

Dear Sierra Club Friends:

As former staff director to the late Senator Gaylord Nelson, I continue to be involved in issues relating to the Apostle Islands National Lakeshore and the Bayfield peninsula.

I have been asked by a citizens group if I would alert the Sierra Club to a serious threat in the form of a project proposed for that area -- described as "Shadow Wood Landing," an exclusive "fly-in community" featuring a private jet airport to serve a community of luxury condominiums and a hotel complex, planned by a Minneapolis corporation, to be built on 380 acres of what is now a heavily forested portion of the Bayfield peninsula.

It is hard to imagine a project more threatening to this pristine area. Bayfield has been described as one of the most desirable small cities in the Nation, and the National Lakeshore has been described by National Geographic magazine as the most "pristine" unit in the national park system -- partly because its gateway is the city of Bayfield, on the shores of Lake Superior and its beautiful Chequamegon Bay.

A local citizens group has mobilized to try to block the "Shadow Wood Landing" project. Unfortunately, by emphasizing alleged economic benefits of such a huge development, the project's backers persuaded the board of the local town of Russell, and also the Bayfield county board of supervisors, to approve the project! However, at considerable expense, the citizens group hired a private law firm and has won two major victories in its battle to defeat the project.

First, Bayfield County Circuit Judge Johnson overturned the county board's decision to approve the project. He ruled that the county board had not followed state law in approving the project by failing to note that the project involved wetlands, including an "intermittent stream" which is a tributary of Pike's creek.

The judge wrote: "This issue alone is determinant of whether the [county] board proceeded according to a correct theory of law." Evidence showed, he ruled, a 'presumed navigable waterway on the subject property," and ignoring that "mandates reversal."

The judge also pointed out that the law requires the Wisconsin Department of Natural Resources to approve the project, before local units of government, which was not done. He also chided the sponsors for claiming that the local citizens group had "no standing" to oppose the project in court.

Hard on the heels of that decision, it was revealed that the DNR has issued four citations against the project and its sponsors. NEVERTHELESS, there is a real danger that the sponsors will manage to override the environmental shortcomings and manage to get the project approved.

I will forward some material from one of the citizen leaders -- Tom Frizzell, a Bayfield businessman, who can provide any further information you might desire. His e-mail address is:
thomasroxanne@centurytel.net

Let me know if there is anything I can do to assist you, or to stimulate your interest in this very worthy effort.

Sincerely,

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