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**FOR IMMEDIATE RELEASE**

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**Bad River Watershed Association concerned over Bulk Sampling Application**

It is the policy of the Bad River Watershed Association to be neutral regarding specific industry operations within the watershed, whether it be farming, logging or mining. However, we remain strong advocates for the protection of the quality of water and the communities supported within the watershed by a healthy vibrant ecosystem. We strive to promote community-wide responsible management and use of public and private lands and waters. Our strengths are in developing a knowledge base necessary for deeper understanding of the regional ecosystems and the effects of human activity on those systems. And we serve as a pro-active community forum for education, coordination and decision making affecting the resources of the watershed.

We are concerned by the prospect of an open pit ferrous mine within the Tyler Forks and Upper Bad River sub watersheds. During the legislative process, which resulted in passage of the ferrous mining bill, we voiced our opposition to those changes that reduced environmental protection and community input.

With regard to the bulk sampling permit application submitted by Gogebic Taconite LLC on July 28, 2013, we have several specific concerns:

- 1) As noted in the Department of Natural Resources own August 13, 2013 letter to Gogebic Taconite LLC, there are several deficiencies in the application, notably the lack of a storm water plan, the discrepancy in target tonnage, the avoidance of sampling for what are well documented sulfide bearing rock in both the Yale formation and the overburden, and the avoidance of acknowledging the known presence of asbestiform minerals in the area. In addition, the company offers insufficient explanation for how surface erosion will be managed. Potentially affected water systems are vulnerable to surface disruption and water changes.
- 2) While Gogebic Taconite LLC has stated that blasting may not be performed, use of explosives has not been ruled out. The explosive material listed is ANFO, a mixture of ammonium nitrate and fuel oil. Ammonium nitrate is very water soluble and has the potential to contaminate surface and ground water if not handled properly. The Penokee Hills is a very water-rich area, and the company does not give proper response as how to maintain avoidance of the water resources.

3) The Tyler Forks sub watershed contains 85.6 miles of designated Trout Streams and 40 miles of designated Outstanding/Exceptional Resource Waters (O/ERW). The Upper Bad River sub watershed contains 103.7 miles of trout streams and 53.9 miles of O/ERW. Combined, this is 31% of the trout waters and 25% of the outstanding and exceptional resource waters in the Bad River Watershed.

Outstanding/Exceptional Resource Waters are designated as the State's highest quality waters. These waters provide outstanding recreational opportunities, support valuable fisheries and wildlife habitat, have good water quality, and are not significantly impacted by human activities. As such, these designations are intended to meet federal Clean Water Act obligations requiring Wisconsin to adopt an "antidegradation" policy that is designed to prevent any lowering of water quality. Designated waterways potentially impacted by mining activity include Tyler Forks River, Bull Gus Creek, Ballou Creek and Devils Creek.

For 11 years the Bad River Watershed Association has been collecting water quality data within the watershed. Through our continuous temperature monitoring, we have identified several cool- and cold-water streams in the Penokee Hills. Some of these streams are not included in the WDNR Surface Waters Database and are not currently mapped. We believe additional valuable coldwater streams exist in the area, but data have yet to be collected. Our temperature data are available in the WDNR database "SWIMS". These cool- and cold-water streams feed into the high quality waterways to help maintain temperatures and support fish and wildlife habitat.

4) Finally, the Public Trust Doctrine codified in the Wisconsin State Constitution is the bedrock for the protection of the rivers and lakes that are held in public trust for all citizens of Wisconsin. The court has ruled that Department of Natural Resources staff, when reviewing projects that could impact Wisconsin lakes and rivers, must consider the cumulative impacts of individual projects in their decisions.

*Our navigable waters are a precious natural heritage, once gone, they disappear forever, wrote the Wisconsin State Supreme Court justices in their opinion resolving Hixon v. PSC.*

The Bad River Watershed Association believes that without careful consideration or proper planning in such an environmentally sensitive area, development of mining on this scale would create the potential for catastrophic impact to the integrity of wetlands, the quality and quantity of water, and the diverse communities living within the watershed. We will continue to monitor the development of this mining application process and trust that the Department of Natural Resources will faithfully execute its duty to the citizens of the State of Wisconsin to safeguard and protect our precious water resources.

Written comments can be sent by mail to: Larry Lynch, DNR, 101 S. Webster Street, Madison, Wisconsin 53707, or by e-mail to: DNRWAMINING-GOGEBICTACONITE@Wisconsin.gov.

The Bad River Watershed Association is headquartered in Ashland, Wis. Founded in 2002, BRWA works to promote a healthy relationship between the people and natural communities of the Bad River watershed by involving all citizens in assessing, maintaining and improving watershed integrity for future generations. More information about the Bad River Watershed Association is available at [www.badriverwatershed.org](http://www.badriverwatershed.org).

We hope that Wisconsin citizens will take an active role in communicating their opinion on matters that affect our waters.

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