

David D. Taft
952 Neahtawanta Road
Traverse City, MI 49686

December 5, 2017

Dear Township Board Supervisor and Trustees:

I am following up my October 16, 2017 letter in view of comments made at the October 25 Special Meeting on SUP#123 – 81 on East Bay.

I learned from the Packet Addition to the October 25 Public Hearing and from comments at the hearing about the recent August 2017 environmental assessment results in the Dr Harless' review and the ASTi Environmental Soil Management Plan.

The facts from this assessment: There are higher than acceptable levels of Arsenic on the 81 property.

As a PhD chemist, I take exception to Mr Smits' comments at the Public Hearing. Arsenic is Arsenic. It is toxic in any form above natural background levels. It is not immobile. It binds chemically and physically with soil. If soil moves by erosion or dust or tire track-off, arsenic in the soil, bound to the soil will move with the soil. Arsenic at elevated levels is a known and dangerous human carcinogen.

This environmental assessment impacts in a negative way both of the remanded issues of Judge Rodgers' decision. The soil erosion plan and the newly proposed fire road will increase the hazardous health risks from the high levels of Arsenic on the site.

The 81 development substantial earthwork and recontouring of the site for fire road, access road, community septic and drainfield, views and lot preparation will destabilize the current stable cover vegetation and heavy tree stand site. Destabilization may cause health hazardous dust exposure to neighboring residents and workers and possible erosion with toxic runoff into East Bay. Also, moving contaminated soil –about the site and mixing with uncontaminated soil - during earthwork will exacerbate a future hazard for anyone occupying the site—future residents, workers, visitors. Any contaminated soil removed from the site is a hazardous material by definition and will fall under environmental regulations for disposal.

Because of the now discovered presence of higher than acceptable levels of carcinogenic Arsenic, this proposal should not be granted final approval.

A Board conclusion of the August 2015 meeting is a performance bond (#4 requirement) that must be increased substantially in this existing or any future SUP proposal for the site to cover hazardous risk consequences of the now identified higher than acceptable Arsenic levels on the site.

Sincerely,



David D. Taft