

Minefield

A Mining Resurgence in Michigan's Upper Peninsula Threatens the Environment and the Region's Tourism Industry.

BY *KARI LYDERSEN*

Chauncey Moran climbed as swiftly and sure-footedly as a deer up a steep hillside near the Huron Mountains in Michigan's Upper Peninsula. The pine and fir forest was blanketed in more than four feet of powdery snow, unblemished except for the tracks of Moran's snowshoes. A faint trickling was the only sound as twilight crept over the woods. Moran knocked away a frozen bridge of ice and snow to reveal clear, cold running water, one of the hundreds of springs and "seeps" that make their way into the Yellow Dog and Salmon Trout rivers and from there to Lake Superior.



Thomas Adolphs

Moran, 65 years old with a slight build and white mane, is better known by locals as "The Riverwalkerr." Sixteen years ago he retired from a high-paying job at GM, returning to the woods his Irish forebears called home. Living in a rustic cabin, Moran goes into the woods nearly every day, heedless of sub-zero temperatures or summer plagues of black flies, to collect water samples in the streams and rivers surrounding the town of Big Bay. He shares his results with state natural resources officials, who pay close attention when he reports an increase in metals, a decrease in nutrients, or some other notable finding.

Usually Moran's tests show little variation in the water, so pure that the locals drink right out of the springs. But this could change, drastically, if multinational mining giant Rio Tinto has its way.

In 2002 Rio Tinto discovered what it calls the country's richest deposit of nickel, along with copper and other metals, below the headwaters of the Salmon Trout River, which begins in the Yellow Dog Plains northwest of Marquette. By May 2011 the Rio Tinto subsidiary Kennecott Minerals expects to start mining the estimated 300 million pounds of nickel and 250 million pounds of copper there, worth billions of dollars. The company says the environmental impact would be minimal and the 120-acre site would be returned to a natural-looking state within two decades. In the meantime, according to project leaders hired by the Australian-based Rio

Tinto, the enterprise would create several hundred jobs and pump \$350 million into the local economy.

Moran and some other local residents fear a far different outcome. Since the metals are locked in sulfide ore that releases sulfuric acid when exposed to air and water, they think acid mine drainage would contaminate groundwater and the streams that make their way into Lake Superior. They know the roads and infrastructure Kennecott would build would tear up forest and wetlands. Diesel pollution and ore dust could permeate the air as trucks rumble through the woods day and night.

Kennecott representatives did not return calls and e-mails asking for a response to these concerns. But public testimony and published news reports make clear that opponents and proponents of the mine agree on at least one point: that a nickel and copper mine on the Salmon Trout River would be the first development in what could be a massive resurgence of mining in the Upper Peninsula.

In recent years, Kennecott and other companies have bought up thousands of acres of mineral rights and undertaken exploration for copper, nickel, and other metals, including uranium. The Eagle Project, named for a steep peridotite outcropping called Eagle Rock, would be the United States' only mine devoted to nickel. The company plans to blast and tunnel into Eagle Rock to reach the ore deposit half a mile away. At least one other proposed mine, Aquila Resources' "Back Forty" project, near a tributary of Lake Michigan, is in the early stages of permitting to mine gold, zinc, copper, and silver. Another company, Bitterroot Resources Ltd., is exploring for uranium over a wide swath of the Upper Peninsula and has drilled at least 24 exploratory cores in the past three years over a 56-mile-long area.

If mining is allowed to continue relatively unchecked, residents foresee the lush forests, rugged Great Lakes coastline, and clear rivers that draw anglers, skiers, and snowmobilers to the region replaced by clear-cut swaths littered with heavy machinery, transient worker housing, piles of waste rock, and other signatures of a mining district. They fear their beloved woodlands will be transformed into an industrial landscape.

So for the past eight years they have been fighting like hell to stop that from happening.

Cynthia Pryor, a native of lower Michigan who now lives in the woods outside Big Bay, always dreamed of leaving her corporate life in Florida and then Texas and moving to the UP, as residents call the Upper Peninsula. In 1992, she and her husband purchased land west of Big Bay and built a cabin powered by wind and solar. She quickly embraced an idyllic existence of cross-country skiing, hiking, and exploring. But just a few years after the move, Pryor, Moran, and other locals heard about the state government's plans for a large timber sale on the banks of the Yellow Dog and Salmon Trout rivers. They banded together and managed to stop the sale, founding the grassroots conservation group [Yellow Dog Watershed Preserve](#). They obtained nonprofit status and began buying up pieces of land along the headwaters to protect them from development.

Pryor was chair of the watershed preserve in 2003 when the group heard about Kennecott's Eagle Project plans. The organization snapped into action, quickly teaming up with Michelle Halley, an attorney for the [National Wildlife Federation](#), and the Huron Mountain Club, an exclusive outpost of cabins and boathouses, which once counted Henry Ford among its members. Two years later, residents of Marquette, a college town about 40 miles from the mine site, founded the group [Save the Wild UP](#). Other activists formed the direct action-oriented group [Yellow Dog Summer](#), inspired by the Freedom Summers of the civil rights movement.

Fighting the mine became a nearly full-time occupation for many of them. They attended public meetings Kennecott hosted about the plan, asking tough questions and never getting satisfactory answers. They spent countless hours researching the complicated patchwork of mineral rights ownership in the region to find out where mining companies had purchased rights, leased land, or filed for exploration permits. As the extent of Kennecott's plans became clear, they went into overdrive. They scoured the plan the company filed with the state, and hired an expert to analyze it. They filed freedom of information act requests. They wrote letters to the editor and lobbied local, state, and national politicians. They developed relationships with activists who had successfully defeated proposed sulfide mines in Wisconsin. And they constantly surveyed the area, keeping tabs on Kennecott's activities by foot, snowmobile,

cross country ski, and small plane. On behalf of the residents, Halley filed challenges to the company's state mining and groundwater discharge permits, and a lawsuit charging that the state Department of Natural Resources violated the public trust when it leased state lands to Kennecott for the mine's surface facilities. That suit is still pending in the state's court of appeals.

"The crux of it is whether the state violated their public trust responsibility, their responsibility to manage public resources for the public good," Halley said. "Our view is it's not in the public interest to allow a private entity – Kennecott – to fence off 100 acres of state land so a private company can line their pockets."

Meanwhile Kennecott kept moving forward with its plans, with the tacit or vocal support of most local and state politicians.

Mining is hardly a new industry in the Upper Peninsula. Copper and gold mines dotted the area from the mid-1800s through the mid-1900s and at one point supplied 90 percent of the country's copper. Hardy Cornish, Irish, German, and Scandinavian miners would descend into the earth each day, equipped with primitive equipment and doughy, meat-filled "pasties" to sustain themselves during hours of grueling labor. Metallic mining dropped off in the decades after the World War II boom due to falling metal prices, safety concerns, and shifts in global industry. In the southern part of the Upper Peninsula, iron mining is still robust. The mines there produce iron ore that is shipped through the Great Lakes to steel mills around the heartland and even out the St. Lawrence Seaway to foreign ports. In the working class bars of towns like Ishpeming and Negaunee, not far from the proposed Eagle Project mine, nearly every man has either worked in the mines or has family and friends who have. Many people welcome a resurgence of mining in a state with unemployment topping 16 percent.

But opponents say a mining renaissance would not only harm the environment: It could also inhibit the one growth industry that has thrived as Michigan's manufacturing base has disintegrated – outdoors tourism. The slogan "Pure Michigan" is seen on billboards and heard on broadcast ads from Minneapolis to Chicago, a tagline that promotes coastline on four of the lakes and countless fishing streams and rivers. As the most remote and forested part of the state, the Upper Peninsula is in many ways the centerpiece of Michigan's tourism industry. If its streams are polluted, forests clear-cut, and unpaved back roads turned into major thoroughfares, opponents say, outdoors tourism and the jobs it creates would be strangled.

"People who think they can still do their hunting and fishing and have this mine are wrong," said Save the Wild UP co-founder Babette Welch. "This is going to be Gary, Indiana. Once they get one mine in, they'll tear this whole place up."

Halley notes that the permitting process and eventual outcome of the Eagle Rock project will largely determine whether or how new mining proceeds in the region as a whole. As Eagle Rock goes, so goes the rest of the UP.

"Other projects will be seeking permits no matter what happens with the Eagle Project," she said. "The important thing is that Eagle Project is setting the bar for the applications that will be accepted, the permit conditions put on projects, how regulations will be applied, how they will be enforced. So far it's been an abysmal failure on all those fronts."

In early 2007, the Michigan Department of Environmental Quality (DEQ) issued preliminary permits to Kennecott and opened a public comment period on the mine proposal. The Eagle Project suffered a setback that spring when the National Wildlife Federation proved that state officials had suppressed a consultant's report saying the mine roof was prone to collapse. That led DEQ director Steve Chester to revoke the permits and put the process on hold.

Opponents felt it was a big victory, but they knew Kennecott wasn't giving up. As the company quietly re-crafted its proposal, the different groups worked tirelessly on their own strategies. In 2008 and 2009, Yellow Dog Summer brought activists from around the country to walk solemnly from the Salmon Trout River headwaters to Eagle Rock, where they held spiritual ceremonies.

Meanwhile Welch, Pryor, and other activists drafted a ballot initiative that they hoped would create a state law essentially banning sulfide mining. Called "MiWater," it would have placed strict restrictions on new metallic and uranium mining in Michigan, partly by forcing companies

to prove similar operations have been carried out elsewhere without contaminating water. Wisconsin already has a similar law on the books. Politicians, local business leaders, and Kennecott officials opposed to the ballot initiative said it would destroy the state's mining industry as a whole. But proponents stressed it would not affect the state's existing sand, gravel, and iron mining operations, which do not typically involve acid mine drainage. In December 2009, the Marquette city commission, which had previously voiced support for the initiative, called it "unnecessarily inflammatory" and voted not to endorse it. In the face of increasing opposition from politicians and business leaders, the activists decided to table the effort.

They say the city commission's shifting position on the ballot initiative is just one example of how peer pressure and petty politics have played out in sometimes ugly ways since the mine controversy began. As in the oil-rich Latin American jungles or Appalachian coalfields, the issue has bitterly divided the close-knit communities of the UP, turning neighbor against neighbor. There have been harsh words, suspicious glances – and even violence.

Last year, Cynthia Pryor's husband was beaten bloody and left facedown in the rain outside their cabin, attacked by men who asked him if he was "against the mine." She said: "It's just changed everybody, the community spirit. The love is gone; it's really sad."

After Kennecott extracts ore from the mine, it plans to crush it near the site and then transport it 22 miles south to the Humboldt Mill, previously used to mill iron and then gold, but closed since 1985. To do this, the company will need to build a wide road through forest and wetlands. Opponents have fought vociferously against the so-called Woodland Road, arguing it would create extensive noise and air pollution, ruin trails, and bisect important wildlife habitat. The state still needs to issue permits for road construction. The US EPA, US Fish and Wildlife Service, and Army Corps of Engineers have signed letters opposing the road's construction through wetlands. If the state grants permits anyway, it is unclear if the federal agencies will take action.



Matt Girvan

Opponents say the Woodland Road would bisect wildlife habitat.

The opponents' biggest fear is the risk of water contamination from the mining operation itself. Kennecott has vowed there will be no acid mine drainage, with all tailings (waste rock) stored in high-tech, lined pits. Mining opponents don't believe it, and note that Kennecott has allocated only several thousand dollars a year for a limited number of years to monitor possible acid mine drainage or other environmental effects. Kennecott officials have frequently touted its mine in Flambeau, WI as an example of how it will clean up the Eagle Project site. While Kennecott claims the Flambeau site is fully remediated, tests have shown levels of manganese in groundwater increased up to 100-fold and crayfish and other animals downstream have high levels of heavy metals in their flesh. The EPA has also charged

Kennecott with illegally discharging diesel and contaminated mud into a creek near its controversial Greens Creek gold mine in Alaska.

"They're going to do it the least expensive way they can do it, and this isn't their turf, so they don't care how they leave it," said Ursula Stock, owner of the popular Sweetwater Café in Marquette. "This is a moral issue; this land and water is our responsibility. It's like you have this beautiful, 14-year-old daughter, young, hopeful and a virgin, and this guy drives up in a big fat limo and says 'I'll buy her, and I'll even bring her back when I'm done.'"

But where Stock and Pryor see an idyllic wilderness, many other residents see an endless struggle to survive on odd jobs and dwindling savings. They welcome any economic infusion.

At the Iron Inn in Negaunee, a working class town 10 miles from Marquette that is home to many iron miners, patrons say the Eagle Project and other new mines are needed to give young people a way to stay in the area. "Everyone's glad it's coming," said 25-year-old bartender, Sara Rechsteiner, on a February night. "For people my age there are no other jobs, there's only so many roofs you can shovel. We're homebodies, we want to stay here. But without jobs, what can we do?"

Patrons Tim Bertucci and his wife Cheryl agreed. Bertucci used to work in the nearby Ropes gold mine, closed after a cave-in that happened on New Year's Eve in 1987. The job was exhausting and dangerous, and Cheryl always wondered if her husband would make it home. But Tim loved it, especially when he was alone in the otherworldly shafts as they glowed an eerie green. Given his experiences, he has no confidence the jobs will be well paying or safe, and he has little trust in companies to protect the environment. A recreational angler, he talks wistfully of the days when the local streams overflowed with trout. Now the fish numbers are fewer, he thinks, because of contamination from past mining. Nonetheless, he feels Kennecott's plans are inevitable, and that the economic boost is needed.

"I always fished the Yellow Dog and Salmon Trout rivers. They were so great and beautiful, I'd hate to see something happen to them," said Bertucci, 50. "But you've got to understand that all the young people need work."

Marquette County Board Chairman Gerald Corkin also welcomes the mine and the several hundred promised jobs. "This will be a really good thing for the UP," said Corkin, whose grandfather was an iron miner. "There's plenty of room for hunting and fishing. We've had mining in the UP for 160 years. It's part of our heritage. It helped to raise a lot of good families."

In letters to the editor and public meetings, mine supporters have harkened back to the days of mining jobs that allowed families to send kids to college and retire with healthy pensions. But opponents point out that the mining industry is vastly different today. The process is highly automated, which means that significantly fewer workers are needed. Also, mining companies typically fight to prevent unionization. Non-union mines are notoriously more dangerous than unionized mines, and wages and benefits are typically poorer. Rio Tinto has gained international attention for a bitter labor dispute with hundreds of borax miners in California, who were locked out in January 2010. "Rio Tinto's not going to come in and pay scale, they'll try to get the cheapest labor they can," said Isaac Ybarra, one of the California miners, when told about the Eagle Project. "They're a multi-billion-dollar company and they treat us like third-class citizens."

And Rio Tinto is notorious worldwide for allegations of human rights abuses against its workers and local residents. The company has been blamed for knowingly exposing miners to uranium in Namibia; fueling a bloody civil war in Papua New Guinea; and burning down villages, poisoning water, and detaining protesters in Indonesia. The Web site [CorpWatch](#) called the company "a poster child for corporate malfeasance."

"Is this the kind of company we want in our community?" Welch asked.

In early 2010, Kennecott's permits were suddenly granted in a series of events that opponents see as highly suspicious. State DEQ director Chester stepped down and the interim director delegated the Kennecott decision to a policy advisor who granted the permits within weeks, just days before the new long-term director was to take over.

“There were 42 volumes worth of testimony. There’s no way he could have digested the record and made his own decision in two weeks,” Halley said. “The agency kept up with this ham-handed approach of getting to the conclusion they wanted.”

Kennecott didn’t waste any time getting to work. By early April, construction equipment was staged near Eagle Rock – despite the fact that the US EPA was still deciding whether the company needed a federal permit for wastewater injection. Correspondence that Halley uncovered between the EPA and Kennecott shows the company essentially ignored the EPA’s repeated requests for information between 2006 and 2009. In April 2009, the chief of the underground injection control branch of EPA wrote Kennecott demanding information so the federal government could decide whether the mine might endanger drinking water. Without waiting for the agency’s decision, Kennecott itself declared it did not need this permit, and created its own “certified documents” to this effect. Based on these documents, state officials allowed construction at the mine site to begin.



James Phelps

A mining boom could inhibit Michigan’s tourism industry.

“Kennecott is such a powerful company, they assume they can just do what they want and the EPA will go along with it,” said Yellow Dog Summer organizer Gabriel Caplett. “And all the other mining companies are watching this. They must be pretty excited to see how Kennecott has basically gotten everything they want.”

As Kennecott massed construction equipment at the site, local activists intensified their protests. On April 15, as Rio Tinto shareholders in London were facing harsh questions about the project, about 40 Yellow Dog Summer activists gathered in the pre-dawn darkness at Eagle Rock for a day-long protest. Five days later, on April 20, Pryor made her usual trek to Eagle Rock to see what Kennecott was up to. She found a bulldozer preparing to clear trees around Eagle Rock. She sat down on a stump to watch, on public land now leased to Kennecott. She refused a Kennecott security guard’s request that she leave, and soon state and local police arrived. She was arrested and charged with misdemeanor trespassing, carrying a possible 30-day sentence. She refused to post bail and spent several days in jail. Activists say the arrest, which got much local media attention, has reinvigorated opposition to the mine.

“For people who were the silent majority, sitting behind the fence or who had just given up, all of a sudden there’s this feeling that this isn’t over yet,” she said. “Groups just got really activated again, people who were at the end of their rope all of a sudden got back in the spirit.”

Pryor, Welch, and other residents leading the battle stress that they never set out to be activists. “I never knew I’d spend my retirement fighting a mine,” Pryor said with a rueful laugh. “For me this really comes down to community self-determination. The government and mining companies say this is going to happen, and present it as if it’s a done deal. It’s right out of the global mining playbook. So to have people stand up and just say ‘No’ is really something.”

Moran likewise does not necessarily view himself as an “environmentalist.” He is not opposed to mining as an industry and he gets along well with some of the Aussie Kennecott contractors. He says he has no problem with most of the logging that has long defined the area. But he sees himself as both a scientist and a spiritual guardian of the natural lands that he loves, and both his head and his heart tell him mining should not be done amid the fragile marshes and forests of the Yellow Dog Plains.

As twilight fell after one of Moran’s typically busy days collecting water samples in February, he paused beside a small waterfall tumbling under crystalline chandeliers of ice. He looked elfin in the deep snow and long shadows cast by milky moonlight. It is hard to believe he and the relative handful of other residents can defend this peaceful landscape against a gigantic company that has torn up rainforests and deserts around the world. But with the steadfast composure of a monk, Moran said he is undaunted.

“They thought no one was here, then this ragtag bunch of people jumped out of the bushes,” he said. “This is my calling. I’m here to speak for the rivers.”

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On Sacred Land

From Australian Aborigines to Navajo in the southwestern United States to Aymara in Bolivia, Indigenous people have for centuries suffered from what has been called the “resource curse”: the often-deadly combination of living over rich mineral deposits while at the same time struggling with political disempowerment. The result is that many Indigenous peoples have little say over how deposits are mined and often suffer severe health and environmental consequences when these deposits are extracted.

This is the case in the Upper Peninsula, where much of the land targeted for mining exploration or extraction is home to or considered sacred by Native Americans. Eagle Rock is a sacred ceremonial spot for the Keweenaw Bay Indian Community, an Ojibwe tribe. The tribe has tried to block Kennecott from drilling on its sacred grounds, but a county court shot down a request for protection.

During the Rio Tinto board meeting in London on April 15, tribal member Jessica Koski asked Rio Tinto board chairman Jan du Plessis and other executives if they would “commit to not destroying our sacred place so we can continue practicing our religion and reinforcing our relationship to the sacredness of Mother Earth.” Du Plessis and CEO Tom Albanese responded that they would take her concerns seriously, that the company prides itself on how it deals with local communities, and that all laws would be followed and best practices instituted. Koski was not impressed.

“Their response to the protection of Eagle Rock assumed that we would be fine with them simply relocating the mining operation slightly off to the side of Eagle Rock,” she e-mailed from London, where she was stranded for days by the volcanic eruption in Iceland. “However, they did not consult and ask my tribe whether or not this would still affect the use of the sacred site. How may we participate in a vision quest or ceremony at Eagle Rock with blasting, loud trucks and dust blowing around right next to us? How will we gather medicines, strawberries and blueberries if the land is contaminated? How will this affect future generations?”

The Ojibwe especially fear the potential start of a uranium mining industry in the region. Uranium mining in the United States ground to a halt about two decades ago after prices dropped and health effects to mining communities became known. But renewed interest in nuclear energy has sparked fresh interest in uranium, and some UP residents fear uranium exploration and mining in their state could leave them with the same serious water and soil contamination, and cancers and kidney diseases suffered by Navajo miners and families.

Not far from the UP, on the northern shores of Lake Huron in Canada, Indigenous people of the Serpent River First Nation also suffered severe health and environmental effects from a uranium mining boom in the 1950s through the 1980s and fought bitter battles against uranium extraction and milling as well as against a sulfuric acid plant. As detailed in a 2003 book published by the tribe, the Serpent River people saw their once pristine river poisoned by uranium and sulfuric acid. Government officials warned them not to drink the water or eat the beaver and other traditional food sources they had once relied on. Many still did, which they think now explains high rates of strange cancers.

Koski said Indigenous people from other countries where Rio Tinto operates, including West Papua, Madagascar, and Mongolia, also attended the annual meeting. “I was able to witness how the company operates and fails to respond to Indigenous rights concerns from around the world,” she said. “The biggest thing that bothers me is their disregard for local people’s self-determination and perceptions of environmental protection.... This is our territory, ceded homelands, and public land, and the ideology of colonization needs to end.” – KL

