicates great concern on the part of the Department for expansion of obligations for acquisition of lands."

Nelson continued:

> I think it would be a matter of grave concern and great interest to the Congress and the people of the United States and every conservationist in the country if this is the beginning of a declaration by this administration that there will be, because of funding, no more national recreation projects recommended to this Congress.... Do you not endorse the Apostle Islands...?[1269]

Hummel responded, "I cannot answer that, Senator." Chairman Bible then declared, "[We] had better find someone who can answer, whether that means we go right to the Secretary of the Interior.... But find out who can with authority answer and if necessary we will have Secretary Hickel come."[1270]

The first bills on the lakeshore had provided that the Congress established the lakeshore. Nelson's second bill (S.778) contained the same provision. In accordance with an interior department recommendation, the bill was amended to provide that the secretary would establish the lakeshore when there were sufficient lands for efficient administration. Subsequent bills contained this language. Other lakeshore and seashore acts of this era contained similar language. The Interior Department's letter did not address the question

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[1268]Ibid., p. 45.

[1269]Ibid.

[1270]Ibid.

of the necessity of acquiring or leasing the Indian lands before the secretary would establish the lakeshore.[1271] That issue had never been squarely faced within that context. Keep in mind that the Indians had been assured that the bands could make a judgment on the matter after legislation passed. In Hummel's oral testimony, he took a different position, saying, "We will not proceed with the project until we have obtained the consent of the Indian bands to the acquisition of [their] lands."[1272]

Senator Nelson angrily retorted:

> I started working on this proposal when I was Governor in 1961. I have spend hundreds of hours on it during the past eight years.... This is the first time the Interior Department has taken the position that there had to be prior approval of the involvement of any Indian lands.... I do not understand how this can go on in the Park Service for nine years and then suddenly out of the clear blue you come up with this reservation.... The islands themselves are a unique collection within the boundaries of the continental United States, standing alone as a viable park project. Some of the Indian lands on the mainland units of the lakeshore would be a useful part of the project, but it has never been my contention that they were essential to the establishment of the Lakeshore....
>
> It is a remarkable collection of shoreline and sand that is as pure and beautiful as the sand in the Caribbean, with beautiful cliffs and free-standing rocks of glacial development that is unique. So we have always had the position that [that] unit stands alone on its own. If it does not, then this Department does not support any islands any place.... I want to know why do these islands not stand alone as a unique project that you would buy if I had never suggested the Bad River Band's property or the Red Cliff?[1273]

Hummel responded:

[1271]Ibid., pp. 4-8.

[1272]Secretary Udall had said the same thing in oral testimony before the SSC in 1967 (SSC Hearings, May 9, 1967, p. 21).

[1273]SSC Hearings, March 17, 1969, p. 27.

> I want to emphasize again that, since the use of Indian trust land is essential for establishment of the lakeshore and the bill explicitly bars acquisition of trust land or interests therein without the consent of the Indians, it is clear that the lakeshore could come into being only when and if the Indians support its establishment.... It would seem desirable that this committee solicit from the two Indian tribes affected a clear expression of tribal consent before proceeding to report this bill.[1274]

Hummel's statement was inconsistent with all prior positions taken by the Department of the Interior.

Nelson continued to hammer the NPS witnesses:

> This proposal came from me, not the Park Service.... And I recognize that it would be ideal to have the Bad River Band... and it would be ideal to have the 30 miles of the Red Cliff shoreline.... But the project stands alone justified with no Indian lands at all.... So, I just say when I proposed this, I added two units to it because I thought that would be ideal. What do those islands have to have in addition to that magnificent eloquent statement of Mr. Hummel's about their uniqueness in order to qualify them for national protection?[1275]

Swem was then questioned by Bible and confused the issue. Swem indicated that he had never seen the area, and then further said that it had never been the feeling of the National Park Service that all of the shoreline had to be acquired by the time the lakeshore was established, but that a minimum acreage of Indian land, which mainly comprised access points to the shoreline, would be required. Nelson picked up on the access question by noting that while there were good docks in Bayfield, there were none on the Bayfield Peninsula and that the purchase of the shoreline was not necessary for access. Furthermore,

[1274]Ibid., p. 30.

[1275]Ibid., pp. 36-7.

he pointed out that access by boats and canoes to the navigable waters in the sloughs on Bad River was possible even then.[1276]

Swem responded with the observation that when the 1959 NPS lakeshore study was completed (the "Fourth Shore" studies) it was recognized that each of the three areas was outstanding. Swem said, "I do not know that in our thinking during the planning process ... if it ever came down to just whether or not the islands would stand on their own.... [We] hope, as you have, that eventually this would be a total complex tied together into one national lakeshore."[1277] In deference to the park service position, the Interior Department subcommittee reports on the bills considered earlier by Congress had not addressed this issue in this fashion. Nelson, however, stated that whether it was twenty-five miles or twelve miles of shoreline on the peninsula, there would be more than enough room for the National Park Service to build a visitor center and "an awful lot of shoreline that you can acquire without the Indian land at all. You can have a visitor center there and hike the whole 30 miles of the beach. Now won't that be satisfactory?"[1278]

Wittpenn, the park service landscape architect, said, "I have worked with the project so long with the boundary as it is, I have come to feel we need every square inch to do what we have proposed to do." Nelson responded,

> [But] if you are up here saying you have got to have perfection or you are going to commit recreation suicide... you say you have worked with it so long, it is such a great proposal, but if you are going to change one foot or do not get all of it, therefore let us collapse that marvelous group of islands

[1276]Ibid., p. 35-9.

[1277]Ibid., pp. 37-8.

[1278]Ibid.

> of which there are no others in the continental United States. I do not know why you do not stick to the position we had from the beginning. We will discuss it and negotiate with the tribes. They will approve or not approve.... [The] only way to handle this problem is to pass the project and the islands stand on their own whether or not you ever get any Indian land.
>
> In the meantime, for heaven's sake, let us buy those islands.... If we cannot buy islands like this and if the Interior Department cannot support a project like this, we had better transfer the conservation responsibilities of this country someplace else.... I always thought that if you stood for conservation you fought for it.... If you want to wash it down the drain and get rid of the only collection of islands of this kind in the continental United States, you just continue this procedure.[1279]

Hummel attemped to deflect the controversy by stating that he wanted to refer the matter to the National Parks and Recreation Area Advisory Board and to the President's Council on Recreation and Natural Beauty to have them re-evaluate whether or not the lakeshore would qualify as a recreational area without the land owned by the Indians. Hummel observed that in 1967, Udall had indicated that the Indian lands were necessary for the lakeshore. However, the secretary had not said at that time that he would not establish the national lakeshore without the Indian land. Nelson responded further. "Secretary Udall stood for saving those islands, as did Mr. Hartzog.... They stand for saving those unique islands whether you get the shoreland or not."[1280]

Senator Bible commented wryly, "I think you have made your point. I have gotten the message." He asked the park service witnesses to confer further with their superiors in the department. "If all they got was the islands and not the Indian land ... will you

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[1279]Ibid., pp. 38-40.

[1280]Ibid., pp. 39-41.

recommend the bill be passed or will you recommend a veto? You find the answer and come back with it before we finish the hearings."[1281]

During the many years that I had worked with Nelson, on many different proposals when he was both governor and senator, I had never seen him as angry and upset as when questioning the park service witnesses. John Kole, a veteran Washington correspondent with the Milwaukee Journal who knew Nelson well, wrote that Nelson had been "incredulous and angry" with Hummel's statement that the Nixon administration would probably not favor new park projects because of fund shortages and that the Indian lands were necessary to the lakeshore. Kole reported that "Nelson fired back with the harshest language he has ever used on Interior Department officials."[1282] The editorial writers of the Journal, in the same issue, joined the fray and said, "If preservation of recreational land is to be put on a cash and carry basis, the entire program will be sent reeling."[1283]

The two problems raised by the NPS witnesses posed serious obstacles to Gaylord Nelson's hope that the Senate would act rapidly on the bill. In fact three months went by before the Senate passed S. 621, which now contained the eight amendments worked out between Nelson and the National Congress of American Indians. The Senate committee

[1281]Ibid., p. 41.

[1282]John W. Kole, "Apostle Isle Plans Hit New Obstacles," Milwaukee Journal, March 18, 1969.

[1283]"Apostle Islands Road Block," Milwaukee Journal, March 18, 1969.

report on S. 621 did not deal with the issues raised by the park service.[1284] The bill was referred to the House.

House Hearings in Ashland

The House committee held hearings in Ashland on August 19, 1969, on the amended S. 621 and on H.R. 555 (S. 621 without the Indian amendments). Because the hearing was for local people, Interior Department officials did not testify. Nelson, in his prepared statement, indicated that during the March Senate hearings, "the Interior Department had reaffirmed the merit of the proposal, and the Secretary of the Interior testifying later at a hearing on related matters by a Senate Appropriations Subcommittee said that he would recommend Presidential approval of an Apostle Islands bill if passed by Congress." Nelson also reiterated with emphasis that Indian lands would only be included with the approval of the tribes. Further, he observed that since the tribal lands on Bad River were inaccessible and undevelopable marshlands, acquisition was not urgent and it might never be necessary to include them in the national lakeshore.[1285]

Nelson did not bring up the contentious issues raised by the National Park Service earlier that year. The House of Representatives took no action in 1969 because of the freeze on LAWCON funds that was meant to help dampen inflation, but the park service position would surface again -- and with a vengeance -- during the 1970 House hearings.

] [1284]"Apostle Islands National Lakeshore," Report No. 91-276, U.S. Senate, Ninety-First Congress, First Session, Washington, D.C., June 25, 1969.

[1285]HSC Hearings, August 19, 1969, p. 13.

House Hearings in Washington

In his budget message on February 2, 1970, President Nixon freed up LAWCON dollars by requesting $327 million, a healthy increase from the 1969 figure of $124 million. With funding now assured, the House prepared for hearings on the amended version of S. 621, H.R. 555, and H.R. 9306 (the original unamended Senate bill, S. 621). The germane bill was S. 621 with the eight amendments worked out by Nelson and the National Congress of American Indians. The new letter report of the Interior Department now stated unequivocally that

> it is necessary that the two mainland units be acquired. Without them the area would consist only of the 21 islands, and it could not effectively be administered nor would it meet the criteria for a national lakeshore.... [We] do not intend to establish the lakeshore without these two mainland units.[1286]

Thus the stage was set for another vigorous debate between the Department of the Interior and Congress.

Kastenmeier recommended the adoption of the eight amendments approved by the Senate in S. 621. He further indicated that in his judgment, even without the Indian tribal land, the area constituted a viable unit of the national park system.[1287] Congressman O'Konski concurred and said:

> I think it will be a great national park. I think it would be good for the Indians, but unfortunately, the Indians do not see it that way. So, if it poses a problem or hurdle, my suggestion would be to leave [Indian land] out temporarily and go ahead with the rest of the development, and I think that

[1286]HSC Hearings, March 23-24 and June 3, 1970, pp. 237-9.

[1287]Ibid., pp. 240-6.

> as the years go by they will see the value of it, and then they themselves will want to become a part of it.[1288]

O'Konski urged prompt action on the part of the committee to eliminate the uncertainty that existed in the area as a result of prolonged congressional debate.[1289]

Senator Nelson testified and took the same vigorous position he had taken in the Senate. He felt that the islands and the fifteen miles of shoreline on the peninsula made a magnificent project. He suggested that the special provisions for the Red Cliff Band (initiation by the tribe before any negotiations were held, as well as congressional oversight) be provided to the Bad River Band as well. All of the difficulties posed by the Indian issues could have been avoided, he observed, if he had left them out of the proposal ten years earlier. "I was trying to do something for the Indians; I would have left it off and nobody in the bureaucracy would have thought of it. In fact, they would not have thought of the bill." Congressman Roy Taylor agreed.[1290]

In response to a question from Chairman Aspinall, Nelson said it was the business of Congress to tell the executive branch what was wanted. Although Aspinall concurred, he summed up the dilemma Congress faced in forcing legislation on a recalcitrant bureaucracy: "You know just as well as I do that if you have an agency that resists the development of one of its facilities, you have almost a hopeless task as far as Congress is concerned. You say go ahead and make them do it; that is a little bit difficult."[1291]

[1288]Ibid., pp. 246-54.

[1289]Ibid.

[1290]Ibid., pp. 332-59.

[1291]Ibid., p. 352.

In his testimony, National Park Service Director Hartzog exuded confidence that the Indians would eventually want to be included, but repeatedly reiterated that the park service would not establish the lakeshore without the two mainland units. He observed, "This bill has more advantages written into it for Indian tribes than any other piece of legislation I have ever seen presented to the Congress." In the event that the Indians did not choose to be included, he stated that he would return to Congress for advice on what to do with the alienated and allotted land acquired as a part of the project: "I think [these lands] could be used for public recreation, but I do not think it would measure up to the caliber of an area for the National Park System.... It would not be the first time that the Federal government acquired an area and subsequently turned it back to a state or local government for management of recreation resources."[1292] Aspinall expressed serious reservations about using LAWCON funds on a project that might not be viable, given the many demands for funds then pending before the committee.[1293]

Although he continued to insist that he would not recommend the legislation without the Indian trust land, Hartzog recognized that the policy decision rested with Congress. He wanted all three units, but in an about-face said he was willing to compromise and delete the Kakagon-Bad River sloughs. The shoreline area on the Red Cliff Reservation was, however, critical to the project to protect the environment as viewed from boats on the water. (The 1930s park service reports on the area had made the same point.) He advised Chairman Aspinall, "At some point you come to the rock and the hard spot, and then you

[1292]Ibid., pp. 254-85.

[1293]Ibid.

either have an investment that is worthy ... of the Federal government, or you do not have it."[1294]

Congressman McClure pushed Hartzog hard on the need for the mainland units. Hartzog, apparently forgetting his earlier comment on the sloughs, responded, "But you just called for my hole-card and that is it. We are not going to recommend this legislation under any circumstances of which I am aware. If the Congress decides that the mainland should not be in there, then this would be the policy decision of the Congress without our recommendation."[1295]

Other witnesses and communications from national organizations took positions comparable to Nelson's, arguing that twenty-one islands and the fifteen miles of shoreline constituted a viable national area.[1296] The House committee still was highly uncertain as to how to proceed. In brief, its uncertainty was based on a number of issues:

1. There were no guarantees that negotiations with Indians on trust lands could be worked out after project authorization.

2. Indians throughout the United States were generating enormous pressure on committee members.

3. The National Park Service had taken a firm stand that all three units were necessary for a viable national lakeshore and that the lakeshore would not be established by the secretary until sufficient lands, including the Indian trust lands, had been acquired for efficient administration.

[1294]Ibid.

[1295]Ibid.

[1296]HSC Hearings, March 23-24 and June 3, 1970: Messages from the Citizens Committee on Natural Resources, p. 286; Sierra Club and Friends of the Earth, p. 369; Wilderness Society, p. 380; National Wildlife Federation, p. 384; and Izaak Walton League of America, p. 387.

4. It was unclear whether Wisconsin would give its lands to the federal government. (The committee was also unhappy with the Ashland County Board's sale of Oak Island to the state. A strong commitment from local units of government was in its view apparently lacking.)

5. Committee members were uncertain of the long-term costs of leases with the Indian tribes; furthermore, a national area had never been established on the basis of leaseholds.

6. Non-Indian property owners militantly opposed the lakeshore.

7. Substantive questions had been raised regarding recreational use and allegedly unsafe boating conditions.

These circumstances, and the park service position, were described by Kastenmeier in his newsletter to constituents "as throwing a cloud over the future of the project."[1297] And indeed they did.

This debate had been raging before the House Subcommittee on National Parks and Recreation. A strong minority view developed in the subcommittee, and congressmen Kyle and Skubitz insisted on a full hearing before the House Committee on Interior and Insular Affairs. Their position prevailed, and the matter was reported without recommendation to the full committee on May 8, 1970.

The Full Interior and Insular Affairs Committee Takes Up the Matter

In the three months between subcommittee and full committee hearings, my office and those of Nelson, Kastenmeier, and McElvain were sites of furious activity. Correspondence and my personal notes, albeit not a complete record, provide insights on the dynamics of the process and our attempts to deal with the issues now before the committee.

[1297]Congressman Robert Kastenmeier, Newsletter, Vol. III, No. 13, March 27, 1970.

Stuart Applebaum, a staff assistant to Kastenmeier, suggested that I summarize the situation and pose alternatives. This I did as follows:

1. Hartzog's position that he would negotiate with the Indians after the legislation was enacted was consistent with our position since the inception of the proposal.

2. The question of whether or not there was a viable project without trust lands had never been faced.

3. Precedents existed regarding Indian lands and national parks (Grand Portage National Monument; Big Horn Canyon National Recreation Area; the National Wild and Scenic Rivers Act; and the Nez Perce National Historical Park).

4. There were alternatives:

   a) Pass Kastenmeier's bill.

   b) Pass the Senate bill.

   c) Pass the Senate bill, but amend it to provide the Bad River Band with the same options provided Red Cliff (i.e., initiation of negotiations by the tribe and congressional oversight). Moreover, I suggested 1) that the tribes have five years to make a judgment, 2) the secretary would be provided with condemnation power for scenic easements on land 350 feet from the shoreline on the eastern fifteen miles of the peninsula, and 3) Congress, and not the secretary, would establish the lakeshore.

   d) Establish the islands and the western fifteen miles as a national park and the eastern fifteen miles of the Bayfield Peninsula and the Kakagon-Bad River sloughs as a recreation area dependent upon Indian approval.[1298]

Nelson also wrote Kastenmeier and transmitted four versions drawn up by himself, John Heritage (an aide to Nelson), the Senate legislative counsel and myself, which included the following options:

1. Provide Bad River with the same options as Red Cliff.

[1298]Harold C. Jordahl, Jr., letter to Robert Kastenmeier, April 2, 1970.

2. Immediately establish the lakeshore to include the twenty-one islands and the western fifteen miles of the peninsula with condemnation powers for the two allotments. Red Cliff and Bad River could, within five years of lakeshore establishment, petition to be included.

3. Delete the Indian lands completely with no option to be included at a future date. However, if petitioned by the tribes, Congress could again address the issue.

4. Establish the islands and the Kakagon-Bad River sand spit, including Long island, as a national park. (Nelson observed that "Jordahl suggests inclusion ... of the Sand Spit... as it contains no Indian lands and is a unique resource worth protecting.") No Indian lands would be involved.[1299]

At the request of the committee, the NPS had prepared maps showing the reduced boundary of the lakeshore, which included the islands, the western portion of the Bayfield Peninsula, and Long Island and approximately three-and-one-quarter miles of the sand spit west of the Bad River Reservation boundary (see Appendix One, Map 9).[1300] The NPS also provided another option with an additional set of maps: an addition to the boundary to include the eastern portion of the Bayfield Peninsula and the Kakagon-Bad River sloughs (see Appendix One, Map 10).[1301]

On April 22, 1970, McElvain was preparing alternatives for the House committee that were being reviewed in Nelson's and Kastenmeier's offices. McElvain wrote a confidential memorandum to the committee on May 1, based in part on an earlier executive session of the committee. The memo stated that the lakeshore would be established by

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[1299]Gaylord A. Nelson, letter to Robert Kastenmeier, April 20, 1970.

[1300]National Park Service, "Apostle Islands National Lakeshore," NL-AI 7100 C, sheets 1, 2 and 3, April 1, 30, 1970, in files of U.S. House of Representatives, Subcommittee on National Parks and Recreation, Washington, D.C.

[1301]Ibid., NL-AI 7100 D, sheets 1 and 2, April 30, 1970.

Congress and would consist of the islands, the western fifteen miles of the peninsula including six allotments, and the sand spit. Within five years and by petition, the Indian bands could be included. The allotments would be acquired by successful negotiation with fifty percent of the owners of interest. If the Indians participated, all preferences in the amended version of S. 621 would prevail. Ninety-nine-year leases on Indian lands would be authorized. Rentals would be limited to a percentage of the fair-market value of the fee and the average interest rate of federal long-term securities. H.R. 555 was to be amended with these provisions. Because the full committee had not considered the matter, McElvain cautioned us not to release any of the information to the press.[1302]

On May 8 the House subcommittee had reported without recommendation to the full committee S. 621, H.R. 9306, and an amended version of H.R. 555. Kyle and Skubitz wanted a definitive park service position and were insisting that Hartzog appear before the committee.

From an Indian point of view, H.R. 555 with amendments was their best option. The Indian lands were identified on the park service maps as "Potential additions to the Apostle Islands National Lakeshore on Request of the Indian Bands." This was a unique arrangement in the history of national recreation areas. In effect, Congress was saying that if the amendment passed, the western fifteen shoreline miles, the sand spit and the twenty-one islands would constitute a worthy addition to the national park system; Indian lands could be added later. Kastenmeier described the subcommittee's action as "neither a victory

[1302]John Heritage and Harold C. Jordahl, Jr., telephone conversation, April 22, 1970; Lee McElvain, confidential memorandum to members of the House Subcommittee on National Parks and Recreation, May 1, 1970.

nor a setback for the [lakeshore] ... but the future of the Apostle Islands is in doubt."[1303] The Republicans on the subcommittee were still insisting that S. 621 as originally introduced be considered in order to characterize Nelson and Kastenmeier as "anti-Indian."[1304]

In the midst of all this, Aspinall wrote to Hartzog and said, "The feeling of most members of the committee was that the testimony which you have given with respect to the Indian lands made a compromise difficult." An amended H.R. 555 was attached. Aspinall asked, "Would the Administration -- including the Interior Department and the Bureau of the Budget -- have objection to the enactment of the revised language?" He also wanted a new development plan and cost estimate based on the revised boundaries.[1305]

Secretary of the Interior Walter Hickel Expresses Support

Nelson talked with Hartzog on May 19. Hartzog indicated that he could not speak for the administration. Therefore Nelson decided to visit with Secretary Hickel personally; this was arranged for June 1. Rumors were then circulating that the Bureau of the Budget would not approve an amended lakeshore bill. McElvain, however, felt that the bureau would not take that position.[1306]

O'Konski joined Nelson in the meeting with Hickel. After the meeting, O'Konski said that Hickel was "solid for it and will send some people up to the hill to make some

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[1303]Congressman Robert Kastenmeier, Newsletter, Vol. III, No. 19, May 1970.

[1304]Stuart Applebaum, telephone call to Harold C. Jordahl, Jr., May 8, 1970.

[1305]Wayne N. Aspinall, letter to George B. Hartzog, Jr., May 12, 1970.

[1306]John Heritage, telephone call to Harold C. Jordahl, Jr., May 19, 1970; Stuart Applebaum, telephone call to Jordahl, May 27, 1970; Applebaum, telephone call to Jordahl, May 28, 1970.

contacts."[1307] The press reported that "Hickel's enthusiastic support for a bill creating the project without the Indian lands could be the deciding factor in convincing the Committee to move the bill to the House floor."[1308] An enthusiastic O'Konski said he "was confident the Interior Department would agree to develop the lakeshore as proposed by the House Committee."[1309] Nelson was optimistic, although he took a more careful public position and said he was not at liberty to discuss Hickel's position.[1310]

Kastenmeier and O'Konski now wrote a joint letter to all members of the House committee, explaining in detail the amended version of H.R. 555. Kastenmeier also called Governor Knowles, who indicated that he would send a telegram of support to the House committee and that perhaps the Upper Great Lakes Regional Commission would submit another resolution of support. During this period, however, Aspinall was upset and testy. The proposal was rife with too many uncertainties (and the death of a close friend had also upset him). Further, the Indians were still actively opposing the lakeshore. The new Indian affairs commissioner, Louis R. Bruce, had not yet taken a position (although two prior commissioners had supported S. 621 in both its original and amended forms). Aspinall was having difficulty achieving a quorum for the committee's June 3 hearings. He and

[1307]"Apostle Islands Bill Gets Hickel's Backing," Milwaukee Journal, June 2, 1970; Richard Bradee, "Hickel to Help Apostle Islands Bill," Milwaukee Sentinel, June 2, 1970.

[1308]Ibid.

[1309]Ibid.

[1310]Ibid.; Stuart Applebaum, telephone call to Harold C. Jordahl, Jr., June, 1970.

Congressman James O'Hare of Michigan were anxious to dispose of the Apostle Islands and move on to consideration of Sleeping Bear Dunes National Lakeshore in Michigan.[1311]

The House Committee Acts: Indian Lands are Deleted

The committee met on June 3. In his opening comments, Aspinall pointed out that the Interior Department had not been consistent regarding the lakeshore. He then stated, "All right Mr. Director [Hartzog], it is your time to not only defend, but to go ahead and carry on the offensive as well."

Hartzog replied, "I count it a high honor and a great privilege to have the opportunity of appearing before this committee and its full membership."

Aspinall said, "You are a glutton for punishment. You love us and you come up here and we enjoy having you before us." Hartzog replied, "Well, I do love it."[1312]

The hearings were off to an amicable start, but proceedings grew more heated as they progressed. Skubitz asked Hartzog if he would recommend a presidential veto if the lakeshore was reduced in size. Hartzog responded, "I would rather not speculate on that because my recommendation would not be a matter of concern to the President. It would be the Secretary's recommendation, and I have not discussed that issue with the Secretary."[1313] Communications had obviously broken down between the secretary and Hartzog. Hartzog took the position of favoring the amended S. 621 and said that the administration objected to the House committee's amendments "because [they] would not

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[1311]Stuart Applebaum, telephone call to Harold C. Jordahl, Jr., June 1, 1970.

[1312]HSC Hearings, March 23-24 and June 3, 1970, p. 394.

[1313]Ibid., p. 417.

permit the acquisition of 2,930 acres of private non-Indian trust or allotted land on the mainland [Bayfield Peninsula]."[1314] He also submitted revised cost estimates and concurred with the House subcommittee language which would not impose a ceiling on development costs given the uncertainty of including the Indian lands.[1315]

Hartzog emphasized the need to acquire the private lands on the Bayfield Peninsula to prevent development that would detract from the lakeshore, and said that the Red Cliff Tribal Council did not have the funds to acquire them. If the tribe decided not to participate, the park service would not build the scenic road, but the Indians would be denied an economic development opportunity. Hartzog indicated that he would be willing to sell the 2,930 acres of allotted and private land acquired by the park service to the tribe if the tribe chose not to participate by excluding its land.[1316]

In spite of his position in favor of S. 621, Hartzog continued to comment on H.R. 555:

> You have included in the committee rewrite this much of the spit [and Long Island] and at this point I would like to suggest for your consideration if it be your judgment that you are not going to provide a mechanism for the Bad River Indians to become a part of this proposal, that the spit should be eliminated; also because you pose an unreasonably increased management problem in having to service that from here, all the way over here. (Plans

[1314]Ibid., p. 413.

[1315]Ibid.

[1316]Allotment No. 746L was 27.33 acres and had 56 heirs (including a 1/18 non-Indian interest of Aikin Lamorie). Allotment No. 135 was 57.27 acres, and involved the 26 heirs of Della Charette (U.S. House of Representatives, Subcommittee on National Parks and Recreation, Report No. 91-1280, July 7, 1970, p. 6).

still provided for park headquarters and a visitor center on the fifteen-mile peninsula shoreline.)[1317]

Skubitz and Burton wanted to know if Hartzog would be willing to negotiate with the Indians, obtain an agreement, and then return to the committee before the legislation was passed. Hartzog said, "Well, that in effect is condemning the legislation to defeat, because obviously we are not going to get any agreement out of the Indians this session. And I think the opportunity for doing something to preserve what little remains of Apostle Islands is now."[1318]

Skubitz said, "It may take a year, but I am willing to wait another year to get this park properly planned and developed." Hartzog replied, "What do I have to promise them, Mr. Skubitz? I do not have a thing to promise them because in advance of the Congress enunciating a policy to establish the parameters within which I can negotiate, I would be talking with the same forked tongue that ... we have been talking with for the last 150 years."[1319]

Throughout the hearings, Hartzog consistently took the position that he favored the amended S. 621. On the other hand, he reiterated repeatedly under questioning that he could administer a reduced lakeshore, and that that was a decision for Congress to make. He indicated his willingness to drop the Kakagon-Bad River sloughs and suggested the elimination of the "sand spit" and Long Island. Hartzog vigorously sought the authorization to acquire the 2,930 acres of alienated reservation land on the peninsula, and he stated that

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[1317]HSC Hearings, March 23-24 and June 3, 1970, p. 416.

[1318]Ibid., pp. 423-4.

[1319]Ibid.

if within a five-year period the Red Cliff Band did not petition for inclusion in the lakeshore, he would 1) retain title to those lands needed for the lakeshore in the vicinity of the proposed administrative site; 2) sell the remainder to Red Cliff at a price paid by the secretary plus an amount equal to the interest charges incurred by the U.S. for borrowing the purchase price or the fair market value on the date they were purchased by the band, whichever was less; 3) ask the interior secretary to offer the lands under long-term lease at reasonable annual rates if the band did not exercise its right of first refusal; and 4) ask the secretary to sell or lease the lands to others, subject to environmental restrictions to ensure their use in a manner compatible with the objectives of the lakeshore if the band chose neither to purchase nor lease. Prior owners would have the right of first refusal. Hartzog commented, "Under any of these arrangements the Secretary will be able to achieve an important objective of the Apostle Islands proposal with respect to these privately owned lands; namely, environmental protection of the overview from the mainland to the islands consistent with compatible public use and development."[1320]

Thus, in the spirit of compromise and accommodation, Hartzog built into the proposal another significant opportunity for the Red Cliff Indians. If they would not negotiate for inclusion, they now would have the opportunity to reacquire alienated land under favorable terms, a course of action not then open to them because of their lack of tribal funds.

[1320]George Hartzog, letter to Wayne Aspinall, June 10, 1970, in HSC Hearings, March 23-24 and June 3, 1970, pp. 434-5.

Subsequent to the hearing, Kastenmeier and Aspinall conferred on the matter several times. They agreed, finally, that all of the Indian land, except for the two allotments, would be eliminated, as would all language regarding Indian preferences.[1321]

McElvain then called me and wanted assurances in writing that the state would transfer its islands, without charge, to the federal government. I advised him that a transfer could be arranged at a later date and that the issue shouldn't be joined at this time. He concurred. The sand spit and Long Island were also to be deleted. Although I concurred with him on the elimination of the sand spit because of its proximity to Indian lands, I argued with him at great length that Long Island should be kept in the project because it was totally different and unique ecologically from the other twenty-one islands, and it was not close to the Bad River Indian Reservation boundary. McElvain's response was that it was too close to Indian country, and Hartzog had indicated that it was too far removed from the administrative site planned for the Bayfield Peninsula for efficient management. McElvain concluded, "Do you want your damn park or don't you!" I acquiesced and Long Island was deleted.

On June 10, the House committee had a thorough discussion on the bill. It appeared to arrive at a consensus that the committee would make the policy decision and establish a reduced lakeshore. Aspinall was of the opinion that Hartzog and the administration would not recommend a veto. The revised cost estimate was now $9.25 million.

To further complicate matters, the new Indian affairs commissioner, Louis R. Bruce, had written Aspinall on June 10 and said, "Any park that might be established in this area

[1321]Stuart Appelbaum, telephone call to Harold C. Jordahl, Jr., June 8, 1970.

will have an impact on the lives of the Chippewa people. It should be within their prerogative to state their position on forces coming into play that could very well reshape their lives."[1322]

The committee was to consider the bill later that month. We planned to stimulate letters and telegrams in support. In the meantime the committee was giving the 1854 treaty further study, especially with regard to land matters. Aspinall said after the review, "If you ever want to see a treaty that gave more thought to tobacco and firewater without taking into consideration what was really involved -- the land -- this is it."[1323]

In his newsletter, Kastenmeier reported further on Hartzog's position:

> The Red Cliff [Indians] ... have hopes of recapturing these private lands but they probably never will because of economic conditions. While the Indians have these aspirations, they are, at this point in time, essentially dreams and they should not stand in the way when other public interests are involved. Some landowners are happy to promote the Indian position, although they personally oppose it, for they would be no more willing to sell their private holdings back to the Indians than they would be to have their lands within the lakeshore. Until the time comes when the Indian claims and economics make these dreams a reality, if indeed, that is ever possible, there is no justification for blocking this park, the goals of which are compatible with the Indian respect for the land.[1324]

[1322]Louis R. Bruce, letter to Wayne Aspinall, June 10, 1970; John Heritage and Stuart Applebaum, telephone call to Harold C. Jordahl, Jr., June 10, 1970.

[1323]Lee McElvain, memorandum to members of the House Committee on Interior and Insular Affairs, June 10, 1970; "Indian Land Rights Queried," Milwaukee Sentinel, June 11, 1970.

[1324]Congressman Robert Kastenmeier, Newsletter, Vol. III, No. 24, June 12, 1970.

The House committee reported on H.R. 9306[1325] on July 7, 1970, with the recommendation that it be passed as amended.[1326] The committee report included the dissenting views of four Republican members and one Democrat. A number of policy questions were addressed by the majority:

1. The area was described as magnificent and "even a small portion of such an outstanding outdoor recreation area is worthy for inclusion in the National Park System."[1327]

2. All Indian lands, tribal or allotted, except for two allotments on the Bayfield Peninsula, were excluded, and those two could only be acquired with the consent of a majority of the owners. The bill explicitly stated that Indian land could not be acquired, with the two exceptions. The committee described Indian opposition as adamant at the time and indicated that they would not wish to participate in the near future. All language regarding Indian preferences was deleted. The fifteen miles on the western end of the Bayfield Peninsula were included; however, some 1,500 acres of alienated land within the Red Cliff Reservation were in this portion of the lakeshore.

3. The lakeshore would be established by the act and not by administrative action. The question as to whether or not a reduced area qualified for national status was unequivocally answered:

   "The Committee has concluded that it is ludicrous to suggest that a proposed unit of the national park system is any less viable than it otherwise would be merely because the boundaries are revised. If a proposed unit of the national park system is needed, desirable and worthy of national recognition; if it can help meet the outdoor recreation needs of the Nation; and if the general good of the public can be served with a minimal disruption of the localities involved, then it is the responsibility of the Congress to consider it.... It is the Congress which must decide what action should be taken."[1328]

[1325]H.R. 9306, with Kastenmeier and eleven sponsors, was the same bill as Kastenmeier's H.R. 555.

[1326]U.S. House of Representatives, Committee on Interior and Insular Affairs, Report No. 91-1280, July 7, 1970.

[1327]Ibid., p. 4.

[1328]Ibid., p. 7.

The committee further noted that although the park service favored a larger area, it had indicated that a smaller lakeshore would be manageable.

4. State lands were expected to be donated and the secretary could only acquire them by donation.

5. Costs were authorized as follows: $4,250,000 for lands and $5,000,000 for development. Although the park service had still been considering the scenic road, the committee requested that it be advised if the NPS took any such action. Further, the committee suggested that more appropriate use of the peninsula would be for recreation and preservation, not for scenic driving.[1329]

In late July, Aspinall, Taylor, and Kastenmeier were to meet with the Rules Committee in a closed meeting to explain the lakeshore.[1330] The Rules Committee reported favorably on August ll and allowed two hours for floor debate. Letters, telegrams and telephone calls to the Wisconsin delegation supporting the lakeshore were being generated by supporters. Applebaum prepared a letter for the signature of the Wisconsin House delegation to all members of Congress. It was signed on September 9 by Republicans O'Konski, John W. Byrnes, Henry C. Schadeberg and William A. Steiger, and Democrats Zablocki, Reuss, Kastenmeier and Obey. Republicans Vernon Thompson and Glenn Davis were missing. The letter noted that the area had been under consideration for forty years, that all Indian lands had been deleted, that the Advisory Board on National Parks, Historic Sites, Building and Monuments had approved it (although in its original

[1329]Ibid., p. 8.

[1330]Stuart Applebaum, telephone call to Harold C. Jordahl, Jr., July 24, 1970.

form), and although the park service had preferred the larger area, it still supported the project.[1331]

Indians Urge Defeat of the Bill

The Indians and their supporters continued to object. For example, Loretta Ellis, the Minneapolis regional vice president of the National Congress of American Indians, wrote to all members of the House urging that the bill be defeated. Her primary concern was the authorization to acquire the alienated shoreline along Lake Superior within the small Red Cliff Indian Reservation, which represented a full third of the reservation area.[1332]

On September 11, 1970, by a voice vote, the House approved the lakeshore, although members were "flooded with telegrams from Indian groups across the country urging defeat."[1333]

Indian groups continued to be active. After their unsuccessful efforts in the House, they again pressured the Senate. Michael Connors of the Chippewa Indian Youth Council called "on all Native Americans to telephone or telegraph their respective Senators in an

[1331]Alvin O'Konski et al., letter to all members of the U.S. House of Representatives, September 9, 1970.

[1332]Loretta Ellis, letter to all members of the U.S. House of Representatives, September 9, 1970.

[1333]"House Approves Apostle Isle Bill," Milwaukee Sentinel, September 11, 1970.

effort to influence their voting patterns."[1334] He objected to including alienated land within Red Cliff within the lakeshore.

Some Indian communications with Nelson were inconsistent. Some individual tribe members had written him stating their desire to sell their land even as they objected to the lakeshore. Connors, who opposed the inclusion of Indian land, wanted assurances from Nelson that the park service would hire ten to fifteen Indians.[1335]

Finally, on September 26, 1970, President Nixon signed Public Law 91-424. Kastenmeier, in writing to me afterwards, commented, "There were times when I wondered whether we would be able to win approval. It wasn't easy, but the effort was rewarding."[1336]

Nelson reflected on the struggle regarding the Indian land:

> It was at that stage that I decided, okay, we can't get the twenty or thirty miles of the Red Cliff shoreline and we can't get the Bad River Band in it, so I would drop it [chuckle]. George Hartzog was pretty sore about that.... It was kind of foolish that they didn't even want the right to petition to be included if they decided to at some stage in their history. It really didn't matter anyway. If they ever reached the stage where they wanted to, it wouldn't be very difficult to get an amendment with the tribal council supporting it.... If they petition to include some of their lands, then we will have hearings and decide whether it is a good addition to the park system. So it really wasn't worth fighting about.... You see, a lot of people never read the bill and they just assumed the Congress -- the white people -- were trying to take something away from them. So, if they weren't going to read the bill and you had all this emotion, the best thing was just to leave it out.

[1334]"Indians Fight Apostles Project," Milwaukee Sentinel, September 15, 1970; "Indian Urges Opposition to Apostle Plan," Milwaukee Journal, September 15, 1970; John Heritage, telephone call to Harold C. Jordahl, Jr., July 7, 1970; Heritage, telephone calls to Jordahl, September 21, 1970.

[1335]Ibid.

[1336]Robert Kastenmeier, letter to Harold C. Jordahl, Jr., October 1, 1970.

Regarding Hartzog's position, Nelson said:

> I was dealing with him on a regular basis on quite a few things as a member of the Interior Committee.... We would go out fishing to Fort Jefferson ... and meet him down at the Everglades. He was a tough fellow [laughter].... He was right up front, hard nosed, a hell of a park director. I think we haven't had one that good since, and damn few prior to, so you had to deal with him nose on.[1337]

Hartzog, in his reflections, noted that the earlier rejection of Apostle Islands had a negative effect on the National Park Service's attitude in the 1960s. There was "great institutional resistance from within the park service and a lot of talk about destroying the system, etc... But we had a roll on," Hartzog said. "My objective was to save what was left and leave my successors to sort it out. Congress always corrects. Public policy is like making sausage -- messy, but eventually you get good sausage. Apostle Islands would be a much better park today if we had taken it in the 1930s." Hartzog spiced his observations with some choice words about the "stupidity of rejecting the area because some timber had been cut."

Regarding the debates, he said his own contribution to the Apostle Islands proposal was "finding the consensus that would pass on the Hill." When asked about the hot words he exchanged with Senator Nelson in the hearings and his strong position that without the Indian lands the unit did not meet park service standards, Hartzog laughed. "You might call it ... a negotiating position. Ultimately, you take what you get.... In the legislative process, you can't have perfection."[1338]

[1337]Gaylord A. Nelson, interviewed by Kathleen Lidfors, March 4, 1985.

[1338]George B. Hartzog, Jr., interviewed by Kathleen Lidfors, March 7, 1985.

CHAPTER SIXTEEN

THE TRANSFER OF STATE LANDS TO THE APOSTLE ISLANDS NATIONAL LAKESHORE

President Richard M. Nixon signed the Apostle Islands National Lakeshore Act in the fall of 1970. At that time, the state of Wisconsin owned 16,609 acres on Oak, Basswood, Stockton and Michigan islands, almost forty percent of the land mass in the archipelago. The National Park Service obviously had a considerable interest in adding these lands to the lakeshore; the Wisconsin Department of Natural Resources preferred to keep them under its ownership and management. The process of getting the state to agree to transfer the lands was long and tricky and would not be accomplished until 1976. Numerous issues and problems arose over what at first appeared to be a simple property transfer.

The state's position had been made eminently clear during the long legislative history on the lakeshore: It would consider a sale of the land to the federal government, or it would continue to manage the islands in a manner compatible with park service management. The latter position was consistent with the pragmatic political position Nelson and the Interior Department subcommittee had taken regarding state lands during the debates on the lakeshore. Joint management would avoid outright opposition from the Wisconsin Department of Natural Resources during the legislative process. In addition, Congress would not deviate from its long-standing policy of not paying for state lands to be included in the national park system.

State Politics

At the time Congress approved the Apostle Islands National Lakeshore, a number of political changes were occurring in Wisconsin. After six years of Republican rule under

Warren Knowles, Patrick Lucey swept into the governor's office with fifty-five percent of the vote. Lucey would be the first governor to serve a four-year term, which had been recently approved under a state constitutional amendment. In the third year of his term, Lucey would have a majority of appointees on the new, and powerful, Natural Resources Board. The board had been created to assume the functions of the Wisconsin Conservation Commission as well as major new responsibilities for pollution control. The Natural Resources Board would set policy, the Department of Natural Resources (DNR) would carry it out. In 1970 this new board was still controlled by members of the former conservation commission and was dominated by appointees who had caused Nelson trouble in the establishment of the lakeshore. They would make the initial decisions regarding a land transfer.

During his first year as governor, Lucey nominated Charles H. Stoddard, former director of the U.S. Bureau of Land Management, to a seat on the board. Stoddard, a distinguished conservationist and a lakeshore supporter, was also a partisan Democrat. The Wisconsin State Senate refused to confirm him. Immediately after the negative vote on Stoddard, Lucey nominated me to the board, and I was confirmed in March 1972.

Although DNR officials recognized my influence and were realistic enough to see the eventual impact Lucey would have on the board, they still balked at new initiatives emanating from the governor or me, especially if they represented dramatic shifts from long-established policy. Shortly after I assumed my seat on the board, Lucey nominated a second member, Lawrence Dahl, who was readily confirmed by the Senate. Two more Lucey appointees were confirmed in his first term, but it would not be until May 1975 that three

more Lucey appointees would bring the board fully under his influence. That same month, L.P. Voigt, the department secretary, resigned. Voigt had followed the direction of the commission and the board on the Apostle Islands from the inception of the debate. With the appointment of Anthony Earl, a close associate of Lucey, to head the department, the ownership of the islands would be more readily transferred. But before that was to happen, the island transfer would be delayed for years by board and department obfuscation.

During the 1970 political campaign, I had discussed with Lucey the desirability of transferring the state-owned islands to the National Park Service. There was no urgency, however, as it would take a few years before the park service had a staff and program in place in the lakeshore. Furthermore, given the history of the Natural Resources Board and its predecessor, the conservation commission, we expected resistance. It would be better to wait until we had a more powerful presence on the board. I also set the stage for a transfer in discussions with Norman Anderson, a personal friend, a Democrat and the assembly majority leader, and Lewis T. Mittness, who chaired the Assembly Committee on Natural Resources. Their response was favorable.

Although I had good working relations with Clifford W. "Tiny" Krueger, the Republican chair of the state Senate Committee on Natural Resources, the senate was still controlled by the Republicans, and it would have been risky to bring the matter to their attention until we had a stronger position. The Department of Natural Resources had considerable influence with Krueger and the senate, and a partisan squabble over the land transfer could easily occur.

Arguments for a transfer made good sense. The islands would be under unified park service management, and the state would save money by relinquishing its management responsibilities. Moreover, it would contribute to the national recognition of the values of the Apostle Islands region. Bureaucracies, however, seldom respond to logical arguments when their power, and, in this instance, their lands, are threatened.

Gaylord Nelson later reflected on the transfer:

> The conservation commission started out with the viewpoint that they had to be paid for the [state lands] which, of course, would destroy the whole project.... [We] did a lot of work in persuading the conservation people to change their mind, but when you look at all the editorial support, you can see politically, there was, all along the line, a lot of heat on the people in state government.... [So] there was a lot of political pressure on the conservation department and they finally gave up on their idea that they had to be paid for those state lands.... I explained to them, how foolish can you be, that it would release money for other projects that you have. What sense does it make to be spending money managing Stockton and the other parcels you own when you have the federal government willing to take it off your hands? ...[And] I guess, at some stage, they were convinced that they either were beat or what have you. I think they were beat.[1339]

But it would take five years to beat them.

The Debate over the Transfer

The DNR stated its position on the transfer of land:

1. The state could retain its islands and agree to a management plan with the National Park Service;

2. A transfer should not be considered until the federal government had made a serious and substantial commitment through appropriations to the lakeshore; and

3. The park service had to make a persuasive case that a transfer would benefit the state.

[1339]Gaylord Nelson, interviewed by Kathleen Lidfors, March 4, 1985.

If, however, the DNR should consent to the transfer of the islands, it wanted a number of concessions first:

1. Reimbursement for the state's investment of approximately $400,000 in the islands;

2. Free access by Wisconsin residents to the lakeshore in recognition of their contribution (legislation on the Ice Age National Scientific Reserve contained such a proviso);

3. A formal agreement between the secretary of the interior and the state on master plans for the islands and on subsequent revisions;

4. An "in-lieu" payment to local units of government to compensate for lands removed from property tax rolls, as the state was currently doing;

5. Reservation of mineral rights on all transferred land or the right to approve any future mining;

6. A clear statement that the state retained the power to enforce fishing [both sports and commercial], hunting and trapping, and that the park service confer with the state on any closures for purposes of public safety;

7. Boating should be regulated by the state and the U.S. Coast Guard and not the park service;

8. An assurance that the donated lands would be kept primitive, wild, and scenic; and

9. An agreement that, if the transferred lands were not used in accordance with the lakeshore act, they would revert to the state.

The DNR also took a position that would ensure that the transferred islands would not be overdeveloped. The department was arguing for sports and commercial fishers, hunters and trappers, and for minimizing the number of agencies that had jurisdiction over boating. It was arguing against mining (which could be conducted under the lakeshore act as long as mining did not interfere with the primary purpose of the lakeshore). The DNR

put up a long fight to force the federal government to meet these demands; compromises were finally achieved.

The first formal action by the Natural Resources Board came in 1970 in a resolution that insisted on the need for compatibility between park service and state plans for the islands. It declared that a transfer would not be considered until the lakeshore had been adequately funded and a persuasive case had been made for the necessity of a transfer. The board was, at that point, comfortable with joint management in the area.[1340]

A year later Voigt still argued, in a letter to Lucey, that a persuasive case for a transfer had not yet been made. Furthermore, he felt that a new park service draft master plan was seriously flawed. He wanted the governor to respond to National Park Service Director George Hartzog regarding the master plan and attached a draft of a harshly-worded letter of criticism.[1341] I redrafted Voigt's letter, using more conciliatory language, and stated that Lucey was ready and willing to assist the park service in a transfer.[1342] I also advised the park service that a transfer could be made when they had the full capacity to manage the lakeshore.[1343] At the same time the lakeshore superintendent, William Bromberg, was pushing for a transfer of Stockton Island because it was of major importance

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[1340]Wisconsin Natural Resources Board minutes, October 6, 1970.

[1341]L.P. Voigt, letter to Patrick Lucey, June 14, 1971.

[1342]Harold C. Jordahl, Jr., letter to Blake Kellogg, Governor Lucey's press secretary, August 3, 1971.

[1343]William Bromberg, letter to Chester L. Brooks, regional director of the National Park Service, December 8, 1971; Brooks, letter to Bromberg, December 17, 1971.

in the archipelago.[1344] Moreover, a transfer of Stockton would give the park service a presence in the area that it did not yet have, given the slow process of federal land acquisition. In response, the board voted against transfers until the park service was able to demonstrate substantial progress in its work on the other islands.[1345]

By mid-1972, Bromberg, who was anxious for a transfer, advised me that the park service now had the capacity to manage the lakeshore, and that the development plan for 1974 had been approved. He asked for the transfer of the islands to be approved by the spring of 1973; it was to include all of the state land, including mineral rights, and the submerged lands extending one-quarter of a mile from the island shores.[1346]

At the start of the new year, after a flurry of correspondence,[1347] I reviewed a draft of a letter from Lucey to the National Park Service on the transfer. Lucey assured Brooks that he had a personal interest in the islands and that his staff was drafting the necessary legislation.[1348]

The drafting was referred to the Department of Natural Resources for action, but trouble was brewing.[1349] The board took up the question again, and in a neat bit of side-

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[1344]William Bromberg, telephone call to Harold C. Jordahl, Jr., July 1971.

[1345]Wisconsin Natural Resources Board minutes, July 15, 1971.

[1346]William Bromberg, letter to Harold C. Jordahl, Jr., August 8, 1972.

[1347]Chester Brooks, letter to Governor Patrick Lucey, December 1, 1972; Harold C. Jordahl, Jr., letter to Farnum Alston, December 20, 1972.

[1348]Governor Patrick Lucey, letter to Chester Brooks, January 11, 1973.

[1349]Milton E. Reinke, Department of Natural Resources acting director of parks and recreation, letter to Farnum Alston, March 1, 1973; Governor Patrick Lucey, letter to L. P. Voigt, March 20, 1973.

stepping was advised by staff that the question of transfer was a matter for the legislature, not the board. A point was also made of the $5,000 in-lieu-of-taxes state payment to the town of LaPointe, a payment that would not be made if the lands were transferred.[1350] Although the board took no action at this time, Voigt submitted a draft bill to Lucey. It contained the DNR's earlier caveats: free admission to the lakeshore for Wisconsin residents; state regulation of hunting, fishing, and trapping; maintenance of the islands in a natural condition under a wilderness concept, with any changes in management requiring the prior approval of the governor; and a reversion to the state if the islands were not used for lakeshore purposes.[1351]

The park service objected, contending that:

1. The legislation did not mention "wilderness purposes." The meaning of "wilderness purposes" was not defined and could conflict with the lakeshore act, and should therefore be deleted;

2. Free admission for Wisconsin citizens was discriminatory, and the federal government could not discriminate against its other citizens;

3. Public hunting and fishing was already permitted in the lakeshore; therefore, state legislation should not mention it;

4. Prior approval by the governor of any changes in park service land use plans was objectionable; and

5. The reversionary clause was contrary to Department of Justice requirements if funds were to be used for development of the area. The basis for reversion was too nebulous and was contrary to law and policy.

[1350]Wisconsin Natural Resources Board minutes, April 11, 1973.

[1351]L. P. Voigt, letter to Farnum Alston, April 17, 1973.

National Park Service officials, not having read the lakeshore hearing records, assumed that the governor or his representative had testified on the act and had concurred in the donation of state-owned lands for the project.[1352] The park service transmitted a revised bill.[1353]

Lucey then considered taking the matter up personally with a visit to Interior Secretary Rogers Morton. I advised him that the issue was too contentious for a discussion between the governor and the secretary and disagreements should be thrashed out with Voigt.[1354] Voigt submitted another draft to Lucey in September which still contained language the park service had found objectionable. Furthermore, he had discussed the problems with Assistant Secretary of the Interior Nathaniel Reed, especially the in-lieu-of-tax payment to the town of LaPointe; although Reed had promised Voigt he would explore the question of a federal "in lieu" payment, nothing further was heard from his office. Voigt's draft was again transmitted to the park service in October.[1355] Because a compromise had not been reached, the bill was not introduced in the fall legislative session.

The following year, the park service began to work on compromises. It agreed to allow state law to reiterate the purposes of the lakeshore: state regulation of hunting, fishing

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[1352]Memorandum from the chief of the Office of Land Acquisition, Northeast Regional Office, National Park Service, to the chief of the NPS's land acquisition office in Duluth, July 25, 1973.

[1353]Letter from the chief of the National Park Service Office of Land Acquisition in Duluth to Farnum Alston, July 30, 1973.

[1354]Harold C. Jordahl, Jr., letter to Farnum Alston, August 1, 1973.

[1355]L.P. Voigt, letter to Farnum Alston, September 18, 1973; Alston, letter to Thomas Coleman, National Park Service Office of Land Acquisition, Philadelphia, Pennsylvania, October 8, 1973.

and trapping and reversion of lands except where the federal government had made a capital expenditure.[1356] In spite of these compromises, the Department of Natural Resources remained adamant on its other conditions.[1357]

Department staff, responding to pressure from the governor's office, finally met with the Interior Department's field solicitor to try to hammer out compromises on the bill.[1358] At the same time, they noted that the state's "in lieu" payment would rise to $5,869. Furthermore, they claimed that they spent $1,900 annually for the operation and maintenance of the Apostle Islands State Forest. These arguments suggested continued state ownership and management. A lengthy memorandum from the DNR's chief legal counsel, submitted to the governor's office, restated all of the earlier objections, and in addition urged a strict prohibition on any mining, a new and tricky issue not raised before.[1359] Voigt wished to resolve the matter and asked the governor's office for help. It appeared that an agreement had been reached that spring.[1360]

The transferred islands would be "managed in a manner that will preserve their unique primitive and wilderness character"; the state would retain regulatory authority over hunting, fishing and trapping; and, except where the federal government had made a capital

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[1356]Elmer T. Nitzschke, field solicitor, U.S. Department of the Interior, letter to Farnum Alston, January 15, 1974.

[1357]Milton E. Reinke, note to Harold C. Jordahl, Jr., January 25, 1974.

[1358]Farnum Alston, letter to L.P. Voigt, January 30, 1974; Voigt, letter to Alston, February 20, 1974.

[1359]James A. Kurtz, memorandum to L.P. Voigt, January 30, 1974.

[1360]Draft joint news release, offices of the secretary of the interior and the governor of Wisconsin, March 4, 1974.

improvement, the lands would revert to the state if not used for the lakeshore. Funds were also to be appropriated to the DNR for the acquisition of 9.06 acres on Michigan Island, which was owned by the state commissioner of public lands. They would later be transferred to the park service. (The state constitution prohibited the commissioners from giving away lands under their jurisdiction.)[1361] In spite of concurrence, the rest of 1974 was to pass without further consensus or action.

The 1974 fall elections significantly changed the political composition of the legislature. The Democracts maintained their comfortable control of the assembly (sixty-three to thirty-six) and more importantly took control of the senate (eighteen to thirteen). For the first time in decades, the party controlled the governorship and both houses. Mittness would continue to chair the Assembly Committee on Natural Resources, and Jerome A. Martin of Manitowoc would chair the equivalent senate committee.[1362]

The Natural Resources Board took the matter up again early in 1975. At this time Lucey appointees controlled the board and I was chair. I noted that we had, at that point, concurrence on the transfer between the DNR, the governor's office, and the Interior Department's field solicitor. I emphasized that we wanted the donated islands to be used for their "unique primitive and wilderness character." The board subsequently approved the transfer of the islands by a vote of six to one.[1363]

[1361]L.P. Voigt, letter to Farnum Alston, June 18, 1974.

[1362]Wisconsin Blue Book, Department of Administration, Madison, Wisconsin, 1975.

[1363]Wisconsin Natural Resources Board minutes, January 10, 1975.

Mineral Rights Issues

Unfortunately, in spite of the appearance of a consensus, the case was not yet resolved. The department's legal counsel again raised the question with the solicitor regarding mineral rights on the islands. The resolution was quite different than either federal or state ownership of the rights.

The solicitor was willing to compromise on the question of mineral rights. However, he commented to the DNR legal counsel that the interior secretary had to acquire an interest sufficient for him to utilize the lands for the stated purposes. Accordingly, the lands could be donated subject to a reservation of the minerals -- provided the park service could certify that the mineral interest is not needed in order for the agency to manage the area in accordance with the enabling legislation. It would seem that such certification could be made particularly if the state were prepared to subordinate its mineral interest to the federal government's right to manage the area as part of the lakeshore.[1364]

The National Park Service was receptive towards the field solicitor's position. The NPS regional director stated:

> While we would hope that the lands would be donated without any reservation of mineral interests, if the state sees fit to donate with a reservation we would be agreeable to the procedures set out in your letter of February 12, 1975. It appears that this procedure would be analogous to the situation involving the State of Michigan at Sleeping Bear Dunes National Lakeshore, where we are handling the matter with certification and subordination agreements.[1365]

[1364]Elmer T. Nitzschke, letter to James A. Kurtz, February 12, 1975.

[1365]Letter from the regional director of the National Park Service to the field solicitor of the Department of the Interior, March 19, 1975.

The Legislature Acts

In spite of the unresolved debate on mineral rights and at the request of the Natural Resources Board assembly bill 381 was introduced with bipartisan sponsorship by representatives Mittness and Lawrence Day, a Republican. We had agreement on language regarding hunting, fishing and trapping; that the island's management would preserve their unique primitive and wilderness character; and that the lands would revert to the state if the lakeshore was abandoned or not used in accordance with stated purposes. No mention was made of mineral reservations. Although I thought Mittness had been thorougly briefed, the concerns he raised in the assembly debate indicated that a transfer was not a sure thing. In addition to issues that had been raised over the past five years, Mittness asked if the Department of the Interior could lease the islands for a consideration based on the amount of the state's investment, if land exchanges were possible, and the impacts if there was no donation. Fortunately the state Department of Natural Resources adhered to the board's position affirming the transfer, and responded that the Interior Department would probably not agree to leases, that the lakeshore act precluded land, exchanges and the impacts of not transferring the land would require further study.[1366] The DNR was also cognizant of the fact that Lucey had at this time nominated three new

[1366]Lewis T. Mittness, telephone call to Milton E. Reinke, acting director of the Wisconsin Department of Natural Resources, March 1975; Reinke, letter to Mittness, March 24, 1975.

members on the Natual Resources Board who would probably have no difficulty in being confirmed. (They were confirmed in May.)[1367]

These concerns were set to rest, and in April the Assembly Committee on Natural Resources recommended the approval of A.B. 381 by a vote of eight to three.[1368] Both houses subsequently passed the measure. On August 13, 1975, Governor Lucey signed A.B. 381 and declared:

> The Federal Government's recognition of the Apostle Islands as gems to be preserved in the purest of our great lakes deserves applause and support from the State of Wisconsin. In transferring these four state islands to federal care we are not only facilitating the completion of lakeshore acquisition, but contributing to the overall recreation and economic development of the northland.[1369]

Lucey had raised again one of the underlying arguments for the lakeshore -- economic development -- and in his statement reinforced it with an announcement that Pat Miller, who had replaced William Bromberg as superintendent, had advised him that the transfer would speed the use of $300,000 in economic development funds that had been pledged to the lakeshore. These funds would be used to employ forty-five people to repair facilities, rehabilitate trails, and build campgrounds. Preservation and economic development went hand in hand.

Lucey also noted a partial veto of the section of the bill that provided that the state would continue to make perpetual in-lieu-of-tax payments to the town of LaPointe, as "this

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[1367]L.P. Voigt, letter to Richard A. Stearn, member, Wisconsin Natural Resources Board, April 7, 1975.

[1368]Ibid.

[1369]Press release, office of Governor Patrick Lucey, August 13, 1975.

would establish a precedent whenever state lands are transferred to another level of government" and was therefore not good public policy.[1370] Senator Daniel Theno, an Ashland Republican looking out for his constituents, had introduced Senate Amendment No. 1 to A.B. 381, which provided for the payment. The legislature recognized Theno's political needs but knew that Lucey would veto the provision, a veto that would not be overridden. Except for Lucey, who may have alienated a few town of LaPointe voters, everyone won. (See Appendix Eight for the law transferring the state lands, and the quit-claim deed.)

The act provided for concurrent jurisdiction by the state, including state laws and regulations governing hunting, fishing, and trapping. Furthermore, the federal lakeshore act was explicit in stating that the interior secretary's authority to regulate such activities in the interest of public safety, administration, fish or wildlife management or public use and enjoyment could only be exercised after consultation with the state (except in emergencies). Thus, the DNR retained regulatory powers for those activities in the lakeshore.[1371]

Mineral Rights Again

The question of mineral rights had not been raised in the legislative debate. Moreover, the act did not address the issue. The DNR and the Natural Resources Board would have to once again struggle with and decide the issue when a quit-claim deed was approved. Superintendent Pat Miller had serious reservations regarding a state reservation of mineral rights and was not willing to accept the prior agreements worked out by his

[1370]Ibid.

[1371]U.S. Public Law 91-424 (S. 621 enacted by the Ninety-First Congress, September 26, 1970); Chapter 1.026(2) of the Wisconsin Statutes.

agency, the state, and the solicitor. Thus he wrote to me and observed that although there appeared to be little evidence of metallic minerals in the region, the removal of sand, gravel, and ballast stone from the lakeshore could pose problems. He noted that that had been the case at Isle Royale National Park. The legislative language of the act -- "it is the policy of the legislature that the Apostle Islands be managed in a manner that will preserve their unique primitive and wilderness character" -- would be inconsistent with any future sandstone quarrying in the lakeshore. To set the matter to rest, Miller urged that the board transfer the mineral rights to avoid future conflicts because of divided jurisdiction.[1372]

Early in 1976, I brought Miller's concerns to the board when the quit-claim deed for the islands was to be approved. The DNR came up with a neat compromise on the issue: a transfer of rights, but a reservation of state approval over any future mining activity. The DNR's Bureau of Legal Services attorney said, "The reservation was a compromise, since the park service expressed disagreement with the [board's] policy of severing the mining rights from the surface fee ownership."[1373] He stated that this should cause no problem since the enabling legislation had made no mention of mineral rights. I observed that the reservation provided a role for both the state and federal government and it was a good method of handling the issue; it would avoid the problems Michigan had encountered when it reserved mineral rights on the land that became Isle Royale National Park. The board's fears were allayed and it voted unanimously to approve the quit-claim deed transferring mineral rights, but reserved to the state "the right to approve any and all prospecting and

[1372]Pat H. Miller, letter to Harold C. Jordahl, Jr., December 9, 1975.

[1373]Wisconsin Natural Resources Board minutes, January 21-22, 1976.

mining activity prior to its commencement on the above described lands"[1374] Although the transfer was not easily achieved and took more than five years to accomplish, the debate was healthy. The legislature reinforced the congressional statement of purpose: that the lakeshore would be managed in a manner that would preserve the islands' unique primitive and wilderness character. And the debate on mining and the quit-claim deed made it clear that the state would have a role in any future decisions on mining on the transferred lands.

[1374]Ibid.

CHAPTER SEVENTEEN

LONG ISLAND AT LAST

Introduction

Long Island forms the end of Chequamegon Point, a sand spit that extends into Chequamegon Bay in Lake Superior from a point near the Bad River Indian Reservation to the east of the city of Ashland. It is approximately 300 acres of land, two-and-one-half miles long and about one-quarter mile wide[1375] (see Appendix One, Map 11).

In reality, Long Island is not an island at all. A storm in the late 1800s breached the sand spit, creating an "island" of the spit's northernmost point. The breach, called a "sand cut," was deep enough to permit a person to drag a canoe or a light boat to Lake Superior. By the mid-1970s, the sand cut was filled in by wind and water action, and Long Island was once again connected with Chequamegon Point.

Long Island's geologic origins are different from the rest of the Apostle Islands archipelago. It is the only true barrier island in Lake Superior; as a consequence its ecosystem is different from those of the other islands and the adjacent mainland. It had been the home of two endangered birds, the common tern and the piping plover. The U.S. Fish and Wildlife Service designated the plover as an endangered species during the period Long Island was being considered for inclusion in the national lakeshore. Habitat

[1375]Accurate acreage figures for Long Island are not available. The Interior Department's North Central Field Committee subcommittee in 1965 estimated that it covered 400 acres. The 1991 National Park Service estimate is 300 acres.

destruction threatened the bird, and the U.S. Fish and Wildlife Service estimated that only seventeen nesting pairs remained in the Great Lakes region in 1985.[1376]

Long Island's History

Archeologists speculate that Long Island "has had sporadic and often times intensive use throughout history."[1377] The remains of early inhabitants are either buried under layers of deposited sand or below Lake Superior; the island shifts twenty to thirty feet a year.[1378] In 1660 the early French fur traders, Pierre Radisson and Sieur de Groseilliers, built a post at the end of Chequamegon Point, now the western end of Long Island.[1379] They were followed by Dulhut, who operated a trading post between 1679 and 1680. In 1693 Pierre Le Sueur moved the fort to Grant's Point on Madeline Island, across from Long Island.[1380] Later the federal government constructed the second lighthouse in the archipelago on Long Island in 1858, at a site called La Pointe. The remains of that lighthouse are visible. (The first lighthouse was built on Michigan Island in 1857.) The ship Lucerne was wrecked immediately adjacent to the island during a vicious storm in 1886 and the remains are visible in the shallow water.

[1376]"Plover is Declared an Endangered Species," New York Times, December 13, 1985.

[1377]David Overstreet, an archaeologist with the Great Lakes Archeological Research Center, quoted in Susan M. Monk, Cultural Resources of Long Island (Chequamegon Point), National Park Service (undated, probably 1985 or 1986). The author notes that her paper was based on an earlier version written by Kathleen Lidfors, 1984.

[1378]Ibid.

[1379]There are two "Chequamegon Points." The first is the western end of Long Island; the second is the western point of the sand spit at the location of the "sand cut."

[1380]Overstreet, p. 2.

Developers became interested in lakeshore property early in the present century. Chequamegon Point to the east and Long Island itself were subdivided into 709 lots in 1912.[1381] A local attorney, C.E. Lamoreaux, and two other parties were involved in the subdivision. A street, called Grand Boulevard, ran through the middle of the subdivision and lots, twenty-five feet wide and averaging 125 feet in depth, faced either Chequamegon Bay or Lake Superior. The Ashland Daily Press described the proposed development in glowing terms in an article entitled "Long Island to be a Mecca for Tourists," noting that "Long Island has long been a rendezvous for campers, picnickers, and berrypickers and a favorite resort for fishermen, both summer and winter, and an attraction to local people and also to tourists."[1382] Many of the lots that were sold subsequently became tax delinquent and ended up in Ashland County ownership. In 1961, when the lakeshore was first proposed, Long Island was included. During the final congressional debates in 1970, the island and other significant portions of the lakeshore were dropped from the proposal. The island continued to be of interest to a number of people and agencies. Because of its uniqueness, the Wisconsin Scientific Areas Preservation Council in 1976 included Long Island on its lists of natural areas that it recommended for purchase by the Wisconsin Department of Natural Resources. In 1977 the U.S. Fish and Wildlife Service also received a recommendation that it acquire the island as a unique or nationally significant wildlife

[1381]Surveyor's certificate, signed by John Ross and Jerod W. Day and dated August 28, 1912, Register of Deeds Office, Ashland County.

[1382]"Long Island to be a Mecca for Tourists," Ashland Daily Press, August 16, 1912. (Research on the proposed subdivision included a survey of the Ashland Daily Press between 1910 and 1912. The paper carried no further articles during this period.)

ecosystem. Neither recommendation was acted upon, probably because the two private landowners were unwilling to sell.[1383] However, the natural values of the island faced potential threats as new technologies, including on-site liquid waste treatment systems and wind and solar energy systems, began to make private development on such a remote area attractive.

Reasons for Adding Long Island to the Lakeshore

In July of 1983 Superintendent Pat Miller discussed with Martin Hanson the possibility of adding Long Island to the lakeshore. Hanson was enthusiastic. Miller then discussed it with the park service regional director in Omaha who indicated that they would have no trouble with the addition.[1384] Congressman David Obey would be asked to introduce a bill. He had defeated Alvin O'Konski in a race following reapportionment of the state's congressional districts in 1972, and had won re-election every two years with ease. At the time Hanson was his field representative.

We knew, however, that moving a bill through Congress would take time. Thus we decided to explore the possibility of securing either Nature Conservancy or private foundation funds to acquire and hold the island until the National Park Service was authorized to purchase it. The two major owners on Long Island opposed the Department of Natural Resources and the park service and were likely to be more willing to negotiate with a private organization. An Obey bill would precipitate a response. This approach

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[1383]William Smith and William Tans, Long Island, unpublished report, Wisconsin Department of Natural Resources, Madison, August 29, 1975.

[1384]Pat H. Miller, letter to H. C. Jordahl, Jr., July 7, 1993.

contrasts direct action on the part of Obey with guiding a legislative proposal through the National Park Service bureaucracy, which under the policies of the Reagan administration could take years.

A number of arguments were developed to justify the inclusion of Long Island within the national lakeshore:

1. The island had great natural and cultural values.

2. Because of its proximity to the mainland, the island would attract more tourists, which the lakeshore staff needed to justify their budgets. Pat Miller, the lakeshore superintendent, indicated that the inclusion of Long Island would increase visits and would make budget justifications easier.[1385]

3. The island would provide different forms of outdoor recreation not available on the other twenty islands. Swimming would be especially delightful.

4. Increased tourism and boating would have a favorable economic impact in the area, especially in Washburn, where a new marina had been constructed, and in Ashland, where plans were underway for the construction of the city's first marina.

5. Miller personally favored the inclusion of Long Island, and although he might be constrained by the "no new parks" policies of Interior Secretary James Watt and President Ronald Reagan, he would provide quiet support. Moreover his regional office was supportive.

6. Given the earlier history of subdivision on the sand spit, development would always pose a threat.

7. Because Long Island was several miles west of the Bad River Indian Reservation, the Indians would probably not object. The debates with the Indians had occurred thirteen years earlier.

All told, the arguments seemed rational and persuasive.

[1385]Pat Miller, Apostle Islands National Lakeshore superintendent, telephone call to Harold C. Jordahl, Jr., July 17, 1985.

In Congress, the political climate appeared to be favorable. The Democrats controlled the House. Morris Udall (an ardent conservationist and brother of former interior secretary Stewart Udall) chaired the House Committee on Interior and Insular Affairs (Wayne Aspinall had been defeated in 1972); moreover, Hanson, who had been a tireless worker for Udall during the 1976 Wisconsin presidential primary, would have access to him and his office. Bruce F. Vento, a Minnesota Democrat, chaired the House Interior Committee's Subcommittee on National Parks and Recreation and, because many of his constituents came from the Twin Cities and used the Apostle Islands National Lakeshore, we anticipated that he would be supportive. Although the Senate was controlled by the Republicans, developing strong bipartisan local support would probably have a favorable influence on Republican Wisconsin Senator Robert Kasten, who would be up for re-election in less than two years. Kasten already had a good record on environmental matters and was keenly aware of the importance of the environmental vote in Wisconsin elections. He had been a strong supporter of lakeshore programs. Moreover, his victory over Gaylord Nelson in the 1980 Reagan-led Republican landslide had been razor thin; less than one percent. We were confident that the other senator from Wisconsin, William Proxmire, would support the legislation. However, how the Senate Committee on Energy and Natural Resources, chaired by Idaho Republican James A. McClure, and its Subcommittee on Public Lands, Reserved Water and Resource Conservation, chaired by Wyoming Republican Malcolm Wallop, would react was unknown.

Given the generally favorable climate, we discarded explorations with the Nature Conservancy and other groups for interim acquisition and opted instead for an amendment

to the lakeshore act to include Long Island. As events unfolded, our original optimistic assessment of the situation proved to be partially incorrect, and the quest for Long Island took a number of unexpected twists and turns during the following two years. It was never clear that a Long Island amendment would indeed pass in Congress.

Congressman Obey Introduces the Bill

Persuaded by the arguments that Hanson and I had marshalled, Obey, with another Wisconsin Democrat, James Moody, as co-sponsor, introduced H.R. 2182 on April 23, 1985. Obey's news release stressed the potential economic impacts of adding Long Island, given its proximity to the new marina at Washburn and the planned Ashland marina. He noted the importance of the island to the endangered piping plover and the common tern and stressed the need to protect those species during the nesting season. A few days later Proxmire introduced companion legislation in the Senate.[1386]

Hanson and I had numerous conversations as to whether or not to include a small tract on Chequamegon Point in the proposal as well. Because piping plovers had historically nested there, we decided to include this small tract. (see Appendix One, Map II).

To set the stage for eventual congressional hearings, a substantial amount of work needed doing. Obey continued to line up more co-sponsors and was joined by Wisconsin Democrats Les Aspin, Bob Kastenmeier and Gerald Kleczka and Republican Tom Petri. He released this information to the press and again stressed the economic implications of

[1386]"Lawmakers Seek to Add Island to Federal Territory," Milwaukee Journal, May 5, 1985.

including the island in the lakeshore. He also reported that the Washburn City Council had recently endorsed the bill.[1387]

Tony Earl had resigned his position as secretary of the Department of Natural Resources and had run a successful campaign for the governorship. We decided to elicit from him a statement in support of the addition of Long Island. We also called and wrote members of the Wisconsin environmental community. State government assistance would be extremely important, from the Office of Coastal Zones, the State Board for the Preservation of Scientific Areas, and especially the DNR. I discussed the latter need on two occasions with Natural Resources Board Chairman John Lawton, a personal friend and Gaylord Nelson's former law partner.[1388] Based on advice received from Obey's office, we knew that Secretary Carroll D. Besadny was waiting for the National Park Service's position before acting. That was pure and simple obfuscation; Besadny knew full well that the park service could not support additions to its system. The adverse positions of Interior Secretary James G. Watt and President Reagan precluded a favorable outcome.[1389]

Support was also needed at the local level. Thus a public informational meeting was held at the Sigurd Olson Environmental Institute in Ashland. In lieu of unified support, the meeting quickly turned into a spirited debate among a capacity crowd. Mark Peterson, assistant director of the institute, moderated with an even and fair hand, although he personally favored the addition.

[1387]Congressman David Obey, news release, June 1, 1985.

[1388]Martin Hanson, telephone calls to Harold C. Jordahl, Jr., May 30 and June 2, 1985.

[1389]Neil Neuberger, telephone call to Harold C. Jordahl, Jr., June 3, 1985.

Hanson, a member of a panel, presented the case for Long Island and noted that the U.S. Coast Guard, which owned half of the island, might eventually sell its land to private parties. He stressed the value of endangered species -- the plover and tern -- and the old Coast Guard buildings, which could be restored to become "focal points in the Chequamegon Bay area."[1390]

Other panel members argued for the addition. Fred Gould of the Northwest Wisconsin Regional Planning Commission noted that the demand for recreational boating facilities in the bay area had grown dramatically and would continue to climb. Dennis Van Hoof of the Wisconsin Coastal Zones Management Council added his council's support. Summer Matteson, a DNR non-game species management specialist, emphasized the importance of preserving the habitat for the piping plover. Miller, although constrained from being a public advocate, noted that the owners of improved property on Long Island would be permitted to retain a right of use and occupancy for twenty-five years or life, under the provisions of the original lakeshore enabling act.[1391]

One land owner argued that he did not want his cabin taken away from him and objected to the use of herbicides to manage vegetation and predator control to protect the piping plover (apparently a DNR employee had said that these techniques might be necessary for plover management). Another owner questioned how the plover could be protected while recreational use was encouraged at the same time. (This would later become

[1390]Joseph Gerwood, "Opposition Voices Against Takeover," Ashland Daily Press, June 4, 1985.

[1391]Ibid.

a central issue.) Norrie Reykdahl, a Washburn sportsman, and John Sivertson (the Sivertsons had owned land on Long Island since 1888 and had argued vigorously against the original lakeshore legislation) also spoke in opposition.[1392]

In addition to the press stories, Hanson called me and filled in additional details: The Sivertsons had been in strong opposition and had personally threatened him. Matteson had presented to the meeting a draft of the DNR's letter to Vento on the acquisition question which emphasized the piping plover to the exclusion of other values. Moreover, the agency was proposing a major portion of Chequamegon Point for inclusion; that would cause problems. I called Natural Resources Board Chairman Lawton and Ron Nicotera, the director of the Bureau of Endangered Species, to emphasize the total values of the island, but the DNR's view only focused on the piping plover. To deal with the boundary question, Hanson called Obey's office and made explicit that the proposed boundary include only the tip of Chequamegon Point. At that point, there was no identifiable boundary; Hanson simply referred to an unnumbered and undated National Park Service map.[1393]

Hoping that the matter could be resolved, the DNR had agreed to review with Miller its draft letter to Vento. This it did not do, and the letter was sent without change. It was a weak statement that did not even say that including Long Island in the lakeshore was a good idea.[1394] The DNR proposed an amendment to increase the area to be acquired from 220 acres to 600 acres, including lands extending east three-and-a-half miles from

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[1392]Ibid.

[1393]Martin Hanson, telephone call to Harold C. Jordahl, Jr., June 4, 1985.

[1394]Telephone calls between Pat Miller, Ron Nicotera, Neil Neuberger, Martin Hanson and Harold C. Jordahl, Jr., June 6, 1985.

Chequamegon Point into the Indian reservation and including both tribal and allotted land.[1395]

I was furious. I advised Nicotera that the proposal was sure to result in a dandy fight with the Indian people.[1396]

Nicotera agreed to check to see if the letter could be changed. After a lengthy series of phone calls between Nicotera, Hanson, Miller and myself, we agreed that the boundary line of the addition would go 500 feet south of the line between sections twenty-one and twenty-eight (see Appendix One, Map II). The one private lot in section twenty-eight was owned by a woman named Alta Fowler and might well have been underwater. The balance of the land in the section was owned by Ashland County. The DNR telexed the agreed-to boundary to Neil Neuberger in Obey's office; he was pleased. Obey was to clear up the matter at the hearing, and we hoped that the opponents would not claim that we were inconsistent and were changing boundaries.[1397]

In the meantime, Miller was attempting to get the National Park Service to support the proposal. Its regional office was supportive, but what the response from Washington would be, given the Reagan-Watt philosophy, was not clear. The cultural and historical values in the island would help in arguments for park service support.[1398]

[1395]Ibid.

[1396]Ibid.

[1397]Ibid.

[1398]Notes and summaries of telephone calls from Harold C. Jordahl, Jr. to Pat Miller and Martin Hanson, June 5, 1985.

Moreover, Long Island, the "sand-cut", and Chequamegon Point were important nesting and staging areas for all kinds of shorebirds and other species. In fact, ornithologists believed the area to be one of the most significant sites on Lake Superior. We, unrealistically, hoped for a favorable position.

An editorial in the Milwaukee Sentinel, which opposed the Long Island addition to the national lakeshore, did not help our cause. The editorial noted that the island had slipped to 200 acres from the original 400 acres measured when the lakeshore was created; it argued that the Coast Guard could easily manage for plovers. Further, it said, "As a sandbar, the island is unlike the rest of the Apostles, which are granite blocks where changes wrought by the waves can be discerned only after years have passed. Long Island just doesn't belong in the park."[1399]

The First Congressional Hearings

The first hearings on the House bill on Long Island were held in Washington on June 11, 1985, before the House Subcommittee on National Parks and Recreation, chaired by Vento. Although Gaylord Nelson, having become the counselor for the Wilderness Society, could not personally attend the hearings, Vento himself had volunteered to read Nelson's statement to ensure that it would have more impact than if a staff person from Nelson's office had read it.[1400] Nelson's statement summarized the long history associated with the enactment of the lakeshore and observed that, because of Indian objections to having their

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[1399]"Island Doesn't Belong in the National Park System," Milwaukee Sentinel, June 9, 1985.

[1400]Neil Neuberger, telephone call to Harold C. Jordahl, Jr., June 3, 1985.

lands included, he had requested the House Committee on Interior and Insular Affairs to delete Indian land, "and unfortunately at the same time, Long Island [was deleted], which is not Indian land."[1401] (Nelson and I had discussed his statement and agreed that his best strategy was not to recapitulate Hartzog's willingness in 1970 to delete Long Island.)

Obey's testimony stressed the bipartisan support for the bill, including the fact that Congressman James F. Sensenbrenner, a Wisconsin Republican, had by this time added his name to the bill as a co-sponsor. Obey emphasized the broad base of support, which included Wisconsin Governor Tony Earl, the Department of Natural Resources, the State Board for the Preservation of Scientific Areas, the Wisconsin Coastal Zone Management Council, the Sigurd Olson Environmental Institute, the city of Washburn, the Ashland Daily Press, the Sierra Club, the Audubon Society, and the Wilderness Society. To clarify confusion regarding the eastern boundary, Obey said, "It is our intention that the Interior Department map be drawn to include the area inside of a line to be drawn 500 feet south of the line which separates section twenty-one and twenty-eight in Township 49N, Range 3W [at the eastern end of the county-owned parcels]."[1402]

Congressman James Moody, a member of the committee, presented a strong statement of support and took sharp umbrage with the Reagan administration:

> In 1983 the Apostle Islands were embroiled in an outrageous sell-back attempt by the park service of a portion of property on Sand Island to the original owners. Fortunately, we were successful in halting that action. This time

[1401]Gaylord A. Nelson, statement before the House Subcommittee on National Parks and Recreation, June 11, 1985.

[1402]Congressman David Obey, statement before the House Subcommittee on National Parks and Recreation, June 11, 1985.

around, two years later, I am very glad that I am here to promote the addition of Long Island to the National Lakeshore chain as an appropriate action in fostering good stewardship of our national lands.[1403]

The Interior Department had, in fact, attempted to sell land on Sand Island back to the original owners, the Andersen and Hulings families. Moody and other congressmen had requested information on this deal from Interior Secretary James Watt, to no avail. However, Watt had testified several days earlier before a Senate subcommittee on another matter, and Kasten had pushed him on the Sand Island deal. Watt stated that "he was not prepared to respond." Assistant Secretary Ray Arnett was present at the House hearing on Long Island, and he indicated that the Interior Department had the legal authority to make land transfers on Sand Island. Moody, who had assumed the chairmanship of the subcommittee, pushed Arnett's assistant, to admit under oath that he had been "in frequent touch with [the] Andersen and Huling families which are prominent in Minnesota business circles and Republican politics." The assistant defended those contacts, saying the deal would have given the families titles to their cottages and about six acres of land surrounding the cottages in exchange for public access to one of their two docks (when they had sold the land to the park service they reserved lifetime tenure on twenty-nine of their original sixty-five acres). Bi-partisan pressure from the Wisconsin delegation -- Obey, Moody and Kasten -- killed the deal.[1404] But the stage had been set for a sharp clash of opinions with park service officials when they testified later in the hearing.

[1403]Congressman James Moody, statement before the House Subcommittee on National Parks and Recreation, June 11, 1985.

[1404]"Apostle Deal Snapped," Milwaukee Journal, March 25, 1983; "Attempt to Return Lakeshore Land Affirmed," Milwaukee Sentinel, February 25, 1983.

Bill Bechtel, now director of the Wisconsin Office of Federal-State Relations in Washington, offered testimony on behalf of Governor Earl. The statement was powerful and warned in strong words that

> although there is no specific threat of unwise use or exploitation of this fragile spit of land-immediately adjoining a priceless national lakeshore and easily visible from shoreland communities... the danger seems obvious. It is not inconceivable that efforts would be made to develop this strategic, almost exotic spot, either for private use or for commercial, resort type developments.... This area has an established history of such efforts. The mere existence of this ... strip of sand surrounded by the icy blue waters of Lake Superior makes it a potential victim of some ill-considered exploitation.[1405]

In addition to Bechtel's statement for the governor, the DNR's agreement to the boundary was inserted into the record.[1406]

Tom Klein, who chaired the Wisconsin Coastal Management Council and was executive director of the Sigurd Olson Environmental Institute, submitted two statements in support. He used a quote from Sigurd Olson's autobiographical book, Open Horizons:

> Long Island was the first of the Apostles I came to know. In the Spring when the arbutus bloomed, whole slopes were rich with the smell of them, and in summer they were blue with berries. Sea gulls always called and wheeled off the beaches, and there was a whispering in the sands. It was an isolated world different from the woods and marshes, far enough from the mainland to give it a sense of remoteness. While ships passed its tip, they did not stop, but stayed well away from the danger off its reefs.
>
> Once I was marooned there alone during a storm when my companions failed to return. I had no food but berries, no shelter except a hollow where the wind could not reach and I waited out the gale thrilled as I had never been.

[1405]William R. Bechtel, statement on behalf of Wisconsin Governor Anthony S. Earl before the House Subcommittee on National Parks and Recreation, June 11, 1985.

[1406]C.D. Besadny, secretary of the Wisconsin Department of Natural Resources, letter to David Obey, June 6, 1985; Fred Strand, letter to Obey, June 7, 1985.

> That island of long ago was my ship, and I sailed through the hissing combers toward the blue horizons of the open lake.[1407]

Klein raised a major issue by stressing that "the expansion of the lakeshore is for the birds, not the tourists. There are twenty other Apostles to play on; protection, not recreation, should be the objective of H.R. 2182." He also observed that the Nature Conservancy could adequately protect Chequamegon Point.[1408]

Others also testified or submitted letters in favor, including the Sierra Club, the National Audubon Society, and the Wisconsin Audubon Council.[1409]

In general, these supporters stressed the following: 1) the need for protection; 2) the important ecological values of the spit; 3) the spit's importance to two endangered species; 4) the fact that the deteriorating Coast Guard buildings were not currently managed; 5) the danger that the Coast Guard lands would be declared surplus and, under Reagan-Watt privatization policies, be sold to private parties; and 6) the fact that the island was now being used by recreationalists and as a result was experiencing problems with litter, damage from all-terrain vehicles, and vandalism. Some supporters put less emphasis on the plover and noted the potential recreational use of the island: camping, berry picking, hiking, nature study, swimming, and the favorable economic impacts on adjacent communities associated

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[1407]Sigurd Olson, Open Horizons (New York: Alfred A. Knopf, 1969), pp. 34-5.

[1408]Thomas Klein, statement before the House Subcommittee on National Parks and Recreation, June 11, 1985; Klein, letter to David Obey, June 6, 1985.

[1409]Christian Ballantyne of the Sierra Club and Brock Evans of the National Audubon Society, statements before the House Subcommittee on National Parks and Recreation, June 11, 1985.

with increased recreational boating. Those interested in plovers and those interested in recreation did not agree; these differences would later threaten the legislation.

Not surprisingly, Mary Lou Grier, deputy director of the park service, recommended that the bill not be enacted for several reasons:

1. The Coast Guard owned much of the island and the land was therefore protected.

2. Long Island was located a considerable distance from the other management units in the lakeshore.

3. The park service assumed that the House committee had deleted Long Island in 1970 because it was part of the Bad River unit, which had been excluded.

4. The Coast Guard had some concerns regarding a transfer of land to the park service.

5. Recreational use of lakeshore was low (127,300 visitors in 1984) and since there were no imperative reasons for acquiring the island, the costs were not justified and "it is important that we not add relatively low priority areas at a time when strong actions are necessary to reduce the budget deficit.[1410]

Chairman Vento chided Grier for not presenting adequate and accurate reasons for opposing the bill and for her failure to provide any cost estimates.[1411]

Archie Wilson of Rhinelander, Wisconsin, testified on behalf of himself and the other property owners on Long Island, including his wife, Sondra, and her brothers, William and John Sivertson, owners of sixty-seven acres, and Lawrence LeBel, who owned thirty-six acres. Wilson stressed the fact that both families had owned the land for generations and were not

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[1410]Mary Lou Grier, statement before the House Subcommittee on National Parks and Recreation, June 11, 1985 (the same statement was later provided to the Senate); letter from the acting deputy assistant secretary of the U.S. Department of the Interior to James A. McClure, chair of the Senate Committee on Energy and Natural Resources, July 16, 1985.

[1411]"USDI Opposes Plan to Add Island to the Apostles," Milwaukee Journal, June 12, 1985.

newcomers "bent on profit or destruction."[1412] The statement, given in a professional manner, made persuasive points:

1. There was no overwhelming public need for the land.

2. The park service could not justify the acquisition based on current or future overcrowding within the existing lakeshore.

3. The increased recreational use of Long Island would destroy its fragile ecosystem.

4. Seventeen years ago, Congressman Wayne Aspinall had recommended that the island not be included because of its distance from the rest of the lakeshore and because it was completely separated from the rest of the park by highly developed Madeline Island.

5. Keeping Long Island out of the lakeshore was consistent with President Reagan's desire to develop within parks rather than expanding them.

6. If the Coast Guard lands were declared surplus, they would have to first be offered to the state and then to local units of government. The chance of sale to private developers was nil, and "even if true, a developer would be faced with strict shoreland zoning, a lack of electricity, a probable inability to install septic systems, a lack of boat facilities and a short tourist season."

7. Boat facilities could not realistically be developed on the island; the waters were shallow and there was no harbor; breakwaters would be prohibitively expensive.

8. A day-use picnic and recreational area was not practical on the sandy, infertile and droughty soils. The vegetation was particularly susceptible to wild fires and the risks would increase with more recreational use.

9. The Coast Guard buildings were of low value and in poor shape. The original keeper's residence had been torn down forty-five years before, and all of the existing facilities related to a coal-fired steam generator. The replacement residence "is a World War II vintage, two-story, wood-frame triplex, typical of the type that can be seen on any military reservation of that era." The building had been severely vandalized. "The corrugated-steel power generation building was abandoned when an electrical power cable was run from Madeline Island." Because of its remote location, the salvage value was low. The pier pilings had

[1412]Archie Wilson, statment before the House Subcommittee on National Parks and Recreation, June 11, 1985.

been severely damaged, the deck was in a state of ruin and was much too high off the water for recreational boats, and the piers lacked bumpers to protect boats.

10. Substantially increased use of the island by marina-class boats would not occur without the development of a safe harbor and day-use areas on the island; they would be expensive and environmentally damaging.

11. The critical nesting area for the piping plover was outside the proposed boundary. Department of Natural Resources data revealed that no more than ten to fifteen plover nests could be sustained under proper management, which might not represent a viable population, at a cost of $16,000 to $20,000 per nest site based on acquisition estimates.

Wilson proposed two alternatives. The first, based on Matteson's earlier recommendations, was to work out land-use agreements with the owners to exclude people from the plover nesting areas during the two-month nesting period. He said:

> To date, no federal or state agency has come forward with such a proposal.... A land use agreement could save $250,000 or more in acquisition costs and save the owners from the horror of federal land condemnation. Give us the time and the opportunity to negotiate such an agreement.

Wilson's second alternative was to lease the Coast Guard lands to the Sigurd Olson Environmental Institute "as a shot in the arm to a worthy and deserving institution... but it would also provide for the learning experiences and environmental preservation desired by the sponsors of this bill."[1413] All told, Wilson's arguments were well reasoned, grounded in fact and honestly reflected the private property owners' desires to keep their lands.

Although Lawrence A. LeBel, the owner of 36.45 acres on the island, did not testify, he wrote to Vento. LeBel expressed the emotional appeal and anguish of a private land owner:

[1413]Ibid.

> I spent summers on the island all during my growing-up days. My grandfather bought the property on May 11, 1880, and operated a large commercial fishing operation there. My father bought the property and business from his father in 1910 and operated it until his death in 1930. My older brothers carried on the business until the disappearance of the walleye in the mid-1930s. The property has been in the LeBel family over 105 years.... I feel that we local property owners have done an excellent job maintaining the island in its natural state for well over 100 years.

LeBel also expressed concern over the use of chemicals to manage vegetation and the possibility of pollution on the light sandy soils caused by increased recreational use.[1414]

Neil Neuberger, Congressman Obey's aide, reported to me on the hearings and was on the whole pleased. Obey had hoped to put the bill on the "fast track" with a suspension of the rules, but because the park service and the Republicans were in opposition it would have to follow normal procedures and be debated on the House floor. Although Chairman Vento was still supportive, the bill still faced an uncertain future. Neuberger told me that the five to seven persons in opposition, especially the Sivertsons and the boat charter operator out of Washburn, were still really raising hell. Moreover, Obey was upset with a recent resolution of opposition adopted by the Ashland City Council (on a seven-to-five vote). Furthermore, the local rod and gun club intended to take up the matter and would probably oppose it. Neuberger felt that Obey needed more local support. He was concerned that if there was a great deal of debate in the House, even though it might pass, the Senate, now controlled by the Republicans, would kill the bill.[1415]

[1414]Lawrence A. LaBel, letter to Bruce Vento, June 6, 1985.

[1415]Neil Neuberger, telephone call to Harold C. Jordahl, Jr., June 18, 1985.

To make matters worse, there were now indications that the Bad River Indians would oppose the bill. Long Island was reputed to have religious significance to the Chippewa. Furthermore, they were afraid that any increased boating use in the area would pose threats to the nearby ecologically fragile Kakagon-Bad River sloughs.[1416] Local non-Indian opposition had also increased. Martin Hanson had hoped to elicit support from the Ashland Chamber of Commerce, but the federal government was balking at providing funding for the Ashland marina, which had been under discussion for several decades. The chamber now incorrectly believed that Hanson and Obey were pulling strings to delay funding for the marina because of the lack of local support for Long Island. By now, Obey was not sure on how to proceed.[1417] Was Long Island going to die in the subcommittee?

In spite of Obey's uncertainty, Vento was persistent in his efforts to pass the bill. Irritated by park service delays, he sent a curt letter to National Park Service Director William Penn Mott, Jr., requesting a prompt response to his earlier inquiry regarding cost estimates. The response was neither prompt nor informative and indicated that land costs would be available in three to four weeks. It also indicated that developments on Long Island could be handled within the $4.3 million unappropriated balance authorized for the lakeshore. Almost four months later the park service provided Vento with estimates on land costs: $240,000 for 103.85 acres and two improvements. The remainder of the 241.29-acre

[1416]Neil Neuberger, telephone call to Harold C. Jordahl, Jr., June 3, 1985.

[1417]Pat Miller, telephone call to Harold C. Jordahl, Jr., July 17, 1985.

island was public land, and no costs were assigned. The thirty-eight-acre tract owned by Ashland County was valued at $60,000.[1418]

Vento would also not let stand the park service's statement that the Coast Guard had some concern over the proposed transfer of its 137 acres to the NPS. The matter was laid to rest when the Coast Guard responded to Vento's inquiries, stating that it did not own the 137 acres estimated by the park service, but only 1.8 acres surrounding the Chequamegon Point light, a .75-acre parcel for the LaPointe light, and a permanent right-of-way for access and utility lines between the two lighthouses. The balance of its acreage had been relinquished to the Bureau of Land Management in 1967. The Coast Guard insisted that these remaining rights be maintained. In line with the administration position, it also made clear that the information was a factual response and "does not constitute a commitment with respect to the merits of the proposed legislation by the administration, the Department of Transportation or the Coast Guard."[1419]

Out of deference to the park service during this era, note should be made of the fact that the Office of Management and Budget and Assistant Secretary Arnett and his aide were making many major policy decisions for the service. They were simply opposed to the Long Island addition in spite of local National Park Service and citizen support and the favorable position taken by the park service regional office in Omaha.

[1418]Bruce F. Vento, letter to William Penn Mott, Jr., July 9, 1985; Stanley T. Albright, letter to Vento, August 9, 1985; Mott, letter to Vento, October 10, 1985; Patrick Miller, letter to Martin Hanson, October 18, 1985.

[1419]Bruce F. Vento, letter to the U.S. Coast Guard, June 13, 1985; letter from the U.S. Coast Guard to Vento, July 23, 1985.

While Vento was looking for answers, we began to use our network of media friends to drum up support for the bill. The Milwaukee Journal responded and published a strong editorial backing the bill. It noted that the charges by a handful of property owners that recreational use would conflict with piping plover nesting could be worked out. More distressing, in the Journal's opinion, was the park service's shortsighted opposition to the lakeshore addition. "In David Stockman-like fashion [Stockman was Reagan's director of the Office of Management and Budget], park officials have calculated that it would cost up to $25,000 apiece to protect the piping plover nests.... Congress should take the longer view and preserve a resource that is priceless."[1420]

Mark Peterson wrote a strong story for the North Country Journal (a monthly newspaper for environmentalists) urging the preservation of Long Island: "Several ornithologists have stated that Long island rivals the best shore birding area in the state."[1421]

Hanson enlisted the aid of the University of Wisconsin's public television station, WHA-TV, to give Long Island additional coverage. Mark Weller, who was on the staff (and who had also done a movie on Nelson's career), spent several days in the area filming and interviewing local people. Obey was interviewed. He emphasized the unique characteristics of the island and although sympathetic to private property owners, noted that he had to look at the broader public values. He also noted that the park service favored the purchase, but

[1420]"Opportunity to Keep a Shoreline Pristine," Milwaukee Journal, June 17, 1985.

[1421]Mark Peterson, "Apostle Islands: Shorelands, Shipwrecks and Preservation," North Country Journal, July 1985.

the Office of Management and Budget was getting in the way. The video was used as a part of WHA-TV's popular weekly news summary, "Wisconsin Magazine," and, although it was nicely balanced in its inclusion of both opposing and supporting views, the visual images of the beautiful sand spit and its flora and fauna could only leave viewers with strong feelings for the preservationists' point of view.[1422]

Long Island's coverage in the statewide press, environmental newsletters, and educational television was good. But Obey still wanted strong local support. Hanson made personal visits to members of the Ashland County Board and the Ashland City Council. Working with Mark Peterson and Pat Miller, he also planned a boat tour for county board members.[1423]

The boat trip and the personal visits, letters, and telephone calls by Hanson and others paid off. In October, the Ashland County Board's Committee on Agriculture and Extension Education, with one dissenting vote, approved the sale to the park service of all the county-owned land on the island if the Obey bill passed. Committee member Helen Croteau declared, "The land is unique -- all sand -- and valuable for recreational purposes. There will be opportunities to swim, boat and camp.... There would be a sanctuary for bird protection.... A national park belongs to everybody." Of course the fact that the park service had appraised the county land for $60,000 had been brought to the committee's attention by Hanson. This was a persuasive argument. At the time the county received $172

[1422]Martin Hanson, telephone call to Harold C. Jordahl, Jr., September 13, 1985.

[1423]Martin Hanson, telephone call to Harold C. Jordahl, Jr., September 13, 1985; Hanson, telephone call to Patrick Miller, August 29, 1985; Miller, letter to the Ashland County Board of Supervisors, September 24, 1985.

a year in taxes for the island. Croteau went on to say, "If we could put the money from the sale in escrow for some future development ... we would draw interest on it for ten to fifteen years."[1424] If the original lakeshore act had not provided that the park service could pay for county lands acquired through tax delinquency, the committee might well have felt differently.

Hanson predicted the full board would approve a sale by a seventeen-to-four vote. His prediction was accurate, and the board adopted the resolution "that the county sell the county-owned lands on Long Island to the federal government in the event that the Obey bill passes and that the price be negotiated and that the monies be placed in an escrow fund for future use." There was some confusion, perhaps raised by opponents, as the board had, earlier in the meeting, adopted another resolution submitted by the Zoning, Mining and Land Committee that the land not be sold until H.R. 2182 had been resolved. Clifford Barry, the chair of the committee, explained "that the committee 'didn't want to be for or against it.'"[1425]

In spite of the confusion, the Agriculture and Extension Education Committee's resolution, as adopted by the board, was the important one. This favorable vote was what Obey needed, and he told Hanson that he would have the bill out of the House Interior

[1424]"Land Transfer Endorsed by Agriculture Committee," Ashland Daily Press, October 22, 1985.

[1425]"Land Bills Create Confusion," Ashland Daily Press, November 14, 1985.

Committee in two weeks and that the full House would approve it. Obey also immediately put out a news release commending the board for its action.[1426]

Obey's prediction was correct. A two-thirds vote was achieved, the bill was placed on the suspension calendar and passed on a voice vote.[1427] Obey was elated and gave credit to the bipartisan unity "expressed by the Wisconsin House delegation." He noted the importance of the spit for shore birds (the plover was deliberately not mentioned) and that, because of its proximity to the Ashland and Washburn marinas, it would bring more boating traffic into the area. Obey also gave credit to Jim Moody, who had shepherded the bill through to a unanimous vote in the committee earlier in the week.[1428]

During the floor debate, Vento, to clarify confusion created by the park service, had reported that, except for the two automated lighthouses, the 137 acres of Coast Guard land had been transferred to the Bureau of Land Management. Because the bureau was in the process of eliminating its holdings in Wisconsin, he amended to the bill to transfer the land to the National Park Service, leaving the Coast Guard enough land to maintain its facilities.[1429] It was too late in the year to expect action in the Senate.

Although 1985 ended on a high note, 1986 would prove to be the critical and decisive year. The issues and politics associated with this small sand spit would become incredibly

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[1426]Martin Hanson, telephone call to David Obey, November 13, 1985; Hanson, telephone call to Harold C. Jordahl, Jr., November 13, 1985; Congressman David Obey, news release, November 13, 1985.

[1427]"Apostle Islands Expansion Backed," Milwaukee Sentinel, December 17, 1985; Martin Hanson, telephone call to Harold C. Jordahl, Jr., December 13, 1985.

[1428]Congressman David Obey, news release, December 16, 1985.

[1429]Congressional Record, December 16, 1985, pp. H12007-9.

complex, tangled and confused. At times it seemed that the legislation would fail entirely. The debate on issues would be sharpened by conflicts between recreation and protection for the plover and tern. Questions also arose over protecting Long Island through acquisition by the Nature Conservancy in lieu of park service protection, the significance of the island as a Chippewa Indian religious site, potential problems from increased boating in the Kakagon-Bad River sloughs, and partisan politics.

Bad River Indian Involvement

Although Long Island was not within the Bad River Indian Reservation, the Indian community became concerned over these issues. Paul DeMain, a member of the Lac Court Oreilles Band of Chippewa and Governor Earl's advisor on Indian affairs, and Steve Dodge, a Menominee Indian and Department of Natural Resources employee, involved themselves in the issues.

DeMain wrote to Thomas Vennum, Jr., an ethnomusicologist with the Smithsonian Institution in Washington, expressing concerns over mass recreation, public intrusions into Indian religious ground, and increased boat use. DeMain noted that the governor had not written a specific letter of support, but had instead been represented by Bechtel. Furthermore, the National Congress of American Indians had become involved, and DeMain asked Vennum whether the group was planning to push for Senate hearings.[1430]

He also alerted Dodge, declaring that Bad River was adamantly opposed to the project on "religious, cultural and legal grounds." DeMain favored amending the bill to ensure that

[1430]Cliff Germain and Summer Matteson, Department of Natural Resources endangered and non-game species specialists, telephone calls to Harold C. Jordahl, Jr., January 31, 1986; Paul De Main, letter to Thomas Vennum, Jr., January 16, 1986.

park service management would protect the area, in spite of the fact that Obey's office had told him there were to be no changes in the bill. DeMain also felt that the religious significance of Long Island had not been addressed and said, "I'm not convinced that non-Indians will take them [religious grounds] very seriously, nor that the entire 200 acres is [so] specifically sacred that it could not entertain some minimal amount of multiple use."[1431]

As their opposition developed, the Indians decided that their position needed to be laid out. Vennum authored a draft letter in opposition to be signed by either the Bad River Band or the NCAI. The letter outlined the Indians' significant concerns:

1. The Bad River Tribal Council had voted on July 5, 1985, to oppose H.R. 2182.

2. Converting Long Island into a public park would have disastrous ecological effects on the Bad River Reservation and "would violate deeply held Ojibwa religious beliefs about Long island and the peninsula."

3. If the proposal went to Congress without full debate in Senate subcommittee hearings, it would be in direct violation of the review process established under sections 106 and 211 of the National Historic Preservation Act. Furthermore, Congress in 1978 enacted the American Indian Religious Freedom Act (42USC 1996) which established the policy to protect and preserve traditional American Indian religions. In 1980, Congress included Section 502 in the National Historic Preservation Act amendments, which directs the secretary of the interior to submit a report to the president and Congress "on preserving and conserving the intangible elements of our cultural heritage."

4. At the time of the treaty cessions in 1854 there was evidence that Long Island was indeed attached to the mainland -- the Bad River Indian Reservation -- in which case it had been used by the Ojibwa in their traditional manner for hunting, fishing, berry gathering and religious purposes.

5. Increased boating would adversely affect the wild rice stands in the sloughs, an important food source for the Ojibwa. Bad River had no control over boat use on navigable waters within the reservation.

[1431]Paul DeMain, letter to Steve Dodge, February 3, 1986.

6. The area held tremendous historical and religious significance for Indians. Vennum's draft letter summarized the local legend:

> "Shagawamikon, or Long Island, holds a sacred and holy place in the history of the Ojibwa people, as evidenced in the teachings of the medicine men and traditional beliefs of the members of the medicine lodge. When the Great Spirit directed the people to begin their westward migration, they settled at each place along the south shore of Lake Superior where the spirit Otter emerged from the lake to establish the medicine lodge. In the course of the long trek, which began at bawiting (Sault Ste. Marie), Otter emerged at shagawamikon, where the medicine lodge was established and the people flourished. This has been reported on repeatedly by elders from the tribe as well as ethnohistorians, anthropologists and ethnomusicologists (see for instance the researches of Warren, Hoffman, Densmore, Landes, Vecsey and Vennum, among others). To convert such a holy and historic place in Ojibwa history into a playground for the non-Indian population, we feel, would be its ultimate desecration. Over the past few years, we have continually been confronted in the Apostle Islands area with attempts to defile our ancient burial grounds by the imposition of 'development' plans on the part of insensitive and unscrupulous entrepreneurs, viz. the recent debacle with condominium plans on Madeline Island adjacent to the resting places of our hereditary chiefs. These 'intangible cultural resources,' are by law to be protected under the Native American Religious Freedom Act."[1432]

My files, and the park service files, contain no further information on whether or not this draft was sent to the Senate subcommittee. In a note to Miller, Hanson indicated that Vennum had prepared the three-page draft to be used by the Indians.[1433] In any event, the arguments were powerful and were advanced in subsequent debates.

In addition to serving as a consultant to the Indians, Vennum also began to put pressure on senators Proxmire and Kasten. In a strongly worded letter to Proxmire,

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[1432]Appended to a letter from Paul DeMain to Steve Dodge, February 3, 1986. (Note: This migration legend is described in Chapter Fourteen, with a slightly different interpretation.)

[1433]Martin Hanson, letter to Pat Miller, February 25, 1986.

Vennum explicitly stated that the letter he had drafted "in no way reflects my institutional capacity as Senior Ethnomusicologist in the Office of Folklife Programs, Smithsonian Institution, nor should it be construed to represent any official position of the Smithsonian on the matter." He noted that he had been a summer resident on Madeline for forty years and was certain that local public sentiment was against the bill. He reminded Proxmire that the Bad River Tribal Council had passed a resolution in opposition. Vennum alleged that Long Island costs would approach a half-million dollars, not the $240,000 the park service had estimated. He also stressed the religious significance of the island. Unless there was adequate committee review, he believed, the legislation would violate federal law.[1434] I was curious about Vennum's personal interest in the matter. Matteson checked and advised me that Vennum had a summer home on Madeline Island (and was probably related to Margaret Vennum, owner of Chateau Madeline and a former supporter of the lakeshore), and had done a great deal of anthropological research on the Bad River Reservation. Apparently he had persuaded Bob Bender, the Bad River Tribal Council chair, and Bad River tribal attorney Candy Jackson to oppose the proposal because the island was an integral part of the Bad River Band's history.[1435]

Early in 1986, DeMain met with the Bad River Tribal Council. "Chuck" Connors of the Department of Natural Resources (and the son of Fred Connors, a former Bad River tribal chair who had been a long-time supporter of the lakeshore) joined him. The meeting

[1434]Thomas Vennum, Jr., letter to Senator William Proxmire, February 20, 1986.

[1435]Summer Matteson, telephone call to Harold C. Jordahl, Jr., January 31, 1986.

increased Indian concerns. A delegation from Bad River was to leave for Washington, D.C., in a few weeks to raise the issues over Long Island.

To meet their arguments, we decided that our best strategy was to ensure that hearing records included specific legislative history documenting the fact that the National Park Service could preserve and interpret Indian historical and archeological values on the island.[1436] I was to meet with DeMain for further discussions on the matter.[1437]

DeMain's concerns and involvement were brought to the attention of Governor Earl. In response, Earl wrote a vigorous letter to Bad River Chair Bender:

> In recent days I have been made aware of the opposition by the Bad River tribe to the acquisition of Long Island for the Apostle Islands National Lakeshore Park. While my aide, Paul DeMain, has expressed concern about the issues you and Dr. Vennum have raised, I stand firmly behind H.R. 2182 and S. 1019 to fully support the acquisition of Long Island for the Apostle Island chain.
>
> I believe acquisition is the best vehicle to protect the Island from private development or destruction of fragile habitat. While the Bad River tribe has raised concerns, the National Park Service, through rules and regulations, can best designate zones for multiple use, preservation of religious sites and/or other such accommodations. In addition, there are other remedies at hand which would be useful in protecting your lakeshore resources such as motorboat wake laws and prohibition of development on reservation lakeshore land.
>
> While Mr. DeMain has expressed a desire that your concerns be addressed, this in no way should be construed as a diminishment of my support for a once in a lifetime opportunity to acquire and protect Long Island for generations to come.[1438]

[1436]Martin Hanson, telephone call to Harold C. Jordahl, Jr., February 3, 1986.

[1437]Martin Hanson, Harold C. Jordahl, Jr., and Neil Neuberger, conference telephone call, February 3, 1986.

[1438]Anthony S. Earl, letter to Robert Bender, February 7, 1986.

Our actions were having the desired results. Neuberger had called the Smithsonian and determined that the institution had no position on the bill.[1439] After Earl's letter had been sent, I met with DeMain. The day before, he had met with Vennum, and had laid out the governor's firm position on H.R. 2182 and S. 1019. However, I still felt that Bad River concerns should be met, but through other ways. Thus, I suggested that an exploration be made to determine if the authority to regulate boating could be vested with the Bad River Tribe instead of the town, or, as an alternative, the possibility of joint Bad River-Department of Natural Resources surface water regulation. He did agree that the park service could develop an interpretative program reflecting Indian values on Long Island.[1440]

With the unfolding of these events, Bad River Indians began to feel that their opposition was a lost cause. They recognized that the Obey bill in some form would pass. And earlier positive discussions regarding the purchase of Long Island by the Nature Conservancy were no longer realistic. They decided therefore for informational purposes to attend an upcoming Ashland County Board meeting but not to make a statement.[1441]

The Role of the Nature Conservancy

Because of the uniqueness of Long Island and the nearby Kakagon-Bad River sloughs, the Nature Conservancy had long had an interest in the area but had funded no projects for protection of the island. Before initiating the effort to incorporate Long Island

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[1439]Martin Hanson, telephone call to Harold C. Jordahl, Jr., March 3, 1986.

[1440]Harold C. Jordahl, Jr., letter to Martin Hanson, February 13, 1986.

[1441]Martin Hanson, telephone call to Harold C. Jordahl, Jr., March 20, 1986.

in the national lakeshore, I met with Wisconsin's Nature Conservancy director, Russell Van Herrick, in 1984. At that time Van Herrick told me that the organization was not interested in spending money to protect Long Island or to protect piping plover habitat in Wisconsin. He noted that healthy, viable plover populations existed in relatively secure habitat in the West, especially in North Dakota. He felt that it would be prohibitively expensive to keep people and dogs off the island and Chequamegon Point, especially in view of the fact that there was no certainty that a viable population of plovers could be maintained there.

I also discussed Long Island with Clifford Germain of the State Scientific Areas Council, who was supportive of Long Island protection. The island was on the council's acquisition list but the Department of Natural Resources was not interested and had in fact turned down an offer of a land gift by one landowner. Germain was confident, therefore, that the council would support the addition of Long Island to the lakeshore.[1442] In January 1986, however, Vennum again mounted a direct attack on the Long Island proposal by suggesting to Brent Haglund, the new Wisconsin director of the Nature Conservancy, that the Obey bill be killed and that Haglund should initiate alternative measures to protect the area. I sought Germain's advice; he suggested that I talk the matter over with Proxmire, who, given the political sensitivity of Indian issues, could withdraw his support for the bill if there was an Indian blow-up. I did not agree. Germain then suggested we develop a master plan for the island that would ensure protection of the plover.[1443]

[1442]These conversations are summarized in a memorandum from Harold C. Jordahl, Jr., to Martin Hanson and Pat Miller, November 28, 1984.

[1443]Cliff Germain and Summer Matteson, telephone calls to Harold C. Jordahl, Jr., January 31, 1986.

A management plan had in effect been drawn up by Matteson that would protect the ecology of Long Island while permitting some public use. His plan included the following stipulations:

1. People were to be kept out of plover nesting areas from May 1 to July 15. A platform with spotting scopes would permit public viewing of the birds.

2. Because of the importance of the Long Island-Chequamegon Point complex as a staging area for migratory shorebirds in the spring and fall, and as a passageway for hawks and other passerine migrations, certain areas could be designated for public observation to avoid the trampling of sensitive beach and dune communities.

3. Preservation, not outdoor recreation, should be the primary goal, and public use should be carefully regulated; no more than five camping parties per night, with no more than four persons each, and upper limits on day use. Construction of boardwalks would protect plant communities.

4. The National Park Service would regularly patrol the area to prevent public interference with plover nesting areas.[1444]

Vennum maintained pressure on the Nature Conservancy to get involved at both at the national and state levels. Although Haglund was concerned that the park service could not appropriately manage for plovers, he did not want to become involved in these divisive issues. Haglund would consider getting involved on a "win-win basis." He informed me in February that he was going to meet with Vennum, but at this time, this was his position.[1445] The confusion surrounding Nature Conservancy involvement would increase over the following days.

[1444]Summer Matteson, letter to Pat H. Miller, January 24, 1986.

[1445]Brent Haglund, telephone call to Harold C. Jordahl, Jr., February 3, 1986.

In fact, the Nature Conservancy had not been consistent in its prior positions and was careless in communicating with Long Island supporters. In part this can be explained by the involvement of both the national and state offices of the Nature Conservancy; each had different views on the matter. In the summer of 1985 the state office changed its position of neutrality to one of considerable interest. That interest was piqued by an inquiry from a summer resident on Madeline Island, who was interested in keeping the park service and the state off the island. In particular, he did not want Long Island managed in the same way the Department of Natural Resources was managing Big Bay State Park on Madeline Island. The resident pledged a $10,000 donation to the Nature Conservancy to aid its efforts toward this end.[1446] Haglund was not enthused over the prospect of becoming involved in the Long Island question, and later in 1985 he assured Miller, in response to an inquiry, that "this was not a project we were ready to move on anyway. My recommendation is to move very slowly on this project, but to begin by gathering the necessary information for a suitable project package." But then, perhaps responding to interest from the national office, Haglund said, "Long Island is going to be one of the top forty sites the conservancy can work on to meet its program needs in Wisconsin."[1447]

By 1986, it appeared that the Nature Conservancy might be attempting an "end run" around the Long Island bill. Clifford Messinger, a former Natural Resources Board chair and a member of the national board of the Nature Conservancy, called Haglund at my

[1446]Robert D. Schaub, letter to David Younkman of the national office of the Nature Conservancy, June 19, 1985; Younkman, letter to Brent Haglund, July 2, 1985.

[1447]Brent Haglund, memorandum to John Humke and David Younkman, November 5, 1985.

request to investigate conservancy involvement. He posed to Haglund a speculative scenario that we had discussed, which included agreements with the two major private landowners and the Bureau of Land Management and the U.S. Coast Guard; conservancy purchase of Ashland County lands and the one private lot; an easement on lands owned by a Sam Johnson on Chequamegon Point; and an agreement with the Department of Natural Resources and the Bad River Tribal Council that the sloughs be declared a "state natural area." Given that, Kasten could announce that the goals were accomplished through these agreements at no cost to the taxpayer. Haglund's file notes indicate that his response to this scenario was an emphatic "No," but that he

> hate[d] to promote an alternative until the Obey thing doesn't fly; this appears to me to be a reasonable position as we had no assurance that the Obey bill would pass given 1) Obey's concern over lack of local support; 2) control of the Senate by the Republicans; 3) the Watt/Reagan position on no additions to the National Park System; 4) the potentially explosive nature of national Indian opposition; 5) the resolution of opposition passed by the Bad River Council on June 5, 1985.[1448]

Because we were not privy to all of these matters, we surmised that the conservancy plan was to acquire the county lands on Chequamegon Point, to negotiate a cooperative agreement with Bad River on the Kakagon-Bad River sloughs, the state's largest scientific area, and to acquire easements on the two tracts of private land on Long Island (Wilson had, in fact, suggested this in his House testimony) and on Sam Johnson's land. Vennum confirmed the Nature Conservancy's involvement in a letter to Proxmire in which he noted, "There is currently some movement between the Nature Conservancy, the tribe, the

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[1448]Brent Haglund, file notes regarding a telephone call from Clifford Messinger, February 2, 1986.

landowners and other interested parties to come up with a compromise solution, one which would not cost the taxpayers what Obey's bill is going to."[1449]

The Wisconsin office of the conservancy during February continued to collect land data on the area.[1450] The conservancy was focused exclusively on the plover to the neglect of broader issues: the island's historical and archeological significance, recreational potential, and the protection of a complex ecosystem.[1451]

Late in February, Haglund met with Bad River Tribal Chair Bob Bender and tribal attorney Jackson. He laid out the difficulties he saw in attempting to block the Obey bill, as the Indians were demanding. First and foremost, Haglund insisted that the Nature Conservancy would not block the Obey bill, saying, "Instead we would only intervene if there was a more desirable alternative to put in its place."[1452] He identified components for a workable alternative:

1. An integrated ecosystem approach.
2. Tribal leadership "in constructing and leading towards a positive alternative."
3. Conservation easements from the private landowners.
4. A management endowment to be managed by the conservancy or the Sigurd Olson Environmental Institute.
5. The designation of the sloughs as a "natural area."

[1449]Thomas Vennum, Jr., letter to Senator William Proxmire, February 20, 1986.

[1450]Brent Haglund, note to Waldman, February 24, 1986.

[1451]Mark Peterson, telephone call to Pat Miller, March 3, 1986; Miller, telephone call to Harold C. Jordahl, Jr., March 3, 1986.

[1452]Brent Haglund, memorandum to the Nature Conservancy files on meeting with Bob Bender, Candy Jackson, and Tom Klein, February 25, 1986.

6. Investigation of the Coast Guard lighthouses.

7. A tightened boat traffic ordinance, to be passed by the town of Sanborn.

8. Purchase of the Ashland County lands by the conservancy.

Haglund agreed to accompany Bender to Washington in March to discuss the problem with Obey's and Kasten's staffs. Matteson and Nicotera were to be contacted by Haglund immediately to discuss the alternative. Haglund would also visit with the landowners, including Johnson, to obtain their commitment. He also visited with Tom Klein and noted that "Tom said that he would be happy to be the point-person in the Ashland area to save me a lot of travel. He said he would be particularly responsible for dealing with Peterson to get him turned around."[1453]

In an attempt to find out what was going on after failing to reach Haglund, I contacted Emily Earley, an active member of the conservancy. She knew that "something was up," that alternatives to the Obey bill were being explored, and that the Indians were concerned. She also advised me that Haglund and Messinger were in Washington all week.[1454] My concern heightened.

At the same time, Peterson had reached Haglund, who reported that Nicotera had said that the Department of Natural Resources would support a "state-dedicated natural area," a position inconsistent with the position of his secretary and the governor. Peterson was worried that the conservancy alternative would be attractive to Kasten. Kasten could

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[1453]Ibid.

[1454]Harold C. Jordahl, Jr., telephone call to Emily Earley, March 3, 1986.

claim that the alternative was supported by the conservancy, the DNR, the Indians, and the private landowners. They were powerful arguments, consistent with the administration's position, and they provided for the protection of plover habitat at no expense to the federal government.[1455]

To clarify the uncertain situation, Hanson called Messinger, who stated that he was all for the Nature Conservancy getting involved. He felt that the National Park Service was just interested in getting people on the island and was not concerned about bird life, especially the plover, and that in general the agency was not a good steward. Messinger further indicated that the conservancy had had conversations with Johnson regarding an easement; if it was consummated, Kasten would announce it. Messinger said that the conservancy had not yet contacted the county, the park service, the Bureau of Land Management, or Long Island landowners.[1456]

A day later, Haglund, who apparently was not informed on all of the events that had transpired, informed me that the conservancy would not oppose the Obey bill. He also advised me of his meeting with Bad River Indians -- at their request, he emphasized -- to discuss protection of the sloughs, and he had told them that the conservancy would not oppose the Obey bill.[1457] In retrospect, it was clear that Haglund had developed an alternative, but the record of his numerous telephone calls and letters to the offices of Obey,

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[1455]Mark Peterson, telephone call to Pat Miller, March 3, 1986; Miller, telephone call to Harold C. Jordahl, Jr., March 3, 1986.

[1456]Martin Hanson, telephone call to Clifford Messinger, March 3, 1986.

[1457]Brent Haglund, telephone call to Harold C. Jordahl, Jr., March 4, 1986.

Proxmire, and Kasten show consistent support for the Obey bill. Furthermore, he later supported efforts to work out compromise language on the bill.[1458]

Nicotera provided me with conflicting information that same day and said an alternative proposal to protect Long Island was under discussion. The island would be preserved as a natural area; the Department of Natural Resources might purchase it, or the Nature Conservancy could acquire it and turn it over to the DNR. Johnson would dedicate an easement.[1459]

I was not the only one confused; the Bad River Tribe was as well. To the Indians, it appeared that there was no plan at all, and they did not know what to do. Kasten, obviously well aware of what was going on, had given the Bad River Indians five weeks to come up with their plan. Haglund was trying to help them.[1460]

I needed help from Obey's office and called Neuberger. He then called DNR Secretary Besadny, who admitted that he was not familiar with the events going on in his agency, but agreed to inform Nicotera of the agency's, and the governor's, position.

Obey called Nelson for help. Nelson agreed to talk with Messinger to get these matters cleared up. Obey was confident that Kasten would support the bill if the deal between Nicotera and the Nature Conservancy could be stopped. Nelson, however, could

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[1458] I did not document all of these calls and letters. I was not certain that Haglund was considering an end run around the Obey bill. He may have been positioning the Nature Conservancy to present an alternative should the Obey bill fail, while using that failure to gain leverage with the Bad River Tribe for creating a much broader conservancy management scheme that would include the sloughs.

[1459] Ron Nicotera, telephone call to Harold C. Jordahl, Jr., March 4, 1986.

[1460] Martin Hanson, telephone call to Harold C. Jordahl, Jr., March 4, 1986.

get little satisfaction from Messinger, who indicated that the conservancy had serious reservations regarding the Obey bill. He did agree that they would not block the bill without advising Obey in advance.[1461] Messinger later changed his mind, and he subsequently apologized to Obey for not maintaining closer communications. "The conservancy," he said, "had never opposed [the bill] either openly or quietly;... in fact they were delighted with it." He suggested an amendment that would require the park service to give special attention to the natural communities and endangered species on the island. The conservancy could then work with adjacent landowners outside the boundary on easements to protect their land.[1462]

Although it appeared now that the Nature Conservancy would not oppose Obey, the alternative that they had presented was attractive to the Bad River Tribal Council as a means of blocking the Obey bill. The Indians went before a committee of the Ashland County Board to enlist its support. Jon Gilbert, a wildlife biologist for the Great Lakes Indian Fish and Wildlife Commission, was then to make the case before the full board. According to the Ashland Daily Press, Gilbert was "to present the alternative and show how it will work. He will tell about the Nature Conservancy concept, and ask if the county wants to be involved in this alternative."[1463]

[1461]Neil Neuberger, telephone calls to Harold C. Jordahl, Jr., March 4, 1986.

[1462]Clifford Messinger, letter to David Obey, March 10, 1986.

[1463]Ashland County Board minutes, Ashland Daily Press, March 13, 1986.

To deal with this potentially explosive threat, Hanson attempted to elicit a letter from Haglund stating that the Nature Conservancy supported the Obey bill, which he could use in contacts with Ashland County Board members.[1464]

I again reviewed the matter with Messinger, who claimed ignorance of many of Haglund's activities. He confirmed that Haglund had visited with Sam Johnson's Washington representative on the matter and that the representative had called Johnson while they were there. Johnson had indicated support for an easement on his land and he liked the idea of working with the Indians. I urged Messinger to call Haglund and tell him to "cool it." Messinger agreed, provided, however, that the conservancy would continue its work with the Indians on the sloughs. I concurred, provided, in turn, that the conservancy not muddy the political waters by engaging in publicity.[1465]

With what appeared to be firm conservancy support for the Obey bill, which would probably pass, Bad River abandoned the conservancy alternative, with a caveat that the legislation be amended to include strong preservation language.[1466] Through some adroit negotiating by Peterson, Hanson, and Miller with Haglund, Nicotera and the Bad River Tribe, preservation language was drafted for incorporation in the Senate committee report. To reassure participants, Miller had developed for Hanson a list and explanations of laws and regulations the NPS had to follow in managing all of its lands. Hanson used this to

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[1464]Martin Hanson, telephone call to Harold C. Jordahl, Jr., March 14, 1986.

[1465]Harold C. Jordahl, Jr. telephone call to Clifford Messinger, March 17, 1986.

[1466]Jon Gilbert, "Protection of Long Island: Update on the Acquisition of Long Island by National Park Service," Masinaigan, March 1986; Martin Hanson, telephone call to Harold C. Jordahl, Jr., March 20, 1986.

argue the case for park service management. The list included the American Indians Religious Freedom Act; the 1899 River and Harbor Act; the National Historic Preservation Act as amended; Executive Order 11593, "Protection and Enhancement of the Cultural Environment"; the Endangered Species Act; the Coastal Zones Management Act and the Wilderness Act.[1467] Moreover, the report would emphasize preservation:

> Long Island is part of the Chequamegon Point-Kakagon Slough ecosystem which sustains nationally significant wetland and terrestrial communities containing rare plans and animals.
>
> Therefore, the primary goal of this legislation is to protect all natural and cultural resources on Long Island and to enhance habitats as necessary for the well being of the endangered and unique resources found there.
>
> A secondary goal of this legislation is to allow for development of human use and visitation patterns, and enforcement thereof, which is compatible with the protection of all natural and cultural resources of the island.[1468]

Peterson set out to sell the bill with the revised report. Two meetings were held at the Sigurd Olson Environmental Institute. Nicotera agreed that the bill was fine, unless something better came along. The Bad River Tribal Council stated that it would not oppose the bill, but it might not support it either. Miller was most helpful in providing factual information. He indicated to me that the group had "reinvented" the organic act for the park service, but if the legislation passed he could live with it. Peterson kept both

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[1467]Pat Miller, unofficial memorandum, March 15, 1986.

[1468]Mark Peterson, memorandum to Jon Gilbert, Joe Rose, Bob Bender, Fred Strand, Tim Andryk, Brent Haglund, Tom Syverud, and Ron Nicotera, March 27, 1986. (This language was used by Kasten in the Senate debate; see the Congressional Record, October 8, 1986, p. S15627.)

Proxmire's and Kasten's offices informed of the group's progress.[1469] With a consensus apparently in hand, Peterson was observed that "the name of the game" now was to obtain a public position from Kasten supporting the bill.[1470]

Putting Pressure on the Senate

The task of putting pressure on the Senate had begun in advance of the compromise. The Mellen Weekly Record published a letter from Peterson stressing the importance of Senate action. This was reprinted in the "In My Opinion" column of the Milwaukee Journal,[1471] which was widely distributed to the environmental community along with a note asking people to "write Senators Kasten and Proxmire." Letters began to pour into Senate offices. Tom Kieweg, the chair of the Ashland County Board, wrote Kasten urging favorable action and attached his board's resolution of support. Earl also wrote Proxmire and Kasten and said, "[You have] my strongest support for H.R. 2182." The Office of the Public Intervenor in the state justice department also wrote the senators, attaching Peterson's article and urging favorable action.[1472]

[1469]Mark Peterson, telephone call to Harold C. Jordahl, Jr., March 31, 1986; Pat Miller, telephone call to Jordahl, March 31, 1986; Peterson, memoranda to meeting participants, March 20 and 27, 1986.

[1470]Mark Peterson, telephone call to Harold C. Jordahl, Jr., March 31, 1986.

[1471]Mark Peterson, "Long Island Needs Senate Action," Mellen Weekly Record, January 30, 1986; Peterson, "Apostle Islands Need Addition," Milwaukee Journal, February 16, 1986.

[1472]Thomas J. Kieweg, letter to Senator Robert W. Kasten, Jr., January 28, 1986; Governor Anthony Earl, letters to Senators William Proxmire and Robert Kasten, February 7, 1986; Thomas J. Dawson, Office of the Public Intervenor, letters to William Proxmire and Robert Kasten, February 13, 1986.

Peterson wrote an especially persuasive letter to Kasten. He noted the strong local support on the part of the city of Washburn, the Ashland County Board, and the Chequamegon Audubon Society. He also pointed out that Long Island was more than three miles from the Indian rice beds, and boaters posed no serious threats to the rice. The National Park Service could advise boaters to exercise caution if they used the sloughs. The park service, in Peterson's judgment, had "an exemplary seventy-year track record in balancing use vs. preservation questions in our nation's finest and most fragile ecosystems." He noted that recreational use would occur primarily at the lighthouse sites, almost two miles from the plover habitat, which could be kept "off limits" during nesting periods. In any case, Peterson felt that indiscriminate and unregulated public use already threatened the ecosystem and the plover. He concluded, "Please, Senator Kasten, show leadership on this issue by strongly sponsoring, and actively advancing, inclusion of Long Island in our state's only National Lakeshore."[1473]

Raymond Anderson, who chaired the conservation committee of the Wisconsin Society for Ornithology, also wrote Kasten; in addition to expressing support, he added, "We are impressed with the management philosophy ... [of] the [National] Park Service on the Apostle Islands." He reminded Kasten that the society had 1,200 members; in a personal note to Miller appended to his Kasten letter, Anderson indicated that he had alerted all members to personally write to Kasten.[1474]

[1473]Mark Peterson, letter to Robert Kasten, February 11, 1986.

[1474]Raymond K. Anderson, letter to Robert Kasten, February 25, 1986; Anderson, note to Patrick Miller, February 26, 1986.

I went to work with Tom Sinclair, a free-lance environmental writer in Madison, to get a story, complete with color photos, into the Milwaukee Journal's Sunday "Wisconsin Magazine." Although the Journal did not accept the story, a shortened version appeared in the St. Paul Pioneer Press, the Wisconsin State Journal, and other state and midwestern newspapers. The story accurately reflected the issues and the opposition, but it was favorable to Long Island.[1475]

In spite of strong public support and the consensus achieved by Peterson, obtaining Kasten's support would not be easy. The information reaching me indicated that Kasten was still considering the Nature Conservancy's alternative and had requested appraisal information from Haglund. Proxmire's office had on two occasions contacted Kasten's office and had been assured that the Senator would sponsor the bill; each time Kasten had backed off. To ensure, once again, that the conservancy and Haglund were still firm, I called Messinger who had made a commitment to Obey that he would keep him informed of any activities or changes in position on the part of the conservancy.[1476] It appeared that it was firm.

In line with our earlier agreement, Nicotera and Haglund had been meeting with Bad River Indians on designating the Kakagon Sloughs as a state natural area. The western

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[1475]Tom Sinclair, "Long Island Caught Between Private, Public Domain," St. Paul Pioneer Press and Dispatch, August 10, 1986; Sinclair, "Missing Link in the Apostle Chain," Wisconsin State Journal, June 21, 1986.

[1476]Harold C. Jordahl, Jr., personal visits with Paul Strong and Mark Peterson, Sigurd Olson Environmental Institute; Jordahl, personal visit with Thomas Klein, former executive director of the Sigurd Olson Environmental Institute; Jordahl, telephone call to Clifford Messinger, May 1, 1986.

terminus was to be the Long Island boundary as described in the Obey bill. The conservancy would also work to acquire non-Indian lands on Chequamegon Point and in the sloughs for eventual transfer to the Department of Natural Resources, which would in turn transfer the land to the Indians with deed restrictions. In return the conservancy wanted a five-year agreement with the tribal council to protect tribal lands, after which they would seek permanent deed restrictions. Most importantly, Haglund told me that Kasten's office had finally called him and indicated that Kasten would support the bill.[1477]

On May 6, Kasten came out publicly in support of the bill. Kasten's earlier concerns, as expressed by Lynda Cohen of his staff and described in an article in the Ashland Daily Press, were that "the bill didn't do 'exactly what it said it would do....' Kasten had been working with the Nature Conservancy and the Indians involved for a management plan that would be good. [Cohen] felt a consensus was reached on concerns of the Indians regarding wild ricing and on wildlife habitat and endangered species ... [and] that now Senator Kasten was happy with the result."[1478] Kasten had publicly stated that he had worked with the private landowners on Long Island so their families and children would be able to retain use of their land (an explicit right in the lakeshore enabling legislation).

Proxmire's office now wanted early hearings; a year had passed since the bill had been introduced in the Senate, and it now had the necessary Republican co-sponsorship.[1479]

[1477]Brent Haglund, telephone calls to Harold C. Jordahl, Jr., May 5 and 6, 1986.

[1478]"Kasten Joins Long Island Movement," Ashland Daily Press, May 6, 1986.

[1479]Ibid.

Almost up to the day of the Senate hearings, we were not fully persuaded that the Nature Conservancy would remain firm on the bill, largely because Haglund had not kept us informed of the group's activities. Haglund had met again with Vennum on June 9. These matters were brought to Obey's attention; he instructed Neuberger to call Messinger and advise him that not even one word or comma was to be changed in the language worked out by Peterson. Neuberger also called the Smithsonian Institution and "read the riot act" to the undersecretary regarding Vennum's and the Smithsonian's apparent involvement. If necessary, Obey's office would request everything the Smithsonian had on Long Island under the Freedom of Information Act. The undersecretary was not pleased with this statement, although it agreed to comply.[1480]

As June 20, the day of the hearing, advanced, I still was receiving conflicting messages. Ruth Fleischer from Proxmire's office called me and indicated that Haglund had talked with her regarding testifying at the hearing, but had not indicated the position he would take. She was going to pursue this further. He had, the day before the hearing, called Peg Watrous, of the Nature Conservancy in Madison, and requested information on the location of the western boundary of the reservation. What did this mean? To ensure that he stayed firm, Haglund was called by Neuberger, Messinger, and Fleischer. They were all hopeful that he would support the bill.[1481]

[1480]Neil Neuberger, telephone call to Harold C. Jordahl, Jr., June 18, 1986.

[1481]Ruth Fleischer, telephone call to Harold C. Jordahl, Jr., June 18, 1986; Peg Watrous, telephone call to Harold C. Jordahl, Jr., June 20, 1986.

There was no need for the paranoia that gripped all of us at this time regarding Haglund's position. We were, perhaps, overreacting to the long, complex, and confusing positions of the conservancy, and given the numerous setbacks the bill had experienced during the long legislative process, we wanted to make sure there were no further last-minute obstacles. Haglund set us at ease at the hearing by speaking strongly in favor of the bill. He stated that the park service had recently demonstrated in Michigan, at Sleeping Bear Dunes National Lakeshore, that it can "take the management actions required to protect piping plovers and other significant nature features" and that it could likewise manage Long Island. He urged that the preservation of natural habitat be the primary goal for the management of Long Island. "Careful and limited use can be accommodated, but the shifting sand allows only unstable and easily destroyed native vegetation."[1482]

Kasten's statement was also strong, emphasizing the cultural, historic, and natural values of the island. He stated:

> When the Long Island bill passed the House ... there had not been any discussions, either formal or informal, about balancing an increased use of the island by recreational users with preservation of the integrity of the island's resources. All apparently wanted to protect the island, but there was no consensus concerning the proper mechanism. I am proud to have played an instrumental role in facilitating a consensus among environmental groups, landowners, Indian tribes and local and county interests regarding prudent management of Long Island.

He then noted that each interest group felt that its needs had been met and that the primary goal was the protection of natural and cultural values along with providing for recreation and human use that would be compatible with protection. He also thanked the Nature

[1482]Brent Haglund, statement before the Senate Subcommittee on Public Lands, Reserve Water and Resource Conservation, June 20, 1986.

Conservancy, the Department of Natural Resources, and the Bad River Tribal Council for their discussions regarding protection of the nearby Sloughs.[1483]

Peterson's testimony emphasized the importance of the area for bird life, especially the plover, noting that of the 10,000 miles of Great Lakes shoreline, only about five miles remained as suitable habitat for this bird. Alternatives regarding Long Island, he said, had been explored, and the consensus was that the park service was the best agency to manage the area and had adequate legal authority to protect the island. He felt that priority should be given to protection, and that public access should be limited to that which did not jeopardize the ecosystem.[1484]

The record is not clear if any Bad River Tribe members testified in person, but the file contains a statement entitled "Testimony" in which Tribal Chair Bender said, "We are currently not opposing the addition of Long Island to the National Lakeshore.... [We] have been verbally assured that our interests will be protected. We are asking you to ensure that this will be so." He did not want any commercialization of the island; an "influx of people and boat traffic into this area ... would destroy the unique habitat."[1485] Proxmire and Nelson also gave strong statements in support of the bill. The National Park Service, consistent with earlier positions, and following the directions of the assistant secretary, testified in opposition. When Republican Senator Dan Evans of Washington inquired

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[1483]Robert W. Kasten, Jr., statement before the Senate Subcommittee on Public Lands, Reserve Water and Resource Conservation, June 20, 1986.

[1484]Mark Peterson, statement before the Senate Subcommittee on Public Lands, Reserve Water and Resource Conservation, June 20, 1986.

[1485]Robert Bender, Bad River tribal chair, testimony to the Senate Subcommittee on Public Lands, Reserve Water and Resource Conservation, June 26, 1986.

whether the park service was opposed, the response was that it was the Oversight Management Bureau (in the Office of Management and Budget) that was in opposition. There were eight other similar bills before the subcommittee, and Evans asked the same question eight times, and each time the response was the same.[1486] Although the hearing had gone well and the subcommittee endorsed the bill, it still had to clear the full committee and the Senate.

Following the hearing, Senator Wallop, the subcommittee chair, wrote to National Park Service Director Mott for additional information, which had been requested by Kasten at the hearing. Kasten had wanted to know if it wouldn't be cheaper for the park service to patrol Long Island from an adjacent island rather than from park headquarters. The park service contended that this would not be cost effective. Kasten also wanted to elicit a strong statement from the park service on the cultural and historic values of Long Island, which would be an important supplement to the lakeshore. The park service response was weak; the agency indicated that it had no detailed information, although it understood the island to be the site of French trading posts and forts. These questions gave the National Park Service another opportunity to oppose the bill, and NPS officials stated that the piping plover could be protected by the state or at the local level. In short, they said, "[Long Island] is not necessary to fulfill the purposes of the lakeshore."

Wallop's third question dealt with federal land exchanges between the Bureau of Land Management, the U.S. Forest Service, and the National Park Service. He asked, "Wouldn't Long Island be afforded greater protection under the ownership and management

[1486]Mark Peterson, telephone call to Harold C. Jordahl, Jr., July 2, 1986.

of the park service?" Park service officials indicated that this was not necessarily true; they stated that as a part of the national park system it would, by law, be managed for the protection and interpretation of its natural and cultural resources, but under either Bureau of Land Management or U.S. Forest Service administration it would be managed under principles of multiple use, "which could include protection of and interpretation of its resources administratively."[1487]

The Senate Acts

In the waning days of the second session of the ninety-ninth Congress, we were deeply concerned that political and bureaucratic delays would kill any possibility of the Senate taking up the bill. The assistant secretary and the park service were doing their best to slow the bill down.

Kasten wrote a long letter to the park service chastising it for its letter, which contained many of the same inaccuracies contained in a letter report to the House a year earlier.[1488] Substantial pressure had to be put on Kasten to ensure that he used all of his influence in the Republican-controlled Senate and with the administration to get the bill passed. Kasten was now running for re-election and in one of his television advertisements he claimed credit for protecting the lakeshore from Interior Secretary James Watt's abortive effort to sell back a portion of Sand Island to the original owners. We would exert additional pressure. Hanson would make calls and I would contact the Milwaukee Journal in the hopes of eliciting a supportive editorial.

[1487]William Penn Mott, Jr., letter to Malcolm Wallop, July 8, 1986.

[1488]Mark Peterson, telephone call to Harold C. Jordahl, Jr., August 16, 1986.

Fortunately I knew the Journal editorial writers. I discussed the matter with them, pointing out their earlier editorial support (on June 17, 1985) and an earlier favorable article by staff writer John Kole (on June 12, 1985). I reviewed the status of the bill, the costs, Kasten's and Proxmire's support, Kasten's current campaign ad, and the park service's opposition.[1489] Their editorial response, in the September 7 Sunday edition, could not have been better. Under the title, "Can Kasten Get Senate to Save Island?," the editorial stated:

> In television and radio ads touting his re-election campaign, Wisconsin's Senator Bob Kasten tells how he led the winning fight to prevent former Interior Secretary James Watt from selling off parts of the Apostle Islands National Lakeshore.... Now let the Republican Kasten lead a similarly bi-partisan fight to preserve an environmentally sensitive but neglected stepchild of the lakeshore: Long Island.[1490]

The editorial extolled the values of the island, the modest cost -- $250,000 to $300,000 -- and the support of Obey and Moody in the House. It also commented on the Reagan administration's opposition:

> The bill is stalled in a committee of the Republican controlled Senate. Kasten, who once had reservations about the bill, has lent it belated support and is pushing to dislodge it from committee. We hope he'll keep trying. Any resource so long on natural values ought not be shortchanged by bureaucratic myopia and partisan resistance.[1491]

The task, once again, was to distribute the editorial widely throughout the environmental community with requests that letters be written to Kasten urging action.

[1489]Harold C. Jordahl, Jr., telephone call to David Behrendt, September 9, 1986.

[1490]"Can Kasten Get Senate to Save Island?," Milwaukee Journal, September 7, 1986.

[1491]Ibid.

Members of the politically conservative Nature Conservancy would be especially helpful in this regard.[1492]

The Department of the Interior had further confused the matter in a letter to McClure, the committee chair, noting that the island was only 200 acres; that the Coast Guard was concerned about the proposed land transfer and was stating that it could protect the bulk of the island with its ownership of 137 acres; that the Interior Department had declared that the island had been excluded in the 1970 act because it was a part of the Bad River unit; and that it was eight miles from the nearest island in the lakeshore and the park service had no cost estimates for development and management. The National Park Service therefore opposed the bill.[1493]

To set McClure and the record straight, Peterson, working with Kasten's staff, drafted a letter to the committee chair to be signed by Kasten and Proxmire. The letter noted that the Coast Guard retained only two acres on the island, not 137 acres. The Bureau of Land Management now had jurisdiction for 250 acres. Further, the island was only four miles from the park headquarters, and the park service had earlier come up with a cost estimate of $260,000.[1494] The letter was sent on August 19, 1986.

Senator McClure could be a formidable opponent, and he was not happy with Kasten and Proxmire. The Wisconsin senators had voted against the U.S. Forest Service road

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[1492]Neil Neuberger, telephone call to Harold C. Jordahl, Jr., September 9, 1986.

[1493]P. Daniel Smith, deputy assistant secretary of the interior: letter to Senator James A. McClure, July 11, 1986.

[1494]Mark R. Peterson, letter to Harold C. Jordahl, Jr., September 17, 1986, with appended draft letter to Senator McClure dated August 19, 1986.

budget, which McClure had favored. McClure was now threatening that park proposals in the states of senators who had voted against the road budget would be killed, and this included Long Island.[1495] The road issue was resolved to McClure's satisfaction in a House-Senate conference committee.

Long Island was approved by a unanimous voice vote of the Senate committee on September 27, 1986. In its report, it said,

> Long island is one of the last remaining habitats in the Great Lakes region of two seriously endangered bird species, the piping plover and the common tern. As part of the national lakeshore, the island would be managed so that these species, as well as many of the island's other shorebirds, would be protected.[1496]

The $240,000 land acquisition estimate was placed in the record.[1497] The original lakeshore authorization of $4,250,000 for lands and $5,000,000 for development were not changed.[1498]

On October 8, 1986, the full Senate voted in favor of the Long Island bill. Kasten, speaking on the floor, declared that "he had cleared up what he called inaccurate information sent to the committee ... to give the proposal a push." He dealt point by point with the Interior Department's inaccurate information and concluded, "Long Island is one

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[1495]Brent Haglund, telephone call to Harold C. Jordahl, Jr., September 30, 1986.

[1496]"Including certain lands within the Apostle Islands National Lakeshore in the State of Wisconsin," Report 99-499, U.S. Senate, Ninety-Ninth Congress, Second Session, Washington, D.C. September 27, 1986.

[1497]Rosemary Marcuss, letter on behalf of Rudolph G. Denner, director of the Congressional Budget Office, to James McClure, September 26, 1986, in U.S. Senate Report 99-499.

[1498]Congressional Record, October 8, 1986, p. S15627.

of the nation's finest and most fragile wetland ecosystems." To ensure that the language worked out by Peterson's group was a part of the written record, he said:

> I am proud to have played an important role in facilitating this consensus among environmental groups, landowners, Indian tribes, and local and county interests regarding prudent management of Long Island. All interested parties agree that the primary goal must be to protect the natural and cultural resources on Long Island. The secondary goal should be the development of human use and visitation patterns which are compatible with such protection.[1499]

Proxmire agreed with Kasten's statement and praised Obey's leadership in the House.[1500] The Milwaukee Journal gave Kasten credit.[1501]

On October 17, 1986, President Reagan signed the bill. Long Island was now part of the Apostle Islands National Lakeshore (see Appendix Nine).

After the act passed, the Samuel C. Johnson family of Racine donated to the Nature Conservancy a conservation easement on approximately forty acres on Chequamegon Point and hired a "plover warden" to ensure that nesting plovers would not be disturbed. And Brent Haglund confided to me that he was happy that the National Park Service had jurisdiction over Long Island; the Nature Conservancy did not have the resources to manage and patrol it.[1502]

[1499]Ibid.

[1500]Ibid.

[1501]"Senate Approves New Status for Apostles' Long Island," Milwaukee Journal, October 9, 1986.

[1502]"Johnson Family of Racine Protects Rare Bird Habitat," Nature Conservancy, Summer, 1989; Brent Haglund, telephone call to Harold C. Jordahl, Jr., September 30, 1986.

CHAPTER EIGHTEEN

THE APOSTLE ISLANDS: TWENTY YEARS LATER

More than twenty years have passed since Congress formally designated the Apostle Islands National Lakeshore. Since 1970 the National Park Service has worked to establish and develop its management agenda, to institute interpretive programs and visitor facilities, and to fulfill a mixed mandate of public recreation and resource protection. The society that the park service serves has changed, as have the communities that surround the lakeshore, providing new challenges for managers. Many of the problems originally predicted by lakeshore opponents never emerged, but inevitably questions never envisioned by lakeshore advocates arose in their place, to be dealt with one by one. And yet, much remains the same, including the Apostle Islands themselves. They remain a landscape, an ecosystem, to catch the dreamer, the poet, the naturalist. They speak to them of mysteries and natural wonders and human history.

More than two decades cannot be captured in the space of a few pages. This chapter does not pretend to try. But to give the reader a sense of completeness, of history rounding itself out, a brief snapshot of the lakeshore as it exists today is offered. Like any snapshot, it is somewhat arbitrary, fixed in time and space as the lakeshore is not, and it focuses on past and present issues. It is offered, however, as a point of reflection, a place between past and future against which both might be measured in the ongoing evolution of the Apostle Islands and of the Apostle Islands National Lakeshore.

During the 1960s, while drawing up plans, testifying before Congress, or publicly lobbying, lakeshore proponents made certain assumptions about the type of visitor it would

appeal to, how many would be drawn to it, and what they would do during their visits. Over the two decades since the national lakeshore's establishment, some of these assumptions have proven to be correct; others have been wide of the target.

The Visitor: 1991

Between 1981 and 1989 the average number of visits to the lakeshore averaged 122,320. From 1989 to 1993 the average increased to 135,395 (based on a projected figure for 1993). Increases have averaged approximately seven percent a year. Fifty-six percent of the visitors live within a two to five hour drive to the lakeshore; thirty-two percent are U.S. citizens primarily from the mid-west; ten percent are local residents and two percent are international visitors.[1503]

Lakeshore proponents had to fend off the charge that the lakeshore would be a "rich man's park," and they did so with reasonable success. But the charge is partly correct. A 1985 survey of lakeshore sailboat visitors generated a revealing profile.[1504] The "average" visitor was somewhere between thirty-one and forty years of age, possessed at least one college degree, and made an average of $50,646 annually. Forty-one percent stated that they were professionally employed. More than half were married, but only forty-three percent had children. Eighty percent of the boaters (primarily sail boaters) come from Minnesota; 12 percent originate in Wisconsin, and eight percent elsewhere. Whoever they

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[1503]"Apostle Island National Lakeshore Visitor Statistics," 1989 and 1993, and "The Statement For Interpretation," National Park Service, Bayfield, Wisconsin, 1993.

[1504]Thomas A. Heberlein, Trudy McKinnel and Laurie Ervin, Recreational Boating Across Time and Place, presented at the "Apostle Islands Boating Research Report to the Public," Ashland, Wisconsin, November 8, 1986.

are, and wherever they come from, visitors to the Apostle Islands National Lakeshore come to enjoy beautiful scenery, a cool climate, and a variety of recreational activities, only some of which were envisioned by the early planners. It was originally anticipated that many people would come to the Apostles to enjoy the unique boating environment. This has basically been true, but in the past few years, the lakeshore has witnessed increased usage by the non-boating public. Now almost forty percent of the visitors to the lakeshore do not come to go boating. These people may take advantage of the cruise service to a few of the islands, which takes about three hours and stops at Raspberry Island (with its lighthouse), Stockton, and Manitou Island (with an interpretive display of an historical fish camp). Many visit the interpretive center in Bayfield and take the drive out to Little Sand Bay, with its interpretive center and historic fish camp. And Madeline Island, although not a part of the lakeshore, offers an island experience. It is easily accessible via a short ferry ride, and the island offers Big Bay State Park, a museum and other cultural amenities that attract families.

Of those who come to boat, most (ninety percent) remain sailboaters, although power boating is increasing. Within the boating population, however, other changes are taking place. Between 1975 and 1985, sailboat charters increased from thirty percent of the sailboaters to fifty-seven percent of those sailing in the islands. Fewer people, therefore, are coming to the Apostles with their own boats. The expertise of the people sailing has concomitantly declined as more and more are only "weekend sailors." However, the availability of charter services has meant that more people, with smaller incomes and experience, can enjoy the Apostle Islands. Most charters are booked during the weekend,

but mid-week charters have increased in popularity, spreading visitor numbers and impacts.[1505]

Powerboats remain distinctly less popular than sailing. However, their use is on the rise and conflicts within the lakeshore are already perceived. Sailboaters tend to disapprove of the intrusive noise of the powerboats, which also compete for limited mooring space in the marinas and on island docks. These problems will need to be addressed in the future if powerboating continues to grow in popularity.

Those who do not come to boat often camp in the Apostle Islands, a fact predicted by the lakeshore planners. (Some people combine boating and camping.) Most visit only one island; Stockton is by far the most popular, possibly because it possesses most of the development in the lakeshore. Oak and Sand are the next most popular islands (although they rank noticeably below Stockton in numbers). The average camper stays two to three days. Primitive camping occurs on all of the remaining islands except for Gull and Eagle, which are protected bird sanctuaries, and North Twin, which is dedicated to research. Camping on the other islands provides unparalleled solitude.

Campers can reach Stockton, Sand, Oak, and Manitou islands by using the cruise service which also provides day trips for visitors. Other islands can be reached by water taxi which when costs are prorated among a group is substantially less costly than leasing or owning a boat. Camping equipment can also be rented from outfitters. Many campers bring their own boats, including canoes and kayaks, as well as the more traditional sail and

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[1505]Heberlein et al.; National Park Service, Apostle Islands General Management Plan; Alford J. ("Jerry") Banta, Apostle Islands National Lakeshore Superintendent, interviewed by Annie Booth, August 1991.

powerboats. Some boaters permanently dock their craft in the area. On the mainland there are some undesignated campsites, as well as privately owned campgrounds adjacent to the Little Sand Bay Ranger Station, in the Red Cliff Indian Reservation, and around Bayfield. However, mainland camping opportunities are limited, and that may be a drawback for the lakeshore because more people might be attracted by more accessible camping. Many people seeking an easy camping experience are directed to Madeline Island, which possesses two established campgrounds, one run by the town of La Pointe and one in Big Bay State Park.

More than 110 miles of hiking trails exist on the mainland and the islands. An improved mainland trail extending the length of the lakeshore's shoreline is being planned, but the number of people seeking hiking opportunities appears to be declining. It is possible that the vacationers are simply growing older and looking at other pursuits. One activity that has increased dramatically in the past few years, and that was never envisioned by lakeshore planners, is sea kayaking. A local outfitter and several others from northern Minnesota and Wisconsin now offer kayaking expeditions operating out of Bayfield. A significant portion of those choosing to camp on the islands in 1990, especially the closer islands such as Sand and Oak, arrived by sea kayak. However, kayaking's growing popularity may lead to problems; kayakers do not like to share space with either power boaters or sailboaters. Some paddle without bright orange markers and because they ride low in the water it is difficult to spot them from a power or sail boat. So far, there have been no accidents or incidents.[1506]

[1506]Banta, interviewed by Booth.

Another recreational activity that is increasing in the islands, although it was not envisioned by lakeshore planners, is scuba diving, particularly to view the shipwrecks, sea caves and cliffs and historic docks within lakeshore boundaries. While diving parties often go out on their own, charter services now operate out of Bayfield. The park service has begun to monitor both private and charter diving parties through a required permit system, both to ensure diver safety and to protect the shipwrecks and other underwater features from vandalism. However, because the park service does not own the bottom of the lake their direct enforcement capacity is limited. In 1990, 115 diving permits were issued, thirty-one of which were for chartered dives. These permits covered 1,050 individual divers performing 958 dives. Most were diving to see two of the more interesting shipwrecks, Noquebay and Lucerne. The State Historical Society of Wisconsin and the National Oceanic and Atmospheric Administration have recently shown an interest in creating an underwater preserve or marine sanctuary in lakeshore waters. This may well increase the popularity of diving.[1507]

Finally, the lakeshore, as well as the surrounding region, is experiencing increasing numbers of visitors during the winter months. The peak season remains June through September, with August the most popular month. However, winter attracts a few hundred people every month to the area. Downhill and cross-country skiing and snowmobiling are popular on the Bayfield Peninsula. New trails have opened in the past few years. Other people come to ice fish. Some islands are being used for winter camping; people hike, ski,

[1507]National Park Service, Apostle Islands Diving Guide (no date); "Scuba Diving Activity in the Park," a memorandum from the east district ranger of the Apostle Islands National Lakeshore to the chief resource manager, December 4, 1990.

or dogsled over the frozen lake to campsites. The spring and fall also attract visitors for hunting and fishing or viewing the spectacular fall colors.

While the Apostle Islands continue to be perceived as a playground for the wealthy, the costs involved to visit at least a portion of the lakeshore do not appear to be more than those in other national parks. Admittedly, those who come to boat either can afford to own their own boat or to purchase charter service, which to reach the outer islands can be expensive (more than $200 for a round trip to Outer Island, for example). However, camping in the Apostle Islands or visiting Madeline is not that expensive, and the proviso that Wisconsin residents have free access to the lakeshore, raised so vigorously by the Department of Natural Resources at the time of transfer of state-owned lands, has no relevance today because the park service elected not to establish entrance and camping fees, given the lack of controlled entrances.

Taking the cruise boat, which serves five islands, costs the same whether one stays over on an island or merely enjoys the three-hour cruise. In 1991, the cost was $18.95 per adult and $7.95 for children. For a family of four, with one child, transportation to Stockton would cost $64.80 round trip, with an open-ended stay on the island. However, travel to Madeline Island in 1991 would cost the same family of four $20 for a round trip ($2.75 per adult and $1.75 per child each way). Camping on Madeline would cost them a $6.00 entrance fee at Big Bay State Park and $6.75 per night for camping (the town campground charges a similar fee). Bringing a car to the island would increase these costs by $11.50. Lakeshore planners were correct in assuming Madeline would give visitors a low-cost island

experience; additional improved campsites on easily accessible Sand Island, which is now planned, will also achieve the same goal.

Numbers of Visits

The original estimate of the number of visits that would be experienced by the lakeshore was upwards of 920,000.[1508] This meant a considerable number of people would pour through the region, and it understandably raised concerns on the part of some local citizens. Their concerns have been unfounded, in large measure because more than half of the Bayfield Peninsula and the thirty-mile scenic road and the entire Kakagon-Bad River sloughs were eliminated. The second superintendent of the lakeshore, Pat Miller, recently reflected on the difference between expectations as projected in the original studies and actual experiences:

> The spectrum of use in the park was simply too narrow to generate that type of visitor use [as estimated in the Fine Study]. When you're talking about sailing and boating and camping and hiking, you're not talking about huge numbers of people....
>
> I think it's unfortunate these figures were generated, but I believe the people that were working to establish the park in the early days were looking at economic development... in order to sell the idea. I'm not accusing any of those people of misleading the public. I think they probably genuinely believed that it would and it could have [attracted a large number of visits] had the right factors been put together, but the park itself, as passed by Congress, would never have done it [emphasis added].[1509]

[1508]One person per day equaled a visit; a person visiting five days would be counted as five visits.

[1509]Pat Miller, former superintendent of the Apostle Islands National Lakeshore, interviewed by Kathleen Lidfors, February 12, 1987.

In 1990 the lakeshore received 141,875 visits. Of this, 25,776 were overnight stays (7,824 camping and 17,942 on boats). The remainder were day visits. This was a four percent increase in visits over the previous year and a significant increase over those of a few years ago. (For example, in 1986 the lakeshore received only 114,509 visits.)[1510] Visits will probably increase steadily in the future.

Management Issues in the Lakeshore

The Apostle Islands National Lakeshore was established in 1970; the National Park Service began comprehensive management efforts in 1972. Its congressional authorization stated that the lakeshore would be managed "in order to conserve and develop for the benefit, inspiration, education, recreational use, and enjoyment of the public," and would include twenty islands and a strip of the mainland and their "related geographic, scenic, and scientific values."[1511] The park service's efforts in the lakeshore can be documented through a number of perspectives and issues, only a few of which will be considered here.

Budgets and Personnel

The successful operation of a national park requires money for staff, facility construction and maintenance, and staff support services (other expenses such as land purchases or large capital improvement projects are covered by special congressional appropriations not reflected in the annual budget). In 1972, its first operating year, the

[1510]National Park Service, "Monthly Public Use Reports for the Apostle Islands National Lakeshore," December 1990 and December 1986.

[1511]U.S. Public Law 91-424, cited in National Park Service, Statement for Management, Apostle Islands National Lakeshore, Bayfield, Wisconsin, 1977, 1987.

lakeshore had an annual budget of $141,200.[1512] Since then, the budget has increased substantially: $816,900 in 1983, $950,000 in 1985, $1.2 million in 1991, $1.36 million in 1992 and $1.38 million in 1993.[1513]

While operating funds have substantially increased over the years, inflation has eroded the capacity for management. A substantial part of the budget presently goes to cover salaries and benefits for part-time and permanent employees which reduces funds for maintenance and construction projects. The situation troubles lakeshore staff, but it is comparable to other national parks.[1514]

In 1972, the lakeshore employed eight people in permanent positions ranging from superintendent to maintenance chief, along with two seasonal park aids.[1515] In 1991 the lakeshore had sixty-one paid employees, of which sixteen were full time and forty-five were either seasonal or part time.[1516] The arguements made by proponents that staffing the lakeshore would have direct economic impacts on local communities has proven true.

A number of creative ways have been used to increase staff. For example, a large number of dedicated volunteers work on the lakeshore; many devote an entire summer to

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[1512]Warren Bielenberg, Annual Report, Apostle Islands National Lakeshore, National Park Service, Bayfield, Wisconsin, 1972.

[1513]Linda Witkowski, administrative officer of the Apostle Islands National Lakeshore, interviewed by Annie Booth, August 1991.

[1514]Witkowski and Banta, interviewed by Booth.

[1515]William Bromberg, superintendent of thee Apostle Islands National Lakeshore, memorandum to the director of the Northwest Region of the National Park Service, August 15, 1972.

[1516]Jeff Hepner and Tom Bredow, park rangers at the Apostle Islands National Lakeshore, interviewed by Annie Booth, August 1991.

volunteering. In return for lodging and transportation and a small meal allowance, they may spend up to seven days on an island interpreting its history, or they may work on maintenance or trail construction. The lakeshore superintendent, Jerry Banta, estimates that in 1990 volunteers contributed the equivalent of $211,000 in staff time which permitted the park to get some badly needed work completed. Altogether, sixty-nine volunteers logged 14,071 hours of work that year. Volunteers are acquired through an active recruitment program and are considered to be essential to the successful operation of the lakeshore.[1517]

The park utilizes other sources of willing workers as well, including work crews from the Wisconsin Conservation Corps (WCC). The WCC employs people between the ages of eighteen and twenty-four, and, in exchange for on-the-job training, guarantees them a year in the program and a scholarship or a cash bonus on completion. Crews make the minimum wage, which is funded partly by the state and partly by the sponsoring organization. In the lakeshore, the WCC crews have been drawn principally from the Red Cliff and Bad River reservations, and are shared by the National Park Service, the U.S. Forest Service, and the town of Bayfield. Most of their time goes to the park service; WCC crew members have rehabilitated campsites and built trails. Other programs, such as cooperative programs with the local high schools for twelve- to eighteen-year olds (in which the school pays the wages while the NPS guarantees hours that fit school requirements) have helped meet the need

[1517]Ibid.

for maintenance workers and have contributed to the well-being of nearby communities' residents.[1518]

Enforcement and Safety Issues

Safety was one of the issues raised frequently by opponents of the lakeshore during the many hearings on its establishment. Of particular concern was Lake Superior, well known for its vicious and sudden storms, and the large number of inexperienced boaters likely to be drawn to the area following the lakeshore's establishment, a lethal combination, many argued. It has turned out to be an empty argument.

While the lakeshore has attracted its share of inexperienced boaters (a 1985 survey showed that 41.4 percent of those questioned rated themselves as having no boating skills),[1519] accidents are relatively few and far between. In 1990, park rangers responded to thirty-five reported incidents. Most were to assist with boats accidentally going aground, losing power, or having other mechanical difficulties. There was one reported sinking, one fire onboard, and one report of a man overboard. Rangers assisted with searches for three lost people, and responded to ten medical emergencies.[1520] When one considers that there were almost 18,000 visits involving boats in 1990, the safety record is excellent.[1521]

The rangers who were interviewed attributed this astonishing safety record to a number of factors. They noted that the lakeshore did not attract problem visitors in

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[1518]Witkowski and Banta, interviewed by Booth.

[1519]Heberlein et al.

[1520]Hepner and Bredow, interviewed by Booth.

[1521]National Park Service, "Monthly Public Use Report for the Apostle Islands National Lakeshore for December 1990," January 4, 1991.

general; it experienced few of the problems found in other national parks. Instead, lakeshore visitors appear to be quiet, law-abiding, and responsive to public safety information. The latter factor, the rangers believed, resulted in low accident statistics. The lakeshore rangers spend a great deal of their time in safety education efforts. Brochures and ranger contacts emphasize awareness of the changes in weather and the need for adequate preparations and precautions. Weather information is made available at all ranger contact points.[1522] The results appear to speak for themselves.

Another concern that has proved groundless was the question of allowing commercial fishing within lakeshore boundaries. The argument was made that recreational boaters might interfere with or injure themselves on the equipment used for pound nets, which are large nets anchored to the lakebed with poles. Although the poles are not marked (the U.S. Coast Guard does not permit lights because they might interfere with navigational lights), lakeshore staff report that only a few collisions have occurred in recent years, with no fatalities within park boundaries.[1523] Commercial fishing ventures and recreational boaters appear to coexist reasonably in peace. The greatest threats to commercial fishers have not come from the lakeshore, but from declining fish stocks, ecological change, conflicts over catch allowances, and a weak national economy, all of which make it financially difficult to make a profit.

[1522]Hepner and Bredow, interviewed by Booth.

[1523]Ibid.

Managing Resources and Managing People

The lakeshore legislation includes recreational goals and the protection of the area's natural resources. How to achieve a balance between these goals, which can be in conflict, has been a concern. The General Management Plan of 1991 indicates that, although the issue is still under study as of 1991, ninety-seven percent of the lakeshore may be suitable for wilderness designation under the 1964 Wilderness Act. Management has therefore concentrated on preserving wilderness through limiting development. Much of the appeal of the Apostle Islands has been their "natural" qualities, but beginning with the early debates in the 1930s, pressure has been exerted, particularly by local people, for developments more extensive than mere "wilderness." These developments would draw large numbers of tourists and tourist spending, and this pressure continues today. Local residents have argued for developments which would allow the "ordinary" person to enjoy what some view a "rich person's park."

The National Park Service has responded to these demands in a number of ways. First, it suggests a visit to easily accessible Madeline Island to meet the needs of the casual visitor, who may have financial and time constraints. Extensive tourist developments provide an alternative to demanding wilderness camping. The park service cooperates with the town of La Pointe and Ashland County in promoting Madeline Island by providing information on the island (and on other regional attractions) and by directing visitors to an experience along the lines of their expectations.[1524] Plans are also being drawn up to develop the mainland unit of the lakeshore and to provide more campsites than are presently available.

[1524]Banta, interviewed by Booth.

In addition, a trail of several miles along the shoreline from Little Sand Bay to the western lakeshore boundary is presently being studied.

The possibility of subsidizing transportation within the lakeshore has been addressed in the current management plan, but given the natural limitations (travel over water over long distances), the NPS has been reluctant to implement a potentially costly subsidy. Currently, private concessionaires offer cruises that make regular stops at a number of islands to discharge campers, as well as a private water taxi service. To supplement access out of Bayfield a new shuttle service has been established out of Little Sand Bay to ferry campers to some of the more popular islands. The remoteness of the islands and the cost of reaching them will always be an issue. On the other hand, their very remoteness helps to insure the perpetuation of wilderness values.[1525]

One aspect of "recreational" use in the lakeshore has been the development of commercial activities oriented to the needs of visitors. These include the cruise operator, kayak outfitters, sailboat charterers, fishing charterers, scuba diving shops, and camping outfitters. The businesses are located principally in Bayfield, but their business occurs in the lakeshore. To manage these uses, the park service issues permits for those offering services within lakeshore boundaries. While some operators view regulation as an irritant, the NPS considers it important; it ensures some reliability and responsibility on the part of business owners, protecting visitors and owners alike. Prior to the establishment of the

[1525]Ibid.

permit system, considerable concern arose over potential problems, but the system has functioned from the start without significant problems.[1526]

Preserving the natural values of the Apostle Islands National Lakeshore has presented different challenges. Overall, the lakeshore faces fewer threats from its own users than do other parks, largely due to the educated nature of its clientele, the remoteness of the islands, and the buffer provided by Lake Superior. Crowding and over-use have raised concerns in some areas, such as Stockton Island, and the NPS has responded by monitoring sensitive areas for ecological impacts and by limiting the number of camping permits it issues for developed sites. Most camping on the islands is undesignated and primitive, meaning that there are no established and maintained campsites. So far, unregulated camping has not been a problem, in part because campers need more equipment and skills which tends to limit their numbers. Those seeking more "developed" campsites concentrate on Stockton and Oak islands or make use of state and town campgrounds on Madeline Island or on Indian campgrounds on the mainland. However, the potential for future ecological impacts with unregulated camping, particularly on sensitive areas such as the beaches and sand spits, remains.

The real threats to the ecological integrity of the lakeshore come from outside, particularly from pollution drifting in from the atmosphere or from sites in the Lake Superior watershed. The Superior basin is threatened by contamination, such as pollution from waste dumps and pulp and paper mills on both the Canadian and American sides of the lake. Acid deposition ("acid rain") also contributes to pollutant loading, and toxic

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[1526]Ibid.

chemicals such as PCBs, toxaphene, and mercury drift through the atmosphere. Hazardous toxins are present in lakeshore waters, as blood tests on bald eagles in the area demonstrate. Because the pollutants show up in the bodies of fledglings, which have been fed on Lake Superior fish by their parents, it is clear that the contamination is in local waters. Dealing with these threats will require a long-term, bi-national effort.

Protecting the cultural resources in the lakeshore has been another concern of the National Park Service. These resources include historic lighthouses, a variety of archeological sites, fishing camps on two of the islands, and several shipwrecks in the waters of the lakeshore. Protection has been both costly and administratively complex. Protecting the lighthouses has meant protecting the shoreline from erosion, an expensive undertaking. Protecting the shipwrecks from treasure-hunting divers has been rendered more difficult since the ownership of the lake bottom, and the wrecks themselves, remains with the state of Wisconsin. While relations with the state have been good, administrative and legal policies still need to be hammered out.

Cooperative Ventures

The Apostle Islands National Lakeshore is part of a complex natural and social ecosystem. Any effort at management must recognize these connections and include cooperation with other interested and involved agencies. The park service is presently involved in developing cooperative management efforts with a number of interested groups. Only a few will be mentioned here as examples. Cooperative efforts are also underway with the Bad River and Red Cliff reservations; these will be discussed in a later section.

The NPS has worked very hard to maintain good relations with both state, county, and local governments. Also, the federal government eased the in-lieu-of-tax payment requirement and paid Ashland and Bayfield county governments for a five-year period in recognition of the loss of taxable lands on the islands. After the five-year period, the federal government makes an annual bulk payment to the state for all federal lands in the state at the rate of ten cents per acre. State-National Park Service relations have been maintained and solidified through such actions as the exchange of experts (on endangered resources, for example). Assisting local chambers of commerce with the distribution of promotional materials at lakeshore headquarters has also been beneficial. The headquarters are currently housed in a historic building in Bayfield, a venture made possible through cooperative efforts between the village and the park service.[1527] Efforts are also underway to resolve such problem areas as who has responsibility for access roads within park boundaries. The town of Russell, for example, holds title to the road to Little Sand Bay, yet it does not have the funds to upgrade it from its poor condition. The NPS has no authority to fund such improvements. An amendment to the lakeshore act to permit park service funding of town road improvements is expected to resolve this issue.[1528]

Cooperation with the Wisconsin Department of Natural Resources on Big Bay State Park on Madeline Island has been excellent. Early opposition to the establishment of this park has been replaced by local enthusiasm and support. Morover, the park has significant economic benefits to the local community. The National Park Service also directs visitors

[1527]Ibid.

[1528]Banta, interviewed by Booth.

and campers with limited time and money to Madeline Island in lieu of using lakshore islands which in turn reduces pressure on fragile resources. NPS staff also provide interpretative programs one evening each week, which save the state money.[1529]

The NPS also works with non-governmental agencies interested in the region as well. The Nature Conservancy has continued its longstanding interest in the region, and shortly after the Long Island amendment passed, it negotiated an easement on the forty-acre Sam Johnson land. Since then the NPS has participated in developing coordinated management plans with the Bad River Tribal Council and the Nature Conservancy to develop long-term management plans for the Kakagon-Bad River sloughs. The conservancy recently acquired the fee to forty-nine acres on Oak Point in the sloughs, which will be managed to protect undisturbed bog, sedge mats, and upland oak and pine stands.[1530] In the meantime, the tribal council and reservation planners are developing long-term protection plans for the sloughs.

The Apostle Islands National Lakeshore is also currently part of an innovative resource venture, the Western Lake Superior Region Resource Management Cooperative.[1531] In this, it joins several federal government agencies, the Michigan and Wisconsin Departments of Natural Resources, research universities in Wisconsin, Minnesota,

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[1529]David L. Weinenicker, director, Bureau of Parks and Recreation, letter to Harold C. Jordahl, Jr., December 17, 1993.

[1530]Mary Jean Huston, director of land protection for the Wisconsin chapter of The Nature Conservancy, interviewed by Annie Booth, August 1991.

[1531]Robert Brander, an Apostle Islands National Lakeshore ecologist and executive officer of the Western Lake Superior Region Resource Management Cooperative, interviewed by Annie Booth, August 1991.

and Michigan, and the Great Lakes Indian Fish and Wildlife Commission. Agencies from Ontario and Minnesota are currently considering membership in the cooperative. This joint venture was established though NPS initiatives in 1989 in recognition of the fact that Lake Superior regional management is shared by two nations, a province, three states, and several Indian tribes. The region is an enormous ecological and social complex. Given the mix of interests and the growth in threats to this globally significant ecosystem, recognition has developed of the need for coordination of information, budgets, public outreach and education, and initiatives to improve management for the "waters, air, fish, wildlife, forests and wildlands, and associated resources for their cultural, social, commercial, economic, and recreational utilization and enjoyment."[1532]

The cooperative is attempting to address the variety of threats facing the Lake Superior region, particularly toxic chemicals. Joint proposals for research make up one set of efforts. Attracting attention to the problems of Superior is another focus for cooperative efforts. Many people, and funding agencies, believe that Lake Superior is still pristine and therefore requires few funds or protective efforts. The federal government allocates monies to protect the Great Lakes as a "system," and presently most funds go to the other, more threatened Great Lakes. The cooperative also expects to be in position to take advantage of the International Joint Commission's proposal to establish Lake Superior as a

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[1532]Western Lake Superior Region Resource Management Cooperative, Memorandum of Understanding Between National Park Service, USDI, Fish and Wildlife Service, USDI, Forest Service, USDA, Geological Survey, USDI, Environmental Protection Agency, Bureau of Indian Affairs, USDI, Soil Conservation Service, USDA, Wisconsin Department of Natural Resources, Michigan Department of Natural Resources, University of Wisconsin, University of Minnesota, Northland College, Michigan Technological University and Great Lakes Indian Fish and Wildlife Commission, 1989, p. 3.

demonstration lake with no allowable discharge of toxic chemicals, a move supported by the Environmental Protection Agency. Finally, a formal movement has grown to link Russia's Lake Baikal and Lake Superior in a tri-national exchange of information and technology. The cooperative thus sits in an excellent position to improve Lake Superior management in general, a direct benefit for the Apostle Islands National Lakeshore.[1533]

Bad River and Red Cliff Reservations Today

The relations between the two reservations and the lakeshore have been mixed over the years. It was the Bad River Tribal Council that initially called, in 1962, for a study of the sloughs by the Interior Secretary. By 1970, tensions between the Indians and Congress ran high, and their lands were excluded from the lakeshore.

Fairly or not, some bitterness remains on the part of the tribes today over the establishment of the lakeshore. The initial proposal and its elaborations and the inclusion of Indian land were carefully designed to ensure that the lakeshore would result in considerable benefits for the two Indian tribes. When the Indian lands were deleted, the special preferences for Indian people were also deleted. Conditions on the reservations have shown some improvement, largely due to tribal initiatives, but considerable problems remain.

Red Cliff Reservation

Of the two reservations, Red Cliff, because of its proximity to the lakeshore, has benefited most; relations between the tribe and the National Park Service are correspondingly better. Of the original 14,092.81 acres within the reservation, the tribe and

[1533]Brander, interviewed by Booth.

individual Indians today hold 7,881.12 acres. The rest is owned by non-tribal people. There are, however, ongoing efforts to recover these alienated lands. As the lands come up on the real estate market, the tribe has made an effort to acquire them. Bayfield County, in particular, has cooperated in these efforts, offering the tribe first option on tax-deed lands. However, they have had little success in acquiring alienated land on the eastern portion of the reservation within the original boundary of the lakeshore, where approximately 7.5 miles remain in allotments and private non-Indian ownership.[1534]

In 1991 Red Cliff recorded 3,002 tribal members, 857 of whom reside within the reservation, with an additional 669 living nearby. Of the 1,526 members in the county, 748 were considered to be "employable" (over the age of 16). Of these people, 346 were employed. Some were commercial fishers. Others worked for the tribe in a number of positions. A tribal construction firm employed a number of people. Many worked off the reservation.

When the Indian lands were deleted, the configuration of the lakeshore changed dramatically. As a consequence, Indian preferences and opportunities for employment provided for in the original legislation were eliminated. However, the NPS has made a conscious effort to employ Indians. For example, in 1972, five Indian members were employed in the lakeshore, two permanently (including a maintenance foreman), one temporarily, and two seasonally.[1535] In 1991, the Apostle Islands National Lakeshore

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[1534]G. Walhoud, "Map: Red Cliff Indian Reservation Ownership," August 1990.

[1535]William Bromberg, Apostle Islands National Lakeshore superintendent, memorandum to the director of the Northwest Region of the National Park Service, July 3, 1972.

employed ten Indians, three of them permanently, which represents ten percent of the permanent staff; seven are seasonal, which represents twenty-two present of the seasonal work force. Most filled maintenance or clerical positions.[1536]

While the NPS has stated that it is willing to increase the numbers of Native Americans hired and would like to see more in professional positions, it has had difficulty achieving this goal, largely because the pool of candidates with acceptable professional degrees is very small -- a consequence of circumstances outside NPS control. The park service has instituted programs to partially remedy this situation, but has run into difficulties. A cooperative education program, in which the NPS provides permanent seasonal employment while the candidate is in college and receives park service placement upon graduation, has attracted only a few candidates. One problem has been the inability to guarantee job placement in park service jobs within the area; many reservation members do not wish to move away from their families. Others have different career goals in mind.[1537] Hopefully, in the future, more Indians will choose professional careers which will qualify them for positions in the area, not only with the park service but with other federal, state, and local conservation organizations.

The National Park Service has also made a number of efforts to cooperate with the Red Cliff Tribe. Lakeshore staff have worked to assist the tribal council in preparing grant requests, and they are beginning to implement a program that would provide staff mentors for high school youth interested in science or natural resource careers (an activity some staff

[1536]Witkowski, interviewed by Booth.

[1537]Banta, interviewed by Booth.

members are already involved in on an individual basis). Further, the lakeshore gives Red Cliff's construction company first consideration on projects. The company has successfully bid on projects ranging from the assembly of radio antennas to work on preserving the lighthouses. Finally, the NPS and the tribal council are currently cooperating on the planning of a hiking trail through the lakeshore's mainland unit, which might be administered by the tribe, providing some benefits through camping fees and tourist spending.[1538]

In spite of these efforts, however, Red Cliff's perceptions of the park service and of the benefits of the lakeshore remain mixed. The NPS has been helpful, they concede, in writing grants and providing employment. The lakeshore's presence has proved a benefit to the tribally owned campground and marina (both located in excellent locations with magnificent views of the islands), and there is usually a waiting list to get into the marina during the season. However, the tribe has kept no records of precise economic benefits, and it remains cautious of NPS intentions. As Richard Gurnoe, the 1991 tribal chair, commented, relations with the NPS are fine as long as the agency is not thinking of infringing on the tribe's lands and treaty rights, a view echoed by several other tribal members.[1539] The roots of that concern are, of course, based on the legislative history of the lakeshore.

[1538]Ibid.

[1539]Richard S. Wygonik, personnel director of the Red Cliff Tribal Council, interviewed by Annie Booth, August 1991; Report on Service Population and Labor Force for Red Cliff Reservation, U.S. Department of the Interior, Bureau of Indian Affairs, December 1990; Richard Gurnoe, chair of the Red Cliff Tribal Council, interviewed by Annie Booth, August 1991.

Bad River Reservation

Of the original 124,434 acres within the Bad River Reservation, the tribe and tribal members retain title to 56,817 acres. The rest, including some critical lands in the Bad River and Kakagan sloughs and on Chequamegon Point, belongs to non-tribal members. The tribe has had little success in reacquiring alienated lands, and unlike Bayfield's assistance to Red Cliff, Ashland County has been less sympathetic to tribal interests.[1540] As with Red Cliff, Bad River has not acquired much of the alienated land within the original boundary of the lakeshore; approximately seven miles along the sand spit and on Chequamegon Point are private non-Indian ownership.[1541]

In 1991, of the 5,083 members on the tribal rolls, 1,416 were resident on the reservation or lived nearby. The tribe's potential labor force included 925 persons; 178 were employed. Within the reservation, a number of initiatives have been completed or are underway to improve reservation conditions and generate employment, including enlargement of the gaming center, a cultural center, a wood furniture manufacturing business, a logging venture and a fish hatchery. The tribe has also instituted one of the first reservation recycling programs in the state. Because the lakeshore is located a considerable distance from Odanah (except from Long Island), employment opportunities with the NPS have been more limited and there has been little direct economic benefit. Instead, the tribe

[1540]Richard Ackley, a planner at the Bad River Reservation, interviewed by Annie Booth, August 1991.

[1541]G. Walhoud, "Map: Bad River Indian Ownership," July 1990.

views the establishment of the lakeshore as creating some problems, especially with regard to natural resource management.

Relations with the National Park Service, both sides admit, have been less mutually profitable. In part this has been due to the tribe's past skepticism over NPS's goals for the region, which the Indians believed were biased toward tourism and recreation. Concerned over the management of its biggest natural asset, the Bad River and Kakagon sloughs, the tribe's resource manager, Irving Soulier, noted recently that he approved of the park service's shift toward resource protection, but he was concerned that the agency had not formalized this shift. In turn, the lakeshore supervisor, Jerry Banta, recently stated that while the NPS has been interested in cooperating with the tribe on resource management issues, until recently few concrete moves had been made in that direction.

One source of tension has been the 1986 acquisition of Long Island, part of the Chequamegon sand spit which protects the sloughs (see Chapter 17). Private ownership of the island had afforded some protection from indiscriminate tourist use of the spit and the adjacent sloughs. With its inclusion in the lakeshore, Soulier claims, use has increased, not just on the island, but also in the sloughs, leading to management problems. Official management, it is felt, had been unnecessary prior to 1985; however, the inclusion of Long Island resulted in a need for an official management plan for the sloughs.

That has resulted in an effort to cooperate on management planning and goals between the Bad River Tribe and the variety of agencies working in the Apostle Islands area, including the NPS. A management plan for the sloughs is currently being drafted by the Bad River Tribal Council and the Wisconsin Department of Natural Resources; when

completed, it will be reviewed by the NPS, the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, and the Nature Conservancy. It is anticipated that management efforts, as well as the use of technical expertise, will be coordinated between these agencies and that relations will improve as a result. However, the overwhelming impression is that Bad River remains uneasy about the lakeshore and the National Park Service.[1542]

[1542]Richard Ackley, interviewed by Booth; Report on Service Population and Labor Force for Bad River Reservation, February 1991; Irving Soulier, natural resources manager at the Bad River Reservation, interviewed by Annie Booth, August 1991; Banta, interviewed by Booth; Bad River Tribal Council, Economic Development Efforts of the Bad River Chippewa (no date).

CHAPTER NINETEEN

REFLECTIONS

The long effort to establish the Apostle Islands National Lakeshore is instructive. The Apostle Islands had intrinsic natural values worthy of addition to the national park system. Timing, continuity, planning, media coverage and strong local, state and national support were critical elements in securing enactment of lakeshore legislation. Also, insights can be gained from the experience of working with two sovereign minority groups, the Bad River and Red Cliff bands of Chippewa Indians. These matters, and others, are discussed in the following pages, but first a few generalized observations are in order.

Creation of the national lakeshore took years to accomplish. It called for persistence up to and through the addition of Long Island to the lakeshore in 1986. Careful planning was required, yet unanticipated external forces threatened the proposal from time to time; state arrests of Indians for violating state fishing and wild ricing laws; the "Red Power Movement;" the freeze by the Bureau of the Budget on funding for new national park authorizations and the insistence on the part of the National Park Service that the Indian lands were necessary before the lakeshore would be established. These situations, and others, called for patience and flexibility.

The addition of Long Island was, in a sense, an end to a process started almost a quarter of a century earlier with the 1962 Bad River Tribal Council resolution. Yet Long Island was not an ending. Additional steps will be needed in this part of northern Wisconsin -- as elsewhere -- to set aside natural and cultural resources for preservation, research, aesthetics, and outdoor recreation, through public and private actions and collaborative

programs. Past struggles and future efforts form a continuum. The task will be complex, will take time, and will never be complete.

The Validity of an Idea

Although local proponents of a national park in the Apostle Islands in the 1930s recognized the disastrous impacts logging and fires had had on the aesthetics of the archipelago, they intuitively felt that something special here deserved national recognition. Given the exploitive and short term nature of natural resources extraction that had occurred, national park proponents also believed that capitalizing on the natural beauty of the region through tourism offered long-term benefits to their depressed economies.

When Governor Gaylord Nelson made his proposal to Interior Secretary Stewart Udall in 1962, the islands had been re-vegetated; the scars of the past were cloaked with new growth of northern hardwoods and conifers. In contrast to the short-term view of national park leaders in the 1930s, the planners and administrators of the 1960s were quick to recognize that the natural beauty of the area and its cultural values would make it a worthy addition to the national park system. (Park planners can take a lesson from this experience. Landscapes, especially in humid regions, revegetate in reasonably short periods of time.) And although the unique Kakagon-Bad River sloughs and a significant portion of the Bayfield Peninsula were eventually deleted, the lakeshore still consisted of twenty-one islands with 154 miles of shoreline (the largest public shoreline in the entire Great Lakes system and substantially longer than any other lakeshore or seashore authorized during this era). George Hartzog had argued with vigor that all three units -- the islands, the sloughs and the peninsula -- were necessary for a worthy National Park Service project. His was a

bargaining position, and although he and other proponents were disappointed, the final authorization still made up a magnificent area and one well worth fighting for.

Timing

The efforts in the 1930s to establish a national park in the Apostle Islands was poorly conceived and inadequately executed. Destructive logging was still occurring at the time of National Park Service inspections, and the islands were riddled with old docks, scars from brownstone quarrying and the charred stumps of areas devastated by logging and fires. The islands simply did not fit into the national park system as it was evolving. In fact, NPS directors Mather, Albright and Cammerer during the 1920s and 1930s were building defenses against unworthy additions to the system through 1) the creation of a National Conference on State Parks, 2) the establishment of Civilian Conservation Corps camps in state parks, 3) planning and technical assistance to state park agencies, and 4) the establishment of national recreation demonstration projects to be turned over to the states.

Their strategy was to turn down the Apostle Islands and to instead urge -- as they did repeatedly -- the establishment of a state park in the archipelago. This suggestion was not viewed with favor by the state in spite of the fact that a 1936 State Planning Board report contained such a recommendation, probably inserted by National Park Service planners who collaborated in the study. Moreover, local citizens were not interested in a state park at that time. That was a mistake. A well-developed political strategy on their part and with support from the National Park Service might have accomplished a state park on some of the islands. Property values were low; some lands were tax delinquent. Development could have been initiated through the Civilian Conservation Corps and other depression-era

emergency programs at no cost to the state. The delay was costly and in 1950 when the Milwaukee County Conservation Alliance called for a park in the archipelago, it took the state nine long years to find the funds and to acquire the first island, Stockton.

In spite of the failures of the 1930s, the seeds for a national lakeshore in the 1960s had been planted, and some of the early proponents of a national park were still active and supportive in the latter period.

The timing in the 1960s could not have been better. Gaylord Nelson was in his second term in the executive office, and was establishing himself as Wisconsin's "conservation governor" and as a national leader in that arena. John F. Kennedy had been elected president in 1960 and had appointed Stewart Udall to head the Department of the Interior. Fortuitously, Udall, early in his tenure, had made a personal commitment to double the national park system. And Nelson, because of his conservation initiatives as governor, had come to Udall's attention. They readily became personal friends.

Some of the building blocks for what has been called the "third wave of the American conservation movement" were ready to be put in place and had relevance to a lakeshore in the Apostle Islands region: the Senate Select Committee on National Water Resources; the Outdoor Recreation Resources Review Commission; the 1930s NPS studies on vanishing sea coasts followed by shoreline studies in the Great Lakes in the 1950s; calls for a new federal grants-in-aid program for outdoor recreation; a public that perceived a crisis in outdoor recreation; the establishment of the Cape Cod National Seashore in 1961 and a host of new national seashore and lakeshore proposals.

Udall moved with alacrity. A new Bureau of Outdoor Recreation and a presidential Recreation Advisory Council were established; comprehensive outdoor recreation was the order of the day at the national, state and local levels, and substantial new funds were available for outdoor recreation projects. All of these actions, and earlier building blocks, had high salience for the Bad River Tribal Council's call for a study of the Kakagon-Bad River sloughs. Udall was quick to embrace Nelson's proposal for a study of a national recreation area in the sloughs. And when Bureau of Outdoor Recreation director Edward Crafts a short time later suggested that the area for study include the islands and the Bayfield Peninsula, the idea was readily accepted. Also, both Udall and Nelson knew that in addition to the substantive issues of great interest and concern to them, conservation was good politics; it crossed the political spectrum from conservative to liberal with strong, sustained support from the middle. In fact, Nelson had been elected to the U.S. Senate in no small measure with support from independents who liked his conservation programs.

One can only compare the environment for a new national park proposal in the Kennedy-Johnson-Udall era to that which existed in the Reagan-Watt era. An Apostle Islands National Lakeshore, in spite of its merits, would have been highly unlikely in the latter period. In fact, Reagan appointees in the interior department worked diligently to keep Long Island out of the lakeshore.

One last point with regard to timing. We should have used our relationships with Secretary Udall more effectively to accomplish the planning task more rapidly. Given our inexperience at the federal level we lost more than a year (1962-1963) testing various alternatives before the decision was made to establish a federal lakeshore. Two more full

years (1963-1965) would elapse before the planning documents were released to the public and Nelson introduced the bill. Our goal during this period was to deal with each problem as it arose and to achieve consensus with the many bureaus in the department that would influence the final form of the legislation. Given their close association, Nelson could have prevailed on Udall to cut through the numerous bureaucratic delays and obfuscation within the Interior Department that we experienced. This would have reduced the planning period by several years, which in turn might have meant that President Johnson would have endorsed it one year earlier and before he became increasingly entangled in the Vietnam conflict. Earlier action might also have avoided the conflicts with the "Red Power" movement and the Red Cliff and Bad River bands would have had the opportunity to explore in detail with the NPS their most favorable options based on facts and the law, not on allegations and mistruths. Then they could have acted either favorably or unfavorably.

Participant Continuity

Had there not been continuity on the part of participants supporting the lakeshore during the entire period that it was debated in Congress, the outcome may well have been different. Given the shoals and sometimes dangerous reefs the proposal had to navigate, it may well have floundered and sunk. This was especially true when the "Red Power Movement" seized upon the lakeshore proposal as a cause celebre, and when the administration changed from Lyndon Johnson to Richard Nixon, who brought on board a pro-development secretary of the interior, Walter Hickel. The new administration effectively stopped for a full year the Apostle Islands and other pending new park authorizations. However, Congress was still controlled by Democrats; committee chairs

were the same and key participants behind each new proposal, including the Apostle Islands, were still there. The momentum would be slowed, but not stopped.

Gaylord Nelson as governor had made the original proposal. He had been elected to the U.S. Senate in 1962 and even more successfully re-elected six years later. Nelson had a strong personal love for the area and devoted innumerable hours to the proposal over the years, and when the lakeshore was in serious jeopardy in the House of Representatives he was there fighting every step of the way. Nelson, more than any other individual, provided the essential continuity and the tenacity to see the proposal through.

Years later he reflected:

> I was on the Interior Committee. If I hadn't been on the Interior Committee, we wouldn't have passed either the Apostle Islands bill or the St. Croix bill because it just requires too much daily, monthly, yearly persistent pushing. Since I was on the committee, I could get hearings scheduled.... I could persuade the members that it was a good concept. That is probably one reason why it didn't get passed in the previous forty years, since there was no follow up.[1543]

Continuity came through other critical participants in the process:

* Interior Secretary Stewart Udall who sustained his personal interest and support for the proposal from 1962 through 1968.

* Bureau of Outdoor Recreation Director Edward Crafts, who though initially ambivalent for explainable reasons, endorsed the project and maintained that support through enactment in 1970.

* George Hartzog, who when appointed National Park Service director in 1964 embraced the proposal and then took an active role in lakeshore planning. At hearings he was a tough bargainer in 1970 for all elements of the lakeshore, but he supported the compromise.

* Senators Jackson and Bible and congressmen Aspinall and Taylor, who chaired the Interior and Insular Affairs committees and subcommittees in the 1962-1970 era.

[1543]Gaylord A. Nelson, interviewed by Kathleen Lidfors, March 4, 1985.

Nelson had strong personal relationships with these key people and they were highly supportive.

* Congressman Bob Kastenmeier, who as a member of the House Committee on Interior and Insular Affairs authored House bills on the proposal and devoted endless hours to hammering out final compromises within the committee in 1970.

* John Chapple and Chick Sheridan, who as reporters were original proponents of a national park and took active supportive roles in the 1960s.

* J. Louis Hanson, one of the originators of the proposal who devoted countless hours and personal resources to it and who in his position as state Democratic party chairman played a significant role in developing statewide support.

* Martin Hanson, a citizen and secretary of the Wisconsin Resource Development and Conservation Council, who was one of the originators of the proposal. He devoted his personal resources and time to the project from 1962 through the addition of Long Island in 1986.

* Culver Prentice, who chaired the Citizens' Committee for an Apostle Islands National Lakeshore and was involved from the inception through enactment in 1970.

* Patrick Lucey, who as lieutenant governor in the 1960s supported the lakeshore, and as governor in the 1970s provided the leadership for the transfer of the state islands to the National Park Service.

The above were key participants. Too numerous to mention are those supporters in the media, in conservation organizations, and in other public and private agencies, as well as citizens. Over the years the same faces appear and reappear at critical junctures in the process. Their sustained support and willingness to write letters, and to drive long miles to testify at hearings, to give talks, and to attend meetings were critical to final enactment.

Presidential Leadership

John F. Kennedy had set the stage with his message on conservation to Congress in February 1961, the first such message in decades. A second message followed a year later. In addition to the traditional pro-development and conservation management programs for

the West, he called for new additions to the national park system to build on the precedent set in 1961 by the establishment of the Cape Cod National Seashore, which was the first park which authorized funding by the federal government. Congress was quick to respond and introduced numerous bills for additional national seashores and lakeshores.

The idea for Kennedy's national conservation tour came from Nelson. The president's visit to the Apostle Islands, with Martin Hanson as tour guide, put the proposal on the front page of the nation's newspapers and brought it to the attention of people in Wisconsin and elsewhere. It also notified key policy and political decision makers that indeed there was something worthy of national attention in northern Wisconsin. Kennedy's visit and his comments pledging federal assistance to the region was immeasurably important to those of us who had to wage the long, arduous struggle in the executive branch and in Congress to get the lakeshore enacted.

Lyndon Johnson continued the Kennedy programs and indeed expanded them greatly. More significant conservation and environmental legislation was enacted in his five years as president than at any other period in our history. The Apostle Islands National Lakeshore was one element in that agenda, and although it is possible to secure approval of new parks that are not a part of a president's program, presidential support is enormously important in cutting through the myriad bureaucracies that exert influence over such proposals. This was especially true for the Apostle Islands given the complexities of the proposal, especially as it related to Indian matters. In spite of Johnson's support, the nation's increasing involvement in Vietnam put enormous pressure on the federal budget, and in lieu of asking Congress to enact the lakeshore proposal in 1966 (Nelson had introduced the bill in 1965),

Johnson called for additional studies. In 1967 he fully endorsed the proposal and called for action by Congress, a significant step, but the loss of a full year provided additional time for the "Red Power Movement" to gather strength, a factor that dramatically influenced final lakeshore boundaries after having almost killed the proposal.

With the election of Richard Nixon, the future of the lakeshore was uncertain. This became emminently clear early in 1969, when National Park Service officials, testifying on the Apostle Islands, raised grave concerns regarding the lack of funding for existing projects, let alone new authorizations. Some months later, the Bureau of the Budget, in an effort to slow the growth in the federal budget and ostensibly to control inflation, froze new park spending. Aspinall immediately cancelled all hearings on new parks. Had it not been for that, the lakeshore might well have been enacted in 1969. As it turned out, another full year was lost.

Perhaps the Nixon administration recognized the political hazard of stopping all new park proposals; perhaps Walter Hickel needed political support for his new urban parks programs. In any event, the administration made the decision not to stop new parks in rural regions and to push the new urban parks program by requesting substantial additions to LAWCON. That decision in 1970 made enactment of the lakeshore possible, and although some worried that Nixon might veto the legislation because of Indian unrest and a reduced boundary that brought into question national status for the area, he did not do so. Perhaps he also recognized the strong bipartisan support the bill had and that a veto may well have been overridden, an event any president wishes to avoid, especially on a relatively minor issue.

Planning

Federal, state, and local planning played a significant role in recognizing the national significance of the Apostle Islands region. By identifying the outstanding resources of the archipelago and the Kakagon-Bad River sloughs as being worthy of preservation, plans made the proposal legitimate. Plans also made the concept valid in the eyes of political leaders, who frequently used the documents to justify their public positions of support.

The roots for the plans go back to the 1930s and even though the National Park Service rejected the Apostles at that time, it urged the creation of a state park there in the 1936 State Planning Board report on parks. The first national outdoor recreation plan developed by the NPS in 1941 highlighted the urgent need for public ownership of the remaining precious shorelines on sea coasts and on the Great Lakes. The "Fourth Shore" studies of the 1950s made the case for public ownership of shorelines even more dramatic. The concepts were ratified and strengthened in the reports of the Senate Select Committee on National Water Resources and the voluminous reports of the Outdoor Recreation Resources Review Commission in the late 1950s and early 1960s. The last NPS recreation plan in 1964 again called for preservation of outstanding areas in the Great Lakes including Lake Superior. The reports and documents repeatedly called for a state park in the archipelago, not necessarily because the area did not qualify for national designation, but because the new programs of the 1960s, new national seashores and lakeshores and LAWCON, were not fully underway.

The decade of the 1960s was also to see a vast resurgence in comprehensive state planning, including outdoor recreation planning. Wisconsin, along with Hawaii, New York

and California, led the way. Nelson, building on the earlier Progressive tradition, established a leadership role for Wisconsin state government and this was true with regard to outdoor recreation. Moreover, he insured that the planning would be responsive to his needs and his new program initiatives. The Wisconsin outdoor recreation plans repeatedly documented the need for public ownership in the Lake Superior region and recommended an Apostle Islands National Lakeshore. These reports were supplemented and reinforced with in-depth studies on the Lake Superior south shore area and in the planning programs of the Northwest Wisconsin Regional Planning Commission. In addition, local community plans, including plans for the Red Cliff and Bad River Indian reservations, recognized the importance and the value of establishing a national lakeshore.

Another Kennedy administration initiative had relevance for the Apostle Islands. This initiative called for economic development programs in rural regions; an Area Redevelopment Administration was established, and as a pump-priming action, the Accelerated Public Works program was enacted. Regional economic development programs grew in the Johnson years. A federal-state Appalachian Regional Commission was created to be followed by an Upper Great Lakes Regional Commission and commissions in other parts of the nation. States became heavily involved, as were sub-state regional organizations such as economic development districts. Economic plans provided the foundations for these programs. Given the scarcity of good economic investment opportunities in rural America, the economists and planners were quick to realize the potential of outdoor recreation as a stimulus to tourism spending. Although they did not promise that such spending would greatly strengthen these depressed rural economies, it was a development strategy that

capitalized on scenic and outdoor recreation resources which, if developed prudently, would be non-exploitative and sustainable and would provide at least seasonal jobs in areas experiencing high unemployment and under-employment rates. The strategy was linked with recreational opportunities on existing public parks and forests and with calls for the establishment of new public areas.

The "Overall Economic Development Plans" for northern Wisconsin incorporated these strategies and urged the establishment of an Apostle Islands National Lakeshore. The Upper Great Lakes Regional Commission (UGLRC) broadened the parameters and pushed for a system of "star attractions" -- new parks, lakeshores and wild rivers -- in the three-state area. The Apostle Islands National Lakeshore was one key element in that system. Importantly, the commission's plans were linked with political leaders -- the governors of the three states -- and when the commission spoke, Congress paid attention. The UGLRC also gave the lakeshore bi-partisan support; four Republican governors served on the commission in the 1960s. The plans of the commission also helped to achieve a unity of thinking about the northern three-state area as a region requiring cooperative approaches. And although the commission was abolished by President Reagan, their concept of a "grand tour" along the most scenic and beautiful highways in this great Lake Superior region still deserves attention today.

Proponents of lakeshores and national parks in the upper Great Lakes -- Sleeping Bear Dunes, Pictured Rocks, Voyageurs -- were able to couple preservation arguments with economic development arguments, and each proposal was accompanied by carefully prepared economic impact studies. For the Apostle Islands National Lakeshore, that goal

was accomplished by the "Fine study." The net result of these plans was to unite economic development interests, especially at the local level, with preservation interests often times located in urban areas.

The economic impacts of tourism, which we used to enlist support for the lakeshore, were no different than the arguments used by John Nolen shortly after the turn of the century in arguing for a Wisconsin state park system, the arguments used by NPS leaders in the 1920s and 1930s as they built their new program, and the arguments used for the new seashores and lakeshores being considered throughout the country in the exciting 1960s era. The question, then, is can we, given our political and economic system, make the case for preservation of landscapes on the basis of their intrinsic values separate and distinct from economic arguments? Certainly, the advocates in the 1960s for immediate wilderness area designation for the islands were making that case and looking far into the future. The NPS, ever mindful of the lakeshore's intrinsic values, will come to grips with that question in the future as it considers wilderness designations for the area.

We lost on the argument made in the 1960s that the legislation provide for NPS cooperation and technical assistance to communities adjacent the lakeshore to institute orderly planning and regulatory programs to insure that development would be compatible with national goals. Some of the developments in the Apostle Islands region have been tasteful; others have not been. As a consequence, images left in the minds of the lakeshore recreationist and visitor to the local communities are blurred and tarnished by the visual impacts of careless blight. Today the Congress and the NPS are much more concerned regarding the impacts of land use adjacent to the national park system. The need for

collaborative efforts on wise land use in the vicinity of the Apostle Islands National Lakeshore exists today and will increase in the future.

Citizen Support

Establishing the national lakeshore would have been much more difficult without a strong base of local support. The Citizens' Committee for an Apostle Islands National Lakeshore, under the leadership of Culver Prentice, achieved that goal. Moreover, it was obvious that the proposal would generate some legitimate opposition from affected landowners and conservatives who believed that the best long-term economic development strategy was to let market forces work and leave the area to private development. Unexpected militant opposition developed within a small minority of hunters and fishers in the immediate area. The citizens' committee was enormously useful in countering this opposition at the local level. Prentice's testimony at hearings, along with the testimony of many other local leaders and citizens conclusively demonstrated strong local support to congressional committees. And although a federal bureaucrat can make the case for national involvement, it pales in comparison with favorable testimony from local people, especially that of Culver Prentice, a long-time Ashland resident and respected physician.

Strong statewide and national support was also necessary. Given the intrinsic beauty of the area, such support was readily achieved, but it took a sustained and coordinated strategy over eight long years. Because of this effort, the Apostle Islands National Lakeshore was on the agenda of the environmental community and even when the Indian lands were deleted, they maintained their support in spite of the wavering of the NPS. Also

during this period in Wisconsin, the "People's Lobby" was organized, evolved and matured, and provided significant and sustained support for the lakeshore.

Finally, citizen support was critical in overcoming state resistence to the lakeshore. Part of this struggle revolved around the single issue of bureaucratic power and had little or nothing to do with protection of the resource. Or it was based on narrow partisan political grounds. As a consequence a good deal of unproductive emotional energy was dissipated. On the other hand, the substantive debates strengthened lakeshore protection. For example, the State insisted that the islands be kept wild, that mining be severely constrained, and that Long Island be carefully and sensitively managed to preserve its intrinsic values.

Media

A media strategy per se was not developed at the outset. Nelson obviously knew the importance of favorable media coverage for the lakeshore. Fortunately, his gregarious personality, his instinctive liking for reporters and his willingness to spend time with them, along with the beauty and charm of the region, were guaranteed to generate positive coverage. Nelson's administrative assistant, Bill Bechtel, who came out of the press corps, conducted an organized and systematic program of generating and maintaining media coverage throughout the period. Martin and Louis Hanson and I also had considerable experience in dealing with the media that was put to good use during the era. Martin Hanson, who had professional experience as a wildlife photographer and lecturer, especially recognized the important role a movie would have on the project. Through a combination of fortuitous events, a splendid film, "The Apostle Islands Region," was produced by Stuart

Hanish. It was and widely and repeatedly used throughout the state. Printed materials -- the popular brochure summarizing the Department of the Interior plan, the reprint on the region from Wisconsin Tales and Trails, and the Fine study -- rounded out these media strategies.

To be sure, the press was quick to report on controversy -- landowner opposition, pickets, Indian objections, and the like -- but at no time during the process, even when the proposal was in serious trouble in the House committee, did the media suggest the project be dropped. When Milwaukee Journal editors finally endorsed a national lakeshore, they were consistent in their support. Their editorials built on the many earlier, highly favorable stories on the region by Journal reporter Gordon MacQuarrie. The only significant negative editorial during the entire period came out in the Milwaukee Sentinel, when it opposed the addition of Long Island to the lakeshore. That opposition was countered by the many other favorable stories and editorials that appeared in the media -- especially the pointed editorial in the Milwaukee Journal that forced Senator Kasten to enlist support from his Republican colleagues to protect the island.

Lakeshore Planning Strategies

The control of planning for the lakeshore within the Department of the Interior took effort and time. Locating it in my office under the imprimatur of the office of the secretary permitted me to draw on the professional expertise of many agencies and also to deal with bureaucratic opposition, which either had to be overcome or neutralized. On the whole, the effort was successful, although a battle was lost within the bureaucracy on the proposal that would have authorized acquisition of private and allotted lands within the reservation

boundaries and the subsequent sale to and lease from tribal councils. Another loss within the bureaucracy was the elimination of the provision for ninety-nine-year leases of tribal land. In spite of that loss, the Senate was quick to put the provision back in, and the House concurred.

The ability to work at both the federal and state levels was also important. Nelson, with experience as a state senator and governor, understood Wisconsin state government. Louis Hanson, as state Democratic Party chair, also understood the political environment in Wisconsin during the era. Likewise, Martin Hanson, the secretary of the Wisconsin Resource Development Council, which was dedicated to enacting good environmental legislation at the state level, brought keen insights into the day-to-day workings of the legislature. Lastly, my years of experience in Wisconsin state government provided knowledge in how to deal with forces that would impact the lakeshore proposal as it moved through the planning stages to the introduction of legislation. This grasp of state affairs also facilitated the transfer of the state islands to the National Park Service, although it took some years to accomplish.

All told, this experience put the lakeshore in good stead and supporting positions were eventually taken by Governor Knowles, the Wisconsin Conservation Commission, and the Wisconsin Conservation Department. When needed, support from state Democratic leaders was easily and readily obtained. And Nelson and Kastenmeier were highly successful in garnering and maintaining bipartisan support which was enormously effective when the bill was in serious trouble in the House.

The lakeshore act is a good one. Section 1 states: That, in order to conserve and develop for the benefit, inspiration, education, recreational use and enjoyment of the public certain significant islands and shoreline of the United States and their related geographic, scenic, and scientific values....

Section 7 requires the secretary to develop land and water use management plans which shall include a specific provision for,

> Protection of scenic, scientific, historic, geological, and archeological features contributing to public education, inspiration, and enjoyment....
>
> Development of facilities to provide the benefits of public recreation together with such access roads as he deems appropriate....
>
> Preservation of the unique flora and fauna and the physiographic and geological conditions now prevailing... within the lakeshore.

On the one hand it puts emphasis on protection of the resource. On the other hand, appropriate public use facilities are to be developed. The dilemma the park service faces on the Apostle Islands National Lakeshore is no different than what they face on other parks and in fact the 1916 organic act for a national park system contained explicit language directing both preservation and public use and enjoyment.

The legislative history for the lakeshore provides useful insights. Preservation of the islands for wildland use was always a goal. The only exception was an initial proposal for a lodge and group camp on Sand Island. This idea was subsequently dropped. To be sure, some docks, simple campsites, and trails were envisioned on some of the islands. The argument can be made that the NPS has gone too far in developing public use facilities on Stockton Island. However, they inherited a dock, improved campsites, and outdoor toilets at the time the state transferred the island to the federal government. These improvements

were replaced by the NPS with less visibly intrusive buildings. Also, given the large number of visitors to the island, such services as medical assistance, search and information rescue capability, law enforcement, and information are required. To protect the remaining wilderness of the island, further development should be minimal.

The current management plan fits the congressional intent nicely; 97 percent of the lakeshore is identified as a "natural zone" which may qualify for wilderness. The author believes that the bulk of the islands should be given permanent protection under the provisions of the wilderness act. This will help to meet the original legislative intent. In the 1960s, we did not envision the recreation explosion in snowmobiling, mountain biking, cross-country skiing, scuba diving and sea kayaking. As outdoor recreation technologies advance -- and they will -- the islands will be threatened more and more by unpredictable human impacts. Limiting motorized equipment of any kind on the islands and on adjacent water will achieve a long range goal of insuring a quiet zone so critical for a wilderness experience. Exceptions for the occasional commercial fisherman, the excursion boat, and water taxis would be reminders to the transient visitor that indeed solitude in an environment largely void of human noises is an opportunity which is both rare and one to be treasured. Eventually, limits on use will be required.

Once the Indian lands were deleted, questions regarding the Kakagon-Bad River sloughs were no longer relevant. The lingering question was how to use the fifteen remaining miles on the Bayfield Peninsula. The House committee report provided for both protection of the natural values of this 2,500 acres along with appropriate public-use facilities which included possible snowmobile trails. In his House testimony in response to

committee questions, Hartzog promised to come back to the committee if a road was ever planned. To date, the park service has been appropriately sensitive to this legislative history in its development plans; it has emphasized protection of natural values. The development of the Little Sand Bay Visitor Center, the docks and breakwaters, and the restoration of the commercial fisheries facility are all in keeping with congressional intent.

The boundary for the Bayfield Peninsula as recommended to Congress was a narrow, thirty-mile corridor one-quarter to one-half mile in width -- just enough room to provide for a scenic drive in pleasant woodland surroundings with glimpses of Lake Superior. That boundary should have been thought through more carefully with or without the eastern fifteen miles of the peninsula within the Red Cliff Reservation. More careful attention to the peninsula might have meant today a more manageable unit for the NPS.

The initial study area on the Bayfield Peninsula was to include lands north of U.S. Highway 2 in Bayfield County to Bark Point on the west and Red Cliff on the east (see Appendix One, Map 5). Although it was an extremely large area, it would have been possible to work out arrangements with the U.S. Forest Service for lands on the peninsula within the Chequamegon National Forest, and with Bayfield County on lands within county forests. A unit more representative of the Lake Superior basin ecosystem could have been selected in lieu of the narrow strip now in the project. But we made the judgment that we did not have the staff time to explore these options in any depth, and when the decision was made to make the lakeshore a federal project in lieu of a collaborative federal/state project, the idea was dropped.

The second boundary (see Appendix One, Map 6) included a narrow strip on the peninsula from Red Cliff to Bark Point. The proposal included a study of the feasibility of establishing a national monument on Madeline Island. The suggestion for a national monument should have been pursued more vigorously with representatives of the Wisconsin State Historical Society, with recognized historians on the area, and with a cross section of park service historians. Madeline Island has the greatest historical significance of any site in western Lake Superior. Although many of the sites had been destroyed at the time of the Interior Department subcommittee study, a carefully developed, justifiable report on the significance of the island to the region's history and the potential for interpreting that history would have made for a persuasive case with Congress to establish a monument. Moreover, only modest acreages of private land for a monument would have been required. Under the circumstances at the time of the Interior Department subcommittee study, we were too quick to accept the judgment of one historian in the NPS who did not favor the idea.

In the mid-1930s, the local people had agreed to pursue the possibility of a national monument on Madeline Island or a state park. That interest was not pursued in spite of the fact that Congressman Peavy had earlier suggested that the island was the most suitable for a national park because of its accessibility, scenic beauty and historic values. The National Park Service planners of that era also recognized the historic values in the region and on Madeline Island. Harlan Kelsey, in fact, suggested a national monument in the islands if they could be obtained without cost. Moreover, some of the historic sites still existed on Madeline Island and the archeological sites in the Village of LaPointe had not been destroyed by the massive developments of the 1970s. Fortunately, some artifacts have

been protected in the Wisconsin State Historical Society museum which is endowed by Mr. and Mrs. Leo Casper, founders of the first museum on the island.

The third boundary (see Appendix One, Map 7) prepared by the NPS in its first preliminary master plan for the lakeshore is the one the subcommittee should have recommended. The twenty-one islands and the lake bottom were included in their entirety, which would have meant, in the transfer of the state islands, an additional 184,000 acres of lake bottom. That contrasts with the authorized one-quarter mile water boundary, which does not include the lake bottom. The lake bottom would have included the important cultural resources -- shipwrecks especially -- which rest there. Unfortunately, the importance of lake bottom cultural resources for management by the park service was not raised either in the congressional debate or at the time of the state land transfer. (Had we known that the lake bottom was not being transferred in the state's quit-claim deed, steps could have been taken to correct the omission.) The third boundary provided that State Trunk Highway 13 was to be the southern line except for corridors extending south of the highway along the Raspberry and Sand rivers. The western terimus was Bark Point, the eastern terimus was adjacent the village of Red Cliff. The boundary included forty-five miles of shoreline, all of Squaw Bay and Siskiwit and Bark bays. The village of Cornocopia was deleted, but provisions similar to those used on Cape Cod, where local communities adopt zoning ordinances acceptable to the secretary of the interior, could have been readily applied to this small village to protect its historic charm and tourism values. To be sure, the boundary would have included more private land, and these land owners would likely have joined forces with the South Shore Property Owners Association, which militantly

fought the lakeshore. That additional opposition would not have been sufficient to kill the project. When the eastern fifteen miles of the lakeshore were eliminated, the National Park Service would still have ended up with thirty miles of magnificent shoreline, two additional Lake Superior bays, and two river corridors. This land acreage would have given the unit more integrity as an ecosystem than it now has in the narrow strip of land finally authorized. Moreover, George Hartzog might have been persuaded that the project still constituted a lakeshore worthy of inclusion in the national system and the fractious debate in the House Committee might well have been avoided.

The Interior Department subcommittee was too quick to accept the fourth boundary (see Appendix One, Maps 8-A, 8-B, 8-C) which reduced the shoreline area to thirty miles on the peninsula and confined the land area to a narrow strip; a reduction from 50,000 to 6,000 acres. The water boundary was also eliminated. At the time, however, the decision seemed reasonable. Some private landowner opposition, and probable opposition from some residents of the village of Cornocopia, was avoided. Moreover, the narrow strip of land was adequate for a scenic highway, for hiking trails, and campsites and other recreational facilities. The highway especially would receive the heaviest use of any portion of the lakeshore, and it did help considerably in meeting federal criteria that required that recreation areas provide opportunities for large numbers of recreationists. We should have thought through more carefully Lamb's recommendations in the 1930s that the Bayfield Peninsula strip should be at least twenty miles long and three or four miles in width, and also the 1930s Cape Hatteras precedent that stressed that boundaries reach to the

hinterlands important for scientific, historical, and scenic purposes. (We were not aware of this history.)

Private Land Owners

Even the most hardened planner or seasoned politician accustomed to dealing with park problems pauses when it comes to taking private lands for a park. The lakeshore was no exception. The statements of the owners, many of them second- and some of them third-generation owners, were filled with legitimate anguish and concern. The Interior Department subcommittee grappled at length with the question, especially for Little Sand Bay and Sand Island. Members of the House and Senate committees were especially sensitive to those concerns; had the owners been better organized, the Cape Cod zoning provision might well have been adopted for these two small communities. Eventually, a political value judgment had to be made that societal benefits outweighed emotional costs to the owners. Except for tracts immediately essential for the lakeshore, Congress gave owners a right of use and occupancy for life or a right of use and occupancy for twenty-five years with a right of assignment. If life tenure was the option to be selected, owners could transfer title to their children or even grandchildren, ensuring family use far into the future. This seems a reasonable compromise, especially when there is no economic loss to the owner. In fact, from a strictly economic point of view, owners are much better off selecting one of these options over outright sale of the land to the National Park Service.

Interdisciplinary Planning

The history brings out nicely the values of interdisciplinary planning. With the planning authorities granted by the interior secretary, specialized knowledge on the many

complex issues in the lakeshore could be brought to bear: attorneys, geologists, foresters, landscape architects, recreation planners, minerals and water experts, fish and wildlife biologists, and a historian. The participants not only brought their specialized knowledge to the task at hand; they also helped to ensure that their agencies would support the proposal. As noted earlier, cultural history was the only subject that could have benefited from a broader base of knowledge and perspective.

The University of Wisconsin-Madison also made significant contributions. The work of Professor Fine on the economic implications of the lakeshore was critical to building public understanding, support, and eventual passage. Moreover, he contributed his time to the research and the university was willing to publish an attractive and highly readable document summarizing the findings at no cost to the Interior Department.

University of Wisconsin-Extension made significant contributions by planning, with Northland College, the "Developing Without Destroying" conference, which forcefully brought to the public's attention the potential problem of poor land use that could occur as tourism increased. Extension followed up with a series of programs designed to help local governments update and modernize their comprehensive plans and zoning ordinances. Extension also provided a faculty person to staff the Northern Great Lakes Resource Development Committee, a citizens' committee that grew out of the "Land and People" conference held at Duluth, Minnesota, which President Kennedy addressed. This tri-state citizens' committee would repeatedly lend its weight in support of not only the Apostle Islands, but for all the emerging national parks in the region.

Lastly, the university was gracious in permitting me to take a two-year leave of absence to join the Upper Great Lakes Regional Commission, and upon my return to the university in 1969, to continue to be an active participant in the lakeshore policy process. This included taking substantial blocks of time as a member and chair of the Natural Resources Board and as alternate to the governor on the Upper Great Lakes Regional Commission. Both organizations played important roles in establishing the lakeshore.

Indians

We acted in good faith with the Indian people from the time of the 1962 Bad River Tribal Council resolution through enactment in 1970. All of the conditions in the original resolution that could be met, were met. We could not answer their legitimate concerns regarding hunting, fishing and trapping rights, other than to state explicitly in the legislation that these rights, whatever they were, would not be affected by the legislation. (As it turned out, the federal courts would later hand down definitive decisions on these matters.) We did stimulate interest in the state attorney general's office in Indian hunting, fishing, and trapping which resulted in a decision that the Wisconsin Conservation Department did not have jurisdiction on these matters within reservation boundaries. This decision helped strengthen relations with the Indian people, even though the Wisconsin Conservation Department continued to enforce state laws on the reservations. Because uncertainty arose regarding ownership of wild rice within the Bad River Indian Reservation, we successfully lobbied through the Wisconsin State Assembly a bill granting exclusive rights to the wild rice not only for the Bad River Indians, but to all other Indian bands in Wisconsin that had rice

on their reservations. Had Bad River not been deleted in 1970, the lobbying would have continued and the bill would have passed.

Over many years the complex issues of land ownership within reservation boundaries was carefully and minutely explored. The final package made provision for clearing up the chaotic and unmanageable ownership patterns, with, however, provisions that the lands be used for lakeshore purposes. Congress was willing to overrule the Interior Department and provide the tribes with ninety-nine-year lease options on tribal land. Had we and the Indian leaders developed a strategic response to the Interior Department objection to the purchase of allotments and alienated land, sale to the councils and subsequent leaseback for lakeshore purposes, we probably would have succeeded. All of the land provisions would have provided a steady and increasing flow of revenue to meager tribal treasuries.

Although it was not directly relevant to the lakeshore, at the request of Bad River tribal leaders, Nelson attempted to pass legislation authorizing the transfer of the Farm Security Administration lands within the Bad River reservation boundary to the tribal council. Although not successful at the time, Nelson and Congressman Obey did accomplish that goal in the 1970s, not only for Bad River, but for other Indian reservations in the state. We also made efforts to assist the Bad River Tribal Council in removing the unsightly shacks in the Kakagon-Bad River sloughs and helped to build a legal base that made it possible for Bad River tribal leaders to eventually remove them.

Every possible legal preference for Indian employment on the lakeshore was written into the legislation. Moreover, the boundaries were drawn in such a way that facilities next to the lakeshore could have been developed by the Indian people to serve lakeshore visitors.

One of the problems we faced with the Indian people was the frequent and rapid turnover of tribal chairs. During the period the lakeshore was under consideration, there were eleven different chairs; five at Bad River and six at Red Cliff. Regardless of political changes on the reservations, we kept the Indian people informed of every step in the process. The involvement by non-Indians in engendering Indian hostility to the proposal was obviously something over which we had no control. Our only approach was to explain the facts to the Indian people and to point out, as we did repeatedly, that the legislation did absolutely nothing to them other than to provide them with an opportunity to negotiate with the federal government, an opportunity which was unfortunately lost when Congress eliminated the Indian lands.

Would it have been possible to handle Indian issues differently? Ideally, if the tribal councils had had sufficient staff (which they did not), they could have developed the proposal, and Department of the Interior employees could have served as technical advisors when requested.[1544] Had they strugged with the many complex issues raised in the planning process and with the political and bureaucratic forces that had to be dealt with, the final product would have been theirs, and although it may have been similar to the lakeshore legislation, it may well have been different. In effect, they would have been bargaining with the federal government for the best possible package they could put

[1544]The lack of Indian staff resources was evident when the Bad River Tribal Council requested Nelson to find funds for an attorney to represent their interests in House hearings. Nelson secured the money and attorney Rodney Edwards of Duluth was hired. In House hearings and at the request of the tribal council, he testified in opposition to the proposal. Today, the professional staff resources of the tribal councils are substantially greater.

together, not the other way around, where it appeared to them that we were bargaining with them.

The process that was used involved frequent meetings with the Indian leaders when every possible problem and issue was raised and discussed. Then, in the planning process, we resolved them, if they could be resolved, after which we returned to them for further discussion and critique. This system worked well, but as tensions heightened the Indians began to view the evolving plans as being those of the Department of the Interior and not as their own. This perception was heightened by untruthful allegations made by non-Indian property owners and hunters and fishers.

Had the Indians done the planning, what might have evolved? For example, they might have developed plans for an Indian national park on the peninsula and in the sloughs that would be managed in conjunction with National Park Service management of the islands. The park service could act in a technical and advisory role and perhaps as a source of funds for capital developments and management. A scenario along these lines was developed for the Grand Portage monument and Grand Portage Indian reservation in Minnesota, but it too was caught in the cross-fires of the "Red Power Movement" and was killed.

Another scenario would have been the development of Indian parks on the two reservations without the technical and financial assistance of the NPS. Funding such a strategy would have been difficult and would have probably required admission fees to offset costs. The difficult problems of fractionated ownership -- allotments and alienated lands -- would also have to be resolved to make for viable Indian parks. Under these scenarios, or

that of the lakeshore as it was proposed, the Indians would still have faced the question of permitting the public to use their limited tribal acreages for recreation. The question then was, and is, would they?

Lastly, the lakeshore plan could have been developed solely around the islands, and as Nelson observed in 1970 House hearings, all the arguments could have been avoided if the Indian lands had not been included at all.

Thoughts for the Future

Any number of excellent ideas surfaced during the long debate over the lakeshore which were not implemented. The natural resources of the region are obviously still there and have not been destroyed by irreversible development. Today, new programs and approaches could be tested for their substantive and political acceptability. A few thoughts. It might be useful to re-examine the idea for a national historic monument on Madeline Island. The state now has a splendid new museum here. The extent of our knowledge on the archeological resources in the archipelago and on Madeline Island has increased substantially. More informed judgments on this question could be made today than were possible in the 1960s.

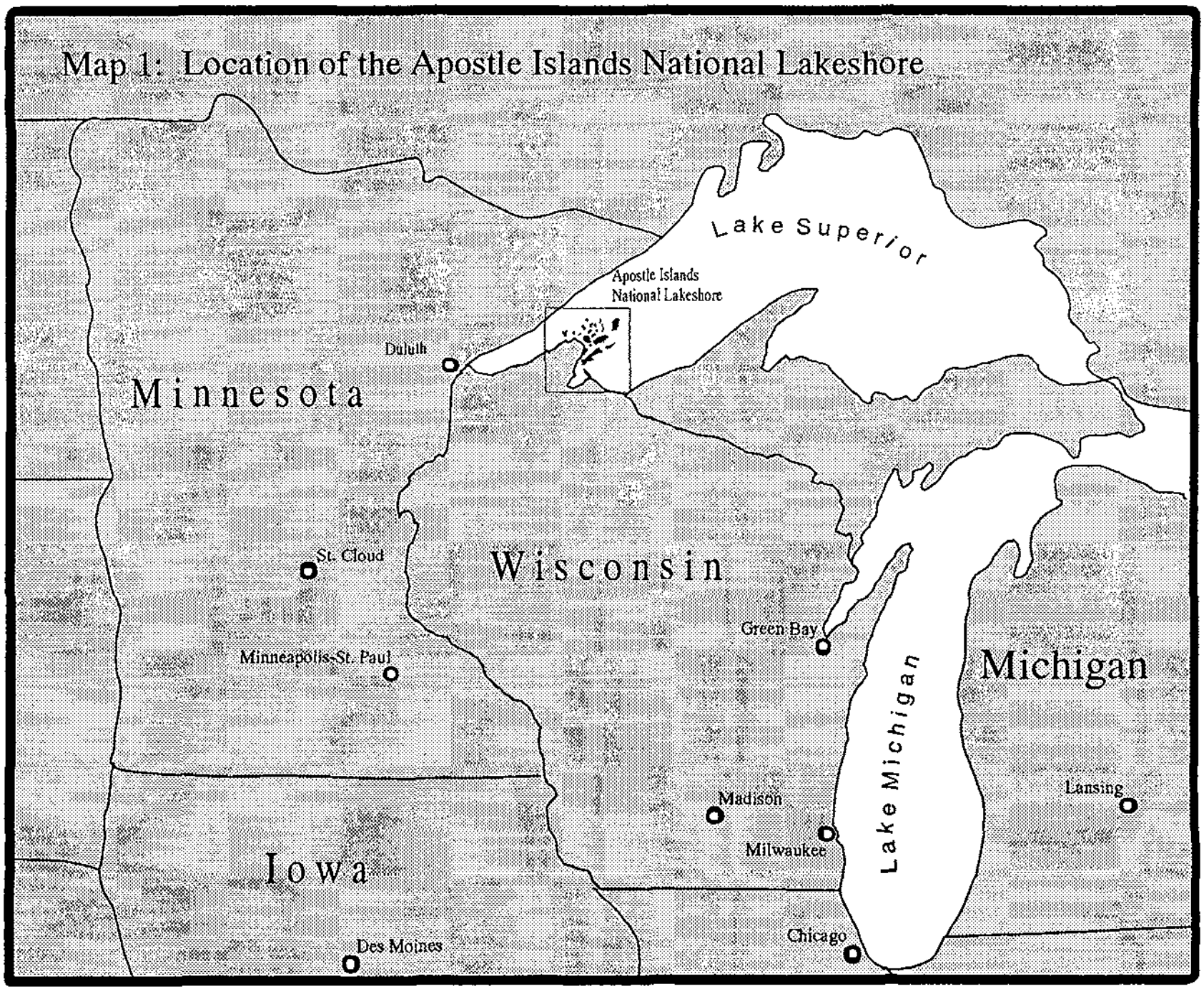
Another examination of the shoreline area extending west to Bark Point and perhaps all the way to the city of Superior, and south to the city of Ashland, would illuminate ways in which this marvelous ecosystem could be more adequately managed and protected in the interest of both the public and private landowners. Given the NPS ownership of fifteen miles of this shoreline, in depth studies in this area would point the direction for perhaps collaborative programs with private landowners, the county, the state, and with the U.S.

Forest Service. Private organizations such as the Nature Conservancy or local land trusts could also play an important role. Finally, assistance should be given the two Indian bands in reacquiring alienated and allotted land within their reservation boundaries in order to permit them to manage their resources effectively and efficiently.

The Apostle Islands National Lakeshore does not exist in a vacuum. It cannot stand alone. What happens around it is even more important than what happens within it. Thus, the people in the region -- citizens, political leaders, government employees -- have a responsibility to care for the maintenance of the Lake Superior ecosystem which in the long run will determine the health and vitality of the lakeshore.

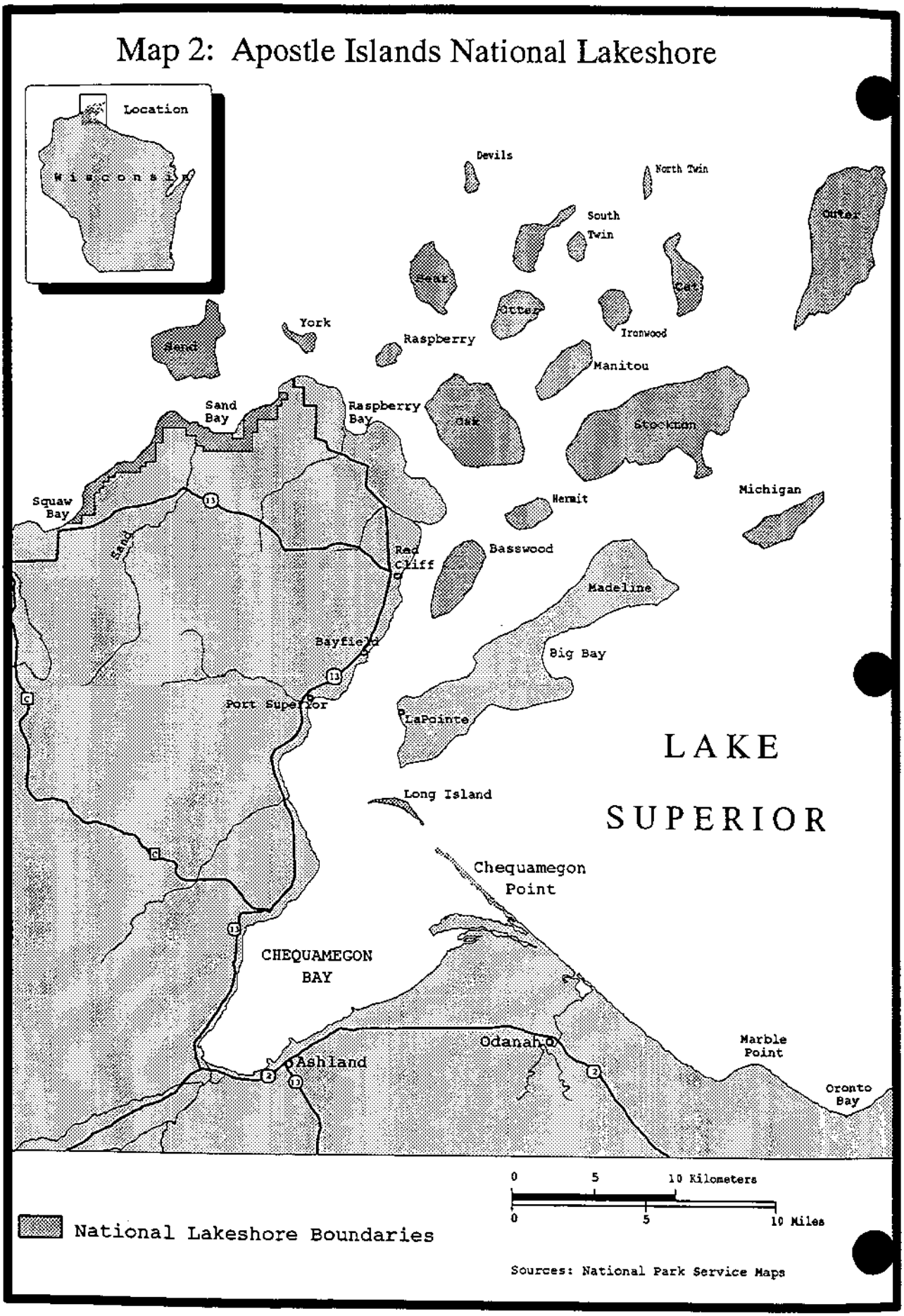
Appendix One

Maps



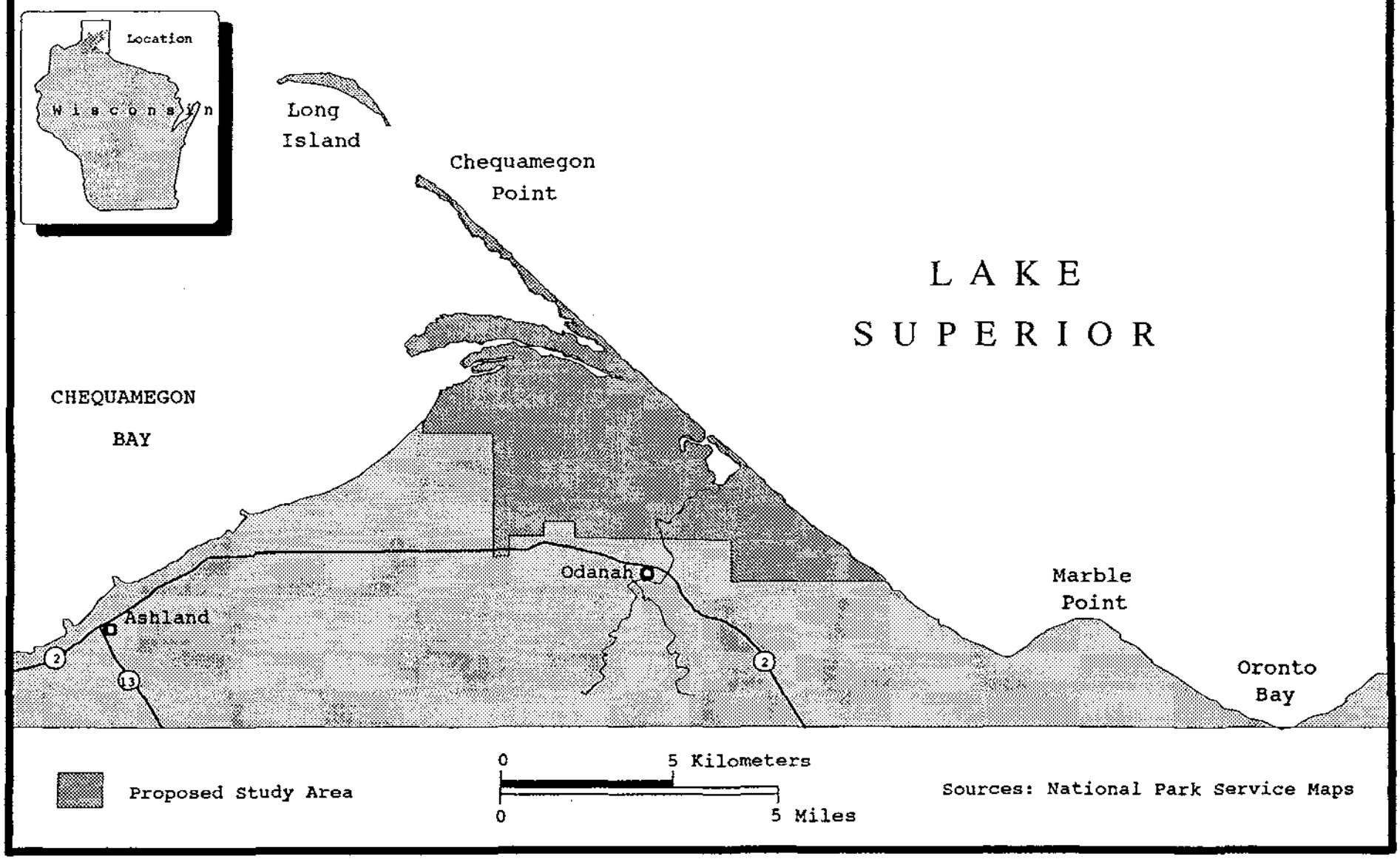
Appendix I, Map 1

Map 2: Apostle Islands National Lakeshore

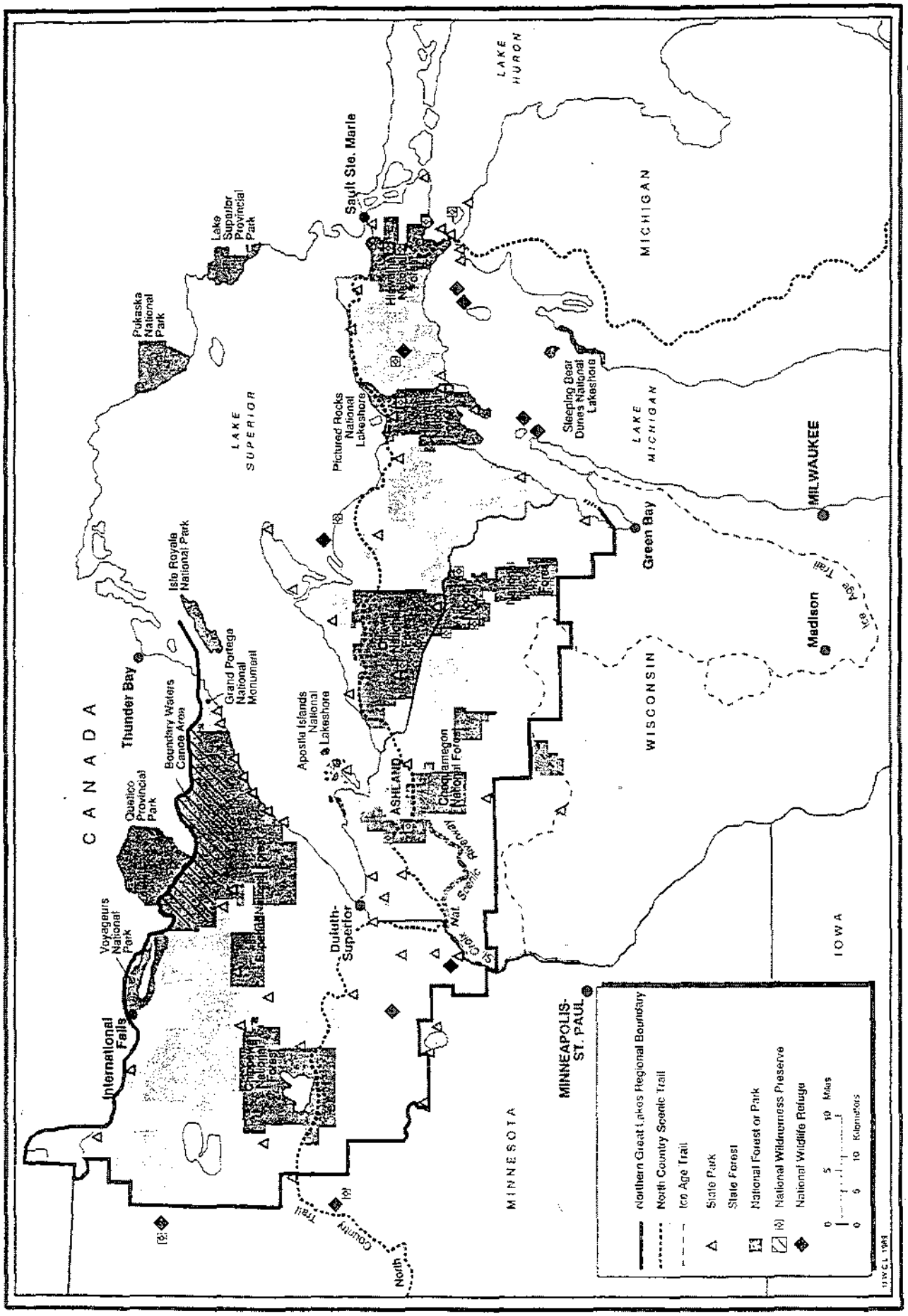


Appendix I, Map 2

Map 3: The Study Called For in the 1962 Bad River Council Resolution

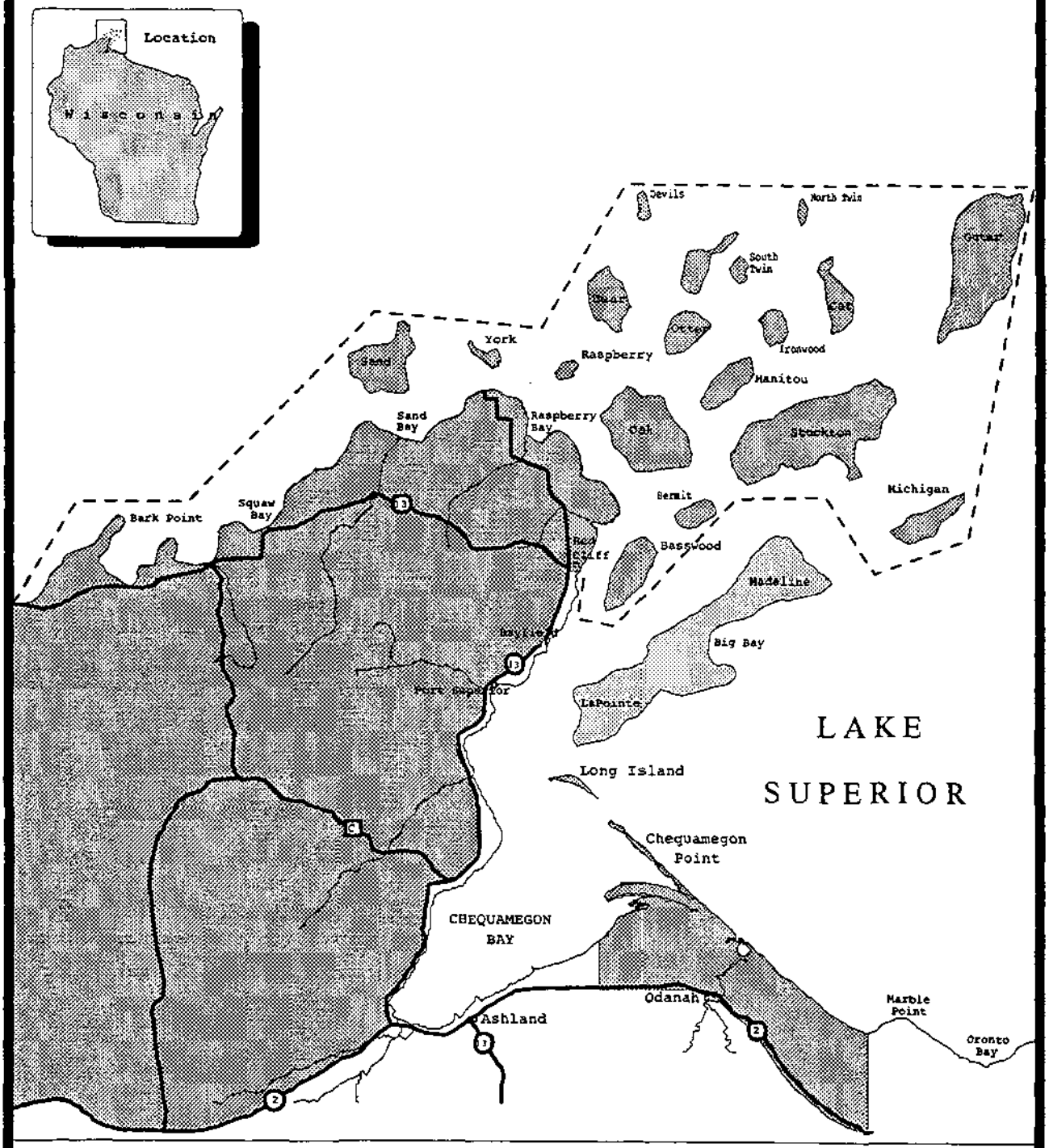


Major public land holdings in the northern Great Lakes Region

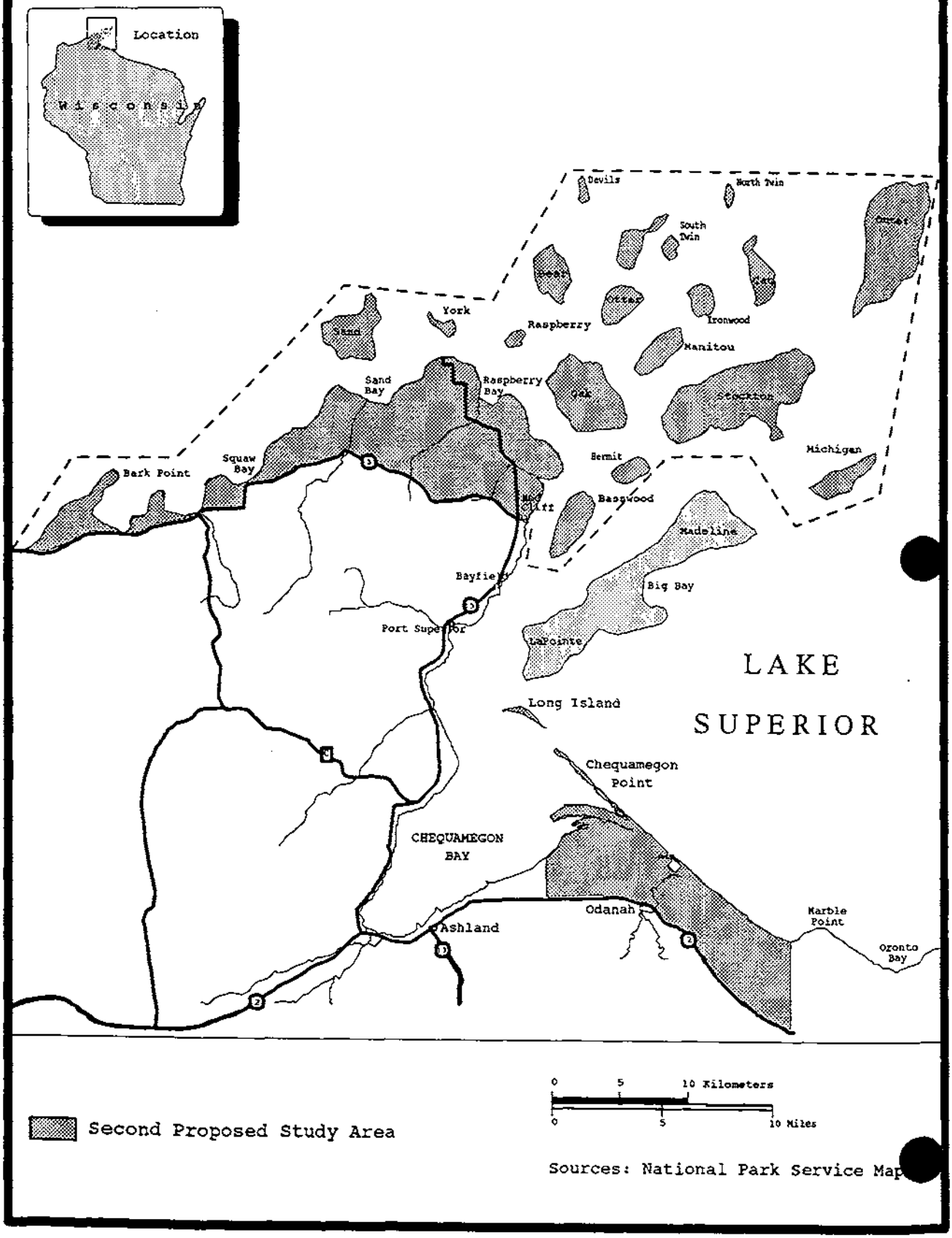


Appendix I, Map 4

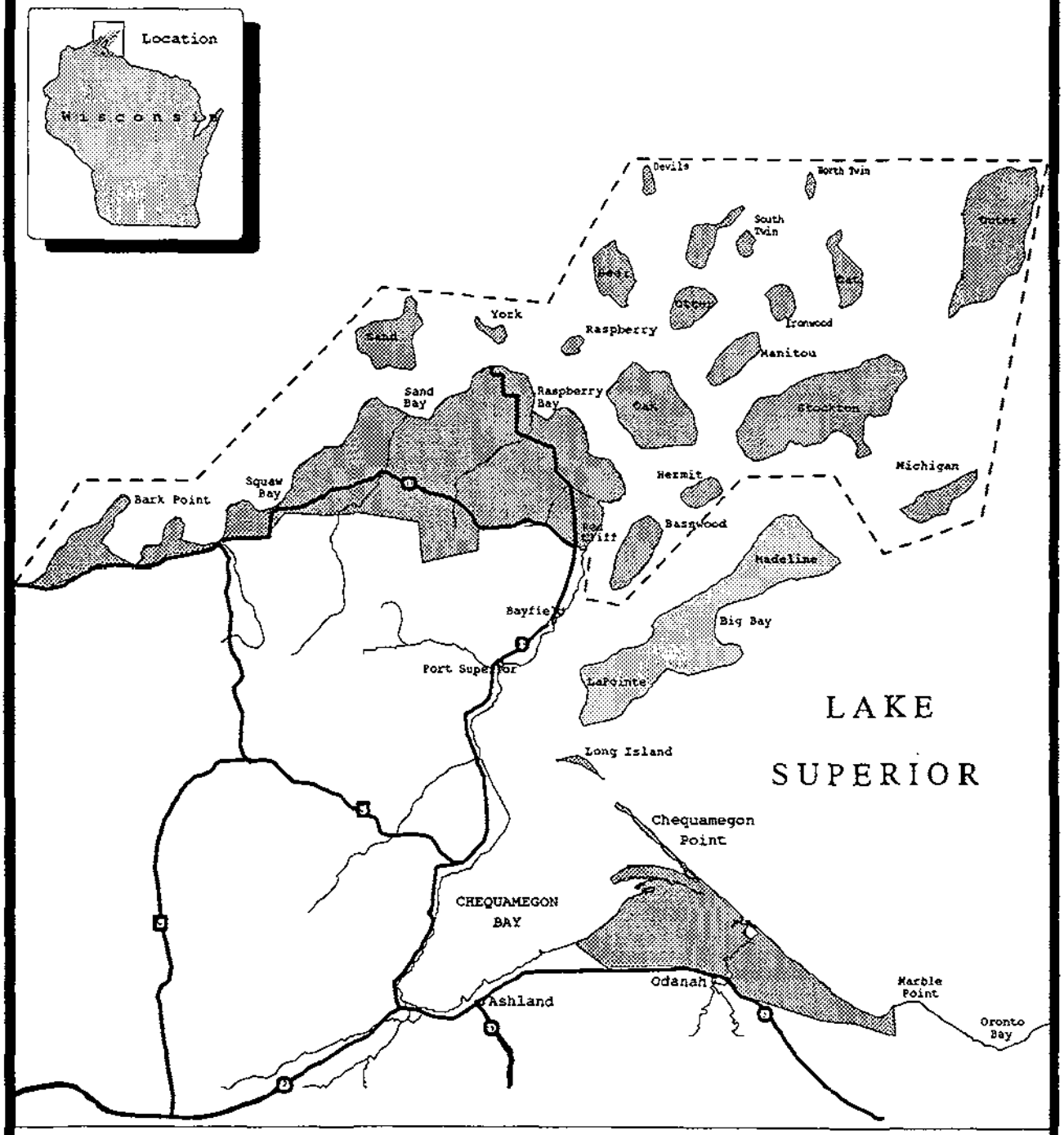
Map 5: First Proposed Study Area - March 1963



Map 6: Second Proposed Study Area - September 1963

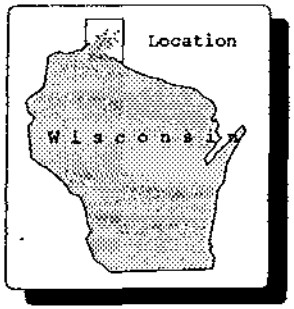


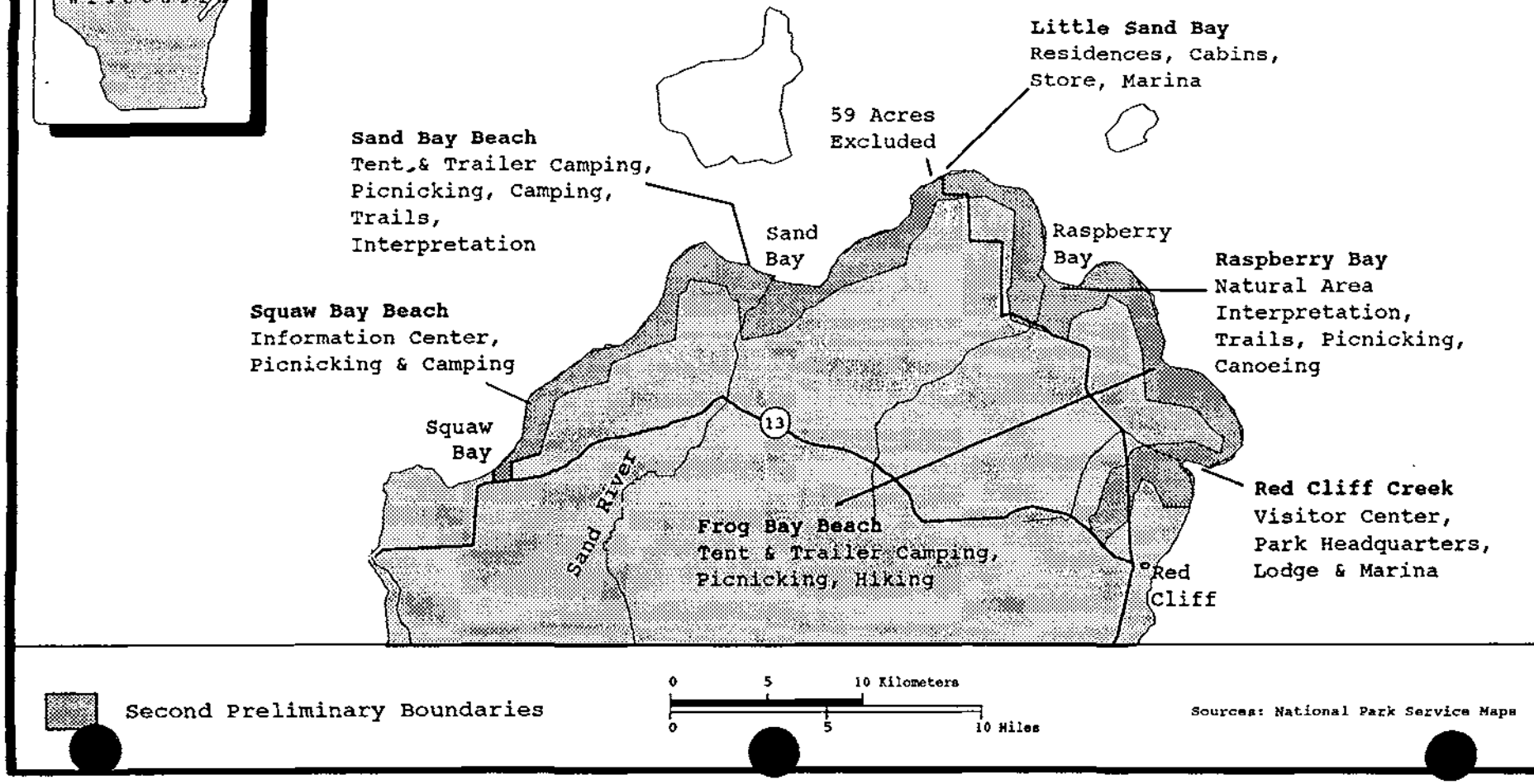
Map 7: First Preliminary National Park Service Plan Boundaries - September 1963



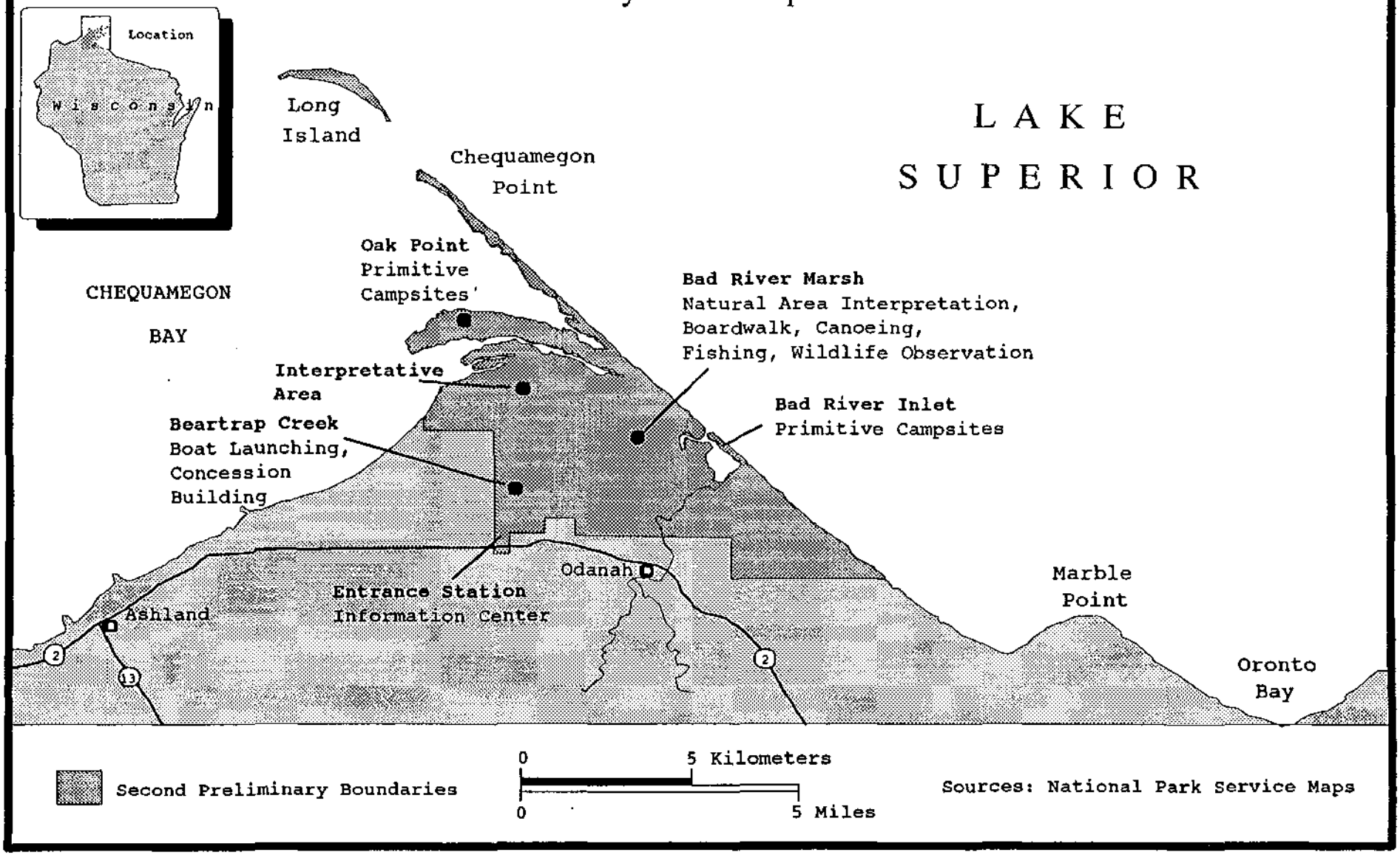
Appendix I, Map 7

Map 8A: Second National Park Service Plan Boundary & Development Plan - 1965

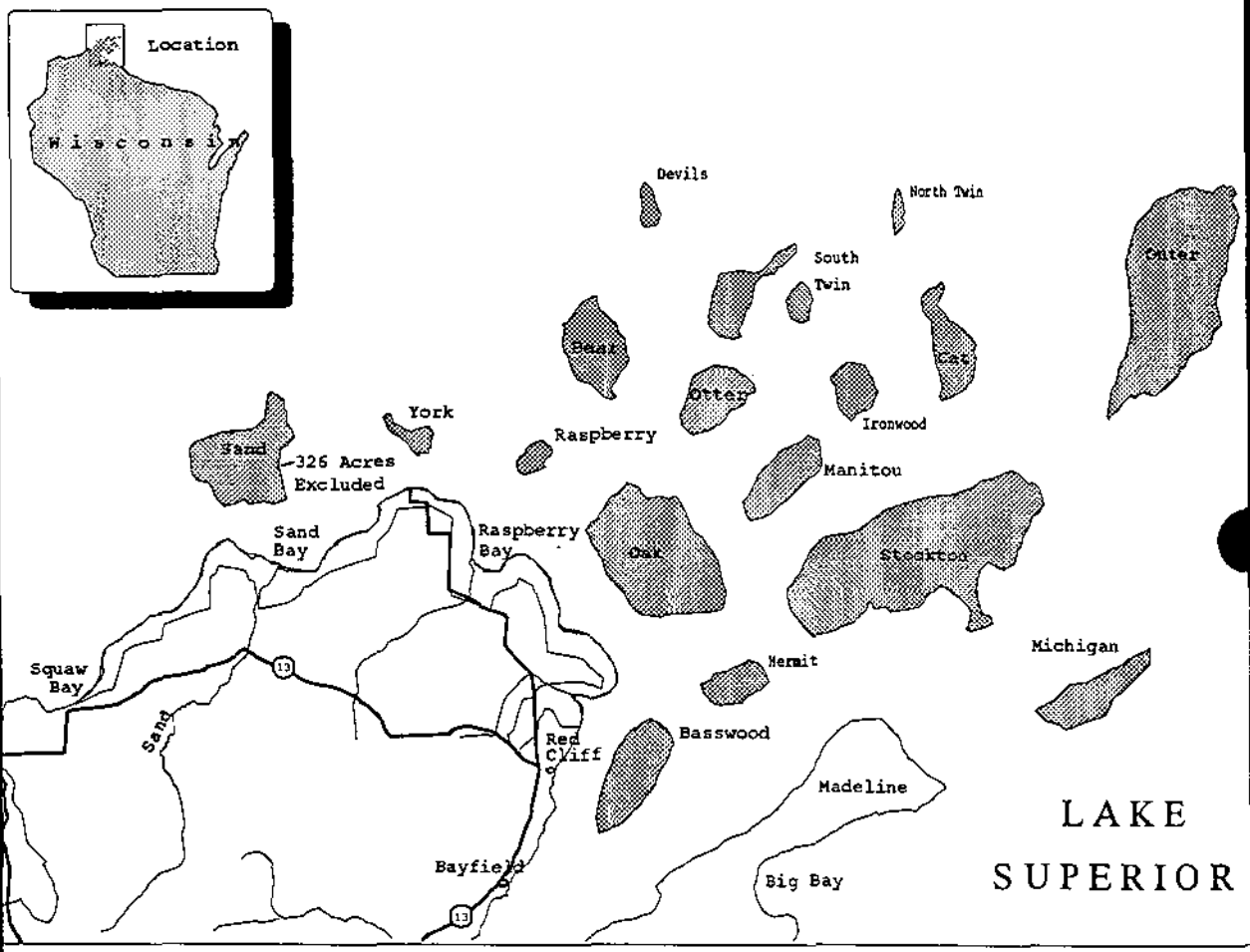




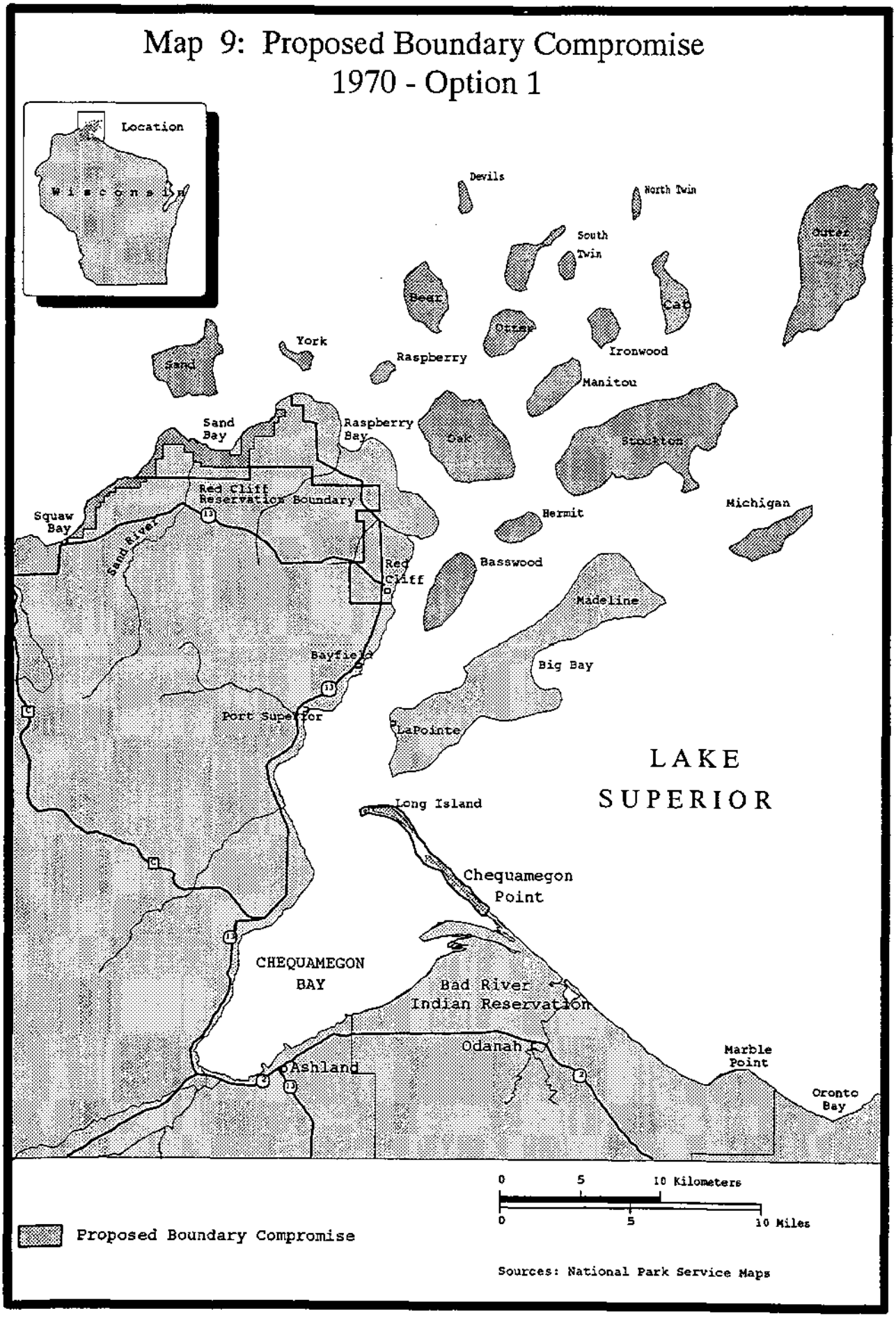
Map 8B: Second National Park Service Plan Boundary & Development Plan - 1965

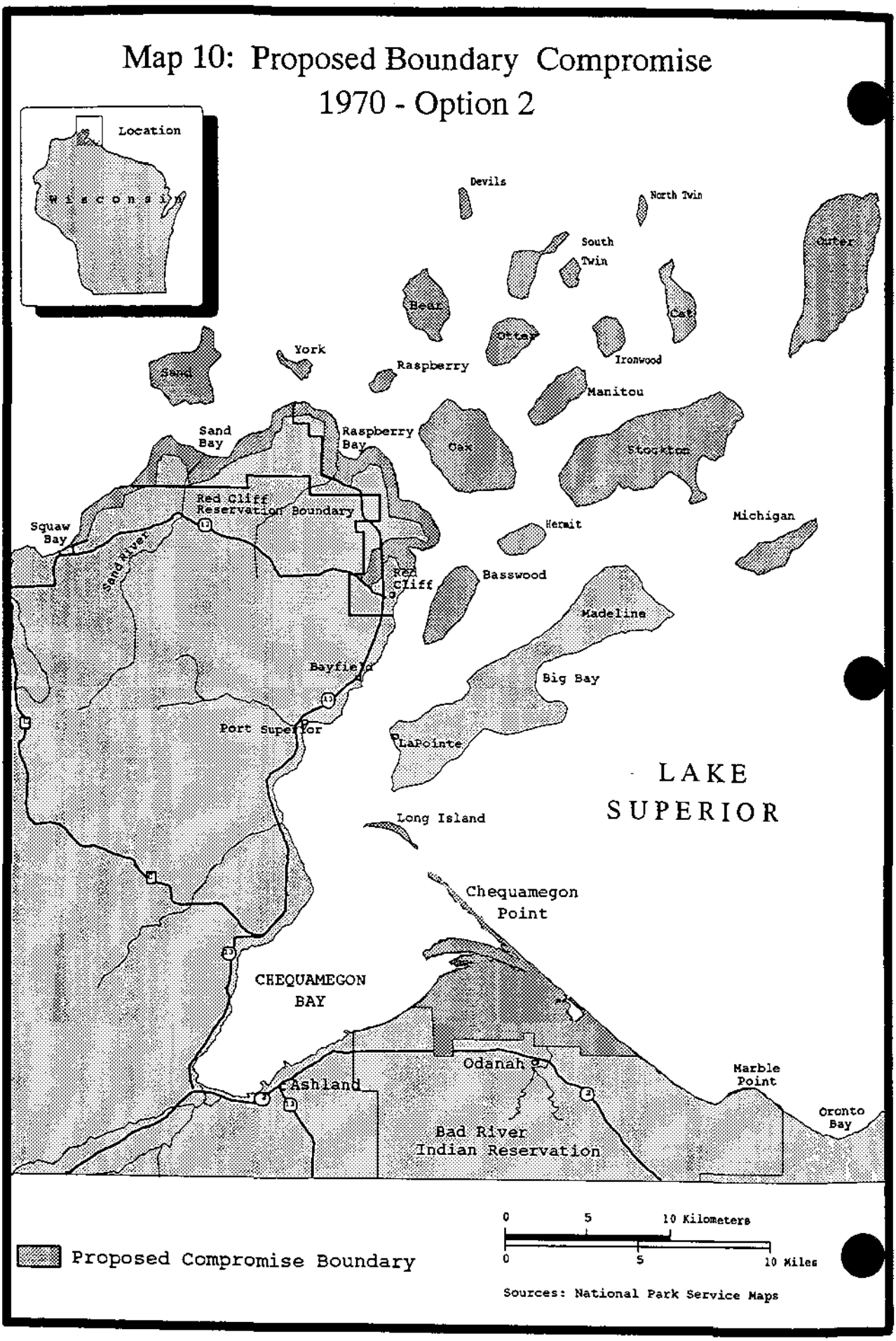


Map 8C: Second National Park Service Plan Boundary & Development Plan - 1965



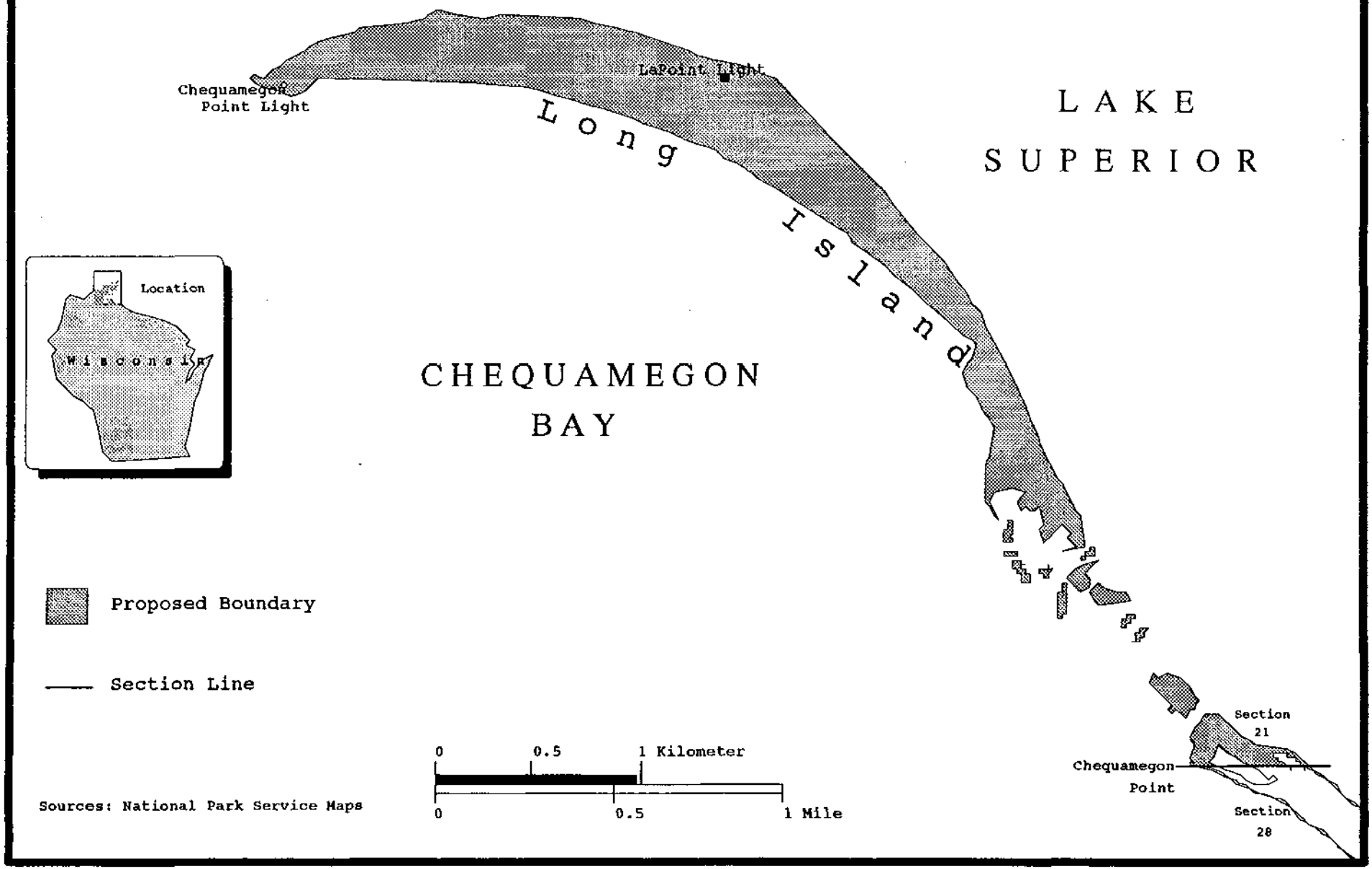
Map 9: Proposed Boundary Compromise
1970 - Option 1





Appendix I, Map 10

Map 11: Long Island Proposed Boundary
1985



Appendix Two

Photographs



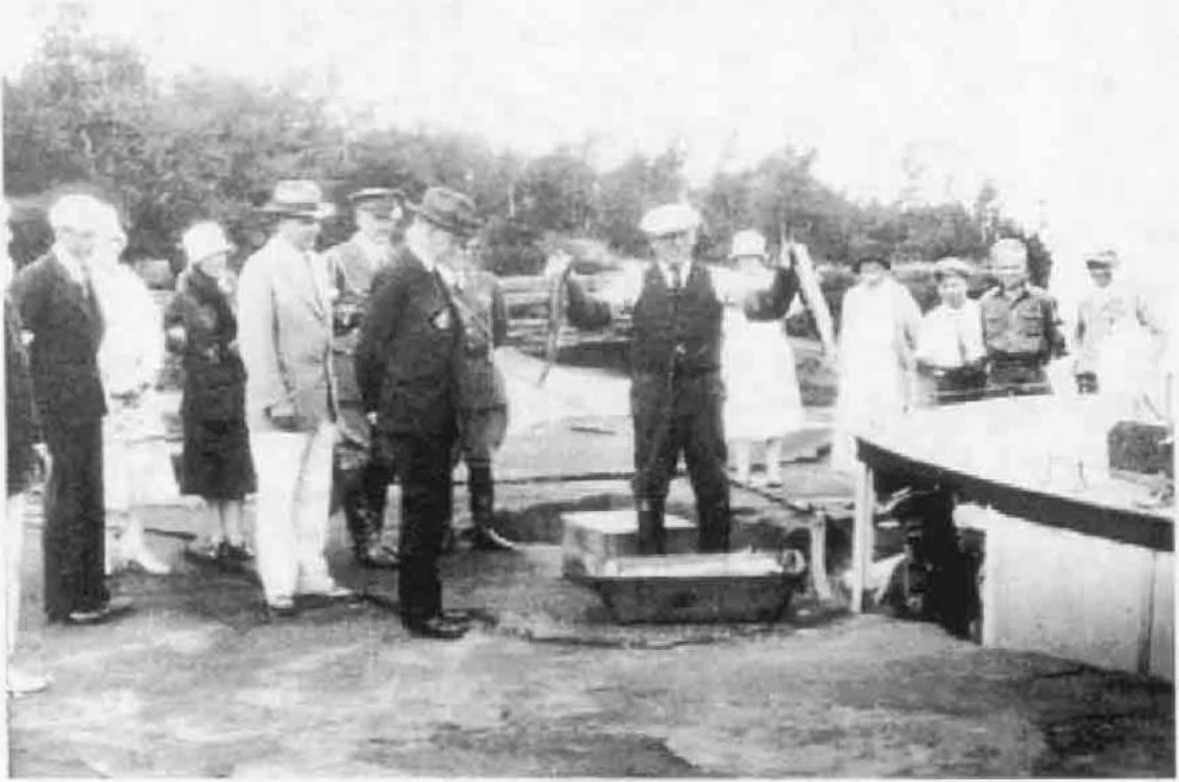
The Apostle Islands, circa 1970s (Photo: Fritz Albert).



The new Island View Hotel, Bayfield, Wisconsin (from Part Four, Ashland and Environs: The Chequamegon Region, Picturesque and Descriptive [Art Publishing Company, George B. Pratt, Neenah, Wisconsin, 1888]).



Columbus and Hocking Coal and Iron Company dock at Ashland, Wisconsin (from Part Four, Ashland and Environs: The Chequamegon Region, Picturesque and Descriptive [Art Publishing Company, George B. Pratt, Neenah, Wisconsin, 1888]).



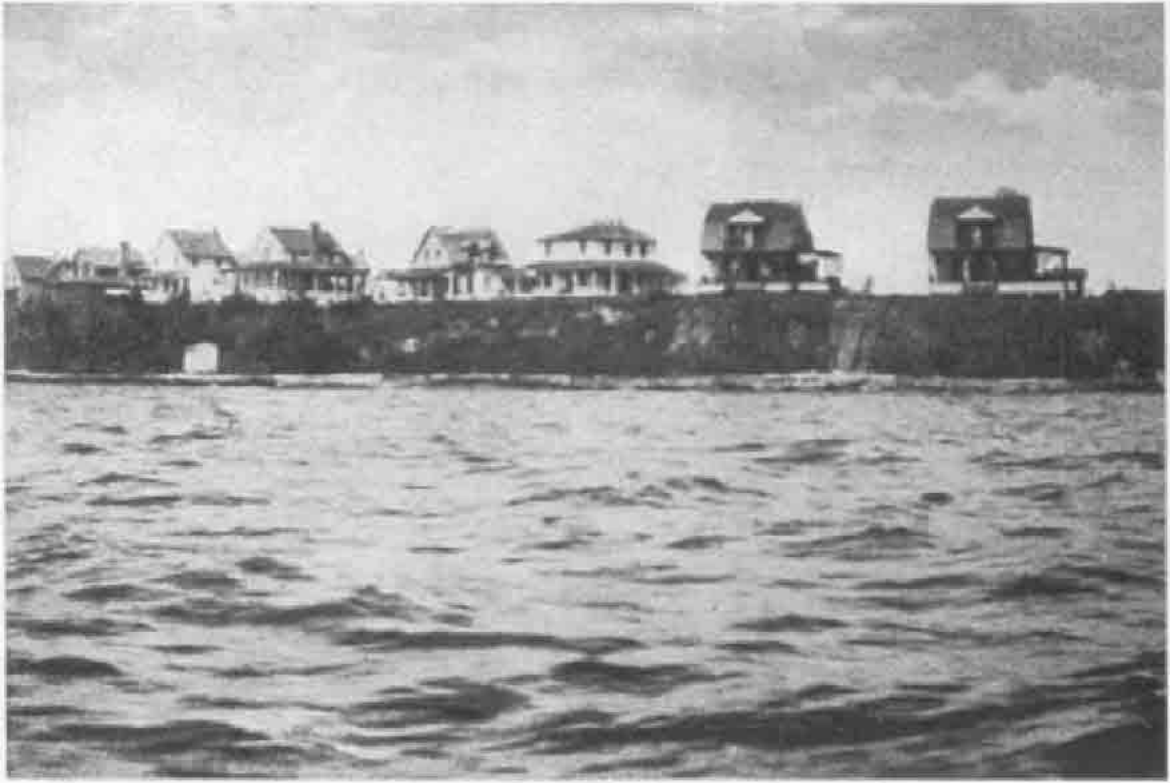
South Twin Island Fisherman Charlie Benson presenting President Calvin Coolidge with a box of lake trout, Devils Island in 1928.
(Photo made available by the National Park Service: APIS Neg. # 1477-4.)



Farming scene, Sand Island, circa 1900.
(Photo made available by the National park Service: APIS Neg. #1198-13.)



Sandstone mining on the Apostle Islands, circa 1900's.
(Photo made available by the National Park Service: APIS Neg. # D6a [5].)



Nebraska Row on Madeline Island, circa 1930's.
(Photo made available by the National Park Service: APIS Neg. #Ic-32 [9].)



J. Schroeder Logging Camp on Outer Island, July 16, 1930.
(Photo made available by the National Park Service: APIS Neg. #1137.)



President John F. Kennedy visits Ashland, September 24, 1963. Left to right, front row: Governor John Reynolds, Kennedy, Senator Gaylord Nelson; left to right, back row: Secretary of the Interior Stewart Udall, Secretary of Agriculture Orville Freeman, and tour guide Martin Hanson.



President John F. Kennedy addresses the crowd at Ashland, Wisconsin, September 24, 1963. Front row, left to right: Bad River Tribal Chair Fred Connors, Ashland Mayor Harry Simon, State Senator Frank Christopherson, Secretary Udall, Secretary Freeman, Ashland County Board Chair Ken Todd, Bayfield County Board Chair Edward Pajala, Elizabeth Hawks, and George Corrigan.
(Original photo donated to the Ashland Historical Society by Gilbert Westman.)



President John F. Kennedy visits Ashland, Wisconsin, September 24, 1963.
Left to right: Kennedy with Bad River Tribal Chair Fred Connors and Ashland Mayor Harry Simon.
(Original photo donated to Ashland Historical Society by Bill McCrae.)



"The Unfinished Task" conference held in Madison, Wisconsin, when the Wisconsin Council for Resource Development and Conservation ("The Peoples Lobby") was formed on October 10, 1962. Front row, left to right: Governor Gaylord A. Nelson, Secretary of the Interior Stewart Udall, and Bad River Tribal Chair Donald Ames. Back row: Wisconsin Department of Resource Development Director David Carley and Martin Hanson.
(Photo: William Wallin Studio, Madison, Wisconsin.)



Kakagon-Bad River sloughs inspection, June 11, 1962. Left to right: Governor Gaylord A. Nelson, J. Louis Hanson, Bad River Tribal Chair Don Ames, Louie Lefernier, Jim Hawkins of the Bureau of Indian Affairs, and Bureau of Outdoor Recreation Director Edward P. Crafts.
(Photo: Harold C. Jordahl, Jr.)



J. Schroeder Logging Camp on Outer Island, July 16, 1930.
(Photo made available by the National Park Service: Neg. # 1132.)



Governor Gaylord A. Nelson during the Kakagon-Bad River sloughs inspection, June 11, 1962.
(Photo: Harold C. Jordahl, Jr.)



Kakagon-Bad River sloughs inspection, June 11, 1962. Left to right: James Hawkins of the Bureau of Indian Affairs, Bureau of Outdoor Recreation Director Edward P. Crafts, Wisconsin Conservation Department Director L.P. Voigt, and J. Louis Hanson.
(Photo: Martin Hanson.)



Kakagon-Bad River sloughs inspection, June 11, 1962. Left to right: Milwaukee Journal reporter George Armour, Wisconsin Department of Resource Development Director David Carley, and Department of Resource Development landscape architect Phillip Lewis. (Photo: Harold C. Jordahl, Jr.)



U.S. Department of the Interior inspection of the Kakagon-Bad River sloughs, July 10, 1964. Left to right: Martin Hanson, Marilyn Jordahl, Fred Connors and Albert Whitebird of the Bad River Tribal council, and Robert W. Sharp of the Bureau of Sports Fisheries and Wildlife.
(Photo: Harold C. Jordahl, Jr.)



U.S. Department of the Interior inspection of the Kakagon-Bad River sloughs, July 10, 1964. Left to right: Marilyn Jordahl, Albert Whitebird and Fred Connors of the Bad River Tribal council.
(Photo: Harold C. Jordahl, Jr.)



Governor John Reynolds and State Democratic Party Chair J. Louis Hanson at Julian Bay on Stockton Island, circa 1963. (Photo: Harold C. Jordahl, Jr.)



Ruth Bresette and Linda and Sherry Gokee ride the Red Cliff Indian Tribal Council float in the Bayfield Apple Festival, October 4, 1965. (Photo: Ashland Daily Press.)



Shack in the Kakagon River Slough with wild rice in the foreground, circa 1962. (Photo: Harold C. Jordahl, Jr.)



The Kakagon River Slough, circa 1964.
(Photo: Martin Hanson.)



Mouth of the Bad River, circa 1965.
(Photo: National Park Service.)



Chequamegon Point, July 1963
(Photo: Harold C. Jordahl, Jr.)



Chequamegon Point sand spit looking northwest, with Lake Superior on the right, Chequamegon Bay on the left and Long Island in the background, circa 1963. (Photo: Harold C. Jordahl, Jr.)



Winter in the Apostle Islands, circa 1960's.
(Photo: Clarence Carlson, Ashland, Wisconsin.)



Mouth of the Sand River on the Bayfield Peninsula, circa 1965.
(Photo: National Park Service.)



Rock formations along east shore of Sand Island, circa 1965.
(Photo: National Park Service.)



Senator Gaylord A. Nelson on Stockton Island, circa 1965. (Photo: Martin Hanson.)

Appendix Three

A Chronology of Significant Events Regarding the Apostle Islands National Lakeshore

August 1928 - President Calvin Coolidge visits the Apostle Islands

January 11, 1930 - A bill to authorize a study of the Apostle Islands for a national park (enacted May 9, 1930)

January 20, 1931 - Report by Harlan P. Kelsey recommending that a national park not be created in the Apostle Islands

August 1931 - Second National Park Service investigation of a proposed national park in the Apostles

1934-35 - The National Park Service recommends that Wisconsin create a state park in the Apostle Islands

1935 - Joint Resolution of the Wisconsin Legislature to investigate a state park in the Apostles and to inquire regarding a national park

1935 - Third National Park Service study of a national park in the Apostle Islands

March 19, 1936 - Conrad L. Wirth closes the file on a proposed national park in the Apostle Islands

1936 - The Wisconsin State Planning Board recommends a state park in the Apostle Islands

March 1950 - Milwaukee County Conservation Alliance calls for a study on the feasibility of acquiring all of the Apostle Islands

1955 - Joint resolution of the Wisconsin Legislature for the possible acquisition of the Apostle Islands

August 1955 - Approval by the Wisconsin Conservation Commission of a "Policy on Acquisition of an Apostle Islands Wilderness Area"

January 1959 - Wisconsin Conservation Department buys Stockton Island

January 1959 - Wisconsin Conservation Department establishes the Apostle Islands State Forest consisting of Oak, Stockton, Basswood, Hermit and Manitou islands

May 10, 1962 - Bad River Tribal Council requests a study of the feasibility of the establishment of a "National Shoreline-Recreational Area" in the Bad River Reservation

May 22, 1962 - Governor Gaylord A. Nelson presents the Bad River Tribal Council resolution to Secretary Udall

June 11, 1962 - Edward Crafts, director of the Bureau of Outdoor Recreation, inspects the area

January 26, 1963 - Citizens' Committee for an Apostle Islands National Lakeshore established

March 25, 1963 - First draft bill prepared on the lakeshore

1963 - President's Recreation Advisory Council establishes criteria for national recreation areas

October 22, 1963 - Decision made not to have the lakeshore be a collaborative federal-state project

September 1963 - First National Park Service master plan

September 24, 1963 - President Kennedy visits the Apostle Islands

April 4, 1964 - Secretary Udall establishes the subcommittee of the North Central Field Committee

November 11, 1964 - Second draft bill prepared

January 7, 1965 - Third draft bill prepared

Early 1965 - Fourth and fifth draft bills prepared

March 1965 - Sixth draft bill prepared

March 15, 1965 - Subcommittee of the North Central Field Committee report submitted to Washington

July 1965 - Seventh draft bill prepared

August 27, 1965 - Eighth draft bill prepared

August 28, 1965 - Public release and meeting on the report of the subcommittee of the North Central Field Committee

September 7, 1965 - S. 2498 to establish the lakeshore introduced

September 8, 1965 - H.R. 10902 to establish the lakeshore introduced

October 1965 - Red Cliff Indian Band has float on Apostle Islands in Apple Festival parade; tribal council endorses lakeshore

October 10, 1965 - Bad River Tribal Council opposes lakeshore

February 2, 1966 - President Johnson calls for completing studies on the Apostle Islands National Lakeshore

February 1967 - Bad River Tribal Council endorses the lakeshore

January 30, 1967 - President Johnson calls for an Apostle Islands National Lakeshore

June 2, 1967 - Governor Knowles and the Wisconsin Conservation Commission endorse the Apostle Islands National Lakeshore

June 1967 - Red Cliff Tribal Council neutral regarding lakeshore

June 1 and 2, 1967 - First Senate hearings on the lakeshore

August 21, 1967 - Senate passes lakeshore bill

1968 - Richard Nixon elected president; Walter Hickle appointed secretary of the interior

January 1968 - National Park Service prepares a new lakeshore master plan

July 29, 1968 - Second Senate hearings on the lakeshore

March 13, 1969 - Red Cliff Tribal Council in opposition to lakeshore

March 17, 1969 - Third Senate hearings on the lakeshore

August 19, 1969 - First House hearings on the lakeshore

August 19, 1969 - Bad River Tribal Council in opposition to lakeshore

June 26, 1969 - Senate passes lakeshore bill

September 1969 - The Nixon administration calls for a freeze on new park authorizations; all national recreation and park hearings are cancelled

February 2, 1970 - President Nixon increases funding for LAWCON

March 23, 24 and June 3, 1970 - Second House hearings on the lakeshore

July 7, 1970 - House passes lakeshore bill

March 23 and 24, 1970 - Red Cliff and Bad River tribal councils state opposition to lakeshore

September 26, 1970 - President Nixon signs the Apostle Islands National Lakeshore bill

August 13, 1975 - Governor Lucey signs act transferring state lands to the National Park Service

April 23, 1985 - Congressman Obey introduces legislation to include Long Island in the lakeshore

October 17, 1986 - President Reagan signs bill including Long Island in the lakeshore

Appendix Four

Identification of Apostle Islands National Lakeshore Participants

(Participants frequently occupied a number of different positions during the lakeshore history. They are identified here in their major roles. Only people who played a significant role are listed.)

Anderson, Norman C., chair, Assembly Committee on Conservation.

Aspinall, Wayne N., chair, House Committee on Interior and Insular Affairs.

Appelbaum, Stewart, staff assistant to Congressman Robert Kastenmeier.

Baker, John, "On Wisconsin" editorial writer for the Milwaukee Journal.

Beale, John, chief state forester, Wisconsin Conservation Department.

Bechtel, William, administrative assistant to U.S. Senator Gaylord A. Nelson.

Belindo, John, executive director, National Congress of American Indians.

Bendler, Bob, chair, Bad River Tribal Council.

Besadny, Carroll D., secretary, Wisconsin Department of Natural Resources.

Brewer, William C., Bayfield Peninsula land owner.

Brodie, James N., Brodie Engineering Corporation of St. Paul, Minnesota.

Bromberg, William, first superintendent, Apostle Islands National Lakeshore.

Caldwell, William, Bayfield Peninsula land owner.

Carley, David, director, Wisconsin Department of Resource Development.

Caulfield, Henry P., director, Resources Program Staff, Office of the Secretary, U.S. Department of the Interior.

Chapple, John, owner, editor and reporter, Ashland Daily Press.

Connors, Chuck, Bad River Indian and Wisconsin Department of Natural Resources employee.

Conners, Fred, Bad River Indian and tribal chair.

Crafts, Edward P., director, Bureau of Outdoor Recreation, U.S. Department of the Interior.

DeMain, Paul, Lac Courte Oreilles Indian and advisor to Wisconsin Governor Anthony Earl.

Dexter, Frank, owner and editor, Bayfield County Press.

Dodge, Steve, Menominee Indian and Wisconsin Department of Natural Resources employee.

Dryer, William R., biologist, Bureau of Commercial Fisheries, U.S. Department of the Interior.

Edmunds, Allen T., planner, National Park Service, U.S. Department of the Interior.

Edwards, Rodney, attorney for the Bad River Tribal Council.

Fairfield, William, press secretary to Governor Gaylord A. Nelson.

Feil, Andrew, planner, National Park Service, U.S. Department of the Interior.

Fleischer, Ruth, staff assistant to U.S. Senator William Proxmire.

Gehrmann, Bernard, assemblyman, Wisconsin Legislature.

Germain, Cliff, ecologist, Wisconsin Department of Natural Resources.

Granum, Bernard, staff assistant, Bureau of Indian Affairs, U.S. Department of the Interior.

Griffith, Edward, Wisconsin's first state forester.

Gross, Harold, attorney, National Congress of American Indians.

Haglund, Brent, executive director, Wisconsin Chapter of the Nature Conservancy.

Hanson, Louis J., Apostle Islands National Lakeshore supporter.

Hanson, Martin, Apostle Islands National Lakeshore supporter.

Harrington, Cornelius L., "Neil", superintendent, Division of State Parks and Forests, Wisconsin Conservation Department.

Hartzog, Jr., George B., Director, National Park Service, U.S. Department of the Interior.

Hawkes, Elizabeth, attorney for the Red Cliff Tribal Council.

Heritage, John, staff assistant to U.S. Senator Gaylord A. Nelson.

Hickle, Walter, secretary, U.S. Department of the Interior.

Hokensen, Robert, Bayfield Peninsula land owner.

Hovind, Ralph B., planner, Wisconsin Department of Resource Development.

Hummell, Edward, associate director, National Park Service, U.S. Department of the Interior.

Jackson, Candy, attorney, Bad River Tribal Council.

Jensch, S.W., Bayfield Peninsula land owner. Retired administrative law judge residing in Maryland.

Johnson, C.E. ("Corky"), superintendent, Isle Royale National Park, U.S. Department of the Interior.

Johnson, Sam, Chequamegon Point land owner.

Jurgens, Willard E., Bayfield Peninsula land owner.

Kasten, Robert, U.S. senator, Wisconsin.

Kastenmeier, Robert, U.S. congressman, Wisconsin.

Klein, Thomas, executive director, Sigurd Olson Environmental Institute, Ashland, Wisconsin.

Knowles, Warren, governor, State of Wisconsin.

Koenings, Roman, superintendent, Division of State Parks and Forests, Wisconsin Conservation Department, and later regional director, Bureau of Outdoor Recreation, U.S. Department of the Interior.

Koons, W.B. (Bud"), reporter, Ashland Daily Press.

Kuhns, Richard, Bayfield Peninsula land owner.

LaFollette, Bronson, attorney general, State of Wisconsin.

Lee, Ronald F., regional director, National Park Service, U.S. Department of the Interior.

Lewis, Phil, landscape architect, Wisconsin Department of Resource Development.

Lucey, Patrick, governor, State of Wisconsin.

Lynch, R.G., outdoor editor, Milwaukee Journal.

Mackie, Donald J., superintendent of state parks and forests, Wisconsin Conservation Department.

MacQuarrie, Gordon, outdoor reporter, Milwaukee Journal.

Matteson, Summer, biologist, Department of Natural Resources.

McElvain, Lee, staff director, House Committee on Interior and Insular Affairs.

McFadzean, William G., chair, Apostle Islands Resident Committee.

Messinger, Clifford, chair, Wisconsin Chapter, Wisconsin Chapter of the Nature Conservancy.

Miller, Pat, second superintendent, Apostle Islands National Lakeshore.

Mittness, Lewis T., chair, Assembly Committee on Conservation.

Moody, James, U.S. congressman, Wisconsin.

Mott, William Penn, Jr., director, National Park Service, U.S. Department of the Interior.

Nash, Philleo, commissioner, Bureau of Indian Affairs, U.S. Department of the Interior.

Nelson, G.A., governor, State of Wisconsin and later U.S. senator.

Neuberger, Neil, staff assistant to Congressman David Obey, Wisconsin.

Nicotera, Ron, biologist, Wisconsin Department of Natural Resources.

Obey, David, U.S. congressman, Wisconsin.

Okonski, Alvin, U.S. congressman, Wisconsin.

Olson, Sigurd, chairman, Wilderness Society.

Peters, Bud, logger and land owner, Sand Island.

Peterson, Mark, executive director, Sigurd Olson Environmental Institute, Ashland, Wisconsin.

Pinchot, Gifford, first U.S. chief forester.

Potter, Howard, staff assistant, Bureau of Indian Affairs, U.S. Department of the Interior.

Prentice, Dr. B.C., chair, Citizens Committee for an Apostle Islands National Lakeshore.

Proxmire, William E., U.S. senator, Wisconsin.

Rahr, Guido, chair, Wisconsin Natural Resources Board.

Reuss, Henry, U.S. congressman, Wisconsin.

Reynolds, John, governor, State of Wisconsin.

Riley, Emmett, superintendent, Great Lakes Indian Agency, Bureau of Indian Affairs, U.S. Department of the Interior.

Schumacher, Donald F., Bayfield Peninsula land owner.

Shanklin, John, assistant director, Bureau of Outdoor Recreation, U.S. Department of the Interior.

Shefchik, Frank, chair, Ashland County Board.

Sheridan, Chick, reporter, Washburn Times.

Sigler, Lewis, attorney, Office of the Solicitor, U.S. Department of the Interior.

Smith, Charley F. ("Frosty"), chair, Wisconsin Conservation Commission.

Sprecher, George E., assistant director, Wisconsin Conservation Department.

Stoddard, Charles H., director, Bureau of Land Management, U.S. Department of the Interior.

Swem, Theodore, assistant director, National Park Service, U.S. Department of the Interior.

Swift, Ernest, director, Wisconsin Conservation Department.

Todd, Kenneth, chair, Ashland County Board.

Udall, Morris, chair, House Committee on Interior and Insular Affairs.

Udall, Stewart, secretary, U.S. Department of the Interior.

Vennum, Dr. Thomas, Jr., ethnomusicologist, Smithsonian Institue.

Vento, Bruce F., chair, House Subcommittee on National Parks and Recreation.

Voigt, Lester P., director, Wisconsin Conservation Department.

Vrooman, David V., attorney, Field Office of the Solicitor, U.S. Department of the Interior.

Vukelich, George, environmental conservation writer.

Wallin, Victor, assemblyman, Wisconsin Legislature.

Westhagen, Eric P., chair, Apostle Islands Wilderness Council.

Whiffen, Larry, chair, Milwaukee County Conservation Alliance.

Whittpen, Richard, planner, National Park Service, U.S. Department of the Interior.

Wilson, Archie, Long Island land owner.

Woerpel, Les, chair, Wisconsin Federation of Conservation Clubs.

Appendix Five

List of Abbreviations Used

AIM	American Indian Movement
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
BOR	Bureau of Outdoor Recreation
BSFW	Bureau of Sports Fisheries and Wildlife
CCC	Civilian Conservation Corps
CCAINL	Citizens Committee for the Apostle Islands National Lakeshore
DOA	Wisconsin Department of Administration
DNR	Wisconsin Department of Natural Resources
DRD	Wisconsin Department of Resource Development
ECA	U.S. Emergency Conservation Act (1933)
FSA	U.S. Farm Security Administration
HIIAC	U.S. House of Representatives Interior and Insular Affairs Committee
HSC	Subcommittee on National Parks and Recreation, U.S. House of Representatives Interior and Insular Affairs Committee
LAWCON	U.S. Land and Water Conservation Fund
MCCA	Milwaukee County Conservation Alliance
NCAI	National Congress of American Indians
NPS	National Park Service
NWWRPC	Northwestern Wisconsin Regional Planning Commission
OEDP	Overall Economic Development Plan
ORAP	Outdoor Recreation Act Program
ORRRC	Outdoor Recreation Resources Review Commission
PSC	Wisconsin Public Service Commission
RAC	Recreation Advisory Council
SSC	Subcommittee on Parks and Recreation, U.S. Senate Interior and Insular Affairs Committee
SCIIA	U.S. Senate Committee on Interior and Insular Affairs
UGLRC	Upper Great Lakes Regional Commission
USDA	United States Department of Agriculture
USDI	United States Department of the Interior
USFS	U.S. Forest Service
WCC	Wisconsin Conservation Commission
WCD	Wisconsin Conservation Department

Appendix Six

Bills on the Apostle Islands National Lakeshore

Senate

1. September 7, 1965 - S. 2498 by Mr. Nelson, Mr. Proxmire and Mr. Douglas.

2. January 31, 1967 - S. 778 by Mr. Nelson and Mr. Proxmire (the same bill as S. 2498).

   February 18, 1967 U.S. Department of the Interior letter report.

   August 21, 1967 - Senate passes bill.

3. January 24, 1969 - S. 621 by Mr. Nelson (the same bill as S. 778 as passed by the Senate).

   January 16, 1969 - U.S. Department of the Interior letter report.

   June 26, 1969 - Senate passes bill.

House

1. September 8, 1965 - H.R. 10902 by Mr. O'Konski (the same bill as S. 2498).

2. September 26, 1967 - H.R. 13124 by Mr. Kastenmeier, Mr. O'Konski, Mr. Anderson of Illinois, Mr. Byrnes of Wisconsin, Mr. Conyers, Mr. Dingall, Mr. William D. Ford, Mr. Frazer, Mrs. Griffiths, Mr. Karth, Mr. Laird, Mr. McClory, Mr. Quie, Mr. Reuss, Mr. Steiger of Wisconsin and Mr. Zablocki. (Companion Bill, H.R. 10427 by Mr. Kastenmeier) H.R. 10427 and H.R. 13124 are the same as S. 778 as passed by the Senate.

   July 27, 1968 - U.S. Department of the Interior letter report.

3. January 3, 1969 - H.R. 555 by Mr. Kastenmeier (the same bill as S. 621 as passed by the Senate; H.R. 9306 and H.R. 555 are the same bills.)

   March 19, 1970 - U.S. Department of the Interior letter report on S. 621 as passed by the Senate and H.R. 555.

4. March 20, 1969 - H.R. 9306 by Mr. Kastenmeier, Mr. O'Konski, Mr. Byrnes of Wisconsin, Mr. Conyers, Mr. Dingell, Mr. William D. Ford, Mr. Frazer, Mrs. Griffiths, Mr. Karth, Mr. Reuss, Mr. Steiger of Wisconsin, and Mr. Zablocki (the same as S.621 as passed by the Senate). H.R. 9306 was passed by the Congress

and signed into law.

Appendix Seven

The Apostle Islands National Lakeshore Act: Public Law 91-424

Public Law 91-424
91st Congress, S. 621
September 26, 1970

An Act

To provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to conserve and develop for the benefit, inspiration, education, recreational use, and enjoyment of the public certain significant islands and shoreline of the United States and their related geographic, scenic, and scientific values, there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore") in Ashland and Bayfield Counties, Wisconsin, consisting of the area generally depicted on the map entitled "Apostle Islands National Lakeshore", numbered NL-AI-91,000, sheets 1 and 2, and dated June 1970. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior.

Apostle Islands National Lakeshore, Wis. Establishment.

SEC. 2. No lands held in trust by the United States for either the Red Cliff Band or Bad River Band of the Lake Superior Chippewa Indians, or for allottees thereof, shall be acquired or included within the boundaries of the lakeshore established by this Act, with the following exception:

Boundaries.

If the Indians who own more than 50 per centum of the interest in allotment number 74 GL or allotment number 135 in the Red Cliff Reservation agree to sell the allotment to the Secretary of the Interior (hereinafter referred to as the "Secretary"), the Secretary may consent to the sale on behalf of the other owners, purchase the allotment for the negotiated price and revise the boundaries of the lakeshore to include the allotment.

SEC. 3. The Secretary may acquire within the boundaries of the lakeshore lands and interests therein by donation, purchase with donated or appropriated funds, or exchange, but lands and interests in lands owned by the State of Wisconsin may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having custody thereof, be transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

Land acquisition.

SEC. 4. (a) With the exception of not more than eighty acres of land to be designated within the lakeshore boundaries by the Secretary as an administrative site, visitor center, and related facilities, as soon as practicable, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, whichever is the later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

Owners of improved property, retention rights.

(b) A right of use and occupancy retained pursuant to this section may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has

Termination right of Secretary.

ceased to be used for noncommercial residential or for agricultural purposes, and upon tender to the holder of a right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

"Improved property."

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1967 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

Hunting, fishing and trapping.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin and the United States to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, trapping, or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, trapping, and fishing activities.

Administration.

SEC. 6. The lakeshore shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented; and the

46 Stat. 1053. 16 USC 8.

Act of April 9, 1924 (43 Stat. 90; 16 U.S.C. 8a et seq.), as amended, except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of the Act.

Plan.

SEC. 7. In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for—

(a) protection of scenic, scientific, historic, geological, and archeological features contributing to public education, inspiration, and enjoyment;

(b) development of facilities to provide the benefits of public recreation together with such access roads as he deems appropriate; and

(c) preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historical, scientific, and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, and services as he may deem desirable.

SEC. 8. There are authorized to be appropriated not more than $4,250,000 for the acquisition of lands and interests in lands and not more than $5,000,000 for the development of the Apostle Islands National Lakeshore. Appropriation.

Approved September 26, 1970.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 91-1280 accompanying H.R. 9306 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 91-276 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD:
Vol. 115 (1969): June 26, considered and passed Senate.
Vol. 116 (1970): Sept. 10, considered and passed House, amended, in lieu of H.R. 9306.
Sept. 16, Senate concurred in House amendment.

Appendix Eight

Wisconsin Statutes, Chapter 1: Transfer of State Lands to the United States; Quit Claim Deed Transferring the State Lands to the Federal Government

WISCONSIN STATUTES

1985-86

CHAPTER 1

SOVEREIGNTY AND JURISDICTION OF THE STATE

1.01 State sovereignty and jurisdiction.
1.02 United States sites and buildings.
1.025 United States jurisdiction in Adams county.
1.026 Apostle islands land purchase.
1.03 Concurrent jurisdiction over United States sites; conveyances.
1.031 Retrocession of jurisdiction.
1.035 Wildlife and fish refuge by United States.
1.036 Bird reservations, acquisition by United States.
1.04 United States sites exempt from taxation.
1.05 United States sites for aids to navigation.
1.055 National forest.
1.056 State conservation areas.
1.06 Surveys by United States; adjustment of damages.
1.07 State cost of arms.
1.08 State flag.
1.09 Seat of government.
1.10 State song and state symbols.
1.11 Governmental consideration of environmental impact.
1.12 Alleviation of energy shortages.

1.01 State sovereignty and jurisdiction. The sovereignty and jurisdiction of this state extend to all places within the boundaries declared in article II of the constitution, subject only to such rights of jurisdiction as have been or shall be acquired by the United States over any places therein; and the governor, and all subordinate officers of the state, shall maintain and defend its sovereignty and jurisdiction. Such sovereignty and jurisdiction are asserted and exercised over the St. Croix river from the eastern shore thereof to the center or thread of the same, and the exclusive jurisdiction of the state of Minnesota to authorize any person to obstruct the navigation of said river east of the center or thread thereof, or to enter upon the same and build piers, booms or other fixtures, or to occupy any part of said river east of the center or thread thereof for the purpose of sorting or holding logs, is denied; such acts can only be authorized by the concurrent consent of the legislature of this state.

History: 1983 a. 538.

Cross Reference: As to sky sovereignty, see 114.02.

See note to 939.03, citing State v. Nelson, 92 W (2d) 855, 285 NW (2d) 924 (Ct. App. 1979).

State has no jurisdiction to prosecute traffic offenses by Menominee Indian on highways within boundaries of reservation. State v. Webster, 114 W (2d) 418, 338 NW (2d) 474 (1983).

Jurisdictional relationship between state and Menominee Tribe discussed. 70 Atty. Gen. 36.

1.02 United States sites and buildings. Subject to the conditions mentioned in s. 1.03 the legislature consents to the acquisitions heretofore effected and hereafter to be effected by the United States, by gift, purchase or condemnation proceedings, of the title to places or tracts of land within the state; and, subject to said conditions, the state grants, cedes and confirms to the United States exclusive jurisdiction over all such places and tracts. Such acquisitions are limited to the following purposes:

(1) To sites for the erection of forts, magazines, arsenals, dockyards, custom houses, courthouses, post offices, or other public buildings or for any purpose whatsoever contemplated by the 17th clause of section 8 of article one of the United States constitution.

(2) To all land now or hereafter included within the boundaries of Fort McCoy in townships 17, 18 and 19 north, ranges 2 and 3 west, near Sparta, in Monroe county, to be used for military purposes as a target and maneuvering range and such other purposes as the department of the army deems necessary and proper.

(3) To erect thereon dams, abutments, locks, lockkeepers' dwellings, chutes, or other structures necessary or desirable in improving the navigation of the rivers or other waters within and on the borders of this state.

(4) To the SW 1/4 of the NE 1/4 of section 6, township 19 north, range 2 west of the fourth principal meridian to be used for military purposes as a target and maneuvering range and such other purposes as the department of the army deems necessary and proper.

History: 1985 a. 135.

1.025 United States jurisdiction in Adams county. The legislature consents to the conveyance by lease with option to purchase to the United States of the institution and the land on which it is located in the town of New Chester, Adams county, described as follows: The entire section 15, township 16 north, range 7 east of the fourth principal meridian, consisting of 640 acres, and upon the execution of said lease the state grants, cedes and confirms to the United States exclusive legislative jurisdiction over said place and tract, retaining concurrent jurisdiction solely to the extent that all legal process issued under the authority of the state may be served upon persons located on said place and tract. The authority granted in this section shall remain in effect for the duration of said lease and continue in effect in the event title passes to the United States at the termination of the lease.

History: 1973 c. 90; 1977 c. 418.

1.026 Apostle islands land purchase. (1) LEGISLATIVE STATEMENT OF PURPOSE AND INTENT. (a) The legislature con-

curs with the stated purpose of Congress in authorizing the establishment of the Apostle Islands national lakeshore. It is therefor the purpose of this section to conserve and develop for the benefit, inspiration, education, recreational use, and enjoyment of the public certain significant islands and shorelands of this state and their related geographic, scenic and scientific values.

(b) It is the policy of the legislature that the Apostle Islands be managed in a manner that will preserve their unique primitive and wilderness character. The department of natural resources is directed before taking any action or making a decision concerning the Apostle Islands to make a finding that such an action or decision will ensure that the citizens of this state will be assured the opportunity for wilderness, inspirational primitive and scenic experiences in the Apostle Islands into perpetuity.

(2) JURISDICTION CEDED TO THE UNITED STATES. The consent of the state is given to the acquisition by the United States, in any manner authorized under an act of Congress, of lands lying within the boundaries of Apostle Islands national lakeshore, and jurisdiction is hereby ceded to the United States to all territory which is now or may be included within the lakeshore, except that the state shall retain concurrent jurisdiction in all cases, and such criminal process as may issue under the authority of the state against any persons charged with the commission of any offense within or without such areas, including, but not limited to, state laws and regulations governing hunting, fishing and trapping on those areas open to such activities, may be executed thereon in like manner as if such jurisdiction had not been ceded to the United States.

(3) LANDS TO BE CONVEYED. Notwithstanding any other law to the contrary, the department of natural resources, with the approval of the governor, is directed to donate and convey, upon request of the United States for purposes of the development of the lakeshore, all state-owned lands within the lakeshore boundary, as hereafter described: The state-owned lands on Basswood, Oak, Michigan and Stockton Islands in township 50 north, range 3 west; township 51 north, range 1 west; township 51 north, range 3 west, township 52 north, range 3 west, all in the town of La Pointe, Ashland county, Wisconsin. Each conveyance shall contain a provision that such lands shall revert to the state when they are no longer used for national lakeshore purposes as defined by section 7 of the Apostle Islands national lakeshore act of 1970 (P.L. 91-424; 84 stat. 880), except that such reversion does not apply to lands upon which capital improvements have been placed by the United States.

History: 1975 c. 51; 1975 c. 198 s. 62; 1979 c. 89.

1.03 Concurrent jurisdiction over United States sites; conveyances. The conditions mentioned in s. 1.02 are the following conditions precedent:

(1) That an application setting forth an exact description of the place or tract so acquired shall be made by an authorized officer of the United States to the governor, accompanied by a plat thereof, and by proof that all conveyances and a copy of the record of all judicial proceedings necessary to the acquisition of an unencumbered title by the United States have been recorded in the office of the register of deeds of each county in which such place or tract may be situated in whole or in part.

(2) That the ceded jurisdiction shall not vest in the United States until they shall have complied with all the requirements on their part of ss. 1.02 and 1.03, and shall continue so long only as the place or tract shall remain the property of the United States.

(3) That the state shall forever retain concurrent jurisdiction over every such place or tract to the extent that all legal and military process issued under the authority of the state may be served anywhere thereon, or in any building situated in whole or in part thereon.

1.031 Retrocession of jurisdiction. The governor may accept on behalf of the state, retrocession of full or partial jurisdiction over any roads, highways or other lands in federal enclaves within the state where such retrocession has been offered by appropriate federal authority. Documents concerning such action shall be filed in the office of the secretary of state and recorded in the office of the register of deeds of the county wherein such lands are located.

History: 1977 c. 26.

1.035 Wildlife and fish refuge by United States. (1) The state of Wisconsin consents that the government of the United States may acquire in this state, in any manner, such areas of land, or of land and water, as the United States deems necessary for the establishment of the "Upper Mississippi River Wildlife and Fish Refuge," in accordance with the act of congress approved June 7, 1924; provided, that the states of Illinois, Iowa and Minnesota grant a like consent, and all rights respectively reserved by said states, in addition to the reservation herein made, are hereby reserved to this state; and provided, further, that any acquisition by the government of the United States of land, or of land and water, shall first be approved by the governor, on the advice of the department of natural resources.

(2) The consent hereby given is upon the condition that the United States shall not, by an act of congress or by regulation of any department, prevent the state and its agents from going upon the navigable waters within or adjoining any area of land, or land and water, so acquired by the United States, for the purpose of rescuing or obtaining fish therefrom; and the state shall have the right to construct and operate fish hatcheries and fish rescue stations adjacent to the areas so acquired by the United States; and the navigable waters leading into the Mississippi and the carrying places between the same, and the navigable lakes, sloughs and ponds within or adjoining such areas, shall remain common highways for navigation and portaging, and the use thereof, as well to the inhabitants of this state as to the citizens of the United States, shall not be denied.

(3) The legal title to and the custody and protection of the fish in the navigable waters leading into the Mississippi river and in the navigable lakes, sloughs and ponds within or adjoining such areas in this state, is vested in the state, for the purpose of regulating the enjoyment, use, disposition and conservation thereof.

(4) The state retains jurisdiction in and over such areas so far that civil process in all cases, and such criminal process as may issue under the authority of the state against any persons charged with the commission of any offense within or without such areas, may be executed thereon in like manner as if this consent had not been given.

(5) Subject to the conditions specified in s. 1.02, the United States commissioner of fisheries may establish fish hatcheries within Wisconsin and may take fish or fish eggs from the waters of this state for propagation in such hatcheries. The United States commissioner of fisheries and his duly authorized agents may conduct fish culture operations, rescue work, and all fishing and other operations necessary therefor in connection with such hatcheries in such manner and at such times as is considered necessary and proper by the said commissioner and his agents.

X188027

QUIT-CLAIM DEED

THIS INDENTURE, made this 23 day of January, A.D., 1976, between the State of Wisconsin Department of Natural Resources, hereinafter referred to as Grantor, and the United States of America, hereinafter referred to as Grantee.

WITNESSETH; the Grantor, for and in consideration of the sum of One ($1.00) Dollar and other good and valuable consideration, hereby quit-claims to the Grantee the following described real estate situated in the counties of Ashland and Bayfield, State of Wisconsin, to-wit:

Tract 13-101

A tract of land situate in Townships 51 and 52 North, Range 1 West and Townships 51 and 52 North, Range 2 West, 4th Principal Meridian, Ashland County, Wisconsin, being part of Stockton Island and described as follows:

Township 51 North, Range 1 West

Section 6: Government Lot 1

Township 52 North, Range 1 West

Section 17: Government Lot 1

Section 18: Government Lots 1, 2, 3 and 4, and the Southeast Quarter Southeast Quarter.

Section 19: All

Section 20: Government Lots 1, 2, 3 and 4, Southeast Quarter Northwest Quarter and the Northwest Quarter Southwest Quarter.

Section 29: Government Lot 1

Section 30: Government Lots 1, 2, 3 and 4, Northeast Quarter, North Half Northwest Quarter, Southwest Quarter Northwest Quarter, North Half Southwest Quarter and the West Half Southeast Quarter.

Section 31: Government Lots 1 and 2

Township 51 North, Range 2 West

Section 1: Government Lots 1, 2 and 3

Section 2: Government Lot 1

Section 3: Government Lots 1 and 2

REGISTER OF DEEDS OFFICE
ASHLAND COUNTY, WIS.
Received for Record
at 9:45 o'clock A.M. FEB 13 1976 duly recorded in
Vol. 316 of Records on Page 253
Wendell R Zinke
REGISTER OF DEEDS

Section 4: Government Lots 1, 2, 3 and 4, North Half Northwest Quarter and the Southwest Quarter Northwest Quarter.

Section 5: Government Lots 1, 2, 3 and 4, Northeast Quarter, North Half Northwest Quarter and the Southeast Quarter Northwest Quarter.

Section 6: Government Lot 1.

Township 52 North, Range 2 West

Section 13: Government Lot 1

Section 21: Government Lot 1

Section 22: Government Lots 1, 2, 3 and 4 and the South Half Southeast Quarter.

Section 23: Government Lots 1, 2, 3 and 4, Northeast Quarter Southwest Quarter, South Half Southwest Quarter and the Southeast Quarter.

Section 24: Government Lots 1, 2, 3 and 4, South Half Northeast Quarter, Southwest Quarter and the Southeast Quarter.

Section 25: All

Section 26: All

Section 27: All

Section 28: Government Lots 1, 2, 3 and 4, Southeast Quarter Northeast Quarter, Southwest Quarter and the Southeast Quarter.

Section 29: Government Lots 1 and 2 and the East Half Southeast Quarter.

Section 31: Government Lots 1 and 2

Section 32: Government Lots 1 and 2, Northeast Quarter, Southeast Quarter Northwest Quarter, Southwest Quarter and the Southeast Quarter.

Section 33: Government Lot 1, Northeast Quarter, Northwest Quarter, Southwest Quarter, North Half Southeast Quarter and the Southwest Quarter Southeast Quarter.

Section 34: Government Lots 1 and 2, Northeast Quarter, Northwest Quarter, Northeast Quarter Southwest Quarter, and the Southeast Quarter.

Section 35: Government Lots 1, 2 and 3, North Half Northeast Quarter, Southwest Quarter Northeast Quarter, Northwest Quarter, North Half Southwest Quarter, and the Southwest Quarter Southwest Quarter.

Section 36: Government Lots 1, 2, 3, 4, 5, 6 and 7, West Half Northeast Quarter, North Half Northwest Quarter, Southeast Quarter Northwest Quarter and the Northwest Quarter Southeast Quarter.

Said tract contains 9873.66 acres, more or less.

The above described Tract 13-101 is all of that land acquired by the State of Wisconsin from Mary E. V. Hanks, et al, by deed dated April 28, 1959 and recorded April 30, 1959 in Volume 176 Page 217 of the Ashland County, Wisconsin Records and part of that land acquired by the State of Wisconsin from Ashland County by deed dated July 25, 1969 and recorded November 17, 1969 in Volume 276 Page 642 of the Ashland County, Wisconsin Records.

Tract 11-125

A tract of land situate in Township 50 North, Range 3 West, 4th Principal Meridian, Ashland County, Wisconsin, being a part of Basswood Island and described as follows:

Lots 11, 16, 19, 22 and 57 of Idlewild as per plat thereof recorded in Plat Volume 6, Page 11 of the Ashland County, Wisconsin Records.

Said tract contains 7.72 acres, more or less.

The above described Tract 11-125 is part of that land acquired by the State of Wisconsin from Rhyner and Franz Tie Company, a/k/a Rhymer and Franz Tie Company by deed dated March 18, 1965 and recorded June 14, 1965 in Volume 252 Page 336 of the Ashland County, Wisconsin Records.

Tract 11-120

A tract of land situate in Township 50 North, Range 3 West, 4th Principal Meridian, Ashland County, Wisconsin, being a part of Basswood Island and described as follows:

Lot 33 of Idlewild as per plat thereof recorded in Plat Volume 6, Page 11 of the Ashland County, Wisconsin Records.

Said tract contains 0.56 of an acre, more or less.

The above described Tract 11-120 is part of that land acquired by the State of Wisconsin from Rhyner and Franz Tie Company, a/k/a Rhymer and Franz Tie Company by deed dated March 18, 1965 and recorded June 14, 1965 in Volume 252 Page 336 of the Ashland County, Wisconsin Records.

Tract 11-112

A tract of land situate in Township 50 North, Range 3 West, 4th Principal Meridian, Ashland County, Wisconsin, being a part of Basswood Island and described as follows:

> Lot 8 of Idlewild as per plat thereof recorded in Plat Volume 6, Page 11 of the Ashland County, Wisconsin Records.

Said tract contains 0.44 of an acre, more or less.

The above described Tract 11-112 is part of that land acquired by the State of Wisconsin from Rhyner and Franz Tie Company, a/k/a Rhymer and Franz Tie Company by deed dated March 18, 1965 and recorded June 14, 1965 in Volume 252 Page 336 of the Ashland County, Wisconsin Records.

Tract 11-111

A tract of land situate in Township 50 North, Range 3 West, 4th Principal Meridian, Ashland County, Wisconsin, being a part of Basswood Island and described as follows:

> Lot 3 of Idlewild as per plat thereof recorded in Plat Volume 6, Page 11 of the Ashland County, Wisconsin Records.

Said tract contains 0.41 of an acre, more or less.

The above described Tract 11-111 is part of that land acquired by the State of Wisconsin from Rhyner and Franz Tie Company, a/k/a Rhymer and Franz Tie Company by deed dated March 18, 1965 and recorded June 14, 1965 in Volume 252 Page 336 of the Ashland County, Wisconsin Records.

Tract 11-104

A tract of land situate in Township 50 North, Range 3 West, 4th Principal Meridian, Ashland County, Wisconsin, being a part of Basswood Island and described as follows:

> Lots 40, 41, 42, 44, 45, 48, 49, 50, 51 and 52 of Idlewild as per plat thereof recorded in Plat Volume 6, Page 11 and Partition Lot 2 as per Decree of Partition recorded in Deed Volume 6, Page 218 of the Ashland County, Wisconsin Records.

Said tract contains 32.45 acres, more or less.

The above described Tract 11-104 is part of that land acquired by the State of Wisconsin from Rhyner and Franz Tie Company, a/k/a Rhymer and Franz Tie Company by deed dated March 18, 1965 and recorded June 14, 1965 in Volume 252, Page 336 of the Ashland County, Wisconsin Records.

Tract 11-103

A tract of land situate in Townships 50 and 51 North, Range 3 West, 4th Principal Meridian, Ashland County, Wisconsin, being part of Basswood Island and described as follows:

Township 50 North, Range 3 West

Partition Lots 5, 6, 8, 9, 11 and 12 as per Decree of Partition recorded in Deed Volume 6, Page 218 of the Ashland County, Wisconsin Records.

Township 51 North, Range 3 West

Section 27: Government Lots 2, 3, 4 and 5, Northeast Quarter Northwest Quarter, South Half Northwest Quarter, and the Southwest Quarter.

Section 28: Government Lots 1, 2 and 3, and the East Half Southeast Quarter.

Section 33: Government Lots 1, 2, 3 and 4, Northeast Quarter Northeast Quarter, South Half Northeast Quarter, Southeast Quarter Southwest Quarter and the Southeast Quarter.

Section 34: Government Lots 1, 2, 3 and 4 of the West Half Northwest Quarter.

Said tract contains 1576.29 acres, more or less.

The above described Tract 11-103 is part of that land acquired by the State of Wisconsin from Rhyner and Franz Tie Company, a/k/a Rhymer and Franz Tie Company by deed dated March 18, 1965 and recorded June 14, 1965 in Volume 252, Page 336; part of that land acquired by the State of Wisconsin from Rhyner and Franz Tie Company, a/k/a Rhymer and Franz Tie Company by deed dated March 18, 1965 and recorded June 14, 1965 in Volume 252, Page 338; all of that land acquired by the State of Wisconsin from Basswood Island Corporation by deed dated September 14, 1967 and recorded October 16, 1967 in Volume 265, Page 22; all of that land acquired by the State of Wisconsin from James B. Lampert and Margery M. Lampert, his wife, by deed dated August 26, 1967 and recorded August 29, 1968 in Volume 270, Page 326; all of that land acquired by the State of Wisconsin

from Thorp Finance Corporation by deed dated November 11, 1968 and recorded November 29, 1968 in Volume 272, Page 61; all of that land acquired by the State of Wisconsin from Russell Scott Angus and John Charles Davis by deed dated January 21, 1969 and recorded May 6, 1969 in Volume 274, Page 69; all of that land acquired by the State of Wisconsin from John Paul Hoxie and Catherine H. Hoxie, his wife, by deed dated September 2, 1969 and recorded in Volume 276, Page 350; part of that land acquired by the State of Wisconsin from Ashland County, Wisconsin by deed dated July 25, 1969 and recorded November 17, 1969 in Volume 276, Page 642, and all of that land acquired by the State of Wisconsin from the Roman Catholic Bishop of Louisville, Kentucky, the Right Reverend Thomas J. McDonough by Award of Just Compensation dated February 11, 1969 and filed February 16, 1969 in Circuit Court File Number 4772 of the Ashland County, Wisconsin Records.

Tract 10-101

A tract of land situate in Townships 51 and 52 North, Range 3 West, 4th Principal Meridian, Ashland County, Wisconsin, being all of Oak Island and described as follows:

Township 51 North, Range 3 West

Section 1: Government Lot 1

Section 2: Government Lots 1, 2, 3 and 4

Section 3: Government Lots 1, 2, 3 and 4

Section 4: Governemnt Lot 1

Township 52 North, Range 3 West

Section 16: Government Lot 1

Section 20: Government Lot 1

Section 21: Government Lots 1, 2, 3 and 4, South Half Northeast Quarter, Northeast Quarter Southwest Quarter, South Half Southwest Quarter and the Southeast Quarter.

Section 22: Government Lots 1, 2, 3 and 4, Northwest Quarter Southwest Quarter, South Half Southwest Quarter and the South Half Southeast Quarter.

Section 23: Government Lots 1 and 2

Section 25: Government Lot 1

Section 26: Government Lots 1, 2, 3 and 4, West Half Northwest Quarter, Southwest Quarter and the Southwest Quarter Southeast Quarter.

Section 27: All

Section 28: Government Lot 1, Northeast Quarter, Northwest Quarter, North Half Southwest Quarter, Southeast Quarter Southwest Quarter and the Southeast Quarter.

Section 29: Government Lots 1, 2 and 3

Section 33: Government Lots 1, 2, 3 and 4, Northeast Quarter, Northeast Quarter Northwest Quarter and the Northeast Quarter Southeast Quarter.

Section 34: All

Section 35: All

Section 36: Government Lots 1, 2 and 3

Said tract contains 5078.04 acres, more or less.

The above described Tract 10-101 is part of that land acquired by the State of Wisconsin from Ashland County by deed dated July 25, 1969 and recorded November 17, 1969 in Volume 276 Page 642 of the Ashland County, Wisconsin Records.

INTENT

The primary intent of this conveyance is to ensure the conservation and development of the Apostle Islands and their related geographic, scenic and scientific values for the benefit, inspiration, education, recreational use and enjoyment of and by the public in perpetuity.

RESERVATION

The Grantor retains and reserves the right to approve any and all prospecting or mining activity prior to its commencement on the above described lands.

REVERTER

Upon the discontinuance or abandonment of any or all of the hereinbefore described properties for national lakeshore purposes as defined by Section 7 of the Apostle Islands National Lake Shore Act of 1970 (P.L. 91-424; 84 Stat. 880), the title of the grantee shall cease and determine and title shall revert automatically to the grantor, its successors or

assigns as if this deed had never been made nor executed. This possibility of reversion shall not apply to those above-described parcels upon which capital improvements have been placed by the Grantee.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto pertaining, and all the estate, right title interest and claim whatsoever of the Grantor either in possession or expectancy of, to the only proper use, benefit and behoof of the Grantee, its successors or assigns forever.

IN WITNESS WHEREOF, the State of Wisconsin Department of Natural Resources, Grantor, has caused these presents to be signed by Anthony S. Earl, its Secretary, at Madison, Wisconsin, and its seal to be hereunto affixed this 23rd day of January, A.D., 1976.

Signed and Sealed in the Presence of:

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____ (SEAL.)
Anthony S. Earl, Secretary

(Department Seal)

STATE OF WISCONSIN)
) ss.
DANE COUNTY)

Personally came before me this 23 day of January, A.D., 1976, Anthony S. Earl, Secretary of the Department of Natural Resources to me known to be the person who executed the foregoing instrument, and to me known to be such Secretary of said Department of Natural Resources, and acknowledged that he executed the foregoing instrument as such officer as the deed of said Department of Natural Resources, by its authority.

(Notary Seal)

_____
Richard Henneger
Notary Public, Dane County, Wisconsin
My Commission (~~expires~~) (is) permanent

This instrument was drafted by the Department of Natural Resources.

Approved pursuant to Chapter 51, Laws of 1975, this 2nd day of February, 1976.

_____
Patrick J. Lucey, Governor

Appendix Nine

The Long Island Act:
Public Law 91-424 as Amended

An Act

To authorize the inclusion of certain additional lands within the Apostle Islands National Lakeshore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

The Act of September 26, 1970 (Public Law 91-424; 16 U.S.C. 460w) is amended as follows:

(1) In section 1—

(a) in the first sentence, after the phrase "consisting of", insert: ": (a) IN GENERAL—";

(b) at the end of the first sentence, delete "1970" and insert: "1970; and

"(b) LONG ISLAND ADDITION.—Approximately 200 acres of land at the mouth of Chequamegon Bay known as "Long Island", as depicted on the map numbered NL-AI-91,001 and dated December, 1985.";

(c) in the last sentence, delete "map" and insert "maps".

(2) In section 3, after the word "donation.", strike the following sentence and insert in lieu thereof the following: "Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore is hereby transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the lakeshore: *Provided*, That the United States Coast Guard may retain a right to utilize a portion of such land and facilities for use as navigational aids so long as may be required.".

(3) In section 4(c), after "January 1, 1967", insert: ", or before January 1, 1985 for those lands referred to in section 1(b)".

(4) Section 8 of such Act is amended by adding the following at the end thereof: "Effective October 1, 1986, there are authorized to be appropriated such additional sums as may be necessary for the acquisition of the lands described in section 1(b).".

Appendix Ten: Notes on Research Methodology

For Chapter One, the research is based on primary and secondary materials at the Apostle Islands National Lakeshore and the files of Harold C. Jordahl, Jr.

For Chapter Two, the research is based on secondary materials, the files of the Apostle Islands National Lakeshore, and the work of historian Kathleen Lidfors of the National Park Service, Apostle Islands National Lakeshore.

For Chapters Three and Four, Carl Liller, a graduate of the University of Wisconsin-Madison Department of Urban and Regional Planning investigated the following sources:

*Wisconsin Conservation Department "Activities Progress Reports"

*Wisconsin Blue Book

*"Wisconsin Conservation Bulletin"

*Taped interviews with Wisconsin conservationists, State Historical Society of Wisconsin

*Wisconsin Conservation Department, miscellaneous papers, including the minutes of meetings of the Conservation Congress

*Wisconsin Conservation Department biennial reports

*Wisconsin Legislative Reference Library newspaper clip files on the Apostle Islands

*Ashland County Board proceedings

*Wisconsin Legislative Council minutes

*Wisconsin Magazine of History

*Personal papers of Victor C. Wallin, assemblyman

*Personal papers of Walter Kohler, former governor

*Legislative Council's Conservation Committee meeting minutes

*Wisconsin Conservation Commission meeting minutes

Comprehensive newspaper surveys were not conducted because of a lack of time and finances.

For Chapter Five, the research is based on secondary materials, the National Park Service files in Washington and Omaha, the Department of the Interior library, the Federal Records Center in Kansas City and Washington and the National Archives.

For Chapter Six, the research is based on the files of the National Park Service in Washington and Omaha; the Federal Records Center in Kansas City and Washington; the National Archives; the Department of the Interior library; the Sigurd Olson Environmental Institute and research center, Northland College, Ashland, Wisconsin; congressional documents; the files of the Apostle Islands National Lakeshore; the Legislative Reference Library, Madison, Wisconsin; the minutes of the Wisconsin Conservation Commission and the files of the Department of Natural Resources (including the files of the former Wisconsin Conservation Department); the State Historical Society of Wisconsin, Madison; the files of the Bayfield Press, Washburn Times and Ashland Daily Press.

For Chapters Seven through Sixteen, the research is based on congressional documents and the personal files of Harold C. Jordahl, Jr., in his respective roles as an employee of the Wisconsin Conservation Department (1950-1960); the Wisconsin Department of Resource Development (1960-1963); U.S. Department of the Interior (1963-1967); the Upper Great Lakes Regional Commission (1967-1969); as a professor at the University of Wisconsin (1969-

1988); as a member of the Natural Resources Board (1972-1977); and as Governor Lucey's alternate to the Upper Great Lakes Regional Commission (1970-1976). The files include recordings of phone calls between Jordahl and participants. A systematic review was not made of newspapers. However, the author, as a consistent reader of the state press, the Duluth News Tribune and the Minneapolis Tribune, saved many stories dealing with or influencing the Apostle Islands during the 1960-1975 era. The Wisconsin Department of Resource Development clip file during the 1960-1963 era was also helpful. Wire service stories were also saved. Aides to Senator Nelson and Congressman Kastenmeier consistently provided the author with documents relevant to the lakeshore. Lidfors, in in her research on the early 1930's movement for a National Park in the Apostles, also uncovered materials in the National Archives, the NPS files in Washington and Omaha, the Federal Resources Center in Kansas, and from the Department of the Interior library, which were provided Jordahl. Also, interviews of key participants were conducted by Lidfors and Jordahl and proved to be valuable for supplementing the available written record. The bulk of the materials in Jordahl's files have been copied for the Apostle Islands National Lakeshore at Bayfield. Unfortunately, the files of the Bureau of Outdoor Recreation could not be located. In spite of that omission, the author believes the bureau's point of view on lakeshore issues has been accurately reflected.

For Chapter Seventeen, the research is based on the personal files of Harold C. Jordahl, Jr., a carefully recorded chronology of phone calls between Jordahl and participants, and the files of the

Apostle Islands National Lakeshore in Bayfield, Wisconsin, and the files of the Wisconsin Chapter of the Nature Conservancy. The author's files do not contain copies of all statements presented at the hearings. Thus, the author relied on phone calls to persons who did testify and on newspaper stories.

For this chapter, funds were not available to permit 1) an examination of the files of the House and Senate subcommittees; 2) the files of congressmen Obey and Moody and senators Kasten and Proxmire; 3) the files of the Department of the Interior and the NPS in Washington and Omaha, and Federal Records Centers; 4) the Wisconsin Department of Natural Resources files. Nevertheless the author believes the account is reasonably complete, that the major issues are identified, and that the opposing points of view are accurately reflected.

For Chapter Eighteen, research was conducted through on-site interviews by Annie Booth with the following personnel at the Apostle Islands National Lakeshore:

* Alfred J. Banta, superintendent;
* Dave Snyder, historian;
* Linda Witkowski, administrative officer;
* Robert Brander, ecologist;
* Jeff Hepner, ranger;
* Tom Bredow, ranger; and
* Maggie Ludwig, administrative assistant.

At the Red Cliff Reservation, Booth interviewed:

* Richard Gurnoe, the chair of the tribal council; and
* Richard S. Wygonik, the tribe's personnel director.

At the Bad River Reservation, she interviewed:

* Richard Ackley, a planner; and

* Irving Soulier, a natural resource manager.

Finally, Booth interviewed Mary Jean Huston, the director of land protection for the Wisconsin chapter of the Nature Conservancy.

Material used in several chapters was based on interviews conducted by Kathleen Lidfors and the author. Lidfors interviewed:

* George Hartzog, the former director of the National Park Service;

* Gaylord A. Nelson, the former governor of Wisconsin and U.S. senator;

* John Coates, Jr., an employee of the Bureau of Outdoor Recreation from 1965 to 1978 in Ann Arbor, Michigan;

* Roman Koenings, a former regional director of the Bureau of Outdoor Recreation in Ann Arbor;

* J. Louis Hanson of Mellen, Wisconsin, an active supporter of the Apostle Islands National Lakeshore;

* John Heritage, a former aide to Senator Nelson; and

* Pat H. Miller, the superintendent of the Apostle Islands National Lakeshore.

The author interviewed:

* Virginia Burtness, a lakeshore supporter from Bayfield, Wisconsin;

* John Chapple, the former owner and editor of the Ashland Daily Press in Ashland, Wisconsin;

* Charles "Chick" Sheridan, a former reporter for the Washburn Times and a free-lance photographer;

* Howard Potter, a former employee of the Bureau of Indian Affairs in Ashland; and

* Martin Hanson of Mellen, Wisconsin, a committed supporter of the Apostle Islands National Lakeshore.

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