

# Shadow Wood Landing project a pie-in-the-sky fantasy

A commentary by Theron O'Connor

My family has owned land in Bayfield County for 100 years. I moved back here in 2008 to retire from my current profession and to start a new business. Now I am both puzzled and distressed by the prospect of a 380-acre commercial rezone of a marginal forest tract in the Town of Russell. It seems like a patently bad idea from a business point of view. It has been negligently, incompetently and illegally executed to date. It appears to provide benefit to only a small cadre of Town of Russell and other insiders. It threatens the interests of adjoining townships and the general population of the area. It has been subjected to an adoption process which has lacked true deliberation at all levels.

As a business proposition, Shadow Wood Landing, as proposed by Minnesota developers CFS LLC, seems preposterous. How many wealthy private airplane owners are going to spend their precious vacation time flying into remote second-growth lowland far from town with no lakeshore, no lake view and not even old growth forest? Intuitively, one would say, "very few, if any." But what do the data say? Well, nothing. Where is the market research? Where is the business plan? What differentiates this massive project from other failed fly-in resorts around the country and other failed local developments in this area? These questions have not received rigorous attention in the rezone process at any level. This is the largest rezone in Bayfield County history. It should, at a minimum, be contingent upon a strong showing of project viability and clearly demonstrated project financing. If passed, it should require a commitment to and adherence to a step-by-step timetable and standards for accomplishing specific project goals. So far, the county board majority is offering a blank check.

The CFS LLC performance to date has been shocking. Circuit Court Judge Anderson reached only one of the three core issues in the citizen lawsuit opposing the project and yet found emphatically in favor of the plaintiffs and against the CFS LLC project. The other two issues remain in that lawsuit. The Army Corps of Engineers has charged CFS LLC with discharging "dredged or fill material into wetlands abutting West Pikes Creek." The Department of Natural Resources has issued three citations against CFS LLC for failures related to erosion control and the failure to obtain a discharge permit prior to disturbing the land on its rezoned construction site. This record flies in the face of the pious representations of CFS LLC regarding its concern for so-called "generational sustainability." The president and CEO of CFS LLC (a young college student from the Twin Cities) is a first-time, completely inexperienced developer. Personal charm does not trump hands-on business savvy with regard to a project of this size. Perhaps that is at the root of this dismal start. The county board majority seems to see no red flags here.

So, who benefits? Well, the college-student CEO admits this is an academic thesis project, so that interest will be served. Perhaps the narrow interests of certain Town of Russell earth-moving contractors will be served. Perhaps the narrow interests of certain Town of Russell gravel and material suppliers will be served. Perhaps the interests of certain local politicians and

functionaries in getting a “macho” win will be served. As other such projects have demonstrated, however, very few jobs for local residents are likely to be created. The project will probably end up a half-built scar on the face of the Bayfield Peninsula. It seems more likely that, without this white elephant of a project, more real jobs will continue to be created in the tourism, sustainable agriculture and fruit and berry farm sectors of the local economy. The county board majority has largely ignored these competing benefits.

This project is located at the headwaters of Pike’s creek just north of the Town of Bayfield boundary and not far from my home. The effects of the CFS LLC project on this pristine trout stream and the entire watershed have not been seriously considered nor accounted for. In the unlikely event that the project is a business success, traffic from this project will necessarily cross the Town of Bayfield en route to Bayfield, Washburn, Ashland and the Apostle Islands. What would be the consequences of that?

Furthermore, the sky will resonate day in and day out with the sounds of personal aircraft large and small. No real consideration has been given to these serious potential impacts and their costs. The Town of Bayfield Board, in the spirit of intergovernmental cooperation, has unanimously asked for the opportunity to obtain information and seek input regarding the CFS LLC proposal. The county board majority has, to date, declined to promote and facilitate such a process between and among the Town of Russell, the Town of Bayfield, the Town of Bell and the Red Cliff community.

The adoption process for this huge rezone proposal has been cavalier at best and cynical at worst at every level. It was found by Judge Anderson to have been illegal. The Town of Russell Plan Commission and Town Board, in the face of massive public opposition, sent forward resolutions in support of the CFS LLC project. The voices in opposition, typically limited to three-minute sound bites, were simply countered or ignored altogether. The few proponents on the other hand, including CFS LLC itself as well as certain town and county functionaries, were continually engaged in close consultations which have given rise to serious allegations of violations of open meeting laws.

At the County Board level, the three-minute public comments were mainly greeted by yawns. No questions were asked and little discussion ensued. As one board member said at a recent meeting on a related Town of Russell issue (and I paraphrase), “I would never let this happen in my town, but if that’s what the Town of Russell wants then so be it.” It’s not the role of the county board to simply rubber-stamp the proposals submitted by the townships. The board’s responsibility is to represent the interests of all the townships and all the people of Bayfield County.

Shadow Wood Landing is a flawed and unproved business initiative. It has been irresponsibly undertaken thus far. The negative impacts have been denied or ignored altogether. The benefits appear to flow to a small group of insiders. The process has been parochial, self-interested and dismissive of the wider public interest. I have come to this beautiful and historic place and invested real money in a real business which will open in May with real jobs. I would not want that jeopardized by noisy Miami-style cigarette boat races or noisy pie-in-the-sky aviation fantasies.