



The Upper Peninsula Environment

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Sylvania Wilderness: Judge Bell Releases New Decision

Federal District Judge Robert Bell has released a decision in favor of the U.S. Forest Service in a lawsuit brought by Kathy Stupak-Thrall and others. Thrall sought to force the Forest Service to remove Crooked Lake from within the boundary of the Sylvania Wilderness. This was the third lawsuit brought by Thrall and others in their attempts to weaken the rules protecting the Wilderness, located in the western Upper Peninsula of Michigan in the Ottawa National Forest near Watersmeet.

Within the Wilderness lies Crooked Lake, consisting of a series of pools connected by channels, that extends into the center of the 18,327-acre federally designated protected area. Although the Forest Service owns over 95% of the shoreline of Crooked Lake, one of the pools in the chain is located outside of the Wilderness, where Thrall owns a small parcel of property.

A brief in support of continued wilderness protection was filed by the Wilderness Association, made up of the Upper Peninsula Environmental Coalition (UPEC), the Wilderness Society, Wilderness Watch, as well as Thomas Church, a Crooked Lake landowner.

If that lawsuit succeeded, all wilderness protection would be removed from Crooked Lake, unrestricted use of powerful high speed motor boats would be allowed, and the lake would provide snowmobile access to the wilderness during the winter.

Since the channels and pools of Crooked Lake wind through much of the Wil-

derness, any semblance of a wilderness experience would be prevented in a large portion of this area.

Although the decision in favor of the Forest Service represents a significant loss for Thrall and the powerful Mountain States Legal Foundation that has represented her in the three lawsuits, we are a long way from success in protecting Sylvania. The District Court decision can be appealed to the Circuit Court. The appeal of the second lawsuit, which was decided in Thrall's favor, was put on hold until the third suit is settled. That decision allows Thrall and her coplaintiffs to continue using powerful, high-speed motorboats in the wilderness portion of Crooked Lake.

The Wilderness Association requested intervenor status in the third lawsuit. Upon Judge Bell's denial of this status, the Wilderness Association filed a notice of appeal of that denial with the U.S. Court of Appeals for the 6th Circuit.

Kathy Stupak-Thrall and the other plaintiffs have until June 1, 1999, to file an appeal of Judge Bell's decision on their third lawsuit. If they fail to appeal, the Wilderness Association's request for intervenor status will be deemed moot.

Considering the past willingness of the plaintiffs to litigate, and the seemingly inexhaustible litigation resources of the Mountain States Legal Foundation, it seems likely that an appeal will be filed.

— Bill Malmsten

YELLOW DOG RIVER WATERSHED

by Chris Fries

"A river is water in its loveliest form; rivers have life and sound and movement and the infinity of variations; rivers are veins through which the life blood returns to the heart."

-Roderick Haig-Brown

In 1995 the State of Michigan planned to log land near the Yellow Dog River, as well as nearby property owned by Nick Economides. Nick called a meeting of other neighboring owners to see if they could stop the logging before it began. Out of this first group of individuals the Yellow Dog Watershed (YDW) Preserve Inc. was formed. Although Nick provided the impetus for the group to form, Miles Davis was officially the founder and later president of the organization.

This group of concerned citizens is "committed to minimizing the impacts of erosion, pollution and development on the Yellow Dog River and its tributaries." The group has three main goals: "1) Maintain the river as a wilderness area as much as possible; 2) keep the river accessible to the public; and 3) educate about the river and the sensitive ecosystem of the area."

The YDW Preserve is made up of a board of directors which consists of four officers and four directors, and members of the general public. Current membership is over 100-strong.

Soon after forming, the YDW Preserve identified "Why we are interested in the Yellow Dog River," namely because it is one of the few free-flowing wild rivers in the Midwest. The group "would like to see it stay a wilderness area for low-impact land use," e.g., fishing, hiking, and as a nature preserve for old growth forests and rare flora/fauna.

The YDW Preserve feels a "need to assist in managing the

River and human access to it." The group wants to utilize scientific research in order to provide sound management to protect the fragile ecosystem of the watershed.

According to Preserve coordinator Wendy Johnson, as the group formed they secured a grant from Great Lakes Aquatics Habitat Fund in order to "get the word out" regarding the YDW Preserve. In 1996 the organization obtained 501(c)(3) nonprofit status, and continued to secure funds which assisted in their growth.

The group not only works with the four townships (Michigamme, Champion, Ishpeming, and Powell) that the Yellow Dog flows through, but also regulatory agencies including the DNR, DEQ, conservation groups including Trout Unlimited, UP Sportsfishermen, Chocolay Watershed Council, and UPEC; and of course private landowners.

The YDW Preserve is establishing relationships with two area logging corporations, MEAD and Longyear, to further broaden the groups' goal of keeping the area wild.

Recently the YDW Preserve utilized some of their grant monies to purchase a state-of-the-art computer system in order to build a GIS mapping system. Similarly to the Chocolay Watershed Council, the YDW preserve wants to map the river and adjacent areas in order to complete a comprehensive land use inventory so they can evaluate and prioritize the extent of erosion as well as other problem areas.

Also similarly to the goals of the Chocolay, the YDW Preserve wishes to identify best management practices (BMPs) needed to preserve the watershed.

The Yellow Dog Watershed Preserve parallels the Chocolay Watershed Council, in that both stress citizen and community involvement. The YDW Preserve wants to establish a relationship with the public where they share

"information about the Yellow Dog River—its health, welfare, and land use activities," and to invite the public to participate in these pursuits.

Future plans of the YDW Preserve include purchasing land adjacent to the watershed. The group has already purchased 12 acres, and is looking to purchase 120 acres at the mouth of the river, locally named the Yellow Dog Swamp. The organization is also developing a zoning proposal for each of the watershed's townships, in order to create a solid working relationship with each, so that riparian protection language is established in all zoning ordinances.

Special thanks for assistance in writing this article goes to Wendy Johnson, Yellow Dog Watershed Preserve Coordinator.

The next monthly meeting of the YDW Preserve is scheduled for Thursday, May 21, at 7:00 pm at the Internet Bagel Café on Third Street in Marquette.

For more information, or to find out how you can join the YDW Preserve, call (906) 345-9223 on Tuesdays between 1:00 and 5:00 pm, or leave a message anytime. You can also contact the group via e-mail at <yellowdog@portup.com> Or write to: Yellow Dog Watershed Preserve Inc., P.O. Box 5, Big Bay, MI 49808.

Facts About the Yellow Dog River Watershed...

Contains approximately 2,527 acres of river corridor

- 600 ft on Yellow Dog waterfront
- 200 ft corridor on tributary waterfront
- 2,238 acres are privately / corporately owned
- 289 acres belong to McCormick Wilderness

Consists of the Yellow Dog River and its tributaries...

- Anderson Creek (4.0 mi)
- Bob Creek (1.1 mi)
- Big Pup Creek (6.6 mi)
- Bushy Creek (1.4 mi)
- Little Pup Creek (4.0 mi)
- Lost Creek (4.4 mi)

Yellow Dog River facts...

- 31 river mi long
- Source: Bulldog Lake
- Mouth: Lake Independence



MTU Part of KITES

The Blue Heron research vessel has arrived for the second year of a five-year project of the Keweenaw Interdisciplinary Transport Experiment in Lake Superior (KITES), and will have the participation of students and scientists from Michigan Technological University in the study of the Keweenaw Current. [See article on White Pine for related commentary.]

MTU is one of seven institutions involved in the \$5.3 million effort. The group also includes representatives from Woods Hole Oceanographic Institution in Massachusetts and the University of Minnesota-Duluth. This summer's work will measure the movement of sediments in the lake, and study the effects of the thermal bar layer of water on the particulate distribution and flow. Dr. Sarah Green, chemistry assistant professor at Michigan Tech, is KITES coordinator.

ISLE ROYALE GMP, Continued

Glitches in the process of the flow of governmental documents are not unheard of, and such has beset the General Management Plan for Isle Royale National Park. The omission of a required cover sheet generated a 30-day extension of the public comment period for the plan, which extension began at the end of March and runs through the end of April.

According to park superintendent Doug Barnard, though "this slows the process by 30 days...the regional director will make a decision...after he reviews substantive public comments...," in the usual steps of the process, as reported in our last newsletter.

Opposition to the plan from the Isle Royale Boaters' Association is gathering steam, with the group planning to file a lawsuit against the park the day after the Record of Decision is signed at the regional office in Omaha, protesting the plan's intention of removing some campsites and docks on the island.

However, Superintendent Barnard maintains that the management plan complies with both the law and visitor needs. "At the outset of the planning process, we set out to craft a GMP which, in broad terms, met three criteria. The plan had to be consistent with legislation and policies applicable to Isle Royale National Park, address the issues and challenges facing the park, and be responsive to and reconcile the different and diverse views of the public."

To be continued....



DEER LAKE BOAT LAUNCH PROPOSED BY DNR

The Michigan Department of Natural Resources has proposed the construction of a boat launch and 18-space parking lot at the east end of Deer Lake, along M-28 in Alger County. This will open the lake, which currently receives very little powerboat use, to large numbers of motorized watercraft.

This has a number of folks upset, both those with property on the lake as well as a number of others interested in the state of the area. To learn more about this issue, visit the Citizens to Save Deer Lake Coalition website at <http://members.xoom.com/SaveDeer/index.htm>.



BILL REFLECTS....

WHEN THE SNOW TURNED BLACK

By William Robinson



When I was six years old my family moved back to Marquette, after three years in Goldfield, Iowa, where my father had been a music teacher. Upon return, we lived in three different houses, and then had a small house built for us on the northeast side of Marquette in what was then called Pine Plains.

One thing that seemed peculiar to me was that the snow would turn black as winter progressed. For several years I thought that this was some built-in characteristic of snow. But once some friends invited me to visit their family farm near Skandia, 15 miles south of town. The farther we got from town, the whiter the snow. Even in late March, the snow in Skandia was pure white and beautiful, while that in town was simply dirty.

Early in the fall our family would gather pine knots from woods near town, loading them into the trunk of the car. These were stubs of decayed branches left from the lumbering days, rich in resin that prevented their decay. These would burn in our furnace with a hot flame and keep us warm until mid-November, when winter began to get serious.

Then we would call Consolidated Fuel and Lumber or Spear and Sons and get them to fill our coal bin with black, dusty coal. From there we would shovel the coal into the furnace, where a crackling and chortling flame would generate heat that would soon be felt coming from air registers throughout the small house.

Prior to its arrival at our house, the coal, mined in Pennsylvania and Ohio, had been shipped by boat to Marquette and stored in huge black mountains on the docks at the harbor, then trans-

ported by rail to Spear and Sons on West Washington or Consolidated Fuel and Lumber on East Crescent Street, where it was piled before being loaded onto trucks for delivery to its ultimate destination.

Thus there were many opportunities for coal dust to pervade the community. Dust and particles given off by all this handling was joined later, as the furnaces were not very efficient, by the soot other unburned particles which escaped through the chimneys, to swirl into the city's atmosphere. The whiteness of snow provided an ideal background to display the volume of pollutants from unburned fuel that was not only coating our city, but was also invading our throats and lungs.

Added to the dust and soot from coal were various products emitted by the Cliffs-Dow Chemical Plant at the north end of town, as they converted wood into charcoal and numerous mysterious chemicals. Pollution controls at that time were nonexistent. One could readily tell when the wind shifted to the north by the creosote-like smell in the air. It seemed that at least once a week we would hear sirens of trucks leaving the Fire Station on Front Street and going northward to Cliffs-Dow. There was no OSHA, and there was no union: men would be burned, and some would be killed.

Near my house was Lake Shore Engineering Company which, during World War II, was manufacturing equipment for ships in support of the war at sea. The smells of oil and metal permeated the air, along with the sounds of heavy machinery.

The deep-voiced whistle blew weekdays at 7:30 am, 12 noon, 12:30, and 4:00 pm. At lunch hour in warm weather the men played horseshoes. We would hear the clanging of the horseshoes against the steel pegs, and the yelling and laughing.

For a short while during the War my father worked at Lake

Shore, before he took a job as a fireman on the railroad, shoveling coal into an oven that heated the train's boilers.

There are still piles of coal in Marquette on either end of town, fueling two large electric power plants. But I have lived to see the factories of the middle part of the century grow old and die. The coal docks in downtown Marquette became a popular public park. Except where the plows throw up the sand, I have also lived to see the snow in Marquette stay white long into March or April.

It is not perfect today, but it is better.



GREETINGS AND WELCOME TO NEW UPEC BOARD MEMBERS; MANY THANKS TO DEPARTING BOARD MEMBERS

New UPEC Board members were introduced at the annual meeting held at the North-woods Supper Club on Saturday, March 27, 1999: Karen Bacula (Marquette), Greg Corace (South Range) and Friedericke Greuer (Houghton).

No longer on the board are Stacy Christiansen, Dana Richter, Wayne Stanley (whose droll wit we've enjoyed via his cartoons), and Janet Zynda. However, we look forward to not losing touch with these fine folks as they take to the sidelines.



**UPEC ANNUAL MEETING
HEARS
WILLIAM R. JORDAN ON
RESTORATION ECOLOGY**

The University of Wisconsin-Madison is the site of an experiment in restoring a tract of land to its ecological identity prior to having been worked over by the white settlers in the region, first, and subsequently by ongoing farming operations. The work began during the Franklin Roosevelt administration, initially capitalizing on the availability of Civilian Conservation Corps workers, and various other groups since that time, creating an acre-large area that has been restored, as nearly as possible, to the "prairie landscape" it once was.

Though the concept of ecological restoration was worked with by Ado Leopard in the '30s, the terms restoration ecology, or landscape ecology, were coined by our evening's speaker, Bill Jordan, trained as both a botanist and journalist, who is presently stationed at the Arboretum at UWM. Bill is also the editor of the journal Ecological Restoration, in which he presents the significance of this paradigm at the present time in this country, for those concerned about the future of ecosystems that are in danger of losing their original identity.

Bill's slide presentation was most interesting, highlighted by his running commentary, and he fielded many salient questions from the audience. UPEC was joined in his sponsorship by the MTU School of Forestry and Wood Products.

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**WHITE PINE, the
continuing saga**

or

**Thoughts While up to My
Ankles in Mine Tailings**
by Sandra Harting

Reclamation of the White Pine Mine property will continue

this spring with renewed efforts to revegetate the tailings ponds after numerous dust storms and accompanying citizen outrage occurred during the past dry spring and summer. Copper Range officials had brought in a consultant from Sudbury, Ontario (a mining area which had a similar problem 30 years ago), to assist in finding plant species that could live on the tailings.

A group of local environmentalists, myself included, spent a Saturday in September touring various parts of the mine. At the end of the afternoon, the group visited revegetation test sites on the tailings areas. It was the first time many of us had seen the tailings area up close.

Picture, if you will, an area covered with many feet of ash after a volcanic eruption (Remember the film footage after the eruption of Mt. St. Helens in the early '80s?), or the surface of the moon minus the craters, and you will get some idea what it is like. Although the surface of the tailings was very dry, there is water just beneath the surface. In some areas where the water table is at the surface, the unwary walker actually can sink in a tailings version of quicksand (trust me on this).

The day was sunny and windy—luckily not sufficiently windy for a full-blown dust storm, but it was close. Looking toward Lake Superior, all that was visible **for miles** was a uniform, flat, gray surface with a gray-brown haze shimmering a few feet above ground level, and occasional dead trees sticking up out of the tailings basin. In the test plot areas, small springs of grass were trying to get a root-hold, while dust-encrusted revegetation crews seeded more tailings areas, and the rest of us prayed hard to the rain gods before the wind got any stronger.

Environmentalists and mine workers alike have speculated as to why Copper Range did not foresee that the tailings basins were going to be a problem, par-

ticularly when similarly-designed basins were having dust problems at the same time that the White Pine operation began.

The aforementioned mining company in Sudbury actually made a film in 1960 about their tailings dust problem and their revegetation process—a film that was widely distributed to other mines in this country, and was certainly available to Copper Range officials.

However, at the time mining began in 1952, the White Pine operation and tailings disposal areas were considered to be "state of the art," with the basins being the most environmentally benign solution to tailings disposal at the time. Similarly-sized mining operations at the time were far more destructive.

A prime example of this is Reserve Mining, which began operations in Babbitt, on Minnesota's Iron Range, approximately four years before the opening of the White Pine Mine.

Rather than construct tailings basins, Reserve chose to transport its ore by rail many miles to Silver Bay, Minnesota, refine it there, and discharge the tailings directly into Lake Superior.

Exhibiting the characteristic arrogance of industrial officialdom, no one at Reserve considered consulting the "locals," particularly fishermen, who could have enlightened Reserve as to the strong offshore currents of Lake Superior. As a result, Reserve's tailings are today not only found within the permitted discharge zone, but also from Thunder Bay, Ontario to Michigan's Keweenaw Peninsula. [See article on *KITES*.]

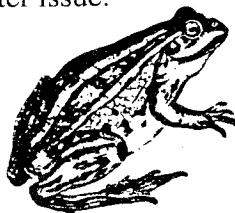
In 1952, Copper Range fully expected that mining operations at White Pine would last well into the next century; i.e., the problem of tailings pond reclamation was something to worry about **far** into the future. Had Copper Range been able to acquire more land, the originally planned tailings basins would have been

even larger than the present five square miles.

It has been estimated that the tailings volume produced there during approximately 50 years of operation is equivalent to the amount of stamp sands produced during 150 years of copper mining along the **entire** Keweenaw Peninsula. Ironically, this is about the same volume of waste that was discharged into the lake by Reserve.

Given the environmental legislation (or lack thereof) of that period, Copper Range would have been legally allowed to discharge their mine waste directly into Lake Superior had the company chosen to do so. The probable result would have been similar to what can be seen at Freda and/or Gay on the Keweenaw Peninsula, areas where turn-of-the-century stamp bills discharged directly into the lake. These places now are basically dead zones that are slowly migrating around the peninsula, as the finer material is carried by offshore currents, the same currents that have blasted Reserve's discharge along hundreds of miles of the lake.

The final truth of the story is that the current tailings basin situation is bad enough...but it could have been much, much worse. We will have a report on the degree of success of the revegetation project in a later newsletter issue.



FORESTED WETLANDS: Really a Source for Wood Fiber???

by Greg Kudray

The idea of a wetland often brings to mind visions of marshes, cattails and ducks. The typical wetland in Upper Michigan is a quite different place—heavily forested, and not a duck or cattail

in sight. In Michigan there is more total standing wood in cedar trees (almost 5 billion cubic feet) than in any other tree species except sugar maple and red maple. Along with other tree species that grow in wetlands, like black spruce and tamarack, there are about 1 million acres of forested wetlands in the Eastern Upper Peninsula alone.

This enormous source of wood fiber has been targeted in the past by state officials promoting new forest industrial development. Henry Webster, head of the DNR Forest Management division at the time, projected a few years ago that wood fiber for the huge Keweenaw Bay pulp mill would come from a shift in wood procurement zones: existing mills would shift their timber sources into the wetland-rich Eastern UP.

Why **not** expand harvesting into these forested wetlands? Before any grand stampede in that direction, there are matters to consider.

Forested wetlands can be divided into two general types, based on their water chemistry and vegetation. If the groundwater is acidic (pH < 5.0), the typical tree species will be black spruce and larch. If the groundwater is rich in bases like calcium and magnesium, then the pH will be higher, and trees like cedar and black ash will dominate. The high fertility also promotes a very rich array of other species; a similarly sized area in these swamps will have several times as many species as an upland area.

Orchids and other rare species also depend on this rich and varied environment. The habitat is diverse for several reasons, including a rolling forest floor habitat, with old logs providing a drier habitat elevated above the water table. The multi-leveled canopy structure is complex, with openings, dead snags and shrubby areas. These areas were harvested once and came

back; can't it be done again? We need to think further.

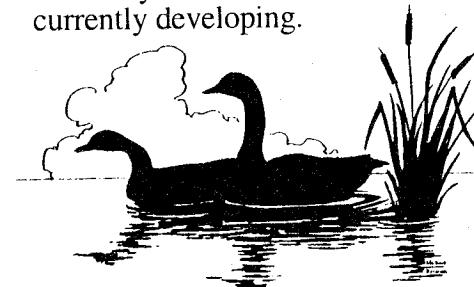
As in other forestlands, the ax rang in the UP's swamps early in this century. But, instead of machinery weighing tons, horses were used. If a tree couldn't be used, it was left; the option of chipping it for wood fiber wasn't there.

The legacy of rotting wood, so important for the forest ecosystem, still lay on the forest floor. Also, in those days, many fewer deer were present to eat regenerating tree seedlings, and harvesting machinery did not rut the soft soil made of decayed plant material, which occurs in so many forested wetlands. Groundwater flow, so essential to wetland ecosystem function, remained intact.

At the present time we cannot reliably harvest rich forested wetlands now and see the same cedar and other trees important to this habitat come back. The high deer number, and other factors like the destruction of forest floor structure and the rise in water table after trees are removed, lead to an environment where shrubs can succeed in dominating the site, and cedar and similar growth is lost.

At this point, we simply lack the knowledge to manage forested wetlands toward continuing sustainability. Foresters cannot yet reliably regenerate trees without considering the extremely rich biodiversity and habitat values of these areas.

Intelligent, informed and enlightened forethought needs to undergird any planning by anybody in this direction. Forested wetlands and their potential will be considered in greater detail, along with many other related issues, in a forestry handbook that UPEC is currently developing.



Membership in UPEC is open to all individuals and groups who wish to support the goals of the Coalition. Applications for membership should be sent to P.O. Box 847, Marquette, MI 49855. UPEC is a nonprofit organization [IRS 501(c)(3)] and dues and contributions are tax deductible to the extent allowed by law.

The Upper Peninsula Environment is published four times per year. Articles, press releases, or correspondence intended for the newsletter should be sent to UPEC c/o Newsletter Editor, P.O. Box 673, Houghton, MI 49931.



NORTH COUNTRY TRAIL ASSOCIATION

The North Country Trail Association, which sponsors hikes and work projects on and near the North Country National Scenic Trail, has a new local chapter. The Peter Wolfe Chapter, named after the first person to hike the route of the trail from New York to North Dakota, and who settled near Mass City after his hikes, will take responsibility for the NCT in Baraga, Houghton and most of Ontonagon counties. Dedicated to the promotion of nonmotorized trail recreation, the chapter has an ambitious schedule of hikes, new trail construction, trail maintenance, sign installation, interpretive projects and lean-to construction. For more information on the chapter and its activities, contact Doug Welker at (906)338-2680 or <dwelker@up.net> or Rt. 1, Box 59A, Pelkie, MI 49958. A chapter website will be up and running later this spring.

Write Your Reps!

Here are the addresses and phone numbers for state and federal lawmakers that represent the U.P. Let them know what you think about the issues!

Senator Spencer Abraham
United States Senate
Washington, DC 20510
Phone: (202) 224-4822
Fax: (202) 224-8834
E-mail:

michigan@abraham.senate.gov

Senator Carl Levin
United States Senate
Washington, DC 20510
Phone: (202) 224-6221
Fax: (202) 224-1388
E-mail: senator@levin.senate.gov

Representative Bart Stupak
U. S. House of Representatives
Washington, DC 20515
Phone: (202) 225-4735
Fax: (202) 225-4744
E-mail: stupak@hr.house.gov

Both State Senators at:
State Capitol, P.O. Box 30036,
Lansing, MI 48909-7536

State Senator Don Koivisto
(517) 373-7840

State Senator Walter North
(517) 373-2413

All State Reps at:
State Capitol, P.O. Box 30014,
Lansing, MI 48909-7514

State Representative Pat Gagliardi
(517) 373-2629

State Representative David Anthony
(517) 373-0156

State Representative Michael Prusi
(517) 373-0498

State Rep. Paul Tesanovich
(517) 373-0850 or 800-PAUL110

About UPEC ...

The Upper Peninsula Environmental Coalition was organized on December 6, 1975. The goals of UPEC are to protect and maintain the unique environmental quality of the U.P. of Michigan; to evaluate and promote planning and sound management decisions for all the resources of the U.P.; and to work toward these goals through coordination of member groups, individual members, and public information.

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Newsletter Editor: Holley Linn

Yes!

I want to protect the U.P.!

Name _____

Address _____

City/State/Zip _____

Phone _____

[] I would like to support the goals of UPEC by becoming a member. My annual dues are enclosed (check one):

Regular Member (\$15)

Supporting Member (\$50)

Student/Senior/Low Income (\$10)

[] Here's an additional contribution of \$_____.

[] I'd like to ensure the long-term viability of UPEC by contributing \$_____ to the UPEC Endowment Fund.

NOTE: If you make the endowment check out to the Marquette Community Foundation (MCF) and put "UPEC Fund" on the memo line, you can take a 50% tax credit on your MI state income tax (up to \$200 for individuals, \$400 for couples). Mail Endowment Fund contributions to MCF, Attn: UPEC Fund, P.O. Box 185, Marquette, MI 49855. Or you can send your contribution directly to UPEC and take a regular tax break. Please send membership dues to UPEC at P.O. Box 847, Marquette, MI 49855.

Thanks for helping to support UPEC!

NEXT UPEC BOARD MEETING

The next meeting of the board will be on Saturday, June 26, at 3 pm, at the Ford Forestry Center in Alberta, MI

The UPEC website is located at
http://members.xoom.com/NCT_hiker/upec_home.htm.



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