Bay Mills Indian Community
12140 West Lakeshore Dr.
Brimley, Michigan 49715
(906) 2448-3241   Fax (906) 248-3283

Bay Mills Indian Community Chippewa Landing Clean Up Proposal

Narrative Information Sheet

R05-22-C-002

IV.D.1. Applicant Identification
Bay Mills Indian Community
12140 W. Lakeshore Drive
Brimley, Michigan 49715

IV.D.2. Funding Requested
IV.D.2.a. Grant Type
Grant Type: Single Site Cleanup

IV.D.2.b. Federal Funds Requested
IV.D.2.b.i., b.ii., b.iii. Funds Requested and Waiver Requests
The amount being requested from EPA is $262,364. We are requesting a waiver of the 20% cost share requirement. Please see section III.B.14. of the Threshold Criteria and the attached Hardship Waiver Request document.

IV.D.3. Location
Bay Mills Indian Community fee land.

IV.D.4. Property Information
Chippewa Landing, 4234 South Bay Mills Point Road, Brimley, MI 49715

IV.D.5. Contacts
IV.D.5.a. Project Director
Name: Jennifer Parks
Ph: 906-248-8655
E: jmparks@baymills.org
Mailing Address: Bay Mills Indian Community, 12140 W. Lakeshore Dr. Brimley, MI 49715

IV.D.5.b. Chief Executive/Highest Ranking Elected Official
Name: Whitney Gravelle
Ph: (906) 248-8120
E: wgravelle@baymills.org
Mailing Address: Bay Mills Indian Community, 12140 W. Lakeshore Dr. Brimley, MI 49715
IV.D.6. Population
According to the Bay Mills Indian Community Enrollment Director, BMIC has 2,304 enrolled Tribal members, 701 of which currently reside on the Reservation. BMIC is located within Bay Mills Township, which has a population of roughly 1,567 people, 804 of which are non-tribal.

IV.D.7. Other Factors

<table>
<thead>
<tr>
<th>Sample Format for Providing Information on the Other Factors</th>
<th>Page #</th>
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<tbody>
<tr>
<td>Community population is 10,000 or less.</td>
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<tr>
<td>The applicant is, or will assist, a federally recognized Indian Tribe or United States territory.</td>
<td>1</td>
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<tr>
<td>The proposed brownfield site(s) is impacted by mine-scarred land.</td>
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<tr>
<td>Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.</td>
<td>3</td>
</tr>
<tr>
<td>The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).</td>
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<tr>
<td>The proposed site(s) is in a federally designated flood plain.</td>
<td>2</td>
</tr>
<tr>
<td>The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy.</td>
<td>3</td>
</tr>
<tr>
<td>The reuse of the proposed cleanup site(s) will incorporate energy efficiency measures.</td>
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<tr>
<td>The target area(s) is located within a community which a coal-fired power plant has recently closed (2011 or later) or is closing.</td>
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IV.D.8. Letter from the State or Tribal Environmental Authority
BMIC is a federally recognized Tribe therefore a letter is not required for this grant application.

IV.D.9 Releasing Copies of Applications
This criterion is not applicable as the application does not contain confidential, privileged, or sensitive information.
November 22, 2021

RE: In Support of Brownfields Clean Up Grant Application

To Whom It May Concern,

I am writing this letter to communicate Bay Mills Indian Community’s strong support for the EPA Brownfields Clean Up Grant application, and commitment to provide the 20% match required for the grant.

Chippewa Landing, located on the Back Bay of the St. Mary’s River, was recently acquired by Bay Mills Indian Community (Bay Mills) in a land swap with the Sault Sainte Marie Tribe of Chippewa Indians. This property has long historical outdoor use ties to our Tribal Nation, and our goal for the property is to create an outdoor recreation outfitter and campground with water access for kayakers, fishermen, and watercraft. Documented contamination including petroleum, asbestos, and other hazardous materials, impedes future development of the site. Ultimately, our economic development efforts at this location cannot commence until the contaminants are removed.

Bay Mills is committed to providing the 20% match for the Brownfields Clean Up Grant. Bay Mills has a strong track record of environmental stewardship, and we recognize revitalizing this brownfield site to reduce environmental contamination in our soils and waterways is important for protecting our natural resources for the next seven generations.

Our community will also benefit through the mitigation of potential health risks and restoring the economic vitality of the site through an increase in jobs associated with the planned development. Bay Mills heavily relies on the tourism industry to support our local economy. Outdoor recreation tourism, in particular, is an integral sector in which we must build capacity. The redeveloped site will round out what Bay Mills can offer as a tourism destination, and increase tourism throughout our area.

I urge your careful consideration in awarding a Brownfields Clean Up Grant to assist Bay Mills Indian Community in this clean up and redevelopment project.

Chi miigwetch (thank you),

Whitney B. Gravelle, President
Bay Mills Indian Community
Bay Mills Indian Community Chippewa Landing Clean Up Proposal
Narrative/RankingCriteria for Cleanup Grants

IV.E.1 Project Area Description and Plans for Revitalization
IV.E.1.a Target Area and Brownfields

IV.E.1.a.i Background and Description of Target Area

Bay Mills Indian Community was organized in its current sovereign form by the Indian Reorganization Act of 1936. The boundaries of the BMIC span the surrounding townships of Bay Mills and Superior Townships in the Eastern Upper Peninsula of Michigan. The land area of the Bay Mills Indian Community Reservation is comprised of 3,390 acres held in trust by the federal government. The contiguous reservation is located northwest of Brimley, Michigan, a large portion of which is on the shores of the upper St. Mary’s River which is part of the Great Lakes. Current Tribal enrollment is 2,304 members. In 1977, 469 members were living on the Bay Mills reservation. As of 2021, this number had increased to 701 Tribal members, and it is expected to continue to grow.

As a sovereign entity, BMIC is fully responsible for its operations as a governmental unit, including public safety/law enforcement, judicial system, health care, and economic development. The BMIC economy is driven primarily from its enterprises, including the Bay Mills Resort & Casino, Wild Bluff Golf Course, Sunrise View RV Park, Bay Mart gas station, and Four Seasons grocery store.

Economic development is crucial for BMICs longevity, and integrating the Chippewa Landing property into BMICs portfolio is viewed as a critical component in diversifying the economic base of BMIC. Chippewa Landing, the site of concern, is located on Bay Mills Point Road, southeast of the Bay Mills Indian Community. Residential and seasonal homes are located in the immediate vicinity of the property. The site is directly adjacent to Back Bay and part of the St. Mary's River, which was designated an Area of Concern in 1987 by the Great Lakes Water Quality Agreement. Wetlands are located across the channel that makes up the south and western boundaries of the property.

The site is not impacted by mine-scarred land and is not within a community in which a coal-fired power plant has recently closed or is closing.

IV.E.1.a.ii Description of the Proposed Brownfield Site(s)

According to the Baseline Environmental Assessment report from December 10, 2020 by Mackinac Environmental Technologies, Inc. (MET), historical research dates back to a 1939 aerial photograph, which depicted the Chippewa Landing site as undeveloped land with no buildings or structures of any kind. According to the former owner, the site has been used as a home, retail store, bait shop, and boat storage since the main building was constructed during the early 1970s. The site was then purchased by the Sault Ste. Marie Tribe of Chippewa Indians on December 1, 2020. Above-ground storage tanks (ATSs) were removed from the property while under ownership by the Sault Ste. Marie Tribe of Chippewa Indians. Bay Mills Indian Community (BMIC) acquired the property through a land swap with Sault Ste. Marie Tribe of Chippewa Indians on August 13, 2021. Since that date, no changes have been made other than to apply institutional controls, including monitoring and site security.

Two AST systems were formerly located on the subject property. The first system contained two tanks and two fuel pumps located adjacent to the boat launch to refuel watercraft. The second system was located on the west side of the retail/storage building and consisted of
one AST utilized for diesel fuel storage. Phase II sampling on November 6, 2020, and reported results in Baseline Environmental Assessment report from December 10, 2020 by Mackinac Environmental Technologies, Inc. (MET) identified petroleum product contaminants that exceeded Part 201 Generic Residential Cleanup Criteria (GRCC), including Residential Drinking Water (DW) and/or Groundwater/Surface Water Interface (GSI) values. Gosling Czubak Engineering Services, Inc. (GCES) completed additional sampling activities for delineation purposes on October 4, 5, and 6, 2021.

On October 4-6, 2021, GCES personnel conducted a reconnaissance of the site to identify and sample potential asbestos-containing materials (ACMs). Each observed material with a potential to contain asbestos was sampled. Asbestos was found throughout several buildings. This information was provided in the "Asbestos Inspection Report" from November 1, 2021, by GCES.

IV.E.1.b Revitalization of the Target Area

IV.E.1.b.i Reuse Strategy and Alignment with Revitalization Plans

Historically, Chippewa Landing was used for retail business and outdoor recreation, including a campground and small boat launch. BMIC wishes the use of this site to remain consistent with historical uses. As many of the buildings date back to the 1950s and are not configured in such a way as to support future use. BMIC plans to demolish the buildings and start anew.

The Inter-Tribal Council of Michigan completes Comprehensive Economic Development Strategies (CEDS) for the twelve Federally Recognized Tribal Nations in the state of Michigan. The BMIC CEDS includes the following priority areas pertinent to this project:

- Increased infrastructure to various landholdings
- Diversification of economic development for BMIC-implementing BMIC Diversification Strategy Plan to increase job opportunities in our region
- Foster more growth within tourism- specifically increasing access to our waterways for recreation and expanding pedestrian/bicycle trails
- Marina and Campground development to promote Tourism and Fishing Industry

In addition to the CEDS, BMIC's Economic Diversification Strategy notes one of the key market opportunities identified in a retail market analysis is an outdoor outfitter. The study found an outfitter would capitalize on regional market demand unmet by traditional retail, be a flexible space that is adaptable to winter activities and warmer months, and serve as a bridge between the outdoor amenities within the Bay Mills Indian Community and adjacent public lands at Brimley State Park, Bay View Campground and other amenities in Hiawatha National Forest, and the Round Island Point Nature Preserve. Additionally, the outfitter can provide young members of the Bay Mills Indian Community the chance for on-the-job training, cultural competency, and educating visitors on the traditions, values, and history of the Bay Mills Indian Community. The outfitter would be a place to rent gear, purchase goods, and even schedule tours from Bay Mills Indian Community Guides.

Our key target audience is outdoor recreation enthusiasts, specifically kayakers/canoers, hikers, campers, fishing enthusiasts, and snowmobilers. By revitalizing Chippewa Landing and adhering to the priorities/recommendations outlined in our CEDS and Economic Diversification Strategy, BMIC will meet the needs of our target audience and foster growth in our economy.

According to FEMA's National Flood Hazard Layer, Chippewa Landing is located in a federally designated floodplain within the Great Lakes Basin. Projected site reuse as an outdoor
recreation resource supporting watercraft, kayakers/canoers, fishermen, and campers will preserve greenspace. Green infrastructure technology, such as bioswales, rain gardens, and permeable pavements, may be utilized in the redevelopment in the site as floodplain management efforts. Use of renewable energy options will be considered but it is unknown if they will be incorporated in the project.

Public engagement was key in the creation of the Economic Diversification Plan and played a large role in BMIC Executive Council and Tribal Administration's decision to revitalize the Chippewa Landing site as a recreation destination, with an outdoor outfitter. Our public notification process adhered to the RFA requirements and resulted in one comment, indicating the projected reuse of the site is favorable.

**IV.E.1.b.ii Outcomes and Benefits of Reuse Strategy**

The Bay Mills Indian Community is a federally-recognized Tribal Nation, meeting the qualifications to be designated as a disadvantaged community. Executive Order 14008 Section 203, Justice 40 Initiative outlined recommendations regarding investments in disadvantaged communities. These include workforce development, remediation and reduction of legacy pollution, and the development of critical clean water infrastructure. The proposed project seeks to remediate pollution that is directly adjacent to a body of water, resulting in the ability of the Tribe to revitalize the site as a tourist destination.

Currently, the contamination of Chippewa Landing impedes BMICs revitalization and development of the site in terms of both cost and time. Cleanup of the site will allow BMIC to remove contaminated soil and clear the buildings of asbestos, which will, in turn, allow BMIC to demolish the existing structures on the site. Once the site is clear of the structures, BMIC will be able to redevelop it as an outdoor recreation destination, including the development of an outdoor outfitter that will create jobs for Tribal members and support the local economy.

**IV.E.1.c Strategy for Leveraging Resources**

**IV.E.1.c.i Resources Needed for Site Reuse**

Bay Mills Indian Community, as a federally-recognized Tribe, is eligible for monetary funding from a variety of other sources. BMIC is presently most interested in seeking Economic Development Administration (EDA) funding to aid in the redevelopment and reuse of the site; however, contamination concerns must be addressed before applying for and receiving EDA funds. EPA Brownfields Clean Up funding will allow for the removal of harmful contaminants and stimulate the availability of additional funds through the EDA and other potential sources for reuse of the site.

Bay Mills Indian Community Tribal Administration has committed to providing matching funds for this project through the Tribe's general fund. A letter of support from President Gravelle expresses support for this effort and commits match dollars (see attached). No other funding has been sought or leveraged for this project.

**IV.E.1.c.ii Use of Existing Infrastructure**

Plans for revitalizing the site include the removal of all the structures currently present on the parcel. Due to the presence of asbestos in two of the buildings, a certified asbestos abatement team must first remove all contaminated materials before the demolition of the structures. Upon removal, the site can be designed in such a way to maximize its potential as an outdoor recreation destination. New buildings will be constructed to house an outdoor outfitter and
provide storage for recreation equipment. A new boat launch with docking will most likely be installed better to serve the public’s access to the water. Given the property's age, the septic, water system, and electrical will need to be upgraded. Once cleanup and demolition is complete, BMIC will seek EDA funding to construct the outfitter, storage facilities, boat launch, and dock. IHS funding may be sought out for assistance with water and sewer upgrades.

IV.E.2 Community Need and Community Engagement
IV.E.2.a Community Need
IV.E.2.a.i The Community's Need for Funding

BMICs on-Reservation population consists of 701 Tribal members, many of which work in the accommodation and food services industry. Our region’s primary economic engine is tourism, which is highly affected by external influences such as weather, climate change, transportation costs, and public health crises. Many communities were significantly impacted during the height of the Covid-19 pandemic, some of the hardest-hit being Tribes. Prolonged casino and enterprise closures meant that members of our community lost jobs and were fearful of their financial security and health.

Tribes are uniquely situated in terms of economics because Tribal governments rely on enterprise revenue to operate. Additionally, Tribal governments do not have access to a tax base from which to draw funds for environmental remediation and infrastructure development, as property taxes cannot be collected on Trust land. Bay Mills Tribal Administration was unable to access enterprise revenue needed to run government operations and programs; therefore, the Tribe was forced to use General Fund dollars to keep Tribal members employed and insured. This resulted in a significant decrease in capital from which the Tribe can draw from to carry out environmental remediation and revitalization efforts.

BMIC is an economically and underserved Native American reservation with a strong history of high unemployment and low per-capita income in relation to the national rates. The U.S. Census 2015-2019 American Community Survey found BMIC has an unemployment rate of 7.8% compared to an unemployment rate of 3.8% for Michigan. Furthermore, over 55% of BMIC households earn less than the Michigan and U.S. Median Household Incomes. Additionally, 19.1% of families live under the poverty level, compared to 13% in the state.

IV.E.2.a.ii Threats to Sensitive Populations
IV.E.2.a.ii.1 Health or Welfare of Sensitive Populations

A 2010 CDC survey of three Tribal communities, including BMIC, found that 68% of adults were overweight or obese, and two in three adults did not eat the recommended number of servings of fruits or vegetables each day. Chippewa County, where BMIC is located, is ranked 82nd out of the 83 counties in Michigan for indicators of health behavior, including obesity, physical inactivity, and excessive drinking (University of Wisconsin Population Health Institute, 2017). Furthermore, only 1% of residents live within half a mile of a park. This lack of access to opportunities for physical activity only worsens the health crisis facing BMIC. According to the CDC, Native Americans have a higher chance of dying from diet- and inactivity-related diseases such as type 2 diabetes, stroke, and heart disease than other population groups in Michigan and nationwide.

BMIC intends to remediate Chippewa Landing and redevelop it into a recreational hub. This will allow community members and tourists to engage in physical activity on the waterways, including kayaking/canoeing, which are traditional forms of physical activity;
swimming; paddle boarding; etc. In addition to creating opportunities for physical activity, redevelopment of this site will include public water access for watercraft, thereby supporting subsistence fishing activities, a cultural keystone of the Bay Mills Indian Community. By creating opportunities for physical activity and subsistence fishing, BMIC hopes to address the greatest health threats facing our community.

**IV.E.2.a.ii.2 Greater Than Normal Incidence of Disease and Adverse Health Conditions**

Native Americans are disproportionately affected by disease and adverse health conditions that may be associated with exposure to hazardous substances, pollutants, contaminants, or petroleum. According to a 2017 IHS Indian Health Disparities Report, "Mortality Disparity rates across American Indians and Alaskan Natives," native populations experience a higher rate of cancer and chronic lower respiratory diseases than all races across the US. Per 100,000 individuals, 180.6 Native Americans suffer from cancer as compared to 173.5 for all races in the US. Native Americans have a greater incidence of lower respiratory disease with 47.2 per 100,000 compared to 42.7 per 100,000 across all races in the US.

**IV.E.2.a.ii.3 Promoting Environmental Justice**

On 11 February 1994, President Clinton issued EO 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. EO 12898 directs agencies to address environmental and human health conditions in minority and low-income communities to avoid the disproportionate placement of any adverse effects from federal policies and actions on these populations. As defined by the “Environmental Justice Guidance Under NEPA” (CEQ, 1997), “minority populations” includes persons who identify themselves as Asian or Pacific Islander, Native American or Alaskan Native, black (not of Hispanic origin), or Hispanic. A minority population exists where the percentage of minorities in an affected area either exceed 50% or is meaningfully greater than in the general population. The percentage of minorities in Bay Mills Indian Community is nearly 85%; thus, it is considered to have a minority population.

The project will provide a safe environment for the Tribe to exercise its self-governance, including economic and recreation actions for Native Americans (considered minority, at-risk, and largely low-income), through the revitalization of this contaminated site.

**IV.E.2.b Community Engagement**

**IV.E.2.b.i Project Involvement**

There are several local organizations and entities that will be relevant to the proposed project. These include the following:

- **Executive Council** is the decision-making arm of the Tribe, and provides general policy direction to all BMIC organizations, departments, and entities.
- **Tribal Administration** will oversee and coordinate the proposed clean up and manage grant funds.
- **Bay Mills Business Holdings** is responsible for managing the future redevelopment of the site (i.e. developing and managing the outdoor outfitter and campground businesses) and will provide general guidance for proposed project.
- **Bay Mills Biological Services** will provide environmental/biological recommendations/information upon request. Jennifer Parks will act as the Project Director for the proposed project and will be responsible for daily tasks, reporting, and coordination.
IV.E.2.b.ii Project Roles
List of Organizations/Entities/Groups & Roles

- Bay Mills Indian Community Executive Council: Whitney Gravelle, President (906) 248-8100, wgravelle@baymills.org. Provides support for other resources as needed. Certifies the cleanup as complete. Will provide guidance for future reuse of project.
- Bay Mills Indian Community Tribal Administration: Rachel Lyons, Tribal Manager & Eric Burtt, Tribal Engineer (906) 248-8132, rlyons@baymills.org. Provides accounting and administrative support. Provide the match for grant. Tribal Engineer will be the qualified environmental professional to assist with overseeing the project's progress and provide technical assistance.
- Bay Mills Business Holdings: Kimmi Walden, BMBH General Manager (906) 248-8135, kwalden@baymills.org. Responsible for managing the future redevelopment of the site as an outdoor outfitter and campground. Responsible for maintenance and upkeep. Will provide access to the site.
- Bay Mills Biological Services: Jennifer Parks, Environmental Coordinator (906) 248-8655, jmparks@baymills.org. Project Director for the proposed project and will be responsible for daily tasks, reporting, and coordination. Provides environmental/biological recommendations upon Executive Council/Administration/BMBH request.

IV.E.2.b.iii Incorporating Community Input
The project team has sought community input on the site via a public meeting and notification on the BMIC website. The information on the website included the draft ABCA, reason for the cleanup and type of contamination, funding request amount, and how to submit comments. It also notified of the location, date, and time of the public meeting. At the public meeting, the ABCA, maps of the site, grant application and application materials were available, and comment forms for participants to fill out. Two people attended the public meeting. One provided a written comment (see attachment). The other comment was verbal. In both cases the comments addressed the known contamination issues with the site currently, support for the clean up and future plans for redevelopment. Updates on the project will be provided to BMIC Tribal Council quarterly and to the community on the BMIC website and at a public meeting.

IV.E.3 Task Descriptions, Cost Estimates, and Measuring Progress
IV.E.3.a Proposed Cleanup Plan
The overall purpose of a cleanup at this site is to allow the property to be redeveloped while mitigating risks posed to human health and the environment. The cleanup goal(s) for this site are listed below.
- Excavate impacted soil and dispose in the qualified local landfill.
- Water filtration system will treat contaminated groundwater.
- Remove and dispose of homogenized liquids deemed “hazardous.”
- Remove and appropriately dispose of asbestos and lead materials in buildings
- Conduct cleanup operations that comply with applicable Tribal, state, and federal standards and protect human health and the environment.
- Resample groundwater and soil in the impacted area to confirm standards are met.
IV.E.3.b Description of Tasks/Activities and Outputs
IV.E.3.b.i Project Implementation

Task/Activity: Project Planning/Monitoring/Permitting
i. Project Implementation: The Project Director, with assistance from the Tribal Engineer, will provide planning oversight for the contractor managing the project. The contractor will be responsible for the technical management and on-site work activities, including monitoring and permitting. Monitoring, permitting, and reporting will be conducted throughout the project period.

ii. Anticipated Project Schedule: Throughout the duration of the grant period.

iii. Task/Activity Lead: The contractor will provide monitoring, permitting, and reporting activities.

iv. Outputs: The project director will provide quarterly updates to BMIC Council, ACRES database entries, and project updates on the website. Monitoring, permitting, and reporting outputs will include reports and closure plans provided by the contractor.

Task/Activity: Clean Up/Remediation
i. Project Implementation: The contractor or BMIC Public Works Department will excavate, transport, dispose of contaminated soil and replace it with clean fill. Clean soil will cap over specified areas. A contractor will remove and dispose of asbestos in buildings. A contractor will provide a water treatment system designed to treat gasoline-impacted groundwater as part of the soil excavation.


iii. Task/Activity Lead: Project Director will receive updates from contractors.

iv. Outputs: Outputs include waste manifests for contaminated soil disposal and asbestos, invoices for clean imported soil and the water treatment system, reports from contractors, and confirmation sample analytical reports.

Task/Activity: Additional Project Activities
i. Project Implementation: BMIC will implement community engagement efforts, including continued outreach via public meetings and project updates via the Bay Mills News website and social media. Solicitation of input/feedback from the community will continue throughout the project.

ii. Anticipated Project Schedule: Community Engagement will be performed throughout the grant work period of October 2022 - September 2025.

iii. Task/Activity Lead: The Project Director will implement the community engagement.

iv. Outputs: Community engagement outputs include public meetings, progress reports, and updates on the Bay Mills News website and social media.

Task/Activity: Post Clean Up
i. Project Implementation: Technical evaluations and compilation of documentation required by the State of Michigan to certify that the cleanup has met state standards, to document no further action is needed and for BMIC Council to approve the cleanup is complete.

ii. Anticipated Project Schedule: Second quarter 2024

iii. Task/Activity Lead: Project Director will work with the contractor.
**iv. Outputs:** Contractor prepares reports, NFA, and clean up documentation and letter for Council to approve.

**IV.E.3.c Cost Estimates**  
See table below.

**IV.E.3.d Measuring Environmental Results**  
Several significant project outputs are referenced within the schedule, task descriptions, and cost estimates provided above. These outputs include the following:

- Project Preparation Document Outputs - Final ABCA, Remedial Action Plan, Scope of Remedial Actions, and Bid Specifications
- Project Execution Outputs - Remediation Activities Report, Risk Assessment Report, Risk Mitigation Plan, ACRES reporting
- Project Close Outputs - No Further Action documentation, Clean Up Completion letter.

The ultimate output is a mitigated Site ready for redevelopment. As previously noted, these outputs are represented by readily identifiable documents and project milestones that are incorporated into the project schedule and will be tracked through progress reports to ensure timely completion. Project billing will be handled by the grants and accounting departments and will be allocated to a budget summary that tallies costs incurred against the original budget for each task. Utilizing these project management tools, the cost and time incurred for achieving each output can be monitored, and corrective action can be taken, as may be necessary, to ensure project completion within the allotted funding and schedule.

**IV.E.4 Programmatic Capability and Past Performance**

**IV.E.4.a Programmatic Capability**

**IV.E.4.a.i Organizational Structure**  
The project team includes the Project Director, Tribal Engineer, and Bay Mills Indian Community’s Accounting and Grants Management departments, which oversee grants and expenditures. Quarterly statements and meetings ensure grant progress is on track. As a recipient of multiple awards of federal funds in the form of grants and contracts, the staff and management of BMICs Grants and Contracts Department and Accounting Department ensures adherence and compliance to the Office of Management and Budget regulatory objectives (i.e., bulletins, circulars), as well as grant-specific requirements. The BMIC team has a highly successful past in implementing and completing projects, either on time or ahead of schedule.

The PD will manage the project and will receive guidance from the Tribal Engineer when needed. Contractors will be hired to carry out the technical work of clean up and monitoring the site. The Tribe also has a Public Works department which may assist in some cleanup activities related to excavation and removal of site materials under the guidance of the contractor.

**IV.E.4.a.ii Description of Key Staff**  
Team members, Responsibilities and Years of Experience

- Jennifer Parks, Environmental Coordinator, BMIC Biological Services; Applicant, procurement of contractors, grant administration (including reporting); One (1) year of experience with Brownfield grants.
- Eric Burtt, Tribal Engineer; BMIC Administration, Technical assistance for the project, procurement of contractors; 15+ years of experience as a qualified environmental professional.
- Tara Parrish, Tribal Grants Coordinator, BMIC; Technical assistance for grant writing, administration and community outreach; Two (2) years of experience with grants
- Diane Teeple, Grants Manager, BMIC Administration; Technical assistance for grant financial administration; 20+ years of experience with grants.
- Albert Bertram, CFO, BMIC Accounting; Technical assistance for grant administration; 10+ years accounting and grant experience

IV.E.4.a.iii Acquiring Additional Resources
The project team will acquire additional expertise and resources in procuring contractors to assist with the successful completion of the project. This contractor will oversee the acquisition of additional resources, as necessary, such as qualified remediation contractors for soil, groundwater, and asbestos cleanup, analytical laboratories, and soil and groundwater monitoring. The contractor firm will be hired through RFP and bid processes, as required by the BMIC Procurement Policy, and will be overseen by Ms. Parks and Mr. Burtt.

IV.E.4.b Past Performance and Accomplishments
IV.E.4.b.i Currently Has or Previously Received an EPA Brownfields Grant
IV.E.4.b.i.1 Accomplishments
BMIC has received Brownfields 128(a) Tribal Response Program Grants for FY20 and FY21. Expected results have been achieved over the time that BMIC has held this grant. This grant has also allowed the Tribe to establish procedures for inventorying and responding to potential brownfields sites and other sites of concern. Twenty sites have been inventoried, and another BMIC brownfields site, the Silver Dome, is in the process of being cleaned up. Two other sites that were identified through this process (but did not qualify as brownfields sites) have been cleaned up. The Silver Dome site is still in the process of monitoring soil and groundwater after the initial cleanup and has been entered into the Assessment, Cleanup, and Redevelopment Exchange System (ACRES). A public record has been established and is available on the BMIC Brownfields webpage.

IV.E.4.b.i.2 Compliance with Grant Requirements
BMICs has held a 128(a) TRP grant since FY20. Quarterly performance reports and grant deliverables have been submitted on time, and ACRES is updated whenever new information pertinent to the database is available. The work plan and budget in FY20 was modified due to the necessary cleanup of the Silver Dome brownfields site. The hiring of staff to manage the brownfields program was delayed due to the COVID-19 pandemic which did push back the scheduled activities in the work plan by a quarter. Otherwise, the 128(a) grant is moving forward in a timely manner and achieving expected results, including establishing an inventory, public record, identifying gaps in policies and SOP's, and cleaning up the Silver Dome Site. BMICs current 128(a) TRP grant period spans October 1, 2021, through September 20, 2022. Currently, there are funds yet to expand, but this is only the first quarter of the grant, and we are on schedule for spending these down by the end of the grant period. BMICs closed FY20 128(a) TRP did have $7979.44 funds remaining. Due to the Silver Dome cleanup, budget modifications
had to be made, staff to manage the grant were not hired until the second quarter, and another staff member was removed from the grant.

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<tr>
<td>Chippewa Landing-Environmental Clean Up</td>
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<td>Opinion of Probable Cost</td>
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**Project Name**: BM- Chippewa Landing Environmental  
**Municipality**: Bay Mills Indian Community

### Schedule A: Project Planning/Monitoring/Permitting

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<th>Item</th>
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<tr>
<td>1</td>
<td>Professional Services; A/E Permitting; planning; exhibiting</td>
<td>1</td>
<td>EA</td>
<td>$20,000.00</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>2</td>
<td>Continued Monitoring/Reporting for Closure; 3 yrs</td>
<td>3</td>
<td>EA</td>
<td>$15,000.00</td>
<td>$45,000.00</td>
</tr>
<tr>
<td>3</td>
<td>Clean up Oversight-sampling-reporting</td>
<td>1</td>
<td>EA</td>
<td>$20,000.00</td>
<td>$20,000.00</td>
</tr>
</tbody>
</table>

Planning & Design Total: $ 85,000.00

### Schedule B: Clean Up/Remediation

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Units</th>
<th>Units Cost</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Soil Removal/Disposal</td>
<td>150</td>
<td>Cyds</td>
<td>$100.00</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>2</td>
<td>Equipment &amp; Crew Mobilization or Demobilization</td>
<td>2</td>
<td>Ea</td>
<td>$3,500.00</td>
<td>$7,000.00</td>
</tr>
<tr>
<td>3</td>
<td>System Setup or Breakdown</td>
<td>2</td>
<td>Day</td>
<td>$2,500.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>4</td>
<td>Onsite treatment operations— Monday - Saturday 12 hours per day, two 12-hour shifts per day with two technicians per shift</td>
<td>12</td>
<td>Day</td>
<td>$3,900.00</td>
<td>$46,800.00</td>
</tr>
<tr>
<td>5</td>
<td>Onsite treatment operations— Sunday or Holiday 12 hours per day, two 12-hour shifts per day with two technicians per shift</td>
<td>2</td>
<td>Day</td>
<td>$5,325.00</td>
<td>$10,650.00</td>
</tr>
<tr>
<td>6</td>
<td>Initial Fill CH-R830</td>
<td>20,000</td>
<td>Lbs.</td>
<td>$0.75</td>
<td>$15,000.00</td>
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<tr>
<td>7</td>
<td>Purchase Bag Filters 5-100 Micron</td>
<td>100</td>
<td>Ea</td>
<td>$7.00</td>
<td>$700.00</td>
</tr>
<tr>
<td>8</td>
<td>PTS 660 - Treatment System Rental Includes 200’ hose, bag filter housing, &amp; containment berm</td>
<td>2</td>
<td>Week</td>
<td>$2,950.00</td>
<td>$5,900.00</td>
</tr>
<tr>
<td>9</td>
<td>Final carbon removal at CHES Facility – Includes equipment and labor</td>
<td>1</td>
<td>LS</td>
<td>$2,175.00</td>
<td>$2,175.00</td>
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<tr>
<td>10</td>
<td>Non-Hazardous Spent Media Disposal</td>
<td>30,000</td>
<td>Lbs.</td>
<td>$0.25</td>
<td>$7,500.00</td>
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<tr>
<td>11</td>
<td>Stockpile/Dewatering Pad (liner; pump; grading)</td>
<td>1</td>
<td>LS</td>
<td>$8,000.00</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>12</td>
<td>Asbestos Removals</td>
<td>1</td>
<td>LS</td>
<td>$50,000.00</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>13</td>
<td>General Conditions (mobilization, sesc, contract admin)</td>
<td>1</td>
<td>EA</td>
<td>$10,000.00</td>
<td>$10,000.00</td>
</tr>
</tbody>
</table>

Construction Total: $183,725.00

### Schedule C: Post Clean Up

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Units</th>
<th>Units Cost</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Add'l Monitoring wells</td>
<td>3</td>
<td>EA</td>
<td>$4,000.00</td>
<td>$12,000.00</td>
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Post Construction Total: $ 12,000.00

Subtotal of All Schedules $ 280,725.00

### Additional Project Costs

<table>
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<tr>
<th>Item</th>
<th>Description</th>
<th>%</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Contingency</td>
<td>50%</td>
<td>$28,000.00</td>
</tr>
<tr>
<td>2*</td>
<td>Tribal Engineer Wage and Fringe</td>
<td>58%</td>
<td>$16,500.00</td>
</tr>
<tr>
<td>3*</td>
<td>Indirect for Engineer Wage and Fringe</td>
<td>32%</td>
<td>$2,730.00</td>
</tr>
</tbody>
</table>

Subtotal Additional Costs $ 47,230.00

Summary of Schedules Including Project Costs $ 327,955.00

*: In-kind match

### SUMMARY OF ESTIMATES

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL PROJECT COSTS</td>
<td>$327,955.00</td>
</tr>
<tr>
<td>TOTAL IN-KIND MATCH</td>
<td>$19,230.00</td>
</tr>
<tr>
<td>TOTAL BMIC CASH MATCH</td>
<td>$46,361.00</td>
</tr>
<tr>
<td>TOTAL PROJECT AMOUNT REQUIRED</td>
<td>$262,364.00</td>
</tr>
</tbody>
</table>
Threshold Criteria

III.B.1 Applicant Eligibility
Bay Mills Indian Community is a federally-recognized Tribe; thus, eligible for this funding per the RFA eligibility criteria.

III.B.2 Previously Awarded Cleanup Grants
I affirm that the proposed site(s) has/have not received funding from a previously awarded EPA Brownfields Cleanup Grant.

III.B.3 Expenditure of Existing Multipurpose Grant Funds
I affirm that my organization does not have an active EPA Brownfields Multipurpose Grant.

III.B.4 Site Ownership
A digital copy of the warranty deed will be included as an attachment to this proposal.

III.B.5 Basic Site Information
Chippewa Landing
4234 S. Bay Mills Point Rd.
Brimley, MI 49715
Currently owned by Bay Mills Indian Community

III.B.6 Status and History of Contamination at the Site
The subject property is part of the Great Lakes system. Two AST systems were formerly located on the subject property. The first system contained two tanks and two fuel pumps, located adjacent to the boat launch. This system was used to refuel watercraft. The second system was located on the west side of the retail/storage building and consisted of one AST utilized for diesel fuel storage. Mackinac Environmental Technologies completed Phase II sampling on November 6, 2020, and reported results in the MET December 10, 2020, BEA report. Results identified petroleum product contaminants that exceeded Part 201 Generic Residential Cleanup Criteria (GRCC), including Residential Drinking Water (DW) and/or Groundwater/Surface Water Interface (GSI) values at a sampling location located adjacent to the gasoline pumps on the southwest side of the boat launch. Gosling Czubak (GCES) completed additional sampling activities for delineation purposes on October 4, 5, and 6, 2021. The results of these sampling activities include:

SOIL:
• At sampling point, HA-11 (1’), laboratory results indicate the concentrations of toluene (13,000 μg/Kg), ethylbenzene (1,400 μg/Kg), naphthalene (5,100 μg/Kg), and 2-methylnaphthalene (4,900 μg/Kg) exceeded Part 201 groundwater/surface water interface (GSI) criteria. The concentrations of benzene (9,000 μg/Kg), total xylenes (10,000 μg/Kg), 1,2,4-trimethylbenzene (9,200 μg/Kg), and 1,3,5-trimethylbenzene (2,400 μg/Kg) exceeded Part 201 GSI criteria and Part 201 Residential Drinking Water protection (DWP) criteria. This impact to soil was delineated by hand auger borings with field screening and soil samples collected at sampling locations HA-1, HA-5, HA-15, and HA-16.
Field screening also indicated likely petroleum product impact in soil at hand auger locations HA-1, HA-6 and HA-8. The field screening indicated that concentrations of VOCs in this area was less than detected at HA-11.

GROUNDWATER:

- At sampling location MW-7, the concentrations of ethylbenzene (55 μg/L), naphthalene (89 μg/L), and 2-methylnaphthalene (100 μg/L) exceeded the Part 201 groundwater/surface water interface (GSI) criteria. The concentrations of total xylenes (520 μg/L), 1,2,4-trimethylbenzene (900 μg/L), and 1,3,5-trimethylbenze (350 μg/L) exceeded both the Part 201 GSI criteria and Part 201 Residential Drinking Water protection (DWP) criteria. This impact to groundwater was delineated by groundwater samples collected at MW-4, MW-5 and MW-6.

On October 4-6, 2021, Gosling Czubak personnel conducted a reconnaissance of the site to identify and sample potential ACMs. Each observed material with a potential to contain asbestos was sampled. Where multiple layers were present (e.g., flooring or drywall), samples included all layers, and included adhesive material (e.g., mastic) and/or surfacing material (e.g., drywall skim coat or mud). Although fiberglass batt insulations are not a typical suspect ACM material, select samples of the various types encountered throughout the site were collected for confirmation. The following is a general summary of building materials observed for each area. This information was provided in the "Asbestos Inspection Report" from November 1, 2021 by GCES.

ASBESTOS:

- Pole Barn: The pole barn has a gravel floor surface and is steel and wood construction with no internal walls. No potential ACMs were observed in the building structure. A section of Metalbestos insulated chimney pipe that could contain asbestos was observed in a loft. The pipe is not part of the structure. The insulative material was not exposed and was not sampled. The pipe should be handled as though it contains asbestos.

- Garage: The garage has an open area, two workshops, a storage room, and a loft. It has a concrete floor and steel siding and roof. The walls are insulated with fiberglass batt insulation and covered with oriented strand board (OSB). The storage room and workshop ceilings are insulated. A section of the drywall on the south end of the east wall is potential ACM.

- Utility/Storage Area: The utility/storage area has two storage rooms, a furnace/utility room, and a workshop on the lower level. A second workshop and laundry are located on the second level. Cold storage lofts are located off the north and south ends of the second level. The utility/storage area has steel siding and roofing with wood stud exterior and internal walls containing fiberglass batt insulation. The ground level has a concrete floor. The second level has sheet flooring with yellow mastic. The walls are covered with drywall throughout, with surface skim coat and joint compound. The walls of the ground level and second level workshops are covered with OSB over drywall. The ceilings are covered with drywall throughout, except for the second level workshop, which has foam
board ceiling panels containing fibrous material. The drywall on the walls and laundry ceiling on the second level are covered with wood paneling. Potential ACMs in the utility/storage area are 1) drywall with skim coat and joint compound; 2) sheet flooring with mastic on the second level; and 3) the fiber-containing ceiling panels on the second level workshop ceiling.

- **Store**: The store/great room/suite structure has steel siding and roofing with wood stud exterior and internal walls. The store has a decorative concrete floor with the exception of a small office that has sheet flooring with mastic over concrete. Walls are covered with drywall throughout, with the exception of the west half of the south wall, which has foam board directly over studs, and an office that has paneling directly over studs. Two stairwells are located on the east side of the store. The easternmost stairwell is covered with wood paneling, which is adhered to underlying drywall with black mastic. Exterior and internal walls are filled with fiberglass batt insulation. The ceiling is covered with either: 1) drywall with skim coat and joint compound; 2) 2-foot x 4-foot fiberglass acoustic panels; or 3) 12-inch x 12-inch fibrous acoustic panels. Ceilings are insulated with fiberglass batts. Potential ACMs include: 1) drywall with skim coat and joint compound; 2) the black mastic under the wood paneling in the stairwell; 3) 12-inch x 12-inch acoustic ceiling panels; and 4) sheet flooring with mastic.

- **Rec Room**: The rec room has wood siding over wood stud walls and a steel roof. The walls and ceiling are filled with fiberglass batt insulation. The floor is decorative concrete. Walls are covered with wood paneling directly over studs, with the exception of the southeast corner, which is covered with drywall. The ceiling is covered with fibrous sheet panels over 12-inch x 12-inch acoustic panels. Potential ACMs include: 1) drywall with skim coat and joint compound; and 2) two layers of acoustic ceiling materials.

- **Great Room**: The great room is the second level of the primary structure, above the store. The south half has a carpeted floor; the north half has sheet flooring with mastic. The walls are covered with drywall throughout. The ceiling of the south half is covered with wood panels; the north half is covered with drywall. Potential ACMs include 1) sheet flooring with mastic; and 2) drywall with skim coat and joint compound.

- **Suite**: The suite is the third level of the primary structure, above the great room. The south half is partially open to the second level, with a bedroom in the southwest corner. Three bathrooms are present. The flooring of the master bath is 12-inch x 12-inch "peel-and-stick" tile; the flooring of the other two baths is the same type as the laundry upstairs of the utility/storage area. Flooring elsewhere in the suite is either ceramic tile, wood laminate, or carpeting. Walls are covered with various types of paneling throughout, adhered to drywall with black mastic. The wall around a fireplace in the northeast living room is covered with fire retardant panels. Ceilings are covered with either paneling or drywall. Wall cavities and ceilings are insulated with fiberglass batts. Potential ACMs include: 1) flooring in the bathrooms; 2) drywall in the walls and ceilings; 3) black mastic between the drywall and paneling throughout; and 4) fire retardant panel around the fireplace.
- **Shed**: The shed is of wood construction on an elevated wood framed floor. Wood siding covers asphalt siding, and steel roofing covers asphalt roll roofing. Flooring is 9-inch x 9-inch tile with black mastic. Walls are covered with wood boards. The ceiling is covered with fibrous panels. Potential ACMs include: 1) asphalt siding; 2) asphalt roofing; 3) tile flooring with mastic; and 4) fibrous ceiling material.

- **Trailer Home**: The trailer home has steel exterior walls, elevated wood floor insulated with fiberglass batts, and underlain by fibrous panel board over a steel trailer frame, either carpeting or three types of sheet flooring and wood stud walls covered with paneling and filled with fiberglass batts. The walls and ceiling of the bath and the ceiling of the northwest bedroom are covered with drywall. The ceilings elsewhere are covered with two types of fibrous acoustic panels, with fiberglass batt insulation above and fibrous panel board between the insulation and exterior. Potential ACMs include: 1) three types of sheet flooring with mastic; 2) drywall with skim coat and joint compound; 3) two types of acoustic ceiling panels; 4) fibrous panel board found above the ceiling; and 5) fibrous panel found between the flooring frame and trailer frame.

- **Pump House**: The pump house is of wood construction with wood siding. The roof is covered with two types of asphalt shingles, with are potential ACMs.

- **Exterior**: The exterior of the primary structure is covered with steel siding and steel roofing. The siding of the rec room addition is wood, underlain by rolled felt, which is potential ACM. Windows and doors are metal- or wood-framed, with caulk sealant. The caulk is potential ACM.

### III.B.7 Brownfields Site Definition
I affirm the site/sites subject to this application is/are a) not listed or proposed for listing on the National Priorities List; b) not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and c) not subject to the jurisdiction, custody, or control of the U.S. government.

### III.B.8 Environmental Assessment Required for Cleanup Applications
A Baseline Environmental Assessment (BEA) was conducted by Mackinac Environmental Technologies, Inc. (MET) on December 10, 2020. A Due Care Plan Section 20107A Compliance Analysis was conducted by Gosling Czubak Engineering Sciences, Inc. (GCES) on November 3, 2021. An Asbestos Inspection report was completed by GCES on November 1, 2021. These documents are equivalent to a Phase I and Phase II environmental assessment. They are the results of soil and groundwater sampling, which identify and evaluate known and likely release areas and assess the presence or likely presence of contamination substances.

### III.B.9 Enforcement or Other Actions
I affirm there are no known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought.
III.B.10 Sites Requiring a Property-Specific Determination
I affirm that this property does not require a property-specific determination.

III.B.11 Threshold Criteria Related to CERCLA/Petroleum Liability
III.B.11.a.i.1 Indian Tribes
I affirm that my organization is a federally recognized Tribe, and therefore, exempt from demonstrating a CERCLA liability defense.

III.B.11.a.ii Exceptions to Meeting the Requirement for Asserting an Affirmative Defense to CERCLA Liability
N/A

III.B.11.a.iii.1.a Information on the Property Acquisition
Bay Mills Indian Community acquired Chippewa Landing via a land swap with the Sault Sainte Marie Tribe of Chippewa Indians on August 13, 2021. In exchange for Chippewa Landing, a property located immediately adjacent to the Bay Mills Indian Community Reservation in Brimley, MI, BMIC transferred what is known as the Clark Parcel, a property located immediately adjacent to the Sault Sainte Marie Tribe of Chippewa Indians Reservation in Sault Sainte Marie, MI. Bay Mills Indian Community owns Chippewa Landing in Fee Simple.

Bay Mills Indian Community has an extensive relationship with the Sault Sainte Marie Tribe of Chippewa Indians. We are both federally-recognized Tribes in the state of Michigan.

III.B.11.a.iii.1.b Pre-Purchase Inquiry
Mackinac Environmental Technology, Inc. prepared a Phase 1 Environmental Site Assessment for the Sault Sainte Marie Tribe of Chippewa Indians dated November 10, 2020, and a Baseline Environmental Assessment (Phase II equivalent) dated December 10, 2020. Paul Kreski, Sr. Project Manager/Wetland Biologist for MET, conducted the assessments. Mr. Kreski’s qualifications include:

Professional Experience: Over 24 years of diversified experience as an environmental consultant with an emphasis on environmental site assessment (Phase 1 ESAs, Phase 2 Investigations, and Baseline Environmental Assessments), wetland assessment, sand dune evaluations, endangered/threatened species surveys, regulatory permitting and underground storage tanks.
- August 1997 - Present: Wetland Biologist/Project Manager (Wetland and Environmental Site Assessment Services) with Mackinac Environmental Technology, Inc.

Education:
- Bachelor of Science Degree, December 1994, Biology, Northern Michigan University, Marquette, Michigan. Continuing Education:
- U.S. Army Corps of Engineers Wetland Determination Training Program, July 1997, Minneapolis, MN.
- Michigan Department of Environmental Quality, Sara Title III Workshop, May 2003, Lansing, Michigan.
• Michigan Department of Environmental Quality - LWMD, Contractor/Consultant Workshops, Annual.

Active Registrations/Certifications:
• OSHA 40-Hour Hazardous Waste Training Certification (29 CFR 1910.120).
• EPA Certified lead paint inspector, 1997.

Specific Experience and Qualifications:
• Wetland Assessment and Permitting
• Endangered/Threatened Species
• Sand Dune Evaluation
• Underground Storage Tanks
• Phase 1 & 2 Environmental Site Assessments
• Baseline Environmental Assessments
• Emergency Spill Response

Professional Affiliations
• National Water Well Association
• Association of Ground Water Scientists and Engineers
• Association of State Wetland Managers

Bay Mills Indian Community did not conduct or request any other environmental assessments before taking ownership of the property. Upon acquiring the property, Gosling Czubak Engineering Services, Inc. prepared an Asbestos Inspection Report for BMIC dated November 1, 2021, and a Due Care Plan Section 20107A Compliance Analysis on November 3, 2021. Additionally, GCES updated the Baseline Environmental Assessment and submitted it to the Michigan Department of Environment, Great Lakes, and Energy Remediation and Redevelopment Division on September 24, 2021.

III.B.11.a.iii.1.c Timing and/or Contribution Toward Hazardous Substances Disposal
All disposal of hazardous substances at the site occurred before Bay Mills Indian Community acquired the property. I affirm that Bay Mills Indian Community has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

III.B.11.a.iii.1.d Post-Acquisition Uses
Immediately upon acquiring the property, BMIC Tribal Administration and Bay Mills Biological Services conducted a brief site visit, and noted several concerns regarding the property. Bay Mills Maintenance was directed to post no trespassing signs, cordon off the site, turn off power to the buildings, and cover an area with an open pit. GCES was permitted to access the site for testing, monitoring, and environmental assessment purposes in September-October, 2021. Since the testing, no other persons or entities have been permitted to access the site. Chippewa Landing will remain inaccessible until clean up efforts are undertaken, and all concerns are addressed.
III.B.11.a.iii.1.e Continuing Obligations
BMIC has applied institutional controls such as posting no trespassing signs, cordoning off the site with rope, turning power off to buildings, and covering open pits. The AST's, which had been a source of contamination, were removed by the prior owner.

BMIC is committed to complying with any land-use restrictions and not impeding the effectiveness or integrity of any institutional controls, including assisting and cooperating with those performing the cleanup and providing access to the property. BMIC will comply with all information requests and administrative subpoenas that may be issued in connection with the property and will provide all legally required notices.

III.B.11.a.iii.2 Non-Publicly Owned Sites Acquired Prior to January 11, 2002
N/A

III.B.11.b Property Ownership Eligibility - Petroleum Sites

III.B.11.b.i Information Required for a Petroleum Site Eligibility Determination
Please find attached information required for a petroleum site eligibility determination.

III.B.12 Cleanup Authority and Oversight Structure

III.B.12.a Cleanup Oversight
Chippewa Landing will be enrolled in BMICs Tribal Response Program to ensure the protection of human health, the Great Lakes and the broader environment. The Environmental Coordinator and the Tribal Engineer will oversee the project. The Tribe will contract with technical service providers for cleanup and monitoring of the site. The technical service providers will be hired through RFP and bid processes, as required by the BMIC Procurement Policy.

III.B.12.b Access to Adjacent Properties
Access to other properties will not be required for this clean-up.

III.B.13 Community Notification

III.B.13.a Draft Analysis of Brownfields Cleanup Alternatives
The community was provided the opportunity to comment on the draft ABCA through two mechanisms. The draft ABCA was posted on the BMIC website throughout the public notification period along with contact information for questions and submitting comments. The draft ABCA was also available at the public meeting held on November 17, 2021.

III.B.13.b Community Notification Ad
The community notification ad was posted on the community Bay Mills News website for over fourteen days.

III.B.13.c Public Meeting
An in-person public meeting was held on November 17, 2021, from 4 pm - 5 pm EST at the conference room in the Tribal Administration Building. The draft ABCA, Baseline Environmental Assessment, grant notice, draft grant application, maps and comments sheets were available to attendees to review. Notification of the meeting was provided on the BMIC
website. Two people attended the event. One written comment was received and responded to in writing. The second attendee provided a verbal comment and a discussion ensued regarding plans for the property. Both attendees found the project to be favorable and were happy to hear the property has potential to be cleaned up and revitalized.

III.B.13.d Submission of Community Notification Documents
Please see these documents in the attachment.

III.B.14 Statutory Cost Share
BMIC will meet the 20% cost share requirement via an In-kind match from the Tribal Engineer for engineering and administrative support, as well as a cash match from BMICs general fund. BMIC is requesting the hardship waiver, as the cost-share places an undue burden on Governmental General Fund which is used to support governmental operations and programming.

III.B.15 Waiver of the $500,000 Limit
N/A

III.B.16 Name Contractors and Subrecipients
N/A