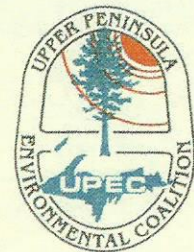


UP Environment



Spring 2011 The Upper Peninsula Environmental Coalition's quarterly newsletter.
UPEC is the UP's oldest grassroots environmental organization.

UP Moose Hunt: Really a good idea?

By Robert A. Evans

Last Dec. 22 then-governor Jennifer Granholm approved a bill (Public Act 366) to authorize an open moose hunting season in Michigan. This legislation surprised many residents because moose remain relatively uncommon. The most recent DNR estimate of the UP moose population size is around 500-600 animals; approximately 420 animals in the West and Central UP, and the remainder in the Eastern UP. Most of these animals descend from the 61 moose translocated to the UP in 1985 and 1987 from Ontario's Algonquin Provincial Park. By anyone's measure, 600 moose scattered across the entire UP is a very small population of animals. It is also not known for certain whether this small population of moose is increasing, stable, or even decreasing.

The DNR goal when moose were reintroduced was to have a population of 1,000 moose in the UP by 2000. Clearly, that has not happened. The reason(s) for that are not known, but many biologists believe that issues such as brainworm infection of moose and perhaps climate change are major contributors to the problems that moose are having in Michigan (and also Minnesota where moose numbers have dropped significantly in recent years). When moose and white-tailed deer exist in the same area (as they do in the UP), moose can become infected with the brainworm parasite (common to white-tailed deer), which has no negative effects on deer, but is often fatal to moose. Climate change may be important because moose in the UP are on the extreme southern edge

of their range. Warmer than average temperatures, which we have experienced in recent decades and are projected to increase further in coming decades, are very detrimental to moose. In fact, if projections for climate change are accurate, it is very likely that moose would be unable to exist anywhere in Michigan by the end of this century, if not much sooner.

So, with all of these uncertainties, a reasonable person might ask, "Why are we establishing a hunting season for moose in Michigan at this time?" UPEC and several noted wildlife biologists, including Dr. Rolf Peterson of Michigan Technological University, have asked that same question. The answer from the DNR and other moose hunt proponents is not entirely clear, but appears to center around the notion that hunters largely paid for the



A bull moose, foreground, peers up as a cow and two calves browse in the background. The moose on Isle Royale National Park where this photo was taken are not part of the mainland moose hunt proposal.

(Photo by Rolf Peterson)

moose translocation in the 1980s: a future moose hunt was basically promised to the hunting community by DNR at that time, and after 20-plus years of waiting it's simply now time to have a hunt. UPEC and others find that response to be troubling. The bill authorizing a moose hunt was signed before many important questions surrounding our Michigan moose population have been answered:

1. *Why we have fallen far short of the original goal of 1000 moose by 2000?*
2. *Is the moose population rising, declining, or stable?*
3. *What factors are most important in limiting the growth of our Michigan moose population?*

Moose Hunt. See Page 11

Dissecting Kennecott mine haul road strategy

By William Malmsten

Kennecott Eagle Minerals announced in January it would abandon plans for developing Marquette County Road 595. That road would have run from Kennecott's proposed Humboldt mill site to its planned mine 22 miles north in the same corridor as Kennecott's earlier Woodland Road proposal. According to the Jan. 19 *Marquette Mining Journal*, "Federal objections to the project indefinitely delaying any permit approvals jeopardized Kennecott's timeline..."

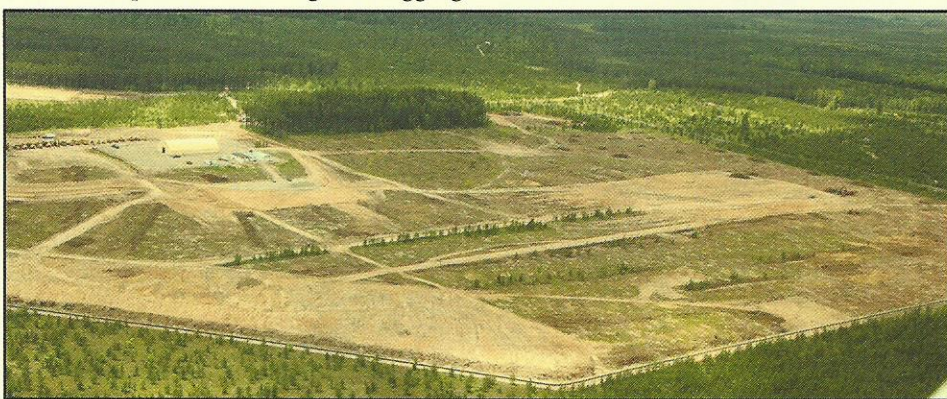
The earlier version of this road was to be privately owned by Woodland Road LLC, which included Kennecott, Lindberg and Sons (the company that was to build the road), the Michigan Forests Products Council, and John Jilbert Companies. Woodland Road LLC withdrew its wetlands permit application in May 2010 in an apparent response to federal and state objections over potential wetlands regulations violations. The road would dissect an extremely water-rich environment, crossing 23 streams and impacting 27.1 acres of wetlands. This wild and rugged area is between the McCormick Wilderness and the Silver Lake Basin, characterized by a series of high ridges and valleys with many streams and wetlands.

Regulations prohibit destruction of wetlands if a feasible and prudent alternative is available. Kennecott's state-approved mine permit allows it to use the existing network of logging roads, so it was difficult to argue there was no alternative to building a new road through the wetlands (whether called the Woodland Road or County Road 595). UPEC made this assertion in written comments to the Michigan DNRE in February 2010. UPEC opposes construction of the new road -- whatever it is called.

By forming the Woodland Road LLC it seems the claim could be made that the road was not Kennecott's mine haul road, but was instead a multi-purpose road that would serve the

surrounding area. Thus there would supposedly be no feasible alternative to the new road, and no amendment to the mining permit would be necessary to build it. When federal and state regulators did not accept this argument, this approach was abandoned and a new plan for a public road was introduced in September 2010 with Marquette County Board of Commissioners support. The Marquette County Road Commission would have built the now public road (County Road 595), with the same private entity (Kennecott) still paying the \$50-80 million cost.

It appears the reason for this County Road 595 approach might be the same as the Woodland Road approach: to apparently sidestep the wetlands regulations by claiming the road would be used mainly by the public rather than as a mine haul road. Yet an existing back roads system already adequately serves existing area logging and recreational activities. We believe, and



Aerial photo of Kennecott's proposed Eagle Project mine site by Chauncey Moran.

apparently state and federal regulators, that the evidence clearly points to the road's primary purpose as a mine haul road.

Kennecott's January 2011 announcement it is abandoning the County Road 595 road project triggered an outpouring of support for that very proposal from Marquette County government officials, including the County Board and County Road Commission, and Champion, Humboldt and Michigamme

Mine Haul Road. See Page 11

About UPEC...

The Upper Peninsula Environmental Coalition has more than a 35-year track record of protecting and seeking to maintain the unique environmental qualities of the UP through public education and watchful monitoring of industry and government. UPEC seeks common ground with diverse individuals and organizations in order to promote sound planning and management decisions for all the region's natural resources.

Our newsletter, the *UP Environment*, is published four times a year. Please share it with family & friends.

You can send your comments or contributions to UPEC by standard mail at P.O. Box 673, Houghton, MI 49931, or e-mail us at upec@upenvironment.org. For more information about UPEC, visit us at www.upenvironment.org

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DNRE needs to sufficiently review road proposals

Mine Haul Road.Continued from Page 2

township officials. "We're going to push it as hard and as fast as we can," Marquette County Board Chairman Charles Bergdahl is quoted as saying in a Feb. 4 *Mining Journal* article. Commissioner Gerald Corkin is quoted as saying, "...the EPA has stepped in and considered frogs and mosquitoes more important than public safety." Is this a sign that Kennecott is succeeding in driving a wedge among local, state, and federal government when it comes to an environmentally-responsible road plan?

This current eruption of support for the County Road 595 proposal causes people to wonder if this was Kennecott's hope when announcing the withdrawal of its plan. If Kennecott were as good at protecting the environment as in eliciting uncritical support from all too many local and state officials, we would not fear its mining operations.

As UPEC's president, I, along with other environmental advocates, addressed the Road Commission at its Feb. 8 meeting. I urged commissioners to withdraw support for County Road 595, and I questioned the legality of proceeding with such a project under apparently false pretenses that could sidestep federal wetland laws. If Kennecott's approach is allowed by federal and state regulators, any mining company could avoid mining and environmental regulations by finding some accessory use for its mine haul road and claiming the road is a multi-purpose road exempt from mining and environmental regulations.

Kennecott seems to be suggesting that the route down County Road 550 from Big Bay through Marquette and then west on US 41 through Negaunee and Ishpeming is the current state-approved route, and as such they would be free to use this route if they can not implement the Woodland/County Road 595 proposal. This is incorrect. When applying for its permit, Kennecott had not yet revealed its plans for using the mill at Humboldt, so the mine permit only gets the ore as far as Marquette, where it is supposed to be loaded on ore cars for transport

out of the area. This rail transportation alternative may prove to be the least harmful option, as it would avoid having the mine trucks pass through the congested central transportation core of the county, although it is hard to evaluate this option since Kennecott has provided inadequate information on this plan.

Changes to Kennecott's transportation plan under state law would require a mine permit amendment. A significant change could be opened to a full review process. Unfortunately, the DNRE has ruled that all of Kennecott's amendments thus far were not significant regardless of how significant they were. In our Dec. 8, 2010, letter to the DNRE, UPEC requested that a clear and reasonable definition of "significant change" be provided to the public, and that the DNRE use the same definition in each amendment request. Local officials seem to be unwilling to push Kennecott to explore other alternatives. They seem to simply embrace whichever alternative Kennecott places before them. Kennecott may be excluding viable alternatives that are more costly. Our officials seem to fail to appreciate that the most profitable alternative for Kennecott isn't necessarily the best alternative for area residents and the region's environment.

Kennecott has now announced that it will once again pursue the County Road 595 alternative, according to a Feb. 12 *Mining Journal* article. Meanwhile construction of the mine surface facilities continues on the Yellow Dog Plains with the digging of the main mine shaft to begin in April according to local reports. The lawsuit by the National Wildlife Federation, The Yellow Dog Watershed Preserve, The Keweenaw Bay Indian Community, and the Huron Mountain Club to try to stop the mine remains stalled in the court system.

Michigan House Bill 4303 was recently introduced to remove wetland mitigation requirements for existing roads needing improvement, maintenance, or reconstruction within the road right-of-way. The bill's passage could complicate the struggle for defining an environmentally responsible mine haul road.

Moose Hunt.Continued from Page 1

4. *Can we be assured that harvesting moose in Michigan through a hunt will not negatively affect the long-term health and sustainability of our Michigan moose population (perhaps the most important of the four questions)?*

UPEC is certainly not opposed in principle to hunting moose in Michigan—when the time is right—but we do not believe it makes sense to schedule a moose hunt here until these important questions have been answered.

The Moose Hunt Bill establishes a seven-member advisory council to recommend within 12 months of the bill's passage whether the moose hunting season should be initiated or not. If the council recommends an actual moose season, its report is to include a proposed season length and number of moose to be harvested. Unfortunately, nothing in the bill mandates council members to have any educational background and/

or experience with moose management. Potentially all seven council members could lack moose management knowledge. That strikes UPEC board members as inappropriate at best and downright scary at worst.

UPEC wrote the Michigan DNRE director recommending appointment of two Michigan wildlife biologists (Rob Aho and Brian Bogaczyk) with extensive moose management experience and knowledge. The DNRE recently rejected appointing either biologist, instead appointing biologists James Hammill and Russ Mason who have publicly said they believe a Michigan moose hunt at this time is a good idea. The other appointees, with no educational background and/or experience in moose management, mostly represent sportsmens groups. As a result, UPEC has deep concern about the council members' qualifications and ability to objectively identify environmentally responsible moose management approaches.

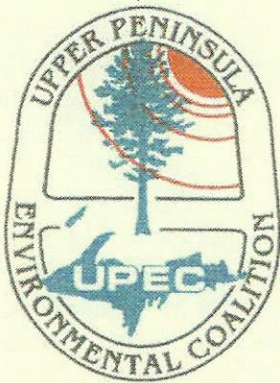
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*Protecting and maintaining the unique
environmental qualities of Michigan's
Upper Peninsula by educating the public and
acting as a watchdog to industry and government.*

Celebrate the UP! March 18-19

UPEC will hold its third annual *Celebrate the UP!* March 18-19. The event celebrates what's special about our region: its natural setting, recreational opportunities, and unique culture. Friday's festivities occur in Houghton at the Noblet Forestry Building on the Michigan Tech campus beginning at 7 p.m. Saturday's events run from 10 a.m. to 7 p.m. at the Jutila Center on the Finlandia Campus in Hancock. See Pages 3-10 inside this newsletter for the schedule and profiles of the many fine speakers presenting at this year's *Celebrate the UP!*

***Learn more about plants and
ecosystems of UP & N. Wisconsin!***

The North Woods Native Plant Society is a group of professional and amateur botanists interested in learning about and preserving the region's native plants and ecosystems. We plan free botanical field trips, open to folks at all levels of knowledge, to special places every summer. Summer 2011 will feature trips to view spring flora, aquatics, mushrooms, wild edibles, open plains species, and more. Sites are located all over the western UP and northern Wisconsin. Trip schedules and general information are available at www.northwoodsnativeplantsociety.org

Identify & reduce invasive plants

Garlic mustard, glossy buckthorn, Japanese knotweed, purple loosestrife, and spotted knapweed top the list of unwanted regional invasive plants. Invasives occur throughout the UP where they overrun natural plant communities, out-compete native plants, degrade fish and wildlife habitat, and can hinder gathering and recreational activities. The Houghton Keweenaw Conservation District (HKCD) asks residents/visitors in Houghton and Keweenaw Counties for help now and throughout the summer in reporting locations of unwanted green invaders. Maps showing locations of invasives are essential for prioritizing control/monitoring efforts. Your dot added to a map will really help! Contact Sue (HKCD Administrator) at sue.haralson@mi.nacdn.net or 482-0214, visit the HKCD office in Houghton at 600 E. Lakeshore Dr. (Rm. 204), or go to www.hkconserve.com for more information, reporting forms, a free set of invasive plant ID cards, and useful brochures. Contact Janet at jkmarr@mtu.edu or 337-5529 with invasive plant identification questions.

The Copper Country's plant intervention effort is just one part of an Upper Peninsula-wide project appropriately named RRIP-IT-UP (Rapid Response Invasive Plant Intervention Team of the Upper Peninsula). If you would like more information about invasive plant activities in your area, contact your local conservation district or the UP RC&D Council at 906-226-7487, Ext. 101 or visit www.uprcd.org