REQUEST FOR QUOTES

Request for Quotes for Consulting Services for Bay Mills Indian Community’s Chippewa Landing Property

The Bay Mills Indian Community is requesting quotes from qualified individuals and firms for environmental consulting related to the Tribe’s newly acquired Chippewa Landing property.

Background:
Bay Mills Indian Community recently acquired Chippewa Landing, located adjacent to the Contiguous Reservation at 4234 South Bay Mills Point Road, Brimley, Michigan. A Phase 1 Environmental Site Assessment of the property was conducted in November, 2020, and a Baseline Environmental Assessment was conducted in December, 2020. These assessments uncovered soil and groundwater contamination, and noted potential asbestos and lead issues in one of the structures.

The BMIC is a federally recognized Native American Tribe that is located in the rural eastern Upper Peninsula of Michigan on the shores of Lake Superior. The people of Bay Mills are Ojibwa (or Chippewa) and they have resided in this area for hundreds of years. BMIC was granted a federal Corporate Charter pursuant to Section 16 of the Indian Reorganization Act on June 18, 1934. BMIC is one of the four original reservations established in Michigan. There are currently 2,206 enrolled Tribal members, with 49% of those members being under the age of 18.

Scope of Work:
The successful Proposer shall perform the tasks listed below for this project and shall be expected to work closely with designated Tribal personnel to accomplish these goals within a limited timeframe:

1) Update and submit BEA; must be completed by September 27, 2021 (45 days after property transfer.) (This will likely involve updated Phase 1 investigation as well.)
2) Extend Phase 2 investigation to fully delineate contamination area- must be complete by October 22, 2021.
3) Perform asbestos and lead survey with current structures
4) Perform limited site survey as necessary to depict overall site and improvements as well as delineate/quantify soil related issues.
5) Develop Due Care plan in line with Tribal goals of redeveloping the boat launch, installing new boardwalks and kayak launch(s), demolition of existing structures, and addition of new structures
6) Perform geotechnical evaluation of property

Quotes to assist with these services must be submitted to Bay Mills Tribal Administration by Tuesday September 7, 2021, 4:00pm EST.

Please email quotes in PDF format to Eric Burtt at eburtt@baymills.org. Proposals received after the deadline will not be accepted. Please contact Eric Burtt via email or at 231-633-0407 with any questions you may have regarding this Request for Proposals or any of the requirements outlined in the scope of work to be completed.
Proposal Requirements:
1. Cover letter
2. Resumes and/or Bios: Please include resumes and/or bios of key principals and individuals who will be overseeing or involved with this project.
3. Description of Experience related to design services:
   a. Please describe the general experience of the firm including number of years the firm has been in operation.
   b. Please describe the specific experience of the firm in providing services for environmental assessment projects.
   c. Description of experience in Indian Country: Please describe any relevant experience of the firm, involved principals and any assigned staff in projects located on Native American land.
4. Associations: Please provide a description of any associations with other firms or any form of subcontracting that is planned for the project. Please include pertinent information as to subcontracted firms.
5. Certifications and Licenses: Please include a copy of any pertinent licenses or certifications.
6. References: Please include a minimum of three references that can be contacted by the Owner. Provide three references of significant subcontractors as well.
7. Disclosure of Claims: Please disclose any claims, lawsuits, or formal disputes for work or services previously or currently being performed.
8. Methodology: Please provide explanation of methodology for all services.
9. Cost proposal: Please detail all costs required to assist with these services and required timelines for payments.
10. Indian Preference (Optional): Please provide any evidence to demonstrate that the firm is a qualified, Indian-owned enterprise, with at least 51% active ownership by a member of federally recognized Indian tribe.

Project Award
The rating factors and values to be used in award of this contract are as follows and out of a possible 100 points:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Experience:</td>
<td></td>
</tr>
<tr>
<td>Demonstrated experience with environmental consulting on a similar scale and timeframe</td>
<td>30</td>
</tr>
<tr>
<td>Demonstrated experience with environmental consulting for Tribes</td>
<td>20</td>
</tr>
<tr>
<td>Qualifications</td>
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<tr>
<td>Cost</td>
<td>15</td>
</tr>
<tr>
<td>Indian Preference</td>
<td>5</td>
</tr>
</tbody>
</table>

The Tribe, at its sole discretion, may elect to interview selected firm(s). If a firm is requested to take part in an interview (via Tribal arranged remote means), the key proposed project staff will be expected to take part. The interview will be an opportunity for the Tribe’s selection team to review the firm’s proposal and other matters deemed relevant to the evaluation.

Compensation
The proposal should provide a cost for all work associated with the provision of these services. The final cost of services may be negotiated, prior to award of the contract.

Attachments
- BEA & Phase 1 Environmental Site Assessment
BASELINE ENVIRONMENTAL ASSESSMENT
CONDUCTED PURSUANT TO SECTION 20126(1)(c)
OF 1994 PA 451, PART 201, AS AMENDED

CHIPPEWA LANDINGS
4234 SOUTH BAY MILLS POINT ROAD
BRIMLEY, MICHIGAN

December 10, 2020

Prepared for
Sault Ste. Marie Tribe
of Chippewa Indians

Prepared by
Mackinac Environmental Technology, Inc.
St. Ignace, Michigan
Project Number: M20-3359
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- **Form EQP4025 (09/15):** Disclosure of a Baseline Environmental Assessment
- **The BEA Document**
**Baseline Environmental Assessment Submittal Form**

This form is for submittal of a Baseline Environmental Assessment (BEA), as defined by Part 201, Environmental Remediation and Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for the purpose of establishing an exemption to liability pursuant to Section 20126(1)(c) and Section 21323a(1)(b) for a new owner or operator of property that is a facility as defined by Section 20101(1)(a) or Property as defined by Section 21303(d). The BEA report must be submitted either prior to or within 45 days after becoming the owner or operator, whichever is earliest. This form and the BEA report must be submitted prior to or within 6 months of becoming the owner or operator whichever is earliest. A separate BEA is required for each legal entity that is or will be a new owner or operator of the property. To maintain the exemption to liability, the owner and operator must also disclose the BEA to any subsequent purchaser or transferee before conveying interest in the property pursuant to Section 20126(1)(c) and Section 21323a(1)(b). An owner or operator of a facility or Property also has due care obligations under Section 20107a and Section 21304c with respect to any existing contamination to prevent unacceptable exposure; prevent exacerbation; take reasonable precautions; provide reasonable cooperation, assistance, and access to authorized persons taking response actions at the property; comply with land use restrictions associated with response activities; and not impede the effectiveness of response activities implemented at the property. Documentation of due care evaluations, all conducted response activities, and compliance with 7a or 4c need to be available to the MDEQ, but not submitted, within 8 months of becoming the owner or operator of a facility and/or Property.

### Section A: Legal Entity Information

Name of legal entity that does or will own or operate the property: **Sault Ste. Marie Tribe of Chippewa Indians**

Address: 523 Ashmun Street  
City: Sault Ste. Marie  
State: MI  
ZIP: 49783

Contact Person (Name & Title): **Joel Schultz**  
EDC Director

Telephone: 906-635-6050  
Email: jschultz@saulttribe.net

Contact for BEA questions if different from submitter:  
Name & Title: **Paul Kreski, Sr. Project Manager**

Company: **Mackinac Environmental Technology, Inc.**

Address: P.O. Box 485  
City: St. Ignace  
State: MI  
ZIP: 49781

Telephone: 906-643-9948  
Email: met@sault.com

### Section B: Property Information

Street Address of Property: **4234 South Bay Mills Point Rd.**  
City: Brimley  
State: MI  
ZIP: 49715

Property Tax ID (include all applicable IDs): 001-030-004-00

Address according to tax records, if different than above (include all applicable addresses):

City:  
State:  
Zip: 

Status of submitter relative to the property (check all that apply):

- [ ] Former  
- [ ] Current  
- [X] Prospective

Owner:  
Operator:  
Propective: 

### Section C: Source of contamination at the property (check all that are known to apply):

- [X] Facility regulated pursuant to Part 201, other source, or source unknown
- [ ] Part 201 Site ID, if known:
- [ ] Property - Leaking Underground Storage Tank regulated pursuant to Part 213
- [ ] Part 211/213 Facility ID, if known:
- [ ] Oil or gas production and development regulated pursuant to Part 615 or 625
- [ ] Licensed landfill regulated pursuant to Part 115
- [ ] Licensed hazardous waste treatment, storage, or disposal facility regulated pursuant to Part 111

### Section D: Applicable Dates (provide date for all that are relevant):

Date All Appropriate Inquiry (AAI) Report or Phase I Environmental Assessment Report completed: **November 2, 2020**

Date Baseline Environmental Assessment Report conducted: **November 30, 2020**

Date submitter first became the owner: N/a

Date submitter first became the operator: N/a
Date submitter first became the operator (if prior to ownership): N/a
Anticipated date of becoming the owner for prospective owners: On or after December 1, 2020
Anticipated date of becoming the operator for prospective operators: On or after December 1, 2020
If former owner or operator of this property, prior dates of being the owner or operator: N/a

<table>
<thead>
<tr>
<th>Section E: Check the appropriate response to each of the following questions:</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Is the property at which the BEA was conducted a “facility” as defined by Section 20101(1)(a) or a Property as defined by Section 21303(d)?</td>
<td>❌</td>
<td>☐</td>
</tr>
<tr>
<td>2. Was the All Appropriate Inquiry (AAI) completed in accordance with Section 20101(1)(f) and or 21302(1)(b)?</td>
<td>❌</td>
<td>☐</td>
</tr>
<tr>
<td>3. Was the BEA, including the sampling, conducted either prior to or within 45 days of the date of becoming the owner, operator, or of foreclosure, whichever is earliest?</td>
<td>❌</td>
<td>☐</td>
</tr>
<tr>
<td>4. Is this BEA being submitted to the department within 6 months of the submitter first becoming the owner or operator, or foreclosing?</td>
<td>❌</td>
<td>☐</td>
</tr>
<tr>
<td>5. Does the BEA provide sufficient rationale to demonstrate that the data is reliable and relevant to define conditions at the property at the time of purchase, occupancy, or foreclosure, even if the BEA relies on studies of data prepared by others or conducted for other purposes?</td>
<td>❌</td>
<td>☐</td>
</tr>
<tr>
<td>6. Does this BEA contain the legal description of the property addressed by the BEA?</td>
<td>❌</td>
<td>☐</td>
</tr>
<tr>
<td>7. Does this BEA contain the environmental analytical results, a scaled map showing the sample locations, and the basis for the determination that the property is a facility as defined by Section 20101(1)(a) or the basis for the determination that the property is a Property as defined by Section 21303(d)?</td>
<td>❌</td>
<td>☐</td>
</tr>
</tbody>
</table>

Section F: Environmental Consultant Signature:

I certify to the best of my knowledge and belief, that this BEA and all related materials are true, accurate, and complete. 
I certify that the property is a facility as defined by Section 20101(1)(a) or a Property as defined by Section 21303(d) and have provided the sampling and analyses that support that determination. I certify that any exceptions to, or deletions from, the All Appropriate Inquiry Rule are described in Section 1 of the BEA report.

Signature: [Signature]
Date: 12/02/2020

Printed Name: Paul Kreski
Company: Mackinac Environmental Technology, Inc.
Mailing Address: P.O. Box 485 City: St. Ignace State: MI Zip: 49781
Telephone: 906-643-9948 E-Mail: met@sault.com

Section G: Legal Entity Signature:

With my signature below, I certify to the best of my knowledge and belief, this BEA and all related materials are true, accurate, and complete.

Signature: [Signature]
Date: 12/02/2020
(Person lawfully authorized to bind the legal entity)

Printed Name: Joel Schultz
Title and Relationship of signatory to submitter: EDC Director, Sault Ste. Marie Tribe of Chippewa Indians
Telephone: 906-635-6050 E-Mail: jschultz@saulttribe.net

Submit the BEA report and this form to the MDEQ District Office for the county in which the property is located. An office map is located at www.michigan.gov/deqmd.
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Attachment #7: Phase 1 ESA
1.0 INTRODUCTION AND DISCUSSION

This Baseline Environmental Assessment (BEA) has been prepared by Mackinac Environmental Technology, Inc. (MET) for Chippewa Landings located 4234 South Bay Mills Point Road, Brimley, Michigan. See the Site Location Map (Attachment #1) for illustration. This BEA was completed in accordance with Part 201 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the Part 201 Rules promulgated thereunder, for the purpose of establishing an exemption to liability pursuant to Section 20126(1)(c) for a new owner or operator of property that is a facility as defined by Section 20101 (1)(r).

Current Use: The Site consists of several buildings situated on approximately 24.5 acres of property. The structures included the main retail/storage building, a mobile home, a pumphouse, a storage building, a pole building and a boat launch. Note: The BEA applies to the Chippewa Landings parcel only and not the entire property discussed in the November 10, 2020 Phase 1 ESA (See Section 2a. for “Site” description). No environmental concerns were identified on the other two parcels included in that report. The Site utilizes the both a municipal water system and a potable well, private septic systems along with natural gas, propane, local electric and communication utilities. Two above ground storage tank (AST) systems were identified on the Site during the Phase 1 ESA. The first system contained two tanks and two fuel pumps, which were located adjacent to the boat launch. The second system was located on the west side of the main building and was used for diesel storage.

Historical Summary: MET’s historical research dates back to a 1939 aerial photograph, which depicted the Site as undeveloped land with no buildings or structures of any kind. By 1953, one or two small buildings were visible on the Site near the current boat launch. Based on their size, they were likely used as small homes or cabins. The Site remained relatively unchanged through the 1960s and early 1970s. According to historical information, the main building on the Site was constructed between 1973 and 1975 along with the mobile home. The pole building to the north was added during the early 1980s and is visible on a 1982 aerial photograph. According to the Mr. Steven Zabelka (former owner), the Site has been used as a home, retail store, bait shop, and for boat storage since the main building was constructed during the early 1970s. Mr. Zabelka has been familiar with the Site for over 50 years.

Regulatory Summary: Review of EGLE and EDR regulatory information did not identify the Site as a location of known contamination. One location of known or potential environmental concern was identified within applicable ASTM search parameters. The facility was identified as Former Dillions Store located at the intersection of South Bay Mills Point Road and Lakeshore Drive. It was identified as a former underground storage tank (UST) facility and a closed Leaking UST location. Based on the “closed” status and lack of current storage tanks, the facility was not regarded as an environmental concern.
1a. Owner/Operator Information

This BEA was prepared for the Sault Ste. Marie Tribe of Chippewa Indians (current owner) who purchased the Site property on or after December 1, 2020. The contact information for the former owner and the current owner is as follows:

**Former Owner**

Mr. Steven Zabelka  
4056 South Bay Mills Point Road  
Brimley, MI 49715  
(906) 630-0236

**Current Owner**

Sault Ste. Marie Tribe of Chippewa Indians  
Contact: Mr. Joel Schultz  
523 Ashmun Street  
Sault Ste. Marie, MI  49783  
(906) 280-2658

1b. Intended Use of the Property

The Site will continue to be used for similar purposes including boat storage and residential purposes. The existing AST system located adjacent to the boat launch is currently empty and not in use. There are no plans to use the system in the future.

1c. Recognized Environmental Conditions Identified in Phase 1 Environmental Site Assessment

A Phase 1 Environmental Site Assessment (Phase 1 ESA) was prepared for the Site in November 10, 2020. The purpose of the Phase 1 ESA was to conduct adequate inquiry into the environmental status of the Site and to identify recognized environmental conditions (RECs) associated with the Site or the surrounding properties. The following RECs were identified in connection with the Site.

- **AST Systems**: There are two AST systems located on the Site. As mentioned above, two tanks are located adjacent to the boat launch ramp and were last used to refuel boats and watercraft. A third elevated AST is located on the west side of the main building and is used to store diesel fuel. No secondary containment or other spill prevention devices were observed under or around the tanks. At the time of the assessment, the two larger tanks (boat refueling) were empty and no longer in use.

1d. Any Exceptions to, or deletions from, the All Appropriate Inquiry (AAI) Rule 40 CFR 312 or ASTM E1527-05

Not applicable. The Phase 1 ESA was conducted in accordance with ASTM E1527-13.

1e. Discussion of Data Gaps Identified in the AAI or Phase 1 ESA and How They Affect This BEA

1. The user did not supply a title record search.
2. Standard historical resources that were reasonably ascertainable and that MET deemed likely to be useful were not able to identify land use on the Site prior to 1939.

However, significant data gaps were not encountered in the research, which would hinder MET's ability to identify former uses of the Site or RECs associated with the current and past uses of the Site.

1f. Discussion of Sampling Conducted, Including the Purpose and Methods

On November 6, 2020, MET conducted a Phase 2 Investigation to evaluate the AST systems located on the Site. The investigation included the completion of three soil borings with a stainless-steel hand auger to approximately two feet below grade. Note: Groundwater was encountered at approximately one foot below ground surface. Soil borings and sample locations are depicted on the Site Plan in Attachment #2. Representative photos of the soil borings are included in Attachment #3.

Soil samples were classified in accordance with the Unified Soil Classification guidelines, physically observed for obvious physical evidence of contamination (odor and discoloration) and scanned with a Mini-REA 2000 photo ionization detector (PID) using the headspace method.

In general, the soil borings encountered similar conditions across the Site. The typical soil profile was as follows:

- 0 – 1.5’: Sand & gravel
- 1.5 – 2.’: Organic material

1g. General Location(s) of Known Contamination and Environmental Media Affected

To address the environmental concerns, MET conducted soil borings below the components of the AST systems. See the Site Photos in Attachment #3 for illustration. Three monitor wells were installed in the borings due to shallow groundwater. Only one soil sample (MW-1 @ 1’) was collected from the dispenser area for analysis.

The samples were immediately placed in an insulated cooler and kept in the sampler's custody until released for shipment. A chain-of-custody (CoC) form was completed and included in the cooler. The samples were shipped by overnight delivery to Grand Traverse Analytical (GTA) for quantitative analysis by EPA Methods 8260 – Unleaded Gasoline (ULG) and 8270 Polynuclear Aromatic Hydrocarbons (PNAs).

Laboratory analysis of the soil and groundwater samples collected from the dispenser area (MW-1) exhibited elevated VOC compounds exceeding Residential Drinking Water and/or Groundwater/Surface Water Interface (GSI) criteria. No contamination was identified under the storage tanks. All of the laboratory data is summarized in the Analytical Tables included as Attachment #4. The complete lab report with CoC also is included.
1h. Basis for the Conclusion that the Property is a Facility

The basis for identifying the Site as a facility and preparing this BEA is the detection of xylenes, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, naphthalene and 2-methylnaphthalene in soil and 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, naphthalene and 2-methylnaphthalene in groundwater at concentrations exceeding Residential Drinking Water and/or GSI Criteria. All compounds were reported in the MW-1 samples. The analytical data and laboratory report from the sampling event are included in Attachment #4.

facility: means any area, place, or property where a hazardous substance in excess of the concentrations, which satisfy the requirements of Sections 20120a(1)(a) or (17) of Part 201 of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended, has been released, deposited, or disposed of, or otherwise comes to be located.

2.0 PROPERTY INFORMATION

2a. Legal Description

The Site is located at 4234 South Bay Mills Point Road near Brimley, Michigan. This area is situated in Town 47 North, Range 2 West, Section 30 of Chippewa County. According to provided documents, the legal description and tax identification number are as follows:

- **LEGAL DESCRIPTION:** See Attachment #5 for legal description and parcel information.
- **TAX IDENTIFICATION:** 051-001-030-004-00

2b. Survey Map(s) Showing Property Boundary and Property Tax ID

A legal survey was not available at the time of the BEA Report.

2c. Scaled Site Map(s) with Site Structures, Sample Locations/Depths and Detected Contaminant Concentrations

Site structures, environmental concerns, soil borings and sample locations are illustrated on the Site Map in Attachment #2. Site Photos depicting current conditions are included in Attachment #3.

2d. Scaled Area Map

A Site Location Map (USGS 7.5 Quad Topographic Map) is included in Attachment #1. The map depicts the Site with a southeasterly slope toward Brimley (Waiska) Bay, which borders the property. The Site has an average surface elevation of approximately 610 feet above mean sea level. Based on topography and surface water features in the vicinity of the Site, the anticipated groundwater flow direction is to the southeast.
2e. Property Location

The Site is located at 4234 South Bay Mills Point Road. See Figure 1, Site Location Map (Attachment #1) for illustration. The surrounding area is a mix of commercial and residential properties.

2f. Spatial Data

Latitude and longitude coordinates were taken with a GPS near the center of the Site property. The geographic coordinate position for the center of the Site:

- Latitude: 46.444402
- Longitude: -84.594959

3.0 FACILITY STATUS

3a. Table 3: Hazardous Substance, CAS Numbers, Maximum Concentration, Sample Locations/Depths and Media Affected

The basis for identifying the Site as a facility and preparing this BEA is the detection of xylenes, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, naphthalene and 2-methylnaphthalene in soil and groundwater at concentrations exceeding Residential Drinking Water (DW) and/or Groundwater/Surface Water Interface (GSI) Values. The chemical abstract service (CAS) numbers for each contaminant, and the concentration found on the Site is summarized in the following table.

Table 3: Chemical Abstract Numbers

<table>
<thead>
<tr>
<th>Analyte</th>
<th>CAS Number</th>
<th>Sample ID</th>
<th>Sample Date</th>
<th>Result (ppb)</th>
<th>RBSL</th>
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<tr>
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<td></td>
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<td></td>
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<tr>
<td>1,2,4-Trimethylbenzene</td>
<td>95636</td>
<td>MW-1</td>
<td>11/06/2020</td>
<td>17,000</td>
<td>DW, GSI</td>
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<tr>
<td>1,3,5-Trimethylbenzene</td>
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<td>MW-1</td>
<td>11/06/2020</td>
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<td>91203</td>
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<td>11/06/2020</td>
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<td>Water</td>
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<td>91576</td>
<td>MW-1</td>
<td>11/06/2020</td>
<td>58</td>
<td>GSI</td>
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3b. **Laboratory Analytical Data Sheets and Chain of Custody Documents**

A copy of the laboratory analytical report and the chain of custody document from the November 6, 2020 sampling event are included in *Attachment #4*.

3c. **Property Owner/Operator Responsibilities**

Owners or operators are required to take due care measures to ensure that the existing contamination on the property does not cause unacceptable risks and is not exacerbated. Due care requirements are not related to liability for the contaminants; they apply to both liable and non-liable parties. The due care requirements were designed so contaminated properties could safely be redeveloped. Rule 1003(5) under Section 20107a of the NREPA requires owners and operators who are subject to the provisions of Section 20107a to maintain documentation that due care needs have been evaluated and any response actions that are needed have been taken. The due care plan does not need to be submitted to the DEQ, but must be available for the DEQ to review upon request within 8 months of becoming the owner or operator.

Owners and operators of a facility, even if not liable for the contamination, have the following Due Care responsibilities under Section 20107a of the NREPA and Rules promulgated pursuant to Section 20107a:

- Undertake measures as are necessary to prevent exacerbation of the existing contamination.

- Exercise Due Care obligations by undertaking response activity necessary to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards due to hazardous substances and allow for the intended use of the facility in a manner that protects the public health and safety.

- Take reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that foreseeably could result from those acts or omissions.

- Provide reasonable cooperation, assistance and access to the persons that are authorized to conduct response activities at the facility, including the cooperation and access necessary for the installation, integrity, operation and maintenance of any complete or partial response activity at the facility. Nothing in this subdivision shall be interpreted to provide any right of access not expressly authorized by law, including access authorized pursuant to a warrant or a court order, or to preclude access allowed pursuant to a voluntary agreement.

- Comply with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.

- Not impede the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.
Notify the MDEQ if there are discarded or abandoned containers that contain hazardous substances on the property using Form EQP4476.

- Notify the MDEQ and adjacent property owners if hazardous substances are migrating off the property using Form EQP4482.

- Notify the local fire department if there is a fire or explosion hazard.

- Notify utility and easement holders if hazardous substances could cause unacceptable exposures and/or fire and explosion hazards.

4.0 IDENTIFICATION OF THE AUTHOR OF THE BEA

This BEA was prepared by Paul Kreski of Mackinac Environmental Technology, Inc. (MET). A Professional Profile is included in Attachment #6. MET can be contacted at P.O. Box 485, St. Ignace, Michigan, by telephone at (906) 643-9948 and by email at met@sault.com should there be any questions regarding the BEA document.

5.0 ALL APPROPRIATE INQUIRY REPORT OR ASTM PHASE 1 ESA

A copy of the ASTM E1527-13 Phase 1 Environmental Site Assessment (ESA) completed for the Site property is included in Attachment #7. The Phase 1 ESA includes a summary of historical land use, a review of current regulatory information and a description of current land use. The report includes historical aerial photographs and current Site photos.

6.0 REFERENCES

Geological References:


Kelly, R.W., Bedrock of Michigan; State of Michigan Department of Natural Resources, Division of Geology; 1977. (Map and information compiled from Geological Survey and publications and manuscripts, 1968).

Michigan Department of Environmental Quality; Online Services, Groundwater Mapping Project Website: michigan.gov/deq
Contacts:

Environmental Data Resources, Inc.
440 Wheelers Farms Road
Milford, Connecticut 06640
800-352-0050

Michigan Department of Environment, Great Lakes and Energy (EGLE)
michigan.gov/egle
(906) 228-4853

United States Department of Agriculture
Soil Survey of Chippewa County
Soil Conservation Service

Chippewa County Health Department
508 Ashmun Street, Suite 120
Sault Ste. Marie, Michigan 49783
(906) 635-1566
Attachment #1: Site Location Map
Attachment #2: Site Map
Attachment #3: Site Photos
1. View of the entrance to the waterfront property and Chippewa Landings.

2. Looking south at the boat launch and Brimley Bay. The two fuel pumps are connected to two above ground storage tanks (ASTs) on the opposite (left) side of the boat launch.

3. View of the ASTs located on the east side of the boat launch.
4. MW-2 was installed between the two tanks.

5. View of MW-1 completed at the fuel pumps.

6. View of the second fuel system used for diesel storage. MW-3 was completed below the tank.
Attachment #4: Summary Tables & Lab Rpt.
<table>
<thead>
<tr>
<th>Sample</th>
<th>Depth</th>
<th>Date</th>
<th>Benzene (I)</th>
<th>Toluene (I)</th>
<th>Ethyl benzene (I)</th>
<th>Xylenes (I)</th>
<th>124-Tri (I)</th>
<th>135-Tri (I)</th>
<th>MTBE</th>
<th>Naphthalene</th>
<th>2-Methyl naphthalene</th>
<th>PNAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>MW-1</td>
<td>1'</td>
<td>11/06/20</td>
<td>ND</td>
<td>ND</td>
<td>68</td>
<td>740</td>
<td>17,000</td>
<td>10,000</td>
<td>ND</td>
<td>4,400</td>
<td>27,000</td>
<td>ND</td>
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<td>91203</td>
<td>91576</td>
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<td>Res-D/W Protection</td>
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<td>1,500</td>
<td>5,600</td>
<td>2,100</td>
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<td>800</td>
<td>5700</td>
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<tr>
<td>GSI</td>
<td>4,000 (X)</td>
<td>5,400</td>
<td>360</td>
<td>820</td>
<td>570</td>
<td>1,100</td>
<td>1.4E+5 (X)</td>
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<td>4,200</td>
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<td>4.500</td>
<td>6.1E+5 (C)</td>
<td>4.6E+6 (C)</td>
<td>1.2E+7 (Q)</td>
<td>8.0E+6 (C)</td>
<td>1.8E+7 (Q)</td>
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<td>4.7E+6 (Q)</td>
<td>4.9E+7</td>
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<tr>
<td>Infinite Source Volatile Soil (VSIC)</td>
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<td>3.3E+06</td>
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<td>5.4E+07</td>
<td>2.5E+07</td>
<td>1.9E+07</td>
<td>3.0E+07</td>
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<td>6.5E+07</td>
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<td>6.0E+08</td>
<td>4.6E+08</td>
<td>4.1E+07</td>
<td>3.5E+05</td>
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<td>Finite VSIC for 2 Meter</td>
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<td>1.2E+07</td>
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<td>4.6E+08</td>
<td>8.9E+07</td>
<td>3.5E+05</td>
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<td>Particulate Soil</td>
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<td>1.3E+10</td>
<td>1.3E+08</td>
<td>3.6E+10</td>
<td>3.6E+10</td>
<td>8.8E+10</td>
<td>8.8E+07</td>
<td>2.9E+08</td>
<td>–</td>
<td>–</td>
<td></td>
</tr>
<tr>
<td>Direct Contact</td>
<td>8.4E+05</td>
<td>1.6E+8 (C)</td>
<td>7.1E+07 (C)</td>
<td>1.0E+9 (Q)</td>
<td>1.8E+8 (C)</td>
<td>1.0E+8 (C)</td>
<td>7.1E+06</td>
<td>5.2E+07</td>
<td>2.6E+07</td>
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<td>1.1E+05</td>
<td>94,000</td>
<td>5.9E+06</td>
<td>NA</td>
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</tr>
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</table>

**KEY TO TABLE**

All results are listed in parts per billion (ug/kg).

ND = Not Detected.

Results are compared to MDEQ Part 201 Residential Cleanup Criteria.

**Bold** = Exceeds Part 201 Non-Residential Screening Levels

C = The criterion developed exceeds the chemical specific soil saturation screening level.

D = Calculated criterion exceeds 100 per cent, hence it is reduced to 100 per cent or 1.0E+09 ppb

G = Groundwater surface water interface (GSI) depends on the pH or water hardness, or both, of the receiving surface water.

I = Hazardous substance may exhibit the characteristic of ignitability

L = Criteria for lead developed using a biologically based model, and are not calculated using the algorithms and assumptions specified in pathway-specific rules.

M = Calculated criterion is below the analytical target detection limit, therefore, the criterion defaults to the target detection limit
### Table 2: Summary of Groundwater Analytical Data – Chippewa Landings

<table>
<thead>
<tr>
<th>Location</th>
<th>Date</th>
<th>Benzene (I)</th>
<th>Toluene (I)</th>
<th>E. Benzene (I)</th>
<th>Xylenes (I)</th>
<th>124-TMB (I)</th>
<th>135-TMB (I)</th>
<th>MTBE</th>
<th>Naphthalene</th>
<th>2-Methyl naphthalene</th>
<th>Lead</th>
<th>PNAs</th>
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<tbody>
<tr>
<td>MW-1</td>
<td>11/06/20</td>
<td>ND</td>
<td>2.1</td>
<td>2.5</td>
<td>46</td>
<td>350</td>
<td>170</td>
<td>ND</td>
<td>40</td>
<td>58</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>MW-2</td>
<td>11/06/20</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>MW-3</td>
<td>11/06/20</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>ND</td>
<td>--</td>
<td>ND</td>
</tr>
</tbody>
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**CAS#**
- Benzene: 71432
- Toluene: 108883
- E. Benzene: 100414
- Xylenes: 1330207
- 124-TMB: 95636
- 135-TMB: 108678
- MTBE: 1634044
- Naphthalene: 91203
- 2-Methyl naphthalene: 91576
- Lead: 7439921
- PNAs: ND

**Residential Drinking Water**
- Benzene: 5.0 (A)
- Toluene: 790 (E)
- E. Benzene: 74 (E)
- Xylenes: 280 (E)
- 124-TMB: 63 (E)
- 135-TMB: 72 (E)
- MTBE: 40 (E)
- Naphthalene: 520
- 2-Methyl naphthalene: 260
- Lead: 4.0 (L)

**GSI**
- Benzene: 200 (X)
- Toluene: 270
- E. Benzene: 18
- Xylenes: 41
- 124-TMB: 17
- 135-TMB: 45
- MTBE: 7,100 (X)
- Naphthalene: 11
- 2-Methyl naphthalene: 19

**Indoor Air**
- Benzene: 35,000
- Toluene: 5.3E+5 (S)
- E. Benzene: 1.7E+5 (S)
- Xylenes: 1.9E+5 (S)
- 124-TMB: 56,000 (S)
- 135-TMB: 61,000 (S)
- MTBE: 4.7 E+7 (S)
- Naphthalene: 31,000 (S)
- 2-Methyl naphthalene: 25,000 (S)
- Lead: NLV

**Flammability**
- Benzene: 68,000
- Toluene: 61,000
- E. Benzene: 43,000
- Xylenes: 70,000
- 124-TMB: 56,000 (S)
- 135-TMB: ID
- MTBE: ID
- Naphthalene: NA
- 2-Methyl naphthalene: ID

### Key to Table

- Results are reported in ug/L.
- ND = Not Detected.
- Results are compared to Residential Part 201 Tier 1 Risk-Based Screening Levels (RBSLs).
- **Bold** = Exceeds Part 201 Residential Criteria.
- -- = Not Analyzed
- ID = Inadequate data to develop RBSL.
- (I) = Hazardous substance may exhibit the characteristic of ignitability.
- E = Criterion is the aesthetic drinking water value, as required by section 20120a(5) of the Act. A notice of aesthetic impact may be employed as an institutional control mechanism if groundwater concentrations exceed the aesthetic drinking water criterion but do not exceed the applicable health-based drinking water value provided in this footnote.
- NA = Not Available
Electronic Signature Report. This is a final report for the following pages of data for the samples specified above. All analysis was performed by the methods stated and all quality control measures required were completed. All quality control information is available upon request.

Kirk Chase

Kirk L. Chase/Chemist
Grand Traverse Analytical
830 Robinwood Court
Traverse City, MI 49686
Ph: 231-929-0905
Fx: 231-929-0894
SP: 231-590-0291
kirk@gtanalytical.com

<table>
<thead>
<tr>
<th>Sample No.</th>
<th>Sample ID</th>
<th>Date Sampled</th>
<th>Time Sampled</th>
<th>Sample Matrix</th>
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<td>SOIL</td>
</tr>
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<td>2</td>
<td>MW-1</td>
<td>11/6/2020</td>
<td></td>
<td>WATER</td>
</tr>
<tr>
<td>3</td>
<td>MW-2</td>
<td>11/6/2020</td>
<td></td>
<td>WATER</td>
</tr>
<tr>
<td>4</td>
<td>MW-3</td>
<td>11/6/2020</td>
<td></td>
<td>WATER</td>
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COMPANY: MACKINAC ENVIRONMENTAL
GTA PROJECT NO: 111020-7
GTA SAMPLE NO: 1
PROJECT NO: M20-3359
LOCATION: CHIPPEWA LANDING
MI
DATE SAMPLED: 11/6/2020
DATE RECEIVED: 11/10/2020
TIME SAMPLED: 11:00 AM
TIME RECEIVED: 1:45 PM
SAMPLE MATRIX: SOIL
SAMPLE ID: MW-1 @ 1’
SAMPLED BY: PJK/MET
**THIS SAMPLE WAS RECEIVED MEOH PRESERVED.

### EPA 8260B VOLATILE ORGANICS

<table>
<thead>
<tr>
<th>Analysis</th>
<th>Concentration</th>
<th>Units</th>
<th>Analyst</th>
<th>Date Extracted</th>
<th>Date Completed</th>
<th>Prep Method</th>
</tr>
</thead>
<tbody>
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<td>Benzene</td>
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<td>MR</td>
<td>11/6/2020</td>
<td>11/11/2020</td>
<td>EPA 5035A</td>
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<td>68</td>
<td>50</td>
<td></td>
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<td>Methyl-t-Butyl Ether</td>
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<td>2-Methylnaphthalene</td>
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SOIL/SOLIDS CONCENTRATIONS ARE DETERMINED ON A DRY WEIGHT BASIS.
ND = NOT DETECTED, RESULT < LOD
LOD = LIMIT OF DETECTION
COMPANY: MACKINAC ENVIRONMENTAL
PROJECT NO: M20-3359
LOCATION: CHIPPEWA LANDING
DATE SAMPLED: 11/6/2020
TIME SAMPLED: 11/6/2020
DATE RECEIVED: 11/10/2020
TIME RECEIVED: 1:45 PM
SAMPLE MATRIX: WATER
SAMPLE ID: MW-1
SAMPLED BY: PJK/MET

### EPA 8260B VOLATILE ORGANICS

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<thead>
<tr>
<th>Analysis</th>
<th>Concentration</th>
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<th>Units</th>
<th>Analyst</th>
<th>Date Extracted</th>
<th>Date Completed</th>
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</tr>
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<td>Methyl-t-Butyl Ether</td>
<td>ND</td>
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<td>58</td>
<td>5.0</td>
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SOIL/SOLIDS CONCENTRATIONS ARE DETERMINED ON A DRY WEIGHT BASIS.
ND = NOT DETECTED, RESULT < LOD
LOD = LIMIT OF DETECTION
COMPANY: MACKINAC ENVIRONMENTAL

PROJECT NO: M20-3359

LOCATION: CHIPPEWA LANDING

DATE SAMPLED: 11/6/2020

TIME SAMPLED: 1:45 PM

DATE RECEIVED: 11/10/2020

TIME RECEIVED: 1:45 PM

SAMPLE MATRIX: WATER

SAMPLE ID: MW-2

SAMPLED BY: PJK/MET

---

**EPA 8260B VOLATILE ORGANICS**

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<th>Units</th>
<th>Analyst</th>
<th>Date Extracted</th>
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<th>Prep Method</th>
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<td>Ethylbenzene</td>
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<td>1.0</td>
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<td></td>
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</tr>
<tr>
<td>Xylene (Total)</td>
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<td></td>
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<tr>
<td>Methyl-t-Butyl Ether</td>
<td>ND</td>
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SOIL/SOLIDS CONCENTRATIONS ARE DETERMINED ON A DRY WEIGHT BASIS.
ND = NOT DETECTED, RESULT < LOD
LOD = LIMIT OF DETECTION

Page 2 of 3
**EPA 8260B VOLATILE ORGANICS**

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SOIL/SOLIDS CONCENTRATIONS ARE DETERMINED ON A DRY WEIGHT BASIS.
ND = NOT DETECTED, RESULT < LOD
LOD = LIMIT OF DETECTION
COMPANY: MACKINAC ENVIRONMENTAL GTA  PROJECT NO:  111020-7
GTA  PROJECT NO:  111020-7
GTA  SAMPLE NO:  4
GTA  SAMPLE NO:  4
PROJECT NO:  M20-3359
LOCATION:  CHIPPEWA LANDING
DATE SAMPLED:  11/6/2020
DATE RECEIVED:  11/10/2020
TIME SAMPLED:  
TIME RECEIVED:  1:45 PM
SAMPLED BY:  PJK/MET
SAMPLE:  WATER
SAMPLE ID:  MW-3

**PNA EPA 8270D (SIM)**

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SOIL/SOLIDS CONCENTRATIONS ARE DETERMINED ON A DRY WEIGHT BASIS.
ND = NOT DETECTED, RESULT IS <LOD.
LOD = LIMIT OF DETECTION.
COMPANY: MACKINAC ENVIRONMENTAL

NAME: PJK/MET

PROJECT NO: M20-3359

DATE SAMPLED: 11/6/2020

LOCATION: CHIPPEWA LANDING

DATE RECEIVED: 11/10/2020

MI

### MOISTURE

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# Project Number
M20-3359

## Site Name/Address
Chippewa Landing

## Sampled By
PJK

## Company/Name
MET

## GTA Project #
11/020-7

## Sample Information

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<td>H2O</td>
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## Bill To:
met@sault.com

## Report To:
met@sault.com

## Released By
Paul Traub

## Date/Time
11-9-2020

## Received By

## Date/Time
1/10/20 rec 9.00C 64Kb

## Requested TAT
☑ Standard
☐ 1 Business Day
☐ 2 Business Days
☐ 3 Business Days
Attachment #5: Legal Description
Property Owner: ZABELKA STEVEN P

Summary Information
> Assessed Value: $197,700 | Taxable Value: $149,773
> Property Tax information found

Important Message
Please see Owner Information below to see if this record has additional owners.

Owner and Taxpayer Information

Owner
ZABELKA STEVEN P
LIFE ESTATE
4056 S BAY MILLS POINT RD
BRIMLEY, MI 49715

Taxpayer
SEE OWNER INFORMATION

General Information for Tax Year 2020

Property Class
COMMERCIAL

Unit
001 BAY MILLS TOWNSHIP

School District
BRIMLEY SCHOOLS

M A P #
No Data to Display

USER #1
0

State Equalized Value
$197,700

USER ALPHA 1
No Data to Display

Date of Last Name Change
02/11/2020

USER ALPHA 3
No Data to Display

Census Block Group
No Data to Display

Historical District
No

Exemption
No Data to Display

Principal Residence Exemption Information

Homestead Date
06/01/1995

Principal Residence Exemption
June 1st

2020
0.0000 %

0.0000 %

Previous Year Information

Year
2019
2018

Final SEV
$188,500
$134,700

Final Taxable
$146,981
$143,537

MBOR Assessed
$188,500
$314,700

Land Information

Zoning Code
Not Available

Total Acres
0.000

Land Value
Not Available

Renaissance Zone
No

Renaissance Zone Expiration Date
No Data to Display

ECF Neighborhood
No Data to Display

Lot Dimensions/Comments
Not Available

Neighborhood Enterprise Zone
No

Lot(s)
Frontage
Depth

No lots found.

Total Frontage: 0.00 ft

Average Depth: 0.00 ft

Legal Description

1335/748 1291/690 1257/363 1217/835 1217/826 2006 REDESC PER 1009/561 2004 SPL PER 928/1486 928/1442 922/282 2000 SPL PER ASSR 797/121 797/119-S 679/327 331/486... SEC 30 T47N R2W THAT PT OF GOV'T LOT 4 LYING S OF COUNTY RD EXC COMM AT NE COR OF SD LOT TH S 4 DEG 46' W 1198 FT ALG E LINE TO S LINE OF CO RD TO POB TH S 531 FT TO WATER'S EDGE TH N 53 DEG 6' W 201.2 FT TH N 4 DEG 46' E 554 FT TO S LINE CO RD TH S 44 DEG 8' E

https://bsaonline.com/SiteSearch/SiteSearchDetails?SearchFocus=All+Records&SearchCategory=Name&SearchText=Zabelka&uid=1961&PageIndex=1
200 FT TO POB OF EXC; ALSO EXC PT OF GOVT LOT 4 COMM AT N 1/4 COR OF SD SEC TH S 88 DEG 04'01"E ALG N LINE SD SEC 1320 FT TO NW COR SD GOVT LOT 4 TH S 42 DEG 51'26"E 600.95 FT TO PT ON SLY ROW LINE OF BAY MILLS POINT RD AND POB TH S 75 DEG 23'55"E ALG SD SLY ROW LINE 148.27 FT TH S 62 DEG 12'49"E ALG SD SLY ROW LINE 111.02 FT TH S 52 DEG 08'42"E ALG SD SLY ROW LINE 95.78 FT TH S 26 DEG 21'57"E 301.60 FT TO PT LATER REFERRED TO AS POINT "A" TH CONT S 26 DEG 21'57"W 9 FT M/L TO THREAD OF EXISTING STREAM TH NWLY ALG THREAD OF STREAM 350 FT M/L TH N 26 DEG 21'57"E 17 FT M/L TO A PT WHICH BEARS N 59 DEG 52'06"W 350.76 FT FROM AFOREMENTIONED POINT "A" TH CONT N 26 DEG 21'57" 270.16 FT TO POB OF EXC.

**Comments**

PER 1291/690 STEVEN P ZABELKA'S LIFE ESTATE NAMES CONTINGENT GRANTEES JUDY KAY SHAMEL & TYLER J ZABELKA & DEVENEY R ZABELKA & ADRIANNE S ZABELKA AS JOINT TENANTS. CHIPPEWA LANDING BOAT LAUNCH & SERVICE

**Sale History**

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**Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.
PAUL KRESKI
Sr. Project Manager/Wetland Biologist

*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:*

- 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

#
Attachment #7: Phase 1 ESA
PHASE 1
ENVIRONMENTAL SITE ASSESSMENT
CHIPPEWA LANDINGS
4234 SOUTH BAY MILLS POINT ROAD
BRIMLEY, MICHIGAN

November 10, 2020

Prepared for:
Sault Ste. Marie Tribe of
Chippewa Indians

Prepared by:
Mackinac Environmental Technology, Inc.
St. Ignace, Michigan

MET Project No: M20-3359
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Attachment #2: Site Location Map
Attachment #3: Legal Descriptions
Attachment #4: EDR Regulatory Report
Attachment #5: Soil Map
Attachment #6: Sanborn Certificate
Attachment #7: Aerial Photographs
Attachment #8: Site Photographs
Attachment #9: Owner Questionnaire
1.0 EXECUTIVE SUMMARY

Mackinac Environmental Technology, Inc. (MET) has completed a Phase 1 Environmental Site Assessment (Phase 1 ESA) for the Chippewa Landings property located at 4234 South Bay Mills Point Road Brimley, Michigan (Site). The Phase 1 ESA was completed in accordance with the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments (ASTM Designation E 1527-13).

The Phase 1 ESA is used as a screening device; focusing on research into current and historical Site activities, a review of regulatory compliance, interviews with people aware of former and current site activities and a physical assessment of the land surface; to evaluate and identify conditions indicative of a release(s) or potential release(s) of hazardous substances and/or petroleum products at the Site. If the Phase 1 ESA is inconclusive or identifies potential environmental concerns, then a Phase 2 may be warranted. Phase 2 investigations generally involve analytical testing of representative soil and/or groundwater samples.

1.1 Phase 1 ESA Summary

Historical Summary and Land Use: MET’s historical research dates back to a 1939 aerial photograph, which depicted the Site as undeveloped land with no buildings or structures of any kind. By 1953, one or two small buildings were visible on the Site near the current boat launch. Based on their size, they were likely used as small homes or cabins. The Site remained relatively unchanged through the 1960s and early 1970s. According to historical information, the main building on the Site was constructed between 1973 and 1975 along with the mobile home. The pole building to the north was added during the early 1980s and is visible on a 1982 aerial photograph. According to the Mr. Steven Zabelka (current owner), the Site has been used as a home, retail store, bait shop, boat storage and campground since the main building was constructed during the early 1970s. The current owner has been familiar with the Site for approximately 54 years.

Regulatory File Review: Review of EGLE and EDR regulatory information did not identify the Site as a location of known contamination. One location of known or potential environmental concern was identified within applicable ASTM search parameters. The facility was identified as Former Dillions Store located at the intersection of South Bay Mills Point Road and Lakeshore Drive. It was identified as a former underground storage tank (UST) facility and a closed Leaking UST location. Based on the “closed” status and lack of current storage tanks, the facility was not regarded as an environmental concern. See Section 5.1 Standard Environmental Record Sources for facility identification and additional details.

Site Reconnaissance: On November 6, 2020, MET conducted a walk-through of the Site for visual evidence of unpermitted dumping, chemical spills, storage tanks or other potential sources of environmental concern. The reconnaissance included a walk-through of all accessible areas of the property. The Site consists of several buildings situated on over 40 acres of property. The structures included the main retail/storage building, a mobile home, pumphouses (2), pole building and campground restrooms.
During the walk-through, MET observed two above ground storage tank (AST) systems on the Site. The first system contained two tanks and two fuel pumps, which were located adjacent to the boat launch. The second system was located on the west side of the main building and was used for diesel fuel storage.

1.2 Summary of Recognized Environmental Conditions (RECs):

In the professional opinion of MET, further environmental Site assessment is required in order to determine whether a problem exists or in order to define the nature and extent of a suspected or confirmed problem. The Phase 1 ESA has identified the following REC(s) for the Site.

- **AST Systems**: There are two AST systems located on the Site. As mentioned above, two tanks are located adjacent to the boat launch ramp and were last used to refuel boats and watercraft. A third elevated AST is located on the west side of the main building and is used to store diesel fuel. No secondary containment or other spill prevention devices were observed under or around the tanks. At the time of the assessment, the two larger tanks (boat refueling) were empty and no longer in use.

2.0 INTRODUCTION

MET has completed a Phase 1 Environmental Site Assessment (Phase 1 ESA) for the Chippewa Landings property located at 4234 South Bay Mills Point Road, Brimley, Michigan (Site). The following report details the purpose, procedures, limitations, findings and conclusions of MET's assessment of the Site.

2.1 Purpose

The purpose of this Phase 1 ESA was to conduct adequate inquiry into the Site's environmental status and to identify any recognized environmental conditions (RECs) associated with the Site or surrounding properties. The American Society for Testing and Materials (ASTM) Standard E1527-13 defines a REC as:

- “The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.”

The ASTM Standard defines a de minimis condition as:

- “a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis conditions neither are not recognized environmental conditions nor controlled recognized environmental conditions.”
2.2 Detailed Scope of Services

The Phase 1 ESA was conducted in general accordance with the ASTM Standard E1527-13 and was completed by Mr. Paul Kreski. A Professional Profile is included in Attachment #1. The Phase 1 ESA is intended to provide a prospective purchaser of a property with requirements to qualify for the innocent landowner, bona fide prospective purchaser and contiguous property exemption defenses under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), which is the practices that constitute “all appropriate inquiry (AAI) into previous ownership and uses of the property consistent with good commercial or customary practices, as defined in 42 USC, Section 9601(35(B).”

2.3 Significant Assumptions

No significant assumptions were made as part of this Phase 1 ESA. Should additional information become available to the Client that differs significantly from the findings of this Phase 1 ESA, then such information should be presented to MET for further assessment and possible amendment of the Phase 1 ESA.

2.4 Limitations and Exceptions of Assessment

The services performed by the environmental professional on this project have been conducted with the level of care and skill exercised by reputable members of the profession, practicing in the same locality, under similar budget and time constraints. No warranty or guarantee, expressed or implied, is made or intended.

The Phase 1 ESA is a compilation of data regarding past and present use of the Site and surrounding area. The work did not include soil, water or air sampling or analysis. MET utilized supplied information, including interviews, for completion of the assessment. Independent verification of the validity of this information was beyond the proposed scope, however, MET is not aware of any inaccuracies with respect to the information provided.

The recommendations and conclusions presented herein were developed based on MET’s interpretation of the data gathered. Many factors, unknown to MET, need to be considered when determining the possible liability associated with potential environmental impact. The Client’s legal counsel should be consulted regarding potential liabilities and determination of responsible parties with respect to the findings of this report.

2.5 Special Terms and Conditions

MET is not aware of any special terms or conditions beyond that of ASTM E1527-13. Pursuant to the ASTM Standard, no formal inspections for Radon, Asbestos-Containing Materials, Lead-Containing Material, Wetlands, Mold/Fungi, or environmental permitting were conducted; however, general comments related to each of these issues are provided in Section 12.0 Additional Services.
2.6 User Reliance

MET has performed the work described in this report as an expert in environmental matters and certifies to the Sault Ste. Marie of Chippewa Indians (Client) and any potential lender (Bank) that they may rely upon the findings, conclusions and recommendations as being those of an environmental expert, performed according to the general standards of the disciplines required in developing these findings, conclusions and recommendations. Both the Client and the Bank may rely upon and utilize this report, which was prepared for their benefit.

3.0 SITE DESCRIPTION

3.1 Site Location and Legal Description

The Site is located at 4234 South Bay Mills Point Road near Brimley, Michigan. This area is situated in Town 47 North, Range 2 West, Section 30 of Chippewa County. See the Site Location Map in Attachment #2 for illustration. According to provided documents, the legal description and tax identification number are as follows:

- **LEGAL DESCRIPTION:** See the GIS Documentation in Attachment #3 for legal description.
- **TAX IDENTIFICATION:** 051-001-030-004-00 051-001-030-011-00 051-001-510-001-00

The geographic coordinate position for the center of the Site:

- Latitude: 46.444402
- Longitude: -84.594959

3.2 Site and Vicinity General Characteristics

The Site consists of three parcels located on the north end of Brimley (Waiska) Bay. A small inlet/creek provides direct access from the bay to the Site and associated structures before continuing northwest through the property. The Site and the surrounding area utilize a municipal water system, natural gas and propane, private septic systems and local electric and communication utilities. Direct access to the Site is provided by South Bay Mills Point Road with gravel access drives and parking areas around the structures. The surrounding area is a mix of both commercial and residential properties.

The topography of the Site is relatively flat with the surrounding area exhibiting a southerly slope toward Brimley Bay, which borders the property. Contour lines on topographic maps indicate that surface water drainage on the Site and the surrounding area flows in a southeasterly direction toward the bay. Based on topography and surface water features in the area, it is anticipated that groundwater and any potential contaminant migration also would move in a southeasterly direction. The average elevation of the Site is 610 feet above mean sea level.
3.3 Current Uses of the Property

The Site has been used as a retail store, bait shop, campground and for residential purposes since the mid-1970s.

3.4 Current Uses of Adjoining Properties

During the Site inspection, the adjacent properties were examined to determine current use and to identify potential environmental concerns. The visual inspection did not involve accessing the adjacent properties. The Site is bordered by the following properties and/or improvements:

- **North**: Residential homes and the Lake Superior shoreline are located north of the Site.
- **South**: Brimley (Waiska) Bay forms the southern boundary.
- **East**: Residential properties are located east of the Site.
- **West**: Undeveloped land and Lakeshore Drive are located to the west.

No recognized environmental conditions (RECs) were identified with current use of the adjacent properties.

4.0 USER PROVIDED INFORMATION

4.1 Title Records

The user did not provide a title record search and one has not been incorporated into this report.

4.2 Environmental Liens or Activity Use Limitations

The user did not identify any environmental liens or activity use limitations associated with the Site. An environmental questionnaire was submitted to the user as part of the assessment. The questionnaire was not returned at the date of the report. In addition, the Environmental Data Resources, Inc. (EDR) regulatory report did not identify any environmental concerns or land use restrictions in place at the Site or the adjacent properties. A copy of the EDR report is included as Attachment #4.

4.3 Specialized Knowledge

The user did not provide any specialized knowledge regarding the Site or nearby properties.
4.4 Commonly Known or Reasonably Ascertainable Information

The user was not aware of any potential environmental conditions associated with the Site or the adjacent properties.

4.5 Valuation Reduction for Environmental Issues

The user stated that the purchase price reasonably reflects the fair market value of the property. The user was not aware of any negative environmental issues (i.e. contamination) associated with the Site.

4.6 Owner, Property Manager and Occupant Information

See Section 7.0 – Interviews.

4.7 Reason for Performing the Phase 1 ESA

The purpose of this Phase 1 ESA was to conduct adequate inquiry into the Site’s environmental status and to identify any RECs associated with the Site or surrounding properties. The Phase 1 ESA was conducted in general accordance with the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments (ASTM Designation E 1527-13).

4.8 Other

No other sources were available for review.

5.0 RECORDS REVIEW

5.1 Standard Environmental Record Sources

MET utilized Environmental Data Resources, Inc. (EDR) to conduct a review of the following regulatory files. The environmental database report includes a review of all the current federal and state regulatory databases outlined in the ASTM Standard, Section 8.2.1. Michigan Department of Environment, Great Lakes & Energy (EGLE) Part 201 Environmental Contamination and Part 213 Leaking Underground Storage Tank (LUST) facility lists were verified by reviewing current online EGLE files. The database files were reviewed to determine if the Site was listed as a location of known or suspected contamination or if facilities1 in the surrounding area posed an environmental threat to the Site. Search parameters are per ASTM standard distances. Reviewed databases include:

1Facility: Any area, place, parcel or parcels of property, or portion of a parcel of property where a hazardous substance in excess of the concentrations that satisfy the cleanup criteria for unrestricted residential use has been released, deposited, disposed of, or otherwise comes to be located.
Site Regulatory Summary: Review of EGLE and EDR regulatory information did not identify the Site as a location of known contamination. Only one facility was identified in the surrounding area within applicable ASTM search parameters. An Area Map, depicting the location of the facilities identified during the regulatory review, is included in the EDR report (Attachment #4). The following summarizes the regulatory review for the Site and the facilities in the surrounding area:

**Federal Files:**

1. **National Priorities List (NPL)- Site to 1-mile radius:** The NPL list maintained by the Environmental Protection Agency contains confirmed or proposed Superfund Sites. No NPL facilities were identified within the researched area.

2. **Comprehensive Environmental Response, Compensation and Liability Information System List (CERCLIS) – Site to 0.5-mile radius:** The CERCLIS list contains data on potentially hazardous waste facilities. Facilities either proposed to or are on the NPL and facilities, which are in the screening and assessment phase for possible inclusion, are included in this list. There were no CERCLIS facilities identified within the researched area.

3. **RCRA TSDs (Resource Conversation and Recovery Information System Treatment, Storage and Disposal Facilities) – Site to 1-mile radius.** The EPA’s database of locations which treat, store, dispose or incinerate hazardous waste. MET checked the EPA database to meet the 1-mile radius requirement. No RCRA TSD facilities were identified within the researched area.

4. **RCRA Generators - LOG/SQG (Resource Conversation and Recovery Information System Large, Small and Conditionally Exempt Hazardous Waste Generators) - Site to ¼-mile radius.** The EPA’s database of facilities that generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). RCRA Non-generators do not presently store, generate or transport hazardous waste. CESQGs are defined as generating less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. The Site was not listed as a RCRA facility.
5. IC/EC Registries (Institutional or Engineering Controls) – Site: IC/EC databases track sites that may contain residual contamination and Activity Use Limitations (AULs). No IC/ECs were identified on the Site.

6. Emergency Response Notification System (ERNS) List - Site: The ERNS list is an Environmental Protection Agency database that contains information on specific notification of releases of oil and hazardous substances into the environment. No ERNS notifications were identified with the Site.

State Files:

7. State Priority List (Part 201/SHWS/Inventory/BEA) Facilities – Site to 1-mile radius: The EGLE - Environmental Response Division Part 201 list identifies locations of environmental contamination in the State of Michigan and provides information regarding the evaluation and cleanup of these facilities. Facilities of environmental contamination that are not known to EGLE are not on the list. The Site was not listed as a Part 201 or Inventory facility. No facilities were identified in the surrounding area.

8. LUST Facilities – Site to ½-mile radius: The EGLE - Storage Tank Division Leaking Underground Storage Tank (LUST) database is comprised of locations where the source of contamination is a release from a registered underground storage tank (UST). The Site and the adjacent properties were not listed as LUST facilities. One facility was listed near the Site. The following information pertains to this location:

   ➢ Former Dillions Store: The facility is located near the intersection of Lakeshore Drive and South Bay Mills Point Road. According to regulatory information, a confirmed release of gasoline was reported for this location following the removal of an underground storage tank. Subsequent assessment of the release did not identify any significant concerns and the release was closed by the State in December of 1998. Based on its current status as “closed” and the lack of current storage tanks, the facility was not regarded as a recognized environmental concern (REC).

9. List of Registered Underground Storage Tanks – Site and adjacent properties: The Michigan Department of Licensing and Regulatory Affairs (LARA) list of Registered Underground Storage Tanks was reviewed to identify locations with registered USTs on or adjacent to the Site. The Site was not listed as having any current or former USTs.

10. MDEQ-WMD Solid Waste Facilities – Site to ½-mile radius: The EGLE - Waste Management Division database includes listings of landfills and transfer stations. No Solid Waste facilities were identified within a ½ mile radius of the Site.

11. IC/EC Registries (Institutional or Engineering Controls) – Site: IC/EC databases track sites that may contain residual contamination and Activity Use Limitations (AULs). No IC/ECs were identified on the Site.
5.2 Regulatory Agency File and Records Review

If the Site or any of the adjoining properties is identified on one or more of the standard environmental record sources, pertinent regulatory files and/or records associated with the listing should be reviewed in accordance with the ASTM Standard. The purpose of the regulatory file review is to obtain sufficient information in determining if RECs exists at the property in connection with the listing.

Not Applicable: The Site and adjoining properties were not identified in the standard environmental record sources as locations of known contamination. A regulatory agency file and records review was not warranted.

5.3 Additional Environmental Record Sources

Historic Auto Service Stations: The EDR Report lists historic auto service stations and repair facilities as potential concerns. No facilities were listed near the Site.

Historic Dry Cleaners: There were no old dry-cleaning facilities identified in the EDR Report near the Site.

EDR Report – Baseline Environmental Assessments (BEA): There were no BEAs submitted for the Site or for the adjacent properties. Note: BEAs are submitted for purchasers of contaminated properties and provide liability protection for pre-existing environmental conditions on those properties.

Chippewa County Health Department: MET contacted the Chippewa County Health Department regarding any known or potential locations of environmental contamination on the Site or the adjacent properties. Health department officials were not aware of any environmental concerns or noncompliance issues associated with the Site.

Michigan Department of Environment, Great Lakes and Energy (EGLE) – Remediation and Redevelopment Division: MET spoke with Mr. Scott Schaefer of EGLE in Newberry, Michigan regarding locations of known contamination in the vicinity of the Site. According to Mr. Schaefer, the closest environmental concerns were identified at the Bay Mills Maintenance garage located about a quarter mile northwest of the site. The facility was not viewed as a concern.

5.4 Physical Setting Sources

The following descriptions of the physical setting of the Site and immediate vicinity were compiled by MET through review of publications from the U.S. Department of Agriculture - Soil Conservation Service, the University of Michigan and the current USGS 7.5 Quad Topographical Map. References are included in Section 13.0.
Regional Geology: The regional geological setting underlying Michigan's Eastern Upper Peninsula, including the Bay Mills area, is dominated by lacustrine sand deposits. This unconsolidated fine-grained sediment is commonly observed as gray to dark reddish-brown in color and may include small areas of lacustrine clay rich till. These lacustrine sediments chiefly underlie flat, low-lying areas previously inundated by former Glacial Great Lakes. The unconsolidated sediment in this area generally ranges in thickness from zero (surface bedrock outcrops) to greater than 100 feet thick.

Site Geology: The publication titled “Soil Survey of Chippewa County”, prepared by the Soil Conservation Service, identified two dominant soil types at the Site. The soil descriptions included Histosols & Aquents and Deadford & Leafriver soils. A Soil Map with the detailed descriptions are included in Attachment #5.

The most current (1976) USGS 7.5 Quad Topographical Map depicts the Site property with a southeasterly slope toward the Brimley Bay which borders the Site. The elevation of the Site property is approximately 610 feet above mean sea level.

5.5 Historical Use Information on the Property

MET’s historical research dates back to a 1939 aerial photograph, which depicted the Site as undeveloped land with no buildings or structures of any kind. By 1953, one or two small buildings were visible on the Site near the current boat launch. Based on their size, they were likely used as small homes or cabins. The Site remained relatively unchanged through the 1960s and early 1970s. According to historical information, the main building on the Site was constructed between 1973 and 1975 along with the mobile home. The pole building to the north was added during the early 1980s and is visible on a 1982 aerial photograph. According to the Mr. Steven Zabelka (current owner), the Site has been used as a home, store, bait shop, boat storage and campground since the main building was constructed during the early 1970s. The current owner has been familiar with the Site for approximately 54 years.

Site Historical Research: MET conducted a historical review of the Site and immediate adjoining properties following ASTM Designation E1527-13. Historical information regarding the Site was obtained from historical aerial photography, topographic maps and interviews. MET attempted to review Sanborn Fire Insurance Maps and Polk City Directories for the Site but these resources did not cover the area. A copy of the Sanborn “No Coverage” Certificate is included as Attachment #6. The following is a summary of each historical source:

1. Aerial Photographs¹: Aerial photographs were reviewed for current and former developments, including evidence of structures, surface disturbances, railroad operations and petroleum storage. MET reviewed aerial photographs depicting the Site and surrounding properties from 1939, 1953, 1966, 1975, 1982, 1993, 1998, 2005, 2009, 2012 and 2016. The photographs were obtained from EDR’s database of aerial photographs. Copies of the aerial photographs are included in Attachment #7. The following is a summary of each photograph:
1. **1939 Aerial Photograph**: The photo depicts the Site and most of the surrounding properties as undeveloped land. No buildings or other structures were observed on the Site at this time.

2. **1953 Aerial Photograph**: A few small buildings were observed on the Site near the current boat launch area. Based on their size, they were likely used as homes or cabins.

3. **1966 Aerial Photograph**: No significant changes were observed since the previous photo.

4. **1975 Aerial Photograph**: The main building and mobile home currently located on the Site are present at this time. Access drives and parking areas are located around the buildings and on the Site property to the north.

5. **1982 Aerial Photograph**: There were no significant changes to the Site other than the pole barn to the north. It appears that the campground area to the north is now in use.

6. **1993 Aerial Photograph**: No significant changes were observed.

7. **1998 Aerial Photograph**: No significant changes were observed.

8. **2005 Aerial Photograph**: No significant changes were observed.

9. **2009 Aerial Photograph**: No significant changes were observed.

10. **2012 Aerial Photograph**: No significant changes were observed.

11. **2016 Aerial Photograph**: No significant changes were observed.

**Note**: In general, the aerial photographs reviewed during the Phase 1 ESA support the developments and land uses of the Site and the adjacent property. No specific details or potential environmental concerns were identified on the aerial photographs. Please note that although aerial photographs are an effective source in identifying general property development, typical photograph resolution often prevents a detailed description of the Site and surrounding area.

2. **Topographic Maps**: MET reviewed the USGS Topographic Map for the Site and surrounding area. The map was compiled from an aerial survey conducted in 1951 and photo-revised in 1976. Review of the map identified the Site with three structures in positions similar to current conditions. No large storage tanks, dumping areas, landfills or other environmental concerns were depicted near the Site. A copy of the USGS Topographic Map is included in Attachment #2 (Site Location Map).

3. **Interviews**: See Section 7.0 - Interviews
4. **Other:** Available record search that may provide additional information into the Site’s historical use. Sources often include internet sites, historical societies, newspaper archives and local libraries. There were no other available sources reviewed during the Phase 1 ESA.

5.6 **Historical Use Information on Adjoining Properties**

Historical information regarding former use of the adjacent properties was obtained from available aerial photography and topographic maps. Note: Due to the Site’s rural setting, historical information was limited. The following is a summary of adjacent land use:

- **East:** The eastern adjacent property consisted of a large wetland area with no historical development.

- **West:** Prior to the construction of residential homes in the 1960s and 1970s, the property was undeveloped.

- **North:** Small homes and cabins started to appear on the northern adjacent properties during the 1960s. The homes are located along the Lake Superior shoreline. No commercial developments were noted.

- **South:** Not applicable. Brimley Bay borders the Site in this direction.

6.0 **SITE RECONNAISSANCE**

6.1 **Methodology and Limiting Conditions**

On November 6, 2020, Paul Kreski (MET) performed a Site reconnaissance visit for visual identification of physical evidence of unpermitted dumping, chemical spills, industrial activities or other potential sources of environmental concern. The reconnaissance included a walk-through of all accessible areas of the Site. Current features, characteristics and concerns were noted while systematically crossing the Site. In addition, MET viewed the surrounding area to identify potential off-site concerns. Photographs depicting current Site conditions are included in Attachment #8.

The following summarizes the information gathered during the Site reconnaissance.

6.2 **Hazardous Substances and Petroleum Products in Connection with Site Use:**

There are two above ground storage tank (AST) systems located on the Site. The larger system is located adjacent to the boat launch area and consists of two tanks and two dispensers. See Photos #8 and #9 for illustration. The second system consists of an overhead diesel tank used for equipment refueling. The diesel tank is located on the west side of the main building. Other than retail sized containers, no other petroleum products or chemicals were noted on the Site.
6.3 **Exterior Observations**

1. **Structures, Roads or other Land Improvements:** The Site consists of several buildings situated on over 40 acres of property (3 parcels). The structures included the main retail/storage building, a mobile home, pumphouses (2), pole building and campground restrooms. A small inlet/creek provides direct access from Brimley Bay to the Site and associated structures before continuing northwest through the property. Direct access to the Site is provided by South Bay Mills Point Road with gravel access drives and parking areas around the structures.

2. **Potable Water Supply:** The Site is serviced by municipal drinking water and private wells.

3. **Sewage Disposal:** The Site utilizes private septic systems for sewage disposal.

4. **Heating/Cooling:** The Site buildings utilizes natural gas and propane furnaces for heating purposes.

5. **Site Wells:** One new potable well and pumphouse were noted in the campground area. No other wells or other non-consumptive use wells, including irrigation wells, dry wells, injections wells, abandoned wells or other wells were identified.

6. **Bulk Storage Tanks:** Three bulk storage tanks are located in two separate areas. The tanks range in size from approximately 500 to 1500 gallons (estimate). At the time of the assessment, the two larger tanks (boat refueling) were empty and no longer in use. The third AST contained diesel.

7. **Drums/Containers:** No bulk storage drums or containers containing petroleum products or hazardous substances were identified.

8. **Odors:** No strong, pungent or noxious odors were identified.

9. **Pools of Liquid:** No pools or sumps containing liquids likely to be petroleum products or hazardous substances were identified.

10. **Stained Soil or Pavement:** No significant stained soil or pavement was identified.

11. **Stressed Vegetation:** No significant areas of stressed vegetation were identified.

12. **Pits, Ponds or Lagoons:** No pits, ponds or lagoons in connection with on-Site waste treatment or disposal of petroleum products, hazardous substances or other industrial activity were identified.

13. **Solid Waste:** No significant areas of solid waste, including construction debris, demolition debris or other solid waste were identified. In addition, no apparent mounds or depressions suggesting solid waste disposal were identified.
14. **Imported Fill Material:** The Site is fully developed. No evidence of imported fill material was observed or reported.

15. **Wastewater:** No Site operations requiring a significant wastewater discharge were identified. Site generated sewage is disposed via a private septic system.

16. **PCBs:** The Site was inspected for the presence of liquid-cooled electrical equipment and sources of hydraulic fluid; known to contain or likely to contain polychlorinated biphenyls (PCBs). PCBs are an organic chlorine compound that were used in the production of lubricants, electrical equipment and other products. Due to its high toxicity, PCB production was banned in the United State in 1979.

   Three pole-mounted electrical transformers were observed on the Site. A non-PCB label was affixed to each transformer. No other evidence of PCB-containing electrical transformers, capacitors or other materials were identified.

17. **Other:** No additional concerns were identified.

### 7.0 INTERVIEWS

7.1 **Interview with User/Owner**

**Purchaser/User:** The User/Purchaser indicated that they had no knowledge of the Site regarding former use or operation.

**Current Owner:** During the Site visit, MET spoke briefly with Mr. Steven Zabelka regarding current and former Site use. According Mr. Zabelka, the Site was first developed during the 1970s with the construction of the main building. He indicated that the property has been used as a retail store, bait shop and campground for as long as he could remember. According to Mr. Zabelka, he has been involved with Site operations and familiar with the property for over 50 years. He stated that he was not aware of any environmental concerns or noncompliance issues associated with the Site property.

7.2 **Interview with Site Manager**

See above.

7.3 **Interview with Site Occupants**

See above.
7.4 Interview with Local Governmental Officials

Chippewa County Health Department: MET contacted the Chippewa County Health Department regarding any known or potential locations of environmental contamination on the Site or the adjacent properties. Health department officials were not aware of any environmental concerns or noncompliance issues associated with the Site.

Michigan Department of Environment, Great Lakes and Energy (EGLE) – Remediation and Redevelopment Division: MET spoke with Mr. Scott Schaefer of EGLE in Newberry, Michigan regarding locations of known contamination in the vicinity of the Site. According to Mr. Schaefer, the closest environmental concerns were identified at the Bay Mills Maintenance garage located about a quarter mile northwest of the site. The facility was not viewed as a concern.

8.0 SUMMARY OF FINDINGS

Mackinac Environmental Technology, Inc. (MET) has completed a Phase I Environmental Site Assessment (Phase 1 ESA) for the Chippewa Landings property located at 4234 South Bay Mills Point Road Brimley, Michigan (Site). The Phase 1 ESA was completed in accordance with the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments (ASTM Designation E 1527-13).

Historical Summary and Land Use: MET’s historical research dates back to a 1939 aerial photograph, which depicted the Site as undeveloped land with no buildings or structures of any kind. By 1953, one or two small buildings were visible on the Site near the current boat launch. Based on their size, they were likely used as small homes or cabins. The Site remained relatively unchanged through the 1960s and early 1970s. According to historical information, the main building on the Site was constructed between 1973 and 1975 along with the mobile home. The pole building to the north was added during the early 1980s and is visible on a 1982 aerial photograph. According to the Mr. Steven Zabelka (current owner), the Site has been used as a home, retail store, bait shop, boat storage and campground since the main building was constructed during the early 1970s. The current owner has been familiar with the Site for approximately 54 years.

Regulatory File Review: Review of EGLE and EDR regulatory information did not identify the Site as a location of known contamination. One location of known or potential environmental concern was identified within applicable ASTM search parameters. The facility was identified as Former Dillions Store located at the intersection of South Bay Mills Point Road and Lakeshore Drive. It was identified as a former underground storage tank (UST) facility and a closed Leaking UST location. Based on the “closed” status and lack of current storage tanks, the facility was not regarded as an environmental concern. See Section 5.1 Standard Environmental Record Sources for facility identification and additional details.
**Site Reconnaissance:** On November 6, 2020, MET conducted a walk-through of the Site for visual evidence of unpermitted dumping, chemical spills, storage tanks or other potential sources of environmental concern. The reconnaissance included a walk-through of all accessible areas of the property. The Site consists of several buildings situated on over 40 acres of property. The structures included the main retail/storage building, a mobile home, pumphouses (2), pole building and campground restrooms.

During the walk-through, MET observed two above ground storage tank (AST) systems on the Site. The first system contained two tanks and two fuel pumps, which were located adjacent to the boat launch. The second system was located on the west side of the main building and was used for diesel fuel storage.

**9.0 OPINION**

**9.1 Opinion**

In the professional opinion of MET, further environmental Site assessment is required in order to determine whether a problem exists or in order to define the nature and extent of a suspected or confirmed problem. The Phase 1 ESA identified multiple RECs associated with the Site and/or the adjacent property. The RECs are listed in Section 10.0.

**9.2 Data Failures**

No significant data failures were encountered in achieving the objectives of 8.3.1 through 8.2.2 of the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments (ASTM Designation E 1527-05).

**9.3 Data Gaps**

The user did not supply a title record search. Significant data gaps after 1939 were not encountered in the research, which would hinder MET’s ability to identify former uses of the Site or the RECs associated with the current and past uses of the property.

**10.0 CONCLUSIONS/RECOMMENDATIONS**

MET has performed a Phase 1 ESA in conformance with the scope and limitations of ASTM Practice E 1527-13 of the Chippewa Landing Property located at 4234 South Bay Mills Point Road, Brimley, Michigan (Site). In the professional opinion of MET, all appropriate inquiry has been made into the uses and previous ownership of the property consistent with good commercial or customary practice in an effort to minimize liability. Any exceptions to, or deletions from, this practice are described in Section 2.0 of this report.

This assessment has revealed the following REC(s) in connection with the Site property:
• There are two AST systems located on the Site. As mentioned above, two ASTs are located adjacent to the boat launch ramp and were last used to refuel boats and watercraft. A third elevated AST is located on the west side of the main building and is used to store diesel fuel. No secondary containment or other spill prevention devices were observed under or around the tanks. At the time of the assessment, the two larger tanks (boat refueling) were empty and no longer in use.

11.0 DEVIATIONS

The Phase 1 ESA was conducted in general accordance with the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments (ASTM Designation E 1527-13).

12.0 ADDITIONAL SERVICES

No additional services were requested beyond the scope of the Phase 1 ESA Standard Practice for Environmental Site Assessments (ASTM Designation E 1527-13). Pursuant to the ASTM Standard, no formal inspections for Radon, Asbestos-Containing Materials, Lead-Containing Materials, Wetlands, or environmental permitting were conducted. General observations and comments regarding these non-scope items are provided as follows:

Radon: Radon testing was not conducted as part of the Phase 1 ESA. However, the Site is located in Michigan’s Upper Peninsula (Chippewa/Mackinac Counties) which is designated as Zone 3 by the U.S. Environmental Protection Agency (EPA). Zone 3 has a “Low Potential” for elevated indoor radon levels.

Asbestos Survey: Several of the Site buildings were constructed prior to 1980. Based on the age of the buildings (built prior to 1980), there is a chance that asbestos containing materials (ACM) were utilized in the construction of the building. The Asbestos Standard for General Industry (29 CFR1910.1001), which is enforced by the Michigan Occupational Safety and Health Administration (MIOSHA), requires that all commercial buildings constructed prior to 1981, where employees may enter, work, or contact building materials must be inspected for ACM. In addition, the National Emission Standard for Hazardous Air Pollutants (NESHAP) requires a thorough asbestos survey for any building that is slated for demolition or significant renovation.

Note: MET’s cursory asbestos review (Site reconnaissance visit) did not identify damaged or friable suspect asbestos containing material (SACM); however, the potential presence of non-friable asbestos material exists. A comprehensive asbestos survey is recommended prior to any building renovation or demolition.
**Lead-Based Paint:** Based on the age of the buildings (built prior to 1978), there is the potential for lead-based paint to exist. MET’s cursory lead-based paint review (Site reconnaissance visit) did not identify any significant distressed paint (i.e. peeling and flaking) inside the building, but noted that the exterior had some peeling and flaking on the exterior walls.

Note: A comprehensive lead-based survey is recommended prior to any demolition or significant renovation. The survey should be provided to contractors whose work may disturb or encounter lead-based paint. The contractor must comply with all MIOSHA requirements as outlined in the Michigan Occupational Health Standard - Part 603 Lead Exposure in Construction and the federal Lead Standard for Construction - 29 CFR1926.62.

**Wetlands:** The property located west of the buildings on the southern portion of the Site consists of regulated wetlands including a small creek which heads in a northwesterly direction. Development of this area does not appear likely given current conditions (high quality wetland, extremely low conditions). The northern portion of the Site consists of upland area.

**Mold-Fungi:** Mold cannot inhabit an area without water or moisture. Common sources of uncontrolled water intrusion or moisture buildup may include roof leaks, pipe breaks, sewer backups, moisture seepage through the building’s exterior, high humidity and poor ventilation. No significant mold, mildew or fungi was observed on or in the current buildings.

**Permits:** No environmental permits are currently required at the Site.

**CERCLA, Part 201 and Part 213:** MET’s research and regulatory review did not provide any evidence that federal or state authorities have spent money under CERCLA, Part 201 or Part 213 on investigation, removal or remediation activities associated with the Site.

**13.0 REFERENCES**

References:


3. Michigan GIS Geographic Library Catalog. Website: mcgi.state.mi.us/mgdl

Contacts:

United States Department of Agriculture  
Soil Survey of Chippewa County  
Soil Conservation Service

Environmental Data Resources, Inc.  
440 Wheelers Farms Road  
Milford, Connecticut 06640  
(800) 352-0050

Michigan Department of Environment, Great Lakes and Energy  
Mr. Scott Schaefer  
Newberry & Gwinn  
Website: michigan.gov/deq

Chippewa County Health Department  
508 Ashmun Street, Suite 120  
Sault Ste. Marie, Michigan 49783  
(906) 635-1566

14.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONAL

I declare that, to the best of my professional knowledge and belief, that I meet the definition of an Environmental Professional as defined in 312.10 of 40 CFR 312 and have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

[Signature]

11/10/2020

Paul Kreski  
Senior Project Manager  
Environmental Professional

15.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONAL

See Attachment #1.
Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR’s professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

**Search Results:**

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<td>1&quot;=500’</td>
<td>Acquisition Date: May 09, 1993</td>
<td>USGS/DOQQ</td>
</tr>
<tr>
<td>1982</td>
<td>1&quot;=500’</td>
<td>Flight Date: January 01, 1982</td>
<td>USDA</td>
</tr>
<tr>
<td>1975</td>
<td>1&quot;=500’</td>
<td>Flight Date: October 04, 1975</td>
<td>USGS</td>
</tr>
<tr>
<td>1966</td>
<td>1&quot;=500’</td>
<td>Flight Date: January 01, 1966</td>
<td>USDA</td>
</tr>
<tr>
<td>1953</td>
<td>1&quot;=500’</td>
<td>Flight Date: January 01, 1953</td>
<td>USDA</td>
</tr>
<tr>
<td>1939</td>
<td>1&quot;=500’</td>
<td>Flight Date: July 11, 1939</td>
<td>USGS</td>
</tr>
</tbody>
</table>

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Phase 1 Environmental Site Assessment -
Interview with Current Owner

Chippewa Landing
4234 South Bay Mills Point Road
Brimley, Michigan

Date: 11-6-2020

Property:

<table>
<thead>
<tr>
<th>Common Name of Property (Site)</th>
<th>Chippewa Landing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel ID (s)</td>
<td>001-510-001-00, 001-030-011-00, 001-030-004-00</td>
</tr>
<tr>
<td>Address</td>
<td>4234 S. Bay Mills Point Road</td>
</tr>
</tbody>
</table>

SECTION 1 – OWNERSHIP INFORMATION

1. Site Contact

A. What is the name of the key Site contact interviewed?

<table>
<thead>
<tr>
<th>Name</th>
<th>Telephone</th>
<th>e-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steven P. Zabello</td>
<td>906/630-0236</td>
<td>stevezzabo4themail.com</td>
</tr>
</tbody>
</table>

B. How is the key Site contact associated with the property (owner, site manager, occupant, employee, etc.)?

Owner

C. How long has the key Site contact been familiar with the property?

54 Years

2. Name of the current Site owner(s)

<table>
<thead>
<tr>
<th>Name</th>
<th>Purchase Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Who were the previous owners of the Site?

Dave Ward
SECTION 2: ENVIRONMENTAL QUESTIONS

4. Have any previous environmental investigations ever been conducted at the Site (Phase I ESA, Phase II ESA, BEA, etc.)?
   □ Yes □ No; If Yes, explain.

5. Have regulated or hazardous wastes been generated/stored during current or historic Site operations (heating oil tanks, aboveground storage tanks, underground storage tanks, etc.)?
   □ Yes □ No; If Yes, explain.
   Above ground gas tanks

6. Does the key Site contact have knowledge of spills, leaks, or chemical releases at the Site?
   □ Yes □ No; If Yes, explain.

7. Have operators of the Site ever been investigated or cited for violation or possible violation of environmental laws?
   □ Yes □ No; If Yes, explain.

8. Have environmental remediation activities ever occurred at the Site or adjacent properties?
   □ Yes □ No; If Yes, explain.

9. Are there any environmental cleanup liens against the Site?
   □ Yes □ No; If Yes, explain.
SECTION 3: SITE INFORMATION

10. Site Use

A. What is the current use of the Site?

Store, Campground, Cabins

B. What is the former use of the Site (i.e. history of development/operations, etc.)?

Same

C. How many buildings are onsite and what are the approximate sizes and date(s) of construction?

<table>
<thead>
<tr>
<th>Number of Buildings</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Building Name or Description</th>
<th>Approximate Size</th>
<th>Date of Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Main</td>
<td>9000SF</td>
<td>73 - 75</td>
</tr>
<tr>
<td>2 Pole Barn</td>
<td>10x60</td>
<td>80s</td>
</tr>
<tr>
<td>3 Trailer</td>
<td>12x60</td>
<td></td>
</tr>
<tr>
<td>4 Restrooms &amp; Pumphouse</td>
<td>24x30, 8x8</td>
<td></td>
</tr>
</tbody>
</table>

D. What are the dates of any substantial additions or renovations?

<table>
<thead>
<tr>
<th>Building Name or Description</th>
<th>Type of Renovation</th>
<th>Date of Renovation</th>
</tr>
</thead>
</table>

11. Utilities and Service

A. Please list current site utilities (municipal water/sanitary, electric, natural gas/propane, private well/septic, cable, etc.)?


B. Was the Site historically heated?
☑ Yes ☐ No; If known, explain type of historical fuel source (i.e. coal, fuel oil, wood, propane, etc.)

Natural gas

C. Have operations at the Site ever utilized a septic system or water well?
☑ Yes ☐ No; If Yes, explain.

Working operation

12. Has the Site ever suffered damage from a fire or flood?
☐ Yes ☑ No; If Yes, describe the date and nature of the damage.

13. Have any land filling or dumping activities occurred on the Site or on any adjacent properties? ☐ Yes ☑ No; If Yes, explain.

14. Building Information.

A. Was any Site Building constructed prior to 1981
☑ Yes ☐ No;
If Yes, has an Asbestos Survey been conducted on the building?
☐ Yes ☑ No, if yes, please provide a copy of the report.

B. Any buildings constructed prior to 1978?
☑ Yes ☐ No;
If Yes, has a lead-based paint survey been conducted on the building?
☐ Yes ☑ No, if yes, please provide a copy of the report.

C. Any known presence of mold and fungi, including signs of water leakage and dampness (e.g. roof leaks, pipe breaks, sewer backups, moisture seepage through the building's exterior, high humidity and poor ventilation).
☑ Yes ☐ No; If Yes, explain.

Couple roof leaks
15. Adjacent Properties

A. What are the current uses of the adjacent properties? (if a street abuts the property please describe the property use beyond the street as well)

<table>
<thead>
<tr>
<th>North:</th>
<th>Campground</th>
</tr>
</thead>
<tbody>
<tr>
<td>South:</td>
<td>Bay</td>
</tr>
<tr>
<td>East:</td>
<td>Location to be used</td>
</tr>
<tr>
<td>West:</td>
<td>Storage</td>
</tr>
</tbody>
</table>

B. Please describe any known prior uses of the adjacent properties.

<table>
<thead>
<tr>
<th>North:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>South:</td>
<td></td>
</tr>
<tr>
<td>East:</td>
<td></td>
</tr>
<tr>
<td>West:</td>
<td></td>
</tr>
</tbody>
</table>

16. Legal Description and Survey

Please provide a copy of a legal description and boundary survey (if available).

Site Contact Printed Name: Steven P. Zabelka

Site Contact Signature: [Signature]

Date: 11-6-2020
1. Looking southeast along South Bay Mills Point Road at the entrance to the Site.

2. A small campground is located on the north side of the Site.

3. View of the entrance to the waterfront property and Chippewa Landings.
4. View of the potable well and pumphouse located in the campground area.

5. Restrooms and propane tank in the campground area. MET was informed that both the pumphouse and restrooms were part of the Site.

6. Looking south across the Site from the road. A mobile home is located between the road and the main building.
7. Looking west across the Site.

8. Looking south at the boat launch and Brimley Bay. The two fuel pumps are connected to two above ground storage tanks (ASTs) on the opposite (left) side of the boat launch.

9. View of the ASTs located on the east side of the boat launch.
10. Looking south at the main building. The building contains living space on the second floor; retail space below; workshops and storage areas on the right and left.

11. Pole barn located just north of the main building. The building is used for general storage.

12. Some debris was noted on the west and north sides of the pole barn. The material included tires, appliances, bricks and dock material (boards, scrap metal, styrofoam).

14. View of the south side of the main building.

15. View of the retail area in the lower level of the main building.
16. Living space on the second level.

17. View of Brimley Bay from the upper deck.

18. Interior view – upper level.
19. Work shop area.

20. The building is heated with a propane furnace.

21. Wood shop area in the main building.