

## WILDCAT FALLS LAND EXCHANGE CHALLENGED IN FEDERAL COURT

Piloted by Partners in Forestry Cooperative, a group of conservation interests has brought the Delich Land Exchange project on the Ottawa National Forest to US District court. The citizens as plaintiffs are represented by Marianne Dugan from Eugene, Oregon, an attorney specializing in the National Environmental Policy Act (NEPA).

The Delich Exchange is slated to trade away wooded parcels within 10 miles of Watersmeet, Michigan, which are defined by features such as Wildcat Falls and old growth hemlock, hardwood and cedar, as well as unique geological features with rock outcrops and Scott and Howe creek. In return, the Ottawa gains a heavily cut-over parcel located south of the Porcupine Mountains Wilderness State Park. The appraised value on the Delich parcel to be acquired in the trade is \$316,000, and the value of the public land to be traded is \$290,000. The Forest Service will make the \$26,000 difference in cash payment to Delich. Just the economic timber value alone of the currently-held public parcels exceeds the compensatory value the Forest Service will achieve.\*

A spokesperson for the conservation interests, Joe Hovel of Conover, Wisconsin, minced no words in his stark refute of this exchange. "This project demonstrates a tragic loss to the public and is a disgrace to the Ottawa National Forest. The loss of the intrinsic values of these unique features, as well as the lands, for less than the economic timber value represents an ill-conceived decision by the Forest Supervisor. It is very disappointing that the Regional Forester affirmed the decision and ignored the public outcry."

While Regional Forester Chuck Meyers did affirm Supervisor Scardina's decision, he did not go so far as to say it was a wise decision, and only stated that the process followed the law. Plaintiff and PIF board member Rod Sharka disagreed, questioning how the public involvement could be ignored. "The public spoke out in unison against this poorly thought-out project, which it appears was decided by officials without the normal 'due diligence' necessary in real estate transactions," said Sharka. "The more the public learned about this proposal, the less acceptable it appeared, and yet Forest Service officials continue to defend the indefensible," added Sharka.

The Citizens' primary objection is the loss of Wildcat Falls and its surrounding features to a private party who has stated development plans for the area. The citizens also have raised concern that the Delich parcel, which the public would acquire, was not sustainably managed, but was severely over-harvested in recent years.

Totaling nine, other plaintiffs in this suit are the Northwood Alliance Inc., a local conservation group, Upper Peninsula residents from Watersmeet, Iron River, Marenisco and Marquette, as well as a land conservation advocate from the Adirondacks.

\*page 15 appraisal report of federal parcels by Compass Land Consulting, LLC