

Going Around the Island: Julia K. Tibbitts Fights for the Environment in the Rachel Carson Tradition

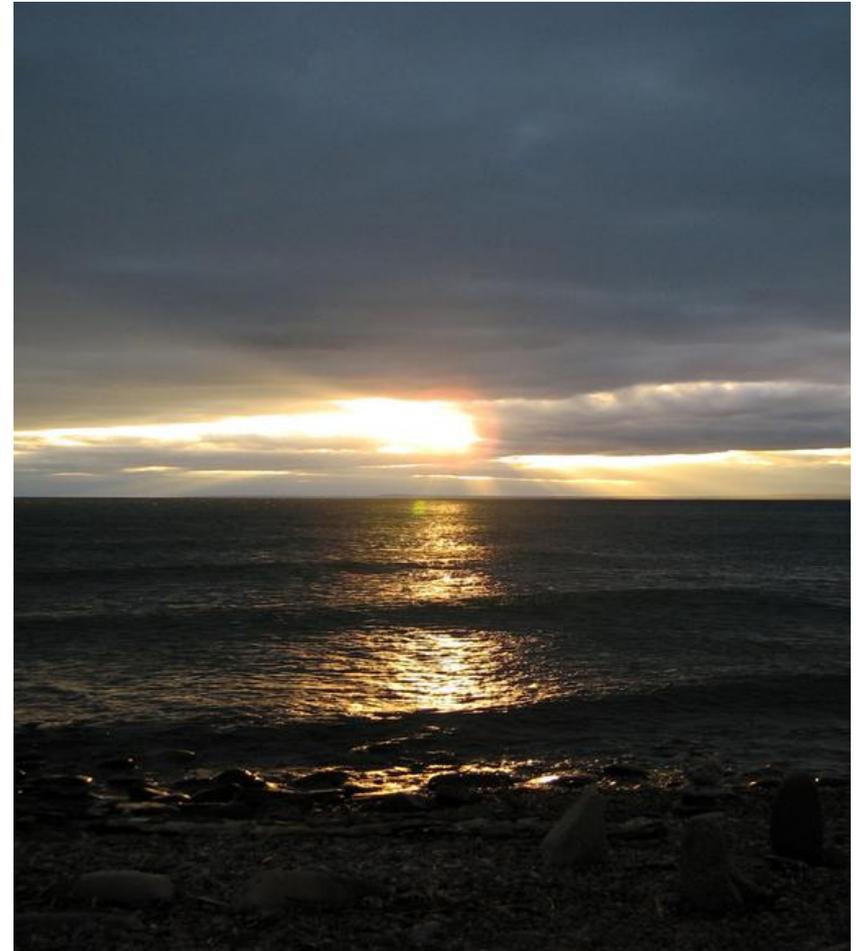




SHAKING LAKE SUPERIOR'S FAMILY TREE

Lake Superior- Born in Fire and Ice

More than one billion years before the twentieth century birth of Julia K. Tibbitts, molten basalt erupted from the Mid-Continent Rift. For about 20 million years the rifting built a blanket of basalt that reached a thickness of ten miles. The basalt blanket slowly settled into the earth, creating a basin for Lake Superior. The flow of ancient rivers carried and settled rocks that created the modern Apostle Islands, the Bayfield Peninsula, and Pictured Rocks National Park.



Sunrise at Presque Isle Park



Lake
Superior
from
Presque Isle
Park in
Marquette,
Michigan.

About 500 million years ago, the Lake Superior Basin stabilized, and 2.5 million years ago, ice from a local glacier branch sculpted the basin into its modern shape. About 11,000 years ago, Glacial Lake Duluth, the father of Lake Superior, formed as the ice sheet retreated northeast.



Marquette Michigan
Shoreline

As the glacial ice retreated 10,000 years ago, the level of western Lake Superior fluctuated between 500 feet and 250 feet from its twenty-first century level. The St. Marys River gradually channeled Lake Superior's outflow and the water level stabilized to its modern measurements. Ancient Indian people moved into the Lake Superior region

Today, the Lake Superior Basin is still rebounding after its last glacial encounter, especially along the Canadian shores which are still rising about 18 inches per century.



A summer morning at Marquette's Lower Harbor.

Lake Superior Up Close and Personal

- Lake Superior has rip currents dangerous to swimmers.
- Canada and the United States have a bi-national agreement to manage Lake Superior.
- Lake Superior has ten percent of the fresh surface water in the world that is not in a glacier or ice cap.
- Since 1980, Lake Superior's surface water temperature has increased about two degrees Fahrenheit compared to a regional air temperature increase of one degree Fahrenheit.



Diving Spot - Marquette

Climbing Marquette's Family Tree

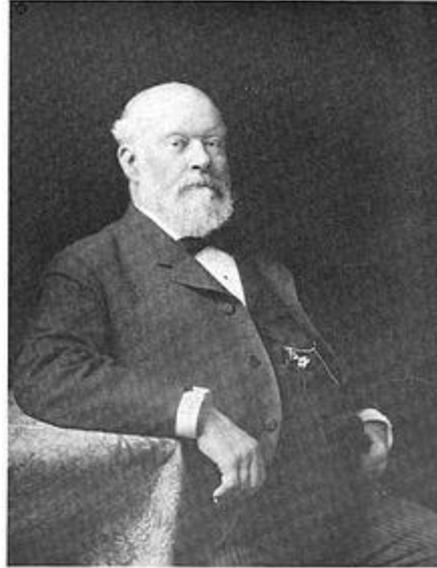
Early seventeenth century French missionaries and nineteenth century trappers explored and enjoyed the area around Marquette, but it did not begin to grow until 1844 when William Burt and Jacob Houghton – brother of geologist Douglass Houghton- discovered deposits of iron near Teal Lake west of Marquette. They helped establish Jackson Mining Company, the first organized mining company in the region, in 1845.

Three men helped organize the Marquette Iron Company: Robert J. Graveraet, who had prospected for ore in the region; Edward Clark, agent for Waterman A. Fisher of Worcester, Massachusetts, and Amos Rogers Harlow who helped finance the company.



Marquette Michigan the Lighthouse

In the beginning, the founding pioneers called their village New Worcester, with Amos Harlow serving as its first postmaster. Then on August 21, 1850, they changed the name of their village to Marquette to honor Jesuit missionary Father Jacques Marquette who first explored the area.



Peter White who had come to the Marquette area with Robert Graveraet when he was just 18, opened a second post office at Carp River on October 13 1851. During the next few years, Amos Harlow closed his post office, and the Marquette Iron Company failed while its successor, the Cleveland Iron Mining Company flourished. Peter White recorded the plat for Harlow in 1854, and its founders renamed the village Marquette in April 1856. Marquette was incorporated as a village in 1859 and as a city in 1871.

Peter White Goes to Washington

In a speech to the local Marquette Steelworker's Union, Julia told the story of Peter White going to Washington DC in the 1800s to purchase Presque Isle for a sum of \$65,000 of his own money. In today's funds that would be about a \$650,000 gift to Marquette.

She also talked about the time Mr. Longyear who owned a large parcel of land between the light house and the downtown area was going to erect a park in memory of his drowned son.

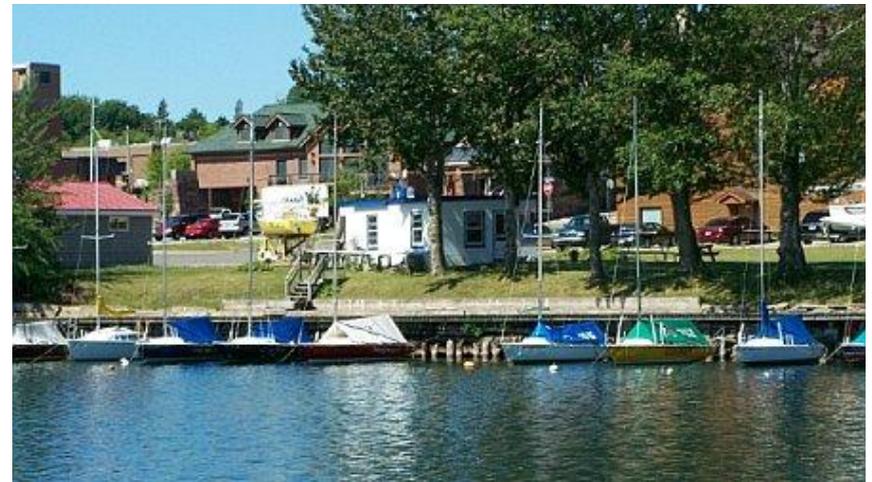


The railroad built a line right in front of his house splitting Marquette in half. Mr. Longyear retaliated by moving the immense house in sections by flatcars to Boston which as Julia put it, “wasn’t much of a solution, but it was his!”

By the 1850s, railroads linked Marquette to several mines and it became the leading shipping center in Michigan's Upper Peninsula. Pioneer town leader John Burt designed the first ore pocket dock and the Cleveland Iron Mining Company built the dock in 1859. By 1862, Marquette had a population of over 1,600 people and an expanding economy.

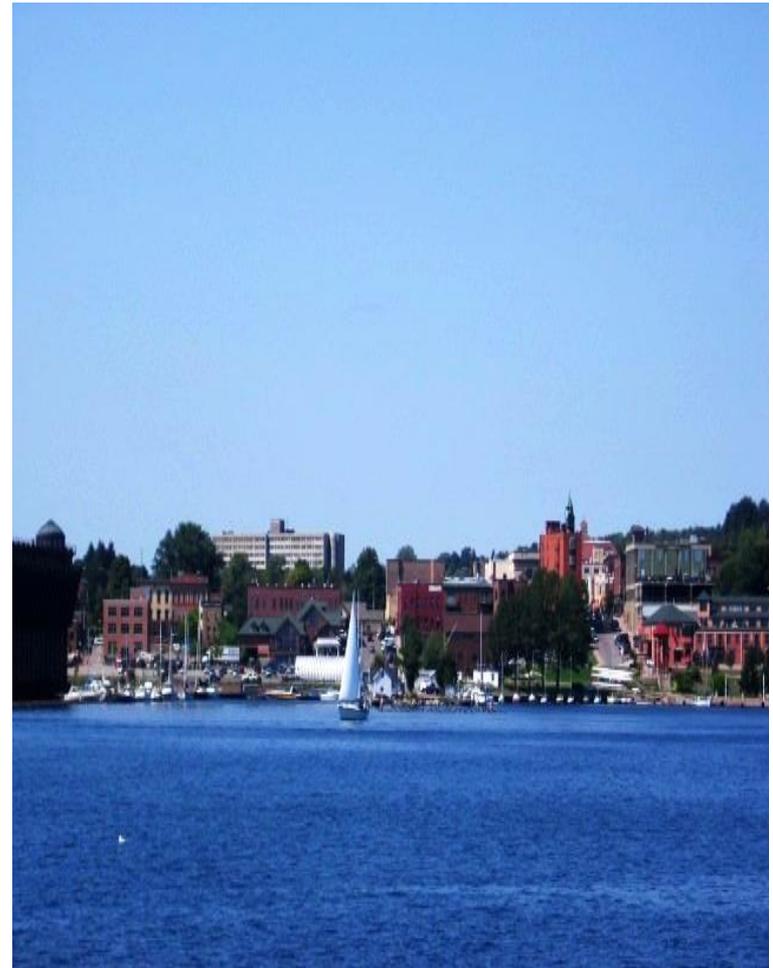
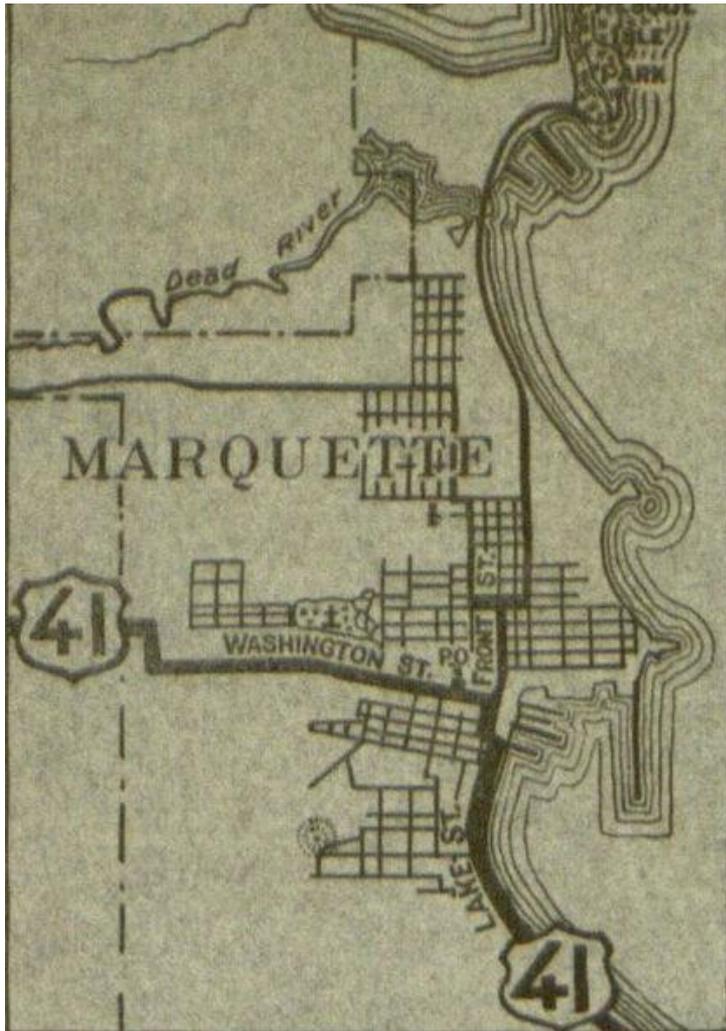
During the height of late nineteenth century iron mining, Marquette gained a reputation as a summer haven, with Great Lakes passenger steamships landing visitors to fill the city hotels and resorts.

Marquette continues to be an important shipping port, especially for iron ore pellets, with about 7.9 million gross tons of pelletized iron ore passing through its Presque Isle Harbor in 2005.



Marquette Michigan lower harbor and dock.

Map of Marquette from the December 1, 1927 edition of the Official Highway Service Map.



Downtown Marquette from the break wall.



Munising, one of the Cleveland-Cliffs Iron Company fleet. Photo courtesy of the Peter B. Worden Sr. collection

Cleveland Cliffs Inc. still operates as the oldest iron mining firm based in Cleveland, Ohio. It began on November 9, 1847, when 15 men from Cleveland decided to explore the massive iron ore deposits in Michigan's Upper Peninsula. They formed the Cleveland Iron Mining Company and incorporated it in Michigan in 1850. In 1853, the founders reorganized Cleveland Iron Mining in Ohio and in 1855, the company sent the first cargo of ore through the Sault Ste. Marie canal.

Marquette and Cleveland-Cliffs Iron Company

Over the next 50 years, Samuel Mather built railroads and docks in the Marquette area and in 1869, Cleveland Iron Mining Company established its own fleet of ore carriers. By 1880, Cleveland Mining Company annually shipped 200,000 tons of ore. After the depletion of surface mining in the 1880s, the company retooled and pioneered in inventing underground mining systems.

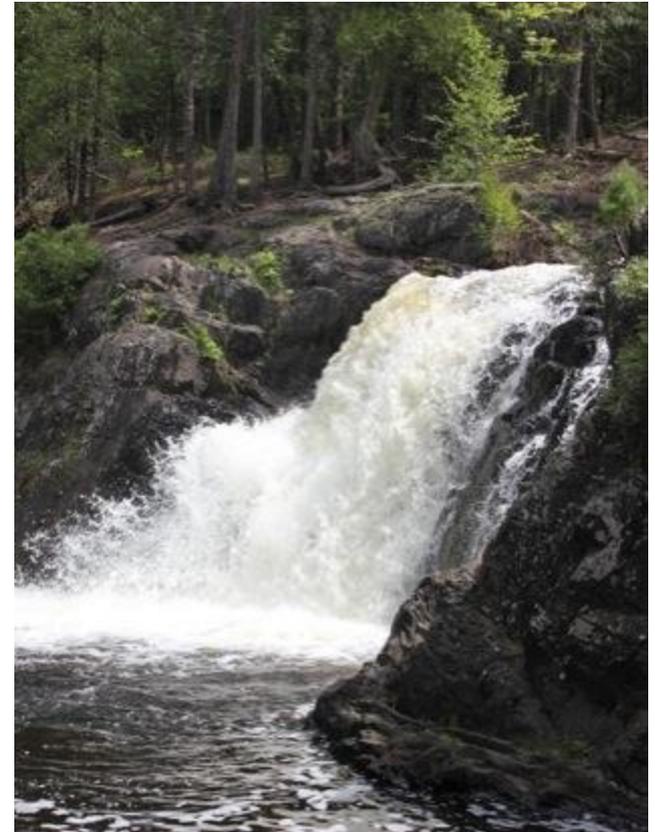
Samuel L. Mather's youngest son, William G. Mather, took over the reins of Cleveland-Cliffs Iron Company and as president he led the company's expansion into ore-related industries. Cleveland-Cliffs acquired 330,000 acres of timberland in Michigan's Upper Peninsula, and moved into the forest-products and chemical industries, including acquiring several small iron companies in the Marquette Range and Minnesota's Mesabi Range. Partnering with the United States Bureau of Mines in the 1950s, Cleveland-Cliffs helped pioneer the development of taconite ore pellets. Cleveland-Cliffs placed a permanent environmental footprint on Marquette and the Upper Peninsula.



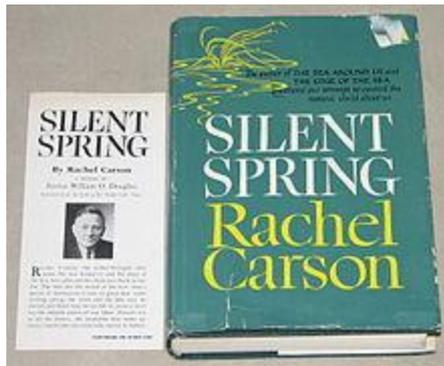
A June 1937 U.S. Department of Agriculture picture of Cleveland Cliffs Iron Company tie mill from the rear - showing loading of a car with tie - slabs for chemical wood used at Cliffs-Dow Chemical Plant at Marquette. Forest Lake, Upper Michigan .

Rachel Carson and Julia K. Tibbitts

...”There were not an awful lot ‘hurrahs’ when my work as an environmentally-concerned citizen became more and more obvious. Today, it would not be so bad, maybe, but in 1973, even Rachel Carson was being scorned as I was. These friends would catch me in the ladies’ room at some party now and then and tell me how good it was that I was standing up to the corporate wall, but that they couldn’t support me because their husbands sold heavy equipment to CCI or were in the system in some other capacity. They could therefore, not afford to be associated with us!...”-Julia K. Tibbitts-



Dead River Falls in Marquette, Michigan.



Like Julia Koch Tibbitts, Rachel Carson was born in a small town- she hailed from rural Springdale, Pennsylvania on the Allegheny River- on May 27, 1907. She inherited a love of nature and the environment from her mother and expressed it in her writing and career as a marine biologist. Rachel graduated from Pennsylvania College for Women- Chatham College- in 1929 and studied at the Woods Hole Marine Biological laboratory. She received her MA in zoology from Johns Hopkins University in 1932.

Rachel wrote radio scripts for the United States Bureau of Fisheries during the Depression and spent 15 years there as a scientist and editor. In 1936, she became Editor-in-Chief of all publications for the Fish and Wildlife Service. In her spare time she wrote articles and pamphlets on conservation and natural resources and edited scientific articles and eventually books that included *Under the Sea-Wind* in 1941, *The Sea Around Us* in 1952, *The Edge of the Sea* in 1955, and *Silent Spring* in 1962. In *Silent Spring*, Rachel Carson warned the public about the long term effects of misusing pesticides and challenged agricultural scientists and the government to change their methods. She called for people to change their thinking about the natural world.

The chemical industry attacked Rachel Carson much as it would later battle Julia Tibbitts and some people in the government labeled her an alarmist and extremist, as some people would later label Julia. Like Julia, Rachel Carson did not waver in her message that people are as vulnerable as the rest of the natural world when it is damaged. All of her writing carries the core message that humans are just a part of nature, but they have the power to irreversibly alter it if they choose.

In her testimony before Congress in 1963, Rachel Carson advocated new policies to protect human health and the environment. In 1964, she lost a long battle with breast cancer, but left an indelible environmental legacy.

One way to open your eyes is to ask yourself,
'What if I had never seen this before? What if I
knew I would never see it again?' Rachel
Carson

Rachel Carson
conducts
marine biology
research in the
Atlantic with
Bob Hines,
1952.

Wikimedia
Commons





“I am not an environmentalist...I am just trying to protect what has made this town more beautiful than any other little city in the world, I don't care about the mines. If the people in Ishpeming want them, I don't care. I only want to save Presque Isle Park.” -Julia K. Tibbitts

MARQUETTE AND JULIA K. TIBBITTS



I believe that a person is only able to do something about the place where he lives and this place should be respected and cherished.”

Julia K. Tibbitts



Born on October 1, 1917, to Otto and Nota (Schaffer) Koch, Julia Koch was raised in Onota, just 25 miles east of Marquette. She graduated from Principia Upper School in St. Louis, Missouri in 1936, and from Ogontz School for Young Ladies in Philadelphia, Pennsylvania in 1938, and

earned a degree from Northern Michigan University in 1965.

In 1973, returning to Marquette from Arizona after her husband Munro's death, Julia discovered bulldozers, barges, and large pipes all around Presque Isle and learned to her dismay that the Presque Isle Power Plant planned further development of the Island.

Acting on her outrage, Julia wrote a letter to the local newspaper, founded Superior Public Rights, Incorporated, and began her long journey to protect Presque Isle from what she considered an environmental disaster.



“How can you define the Island?

“Why, you remember nearly every rock, every cave, especially all the beautiful pebbles washed by cold clear Lake Superior as your child-heart delighted in all their colors and sparkle and smoothness. collected them year after year as children do – “Look at this one.” “Isn’t this red!” Is this an agate?” “I never saw one like this.” And even if you did, it was all new in the spring of your life.”

Julia K. Tibbitts in *Let’s Go Around the Island*.



Julia noted that “the music would flow out into the night air from the happy dancing as cars passed by on the drive outside.”

She recalled the one way drive all around Presque Isle, walking, riding their bicycles, or skiing or snowshoeing around it..

- Julia K. Tibbitts in *Let's Go Around the Island*

In her book, *Let's Go Around the Island*, Julia K. Tibbitts reminisced about the central part that Presque Isle played in her life and in the lives of other Marquette citizens. She remembered walking the beaches for hours after they parked the family wine red “Apperson” in the shade at the house of caretaker Bob Hume, a family friend. They picnicked at the pavilion, a large barn-like building on the western shore and they also square danced in the pavilion. She and her future husband Munro Tibbitts belonged to a club that met there every week.

The Breakwater

“Who of us has not walked out the full length of the breakwater and been brave enough to jump from rock to rock on the extension until you reach the lighthouse at the end? Maybe your parents went too or sat in the car while you and the dog walked out and back. It is sometimes referred to as a break wall, but no long time native uses that term.”

Julia K. Tibbitts in *Let's Go Around the Island*



Photograph
by Fred
Tibbitts



JULIA TIBBITTS AND THE POWER PLANT AT
PRESQUE ISLE

Marquette and Presque Isle from Mount Marquette



The power plant at Presque Isle located at the mouth of the Dead River, less than one-quarter of a mile from the entrance to Presque Isle Park in Marquette, provided electric power for Cleveland Cliffs Incorporated.

Cleveland Cliffs Iron Company of Cleveland, Ohio, and Marquette, Michigan was a corporate landholder in the Upper Peninsula of Michigan, where it mined millions of tons of iron ore.

In 1973, Cleveland Cliffs determined to expand the generating power of its small utility, Upper Peninsula Generating Company.

Iron ore pellets from the mines west of Marquette were loaded onto ore carriers from the ore dock in Marquette harbor. A huge coal pile was built up from ships delivering coal to the harbor and carried in on the coal unloader directly in front of the ore dock.

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Lightning Volt Iron
Ore Pellets

Wikimedia
Commons



Julia Tibbitts Wrote a Letter to the Mining Journal



April 1973

Editor,

Mining Journal

Shoreline Desecration

Editor, Mining Journal

It is time to make the statement that the city of Marquette belongs to the people of Marquette. The people of Marquette shall decide what will happen within the city limits of this beautiful little town, and there is cause for alarm in the piecemeal desecration that is planned and already taking place here.

The shoreline of our city can be easily measured in inches and it is threatened today. When our shoreline is gone there is not going to be any more. Concrete and steel cannot be erased, beaches cannot be replaced, and people cannot walk or ride in beauty anymore in a commercial complex of warehouses and industrial plants.

Drive out to the island. The little families of parents and children on bicycles enjoying the lakeshore are before long are going to ride past an endless line of prefab commercial buildings that huge power plant mushrooming on the Dead River, a great coal deck destined to add flying coal to their sandwiches while picnicking on the island and an undetermined use of property right up to the closest inch of the border of Presque Isle Park –inexpensive high rise apartments or commercial buildings again.

Why does all of this have to be built along the road to the Island? We are one of the prettiest cities in the world. Four generations of my family alone have enjoyed, year after year, the beauty of the ride to and around our fabulous park. No city I have ever read about, heard about or seen, has a drive more lovely than ours. The potential for the development of the remaining shoreline we have is exciting and promising when considered in the use of the people of this town. Our children have a right to and our grandchildren depend upon us for the preservation, beautification, and conservation of this shore land for them and for ourselves.

People of Marquette, this is our right, absolutely and finally. Let's condemn some of this property so that our city elected officials may purchase and maintain this land for people use now and in the future. This land cannot be used for commercial buildings if "we the people" – that solid old phrase – stand up and say so. Public interest, public pressure, and public determination are still the most powerful things in this country today. It is not true that you have to let these things happen.

I heard someone say the other day that the power company never wanted to build a plant on land at Little Presque Isle at all, but threatened it so that the thoughts of the conservationists would be diverted to saving that piece of land while the company proceeded with plans to do wholesale mayhem at the mouth of Dead River, on our scenic drive. “True or not true, it is food for thought.”

Marquette does not have to be manipulated like this. We have many civic-minded people in Marquette who care. What threatens our beautiful city is not all-powerful and can be stopped. The individual citizens of this little city are powerful. We can control what happens here.

Too late? No way is it too late! That land can be condemned tomorrow and every shovelful stopped at once!

Somehow, those caissons and cofferdams and all those bulldozers and that equipment seem to be waiting for the people of Marquette to say, “Stop this now.” We have the right and power to stop it and all the rest of the construction out that way, including the old Cliffs Dow property and L.S. & I. property.

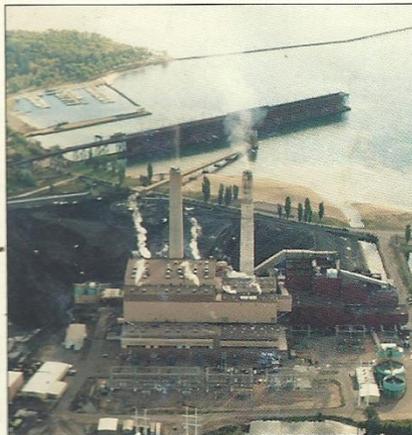
Marquette is the dearest spot on earth for many, many of us ordinary citizens. We must keep it beautiful as well.

Other cities are becoming alert to waterfront beauty. That little bridge, that little pile of rocks that used to have a waterfall on it can be saved.



Please, Upper Peninsula Power Company, tell us honestly, with a map, what you are planning to do to our shoreline. Please, Marquette city government, tell us where you stand in relation to our shoreline. Then open yourselves collectively to free discussion with the people of Marquette within one week of today so that fairness, consideration, and the absolute rightness of things can take place.

JULIA KOCH TIBBITS (Note-this is not a typographical error. The newspaper left one of the T's out of TIBBITTS.)
505 East Ridge, Marquette



The Power Plant at Presque Isle

The primary source of electrical power for Cleveland Cliffs Incorporated, the Presque Isle Power Plant looms at the mouth of the Dead River, less than 1/4 mile from the entrance to Marquette's historic Presque Isle Park.

From the ore dock, visible just behind the plant, iron ore pellets from mines west of Marquette are loaded onto ore carriers. The huge coal pile is built up from coal delivered by ships to the harbor and carried in on the coal unloader directly in front of the ore dock.

Cleveland Cliffs Iron Company of Cleveland, Ohio and Marquette, Michigan, is a corporate landlord in Michigan's Upper Peninsula, where they have mined millions of tons of iron-rich ore. In 1973, they sought to expand the generating power of their small utility, Upper Peninsula Generating Company. This activity was challenged by a group of citizens (Superior Public Rights, Incorporated), who filed a class action citizens' suit in an attempt to halt the inevitable pollution resulting from such expansion.

Citizens, Courts, and Cleveland Cliffs: Fighting for the Island

“Since it is a social judgment, it should be made by the people of Marquette County. It is they, ultimately, who should say what will be mined, dug, burned, spewed, slopped, and slurried.”
Julia K. Tibbitts at a Cleveland Cliffs stockholders meeting.



Marquette from
Sugarloaf Mountain

The Upper Peninsula Generating Company, Cleveland Cliffs Iron Company, Upper Peninsula Power Company, and Lake Superior & Ishpeming Railroad all had interlocking Boards of Directors running them all in their own community of operation.

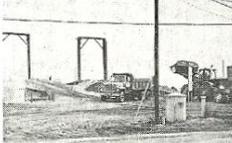
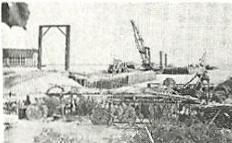
Cliffs Electric Company owned Upper Peninsula Generating Company which began as a single unit on the Dead River near Lake Superior. Through the years it expanded to four times its original size and increased to four generating units. It had built units five through nine and projected to build units 10-12.

All of the units were eventually built during the five years of legal battles from 1973-1978 as Superior Public Rights fought to halt the pollution of Presque Isle.

Finally, Superior Public Rights, Inc. ran out of money to pursue its litigation, and won just one small victory – a small park on Presque Isle.

ACTION 30000A, October 10, 1973

SUPERIOR PUBLIC RIGHTS, INCORPORATED DEFENDS THE PUBLIC TRUST

Every foot of shoreline, from the high water line out into the water of a lake, river, or navigable stream, belongs to the public. No matter who the land belongs to! This is called the Public Trust.

The State of Michigan is responsible for taking care of this public right. This is called the public trust, and the State through its legislature is the "Trustee" of the public trust. The United States Constitution and the State of Michigan Constitution provide that no one can take away another's rights without a hearing and an honest review of the facts that they will be taken.

This is called "due process" and is the public's constitutional right.

Since it is our duty, there must be notice provided of any effort to take away the land we share. The notice we are fully advised of, and so, just then and there is hearing.

We the people have the right and privilege to be told and to understand and to discuss and to have our opinions made effective in a hearing under fair conditions, about any alteration of our public rights, such as agreements and assessments made to individuals and corporations existing to use the public trust for their private use.

The State of Michigan has put their Department of Natural Resources (formerly the Conservation Department) in the position of Agent Trustee of the public trust.

The restriction has been made that the Upper Peninsula Generating Company plant at Presque Isle has been trespassing on our land and the water's edge and under the water of Lake Superior and Dead River, in the manner that they are making to keep open the public trust. The restriction has been made that they may no longer give any report to government of our land to a private group and no hearing for us.

A group of citizens has formed with the following purpose:

The purpose of said corporation is to do all those things necessary to acquire, possess, preserve and to share proper development of the shore front of the city of Marquette and its surrounding areas by elimination, alteration, physical, legal, natural, or political, in all of those things necessary to accomplish the purpose of said corporation which are legal and in compliance with the laws and constitution of the State of Michigan and the United States Constitution.

The name of this non-profit corporation is:

Superior Public Rights, Incorporated

Membership is open to any interested citizen.

Superior Public Rights, Inc., a S.P.R.I., filed a complaint on September 20th in the Circuit Court of Ingham County.

It was filed against:

The Department of Natural Resources
The Lake Superior and Ishpeming Railroad
The Upper Peninsula Generating Company

These three parties were served summonses in Lansing, Ingham County.

The Ingham County Circuit Court on the date of October 10, 1973, for a hearing for a preliminary injunction and an order to show cause why the preliminary injunction should not issue.

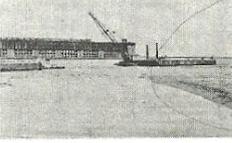
Injunction: (Michigan's dictionary) "An equitable writ or process, granted by a court of equity, whereby a party is required to do or to refrain from doing certain acts, according to the equity or justice."

And it enjoins: "Act of directing, restraining, or prohibiting."

These are our intentions to regard to our lawsuit to save the shoreline and other protected areas from private individuals exercising to use. To the process and our private gains without consideration of the public rights of present and future generations of citizens.

In the purpose of S.P.R.I. in this time suit to protect and rescue the public trust which exists for the benefit of all citizens.

We hope that those named as defendants will understand our principle position and withdraw it.





Photos by Bob Holman

Superior Public Rights, Incorporated

Superior Public Rights contended that:

- There was no notice given with regard to the conveyance of our lands to a private group.
- There were no written findings published by the Department of Natural Resources indicating on what they based their decision.
- There was an inadequate amount of money paid to the Department of natural Resources for the conveyance of these lands.
- The construction of pipeline and the coal unloading facility will constitute a public nuisance.
- There was an unlawful delegation of legislative power in the giving of the public rights to the Department of Natural Resources.
- The public is the beneficiary of the public trust and the DNR is not administering the public trust as trustee , properly.

- There are no criteria or guidelines in the procedures of the DNR, the Department of Natural Resources, to guide them in making their decisions.
- The Lake Superior & Ishpeming Railroad and the U.P. Generating Company are using public rights for private use and private profit which is an abuse of the Power of Eminent Domain. They are utilities under the control of the Public Service Commission, and are given the power of condemnation by law; the Power of Eminent Domain requires that corporations given the power to condemn resources of their use must do so only for a public purpose.



From left to right: Peter Shumar, John McCabe, Lou Smith, Julia K. Tibbitts and Dean Robb.

In her crusade to preserve Presque Isle, Julia Tibbitts experienced the perils of acting decisively on controversial issues while living in a small town. People she believed were her friends for years no longer were her friends. Other friends had to restrict their friendship and remain silent for fear of economic repercussions from Cleveland Cliffs and other businesses and government bodies.

As Julia remained steadfast in her stance against the pollution possibilities of the power company, she engaged local and state officials and other politicians and learned more about the inner workings of crony politics. She learned about political power and the ability of people in high places to control information.



Upper Harbor Break wall – Marquette, Michigan

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The State of Michigan is responsible for taking care of this public right. This is called the public trust, and the State through its legislature is the Trustee of the public trust.

The United States Constitution and the State of Michigan Constitution provide that nobody can take away anybody's rights without a hearing and sufficient notice of the fact that they will be taken.

This is called "due process", and is the public's constitutional right.

Since it is our land, there must be notice provided of any effort to take away this land so that the people can be fully advised of it, and so that they can have a hearing.

We the people have the right and privilege to be told and to understand and to discuss and to have our opinions made effective in a hearing under legal auspices about any alteration of our public rights, such as agreements and accords made to individuals and corporations wishing to use the public trust for their private use.

The State of Michigan has put the Department of Natural Resources (formerly the Conservation Department) in the position of Agent Trustee of the public trust.

The contention has been made that the Upper Peninsula Generating Company plant at Presque Isle has been trespassing on our land and the water's edge and under the water of Lake Superior and Dead River. It is the attempt that they are making to bury pipes on the public trust. The contention has been made that there was no notice given with regard to conveyance of our lands to a private group, and no hearing for us.

A group of citizens has formed with the following purpose:

"The purpose of said corporation is to do all those things necessary to enhance, protect, preserve and/or insure proper development of the shore front of the city of Marquette and its surrounding areas by discussion, education, planning, legal redress, or petition. To do all those things necessary to accomplish the purpose of said corporation which are legal and in compliance with the laws and statutes of the State of Michigan and the United States Constitution."

The name of this non-profit corporation is:

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Superior Public Rights, Inc., or S.P.R.I., filed a complaint on September 25th in the Circuit Court of Ingham County.

It was filed against:

The Department of Natural Resources

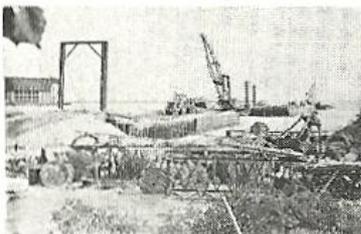
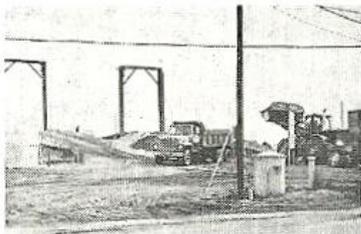
The Lake Superior and Ishpeming Railroad

The Upper Peninsula Generating Company

These three parties were served summonses to a hearing in Lansing, Ingham County. The Ingham County Circuit Court set the date of October 2nd, 1973, for a hearing for a preliminary injunction and an order to show cause why the preliminary injunction should not issue.

Injunction: ("Plaintiff's dictionary") "An equitable writ or process, granted by a court of equity, whereby a party is required to do or to refrain from doing certain acts, according to exigency of the writ or process."

Act of enjoining: "Act of directing, commanding, or prohibiting."



The lawsuit has 7 purposes:

The primary purpose is to invalidate the procedures under which the Department of Natural Resources, or D.N.R., disposes of public trust lands and waters and natural resources.

The secondary purpose is the disposition in fact, substance, i.e.: that the agreement made by the D.N.R. in the I.S.G.R. Railroad and the agreement granted by them to Upper Peninsula Generating Company are in substance a violation of the Public Trust Doctrine as delineated by the Michigan State Constitution, the Michigan State Supreme Court, and the United States Supreme Court.

Superior Public Rights Incorporated contend that the public's rights have been subjected to an overriding private right, which is in violation of the Public Trust Doctrine.

They contend:

1. that there was no notice given with regard to the conveyance of our lands to a private group

2. that there were no written findings published by the Department of Natural Resources indicating on what they based their decision

3. that there was an inadequate amount of money paid to the Department of Natural Resources for the conveyance of these lands

That the assessment for the pipes was issued for a net value of \$18, 0164.00 including the application fee of \$50, which was refunded and the conveyance of the bottom lands for the coal unloading facility was issued for a net value of \$238, 164.00, including the application fee of \$50, which was refunded and that this was contrary to the statutory required amount of 30% of the market value of these bottom lands.

4. that the construction of pipeline and the coal unloading facility will constitute a public nuisance

5. that there was an unlawful delegation of legislative power in the giving of the public rights to the Department of Natural Resources

6. that the public is the beneficiary of the public trust, and the D.N.R. is not administering the public trust, as trustee, properly;

that there are no criteria or guidelines in the procedures of the D.N.R., the Department of Natural Resources, to guide them in making their decisions

7. that the I.S.G.R. Railroad and the U.P. Generating Company

are using public rights for private use and private profit

which is an abuse of the

Power of Eminent Domain. They are utilized under the control of the Public Service Commission, and are given the power of condemnation by law; the Power of Eminent Domain requires that corporations give the power to condemn resources for their use must do so only for a public purpose

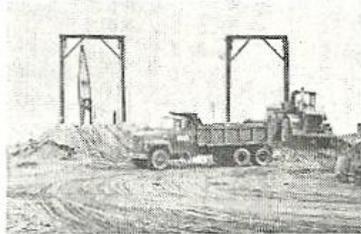
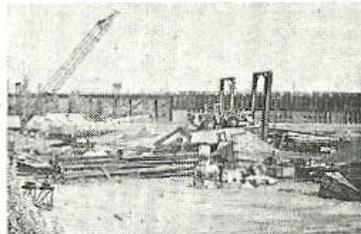
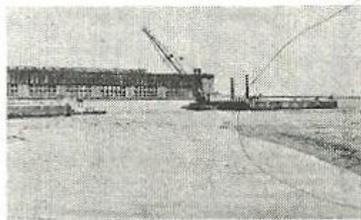
These are our contentions in regard to our lawsuit to save the shoreline and other protected areas from private individuals attempting to use it for their private use and private gain without consideration of the public rights of present and future generations of citizens.

It is the purpose of S.P.R.I. in this lawsuit to protect and remove the public trust which exists for the benefit of ALL citizens.

We hope that those named as defendants will understand our principle position and will respect it.

It is the purpose of S.P.R.I. in this lawsuit to protect and remove the public trust which exists for the benefit of ALL citizens.

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Photos by Rich Horkow

Superior Public Rights, Incorporated

Cliffs shareholders hear environmental battling

By John E. Bryan

A three-year battle between environmentalist Julia K. Tibbits of Marquette, Mich., and Cleveland-Cliffs Iron Co. continued hotly yesterday at the annual stockholders' meeting.

Mrs. Tibbits, who heads Superior Public Rights Inc., which has sued Cliffs for \$110 million, again expressed her group's "deep and abiding concern for the welfare of Marquette and its Presque Isle Park and beaches we are trying so hard to protect."



Harrison

The softly spoken but determined woman asked, "Why is it necessary? Why do we have to sue you, pursue you, and in every other way try to reach you?"

She charged that management sits here in Cleveland and makes decisions about the acceptable level of damage in Marquette County.

"You may have a lot of scientific data," she added. "So do we, and we have paid dearly for it. But the decision you are making is not a scientific decision.

"It is a social judgment — a social decision weighing the environmental insult against the economic gain. Your gain, but also the workingman's gain who earns his living but also hunts, fishes and just plain breathes in the area."

She added that the county's people should make this judgment. "It is they ultimately who should say what will be mined, dug, burned, spewed, slopped and slurried."

Cliffs Chairman H. Stuart Harrison denied a charge by Mrs. Tibbits that the company was looking into the idea of a nuclear power plant.

He said he had expressed the opinion that it would be a good idea if some power company would build such a plant "so we could get cheap power," and that a nuclear plant's cost would be far beyond the company's means.

Mrs. Tibbits, a polite member of the establishment whose forebears were among the pioneering bankers, mine owners and lumber barons of Michigan's Upper Peninsula, stood corrected.

Harrison also asserted that Mrs. Tibbits had been "negated" by a current opinion survey that shows 93% of Marquette County's people

rate Cliffs' expansion activities as good for the Upper Peninsula, with only 6½% rating them as bad.

He also noted that a court in Lansing had denied her group's plea for \$100 million damages to the public, as well as court costs, attorney fees and other relief.

Superior Public Rights has filed an intention to appeal this decision.

Mrs. Tibbits, who is said to have spent large sums in what one newspaper called "The Battle of Julia and the Giant," introduced her new counsel, Peter W. Steketee, well known environmental lawyer based in Grand Rapids.

Cliffs President Samuel K. Scovil said charges that the company has been untruthful "kind of got me in part of my stomach. Cliffs' name stands for integrity."

John S. Wilbur, vice chairman, told shareholders how Cliffs had stepped up its policy of "trying to keep the air pure, the water clean and the earth in good shape."

He described countless man-hours and \$5 million spent toward eliminating a dust with a rust color difficult to change at the Mather/Pioneer Ore Development plant, which is only marginally profitable but involves 800 jobs.

He said the Two-Hearted River, made famous by Ernest Hemingway, "has now been designated by the state of Michigan as a Wilderness River — a direct result of Cliffs' forest management which has kept this stream in such beautiful condition for so long."

In answer to Mrs. Tibbits' charge of secrecy, Wilbur said the company cannot reveal as much as some persons would like because of uncertainties involved.

For example, he said, a research firm has discovered that lake trout have been spawning last year as well as this year on rocks covering the warm water discharge pipe of the company's U. P. Generating Co. subsidiary.

He said the company would like to tell everybody about this happy byproduct of power expansion, "but caution dictates that we wait at least another season to make sure the result is not a host of small fish unequipped to survive the rigors of life in Lake Superior waters."

The executive described other benefits and said Cliffs actually tries to go beyond standards set by environmental regulations.

Harrison said first quarter earnings were \$3,636,000, or 60 cents a share, against \$4,779,



The Plain Dealer/William A. Wynter

Julia K. Tibbits

000, or 77 cents a share, last year. But he pointed out the company shipped 435,000 tons of ore in winter last year to fulfill contracts, while only 29,000 tons were shipped this year.

He said the company expects earnings for all of 1976 to be at record levels for the fifth consecutive year — above the \$31 million, or \$5.03 a share, for 1975.

He said the company is experiencing a marked increase in demand for North American iron ore pellets and expects to sell out its entire production exceeding 20 million tons.

SPR seeks to nullify coal dock waivers

Suit filed against Marquette, LS&I

Superior Public Rights, Inc. (SPR) has filed a class action suit in Marquette County Circuit Court seeking to nullify waivers granted by the city of Marquette to the Lake Superior & Ishpeming Railroad Co. for its proposed coal unloading facility at Presque Isle.

The city and the LS&I are defendants in the suit, which asks injunctions to prevent the city from issuing any further permits authorizing construction and restrain the railroad from proceeding with the project, pending trial.

Two SPR attorneys, Peter H. Shumar of Marquette and James M. Olson of Traverse City, filed the suit. The city received notice Friday and has 20 days to answer.

Authorization for City Attorney Robert M. Berman to represent the city in the case is

expected at tonight's meeting of the Marquette City Commission, according to City Manager Thomas R. McNabb.

On Sept. 26, Marquette's zoning board of appeals granted LS&I requests for a 45-foot height variance to allow the railroad's proposed conveyor belt system to pass over Lake Shore Drive south of the existing LS&I ore dock and declared the dock is part of an area zoned forestry, since it juts out of shoreline so zoned.

SPR claims the variance from application of the city zoning ordinance was not based on written fact or proof of unnecessary hardship and contravenes the spirit of the ordinance.

Describing itself as a Michigan non-profit corporation of Marquette area citizens—all beneficiaries of public rights held in trust by the state (bottomlands, surface waters and

adjacent shoreline) and the city (Presque Isle Park)—SPR claims the public rights to use of these is "threatened by improper application of the city zoning ordinance."

SPR alleges the city variance—including the granting of air space over Lake Shore Drive—is contrary to the city's trusteeship obligations with regard to Presque Isle Park, is without authority for lack of jurisdiction over Lake Superior bottomlands and surface waters in the upper harbor, exceeds the scope of delegated powers of the zoning ordinance, contravenes the statewide public interest and is invalid because it fails to consider statewide and regional needs of public trust beneficiaries.

Claiming construction of the coal unloading facility "threatens and will cause irreparable harm, for which there is no adequate remedy

of law," the suit asks that the variance be declared null and void regarding zoning use, size and height requirements and granting of air space.

It asks that preliminary injunctions be issued by the circuit court, restraining LS&I from proceeding with construction, pending trial, and preventing issuance by the city of any further permits, and it seeks a permanent injunction restraining both defendants from doing anything further to implement the project.

The SPR attorneys claim "this is a common question of law or fact" affecting the "rights of the plaintiffs" and other Michigan residents. The suit seeks relief under the class action statutes.

THE MINING

Journal

Upper Michigan's Largest Daily

Tuesday, October 29, 1974

Marquette, Michigan

20 cents

THE MINING *Journal*

Upper Michigan's Largest Daily

Tuesday, January 21, 1975

Marquette, Michigan

20 cents

What's good for U.P. Generating good for Marquette, says mayor

By DAN TROUTMAN
Journal Staff Writer

What's good for Upper Peninsula Generating Co. (UPGC) suggests for Marquette, city Mayor William Malandrone told a joint service club luncheon yesterday at the Ramada Inn.

The company, which Malandrone described as an "excellent corporate citizen," will provide about 45 per cent of Marquette's taxes by 1979 with the completion of three more

generators at its Presque Isle Harbor power plant, he said. Now, UPGC contributes about 20 per cent of Marquette's taxes.

The increase in tax dollars to Marquette will allow citizens "to continue the good life," which has resulted from local commerce in the last five to 10 years, Malandrone said.

The assessed valuation of UPGC with the completion of power units seven, eight and nine, is estimated to be \$75 million, which means the company would pay in taxes about \$2,418,750 to schools, \$1,067,500 to the city and library and

\$693,750 to the county, he said.

The increase in the company's taxes with the additional power units would be about equal to taxes from 5,357 new family of four homes in Marquette, according to Malandrone.

With the additional tax revenue, Marquette will have added protection against a municipal economic crisis, Malandrone said.

Without a broader tax base in future years, Marquette could have troubles.

Unlike Detroit and other cities, Marquette operates without deficit spending, Malandrone said, adding, "We don't have printing presses here to make money."

The increased taxes contributed by UPGC would be used to pay for municipal operating costs, according to City Manager Thomas R. McNabb. The costs now rise about 10 per cent annually, he said.

Any leftover funds, which would probably be "a relatively small amount," could be used for city capital improvements, McNabb added.

During a question and answer session following Malandrone's speech, the mayor was asked if additional taxes from UPGC could be used for lower harbor improvements. He replied it was a "possibility."

With the construction of a coal unloader, the Lake Superior & Ishpeming Railroad Co. (LS&I) has proposed for Presque Isle Harbor, storage of the black fuel for UPGC would move from Marquette's lower harbor.

Expansion of UPGC's generating plant is necessary to power enlarged operations at Cleveland-Cliffs Iron Company's Tilden and Empire mines, according to mining company officials. Long range plans call for CCI to expand Tilden Mine in January, 1978, and Empire Mine in January, 1979.

Environmental impact studies of proposed construction can slow progress, Malandrone explained.

Citing an environmental study of the John F. Kennedy Library, which was about 600 pages long and cost approximately \$184,000, Malandrone said it showed the effects of the building on the surrounding area "would be small."

Results of the study were that the library cost about 7 per cent more, and it was reduced in size, Malandrone said.

Since preliminary plans for the LS&I's Presque Isle Harbor coal unloader were proposed, cost of the project has increased from \$1.5 million to \$3.2 million, Malandrone said.

The LS&I's environmental impact groundwork for the Presque Isle Harbor facility has cost about \$50,000, according to James J. Scullion, LS&I executive vice president.

In addition, legal and related travel costs have amounted to \$100,000, Scullion said.

The company has yet to acquire governmental permits and settle a suit filed against LS&I, the Department of Natural Resources and UPGC as joint defendants in Ingham County Circuit Court before construction can begin, Scullion said.

A public hearing on three amendments LS&I has requested in Marquette's zoning ordinance to allow coal unloader construction is slated for the Marquette City Commission's first February session.

Meanwhile, UPGC has applied to the U.S. Army Corps of Engineers and the DNR for permits to construct the three additional generators.

The project "needs citizen support," Malandrone said. Refuse from coal burnt at the plant will be continued to be hauled to the company's disposal site about a mile away, off County Road 530, Jack Ziegler, UPGC production superintendent said. The disposal site can be used for about 10 years, he added.

Ziegler said the company is improving equipment to prevent fly ash from escaping into the air. Some equipment has "not been working up to specifications," he added.

The luncheon was sponsored by the Kiwanis Club.



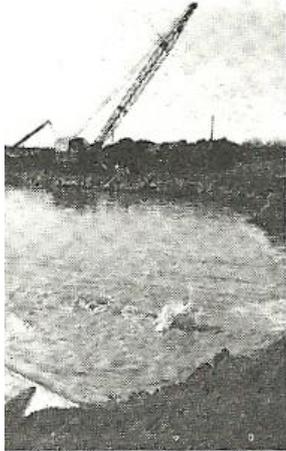
Marquette Mayor William Malandrone said environmental impact studies of the proposed Upper Peninsula Generating Company's three additional generators for its Presque Isle Harbor power plant even served in as blades of grass and mosquitoes surrounding the facility. "Preservation of the

environment is commendable," Malandrone said at a joint service club luncheon yesterday in the Marquette Ramada Inn, adding impact studies delay and increase costs of construction projects.—(Mining Journal photo by Tom Buchko)

Marquette Mayor Malandrone says:

"What's good for Upper Peninsula Generating is good for Marquette"

Superior Public Rights says: "Where is the good?"



- Where is the good in CCI destroying the island?**
- Where is the good in sacrificing the island to Cleveland Cliffs for their yearly taxes?**
- Where is the good in CCI poisoning the water of Lake Superior?**
- Where is the good in CCI poisoning the Marquette water supply?**
- Where is the good in Cleveland Cliffs breaking the law?**
- Where is the good in CCI using the public trust for private gain?**
- Where is the good in CCI endangering the quality of life in Marquette?**
- Where is the good in CCI bringing millscale to Marquette?**
- Where is the good in CCI polluting both the Marquette Upper and Lower Harbor?**
- Where is the good in CCI ignoring the alternative of bringing coal to
the Presque Isle power plant by rail? Escanaba does!**
- Where is the good in Cleveland Cliff's power lines from Wisconsin if they don't buy
Wisconsin power instead of enlarging U.P. Generating?**
- Where is the good in CCI building an unloading facility that is unnecessary?**

At the Presque Isle Plant

- Is it good for CCI to disobey the Michigan state smokestack emission standards and pollute the air?**
- Is it good for CCI to disobey the Michigan state wastestream effluent standards and pollute the water?**
- Is it good for CCI to disobey the Michigan state coal-pile runoff laws?
(Leaking poisons into Dead River and Lake Superior underground water.)**

"Where is the good"

Be sure and come to the City Commission meeting Monday, February 10. They will be voting to change the zoning for you. Be sure it is what YOU want done.



*Superior Public Rights
P.O. Box 395
Marquette, Michigan 49855*

THE MINING *Journal*

Upper Michigan's Largest Daily

Tuesday, April 1, 1975

Marquette, Michigan

20 cents

Marquette to claim \$100 million damages

Suit against SPR authorized

By DAN TROUTMAN
Journal Staff Writer

Marquette Mayor William J. Malandrone leveled an attack against Superior Public Rights, Inc. (SPR), an environmental protection group suing the city and Lake Superior & Ishpeming Railroad (LS&I), before city commissioners yesterday authorized counter legal action against SPR.

The suit SPR has brought against the city and LS&I in Marquette County Circuit Court over the proposed construction of a coal unloader at Presque Isle Harbor "places an additional expense on the tax-paying citizens of Marquette and benefits no one," Malandrone charged.

Malandrone's resolution—supported by Commissioner William G. Jackson—authorizes City Attorney Robert M. Bordeau to claim \$100 million in damages for:

- Defaming the city of Marquette, its officials, agents and residents.
- Loss of commission and employe services to the residents of Marquette, including loss of valuation.
- Loss of potential future development.
- Unnecessary mental anguish caused to the city commission, city manager, attorney, employes, the families of

these officials and employes and Marquette residents as a whole.

SPR spokesmen were unavailable for comment.

SPR attorneys James M. Olson and Louis A. Smith of Traverse City and Michael H. Feiler of Detroit filed a request for an injunction against LS&I and the city to prevent work on the unloader.

SPR, a non-profit group, contends the machine, which could be used to unload coal, scarfer grit and-or mill scale, would destroy the natural resources of the harbor and Presque Isle Park, northeast of the city.

Circuit Judge Edward A. Quinnell is scheduled to hear the case at 1:30 p.m. Monday.

Specifically, SPR said in its injunction brief, amendments the city commission approved, which paved the way for unloader construction are "contrary to the defendant city of Marquette's obligation of trusteeship of Presque Isle Park."

SPR filed a lawsuit in October, which asked for injunctions to prevent the city from issuing permits authorizing construction and stop LS&I from proceeding with the unloader.

Quinnell later dismissed the suit after the Marquette Board of Zoning Appeals rescinded a 45-foot variance it had granted the railroad, which was necessary before construction could start.

The city commission's passing of zoning amendments later

re-opened the battle which has waged between SPR and persons favoring the unloader.

The SPR legal fight against the unloader has been of a "harassing, nitpicking nature," Malandrone said.

"The harassing nature of this type of civil action...in most cases only serves the purpose of obtaining publicity and bolstering of the ego of those filing such civil actions," Malandrone added.

Jackson said the commission should tell Bordeau "to tighten his belt and get going.

"We're not the kind of people who like to wait around," he said.

Further, Malandrone's resolution directs Bordeau to seek:

- Dismissal of all damages and reimbursement of costs incurred by the city.
 - Posting of bond as security for costs.
 - Temporary and permanent injunction against future harassment suits by SPR.
 - Damages caused by false information about the unloader and-or Upper Peninsula Generating Co., which is located at the site of the proposed machine.
 - Financial and membership disclosure by SPR.
- Through his resolution, Malandrone said it would show "we won't sit here and be shot at."

JULIA K. TIBBITTS AND SUPERIOR PUBLIC RIGHTS – LESSONS AND LEGACY



View of
South
Marquette
from
Marquette
Mountain

Lessons Learned

Julia K. Tibbitts described herself as living “the most insulated life of anyone I’ve ever met. The arms of marriage, the arms of children/parent relations, the arms of the secure housewife in a secure small town in a secure known world which I loved with all my heart, certainly precluded any change. Grow I did not. Sleepwalking is a bit more like it...”

Julia’s innocence evaporated with her involvement with Cleveland Cliffs, the Upper Michigan Power Company, and the Michigan Department of Natural Resources during her effort to save Presque Isle Park and Presque Isle Peninsula from further environmental damage. She no longer sleepwalked and she grew.



Lessons Learned- the Naive and Hard Way

In her book, *Let's Go Around the Island*, Julia K. Tibbitts summarized the lessons she learned from her environmental battle in the hopes that her experience would inspire other people and save them time, mistakes, hassle, and money.

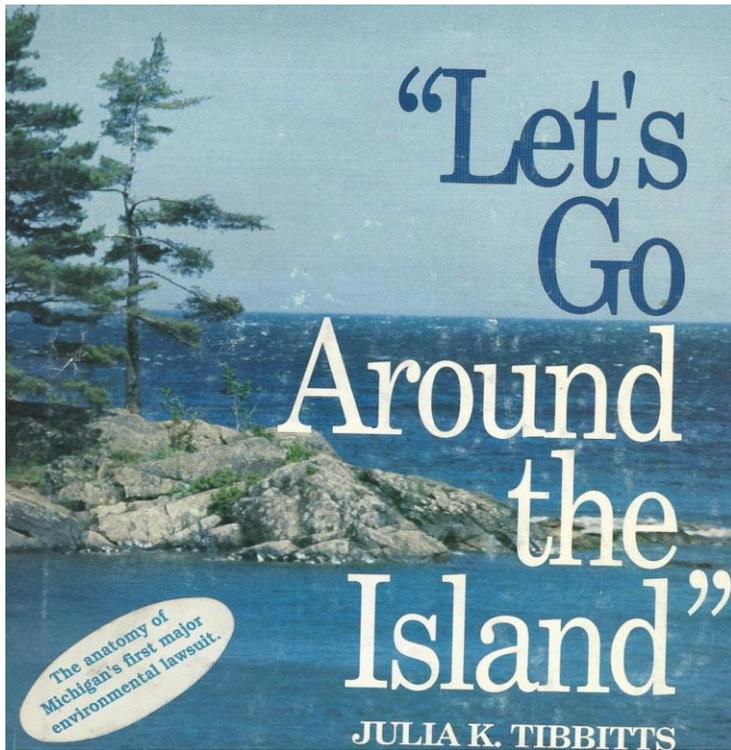
- Suing a corporation gives the people suing the right of access to any of their corporate papers relating to the suit, either as a shareholder or as a citizen under the Freedom of Information Act.
- Manipulating or disguising statistical papers in nearly every field is always a possibility.
- Challenging an agency like the Michigan Department of Natural Resources can be daunting.
- Understand that mining corporations have the power of eminent domain in Michigan to condemn private land and supersede the right of private citizens to their own land.
- Understand that the highest priority of a corporation is making money for its stockholders.
- Choose experts and direct sources for information.
- Don't lose your sense of humor or proportion under any circumstances.
- Don't succumb to attacks no matter how painful or degrading.
- Be prepared for social ostracism.
- Be prepared for public scrutiny.
- Know that people, especially governments and academics may demand scientific proof of environmental damage and delay as the damage continues.
- Know that people who want to preserve the environment from permanent damage and not be swamped by greed, callousness, and dishonesty have to bail out water together to keep from being swamped and sunk in the same boat.
- Know that there is nothing wrong with the idea of a corporation and the corporation itself as long as it functions responsibly.
- Believe that where there is no vision the people perish. Believe in idealism and morality and the destructive parts of the corporate structure will soften, greed will dissipate, and the world can grow.
- Keep in mind that politicians are the last people to trust!

Julia K. Tibbitts believed that Superior Public Rights Incorporated established four important principles in the state of Michigan that stand today. She wrote that the four principles apply whenever environmentally concerned citizens are involved with the law they are right to trust them. She believed that Superior Public Rights:

- Clarified the fact that the “burden of proof” is on the party who wants to use bottom lands or the public trust to prove that they will not harm them or that there are valid reasons for changing them.
- Contended that the judge must make independent findings in environmental cases from the material presented and the judge must read the material himself.
- Proved that citizens in class action suits like the one that Superior Public Rights Incorporated brought against Cleveland Cliffs to preserve the environment are entitled to have their attorney’s fees paid. This set the precedent for environmental lawsuits because most ordinary citizens cannot afford huge legal fees that corporations pay in such suits.
- Established the precedent that the Department of Natural Resources and the Natural Resources Commission when leasing the bottom lands and the Public Trust for a company’s exclusive use must give back something to the public for that use

Julia concluded: “We carried this kind of thinking all through the night of attack, innuendo, ridicule, secretiveness, lying, cheating, stealing, scorn, and environmental ignorance like a powerful little torch, until we lit up the whole sea of proceedings with these four principles as the decision of the Judge of the Circuit Court of Ingham County dropped the whole mess down on our heads. Eight points brought forward. Eight counts lost. His requirement to make a public park at the unloader site became our one small victory. There it sits.

We rest our laurels firmly on these principles for anyone who cares to see what we really did, behind the action and reaction on the legal-local legislative show out front.



No shadow of anyone lay over the rest of the play or over the empty stage as we left. There is only the feeling that the action we started is going on...and into the horizon like ripples on the surface of Lake Superior,

as the laws concerning our legal action that were passed in the Legislature began and continue affecting other law cases on environmental issues.

The work we did served as a foundational working set of principles for their use, their good, their greater chance of success.

We'll settle for that.

We ran out of money, not steam. There was no bitterness at the end. We lost on eight counts out of eight.

And there was no need for revenge; revenge has a tendency to perpetuate itself, and we wanted to perpetuate the values we had all lived by – decency, honesty, integrity, persistence, and love...”

Julia Tibbitts Added a 1991 Update



In a 1991 update in her book *Let's Go Around the Island*, Julia Tibbitts reported the condition of

Presque Isle and the Dead River. She said that smelt no longer ran at the Dead River mouth as they had for decades because they could no longer navigate up the river to spawn because of the power plant operations. She said that the Power Company had added more buildings to the site. The coal pile, unprotected for decades by cement or plastic flooring, is larger and still seeping toxic chemicals, including mercury, into the ground water, Dead River, and Lake Superior. Fly ash continues falling in the Island woods, Lake Superior, and the air. Tons of it a day.

Millscale with its toxic substances including tons of finely pulverized lime extremely dangerous when breathed into the lungs is still received at Presque Isle site, although it is banned in other states.

In her update Julia noted that during a trip to the new Upper Peninsula Power Company site, chunks of coal and mill scale fell from the conveyor belt system into Lake Superior.



Julia also noted that “the long yellow sulphur-laden smoke coming from the Presque Isle power stacks would continue to do so because people in the region did not care. The long yellow plume of sulphurous smoke sometimes extends for twenty miles across our horizon. It contains tons of particulate every day which falls over our Island, into our water intake pipes so we drink it, it falls on our city, on our clothes, our cars, our children and we breathe it. Remember, it contains radionuclides, sulfate ions, and trace metals, such as mercury and copper.”

In her book *Let's Go Around the Island*, Julia stated that she had contributed \$160,000 of her personal funds to Superior Public Rights to conduct its lawsuit against Cleveland Cliffs. She commented that in *The Bridge Across Forever* Richard Bach says ‘I have paid my dues to my hometown for the next three lifetimes.’ That’s nice to think about.”

Julia K. Tibbitts, Closet Environmentalist?

...”As the natural world protectors, we have to begin to look at ourselves as stewards – trustees—those who take care of nature.

The industrial world is constantly creating and giving out its products for which they are entirely responsible: morally and legally.

There will always be the takers—the exploiters—the users. They don't think of returning to the earth what they have taken.

If we do not learn to look to nature as something entrusted to us, as a gift, it is impossible to see its sacredness. With this gift comes responsibility does it not?

With dominion comes responsibility for that which is under our control. Whether it is a bicycle, a car, a house a spouse, a child, a town, a world, a universe, it must be accounted for under our stewardship – we are entrusted with all of these things just mentioned.



With ownership comes either care or destruction. We cannot ignore our own carelessness or dereliction for we are its source. Earth abuse is a crime against society everywhere. “

Julia K. Tibbitts- Let's Go Around the Island

Julia Koch Tibbitts died on March 12, 2008, at the Tendercare Health Center in Munising, Michigan. She was 90 years old.



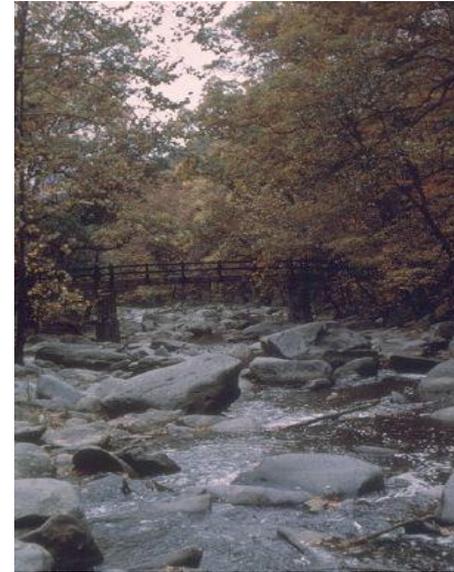
Frozen Presque Isle Park
Bench

Julia K. Tibbitts and Rachel Carson



Pictured Rocks National Lakeshore,
Michigan

- Julia Tibbitts was born in a small town and so was Rachel Carson.
- They both acted on their beliefs.
- They both faced determined and powerful opposition, but they upheld their principles.

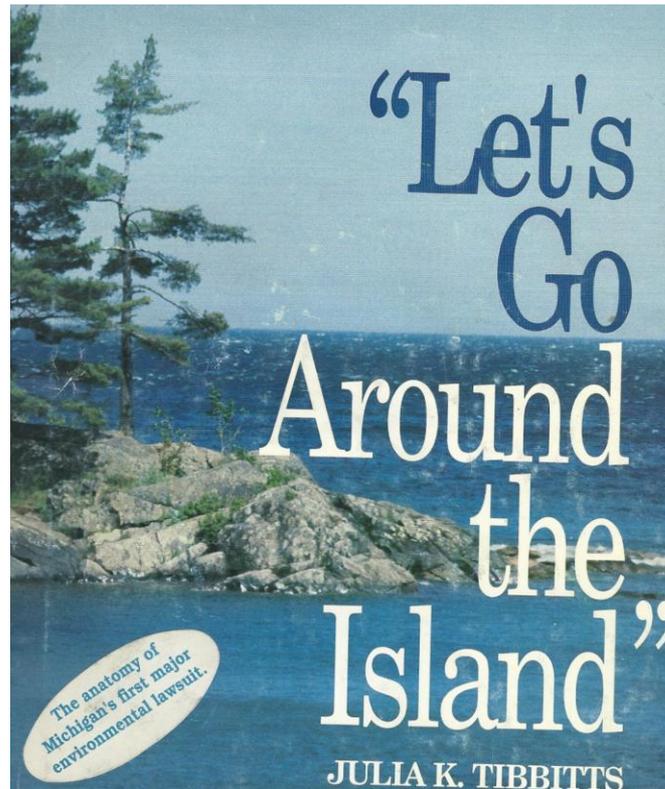


Rock
Creek in
Silver
Spring,
Maryland

- Julia and Rachel had one major concern in common: the environment!!
- Julia and Rachel both left lasting environmental legacies.

“All of us concerned with the environment must weigh the evils produced by industrial projects against economic and other factors, but when progress can be achieved by more acceptable alternatives, then those who neglect our environment are guilty of criminal conduct.”

Julia K. Tibbitts



- Rachel Carson's work, especially *Silent Spring*, powerfully impacted environmentalists and served as a focus and inspiration for the environmental movement of the 1960s.
- H. Patricia Hynes, Rachel Carson scholar, states that "Silent Spring altered the balance of power in the world. No one since would be able to sell pollution as the necessary underside of progress so easily or uncritically."
- Scholars believe that the work of Rachel Carson and the activism it inspired triggered the ecology moment and has strengthened the grassroots environmental movement since the 1960s. Julia K. Tibbitts was part of that grassroots environment movement.
- Many people encountering Julia K. Tibbitts during her crusade against the power company and federal and state agencies called her an "extremist," and typecast her as a person preferring trees to people. Acting on the courage of her convictions, Julia battled to preserve both.

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Appendix I – Julia’s Homework

One of Julia’s Action Shopper Alerts

(Source) Legal Reference Documents – Published – Folder 52

- Millscale is solid iron particles which cling like fish scales to the sides of a steel mill after it has been emptied of the melted iron. It is as big as your fingernail, and as thin. When it is scraped out it looks like coal, and makes a dry brown rusty dust. It will not re-melt into the iron ore process, and must be thrown away. It is three times heavier than coal. Because it has properties which seriously pollute the landscape, it has been confined by environmentalists around the big steel mills. They are no longer able to take it out into the country and dump it on the ground anywhere. So it is piling up in Detroit, Chicago, Gary and CLEVELAND, and anywhere else steel is made.
- Cleveland Cliffs has been secretly bringing millscale into Marquette for three years, and intends to bring it in by the boatload as soon as it has completed what it falsely calls a new coal unloading facility.
- Cleveland Cliffs Iron Company has been conducting a secret process at the Pink Pioneer Pellet Plant. They have been putting millscale into the pellets they make at that plant. This is done periodically. The millscale is ground fine as powder solid-iron particles. There is no known estimate taken of how much of that pink smoke contains these solid pieces of iron, particles too small to be easily seen, but not too small to lodge in your baby’s lungs, or your wife’s lungs, or your mother’s lungs without any protection or warning. There is no known device which is monitoring how much of this stuff is killing people slowly – in Marquette, Michigan.

- Cleveland Cliffs Iron Company is trying to put across in Marquette's Presque Isle harbor an unloading facility **JUST FOR BRINGING IN MILLIONS OF TONS** of millscale and scarfer grit from Detroit, Chicago, Gary and **CLEVELAND**.
- It must be put into railroad cars and taken to the Pink Pioneer Pallet Plant at Eagle Mills where they have been putting it in the pellets. Secretly, because they knew that once the people found out what it was, they would realize the extreme danger of breathing that smoke with this iron particulate in it.
- When millscale gets into the water and on the land in the Presque Isle harbor (or Upper Harbor) in Marquette, there could be toxic dangerous chemicals added to that water that could kill fish or make them inedible kill aquatic life, kill the birds which live on these fish and aquatic life, kill people who drink or swim in it, cover boats and the shoreline with the rust and chemicals thus formed, and make a serious hazard out of that piece of beach out there.
- When CCI-LS&I made their environmental impact study, they gave no more than passing mention of the pollution properties of millscale, only that it would compound the pollution already made by the coal dust.
- SPRI accuses CCI of mis-informing, not-informing and falsely informing the people of Marquette concerning the corporate intent which could do them physical harm in.
- They don't have to breathe that killing smoke in Cleveland! Or Detroit, Chicago or Gary! But we do! CCI wants to put millscale into that mixture of iron ore, which will release into the air an unknown, undetermined amount of iron particles, which have **NEVER** been monitored for the public's information and **NEVER** been questioned as to its fatal effect on human beings.

- How many doctors have had autopsies made on their patient's bodies to determine if they died of iron oxides or rust poisoning? Have determinations been made on the effects of this stuff on the newborn, the elderly, the smoker, or the sick? It is belching this stuff less than a mile from a clinic. That is probably why we are hearing so much about losing Acocks Medical Facility. They don't want to change the plant, just close that good little hospital!!!
- WAKE UP, MARQUETTE! It is NOT too late to stop this cunning, clever cover-up, and put this thing out in the open where you can at least see your death-trap.
- With this stuff in your air which used to be pure up here, and In Lake Superior which used to be clean up here, you are the sucker in this corporate evil. You know now that it was kept secret because it was a health hazard TO YOU. You know that their proposed unloading facility is not for all.
- According to its own records, there is millscale on the Marquette Dock Company platform right now. Most of us poor fools can't tell it from the coal piles. But we can be killed by it, in the air and in the water. WAKE UP!!
- Cleveland Cliffs is trying to establish the fact that they must have this unloading facility in order to provide coal to operate to provide coal to operate the Presque Isle Power Station, in order to operate the Tilden Mine, in order to provide jobs, in order to stimulate the economy.
- They are asking the people of this community to support the building of this unloading facility under the disguise of their need for this electric power or energy and appeal to your support of industry to attain this goal.
- It is not necessary for them to have this unloading facility for coal at all. Once CCI has built this unloading facility, it will have the capacity to buy coal from Montana and ship it to Marquette in railroad cars, which is easily done, and to use the unloading facility you are being asked to support-against your own best interests – to unload MILLSCALE!!
- This has nothing to do with their electric power, the energy shortage, the Tilden Mine, the American Flag, Motherhood, or Apple Pie!!

- But it has a lot to do with ruining your beach front and your unparalleled city park of Presque Isle for all present and future generations of Marquette's people.
- Cleveland Cliffs could produce for you if they wanted to, plans for a huge pelletizing plant to be built by them and U.S. Steel, at the Yellow Dog plains and basin, which could use up to 14 million tons of millscale every year. Unloaded at Presque Isle! THE ISLAND, EVERYBODY, THE ISLAND!!!
- Are we crazy?
- If a new huge pelletizing plant, just like the Pink Pioneer Pellet Plant at Eagle Mills, is built up the Big Bay Road near the Yellow Dog River, here are some shocking realities you are going to have to face:
 - Rivers running black and red
 - A smokestack just like the Pink Pioneer Pellet Plant only bigger and blacker.
 - A scenic country road completely spoiled forever.
- More acres of desecrated forest.
- Imported downstaters by the thousands with their added pollution, sewage, crime, overcrowding, trailers, housing units and YOU PAY THEIR TAXES! The only people who make money on them are real-estate dealers and insurance companies.
- And Presque Isle Park, the only thing that makes Marquette uniquely beautiful above all other little cities, will become unusable forever.
- Dominic Jacobetti, did you know about this?
- Our local politicians don't tell us the truth.
- Our local leaders don't tell us the truth.
- Our local corporate economic tyrant CCI does not tell us the truth. They tell us the half-truth that the unloading facility is for coal, and slowly start to strangle us with tons upon tons of millscale.
- Silent creeping corporate violence to you.

“Don’t get down on the corporations: they are forced by laws and regulations and taxes – government meddling as they see it – to become larger tougher , more dishonest. We have made size and advantage to them. We are seeing the results of the business environment we (our government) have created. They are living more or less by the rules. If they break government rules they are fined. If they break moral rules (principles) no fine, no judgment, no one knows, no punishment.”

Richard Tibbetts

Munro Longyear Tibbitts

- Died April 17, 1973
- Julia and Munro were married for 33 years and raised two sons, Richard and Frederick.
- Munro Tibbitts served as president of the Longyear Realty Company of Marquette – a corporation created to execute the legal provisions of the will of his uncle John Munro Longyear who owned timberlands and iron mines through the region.
- Munro Tibbitts also was the president of several smaller corporations as executor of lands and mines that other people had owned jointly with John Munro Longyear. Millions of dollars worth of holdings were managed through his office.
- Cleveland Cliffs representatives convinced Munro to sell them several acres of land on Big Bay Road claiming that Longyear Realty and Cliffs had negotiated to the benefit of Longyear in the past. After agonizing over the decision Munro sold them the land for an ash dumping site for their power plant, UP Generating Company.
- The dump was an environmental disaster.

Questions to Ponder About Julia K. Tibbitts and Women's History

- Did Julia really not see herself as an environmentalist?
- Was Julia, in fact, an environmentalist- just one with a narrowly focused interest?
- Are grass roots environmentalists just as effective as the EPA and other state and federal agencies?
- What did Julia accomplish?
- In her personal life, did Julia ever have a “conflict of conscience” since the husband she obviously loved headed a corporation?
- Would Julia have considered herself part of women's history?
- Is Julia an unacknowledged part of women's history as it pertains to ordinary women?
- Are women with names not as recognizable as Rachel Carson, Elizabeth Cady Stanton or Hillary Clinton part of the narrative of women's history?
- How can recognition of the achievements of ordinary women in history be better accomplished, especially when scholarship tends to focus on the more noteworthy women and their achievements?

Let's Go Around the Island!

