



## Friends of the Jordan River Watershed, Inc.

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### OVERVIEW OF MEETING WITH CMS ON BAY HARBOR CLEANUP

Thanks for agreeing to meet with us here, on our turf. Please remember that when I use the word you, I'm not talking about you personally, but rather the broad collective of CMS, Beeland Group and Bay Harbor Resort.

One of our goals is for you (CMS) to come out of this fulfilling all of the NCP Criteria listed in your feasibility study like State acceptance and Community acceptance, truly protect public health and the environment, and be viewed as heroes for doing the right thing. Consider the recent events surrounding British Petroleum near Chicago. We can help you do this, but not under your current plans.

Everyone at this table knows how we got here and we are not interested in finding fault or rehashing history. (Although there are many who do. They were not invited.) We are here to help you do it right, and if that's not possible, stop you from doing harm. I can confidently say that I represent the voices of over 60,000 people who oppose your plans and their ranks will only swell if you persist in your current ways. You have already lost the public relations battle. (Exhibit A – stack of news articles and editorials opposing plans) The plans you are proposing threaten the very life blood- WATER – of the people who live here, for the benefit of a privileged few, with no foreseeable end in sight. Even if you solve this problem for Bay Harbor, the threats posed to the people of Alba, the Jordan Valley and Little Traverse Bay will remain forever.

In a nutshell (good analogy), the CKD piles need to be entombed and contained so there is no leachate. The proposed injection well represents unacceptable risks with unreliable technology. The feasibility plan you adopted has major flaws. The assessments of the cleanup alternatives don't meet the stated criteria. The collection system is doomed to fail again and leachate already breaches that system and enters Little Traverse Bay directly. The discharge of toxic heavy metals into Lake Michigan, no matter how much you dilute them, doesn't change the total amount discharged over an undetermined length of time, and is just wrong. In short, your cleanup plans do not solve the problem.

Most of us have read your feasibility study and are reasonably familiar with what you're doing. To put it in terms I'm familiar with, you're trying to put a band aid on a contaminated wound that really needs massive surgery. This is an enormous and expensive endeavor that needs a different approach.

We think that the enormous costs of cleanup are a major factor driving the decision process and thus propose that the financial burden should be shared by all the development partners in this project, not just CMS. You have before you a talented group of people with either a strong vested interest in the outcome or who have already done this kind of work elsewhere. We hope you will seriously consider financing their continued work to assist you and all of us. At least give your share holders, Bay Harbor property owners and the public the benefit of an unbiased second opinion.

As I see it, this meeting represents a crossroads. What we decide here today will determine which path we go down; that of cooperation and collaboration, or, one of escalating conflict and litigation. As a demonstration of our goodwill, we have gathered this talented group of people at our expense to assist you in solving this problem once and for all

Sincerely, Dr. John W. Richter, President- Friends of the Jordan