

Woodlands Road – Wetlands Permit Application Analysis

Base Analysis

The Woodlands Road project as currently proposed by Kennecott Minerals and their partners, is a project with immense impact to virtually untouched wetlands and the wildlife they support. The 22.3 mile road is proposed to be a combination gravel/paved roadway that will be of a state highway size of 32 feet wide in actual driveable roadway, with a construction width of up to 72 feet or more which will include shoulders, berms, culverts and ditches.

The Wetlands Permit Application under file proposes wetlands fill impacts to 30.1 acres in the roadway which stretches from U.S. 41/28 in Humboldt Township north through Champion and Michigamme Townships. This equals 24,965 linear feet of filled wetlands with fill-width varying from 7 feet to 139 feet wide. 172 wetland sites will be filled/dredged along the way which equals 4.7 miles of wetlands along the 22.3 mile route.

Watersheds that will be impacted are the Escanaba, Dead, Michigamme and Yellow Dog River systems. The road will cross over 23 streams and rivers with six new concrete bridges being built along the way. These bridges vary from a width of 34.25 feet at the Yellow Dog River, Second River and Middle Branch Escanaba River; to 68 feet on the Dead River; and the Mulligan and Koops Creek falling in to the 54/56 foot width respectively .

The bulk of the real impacts will fall north of Wolf Lake in Champion Township in the Dead and Yellow Dog Watershed areas. This area, known as the Michigamme Highlands, is a wild region, where roads in the area are two track timber haul roads or ATV ruts in the northern reaches of the Highlands area. The Michigamme Highlands is the “headwaters” region for the Yellow Dog River, Mulligan Creek and Dead Rivers. These rivers, along with their many tributaries, flow from the McCormick Wilderness just a little over three miles from the proposed roadway. These three rivers are crossed by narrow 12’ bridges currently.

Wildlife in the Michigamme Highlands, as noted by the application, include a widely diverse range of mammals including the protected moose herds introduced in the region in the 1980’s. This herd has done well in the Highlands, mostly due to the region’s diverse habitat, extensive wetlands and remote nature.

Vegetation along the proposed roadway also demonstrates the diverse and unsullied wetlands necessary to support more rare species including the narrow-leaved gentian - which is a state protected flowering plant found in the thousands in the Michigamme Highlands. High density narrow-leaved gentian growth is found along most of the proposed roadway north of Wolf Lake – especially in the Wildcat Canyon, Mulligan Creek and Yellow Dog River areas.

Part 303 State Wetland Permit Requirements

1. Must be in the public interest
2. Permit would be otherwise legal
3. Permit is necessary to realize benefits from the activity
4. No unacceptable disruption of aquatic resources would occur
5. The proposed activity is wetland dependent or no feasible and prudent recommendations exist

Reasons to Deny Permit

Public Interest: While the roadway is purported to be the shortest route from the proposed Eagle mine site to the proposed Humboldt Mill site, will be open to the public and timber and aggregate interests, this roadway will open up a region to industrial traffic and significantly change a region that is known for its wild nature. Recreation such as ATV, snowmobiling, hunting, fishing and other recreation will be impacted by noise, dust and hundreds of vehicles per day along a little traveled two-track. Residents and camps and the area will have to compete with traffic to their homes or camps. Residents will have to deal with noise, dust and fundamental disruption to a life-style they have valued over the years. The Economic Boom of 200 or so jobs to the Marquette County area is not worth the destruction to this natural resource.

Permit is otherwise Legal: These Wetlands Permits would NOT otherwise be legal as the DEQ determined before their dissolution to the DNRE – that Kennecott would be required to submit and receive an approved amendment to their Eagle Mine Permit before this road could be built. Kennecott has not done so. This is a Kennecott haul road, paid for by Kennecott Minerals. Jon Cherry sits as the President of the Woodlands Road Partnership. Jon Cherry has signed all of the Wetlands Permit application forms. Kennecott Minerals has performed/sponsored the ecological assessment. This is a Kennecott road for hauling sulfide ores – it is not a legal Kennecott haul road.

Permit is Necessary to Realize Benefits: This road is not necessary to the mining of the Eagle Mine nor to the processing of the ore obtained by the mine. There are other ways to get to and from both sites. This road, and the wetland permits associated with it, are absolutely not necessary.

No Unacceptable Disruption of Aquatic Resources Would Occur: The fill of 172 wetlands most filled to the width of 50, 60, 70 feet wide along this roadway is an unacceptable disruption to miles of wetland habitats and the wildlife they support. Dust, alone, from this roadway will coat miles of forest and wetlands' vegetation where rare aquatic species like the narrow-leaved gentian exist. Miles of streams will be impacted by sedimentation and fugitive dust. Fisheries, macroinvertebrates, toads, frogs,

amphibians and the food they live on will be disrupted. The impact of sulfide ores being hauled along this roadway have not yet been assessed. Aggregate type to be used in the roadway has not yet been assessed. This region will be disrupted by more than a hundred large semi-size trucks a day on this roadway, passing through and by aquatic resources by the score, hauling ore, timber and aggregate. Large fuel trucks, construction trucks, workers in trucks by the score will pass through and by these aquatic resources daily. This an UNACCEPTABLE disruption of aquatic resources.

The Proposed Activity is Wetland Dependent: This is a haul road and is NOT dependent on Wetlands for its existence.

There are no Prudent Alternatives: Kennecott used the AAA/550/510 as their main basis for no alternative - citing public input, driving through populated areas and a longer route. They also chose the Dishno Road which goes through middle of the Mulligan Swamp citing more wetlands issues. They did NOT pursue the Huron Bay/Peshekee Grade alternative that had fewer wetlands disruptions and no populated areas to go through other than Champion - which would welcome the thoroughfare. The applicant did not NOT pursue all prudent alternatives.

Other reasons:

1. **Location and size** of roadway is not an acceptable in this region of one of the lowest road density areas in the state
2. **Reason** for the road is a sulfide mining haul road NOT a tote road for timber – thinly guised coalition led by Kennecott.
3. **Wildlife habitat fragmentation** – noted issue for many state wildlife programs, Great Lakes compacts, Binational forum, conservancies (TNC), LAMP etc.
4. **Endangered species** (gentian/wolf and others not identified by applicant) MNFI data incomplete due to lack of surveys in region
5. **Headwaters pollution** due to stream/wetland crossings to fisheries/recreation and the amount of traffic that will utilize the route
6. **Potential contamination** – fugitive dust, sulfide ore dust/spillage, aggregate to build road (not tested by wetlands permit applicant), blasting
7. **Lack of regulatory focus** due to DEQ/DNR restructure
8. **DNR Wildlife/Fisheries staff recommendations** against the proposal. They state:
 - Development of new roads leads to increase in habitat fragmentation,
 - Development of new roads leads to development of secondary roads creating a network across the landscape

- Introduction of invasive species
- Negative impacts to wildlife species due to increased noise
- Negative impacts to species richness
- All roads serve as a barrier or filter to some species, ie: amphibians/turtles
- Disruption of landscape natural processes such as groundwater flow, stream flow
- Increase in wildlife mortality

Project Facts

Road Length: 22.3 miles - U.S. 41/28 north to AAA Road – Mixed Paved/Gravel

Roadway Width: 36 foot roadway

Road Right of Way Construction Width: 60' to 72'+ (berms, culverts, ditches)

Paved Road Length: 7.2 miles

Stream Crossings: 23

Wetland Sites: 172

Wetland Fill Length: 4.7 miles

Wetland Fill Width: 48 sites exceed 70' wide with 10 exceeding 95' to 139' wide

Bridges: 6 Concrete Bridges 34 to 68 foot wide

Watershed Analysis

	<u>Escanaba</u>	<u>Dead</u>	<u>Michigamme</u>	<u>Yellow Dog</u>
Miles of Roadway	5	12	1.5	4.5
# Wetland Sites	30	117	5	20
Wetland Length/Feet	5,969'	14,934'	842'	3,320'
Wetland Feet Over 70' Wide	1,356'	5,389'	105'	1,099'
Widest Most Impact	82'W 283'L	136'W 334'L	86'W 105'L	139'W 291'L
Miles/Wetland Fill Percent	22%	23%	11%	13%