

**Subcommittee on Federal Lands**  
**Field Hearing**  
**“Improving Access and Opportunities for Hunting, Fishing, and Outdoor  
Recreation on America’s Federal Lands”**

**To:** Chairman Tom Tiffany

**From:** Tom Dougherty, president, Voyageurs Country Houseboat Operators Association

**Date:** Monday, May 13, 2024 at 2:00 p.m.

**Subject:** Unique challenges to public access in Voyageurs National Park

## **INTRODUCTION**

Thank you Mr. Chairman and members of the committee for the opportunity to testify on this very important matter of improving water access and opportunities for outdoor recreation within Voyageurs National Park — a water-based park in northern Minnesota.

I am Tom Dougherty, president of Voyageur Country Houseboat Operators Association, representing area houseboat rental operators, including my family's business – Rainy Lake Houseboats. I also serve on the board of directors for Voyageur Country ATV Club.

I am here today to speak on behalf of stakeholders surrounding Voyageurs gateway communities – advocating for local outfitting operators, fishing guide services, resort owners, houseboat operators, local government, visitors and locals alike. We are faced with unnecessary barriers when accessing the vast waterways.

When Voyageurs National Park was formed nearly 50 years ago, the park was intended to complement neighboring Boundary Waters Canoe Area Wilderness (BWCAW), allowing Voyageurs to boast broader outdoor recreational opportunities that are prohibited in BWCAW. The newly-formed National Park would allow the use of motorized crafts (boats of all sizes, snowmobiles, and other forms of mechanized travel, etc.) – a unique, best of both world’s scenario for the region.

Fast forward 50 years, the National Park Service (NPS) has enforced new water rights restrictions around more than 50% of the park. We now fight for easy access to more than 218,000 acres of Voyageurs National Park, including 1/3 of that acreage which is water. Unrestricted water access is critical to our livelihood, local tourism economy, and necessary for an inclusive visitor experience.

## **BACKGROUND**

### **I. Minnesota Not Ceding Jurisdiction**

The state of Minnesota contends that it did not cede the waters of Voyageurs National Park, and now federal overreach into state-managed waters has led to conflicts and challenges for local stakeholder and visitors alike.

- A. According to [state statute 84B.061](#), “none of the navigable waters within Voyageurs National Park and the lands under them have been donated to the United States.”
- B. The lack of cooperation and support from the NPS has strained the relationship among federal and state authorities, and local stakeholders.

(see exhibit A)

### **II. Frozen Lake Surface Plan**

The NPS now deems state-regulated waterways within park parameters an extension of federal land once frozen over.

New policies have restricted traditional winter activities such as snowmobiling, which previously contributed to the local tourism and outdoor recreation economy.

- A. There once was 100 miles of snowmobile trails on Kabetogama peninsula . Today there are only 18 miles of land trails.
- B. Recently, the truck portage through Mukooda Lake was restricted to permit-only access making it no longer accessible by automobile and ATV. The route provided a safe passage around dangerous ice conditions from Crane Lake, Mukooda, Sand Point, and Namakan lakes, ending in Ontario, Canada.
- C. The public has long relied on access to the frozen lake surfaces for winter recreational activities. Access by all types of vehicles is crucial to providing opportunities, especially those with disabilities.
- D. The economic impact on local operators has been detrimental, with reduced access limiting the scope of their operations and ultimately restricting access to the public.
- E. Increased federal law enforcement presence has resulted in a less welcoming environment for park visitors.

(see exhibit B)

### **III. New Commercial Use Authorization (CUA)**

The NPS has proposed new CUA guidelines that impose additional regulatory burdens on local businesses who are not concessionaires . These new regulations threaten to undermine local operators and the area's tourism economy.

- A. Local operators have been working aggressively to obtain CUAs since December 2023. As of the 2024 Minnesota Fishing Opener, some of our CUAs are still under approval.
- B. The proposed CUAs will limit public access by hindering the ability of businesses to operate effectively within Voyageurs.
- C. The visitor experience is compromised as fewer services and recreational opportunities are available, especially for those with disabilities.
- D. The local tourism and recreation economy is at risk due to restrictive policies.

(See exhibit C + D)

### **CONCLUSION**

In conclusion, we urge Congress to recognize the challenges posed by the current management practices of the NPS by taking decisive action and considering the following solutions.

- A. Introduce an Amendment to CFR 36 to clarify and reaffirm state water rights by eliminating the need for restrictive CUA's and water-based constraints.
- B. A federal audit surrounding decision-making about Voyageurs' water right jurisdiction and CUA guidelines.

The state of Minnesota's jurisdiction over the park's waters should be reaffirmed to prevent federal overreach and support public access to all. We want to offer full access to our nation's uniquely water-based Voyageurs National Park to all people.

We sincerely thank the members of this committee for considering our request.