

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

In re: City of Traverse City

Project Nos. 2978-005, 2979-006,
and 2980-007

MOTION TO INTERVENE
BY THE ANGLERS OF THE AU SABLE, INC.;
THE GREAT LAKES COUNCIL, INC. OF THE
FEDERATION OF FLY FISHERS, INC.;
THE MICHIGAN UNITED CONSERVATION CLUBS; AND
THE MICHIGAN COUNCIL OF TROUT UNLIMITED
(THE MICHIGAN HYDRO RELICENSING COALITION)

Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R Section 385.214, the Anglers of the Au Sable, Inc.; the Great Lakes Council, Inc. of the Federation of Fly Fishers, Inc.; the Michigan United Conservation Clubs; and the Michigan Council of Trout Unlimited (The Michigan Hydro Relicensing Coalition hereinafter referred to as "the Coalition"), by and through their attorney, James D. Schramm, P.C.; hereby move to intervene in the above captioned proceedings. All filings, orders, and correspondence respecting this intervention should be addressed to: **James D. Schramm, P.C.; Attorney for The Michigan Hydro Relicensing Coalition; P.O. Box 828; Pentwater, MI 49449.** By this Motion, movants seek to protect the non-developmental values of the Boardman River and to ensure that the Commission's decisions with respect to the Projects are in the public interest.

DESCRIPTION OF COALITION

The Anglers of the Au Sable, Inc.

The Anglers of the Au Sable, Inc. (The Anglers) is a non-profit corporation organized under the laws of the State of Michigan with its principal mailing address at 2103 AuSable Dr.; Grayling,

Michigan 49738. The Anglers is an affiliate of the Federation of Fly Fishers, Inc., and has approximately 700 members.

One of the primary purposes of the Anglers is to preserve, protect, and enhance to its fullest potential, the Au Sable and the Manistee River systems as a trout fishery for future generations. The Anglers have taken an active role in protecting these resources with direct contact with the governmental agencies involved, and other sportsmen's groups which share the same goals. Because its members also have an interest in all the water resources in Michigan, its activities have not been restricted to the Au Sable and Manistee River systems. The Anglers find that it is in the public interest to provide such support because its members are directly affected by decisions involving all of Michigan's natural resources.

Great Lakes Council, Inc. of
The Federation of Fly Fishers, Inc.

The Great Lakes Council, Inc. of the Federation of Fly Fishers, Inc. (The Great Lakes Council) is a non-profit corporation organized under the laws of the State of Michigan with its principal mailing address at P.O. Box 828; Pentwater, Michigan 49449. The Great Lakes Council is a regional subordinate organization of the Federation of Fly Fishers, Inc., and has approximately 30 local chapters and 2,000 individual members.

The Great Lakes Council has taken an active role in providing assistance, advice, and suggestions to other conservation and sportsmen's organizations, and with governmental agencies concerned with angling resources. The Great Lakes Council finds that it is in the public interest to provide such support so as to promote and conserve this nation's angling resources for the greater benefit of present and future generations.

Michigan United Conservation Clubs

The Michigan United Conservation Clubs (MUCC) is a non-profit corporation formally organized in 1937 under the laws of the State of Michigan with its principal mailing address at 2101 Wood St.; Lansing, Michigan 48906. The MUCC has grown to well over 450 clubs with over 100,000 members.

For sixty years the MUCC has been the state guard and watchdog over state and federal agencies whose decisions affect Michigan's air, water, fish, forests, and wildlife. The purpose of the MUCC is to further advance the cause of environmental conservation and to educate its members and citizens in the cause of natural resources, conservation, and environmental protection.

Michigan Council of Trout Unlimited

The Michigan Council of Trout Unlimited (Michigan Trout Unlimited) is a non-profit corporation and voluntary membership organization, founded in 1959 with its principal mailing address at 21650 W. Eleven Mile Rd., Ste. 200; Southfield, Michigan 48076. Michigan Trout Unlimited is affiliated with Trout Unlimited, its "national parent organization", and has 24 local chapters and affiliates under its direct jurisdiction. Michigan Trout Unlimited has approximately 5,000 members, and the national organization numbers in excess of 100,000.

The purpose of Michigan Trout Unlimited is the preservation, restoration, and enhancement of Michigan's cold water resources and related fisheries. In furtherance of this goal, Michigan Trout Unlimited engages in public education regarding the importance of these resources, ongoing communication with Michigan's natural resource managers, related communications to legislators in the legislative branch of government, and the planning, funding, and implementation of stream

improvement and related research projects.

GROUND FOR INTERVENTION

Members of the organizations of the Coalition use and enjoy the Boardman System for fishing, boating, and other recreational activities. The operation of the projects affects that use. Accordingly, the involvement of movants in this proceeding is critical in order to protect their interest and the interests of their members, as well as the public interest generally, in assuring an appropriate allocation of the resources of the Boardman System.

The organizations of the Coalition also have an organizational interest in this proceeding. All of the organizations have as one of their explicit purposes; the protection and enhancement of riverine ecosystems. A primary purpose of the organizations of MHRC is to inform their members and the public as to the environmental effects of Commission actions affecting the rivers of Michigan. Also, as extensions of national organizations, the participation of the Great Lakes Council and Michigan Trout Unlimited will ensure representation of the concerns of individuals from all parts of the country for our water resources. By virtue of their involvement in prior Commission proceedings, their acknowledged expertise on issues relating to hydropower development and their ability to represent the public's interest in the non-developmental values of the Boardman River, the requested intervention in this proceeding will enable a more complete record to be developed, will lead to better informed decision making, and will be in the public interest.

STATEMENT OF POSITION

There are significant opportunities on the Boardman System for the enhancement of fish and wildlife and recreational resources. With the increasing scarcity of these resources

throughout the state and nation, these opportunities must not be missed. The goal of the Coalition is to ensure that these conservation, environmental, and recreational concerns are adequately addressed by the Commission and given the fullest possible consideration.

On November 9, 2005, the Commission issued a Notice of Application for Surrender of License and Exemptions and Soliciting Comments, Motions to Intervene, and Protests for the above Projects. The MHRC is a signatory to the settlement offer filed in support of the above matter and as such fully supports the provisions of the surrender application. The Coalition believes the surrender application is the best interests of the public and the State of Michigan. Given this notice and its ramifications, the Coalition moves to intervene so that it will continue to be a party to the proceeding.

CONCLUSION

For the foregoing reasons, the Commission should grant this Motion to Intervene.

RESPECTFULLY SUBMITTED,
JAMES D. SCHRAMM, P.C.

Date: December 7, 2005

By
James D. Schramm
Attorney for the Michigan Hydro
Relicensing Coalition
P.O. Box 828
Pentwater, MI 49449
(231)869-5487

CERTIFICATE OF SERVICE

I, James D. Schramm, hereby certify that on September 7, 2005, I served the forgoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

James D. Schramm

Submission Contents

Motion to Intervene	
BoardmanIntervention.doc.....	1-6