UP Environment

UPEC: THE UP'S OLDEST GRASSROOTS ENVIRONMENTAL GROUP

Summer 2018

UPEC Board Member Nancy Warren Wins Prestigious Petoskey Prize For Environmental Leadership

The Upper Peninsula Environmental Coalition (UPEC) is pleased to announce that long time board member Nancy Warren of Ewen, Michigan has been named the winner of the 2018 Petoskey Prize for Environmental Leadership. The prize is given annually by the Michigan Environmental Council, based in Lansing.

The Petoskey Prize recognizes a volunteer activist whose outstanding grassroots environmental leadership is marked by commitment, creativity and courage. Michigan Environmental Council member groups nominate candidates to receive the Petoskey Prize. Inaugurated in 2001, the award carries a $5,000 gift which Nancy has designated to be used to further wolf education and research in Michigan.

Nancy is being honored for her many years of work on behalf of numerous environmental causes. Her environmental leadership skills extend back many decades. They focus around the core goals of protecting and enhancing public lands, promoting ecosystem integrity and biodiversity, restoring habitat and sustainable species populations, increasing informed citizen involvement in democratic environmental stewardship, and building organizational capacities to pursue these goals.

Nancy's passion for wolves began in the early 1990s as wolves began to recolonize the state. Nancy discovered that for wolves to survive there needs to be human tolerance of wolf behavior. Nancy's goal is to have a sustainable wolf population within suitable habitat.

Since 2013, Nancy has served as the executive director of the National Wolfwatcher Coalition. The group fosters positive attitudes about wolves through education and advocacy. Nancy oversees the activities of about 50 volunteers and regional coordinators, researching issues, countering misinformation, providing testimony, raising funds, producing educational material.

As advisor and U.P. coordinator to the Keep Michigan Wolves Protected campaign, Nancy participated in weekly phone calls, disseminated petitions, collected signatures and provided information to the media and public. Nancy researched issues and provided information used in the campaign to counteract anti-wolf perspectives and the inaccurate allegations of livestock depredation and attacks on dogs. She took the lead and requested information from the DNR under the Freedom of Information Act about livestock and dog losses along with comments submitted to the Natural Resources Commission about wolf problems. To further the cause of wolf protection, Nancy worked with a local TV station in the Upper Peninsula and Mlive in lower Michigan.

Nancy Warren with UPEC President Horst Schmidt

In March 2013, more than 255,000 signatures were submitted to the Board of Canvassers challenging PA 520. Legislators then passed a second law, Public Act 21, in May 2013, giving the politically appointed Natural Resources Commission (NRC) the power to designate game species. PA 21 effectively eliminates the right of citizens to challenge wildlife management issues as NRC decisions cannot be appealed except through the courts.

Once again Nancy and her colleagues gathered signatures in every Michigan County and, in March 2014, Keep

Cont'd on next page...

Petoskey Prize cont'd from page one

Michigan Wolves Protected submitted more than 225,000 signatures to place Public Act 21 on the November 2014 ballot along with Public Act 520. As a result of the petition drives, voters repealed both laws with a 55% "no" vote (PA 520), and 64% "no" vote (PA 21).

Over the years, Nancy has been a declarant in several lawsuits against the U.S. Fish & Wildlife Service, providing statements to verify her personal experience with wolves. In each case, the courts decided that U.S. Fish and Wildlife Service failed to follow the established rules and regulations under the Endangered Species Act.

Nancy and her husband have also conducted hands-on surveys of wood turtles in the Ottawa National Forest as part of its Wood Turtle Monitoring Project. The Warrens have identified and handled over 100 turtles, compiling essential data to support the protection and revitalization of this species.

Though known for her work for wolves and other wildlife, Nancy is actively involved with the Land & Water Conservation Fund (LWCF) which is authorized to receive $900 million from offshore energy production. However, Congress diverts most of the funds elsewhere. Nancy has provided testimony to congressional committees and encouraged others to do the same to use the funds to protect wild lands, fund local community projects and ensuring public access.

Nancy serves on the Ottawa National Forest Resource Advisory Committee. Three of her recommendations for the Ontonagon River have been adopted and implemented, including a barrier to protect prime turtle nesting areas and another that minimized erosion and sediment run-off into the East Branch of the river.

Nancy has been a member of UPEC for more than 20 years, serving on the Board for the past seven years. During that time she has taken on the roles of President and Vice President. Her strong organizational skills have helped keep UPEC activities effective.

Also involved in local community activities, Nancy participates in Michigan's "Adopt-A-Highway" program and serves on the Ontonagon County Commission on Aging.

The UPEC board congratulates Nancy. We believe her efforts for wolf protection represents the ecological balance needed in the Upper Peninsula. Her advocacy for the environment through hands on activities, education and maintaining vigilance on the legislative front has helped us meet our organization's goals.

The Michigan Environmental Council believes that lasting environmental protection is earned through a synergy of local activism and institutional leadership. We support the Council's work. The annual awards are another way of honoring distinguished vision and service by public and private sector leaders while recognizing the significance of grassroots leadership.

UPEC's Mission

"As the longest serving environmental organization in Michigan's U.P., the Upper Peninsula Environmental Coalition (UPEC) strives to preserve the unique cultural and natural resources of the Upper Peninsula through public education, the promotion of sound land stewardship, and reasoned dialogue with communities, governments, industries and others with whom we share this land."

Tadych's econofoods

To Our Helpful Supporters

Thanks to you saving food receipts, we receive regular checks from Econofood. This is great way to support us...small donations add up! Do you shop at Econofood? If so, keep an envelope handy at home where you can deposit the receipts after shopping. When its full, send them to UPEC, PO Box 673, Houghton MI 49931. It's that simple! Thank you!

Biofuel Facility Planned for Ontonagon, by Steve Garske

SynSel Energy Inc. of Elmhurst, Illinois recently announced that they have selected Ontonagon as one of two "initial sites" for advanced biofuels facilities. The facility would be built at the site of the former Smurfit-Stone paper mill, which is owned by Ontonagon Economic Development Corporation member and president of Lost Bowl Development LLC, Patrick Tucker. The company has secured financing for the $300 million project, and after a 14-month planning stage, plans to start construction. Tucker told the Mining Gazette that a non-disclosure agreement prevented them from revealing identities of the project's investors.

The Biorefineries Blog website states that SynSel biorefineries are designed as anchors to future "Enviro Industrial Parks" where byproducts of fuel production produce marketable commodities like biochar, nitrogen-based fertilizer and process heat for buildings or industrial processes.

If constructed, this biomass project would undoubtedly benefit the area in some ways. The former mill site would be put into productive use.The former mill site would be cleaned up and put into productive use. The project would also provide a significant number of new jobs - the company projects around 125 direct and 150 related jobs, and hundreds of additional jobs during construction. Unlike "first-generation" technologies, which produce ethanol by fermenting sugars and starch, producing fuel from cellulose would likely be less carbon intensive than using oil and gas.

Like any large industrial development there would also be costs. The new SynSel plant would reportedly use roughly the same amount of wood as the former mill did. Increased logging can lead to loss of habitat for some wildlife, including warblers and other birds that require older forests to nest and raise their young. Unless equipment is thoroughly cleaned, logging frequently introduces invasive plants and animals including slugs, earthworms, and garlic mustard that negatively impact forest health. Forests also capture carbon from the air and store it indefinitely in the soil. When forests are heavily logged, much of this carbon is returned to the atmosphere.

Instead of burning wood or other materials for electricity, wood waste from mill operations and so-called "forest residues" would be converted into synthetic gasoline, diesel and aviation fuel. According to SynSel official Brian Buckta, "The forest industry is also seeking a solution to wood waste that is normally left behind by conventional logging operations. Our plants will decrease the fire hazard to the region through timber management and by creating demand for the debris." It is unclear from SynSel's press releases how much mill waste will be available and how large an area they intend to manage and log for wood biomass for this facility.

Most of the western UP's forests are dominated by sugar maple, yellow birch, ash, basswood and northern red oak. This northern hardwood forest type is nearly immune to fire, earning it the name "the asbestos forest".

The wood "debris" left behind by conventional logging operations consists mostly of leaves, twigs and small branches, which along with the bark contain most of the nutrients in the tree. Removing these materials depletes soil nutrients and organic matter, resulting in "rotational decline" and decreased forest productivity. This is especially true if the trees being harvested are fast-growing and nutrient-intensive, such as aspen (popple) or willows. Michigan best practices recommends that wood harvesting operations "avoid full-tree harvesting and retain or redistribute slash on nutrient-sensitive sites."

Technology Ready for prime time?

This isn't the first time Big Ethanol has set its sights on the UP's extensive forests. As related by Tom Gantert of Michigan Capitol Confidential, Mascoda Corporation was founded in 2005, and soon after built a small demonstration plant in New York. In 2008 the company proposed building a biodiesel plant in Kinross Township in Chippewa County, in the eastern U.P. Mascoma received as much as $120 million in state and federal subsidies, including $20 million from the state of Michigan. According to a 2016 report by the group Biofuelwatch, the company announced and then abandoned a series of plants in Tennessee, Minnesota, Michigan and Alberta, but nonetheless spent their grant funding. The company then sold its intellectual property rights to a Canadian company. Just under $6.4 million of the $20 million it gave the company was recovered, according to a 2014 report by the Michigan Strategic Fund. The U.S. Department of Energy apparently recovered some of the money it gave Mascoma, but wouldn't release informa-

Cont'd on next page...

tion on how much until it was requested in a Freedom of Information Act request.

SynSel has apparently secured funding for its proposed facility from private investors, though the company's nondisclosure agreement makes it impossible to be sure. According to Tucker, state funds would be needed for a 12-mile reconstruction of the rail line to Ontonagon, an airstrip extension and dredging of the harbor.

Wood-to-fuel process still under wraps

Standard "first generation" biofuel plants use bacteria and yeast to turn sugars and starch in plant materials such as fruit, corn, and sugar cane into ethanol. This is basically the same process used to produce alcoholic beverages. "Advanced" or "second generation" biofuel plants like the proposed SynSel plant are designed to use bacteria, fungi and enzymes to break down wood fiber, which consists mainly of cellulose, hemicellulose, and lignin. The result is that entire trees can be converted to fuel. This "cellulosic ethanol" technology is still largely in the development stage though, and scaling up and integration of new technologies into commercial-scale biorefineries is described by the US Department of Energy as a "challenging and high risk undertaking." The industry's long-term solution lies in the use of enzymes produced in large part by genetically engineered and even synthetic (redesigned or artificially produced) organisms to break down these materials.

The exact process that SynSel is planning to use to digest the wood is still under wraps. While the company's website states that "the plant will use proven, environmentally responsible technology", Lost Bowl Development LLC co-owner Pat Tucker says that "It's a real big deal because it's new technology that really doesn't exist right now". The Biofuels Digest site states that "The licensor of the technology that will be employed at the biorefineries was only identified as a major oil and gas company."

Ethanol and biodiesel are primarily used to power cars and trucks. At the same time the world's automakers seem to be headed towards electric vehicles. Ford Motor Company announced that it would add 13 electric models over the next several years. And General Motors recently announced plans for 20 new all-electric models by 2023. These would include cars, trucks, vans and SUVs. "General Motors believes in an all-electric future," said G.M.'s global product chief Mark L. Reuss late last year.

After several decades of research, controversy and false starts, "cellulosic ethanol" technology may be on the verge of being deployed on a large scale. Or not. The issues are complicated, and much is at stake. Time will tell whether this SynSel facility is built and successfully operated, and what the impacts to the U.P.'s forests, land and water will be.

This article was compiled from information in the following sources:

Advanced Biofuels USA. https://advancedbiofuelsusa.info/uf-if-as-researchers-hope-better-technology-produces-less-costly-ethanol/

Biorefineries Blog. https://biorrefineria.blogspot.com/2017/08/synsel-plans-to-build-two-advanced-biofuels-plants-biorefineries-USA.html

"State Gave Biofuel Company Millions for Unbuilt Plant." by Tom Gantert. November 8, 2016. Michigan Capitol Confidential. https://www.michigancapitolconfidential.com/22939 .

"G.M. and Ford Lay Out Plans to Expand Electric Models" by Bill Vlasic and Neal E. Boudette. October 2017. The New York Times. https://www.nytimes.com/2017/10/02/business/general-motors-electric-cars.html

"Michigan forestry best management practices for soil and water quality" by the Michigan DNR and DEQ. 2018. https://www.michigan.gov/documents/dnr/IC4011_SustainableSoilAndWaterQualityPracticesOnForestLand_268417_7.pdf .

"Boom - like that: Biofuel plant gets financing terms" by Kali Katerberg. May 25, 2018. Mining Gazette. http://www.mininggazette.com/news/2018/05/boom-like-that-biofuel-plant-gets-financing-terms/ .

"Ontonagon's SynSel biofuel plant will be first of its kind" by Julie Williams. May 30, 2018. WLUC TV 6, Marquette. http://www.uppermichiganssource.com/content/news/Ontonagons-SynSel-biofuel-plant-will-be-first-of-its-kind-484109321.html

"Funding secured for biorefinery in Ontonagon." May 24, 2018. WLUC TV 6. http://www.uppermichiganssource.com/content/news/Funding-secured-for-biorefinery-in-Ontonagon-483642621.html

"Synsel securing financing for two $300 million wood-based biorefineries" by Meghan Sapp. July 18, 2017. Biofuels Digest. http://www.biofuelsdigest.com/bdigest/2017/07/18/synsel-securing-financing-for-two-300-million-wood-based-biorefineries/ .

"Biofuels plant development expected to begin at Ontonagon paper mill." by Jan Tucker. January 11, 2018. Ironwood Daily Globe. http://www.yourdailyglobe.com/story/2018/01/11/news/biofuels-plant-development-expected-to-begin-at-ontonagon-paper-mill/9672.html.

US Department of Energy, Bioenergies Technology Office. Strategic plan for a thriving and sustainable bioeconomy. https://www.energy.gov/sites/prod/files/2017/09/f36/beto_strategic_plan_december_2016.pdf .

Laura Pelle photo

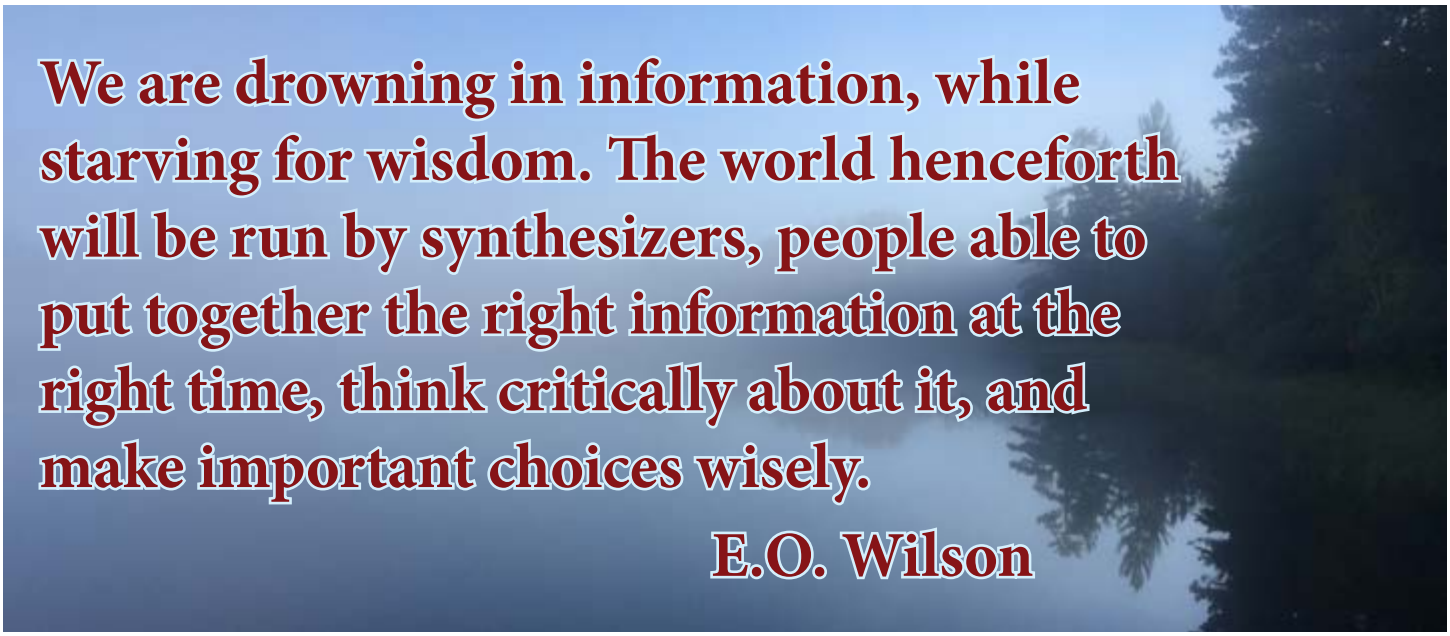
Kathleen Heideman Honored by Freshwater Future

In every Great Lakes community you'll find thoughtful, committed residents taking action to protect our lakes, rivers, streams, wetlands, shorelines, and drinking water. Seemingly small, individual actions can make a big difference, and Freshwater Future is inspired by those who devote their time to making things better.

Kathleen Heideman is certainly one of those people. The Michigan based Freshwater Future organization recently recognized just a handful of the good people doing good things to protect the water in our Great Lakes region. From social justice activists in Detroit, Michigan to tribal leaders on the remote shores of Lake Superior, every one of these Freshwater Heroes is not only working to safeguard their water, but also caring for the people in their communities and serving as an inspiration to us all. Protecting and restoring the health of the lakes, rivers, wetlands, shorelines in our Great Lakes region requires hard work, persistence, and dedication. Their efforts are inspirational and motivational. In honor of this Herculean effort, annually Freshwater Future gives out awards to recognize special contributions of residents and organizations.

Based in Marquette, Kathleen has been defending clean water and wild places from the dangers of sulfide mining for years. And not just as an environmental activist—Kathleen's stewardship and sense of place is evident in her paintings and her poetry, and she incorporates her experiences with water into media that are accessible to a much broader population. She is an active member of the Upper Peninsula Environmental Coalition's board and its Mining Action Group. In addition to her creative talents, Kathleen has a knack for sifting through dense permit documents to find inconsistencies and faults in information provided by mining companies, and she's provided crucial oversight in Michigan Department of Environmental Quality permitting processes to ensure protection of wetlands and water bodies from destruction and degradation. Freshwater Future is proud to have supported the Mining Action Group's work on the Back Forty mine with grant funding, and proud to honor Kathleen as one of our Freshwater Heroes.

Please join the UPEC board as we express our appreciation to Kathleen, one of Freshwater Future's 2018 Grassroots Advocate Award winners.



Sara Basso photo

DEQ Director Approves Aquila Back Forty Mine Wetland Permit – Despite DEQ's Own Objections, by Kathleen Heideman

EarthJustice photo

Environmental groups are crying foul over a recent decision by the Michigan Department of Environmental Quality (DEQ) to approve the Aquila Back Forty Wetland Permit. In a joint statement, the Mining Action Group (MAG) of the Upper Peninsula Environmental Coalition (UPEC), the Front 40 Environmental Fight, and numerous regional environmental groups say they are outraged by the unwarranted approval and are calling on DEQ Director to explain her decision.

"This smells rotten. Director Grether's approval of the Aquila Back Forty Wetland permit was a political act, directly contradicting the recommendation of DEQ's own Water Resources Division (WRD). This permit is inconsistent with the Clean Water Act," said Kathleen Heideman of the Mining Action Group.

The Wetland permit should have been denied, according to the agency's "Findings of Fact": **"After due consideration of the permit application, on-site investigation and review of other pertinent materials, the Water Resources Division finds that the project does NOT demonstrate that an unacceptable disruption to the aquatic resources of the State will not occur and that the activities associated with the project are NOT consistent with the permitting criteria for an acceptable impact to the resources regulated under Parts 301, Inland Lakes and Streams, and Part 303, Wetlands Protection."**

Even the DEQ's decision letter is not an endorsement: "We have determined that the (Back Forty) project as proposed could not be permitted without additional supporting documentation because the hydrologic modeling provided does not define the anticipated impacts to aquatic resources."

Ron Henriksen, spokesperson for the Front 40 Environmental Fight, was stunned. "Against the findings of Water Resources staff, Director Grether of the DEQ granted a permit with 28 pages of 'Special Conditions.' Why wasn't this permit denied? The serious hydrological concerns we've raised remain unaddressed. Aquila's mine will harm wetlands of the Menominee River and aquatic resources shared by Michigan and Wisconsin, yet these concerns were somehow overruled. The Menominee River certainly deserves better."

Overlooking the application's gaping holes, DEQ issued Aquila's Wetland permit "conditionally" and has required "submission and approval" of key additional information including "revised hydrologic modeling, an adaptive management plan, a comprehensive monitoring plan, and requisite wetland and stream mitigation." Under the Clean Water Act, howev-

Back Forty Permit cont'd on next page

er, this information is supposed to be provided BEFORE a wetland destruction permit is granted, not after.

"Accurate hydrologic modeling, monitoring, and compensatory mitigation based on real data are the foundational requirements of a wetland permit application, not special permit conditions! By law, Aquila should have provided this information at least two years ago. This is fundamental to

the review of any wetland permit application," said Steve Garske of the Mining Action Group.

The Clean Water Act requires compensatory mitigation ratios based on total wetland impacts, and a clear demonstration that the proposal is the Least Environmentally Damaging Alternative. According to the DEQ Water Resources Division's "Finding of Fact and Conclusion of Law", the "application does NOT demonstrate that a feasible and prudent alternative does not exist. The application fails to fully define the extent of impacts to regulated resources." Grether, in approving the permit, ignored the conclusions of those regulators who understood the permit application and its myriad failings.

How Was Back Forty Wetland Permit Approved?

In a "Wetland Augmentation Plan" recently submitted to the DEQ, Aquila hedged the validity of their data, claiming that "confirmation of the findings pursuant to the modeling can only be accomplished by wetland hydrology and vegetation monitoring during mining operations." Bad data? No problem, the mine said. Simply pump water from the Menominee River into the wetlands if impacts exceed estimates.

A few weeks earlier, Aquila recalculated their wetland impacts using a hydrological method recommended by multiple technical reviewers, and reported a 50% increase in the total acres of wetland impacts caused by dewatering — the application was getting worse, rather than resolving state and federal concerns.

"I am shocked by DEQ's approval of the Aquila Wetland permit: in my judgement, there was an airtight case against it. We stand by our extensive technical comments, even though Grether chose to ignore the independent reports we commissioned. With her hasty political decision, the Director says science will not sway her approval process: 'Mines first, environment be damned!' Through our efforts, reviewing this permit, regional environmental groups demonstrated the Back Forty mine is a disaster in the making. Polluting the Menominee River again? Harming aquatic life? Damaging wetlands? For our survival, Aquila Resources and the State of Michigan must look beyond short-term profits," said UPEC President Horst Schmidt.

Background – Strong Federal Objections

The EPA's objections were first announced in a March 8th, 2018 letter to the Michigan DEQ: "The applicant has not provided a complete description of the project, including a final site plan identifying the final location of key project features, including storm water and waste management features. The proposed site layout is not consistent with the approved state Permit to Mine. Nor are all impacts of the project identified in the application, including impacts caused by any planned underground mining, a power plant, and mining water management systems. Without this information, the reviewing agencies cannot adequately assess the extent of the proposed mine's impact on aquatic resources as required by the CWA, and or determine whether the applicant has minimized and avoided aquatic resource impacts, as required."

The EPA letter pointed out that Aquila "states that the project will not adversely affect water quality of the Menominee River but does not explain how the project will be managed to ensure discharges will meet water quality standards, including sufficient monitoring locations, minimization measures, and adaptive management procedures to prevent leaching of toxic compounds from mine storage facilities and from the mine pit into the River."

The EPA objected to "Aquila's failure to adequately characterize secondary impacts to wetlands" and "lacks information regarding the extent of wetlands that will be impacted by the project and how these wetlands will be affected by the proposed project's Menominee River drawdown of some 125,000 gallons per day."

The EPA found that Aquila failed to provide adequate support for their determination that "offsite upland alternatives for some mine features (e.g., tailings storage) are not practicable", and that they did not provide "needed information to determine whether some 500 acres of wetlands and uplands that were selected for preservation meet statutory

Continued on page 8

requirements to be used as wetland and stream mitigation."

EPA directed the DEQ to "resolve those concerns" within 90 days. If not resolved in that time, DEQ was "directed to deny the permit for the mine."

DEQ and Aquila did not resolve these concerns. There is NO finalized site plan or acknowledgement of planned underground mining facilities, NO approved plan to prevent leaching of toxins into the Menominee River, NO accurate hydrological model for the mine site, and the Back Forty wetland impacts remain UNKNOWN.

All Federal Objections Were Mysteriously Rescinded

"This decision is a stunning example of big-money politics taking precedence over the public good," said Garske.

"I'd like to say I was surprised by the approval of the Back 40's wetland permit, but actually was not," said Deb Skubal of the Front 40. "This whole outcome is consistent with how the DEQ has operated thus far. The DEQ Director went so far as to write "the project as proposed could not be permitted without additional supporting documentation." My conclusion: "Aquila Resources has never put any effort into a serious wetland permit request. DEQ knows it."

"Aquila's Wetland permit is the most inept, shoddy heap of paperwork I've ever seen. When the permit is held up to the light of legal scrutiny, light will shine in through a thousand holes," said Heideman.

Environmental Groups Cry Foul: Statements on the Michigan DEQ Approval of Aquila Back Forty Wetland Permit

"We're appalled that DEQ would overrule its own experts to cater to this company. The issuance of this permit defies the law and betrays the public trust." - Dave Dempsey, senior advisor for FLOW (For Love of Water).

"A sulfide mine on the shores of the Menominee River endangers the health and way of life of the entire region to profit a foreign owned corporation. Michigan DEQ's approval of the wetland permit is an injustice to all of us." - Raj Shukla, Executive Director of the River Alliance of Wisconsin.

"I pray for the wild rice people while I take note of the names of each and every federal and state official approving every single aspect of this 800 foot deep open pit mine less than 100 feet from the great Menominee River. Every single one of them must be held accountable when this fails and harms the fishery, the drinking water for millions of people and more. Accountability is a predominate conservative principal. They must all be held accountable in full measure." - Jeffery Loman of the L'Anse Indian Reservation.

"The Michigan DEQ Director has issued the Back Forty Mine's Wetlands Permit with 31 pages of conditions ignoring the scientific recommendations of the DEQ's water quality division, and the overwhelming public opposition to the permit!" - John Engel, Sierra Club John Muir Chapter Executive Committee at Large Member.

"The MDEQ decision is a fundamental violation of their legal responsibility under the Clean Water Act to evaluate the impact of this project on wetlands, aquatic resources and the Menominee River. MDEQ has issued a permit without the faintest idea of what the impacts may be and have entrusted Aquila with the responsibility of assessing the impacts and taking appropriate actions to prevent the adverse impacts that are prohibited by the Clean Water Act. This is the same thing as letting the mining company write their own permit without transparency or accountability to the public, the Menominee Indian Tribe or the environment." - Al Gedicks, Executive Secretary of the Wisconsin Resources Protection Council.

"DEQ's approval of the wetlands permit obviously ignored the opposition to this mine by thousands of people. Why were we ignored?" - Dick Dragiewicz, avid Menominee River fisherman.

"The Wisconsin Smallmouth Alliance is extremely dismayed at this blatant disregard for our pristine environment and cultural heritage." - Jerry Pasdo, President of the Wisconsin Smallmouth Alliance.

"The Department of Environmental Quality's disappointing decision represents yet another fundamental failure by the agency to safeguard Michigan's precious water resources. We continue to see the DEQ give preference to polluting industries, in this case allowing a mining company to make fortunes while polluting the pristine waters of the Upper Peninsula. The impact of this reckless decision will be felt for generations, with negative impacts on waterways in both Michigan and Wisconsin." - Bob Allison, deputy director at Michigan League of Conservation Voters.

"This certainly is not the end of our opposition; it is the resurrection of government 'of the people, for the people, and by the people.' We stand united with organizations all across the state of Wisconsin and Michigan, and we are in it for the long haul." - Dale Burie, President of the Coalition to SAVE the Menominee River, Inc.

"The fact that eight Native American tribes have fought this mine should have been enough; or the fact that the Menominee River was selected as one of the ten most endangered rivers in America; or the amount of local opposition. An open pit mine on the edge of a river that flows directly into the Great Lakes — SWP staff can't imagine a worse location." - Carl Lindquist, Executive Director of

Continued on page 9

Back Forty Permit continued from page 8

Superior Watershed Partnership and Land Trust.

"Michigan Environmental Council (MEC) and our members are extremely frustrated by DEQ's issuance of this wetland permit. In particular we are concerned by the large and complex nature of the many extra permit conditions that the DEQ has elected to apply in this case. These additional requests appear to be an attempt to force the mining company to fix major shortcomings that should have been resolved as part of their Part 632 mining permit – including mine closure issues, groundwater modeling needs, adequate baseline data, etc. The extensive conditions of the wetland permit, alongside the basic fact the the mine site plan the company used to get their wetlands permit was completely different than the plan they used in their earlier Part 632 mining permit, suggest to us that the DEQ is simply determined to allow risky mining operations to move forward, even if their plans to protect our water resources are inadequate and flawed. If this company can protect Michigan's precious water resources as required by law – and that is a big "if" – then the MDEQ should require them to prove it before granting them rights to dig an open-pit mine, unleash acid mine drainage, and process their ore with cyanide in this beautiful and uniquely vulnerable place." - Chris Kolb, Michigan Environmental Council President.

Fishing cont'd from page 11

and fishing trips to Craig Lake to enjoy the quality muskie and remote fishing experience. Craig is a typical UP coolwater lake with smallmouth bass, walleye, northern pike, black crappie, sunfish and a minnow, sucker and yellow perch forage base. Kramer said the walleye are self-sustaining at Craig Lake.

"The portage trail from Craig to Crooked Lake is 0.75 mile, although the portage is along very favorable terrain," said Barry. Crooked Lake's 180-acre surface area is well named with numerous bays, points and narrows to target fish. This is a fairly shallow lake with much of its basin less than 15 feet in depth and one deeper hole in the north end. Angler and survey reports indicate some decent pike and a smallmouth bass fishery, along with panfish including sunfish and yellow perch. The forage base includes suckers, golden shiners and several species of aquatic insects found in both Crooked and Craig Lakes.

The portage trail is much more rugged to Clair Lake from Craig, although it is closer at 0.5 mile. Barry said "very few anglers make the portage from Craig to Clair". The Park Manager said that Clair supports a fishery for smallmouth bass and northern pike, with a similar panfish and forage base as the other lakes.

Erich Ziegler with a trophy sized walleye

Although Keewaydin Lake has a boat landing, its fishery is currently not that good according to park staff, and when I have fished for smallmouth bass at this lake in the past, I found it was nothing special. At Craig Lake State Park, the lakes that are harder to access often hold up better to angling pressure, even with special fishing regulations. This is also the case at many other UP waters I managed before retiring as a DNR Fish Management Biologist.

Similar species are found in Nelligan and Thomas Lakes although the latter also has some largemouth bass. Teddy Lake is shallower, and occasionally winterkill populations leaves only some perch or minnows.

Though not for everyone, both the Sylvania Wilderness Area and Craig Lake State Park offer unique fishing, paddling, hiking, and camping experiences. Anyone who intends to take a trip to either will need to spend more time preparing than visitors to other typical public access waters. The Michigan State Park Back Country Guide can be found on the Michigan DNR Web site http://www.michigan.gov Under the camping and recreation section, use Craig Lake State Park in the search box. Sylvania anglers and visitors would be well-served to access this equipment and consideration check list as well. Since these areas' quality fisheries are maintained by special fishing regulations (in addition to more limited access), anglers need to read the appropriate fishing regulations in the Michigan Fishing Guide listed above. Depth contour maps for many of the lakes in this article can be found on the fisheries page of the Michigan DNR Web site.

If you really enjoy a remote and quiet outdoor experience with better potential for quality fishing, you should consider these unique fishery complexes. If you are willing to work harder at accessing your angling areas, and the overall wild experience is important to you, these are exactly the waters you are looking for. Most anglers and campers I know that utilize the two remote tracts, return to fish, paddle, and camp at them again and again.

Unique Remote Fisheries Units - Special Trophy, Fish for Fun, by Bill Ziegler

Michigan's Upper Peninsula has three special fisheries management units - Sylvania Wilderness Area, Craig Lake State Park, and the Big Island Lake Wilderness Area - that provide a more unique quality fishery than is typically found in normal state regulated lakes. The two covered in this article, Sylvania and Craig Lake, are the western most in the U.P.

Largemouth bass at the Sylvania Wilderness Area

The Sylvania Wilderness and Recreation Area is comprised of 34 Lakes which range in surface area from 9 to 820 acres and are located on 18,327 acres of the Ottawa National Forest in the southwestern U.P. Prior to the US Forest Service ownership the Sylvania Tract was a large private estate with very light fishing activity. After the US Forest Service acquired this tract in the 1960's, it has been managed with a semi-wilderness and eventually wilderness land management plan. After the initial fisheries assessment surveys by the Michigan DNR, the area was opened up to public angling under "trophy and fish for fun" regulations. Unfortunately, follow up fisheries surveys on Sylvania lakes indicated that the trophy regulations were not adequately protecting the quality size structure of original large and smallmouth bass populations, according to Michigan DNR Fisheries Research Biologist, Carl Latta. Because most of the Sylvania lakes have proved relatively sterile in terms of productivity, they can only support extremely limited fish harvest. Subsequently, regulations were changed at Sylvania to require any bass caught be immediately returned to the water. Other game fish continue to be managed under trophy regulations.

Camping at the Sylvania Wilderness Area is limited by the Forest Service to 50 designated camp sites through a permitting process. Generally, all waters must be accessed by non-motorized watercraft, and most people use canoes, kayaks, or hiking trails. The primary entry points are Clark or Crooked Lakes, and then anglers or paddlers portage to some of the other 32 lakes within the Wilderness. Access maps, portage information, camping regulations, and permits should be picked up at the Clark Lake Sylvania Entrance Station. Reservations for camping permits can also be made online at www.recreation.gov and select "Sylvania Wilderness Backcountry Camping". Baraga DNR Fisheries Biologist, George Madison, said "You will find a complete listing of the special fishing regulations for the Sylvania Wilderness area in the current "Michigan Fishing Guide". These include: restrictive minimum size limits on predator species like lake trout, walleye, and northern pike; no kill (catch and release) on large and smallmouth bass; use of only artificial lures with barbless hooks (barbs can be pinched down); and prohibition of all organic, preserved natural, or scented plastic baits.

In summary, almost all the Sylvania area lakes with viable fisheries have smallmouth bass. Of the 26 lakes with game fish, largemouth bass are found in 16. A handout listing species present in the lakes is available at the Clark Lake Sylvania Entrance Station and the Sylvania Visitor Center in Watersmeet, Michigan.

Clark Lake (820 acres) is one of the more popular Sylvania lakes for fishing partly because it has relatively more fish species and easier access (carry down). Lake trout were historically planted in Clark Lake and have maintained a viable population since that time according to Steve Drake, Sylvania Area US Forest Service Law Enforcement Officer. Lake herring (cisco) can also be found in Clark Lake, providing forage for the lake trout. Clark Lake is also noted for its small and largemouth bass, and the DNR surveys also found panfish such as sunfish and perch.

Crooked Lake, also popular due in part to its easier access (carry down), has a relatively diverse compliment of fish species compared to the majority of Sylvania lakes. Like most of Sylvania's lakes, Crooked has a large and smallmouth bass fishery. In addition, "northern pike are also found in good numbers," according to Drake. Crooked Lake is most noted for its panfish, including bluegill, pumpkinseed, crappie, and perch. There are still some decent bluegills although "the size structure has been cropped down some by heavy ice fishing" said Officer Drake.

"Walleye can be found in good numbers in 500-acre

Continued on next page

Yes! I Want to Partner with UPEC in Making a Difference!

Please complete, attach a check, and give to a UPEC board member or mail to UPEC: PO Box 673, Houghton, MI 49931

Or you can contribute on-line through justgive on UPEC's website: ***www.upenvironment.org/join-donate/***

I'd like to support UPEC's goals by enclosing a contribution for (please check one):

_____ ***Regular Membership ($25)***

_____ ***Supporting or Organizational Membership ($50)***

_____ ***Student/Low Income Membership ($15)***

_____ ***Lifetime Membership ($500)***

_____ ***Contact me - I want to volunteer!***

_____ ***Gift Membership (please provide person's name and mailing address on reverse side of this form)***

_____ ***In Honor or Memory of*** _____

* ***(Please mark correct category, and provide person's or family's name and mailing address on separate sheet of paper)***

Contributions beyond membership are suggested for these UPEC funds - (please indicate amount of donation)

_____ Environmental Education fund

_____ Community Conservation Grants fund

_____ UPEC/SWUP Mining Action Group (MAG) fund

_____ UPEC General Fund

To simplify accounting, all UPEC memberships are due Jan/Feb for each calendar year.

Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

E-mail: _____

Would you like to receive the quarterly UPEC via mail or email? (Circle one.)
Is this address a seasonal address?

Check your newsletter's mailing label for your membership status. Phone and E-mail information is optional - UPEC does not share members' contact information with any other organizations. Thank You for your support!

Whitefish Lake" and are self-sustaining, according to Drake. Some larger northern pike and smallmouth can also be caught. This lake has a forage base of sucker and perch along with mayfly and other aquatic insects. Access can be made by paddling across Clark Lake and Hay Lake to Whitefish with portages between the lakes totaling 0.5 mile, or from a spot about 0.75 mile from a county road parking area.

For better bluegill fishing, lakes (in addition to Crooked) Bear, Devils Head, Helen and Big Bateau have been observed by Drake "to be more productive than most of the other waters".

Craig Lake State Park, located in a rugged part of east central Baraga County, is 8,400 acres comprising six entire named lakes ranging in size from 32 to 358 acres. This is the "most remote state park in the system" according the MI State Parks Division. Craig Lake State Park is prized for its remote and wild setting by anglers, hikers, campers and paddlers who treasure solitude. Very near the site of the original "Michigan Moose Lift" relocation site, the park is good moose habitat, and bear, loons and other UP wildlife inhabit the area. State park officials recommend using a high ground clearance vehicle to travel the five-mile low maintenance access road to the park, which is off of US-41. There is a 0.2-mile portage trail to Craig Lake from the parking area. Hiking trails lead to the other lakes or you can portage from Craig Lake to two other lakes. Low maintenance roads off the main access road lead to parking areas on Keewaydin and Teddy Lakes. The only boat landing is found on Keewaydin Lake. Fishing, camp sites, and cabins must all be accessed by hiking trail or non-motorized boat. The Park has two cabins on Craig Lake and a yurt each on Teddy and Keewaydin Lakes according to Doug Barry, Van Riper and Craig Lake State Parks Manager. Reservations for these accommodations can be made online at the web site https://www.midnrreservations.com. Fishing regulations can be found in the Michigan Fishing Guide under Baraga County. Camping regulations can be found online or at the nearby Van Riper State Park office. In general, game (predator) fish must be released except retention of two walleye with a 15-inch minimum size limit each. Anglers are also limited to artificial lures, and with the exception of Keewaydin and Thomas Lakes, all water craft must be non-motorized.

The two most popular fisheries in the State Park are Craig and Crooked Lakes, said Doug Barry. Craig Lake is 358 acres with six islands and high granite bluffs. Craig has been most known for a remote muskie fishing experience over the last five decades. The muskie population that had been self sustaining had declined from its former strong fishery and has been supplemented by maintenance stocking of advanced muskie fingerlings in the last two years, said Darren Kramer, DNR Fisheries Supervisor in Escanaba. In the 1970's, Michigan's governor made several remote camping

Continued on page 9

Upper Peninsula Environmental Coalition
P.O. Box 673
Houghton, MI 49931

www.upenvironment.org

906-201-1949

Return Service Requested

**NONPROFIT
US POSTAGE PAID
DULUTH, MN
PERMIT NO 1003**

MARK YOUR CALENDAR...

Join us in celebrating Michigan's Upper Peninsula. Celebrate the UP; Sault Sainte Marie 350 is scheduled for the weekend of August 18 and 19 in downtown Sault Ste. Marie, Michgan. Unique presentations and outdoor activities are planned - it is free and open to the public. See: tlgsierraclub.org/celebrate

Dean Juntunen photo

About UPEC…

The Upper Peninsula Environmental Coalition has a four-decade track record of protecting and enhancing the unique environmental qualities of the U.P. through public education and monitoring of industry and government. UPEC and the more recently formed Mining Action Group seek common ground with diverse individuals and organizations to promote sound planning and management decisions for all the region's natural resources. U.P. Environment is published quarterly and available online to share with family & friends. Send your comments or contributions to:

UPEC - P.O. Box 673, Houghton, MI 49931
906-201-1949 upec@upenvironment.org www.upenvironment.org Facebook