

Wildcat Falls: A Community Forest Concept



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1. **Description and Conception**

It is likely that most everyone reading this is aware of a very controversial land swap conducted by the Ottawa National Forest in the Upper Peninsula. While Wildcat Falls and its special locale may have been lost from the Ottawa in what was termed the Delich Land Exchange, the story is not over yet. (See Footnote for history of land trade at the end of this document)

A conservation minded partnership in the Northwood Alliance (NWA) network went through a lengthy negotiation process with Mr. Delich in order to reach agreement to purchase the former public (Ottawa) parcels, in turn preventing improper logging and fragmentation of the landscape and its features. Upon completion of the purchase, the conservation buyer tendered to NWA a Letter of Intent which requested and engaged NWA and its conservation partners in the Upper Peninsula to assist with a permanent and publicly beneficial conservation solution to 160 acres including Wildcat Falls and the overview of County Line Lake.

The NWA has experience in two other Community Forest projects, and greatly appreciates the concept of a community managed forest. As a partner in the Pilgrim River Watershed Project in Houghton County we celebrated the completion of the 276 acre Pilgrim Community Forest in 2014. The Keweenaw Land Trust acquisition of this forest was made possible by a 50% acquisition grant from the USFS State and Private Forestry Community Forest and Open Space Conservation Program. The matching funds were achieved by community fund raising and support from the J. A. Woollam Foundation, which matched the community fund raising efforts. Through the USFS Community Forest program, NWA was awarded a 50% acquisition grant in 2017 to develop the 80 acre Springfield Bluffs Community Forest - a unique formation of bluffs dividing the Wisconsin River and Fox River watersheds in central Wisconsin.

The Community Forest concept is a very real and beneficial opportunity to develop and enhance public respect, appreciation and sustainable use of forest resources while also providing permanent protection of the forests natural features and wildlife habitat. The development of a Wildcat Falls Community Forest will result in the protection of an unique natural ecosystem in the UP. Our goal is to regain good will and harmony for the Ottawa, which was sadly lost through the very tumultuous and controversial land trade process.



2. Unique ecological features and conservation and recreation values

The Falls

Wildcat Falls as described in Phil Stagg's Waterfalls of Michigan (Book 4* West).

"Near the headwaters of the Scott & Howe Creek is a spongy land where much of the creek runs below the woodland floor. The underlying bedrock channels the creek along its way while just above a forest of cedar and hemlock interspersed with a smattering of hardwoods clings to craggy rocks with gnarled roots seeking a better footing. Mossy clumps grown together carpet the web-like root structures. Everything seems muffled in this enchanted land above Wildcat Falls. Nothing to be heard but the running of water and the soft gurgling of its falling just downstream."

A visit during heavy water flows in November 2017 showed both below surface and above surface flows to the falls.

The falls is described as being a 16-20 foot drop; beginning with a 6 foot drop, a 4 foot drop and three smaller cascades. From road access at County Line Lake Road on the properties east side, it is a long 1/3 mile hike to the falls if viewing a map. Realistically, a moderately challenging 1/2 mile hike is in front of one wishing to visit the falls.

The Ottawa National Forest website still displays Wildcat Falls as:

"This waterfall is located on the Scott and Howe Creek. There is no maintained trail and it is 1/2 mile hike into this creek using your orienteering skills."

Directions: Access to this waterfalls from Watersmeet, Mi., take US45 North and turn left on GCR 206 (Sucker Lake Road) and go about 4 miles and turn right on County Line Lake Rd. Then go just about 1 mile to where a creek crosses under the road. Walk west to the falls. Orienteering skills will help you find this beautiful little waterfall."

The Environmental Assessment (EA) completed by the Ottawa in preparation for the land trade stated the importance of the falls to the public, saying *"Wildcat Falls provides a sense of place to many who visit."* In acknowledging the loss, the EA stated *"This waterfall and the natural features associated with the immediate area provide a different environment than can be commonly seen in the project area and has been considered a special place by generations of local residents."*

One public commenter talked of the spiritual attraction of Wildcat Falls as a place to meditate and *'become whole with nature through deep spiritual discernment'*.

The Town of Watersmeet boasts of the importance of Wildcat Falls in their Chamber recreation guide, listing this as a falls that must be seen. It is very apparent to realize the importance of Wildcat Falls to the public, providing intensity and importance to this Community Forest proposal.



Tom Church, Watersmeet



Jack Parker, Baltic

Both attended the April 1, 2012 hike along with over 100 people at Wildcat Falls.



Wildcat outcrop

Rock Outcrops

Just downstream from the falls is the formation of a canyon, highlighted by rock outcrops. According to mining engineer-geologist Jack Parker, it is as if the glaciers missed this spot. Mr. Parker contends that this is Precambrian rock, possibly covered with glacial sedimentation, and most certainly contains some valuable mineral deposits. It is a very different appearance from most of the surrounding area. The Wildcat Falls property does have the Mineral Rights intact and these rights are insured in the Title Commitment, alleviating any fears of an outsider having rights to sub-surface value and harming the lands features. This is a very important component of land protection in an area with mining. The SW 40 of this parcel also demonstrates a notable rock mound. These rock features are very impressive and offer yet another distinction to an already diverse visit of Wildcat Falls.

Scott & Howe Creek

Traversing the 120 acre segment of the property and providing the flow to the falls is Scott & Howe Creek. The SW 40 of the 120 acres includes a large wetland- spring seepage pond of about one acre providing considerable water to the creek. Scott & Howe flows northeasterly to Sucker Creek before joining the South Branch Ontonagon River, in turn flowing to Lake Superior. There is about 8/10 mile of Scott & Howe on the project accented by several feeder brooks. Scott & Howe creek harbors native brook trout, and is a viable-free flowing fresh water stream. The below paragraph is from communication with George Madison, MDNR Fishery Manager.

The South Branch Ontonagon- Sucker River is classified as a Type-1 designated trout stream. The tributaries to the Sucker River, including the Scott and Howe are also designated trout streams and are known to harbor native brook trout fisheries.

Associated riparian and wetlands

Beaver ponds develop in the seep spring creeks and offer continuing open water to the flood plain areas at times. About 30 acres is considered wetland, with most of it forested. Floodplain designation is on 17 acres. Deep in the canyon feature below the falls is an intriguing appearance, with bedrock, flora, twisted root masses and running water. Several unnamed brooks feed Scott & Howe on the project.

The lake overview 40 has a short stream near its SW corner which flows to the lake. Over the hill going north water flows north to Scott & Howe.

Native Plants and Flora

The Northwoods Native Plant Society has toured the 120 acre portion of this project: the following summary is from Rod Sharka of the Society.

“The Wildcat Falls property is composed of a variety of habitat types varying from upland old growth hemlock/ cedar with unusual, abundant rock outcrops and cliffs to hemlock/hardwood composed of mostly mature sugar maple, to various wetlands surrounding pristine Scott &



Blue Bead Lily fruit

Howe Creek, including an extensive beaver pond and meadow. The unique appeal of the Wildcat Falls acreage includes not just the old growth cedar which has become a rare occurrence in the area, or the beautiful little waterfall on pristine Scott & Howe Creek, or the unusual rocky outcrops and cliffs, or the variety of habitats contained in a relatively compact area, or the wild and undisturbed beauty of the area, but the synergistic combination of all of the above.

The hemlock/cedar/hardwood ground flora includes a plethora of abundant spring wildflowers including spring beauty (*Claytonia caroliniana*), yellow trout-lily (*Erythronium americanum*), nodding trillium (*Trillium cernuum*) and large-flowered trillium (*Trillium grandiflorum*), rosy twisted-stalk (*Streptopus roseus*), Bluebead-lily (*Clintonia borealis*), dutchman's-breeches (*Dicentra cucullaria*), trailing-Arbutus (*Epigaea repens*), and numerous pink lady's-slipper orchids (*Cypripedium acaule*). Small clumps of the rare Canada Yew (*Taxus canadensis*) can be found on top of high rock outcrops where it is out of the reach of browsing deer.

In the beaver pond/meadow and riparian areas along Scott & Howe Creek can be found blue-flag iris (*Iris versicolor*), marsh marigold (*Caltha palustris*), tall meadow-rue (*Thalictrum dasycarpum*), blue vervain (*Verbena hastata*), and swamp buttercup (*Ranunculus hispidus*) and hooked buttercup (*R. recurvalus*), as well as numerous native sedge and grass species.

The EA also stated the presence and concern for Cutleaf Toothwort as a rather new (2006) Management Indicator Species (MIS). Cutleaf Toothwort is a low growing spring ephemeral in the mustard family, inhabits hardwood and adjoining rock areas, and blooms early prior to hardwood leaf out, disappearing in early summer.

There are no known invasive plant species on the property, and every effort must be made through management diligence, to prevent the introduction and spread of invasives.



Marsh Marigold



Spring Beauty



Northern Blue Flag



Indian Pipes



Yellow Trout Lily

Timber types and management

We have data from an extensive timber inventory of the property. The County Line Lake 40 is primarily northern hardwood with dominant sugar maple (84%) being complimented by basswood, oak and red maple. Timber is prevalent in large size categories, with a cruise demonstrating over 32 trees per acre above 16" DBH and 10 over 19" DBH per acre. Over 5000 BF per acre saw timber and 36 cords of cordwood per acre demonstrates impressive stocking. Opportunities exist on this parcel for selective harvesting of diseased or deformed trees to encourage growth in the under-story, as well as sustainable selection of saw timber. NWA management would be on an 'extended rotation', offering an opportunity for periodic timber harvesting but maintaining the integrity of the forest aesthetics by keeping large diameter trees and coarse woody debris. It is the desire of NWA for future sustainable timber harvests to fund any expenses of the project first off and then assist in benefiting further UP conservation. In cooperation with the land owner we are currently providing input for a timber management plan.

Other benefits to the community and local economy could be derived from non-motorized recreation and possibly forest farming. Forest farming could include growing ramps, mushrooms, fiddle heads and possibly golden seal or ginseng in the under-story, as well as maple sugar tapping in the secondary quality heavy crowned sugar maples.

The 120 acre parcel includes many other features as mentioned, but also possesses very diverse timber types. The overwhelming feature demanding protection by this conservation project is to maintain, nurture and protect the old growth features in the cedar and hemlock stands. Besides cedar and hemlock, these stands also include occasional large diameter white pine, white spruce, black spruce and fir. As a compliment to the diversity, this parcel contains manageable hardwood stands with sugar maple, red maple, yellow birch, basswood and ash. Black cherry, ironwood and aspen are also present.

Any timber harvesting done on this parcel must be very cognizant of the features this project seeks to protect. There are significant riparian features, including ponds, flood plain wetlands feeding the creek and very coarse topography in the rock outcrops. These are all areas that are prohibitive of any harvesting practice. Any stands with safe harvesting opportunity must be in accordance with Best Management Practices and avoid any rutting or disturbance to sensitive flora.



Wildcat Falls old growth



Wildcat white pine

Wildlife

The maintenance of intact habitat is the primary challenge in protecting wildlife, and the Wildcat Falls project recognizes the very importance of the diverse habitat offered in this unique parcel. With rock bluffs, streams, ponds, upland hardwoods, to swamp conifers and a wide diversity of flora in the under-story, a tremendous level of diversity exists in a relatively modest space.

Winter whitetail deer yards under the cedar stands are present, as is all the common northwoods wildlife. Canada Lynx is said to be present, but no recent confirmation is documented. Bobcat tracks are common place, prompting the likely choice of name for the falls. NWA hopes to further research the wildlife inhabiting the project, prior to any management of timber which may disturb habitat. NWA may place trail cameras to help in this study. Every effort in future management of this property must recognize and respect the wildlife and necessary habitat.

The EA also acknowledged the intact habitat for the American Marten as yet another indicator species. Another rather new MIS mentioned as a concern in the EA is called EPT for Ephemeroptera-Plecoptera-Trichoptera. EPT is more simply mayflies, stone flies and caddisflies. Not a single species, but an important indicator as the larvae is aquatic and sensitive to water quality parameters such as temperature, sediment, oxygen content and toxins.

Noted and worthy of study is the possibility of hibernacula habitat in the rock formations. NWA management of these lands is to recognize the role of all wildlife, from these tiny insects to the large mammals and predators.

Public recreation and access

The County Line Lake overview '40' is very close to the public boat landing. One should note that some maps show this part of County Line Lake as Little County Line Lake as it appears separated. However a distinct channel provides the boat access to the larger portion of County Line Lake. McGinty Lane is the town service road to about a dozen residences on the north shore of County Line Lake, and traverses the southern portion of this '40'. Easy public access with road side parking is available to this parcel on both sides on the road.

The falls parcel fronts on County Line Lake Road at its SE and NE portions. There is adequate road side parking along this road, it is doubtful that a public parking area would ever be necessary. If a parking area becomes necessary both north and south portions are well elevated and could accept a modest parking area.

Public activities will include the traditional non motorized forest uses of hiking, hunting, fishing, etc. The falls will likely be the main attraction, however, the other features displayed here offer rich opportunities for recreational sightseeing as well. Rock climbers may find the canyon appealing. Further study of these possibilities is underway.

Developments

The primary man made influences on these parcels is the public road easements which also provide the excellent access. Four short 12' wide two-track access easements exist to seasonal residences south of McGinty Lane. No structures exist on the property.

NWA and it partners could plan a series of hiking trails, especially with concern for viewing the falls. It is unlikely any further development is warranted or desirable, except for minimal interpretive and location signing.

3. **Partners-Stakeholders**

Partners in Forestry Landowner COOP Joe Hovel
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Copper Country Chapter of Trout Unlimited Bill Leder
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Friends of Sylvania Wally Brinkman
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Keweenaw Land Trust Evan McDonald
evanmcdonald@att.net 906-482-0820
The Wilderness Society Sean Twomey
202-429-2614
Upper Peninsula Environmental Coalition Horst Schmidt
horsthear@yahoo.com 906-369-3797

4. **Budget**

Northwood Alliance Inc. (NWA) is a 501(c)3 non profit and a 509(a)2 Public Charity, donations are tax deductible. NWA recognizes the task ahead in order to accomplish a Wildcat Falls Community Forest. With our partners, we share a deep love for the resources in the Upper Peninsula and focus on the importance of the task. Your support of this project is imperative to its success.

Acquisition: It is anticipated that \$260,000 will need to be raised to complete a Wildcat Falls Community Forest. For the land purchase itself, we expect \$250,000, with expenses for appraisal, closing costs and related factors justifying the balance. Actual purchase amount will be determined by appraisal and any federal grant request will necessitate a certified 'yellow book' appraisal.

Our goal is for 2018 to be a community-regional fundraising effort to establish a basis and a record of community support for this project. In January 2019 we would hope to submit a grant request for 50% of our acquisition goal to the USFS State and Private Forestry Community Forest and Open Space Conservation program. We would then hope to secure a match for our locally raised funds through a private foundation with land conservation priority.

With this combination of local community funds and reaching out to a wider public, the Community Forest Program as well as a private foundation we feel this goal is achievable, with your help. One of the landowner partners has made a generous cash donation with the letter of intent, to provide us confidence in our local efforts.

Future expenses; The annual holding costs to property ownership should be controlled by enrolling the parcel in the Michigan Commercial Forest Act, thus property taxes should remain modest and affordable. Future timber harvests or incremental donations shall easily cover property taxes.

5. **Marketing**

The primary source of marketing will be networking with the greater conservation community in the UP and northern Wisconsin. Press releases, social media contacts and related outreach can

be conducted by our public affairs coordinator and project partner groups. Field trips and organized hikes and tours will also bring notable public appreciation of the project.

Achieving benefits of Economic, Environmental, Social and Intrinsic are the four criteria we place on worthy land conservation projects. We trust you will recognize a Wildcat Falls Community Forest far excels in these criteria.

Note: All photos from project land.

Footnote to 1. History

Background and history

In 2007, Bob Delich approached the Ottawa National Forest to instigate a land swap. Mr. Delich owned 421 acres of land adjoining FS lands, and just south of the Porcupine Mountain State Park, which the Ottawa had a serious interest in acquiring. The FS had little confidence in the viability of the Land and Water Conservation Fund as an acquisition funding source, to which Mr. Delich approached them with a proposal of parcels he would prefer to obtain in a land trade. He was encouraged to pick out parcels that were somewhat separated from larger blocks; garnering the justification for a land swap on National Forest.

Northwood Alliance (NWA) members and leaders have been involved in the public process with the Ottawa over this proposal since 2009, when the first scoping documents were released to the public for comment. With Partners in Forestry Coop (PIF), NWA lead a very thorough and comprehensive review of the proposed project and determined that the loss of the 160 acres, which includes a 40 acre overlook of County Line Lake and 120 acres lying 1/2 mile northwest, was too great for the public. The northern 120 acres has very attractive and unique natural features and includes Wildcat Falls, incredible rock outcrops forming a canyon over Scott & Howe Creek and old growth features, including cedar and hemlock stands. Never did any of the opposition to this trade refute the idea of a FS acquisition of the 421 acres owned by Mr. Delich.

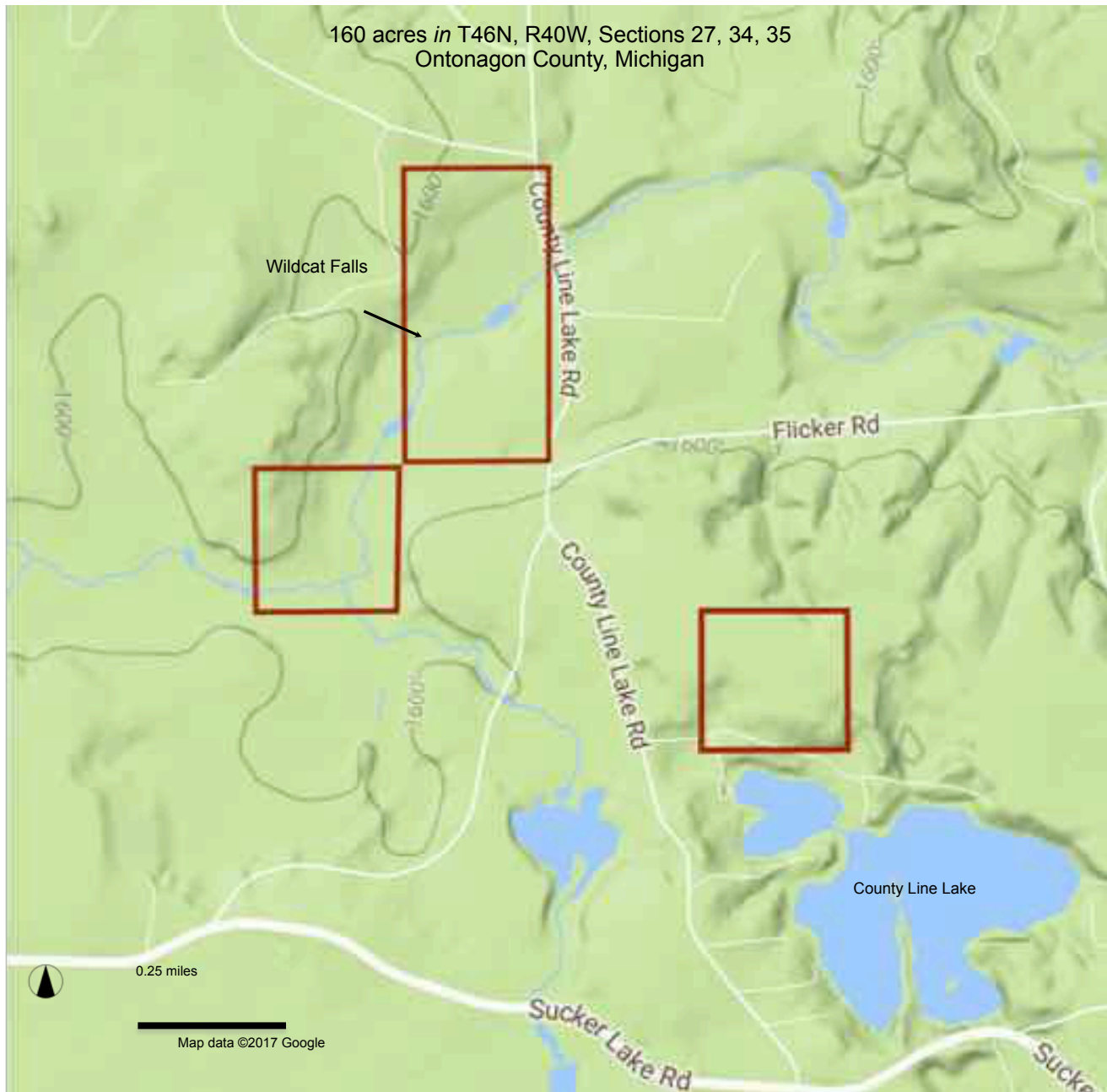
Immediately following a Decision Notice by the Ottawa Supervisor affirming the trade, in February 2011, a representative of PIF and NWA, filed an administrative appeal with the regional office of the USFS. In May, a ruling was made by the Regional Forester overturning the Decision by the Ottawa on the grounds the appellant demonstrated that the Ottawa failed to adequately disclose the loss of old growth in cedar and hemlock stands.

At the very end of 2011, a new Ottawa Supervisor released a new Decision Notice, along with an updated Environmental Assessment which included more disclosure of the loss of old growth.

In March of 2012, PIF, NWA and seven individuals filed appeals with the regional office opposing this trade. An NWA board member made a YouTube video about the special features near Wildcat Falls, garnering more than 1200 signatures in a petition in opposition to the trade. On April 1, 2012, over 120 people attended a vigil-hike to Wildcat Falls. The Ottawa exhausted much good will through this process.

In April of 2012, the regional office affirmed the Decision. The two groups and all individual plaintiffs hired a NEPA attorney and filed suit in an attempt to block the trade. After a federal court decision, ruling in favor of the trade in September of 2014, the plaintiffs filed an appeal in federal court. With the appeal lost, and a motion to reconsider based on erroneous facts abated in 2016, the trade was completed in late 2016.

Wildcat Falls: Community Forest Concept





WILDCAT FALLS: COMMUNITY FOREST CONCEPT

ADDITIONAL PHOTOS FROM HIKE APRIL 1, 2012



