Message

From: Kathleen Heideman [gadmin@savethewildup.org]
Sent: 6/1/2018 1:59:07 PM
To: Kristi Wilson, DEQ WRD [wilsonk17@michigan.gov]; Burdick, Melanie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bc0fae2c6b7a43ec8b577d3689229aea-MHaveman]
CC: Mining Action Group [miningactiongroupupec@gmail.com]; Korleski, Christopher [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=83ea7d51d2f1427e9182bce17a0ded0d-Korleski, Christopher]; Heidi Grether, MDEQ Director [gretherh@michigan.gov]; Steve Casey [caseys@michigan.gov]; Dingledine, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user229b3e19]; jean.m.battle2@usace.army.mil; DNR-AQUILA-comments@michigan.gov; ONEILLW@michigan.gov; mistakj@michigan.gov; ThompsonE3@michigan.gov
Subject: Fwd: Aquila Back Forty Wetland Permit - Supplemental Comments
Attachments: MAG Comments - Back Forty Wetland Augmentation.pdf

Please find our **Supplemental Comments regarding the Aquila Back Forty Wetland Permit application**, submitted yesterday on behalf of the Mining Action Group of the Upper Peninsula Environmental Coalition. I intended to include you on the original message; sorry. Thank you for your consideration.

K.

---------- Forwarded message ----------
From: **Kathleen Heideman** <gadmin@savethewildup.org>
Date: Fri, Jun 1, 2018 at 12:35 AM
Subject: Aquila Back Forty Wetland Permit - Supplemental Comments
To: "Kristi Wilson, DEQ WRD" <wilsonk17@michigan.gov>, burdick.melanie@epa.gov
Cc: Oday Salim <oday.salim@glelc.org>, Mining Action Group <miningactiongroupupec@gmail.com>

Dear Ms. Wilson and Ms. Burdick,

I am writing on behalf of the Mining Action Group of the Upper Peninsula Environmental Coalition, to draw your attention to an article recently published in the Escanaba Daily Press ("Update given on mining efforts in U.P." Source: bit.ly/LOM-Aquila-2018), quoting Aquila's Director of Communications Chantae Lessard:

> Lessard spoke about the economic impact of mines, noting Aquila Resources has already invested more than $90 million in the Back Forty Mine which is expected to be in operation in 2021, mining zinc and gold. **She explained the mining will take place in two phases** — open pit and potential underground mining. More than 250 workers are expected to be hired for construction while about 240 workers will be employed to operate the mine.

Lessard's recent statement about a "two phase" mine underscores a serious, unresolved problem in the Back Forty Wetland Permit application: "Life of Mine" discrepancies.

LIFE OF MINE

We understand that Michigan DEQ and EPA staff reviewing the Back Forty Wetland permit share our concern about the undisclosed "Life of Mine" (LOM) plans, and appreciate that this serious issue has

been raised in correspondence with the company. Yet the company has NOT disclosed a detailed "two phase" mining plan; their permits, including the Wetland Permit application under your review, are based on a "7 year open pit mine" plan – no mention has been made of a second, longer underground mining "phase."

As previously detailed in our comments to Michigan DEQ and EPA, we believe Aquila has lied to regulators about underground mining plans. In the Mining Permit application, Aquila claimed there would be NO underground mining, and that underground mining was not even feasible for the orebody. We commented:

> Aquila's application sidestepped valid regulatory concerns under Michigan's Part 632 rules governing sulfide mining. In the application checklist, underground items were marked "not applicable," and Aquila skipped questions about Subsidence, Impacts to Public or Private Water Supply Wells, Closure of Openings and more, stating "**project does not include an underground mine** as such contingency planning for subsidence is not required." In the permit application, Aquila flatly states "**underground mining was considered but rejected (...) underground mining is not a prudent alternative for this ore body.** The shallowness of the ore body, specifically the shallow ore zones, heavily influences the effectiveness of open pit mining."

In the Wetland Permit application, Aquila's misrepresentation of the Life of the Mine affects the integrity of their groundwater model, wetland drawdown estimates, dewatering timeline, schedule for remediation, and more. Aquila acknowledges only an open pit mine with a 7 year life, less than half of the actual planned 16 year LOM. The full extent of groundwater drawdown and wetland impacts remain significantly underestimated.

Total cumulative impacts on wetlands and Compensatory Mitigation requirements can only be calculated using accurate inputs – quantity of dewatering, duration of mining activity, and full disclosure of the mining methods to be used. The LOM concern remains entirely unresolved.

WETLAND AUGMENTATION

Reviewing Aquila's recent submission of a "Wetland Augmentation" plan, we find that it raises new questions, and does not properly address the significant increase in total wetland impacts at the mine site. Reviewing Aquila's response to the EPA, we note that the company has significantly hedged the validity of their wetland impact assessment. We are submitting supplemental comments regarding new Aquila's Wetland Augmentation plan, attached as a PDF and linked here:
bit.ly/Augment-Deny

Thank you for considering our additional comments.

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"Let difficulties know that you, too, are difficult." — Dr. Abdul Kalam

"Pay attention. It's all about paying attention. Attention is vitality. It connects you with others. It makes you eager. Stay eager." – Susan Sontag

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Note: the Mining Action Group was previously known as Save the Wild U.P., which merged to become part of the Upper Peninsula Environmental Coalition (UPEC). P.O. Box 673 Houghton MI 49931
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