REQUEST FOR PROPOSALS

LITTLE RIVER BAND OF OTTAWA INDIANS

2608 GOVERNMENT CENTER DRIVE MANISTEE, MI. 49660

PHONE: (231) 723-8288

### REGARDING: REQUEST FOR PROPOSALS FOR Phase II

**Environmental Assessment at Bull Corner, parcel 07-127-005-00**

**, Manistee County, Michigan**

**PROPOSALS DUE: July 22, 2025**

RFP NO. 25-06-19

1. **PURPOSE**

Little River Band of Ottawa Indians, a federally recognized Indian Tribe, is soliciting bid proposals from qualified firms for professional services associated with Environmental Assessments within ATSM standards.

This RFP does not commit the Tribe to accept any proposal submitted. The Tribe reserves the right to accept or reject any and all proposals, and to accept or reject any or all items in any proposal. The Tribe reserves the right to negotiate with any and all proposers and any and all parts of the proposals received, including, but not limited to, cost and other relevant details and to accept the proposal most advantageous to, and in the best interest of, the Tribe. The Tribe is not responsible for any costs incurred by the respondents in the preparation of responses to this RFP. The terms “vendor”, “bidder,” and “respondent” are used interchangeably throughout this RFP and are intended to refer to a person or entity submitting, or intending to submit, a proposal in response to this RFP.

* 1. **SCOPE OF WORK: PLEASE SEE ATTACHMENT** A

A phase I Environmental Assessment was completed on this parcel which is part of this RFP. LRBOI wishes to conduct a Phase II Environmental Assessment, that will lead to open dumping and other environmental Clean-ups at this parcel, as necessary.

The assessment due date will be 80 days after a contract is agreed (Services Agreement with LRBOI and contractor) unless specified otherwise in the Service Agreement.

1. **RFP ADMINISTRATIVE PROCEDURES**
   1. **RFP CONTACT.** The individual named below is the Tribal Contact. The Tribal Contact shall be the sole point of contact regarding this RFP from the date of issuance until selection of the successful bidder. To ensure clear and accurate communication and avoidance of the appearance of impropriety, from the date of issuance of this RFP until announcement of the successful bidder, proposers may contact only the RFP Contact. The RFP Contact will respond only to questions submitted in writing in accordance with this RFP. In the event that a vendor or someone acting on the vendor’s behalf attempts to discuss this RFP verbally or in writing with any employee of the Tribe other than the RFP Contact/Contract Administrator designated below, the vendor may be disqualified as a prospective bidder.

Tribe’s RFP Contact: Michelle Lucas, Purchasing Manager 2608 Government Center Drive Manistee, MI. 49660

Email: [michellelucas@lrboi-nsn.gov](mailto:michellelucas@lrboi-nsn.gov)

* 1. **RFP TIMETABLE.** The dates set forth are subject to change, at the sole discretion of the Tribe:

**EVENT DATE**

* + 1. **RFP Issued** On or before June 19, 2025
    2. **Conference with Department** 4:30 P.M. EASTERN Time, July 15, 2025 (online)
    3. **Due Date** 4:00 P.M. EASTERN Time, July 22, 2021
  1. **DUTY TO EXAMINE AND INQUIRIES REGARDING THE RFP.**
     1. It is the responsibility of each bidder to examine the RFP, including all amendments, seek clarification in writing (inquiries), and examine their proposal for accuracy before submitting the proposal. Lack of care in preparing a proposal shall not be grounds for modifying or withdrawing the proposal after the proposal due date and time, nor shall it give rise to any contract claim.
     2. All inquiries concerning this RFP, including any questions related to the terms and conditions of this RFP, shall be made in writing and submitted to the RFP Contact at the physical address or email address noted above. Verbal inquiries will not be accepted.
  2. **CONTENT OF RFP AND SUPERSEDING EFFECT.** This RFP is designed to provide prospective bidders with information necessary for the preparation of competitive proposals. Each bidder is responsible for determining all factors necessary for the submission of a comprehensive and compliant proposal. Proposals submitted in response to this RFP should be based solely on the material contained in the RFP, including

any amendments. This RFP supersedes all previous RFPs and all proposals, oral and written, and all negotiations, conversations, communications and discussions heretofore had between the parties, related

to the subject matter of this RFP.

* + 1. **AMENDMENT OF RFP.** The Tribe reserves the right to amend this RFP at any time. In the event it becomes necessary to amend, add to, or delete any part of the RFP, an amendment will be provided to all known vendors/prospective bidders who received the original RFP and will be posted on the Tribe’s website.
  1. **SUBMISSION OF PROPOSAL. *Every proposal submitted must include an original and three (3) copies***. Proposals and copies must be submitted to the Little River Band of Ottawa Indians: **Michelle Lucas, Purchasing Manager, 2608 Government Center Drive, Manistee, MI. 49660. Proposals must b e received no later than 4:00 P.M.(eastern time), Tuesday, July 22, 2025. *Any proposal received after this deadline will not be accepted***. Proposals must be submitted by Carrier (FedEx, UPS, etc.) The envelope must be SEALED and include the following notation on the bottom left-hand corner: “RFP FOR SUGAR SHACK .” Please also include company/individual name on the outside of the envelope. Bidders must allow ample mail delivery time to ensure timely receipt of their proposal. It is the bidder’s responsibility to ensure that the proposal is received prior to the deadline. Postmarking by the due date will not substitute for actual receipt of the proposal by the Tribe. ***Proposals sent via email or fax will NOT be accepted.***
  2. **OPENING OF PROPOSALS.** The proposals will be opened during a CLOSED BID OPENING on Wednesday, July 7, 2021, or as soon thereafter as practicable.

INTERVIEWS: The Tribe may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted in person or by phone. If conducted in person, interviews most likely will be held virtually using either Microsoft Teams or Zoom web meeting software. The Tribe will not reimburse Proposers for any cost incurred in traveling to or from the interview location.

* 1. **REJECTION OF PROPOSALS.** Notwithstanding any other provision of this RFP, at any time prior to execution of a written Contract, the Tribe reserves the right to reject any or all proposals, in whole or in part, to advertise for new proposals, to abandon the need for such services, and to cancel this RFP if it is in the best interest of the Tribe.
  2. **COSTS OF PREPARING PROPOSALS.** The costs of preparing the proposal are the sole responsibility of the vendor. The Tribe is not responsible for any costs incurred by vendor which are related to the preparation or delivery of the proposal or any other activities carried out by the vendor related to this RFP.
  3. **PROPOSALS PROPERTY OF THE TRIBE.** All proposals become the property of the Tribe and shall not be returned to the bidder submitting a proposal. The bidder agrees that the Tribe may copy the proposal for purposes of facilitating the evaluation of the proposal or for any other reason.
  4. **VALIDITY OF PROPOSALS.** All proposals shall be valid for a period of sixty (60) business days following the date on which proposals are due, except that the proposal of the successful bidder shall remain valid until expiration or termination of any contract based upon the successful bidder’s proposal, between the Tribe and the successful bidder.
  5. **BIDDER’S REPRESENTATIONS.**
     1. By submitting a bid, the bidder certifies that they are authorized to conduct business in the State of Michigan.
     2. By submitting this bid, the bidder certifies that they are experienced and qualified to perform the services required by this RFP and are properly staffed, organized, and financed to perform such services, and to commence such services immediately.
     3. By submitting a bid, the bidder certifies that their bid and proposal were made and submitted without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other bidder, supplier, manufacturer, or subcontractor in connection with its bid. The bidder also certifies that they have not conferred with any Tribal employee having official responsibility for this procurement transaction, any payment, loan, subscription, advance, deposit of money, services, or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.
  6. **NATIVE AMERICAN PREFERENCE REQUIREMENTS.** Proposals are subject to the Tribe’s General Procurement Policies and Procedures. Proposers claiming Native American Preference under this proposal, must include documentation that confirms that the proposer qualifies of having Native American Preference.
  7. **PROPOSAL EVALUATION AND SOURCES OF INFORMATION.**
     1. Proposals that comply with the mandatory requirements of this RFP will be evaluated by the RFP committee with respect to the point grading scheme below:
        1. 30 points Experience and Reputation.
        2. 20 points Understanding of Scope of Work.
        3. 25 points Proposal Price.
        4. 10 points Delivery time.
        5. 10 points Native American Preference (certification required)
        6. 05 points Small and minority businesses, women’s business enterprises, and labor surplus are firms (certification required).
  8. **AWARD AND NOTIFICATION.** The Tribe reserves the right to either award a purchase contract without further negotiations with the successful bidder or to negotiate contract terms with the selected bidder if in the best interest of the Tribe. The successful bidder may be required to attend a post-award meeting with representatives of the Tribe to discuss the terms and conditions of the purchase contract.
  9. **DISPUTES.** In case of any doubt or differences of opinions as to the contents of this RFP, or interpretation of any provision of this RFP, the decision of the Tribe shall be final and binding upon all parties.

1. **CONTENT AND FORMAT OF PROPOSAL**
   1. **PURPOSE.** These instructions prescribe the required format and content of the proposal and are designed to elicit information necessary to selection of the most qualified bidder, and to facilitate the submission of a proposal that is easy to understand and evaluate.
   2. **FORMAT.** Proposals shall be prepared on 8.5" x 11" paper, single sided. **A proposal submission must include an original and three (3) copies of the proposal, including all attachments.**
   3. **CONTENT.** Each proposal shall respond completely to the following questions and requests for information:
      1. Please provide a description of the bidder’s organization including size, goods and services offered and length of time in operation. Please include if the bidder is a registered

MBE/WBE. Refer specifically to bidder’s branch location or affiliate. Please provide full name, address, telephone number(s), fax number, and email address of bidder and bidder’s

primary contact, and verify that the bidder is authorized to conduct business in the State of Michigan.

* + 1. Relevant Project Experience. Please provide the name and qualifications of the person(s) who will be responsible for general oversight of the project. List other projects similar in scope in the last five (3) years, listing each project name, project scope, and the role your firm

played in the project.

* + 1. Reputation. Please list three (3) entities, either commercial or governmental, to which bidder has provided similar services within the past three (3) years. Include the name, address, telephone number, and email contact information of the point of contact, and a description of the goods and/or services provided. The Tribe reserves the right to conduct reference checks.
    2. Understanding Scope of Work. Please summarize how your firm will organize this project.
    3. Proposal Price.
    4. Delivery Time. Please provide an estimated time that your team will require to accomplish Little River Band of Ottawa Indians scope in respect to this RFP.
    5. Indian Preference. If claiming Native American Preference, please provide documentation of Indian Preference.
    6. The submission of additional pertinent information beyond the requirements of this RFP is acceptable.

1. **REQUIREMENTS**
   1. **MARKETING PROHIBITION.** The successful bidder shall not use the name of, or refer to, Little River Band of Ottawa Indians or any Tribal departments, program or entity of the Tribe in any marketing activity. Nor will the successful bidder use said names or references thereto in any endorsement of its company, products, or services, without the written consent of the Little River Band of Ottawa Indians.
   2. **RELIABLE, RESPONSIVE, RESPONSIBLE BIDDERS.** Little River Band of Ottawa Indians reserves the right to determine whether a bidder is responsive, reliable, qualified, and possesses the ability to complete the entire project. Those determinations will be based on:
2. The skill and experience demonstrated by the bidder in performing agreements of similar nature.
3. The bidder’s record for honesty and integrity.
4. The bidder’s capacity to perform in terms and facilities, personal and financing.
5. The bidder’s past performance.
   1. **NO ASSIGNMENT.** No bidder may assign its bid/proposal or any rights or obligations with respect thereto to any other party. No purchase contract between a successful bidder and the Tribe may be assigned by either party without the prior written consent of the other party, which consent may be given, withheld, or conditioned in the sole and absolute discretion of the party whose consent is sought. Any assignment,
   2. **DEBARMENT AND SUSPENSION.** No contract shall be made to parties listed on the General Services List of Parties Excluded from Federal Procurement or Non-procurement Programs In accordance with E.O.'s 12549 and 12689, "Debarment and Suspension.'' A list of excluded parties can be found at [www.sam.gov](http://www.sam.gov/) and 2 CFR 180, 0MB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement), governs debarment and suspension of federal grantees and sub-grantees from receiving federal grant awards. Debarment and suspension can occur if federal grantees use federal funds wastefully or fraudulently. To ensure federal funds do not flow to excluded parties, federal agencies and grantees are required to check for excluded parties prior to opening bids or awarding.
   3. **TAXES:** The Little River Band of Ottawa Indians is exempt from Michigan sales and use tax on materials that are purchased, used or acquired in performance of a contract entered into by the Tribe for construction, renovation or improvements of real property owned by the Tribe or owned by the federal government in trust for the Tribe, if the real property is located within the Tribal and Trust Lands. The proposer should follow the State’s general rules regarding nonprofit hospitals and housing to determine what is considered affixed and made a structural part of the exempt real property. Sales and use taxes shall not be included in the bid amount. Awarded bidder will receive a Certificate of Exemption packet after execution of the contract and a purchase order is issued.
   4. **INSURANCE**: By signing and submitting a proposal under this RFP, the proposer certifies that if awarded the bid, the proposer will have insurance coverage as specified below at the time of the contract award and will maintain such coverage throughout the term of the agreement:

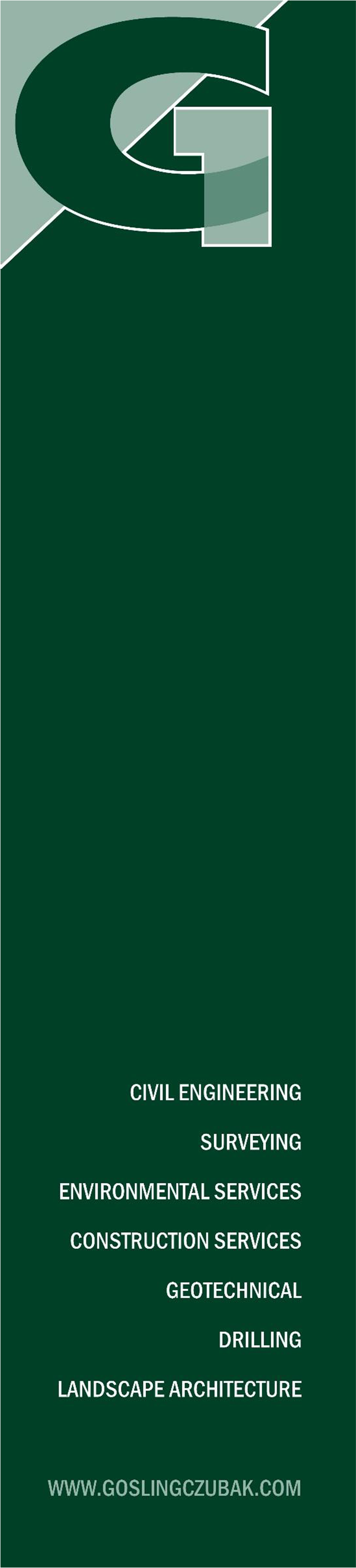
Business Automobile Liability: Business Automobile Liability covering all owned, hired and non-owned vehicles; $1,000,000 per occurrence for bodily injury and property damage.

General Liability Coverage: Minimum of $500,000 per person per occurrence; $500,000 property damage; $5,000 medical expense; $2,000,000 aggregate.

Excess/Umbrella Liability Coverage: $1,000,000.

1. **GRANT REQUIREMENTS**

**EPA is requiring the bidders to have the ability to have a site specific QAPP. This project is funded by BIL funding.**



**Phase I Environmental Site Assessment**

## Sugar Shack

Parcel ID: 07-116-002-00

Manistee, Michigan January 20, 2025

#### Prepared For:

**Little River Band of Ottawa Indians 2608 Government Center Drive Manistee, MI 49660**

**USEPA Cooperative Agreement No. 4W00E03457 Gosling Czubak Project # 240218**

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#### ATTACHMENTS

**Att. 1 Site Location Map**

**Att. 2 User Questionnaire**

**Att. 3 Topographic Maps**

**Att. 4 Site Photographs**

**Att. 5 EDR Environmental Database Search Report**

**Att. 6 Aerial Photographs**

**Att. 7 Sanborn Fire Insurance Maps**

**Att. 8 Property Tax Records**

**Att. 9 Owner Questionnaire**

Executive Summary

Gosling Czubak Engineering Sciences, Inc. (Gosling Czubak) conducted a Phase I Environmental Site Assessment (ESA) for the Little River Band of Ottawa Indians (LRBOI) pursuant to our proposal dated October 22nd, 2024. The approximate 38.69-acre subject property known as Sugar Shack, parcel ID #07- 116-002-00 is in Section 16, T22N, R16W, Manistee, Manistee County, Michigan.

The subject property is currently vacant land and used for maple syrup production. Adjoining properties are currently used for residential and agricultural purposes.

The Phase I ESA has revealed evidence of recognized environmental conditions (RECs) associated with the subject property. The following constitute RECs in connection with the property:

* + - The 1954 through 1986 aerial photographs reveal parts of the western adjoining property being used as an orchard. The historical presence of an orchard nearby represents an environmental concern. Lead, arsenic, and chlorinated organic pesticides are known to have historically been used for pest control in orchards, and these contaminants can potentially remain in the soil. The potential of the neighboring orchard contaminating the subject property is of concern. These historical adjoining orchards constitute a REC in connection with the subject property.
    - In the northwestern area of the subject property, dumping was observed in the wetlands. The potential of chemical contamination associated with this dumping is considered a REC in connection with the subject property.
    - A larger dumping area was observed in the northwest area of the subject property. There is a stretch of the creek located on the property that has been used for dumping in the northwest area of the subject parcel. An automobile, several barrels and tires, and other miscellaneous items were observed to be dumped on the site. Some of this dumping is on the hillside and some of it is located in the wetlands. The presence of this dump site constitutes a REC in connection with the subject property. Possible soil and groundwater contamination may be present from the dumping activities.
    - In the southeastern area of the subject property, there is oil well drilling activity recorded in 1976 and 1981. An in‐ground mud pit was constructed for the containment of drilling fluids, according to information received from the Phase I conducted in 2009. Potential contamination from the mud pit and the overall production of petroleum is a potential source of soil and groundwater contamination. The historical oil well drilling activity on the subject property constitutes a REC in connection with the subject property.
    - A baseline environmental assessment (BEA) was completed for the subject property in January of 2010, following a Phase I ESA preformed in September of 2009. The presence of a BEA performed on the site without remediation following the assessment constitutes a REC in connection with the subjectproperty.



# INTRODUCTION

# Purpose and Scope of Services

This report presents the findings of a Phase I Environmental Site Assessment (ESA) of the property located south of Schoedel Road, in Manistee, Manistee County, Michigan. An aerial location map is included in Attachment 1. This assessment was performed to provide an independent, professional opinion regarding *RECs* (as defined by ASTM E 2247-16 Section 1.1.1), *CRECs* (as defined by ASTM E 2247-16 Section 3.2.17) and *HRECs* (as defined by ASTM E 2247-16 Section 3.2.39), in connection with the site.

# Scope of Services

The scope of work for this Phase I ESA was based on the scope and limitations of (ASTM) Standard Practice E 2247-16 and included the following:

An evaluation of historical property usage. Material from county, state, and federal records was researched and reviewed. Contact was made with local and/or state health and environmental agencies to determine if any hazardous materials incidents had occurred on or in the area of the subject property: storage, treatment, disposal, or release of hazardous materials. Others who were knowledgeable about the property or local area and who were made available to Gosling Czubak were interviewed in an effort to determine prior use of the subject property, as well as to assess whether hazardous substances had been used or released at the site.

A site visit to assess current conditions, including identification of observable onsite hazardous or harmful materials and to evaluate potential indicators of hazardous substance or petroleum product storage, use, generation, or release on the subject property or areas or structures on adjoining properties. Observations and assessments of stressed vegetation, evidence of waste discharge or collection, fill materials, sink holes, wells, etc. are included within this report, if they were observed. Report preparation that presents details regarding the contacts made, information obtained, data findings, and other pertinent information. Based upon findings, the report includes an opinion regarding the potential for environmental impairment associated with the subject property.

According to ASTM Standard Practice E 2247-16 Section 1.1.1, the term *REC* means 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 *RECs, CRECs* (as defined below) or *HRECs* (as defined below).

*CRECs* are defined as conditions resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

A *HREC* is defined as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

The guideline used for the definition of "hazardous substance" was obtained from Section 20101(1)(x) of the Natural Resources and Environmental Protection Act (NREPA, P.A. 451 of 1994, as amended) and includes:

* + - A substance which poses an unacceptable risk to the public health, safety, or welfare, or the environment, considering the fate of the material, dose‐response, toxicity, or adverse impact on natural resources;
    - Hazardous substances as defined in the comprehensive environmental response, compensation, and liability act of 1980, Public Law 96‐510, 94 Stat. 2767;
    - Hazardous waste defined in Part 111 (NREPA); and
    - Petroleum as described in Part 213 (NREPA).

# Significant Assumptions

Gosling Czubak personnel analyzed surface features on a topographic map for the location, and the likely direction of groundwater flow has been inferred. The direction in which groundwater is anticipated to flow has been considered in the formation of opinions regarding potential environmental impacts to the property. However, actual groundwater flow direction at the property may vary from the anticipated flow direction; therefore, site specific measurements of groundwater flow direction may be warranted when significant sources of environmental impact are identified in close proximity to the property.

There have been no other significant assumptions made in conducting this Phase I ESA.

# Limitations and Exceptions

Access to the subject property was not limited at the time of the site visit. Access to the subject property was coordinated with Mr. David Karst, the owner representative of the subject property. Ms. Fern Sexton, project scientist with Gosling Czubak, was unaccompanied during the site visit on December 18th and 19th , 2024.

# Special Terms and Conditions

Our client, the Little River Band of Ottawa Indians, has requested an environmental site assessment as an environmental due diligence practice. This assessment did not include a formal evaluation of “non- scope” considerations, including, but not limited to: wetlands, floodplains, radon, asbestos, lead in drinking water, lead-based paints, or emerging contaminants.

Information obtained for this ESA is only relevant as of the date of records review and of the site reconnaissance. The information contained herein is only valid as of the date of the report and may require revisions to reflect updated records or subsequent site visits.

The client should recognize that this report is not a comprehensive site characterization and should not be construed as such. The findings and conclusions presented in this report are predicated on the results of site reconnaissance, review of regulatory records, historical usage of the site, and conversations with knowledgeable parties. The absence of significant indicators suggesting that hazardous substances or

petroleum products have impacted the site does not preclude their presence. Therefore, this report should only be deemed conclusive with respect to the information obtained. No guarantee or warranty of the results of this ESA is made, either expressed or implied, in any correspondence, consultation, or within the content of this report.

It is possible that, even with conformance to the process requirements of ASTM E2247-16, conditions could exist on or near the subject property which could not be identified within the scope of the assignment or are not reasonably identifiable from readily available information.

This report is only intended to assist the user in making a reasonable assessment of risk with respect to potential environmental impact at the subject property. The information given in this report is based upon a review of documents and information reasonably available concerning the subject property, as presented. Portions of this assessment are based upon information that has been reported by persons claiming to have knowledge of the property. No warranty, either expressed or implied, is made as to the reliability or accuracy of the information obtained from outside sources.

# User Reliance and Responsibilities

This report is prepared for the benefit of, and pursuant to an agreement between, Gosling Czubak Engineering Sciences, Inc. and its client, Little River Band of Ottawa Indians. Any use of this report by additional parties, or for any purposes other than that stated within this report, is expressly prohibited and not anticipated by Gosling Czubak. The use of, or reliance upon, this report by additional parties does not make any such parties a beneficiary of the agreement(s) between Gosling Czubak and its client and is undertaken at such party’s own risk, unless otherwise stated. No expressed or implied warranties, guarantees, or representations are made to any such additional parties.

### 1.6.1 User Provided Information

Mr. David Karst completed the User Questionnaire provided by Gosling Czubak, which contains information pursuant to the user’s responsibility described in Section 6.0 of the ASTM Standard E 2247- 16, Standard for Environmental Site Assessment. The user completed questionnaire can be found within Attachment 2.

The answers provided by Mr. Karst are summarized in the sections below.

#### Environmental Liens or Activity and Use Limitations

The client did not report any (1) environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law or (2) Activity and land use limitations (AUL), such as engineering controls, land use restrictions or institutional controls that are in place at the subject property and/or have been filed or recorded in a registry under federal, tribal, state or local law.

Gosling Czubak reviewed a list of Enforcement Liens maintained by the Michigan Department of the Environment, Great Lakes & Energy (EGLE), Remediation and Redevelopment Division (RRD) for evidence of environmental liens on the subject property. No evidence of environmental liens on the subject property were indicated during our review on November 25th, 2024.

#### Specialized Knowledge or Experience

The client did not report any specialized knowledge or experience related to the subject property or nearby properties.

#### Property Valuation

As this assessment is not related to the purchase of the property, it was indicated that property valuation was not applicable under the current circumstances.

#### Known Uses

The client reported that the property was formerly used for cattle production.

#### Chemical Releases, Spills or Environmental Cleanups

The client reported that he was not aware of any spills or other chemical releases or any environmental cleanups that have taken place at the subject property. The client stated that as the user of the ESA, based on his knowledge and experience related to the property, there are possibly obvious indicators that point to the presence or likely presence of contamination at the property.

# PHYSICAL SETTING

The subject property, known as parcel ID: 07-116-002-00, is located in Section 16, T22N, R16W, Manistee, Manistee County, Michigan. The subject property includes one parcel. The USGS topographic maps which encompass the subject parcel are included in Attachment 3.

# Site and Vicinity General Characteristics

The subject property is located within an area characterized by agriculture, residential development, and vacant land. Agricultural zoned parcels are located to the south, west, and east of the subject parcel.

North and northwest of the target property are parcels zoned for residential use. Much of the surrounding land appears to be forested or undeveloped. Schoedel Road is located to the north of the subject property, and the northern property boundary runs adjacent to it. The subject site itself is primarily vacant currently, with remnant trees from the historical orchard that was formerly maintained on the property.

# Topographic and Geological Conditions

A current USGS 7.5 Minute Topographic Map showing the area where the property is located was reviewed. According to the USGS Topographic Map, Parkdale Quadrangle, the topography of the area is slightly undulating with an approximate property elevation of 646 feet above mean sea level.

The subject property is located within an area of quaternary geology consisting of end moraines of medium-textured till, described as gray, grayish brown, or reddish brown, unsorted glacial debris; matrix is dominantly loam and silt loam texture, variable amounts of cobbles and boulders. Occurs in narrow linear belts of hummocky relief marking former standstills of ice-sheet margin. Includes areas small areas of ground moraine, as well as outwash. Soil thickness tends to be somewhat greater than adjacent ground moraine areas. Typically, end moraines of medium-textured till are associated with moderate hydraulic permeability.

The dominant soil composition in the general area of the subject property is Kalkaska sand. The Kalkaska series consists of deep and well drained to excessively drained sands and gravels with high infiltration rates. These soils formed in sandy drift on outwash plains, valley trains, moraines, and stream terraces. Slope ranges from 0 to 70 percent. These soils are underlain by Ellsworth shale bedrock. Based on water well records in the area, the depth to the water table is approximately 80-110 feet below

ground surface. The nearest surface water to the subject property is Lake Michigan, located approximately 1.88 miles to the west of the subject property.

# Descriptions of Structures, Roads and other Improvements

The subject property is currently a mix of forested and cleared vacant land. There is an access drive off of Schoedel Road traveling southward into the property, allowing maintained vehicle access into the area. A maple syrup production building is located 0.05 miles south of Schoedel Road, east of the access drive. A livestock pen is located at the southern terminus of the access drive. There is an unmaintained spur access trail that branches west at the end of the southern access trail. At the time of the site visit, the property was accessed via the southern access drive and then via foot, walking in a grid pattern to view accessible areas of the property. There is tubing and containers affiliated with maple syrup production in the northwestern area of the property.

There are currently no known utilities available at the subject property.

# Current Use of the Subject Property

The subject property is currently unoccupied and is a mixture of retired pastureland and forested land. The site is referred to as the Sugar Shack as it has been utilized for maple syrup production and has the affiliated equipment. According to anecdotal evidence with the site manager, David Karst, the dumping site on the property is active and is being used by the public. The dumping is an activity that the property owners would like to have discontinue. Photographs depicting current property conditions are presented in Attachment 4.

# Current Uses of Adjoining Properties

The adjoining properties consist of agricultural, residential properties, and vacant raw land. The subject property is bordered by the following properties:

North – Schoedel Road

North – Residential properties that are a mixture of forested and retired agricultural land, and an apparent empty lot (2750 Schoedel Road, parcel ID: 07-109-018-00, & parcel ID: 07-109-019-00) Northwest – Residential property with mixture of forested and cleared land (2500 Schoedel Road)

East – Residential parcel with a mixture of cleared and forested area (4660 Orchard Highway) Southeast – Primarily cleared lot, some forest (parcel ID: 07-116-004-00)

South – Residential lot, partially forested (2622 Bentoski Road)

Southwest – Mostly cleared area with creeks, some forest (parcel ID: 07-116-008-00) West – Agricultural retired land that is partially forested (parcel ID: 07-116-006-00)

# GOVERNMENT RECORDS REVIEW

# Standard Environmental Record Sources

Data from standard federal and state environmental records sources are provided through a search of environmental records meeting or exceeding the specific requirements of ASTM Standard Practice for Environmental Site Assessments, E2247-16. The database search report was prepared by Environmental Data Resources Inc. (EDR) of Shelton, Connecticut. A copy of the EDR report is presented in Attachment 5.

A review of the federal and state environmental records listed below identified two (2) sites within the minimum search distances (MSD) provided. Some of the listed sites appear on multiple databases. A review of unmapped sites did not identify any sites within the minimum search distances that could potentially impact the environmental conditions at the subject property.

A summary of database search findings is presented below:

|  |  |  |
| --- | --- | --- |
| **STANDARD ENVIRONMENTAL RECORD**  **SOURCES** | **MINIMUM**  **SEARCH DISTANCE (MSD)** | **SITES IDENTIFIED** |
| Federal NPL Site List | 1.00 mile | None |
| Federal Delisted NPL Site List | 0.50 mile | None |
| Federal CERCLIS List (Active) | 0.50 mile | None |
| Federal CERCLIS NFRAP List | 0.50 mile | None |
| Federal RCRA CORRACTS Facilities list | 1.00 mile | None |
| Federal RCRA TSD Facilities List | 0.50 mile | None |

|  |  |  |
| --- | --- | --- |
| **STANDARD ENVIRONMENTAL RECORD**  **SOURCES** | **MINIMUM SEARCH DISTANCE (MSD)** | **SITES IDENTIFIED** |
| Federal RCRA Generators (Large, Small and Non- Generators) List | Subject Property  and Adjoining Properties | None |
| Federal Institutional / Engineering Controls  Registries | Subject Property | None |
| Federal ERNS List | Subject Property | None |
| State Part 201/Tribal Haz. Waste Sites Lists | 1.00 mile | None |
| State/Tribal SWF/Landfill Site Lists | 0.50 mile | None |
| State/Tribal LUST Lists | 0.50 mile | None |
| State/Tribal UST/AST Lists | Subject Property  and Adjoining Properties | None |
| State/Tribal Engineering Controls Registry | Subject Property | None |
| State/Tribal Institutional Controls Registry | Subject Property | None |
| State/Tribal Voluntary Cleanup Sites | 0.50 mile | None |
| State/Tribal Brownfield Sites | 0.50 mile | None |

EDR searched additional reasonably ascertainable databases. A summary of findings is listed below:

|  |  |  |
| --- | --- | --- |
| **ADDITIONAL ENVIRONMENTAL RECORD**  **SOURCES** | **MINIMUM**  **SEARCH DISTANCE (MSD)** | **SITES IDENTIFIED** |
| State Other (BEA) | 0.50 mile | None |
| Local Brownfield lists | 0.50 mile | None |
| Local Lists of Landfill/Solid Waste Disposal Sites | 0.50 mile | None |
| Local Lists of Part 201 Sites | 1.00 mile | **1 Site** |
| Local Lists of INVENTORY Sites | 0.50 mile | None |

|  |  |  |
| --- | --- | --- |
| **ADDITIONAL ENVIRONMENTAL RECORD**  **SOURCES** | **MINIMUM SEARCH DISTANCE (MSD)** | **SITES IDENTIFIED** |
| Local Lists of DEL Part 201 Sites | 1.00 mile | None |
| Local Land Records (LIENS, LIENS2) | Subject Property | None |
| FINDS | Subject Property | None |
| ENVIRO | 0.001 mile | **1 Site** |
| ECHO | Subject Property | None |
| WDS | Subject Property | None |
| NPDES | Subject Property | None |
| Unmapped Sites | 0.50 mile | None |

### Subject Property Listings

The EDR database report did identify the subject property on the referenced database lists, specifically as an ENVIRO listing. This listing was related to construction activities where the land meets the water. The documents related to the listing were retrieved from the EDR report, and reviewed. After review of the construction documents it has been determined that the ENVIRO listing is not a REC in relation to the subject property.

### Adjoining Property Listings

The EDR database report did not identify any of the adjoining properties on the referenced databases.

### Other Sites within Minimum Search Distances

Based on information provided within the EDR report, it was determined that the other sites within the minimum search distances from the subject property are not expected to have an adverse environmental impact on the subject property. These findings were based on the direction and distance of the identified site from the subject property; known or inferred groundwater flow direction in the subject property area, and barriers, structures or boundary conditions located between the identified site and the subject property.

### Unmapped or Ophan Sites

EDR did not have any unmapped or orphan sites listed in connection to the subject property.

# Additional Governmental Record Sources

The following additional environmental record sources were consulted to obtain additional information concerning environmental conditions at the subject property.

### EGLE Dataminer

The State of Michigan Department of EGLE – Oil, Gas, & Minerals Division maintains an online database of permitted oil, gas, and mineral well locations. Gosling Czubak reviewed this database for the subject and adjoining properties and found records of onsite oil, gas, or mineral well drilling activity for the subject property and the western, northwestern, northeastern, southern, and southeastern adjoining parcels.

* + - * The subject property was identified as having a historical oil well, with drilling records from 1976. An oil well was drilled and completed on the property in May of 1976. This oil well was identified as Zielinski Et Al No. 4‐16, API Well #21‐101‐30881‐00‐00. The final plugging was approved by the State of Michigan’s Department of Natural Resources Geological Survey Division in August of 1976.
      * The subject property was identified as having a historical dry hole with drilling records from 1981. The property was drilled in July of 1981. This site was identified as Schoedel Et Al No. 6‐16, API Well # 21‐ 101‐34708‐01‐00. The final plugging was approved by the State of Michigan’s Department of Natural Resources Geological Survey Division in July of 1981.
      * The subject property is adjoined to the west by a historical dry hole with drilling records from 1981. This site is identified as Sharnowski No. 1‐16, API Well #21‐101‐34301‐00‐00. This dry hole was approved for plugging in January of 1981.
      * The subject property is adjoined to the northwest by a historical oil well which was permitted to be drilled in April of 1982. This site is identified as Bartosiewicz No. 2‐9, API Well # 21‐101‐35691‐00‐00. This oil well was approved for plugging in July of 1985.
      * The subject property is adjoined to the northeast by a historical dry hole which was permitted to be drilled in August of 1976. This site is identified as Wendt Et Al, No. 1‐9, API Well # 21‐101‐31152‐00‐00. This dry well was approved for plugging in August of 1976.
      * The subject property is adjoined to the south by a historical oil well which was permitted to be drilled in December of 1974. This site is identified as Modjeski, A E, no. 2‐16, API Well # 21‐101‐30112‐00‐00.

Mud pits associated with drilling activities have the potential to leak and potentially contaminate the underlying subsurface. Additionally, petroleum released from oil production can be a source of soil and/or groundwater contamination. The presence of these drilling activities constitutes a REC in connection with the subject property.

# HISTORICAL RECORDS REVIEW

The objective of consulting historical sources is to develop a history of the previous uses of the subject property and adjoining parcels in order to evaluate potential *RECs, CRECs, or HRECs*. Standard Historical Sources reviewed as required under ASTM 2247-16 are those historical sources that are reasonably ascertainable and likely to be useful. These sources are discussed below.

# Aerial Photographs

Aerial photographs from 1938, 1954, 1965, 1977, 1986, 1993, 1996, 1998, 2006, 2009, 2012, 2016, and

2020 were reviewed as part of this ESA. Aerial photographs prior to 1938, if any exist, were not readily available for review and inclusion within this report. The aerial photographs were provided by EDR. Copies of the aerial photographs are included within Attachment 6, and details are discussed below:

|  |  |
| --- | --- |
| **DATE** | **AERIAL PHOTOGRAPH REVIEW** |
| 1938 | The southern 1/3 of the subject property appears to be cleared with an agricultural plot. The central and western section of the subject area are forested. The northern portion of the plot is cleared of vegetation. The southern adjoining properties appear to be used for a mix of agricultural purposes, with plots visible and other areas cleared of forestation. To the west, the adjoining property has a large patch of forested land with some agricultural plots to the south and north of the lot. Schoedel Road is clearly visible to the north of the subject area.  There are visible structures and small orchard patches surrounded by other agricultural plots to the northwest of the subject property. East and northeast of the subject area has cleared agricultural plots with  mixed in forested area. |
| 1954 | The established agricultural plot on the southern portion of the subject property has expanded in size a bit, stretching further north and east. The northcentral section of the property has an established agricultural plot. The western and central area of the property has maintainedbeing forested. There is an access route traversing north to south on the property, stopping at the south end of the central forested section of the property. A diagonal southwest to northeast clearing is established in the southern half of the central forested area. Orchards are established on the northern and southern portion of the western adjoining property, while the central portion is still forested. Adjacent to the southeast corner there is some development growing. The other  adjoining properties do not appear to have significant changes. |

|  |  |
| --- | --- |
| **DATE** | **AERIAL PHOTOGRAPH REVIEW** |
| 1965 | The established agricultural plots on the property are no longer visible, however, are still cleared area. There is a narrow east to west cleared route through the forestation on the west side of the property. There  does not appear to be significant changes between 1954 and 1965. |
| 1977 | A well-defined access route traversing south off of Schoedel Road travels through the property to the south of the subject area. In the southwest of the subject area there is a large clearing that is discolored from the surrounding area. There is a wide clearing traveling east to west at the southwest section of the property and traveling northeast, extending onto the southwest and eastern adjoining properties. The  adjacent southeast property appears to be more developed. |
| 1986 | Much of the discoloration in the south of the subject area is gone, although, the area is still cleared. The adjoining orchards on the western and northwestern parcels appear to be retired. A clearing has been made in the center of the historically forested area on the adjoined western property. The southern area has forestation  expanding in the previously cleared area. |
| 1993 | There does not appear to be significant changes on the subject property between 1986 and 1983, other than the east to west trail on the northwest of the property no longer being visible. It appears that the southern cleared area is possibly being used for cattle. The previously  adjoining orchards appear to be completely removed. |
| 1996 | Some of the areas visibly impacted from cattle have become more  naturalized. The eastern, southern, and northern adjoining properties appear to have forestation growing in more densely. |

|  |  |
| --- | --- |
| **DATE** | **AERIAL PHOTOGRAPH REVIEW** |
| 1998 | There is a building structure visible on the western adjoining property. There does not appear to be significant changes on the subject property  between 1996 and 1998. |
| 2006 | The southern adjoining property has denser forestation. The development adjoining the northwest corner has additional building structures visible. It appears the land is still impacted from cattle in the southern area of the subject property, although, it looks to have become smaller in size and more naturalized. There is obvious soil  discoloration at the south end of the access trail. |
| 2009 | The impact from having cattle is no longer visible. It appears there is possible a structure at the south end of the north to south traveling trail on the property. Any development adjacent to the southeast corner appears to be gone. In the southwest adjoining property, there appears to be impact from cattle. There does not appear to be significant  changes between 2006 and 2009. |
| 2012 | The north to south trail has become more naturalized. There is a rectangular shape where the structure was previously noted to be visible on the south end of the trail. The eastern adjoining property has  become denser with forestation. |
| 2016 | There does not appear to be significant changes to the subject property and surrounding area between the dates of 2012 and 2016, other than the additional of a building structure on the east side of the access trail in the northern ¼ of the property. There is a visible bare area on the  ground in the southeast corner of the subject property. |

|  |  |
| --- | --- |
| **DATE** | **AERIAL PHOTOGRAPH REVIEW** |
| 2020 | The north to south access trail appears to be more prominent and is slightly wider north of the building structure on the east side of the route. The clearing that travels southwest to northeast on the property  appears to be a powerline right of way. |

A review of the aerial photographs identified the following condition to be of concern:

* + - The 1954 through 1986 aerial photos reveal the western adjoining property being utilized as an orchard on the northern and southern area. Due to the potential of lead arsenate and/or other chemicals having the potential to have traveled to the subject property, the historical presence of orchards to the west represents a potential environmental concern.

# Historical Fire Insurance Maps

Due to the subject property and vicinity being generally rural and outside of the city limits, historical fire insurance maps showing the subject property and vicinity were not available. Certification as an unmapped property is included in Attachment 7.

# Property Tax Files

According to the Manistee County online tax parcel search map, the subject property consists of one parcel with parcel ID # 07-116-002-00 and is owned by United States in Trust for Little River Band of Ottawa Indians. A copy of the local tax information was obtained through the Manistee County online parcel search. A copy of the property tax record can be found within Attachment 8.

# Historical Topographic Maps

The U.S. Geological Survey (USGS) 1954 “Manitowoc, Wisconsin; Michigan”, 1956 15-minute quadrangle map “Bar Lake”, 1958 “Manitowoc, Wisconsin; Michigan”, 1976 7.5-minute quadrangle map “Bar Lake SE”, 1982 7.5-minute quadrangle map “Onekama”, 1983 30 X 60 minute quadrangle map “Manistee”, 2012 7.5-minute quadrangle map “Parkdale”, 2014 7.5-minute quadrangle map “Parkdale”, 2017 7.5-minute quadrangle map “Parkdale”, 2019 7.5-minute quadrangle map “Parkdale”,

and 2023 7.5-minute quadrangle map “Parkdale” were reviewed to obtain information concerning the land usage history of the site and surrounding area.

Review of the topographic maps did not reveal RECs associated with the subject property. Copies of the Topographic Maps are included in Attachment 3.

# Local City Directories

Local City Directories were not obtained as a part of the Phase I Environmental Site Assessment. This resource is typically available in more developed and/or metropolitan areas. Due to the historically rural nature of the property, a city directory search was not conducted.

# Building Department Records

Gosling Czubak sent Freedom of Information Act (FOIA) requests to the Manistee Township clerk and District Health Department #10 regarding any building department records on file. The health department listed that no records were on file for the subject parcel, and the township did not respond with any records.

# Zoning/Land Use Records

According to the Manistee County Parcel Information Map, the subject property class is 402 – Residential Vacant. According to the Manistee Township Zoning Map (effective: 2009), the property is zoned Little River Band Parcels.

# Other Historical Sources

Baseline Environmental Assessment (BEA) documents were retrieved from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) RIDE Mapper. The BEA was completed on January 27th, 2010. The Phase I Environmental Site Assessment (ESA) accompanying the BEA was completed on September 17th, 2009. These assessments were completed by Environmental Consultants & Services, Inc. of Traverse City, MI. At the time that the ESA was completed, two RECs were identified on the property. These RECs are summarized as follows:

* + - *The presence of a buried oil and gas well mud pit and production activities on the property is a REC.*
    - *The presence of historic orchards on an adjacent parcel where pesticide drift may have impacted the property is a REC.*

Analysis of subsurface samples collected in 2009 confirmed the presence of regulated substances in groundwater at levels that exceed regulation limits, therefore defining the property as a “*facility”*

Review of the BEA and ESA documents provided further historical information regarding the subject property. Six surface soil samples were taken from the western property lines, adjacent to the adjoining properties historic orchards. It was found that all arsenic concentrations were below criteria standards and therefore were not a source of contamination.

Additional information was provided regarding the oil and gas well on the southeastern part of the property. According to interview testimony, an in-ground mud pit was constructed to hold drilling fluids during the drilling process. According to the report, mud pits are typically solidified or encapsulated then buried, which give them the potential to leak and impact the underlying subsurface. At the time of these assessments, samples were taken from the edges of the drill pad. Groundwater samples from these locations indicated chloride concentrations exceeded Part 201 restrictions.

An updated Phase I ESA was completed on September 12th of 2018. This assessment was conducted by AKT Peerless of Saginaw Michigan. The information retrieved from this assessment included a building structure on the property which was constructed between 2014 and 2016, and is seasonally used for maple syrup production.

Two RECs were identified during this assessment, these RECs are summarized as follows:

* + - *Two exploratory oil wells were advanced on the subject property in 1976 and 1981, with associated drilling fluids and wastes stored on the subject property during drilling activities. One oil well was dry, and one briefly produced oil from May to August 1976. AKT Peerless’ research was unable to determine waste removal activities associated with the development of the wells, the known quantity produced (e.g. daily, annually, etc.), oil storage methods, and general maintenance of the wells over time. The possibility exists that hazardous substances and/or petroleum products may have impacted the subsurface of the subject property. In AKT Peerless’ opinion, the presence of oil drilling activities and production with associated wastes constitutes a REC.*
    - *An orchard was historically in operation on the western adjoining property from at least 1953 to 1977. Historic orchard operations during that time period included the application of lead arsenate as a pesticide. The possibility exists that wind‐borne lead arsenate may have drifted onto the subject property and may have impacted the subsurface of the subject property. In AKT Peerless’ opinion, the historical use of the western adjoining property as an orchard constitutes a REC to the subject property.*

# Historical Data Failures

According to the latest ASTM standard, historical research is complete when either the objective of developing a history of previous uses of the subject and adjoining properties has been achieved, or data failure is encountered. Data failure of identifying historical uses at five-year intervals back to first use or 1938 was not encountered during this assessment.

# SITE RECONNAISSANCE

The objective of the site reconnaissance is to obtain information indicating the likelihood of identifying

*RECs, CRECs or HRECs* in connection with the subject property.

# Methodology and Limiting Conditions

The methodology used during the site reconnaissance consisted of a site walk-over, physically observing indicators of past and current use(s) of the property and adjoining properties, geologic, hydrogeologic, hydrologic, and topographic conditions, and potential *RECs, CRECs or HRECs*, if any, in connection with the subject property.

Ms. Fern Sexton, Project Scientist with Gosling Czubak, conducted the site reconnaissance unaccompanied on December 18th and 19th, 2024. The weather was approximately 30F and overcast with occasional snow coverage at the time of the site visit. Copies of photographs taken during the site reconnaissance are presented in Attachment 4.

The subject property was viewed to the extent practical by walking in a grid pattern and using the 2020 aerial photograph to assist in evaluating and identifying physical features of the subject property.

Gosling Czubak did not encounter any specific conditions that restricted review of the subject property.

# General Site Setting

Descriptions of site improvements and current and past uses of the subject property and adjoining properties were discussed in Sections 2.1 through 2.5 and are consistent with observations during the site reconnaissance.

# Exterior Observations

Based on observations of the exterior of the subject property at the time of the site visit, the following items were noted and evaluated.

|  |  |
| --- | --- |
| **FEATURES WITH POTENTIAL**  **ENVIRONMENTAL CONCERN** | **OBSERVED?** |
| Above ground storage tanks (ASTs) | No |
| Discharges of water/wastewater/other liquids | No |
| Drums or containers over five-gallon capacity | Yes |
| Dumping, soil piles, or site filling | Yes |
| Fuel dispensers | No |
| High-voltage powerlines | Yes |
| Odors | No |
| Pipeline markers | Yes |
| Pits, ponds or lagoons | No |
| Railroad tracks or spurs | No |
| Septic systems or cesspools | No |
| Stained soil or pavement | No |
| Stressed vegetation | No |
| Solid waste, trash, or other debris | Yes |
| Underground storage tanks (USTs), fill ports, or  vent pipes | No |

|  |  |
| --- | --- |
| **FEATURES WITH POTENTIAL**  **ENVIRONMENTAL CONCERN** | **OBSERVED?** |
| Wash, mixing or cooling pads | No |
| Water supply or monitoring wells | No |

### Water and Sewer Systems

There are no water or sewer systems within the subject property.

# Interior Observations

The subject property does currently contains only a small structure related to maple syrup production. Access to this structure was not granted at the time of the site visit.

### Hazardous Substances and Petroleum Products

There were no signs of hazardous substances or petroleum products within the subject property.

### Heating Fuel

There were no signs of heating oil or a heating fuel storage tank within the subject property.

### Solid and Liquid Waste Generation

The generation, storage or disposal of liquid or solid waste was observed at the subject property. Two separate dumping piles used for waste disposal and storage were observed and have been addressed in this report.

### Potable Water Supply and Sewage Disposal System

There were no signs of a potable water supply or sewage disposal system within the subject property.

# INTERVIEWS

The objective of interviews is to obtain information, regarding the subject property, that may indicate the presence of a *REC* in connection with the subject property.

# Interview with Current Owner

The interview that is typically conducted with the owner was instead completed by the site manager. The details of this interview are contained in section 6.3 of this report.

# Interview with Former Owner

Access through reasonable methods to former owner(s) of the subject property was not readily available during this Phase I ESA. Therefore, past owner’s entities, historical operators, or historical occupants of the subject property were not interviewed during this Phase I ESA.

# Interview with Site Manager

An interview was conducted with Mr. David Karst. Mr. Karst was elected to represent the subject property. Questions about the subject property were answered to the best of their knowledge. Within the interview, Mr. Karst indicated that the site has an open dump located next to and on a wetland. Amongst the dumped materials, he noted there being a car, old washer, numerous barrels, tires, amongst other items. It was mentioned that this dump has been present for at least a couple of decades and was present at the time of purchase by the current owner.

A copy of the Environmental Assessment Questionnaire completed by Mr. David Karst and Gosling Czubak is included within Attachment 9.

# Interview with Occupant(s)

Gosling Czubak did not conduct interviews with occupants during this assessment.

# Interview with Local Government Officials

The following local municipal agencies were contacted to obtain additional information regarding the current and historical uses of the subject property and the potential presence of conditions indicating a *REC* in connection with the subject property.

* + - Manistee Township, Phone (231) 723‐6507, formal request submitted via email
    - District Health Department #10, Phone (231) 303‐1805, formal request submitted via email
    - Manistee County FOIA Coordinator, Phone (231) 398‐3504, formal request submitted via email
    - Manistee County Sherrif’s Office, Phone (231) 723‐8393, formal request submitted via email

The agencies identified above did not have immediate knowledge or records of *RECs* regarding the subject property.

# Interview with Others

Gosling Czubak did not conduct interviews with adjoining or nearby property occupants during this assessment.

# FINDINGS, OPINIONS AND CONCLUSIONS

Gosling Czubak Engineering Sciences, Inc. (Gosling Czubak) has conducted a Phase I Environmental Site Assessment (ESA) of the property located south of Schoedel Road, in Manistee, Manistee County, Michigan. This Phase I ESA was performed in general accordance with the scope and limitations of American Society for Testing and Materials (ASTM) Standard Practice E 2247-16 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process). Any exceptions to or deletions from this practice are described in Section 9.0 of this report.

The approximate 38.69-acre subject property known as Sugar Shack, parcel ID #07-116-002-00 is in Section 16, T22N, R16W, Manistee, Manistee County, Michigan. The subject property is currently a combination of vacant and forested land. Adjoining properties are currently classified as being vacant or utilized for agricultural and residential purposes.

# Recognized Environmental Conditions

The Phase I ESA has revealed evidence of recognized environmental conditions (RECs) associated with the subject property. The following constitute RECs in connection with the property:

* + - The 1954 through 1986 aerial photographs reveal parts of the western adjoining property being used as an orchard. The historical presence of an orchard nearby represents an environmental concern. Lead, arsenic, and chlorinated organic pesticides are known to have historically been used for pest control in orchards, and these contaminants can potentially remain in the soil. The potential of the neighboring orchard contaminating the subject property is of concern. These historical adjoining orchards constitute a REC in connection with the subject property.
    - In the northwestern area of the subject property, dumping was observed in the wetlands. The potential of chemical contamination associated with this dumping is considered a REC in connection with the subject property.
    - A larger dumping area was observed in the northwest area of the subject property. There is a stretch of the creek located on the property that has been used for dumping in the northwest area of the subject parcel. An automobile, several barrels and tires, and other miscellaneous items were observed to be dumped on the site. Some of this dumping is on the hillside and some of it is located in the wetlands. The presence of this dump site constitutes a REC in connection with the subject property. Possible soil and groundwater contamination may be present from the dumping activities.
    - In the southeastern area of the subject property, there is oil well drilling activity recorded in 1976 and 1981. An in‐ground mud pit was constructed for the containment of drilling fluids, according to information received from the Phase I conducted in 2009. Potential contamination from the mud pit and the overall production of petroleum is a potential source of soil and groundwater contamination. The historical oil well drilling activity on the subject property constitutes a REC in connection with the subject property.
    - A baseline environmental assessment (BEA) was completed for the subject property in January of 2010, following a Phase I ESA preformed in September of 2009. The presence of a BEA performed on the site without remediation following the assessment constitutes a REC in connection with the subjectproperty.

# Controlled Recognized Environmental Conditions

This assessment has revealed no evidence of known *CRECs* associated with the subject property.

# Historical Recognized Environmental Conditions

This assessment has revealed no evidence of known *HRECs* associated with the subject property.

# DEVIATIONS

Gosling Czubak did not deviate from ASTM Standard Practice E 2247-16 when completing this assessment.

# Data Gaps

No significant data gaps associated with information related to the development of the subject property were noted. Information related to the use of the subject property prior to 1938 was not reviewed as part of this ESA.

# 9.0 ADDITIONAL INVESTIGATION

Gosling Czubak recommends the completion of a Phase II Environmental Site Assessment to evaluate the site for the presence of hazardous materials.

# 10.0 ADDITIONAL SERVICES

No additional services between Gosling Czubak and our client, Little River Band of Ottawa Indians, were undertaken in conjunction with the completion of this Phase I ESA.

# 11.0 REFERENCES

The following published sources were used in preparing this Phase I ESA report:

* Property Legal Description/Current Parcel Information – published by Manistee County
* The U.S. Geological Survey (USGS) 1954 “Manitowoc, Wisconsin; Michigan”, 1956 15‐minute quadrangle map “Bar Lake”, 1958 “Manitowoc, Wisconsin; Michigan”, 1976 7.5‐minute quadrangle map “Bar Lake SE”, 1982 7.5‐minute quadrangle map “Onekama”, 1983 30 X 60 minute quadrangle map “Manistee”, 2012 7.5‐minute quadrangle map “Parkdale”, 2014 7.5‐minute quadrangle map “Parkdale”, 2017 7.5‐minute quadrangle map “Parkdale”, 2019 7.5‐minute quadrangle map “Parkdale”, and 2023 7.5‐minute quadrangle map “Parkdale” – published by USGS topoView
* Environmental Database Report, Government Records Search, Instant Online Report – published by EDR;
* Historical Aerial Photographs – provided by EDR
* Manistee County Parcel Search and Mapping
* Michigan’s EGLE GeoWebFace
* Michigan Oil, Gas, and Minerals Division Data Explorer

# 12.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

We declare that, to the best of our professional knowledge and belief, we meet the definition of, or is under the direct supervision of, an environmental professional as defined in §312.10 of 40 CFR Part

312. We have the specific qualifications based on education, training and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed “all appropriate inquiries” in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared by: Reviewed by:



Fern Sexton Adam E. Segerlind, PE.

Project Scientist Project Manager/Senior Environmental Engineer

# 13.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Ms. Fern Sexton received her Bachelor of Science Degree in Environmental Science in 2023 from the University of Michigan in Ann Arbor, Michigan. Ms. Sexton has performed Phase I and Phase II Environmental Site Assessments, wetland delineations, and other environmental due diligence tasks. Fern has working knowledge of current environmental regulations as well as the necessary skills to complete field reconnaissance, testing, monitoring, site recording, and mapping. Ms. Sexton has completed HAZWOPER (40-Hour) training.

Mr. Adam Segerlind is a professional engineer with over 20 years of experience in environmental consulting. He is a registered professional engineer in the State of Michigan. Mr. Segerlind has performed Environmental Site Assessments for municipal, commercial, industrial, and private clients throughout Michigan. In addition to performing environmental site assessments, Mr. Segerlind prepares hydrogeological work plans, performs hydrogeological and remedial investigations, evaluates remedial alternatives, and prepares and implements corrective action plans for sites of environmental contamination.

## Attachment 1

Site Location Map

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| SUBJECT SITE | | | | |
| **Aerial Date** | 2020 | **NORTH** |  | |
| **Site** | Sugar Shack |
| **Client** | Little River Band of Ottawa Indians |
| **Aerial Source** | USDA/NAIP | GCES Project No: | 240218 |



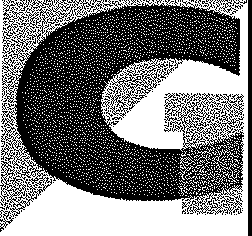
Sugar Shack January 20, 2025

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## Attachment 2

User Questionnaire



**Gosling**

engineering sciences, inc. **USER QUESTIONNAIRE**

**Site Name: Site Address: Site City/State:**

**Client:**

Sugar Shack

Parcel 51‐07‐116‐002‐00, Manistee Township, Michigan Little River Band of Ottawa Indians

*This questionnaire should be completed by the User of the Environmental Site Assessment Report in order to qualify for one of the Landowner Liability Protections offered by the Small Business Liability Relief and Brownfields Revitalization Act (as amended). The User should provide the following information to the environmental professional. Failure to conduct these inquiries could result in* a *determination that "all appropriate inquiries" is not complete.*

1. Are you aware of any environmental cleanup liens against the *property* that are filed or recorded

|  |  |
| --- | --- |
|  | |
| under federal, tribal, state or local law? | no |
| 2. Are you aware of any activity and use limitations (AULs), such as *engineering controls,* land use restrictions or *institutional controls* that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law? | no |
| 3. As a *user* of this *ESA* do you have any specialized knowledge or experience related to the *property* or nearby properties? For example, are you involved in the same line of business as the current or former *occupants* of the *property* or an adjoining *property* so that you would have specialized knowledge of the chemicals and processes used by this type of business? | no |
| 4. Does the purchase price being paid for this *property* reasonably reflect the fair market value of the *property?* If you conclude that there is a difference, have you considered whether the lower price is because contamination is known or believed to be present at the *property?* | Na‐this is not a purchase. |
| Sa. Do you know the past uses of the *property?* | Cattle Production |
| Sb. Do you know the specific chemicals that are present or once were present at the  *property?* | Unsure |
| Sc. Do you know of spills or other chemical releases that have taken place at the *property?* | Unsure |
| 5d. Do you know of any environmental cleanups that have taken place at the *property?* | No |
| 6a. As the user of this ESA, based on your knowledge and experience related to the *property,* are there any *obvious* indicators that point to the presence or likely presence of contamination at the *property?* | Possibly |

**his Q C dB**

|  |
| --- |
| **Name: David Karst**  **Signature:** *(Qi: ) 11-* |
| **Title: Brownfield Specialist** |
| **Company: Little River Band of Ottawa Indians** |
| **Date: 11/15/2024** |

Sugar Shack January 20, 2025

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## Attachment 3

Topographic Maps

