

Lansing City Pulse

Granholm and the environment

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Unless Jennifer Granholm is taken up bodily by a new Democratic president next year, environmentalists have three more years to work with Michigan's governor. In spite of this political reality, "pretty good" is about the most favorable rating you get when you ask the state's environmental leaders to rate her 5-year-old administration.

The worst reaction is a gut-punched grunt.

Lana Pollack, president of the Michigan Environmental Council, gave the "pretty good" grade. "There's room for improvement, but in comparison with the destruction that [former Gov. John] Engler wrought, she's stellar," she said.

The grunt came from Michelle Riddick, spokeswoman for the Saginaw-area environmental group Lone Tree Council.

"After so many years with John Engler, we had very, very high hopes for Governor Granholm," she said. "Am I disenchanting? Ooof."

Last year, while the executive wrangled with legislators over the state budget, environmental stewardship in Michigan hit such a low-water mark in the state that in two high-profile cases, an unlikely savior — the Bush administration — stepped in to protect local resources from state action or inaction. In the rivers and neighborhoods of the Midland area, the federal EPA moved last year to hasten clean-up of dioxin contamination. On the state's west coast, the National Parks Service intervened last fall to stop a lakefront park serving the struggling community of Benton Harbor from becoming a pricey golf course — part of a development scheme the Granholm administration enthusiastically supported, and still hasn't dropped.

Governor Granholm referred to alternative energy and protecting the Great Lakes against diversion in her 2008 State of the State speech. "I am always impressed by the governor's ability to deliver a very good speech," Lisa Wozniak, executive director of the Michigan League of Conservation Voters, said. "She was lacking in substance when it came to the issues we care most about." (Courtesy photo)

Meanwhile, at the remote northern end of the state, where the feds are unlikely to send the cavalry, another environmental firestorm came to a head last year. Thanks to a green light from the state's Department of Environmental Quality, the Upper Peninsula may soon be home to a controversial mining technique that has not yet failed to bleed sulfuric acid into the surrounding land and water. This time, the engineers say, it will be different, and the state is gambling some of its most pristine waters and wilderness on the claim. The first such mine, and six more like it, are now poised to dig in.

Between these flash points, from shore to shore, concerns are mounting over the state's basic stewardship of its land and water. Environmentalists say the reach of the state's regulatory agencies is shrinking as the executive branch defers to companies such as Midland's Dow, Benton Harbor's Whirlpool or Kennecott mining in the Upper Peninsula at the expense of the state's basic resources.

The Milliken shadow

Some of the state's leading environmentalists are careful to point out the bright spots in the Granholm record. Pollack is pleased the governor put alternative energy at the center of her State of the State address last week.

"We're slow, we're late, but at least in her second term she's been a leader on it," she said. "That's huge."

James Clift, Pollack's colleague and a policy director at the Michigan Environmental Council, said Granholm has "a few things she can put in her hat," such as ordering a 90 percent reduction in mercury emissions in 2006 and pushing for a 2005 law aimed at protecting the Great Lakes from invasive species.

Environmental advocates and conservationists who are retired or have moved from the state have little reason to mince words when assessing the governor's record.

Howard Tanner was director of the Michigan Department of Natural Resources for Gov. William Milliken from 1975 to 1983 and is generally credited for bringing the Coho salmon fishery to the Great Lakes. After leaving office, Tanner taught for a decade in the fisheries program at MSU and said he "has been fishing ever since."

After Tanner supported Granholm as a candidate for governor in 2003, she asked him to head a task force on chronic wasting disease in deer and elk. Tanner worked in her office six months while preparing a final report, and has carefully followed the administration since.

"I'm impressed with her intelligence and her diligence, but she certainly doesn't apply it to conservation and the environment," he said. "I see no evidence she pays much attention to that area."

Tanner, thawing out in his Lansing home after an ice-fishing trip, said the state's most prized resources — "clean water, clean air, 6 million acres of publicly owned lands, and well cared for lakes and streams" — are getting short shrift while the governor makes her alternative energy push. "We've got more algae washing up on the beaches, the Great Lakes fishery is in serious jeopardy and desperately needs attention," he said. "The Department of Environmental Quality is badly underfunded, and the inspection necessary to keep industry and municipalities and all sources of pollution well policed just isn't happening."

Granholm spokeswoman Liz Boyd said the governor "completely rejects" that view.

"There is little doubt that businesses are taking a more pro-active role in insuring our environment stays protected," Boyd said. "When there are problems, the DEQ has been aggressive in insuring that those who would threaten our natural resources are held accountable."

Tanner said the executive and legislature can hand down all the directives and laws they want, but little will change without enough enforcement muscle.

"The inspections are pitiful," Tanner said. "Years go by and places are not inspected. I understand it's not all the governor's fault, but neither has she attempted to lead us in these things."

Environmentalist Dave Dempsey was an adviser to former Michigan Gov. James Blanchard from 1983 to 1989 and the biographer of his Republican predecessor, Millikin, who was known for his environmental leadership. Dempsey says it takes both executive and inspirational leadership to mobilize support for protecting the environment. He says he has not seen that yet from Granholm when it comes to the environment.

“I always found her courteous and interested, but I haven’t gotten the sense that there’s been a real commitment to developing a strong environmental policy,” says Dempsey, an avid Granholm supporter in her first race for governor. “To date — and she still has three years left — there’s been something missing from the core of her conservation and environmental positions.”

Dempsey recalled how Milliken dragged a “Michigan Outdoors” reporter on a hike through the Pigeon River State Forest in 1975, carrying the reporter’s camera when the going got muddy, to highlight the beauty of a natural area threatened with proposed oil and gas drilling.

By contrast, Granholm has not visited the dioxin-plagued Tittabawassee River area since her first gubernatorial campaign. The Salmon Trout, the endangered river in the Upper Peninsula where the newly approved sulfide mine is set to break ground, has yet to be graced by the gubernatorial presence.

Tanner recalled his years of service with Milliken with pointed fondness. “He understood that if it’s good for the resource, it’s good for people,” he said. “I was naïve enough to think that’s how governors were. I found out differently.”

Undying dioxin

When Granholm took office in 2002, one of the most persistent and politically thorny environmental challenges she faced was the longstanding effort to sample, measure and clean up widespread dioxin contamination in the Saginaw Valley area. The federal EPA lists dioxins, a by-product of chlorine-based products, as “highly toxic compounds that pose serious risks to human health and the environment.” In a typically worded Nov. 11 news release, the EPA explained that the contamination comes from “past waste disposal practices, fugitive emissions and incineration at Dow,” resulting in “contamination both on- and off-site.”

Since dioxins were found in fish in 1978, a series of investigations revealed that the affected area takes in the city of Midland, along with 52 miles of river, thousands of homes, backyards and public parks and farm fields.

To make matters worse, the Tittabawassee River is prone to frequent flooding and churns up the contaminants, spreading them along the banks and out to Lake Huron.

Dow, Midland’s dominant employer, had a history of resisting testing and cleanup, especially in Midland itself.

Riddick said Granholm started off “very well,” organizing a community action group involving the environmental community, river residents, the mayor of Midland, and area businesses. “It was a good mixed bag of people who were for Dow, against Dow, and sitting on the fence,” Riddick said.

But in 2004, the administration switched gears, negotiating directly with Dow to produce a framework agreement to deal with the problem.

Boyd said the tripartite negotiations among the DEQ, Dow and Democratic Lt. Gov. John Cherry finally got the company to move and increased the number of samples taken from local soil and sediment from a “handful” to “thousands.”

“It’s given everyone a far more complete understanding of the problem than has existed before,” Boyd said.

But Riddick was outraged that the community action group was pushed out of the picture. “The contamination of the public process, going behind closed doors for eight months, was as bad as the contamination itself,” she said.

Riddick was quick to add that Michigan’s DEQ meant well, but was “derailed” by the new negotiation process. “Like anything else, politics get in the way,” she said. “The governor has had a very receptive ear to Dow Chemical.”

Although the Michigan Environmental Council’s Pollack is not as critical of the governor’s environmental record in general, she agreed on this point. “I’ve heard her appraise Dow as being honest and truthful and wanting to get to the bottom of things, and that’s not the assessment the evidence has put forward,” Pollack said.

Whatever the merits of the administration’s new negotiation path, the matter dragged on until summer 2007, when Dow’s own technicians discovered the highest dioxin levels ever found in the Great Lakes at the convergence of the Tittabawassee and Shiawassee rivers, near a Saginaw park.

In November 2007, the federal EPA stepped in to order an “emergency cleanup” and sent Dow legal notice of potential liability.

Dempsey said the intervention was timely.

“I witnessed a press conference in 2002 where candidate Jennifer Granholm said she was going to hold Dow accountable and make sure the health of the people in the Tittabawassee River watershed was protected,” he said. “I watched in the following four years as Dow successfully stalled any significant action.”

Boyd characterizes these years as a period of careful planning and not delay.

“We understand the concern among some area residents about the pace of the cleanup, but in a project of this magnitude there are no easy answers, and we’re not going to justify any shortcuts,” she said.

Dempsey said it was the “ultimate irony” that the Bush-era EPA had to rescue the state.

“It’s pretty bad when the EPA is ahead of the DEQ,” Pollack agreed.

No walk in the park

The governor inherited the long-stewing dioxin mess, but the same can’t be said for last year’s fight over Jean Klock Park in Benton Harbor, a 91-year-old swath of public shoreline in impoverished Benton Harbor.

A developer with ties to the Whirlpool Corp., the area’s dominant employer, announced plans to use parts of the park for a Jack Nicklaus Signature golf course as part of a larger development including condos. Only a golf course with spectacular, scenic views of the lake would draw the high green fees the developer sought.

Granholm came down with both feet in support of the development, only to set off environmental and social landmines. The park includes a half-mile of Lake Michigan shoreline, and hosts a rare convergence of three important ecological habitats: dunes, marsh and wetlands. On the social scale, the project hit sour notes of class and racial insensitivity. The predominantly black population of Benton Harbor had enjoyed the park for generations, using it not just for exercise and solitude, but also for weddings, reunions, and baptisms. The

prospect of golf — at \$200 a pop — somehow didn't make up for acres of lost dunes, grass and shoreline.

Again, the feds stepped in. Last October, the U.S. Interior Department, through the National Park Service, sent a letter to the Michigan DNR denying the land conveyance.

The letter told the DNR that even though the lease agreement purported to convey a portion of the park, it chopped the land into such small, inaccessible segments that it amounted to a perpetual transfer of “the entire Jean Klock park.” The letter further spanked state officials for skipping a 30-day public comment period.

“[The DEQ] skipped a lot of steps, and the DNR skipped a lot of steps,” Pollack said.

The Detroit News reported that the state offered funding and tax incentives worth more than \$120 million to the project.

“This is not about a golf course,” Boyd said. “This is about a community revitalization effort that happens to include a golf course.”

Boyd said the governor wants to partner with communities like Benton Harbor “that are anxious to lift themselves up.”

“We are working to address all the issues that have been raised by the community and the National Park Service, but the bottom line is, the Harbor Shores program will benefit the city's residents,” she said. The development is back on the drawing board.

Mine, not yours

Environmentalists don't agree on every issue — the efficacy of water diversion bills working their way through the state legislature is a crucial and conspicuous example — but one big battle has united every environmental group in the state, not to mention a coalition of business owners, several citizens' groups, and a group of 140 physicians: the new sulfide mine set to dig in 50 miles west of Marquette in the Upper Peninsula, approved by the state's DEQ last fall.

Sulfide mining, new to the state, pulls acid-bearing rocks to the surface, where exposure to water and air results in acid mine drainage — battery acid. Wisconsin has passed a moratorium on sulfide mining until it can be proven that such a mine can operate for 10 years, and remain shut down for 10 years, without producing acid mine drainage. So far, it hasn't been done.

The mine balances temporary benefits — 40 to 140 jobs, depending on the estimate, for less than 10 years — against the potential of contaminating a pristine swath of Upper Peninsula river, forest and shoreline. Two wild rivers and crystal-clear Lake Superior are directly downstream.

Boyd said the Kennecott mine was the first to be governed by Michigan's stringent new mining rules, and the permit review “one of the most thorough ever done by the DEQ.”

Lisa Wozniak, executive director of the League of Conservation Voters, said the problem wasn't in the rules, but in their lax application. “Sulfide mining has never been done anywhere without acid mine drainage,” Wozniak said. “[The DEQ] had the ability, within the rules in front of them, to say no to the permit, and they decided not to.”

Clift agreed. “We think they failed to properly implement the statutes and rules that have been written.”

That's the view taken by a coalition of environmental groups that are suing the state, claiming the permitting agencies did not follow the state's own law.

Even the mildest Granholm critics are baffled by the governor's silence on the issue, and the expediency with which the DEQ has waved the project through. At a recent public hearing in Lansing, DEQ officials approached curious members of the public and pitched the mine to them as if it were a late-model RV.

"If that mine is authorized and developed, it can't help but be very destructive of one of the most beautiful, pristine areas of the upper peninsula," Tanner said. "There's just no way around it."

Within days after the mine permit was granted, Kennecott announced plans to develop six more sites in the Upper Peninsula.

"If that happens, that could be the most lasting legacy of [Granholm's] time in office," Dempsey said. Riddick put it more starkly.

"What (former) elected official in the state of Michigan is the voice of the Great Lakes, the one state that is totally inside the basin of one-fifth of the world's fresh water?" Riddick asked. "It's a gentleman we will not have forever," she said, referring to Milliken, who is 86 and still kicking. Last May, Milliken tore off an op-ed piece lambasting the Kennecott mine in the Detroit Free Press and Traverse City Record-Eagle.

"There has to be somebody to step into his shoes," Riddick pleaded.

Slow-motion catastrophe

Dig further into environmentalists' frustration with the governor and you'll get a heaven-to-earth core sample of disappointments, from the eagle's-eye planning level (Granholm's refusal to oppose seven new coal-fired plants planned by utilities in the state) to fine print (user-unfriendly DEQ releases that hide the names of dozens of newly listed contaminated rivers behind multi-digit codes).

But the hopes of greens, like those of Charlie Brown, go on silently springing. With three years to go, Dempsey said "it's legacy time" for Granholm. "I'm still hopeful in the area of alternative energy, but we'll have to wait and see what hard measures she'll take," he said.

Clift took a similar view. "She still has time to leave a legacy of being someone who strengthens the protections of Michigan and the Great Lakes," he said.

Dempsey emphasized that the task of protecting the state's land, air and water in the 21st century encompasses much more than a governor.

"A lot of the problems we face now are slow-motion catastrophes," he said. "It's much harder to dramatize them to mobilize support than it was in the '60s and '70s."

Tanner agreed that public support for environmental stewardship is lacking, but sees "the beginnings of an environmental consciousness" growing among the people. "But it's still very small, and it has a long way to go," he cautioned.

Riddick seized upon that slim reed.

"I have faith the people of the state will rescue and save the lakes," she said. "We haven't hit that pinnacle yet, but we have to, because I don't think we can rely on our elected officials."

