

From: McCone, Ryan (EGLE)
Sent: 3/6/2024 10:28:00 AM
To: "Korvela, Michael S" <Michael.Korvela@clevelandcliffs.com>; "Ketzenberger, Brent A" <Brent.Ketzenberger@clevelandcliffs.com>; "Korpela, Ryan M" <Ryan.Korpela@clevelandcliffs.com>
Cc: "King, Hunter (EGLE)" <KingH@michigan.gov>; "Alexander, Kyle (EGLE)" <AlexanderK7@michigan.gov>; "Garwood, Anne (EGLE)" <GarwoodA@michigan.gov>; "Simon, Stevi (EGLE)" <SimonS17@michigan.gov>
Subject: Public Hearing Comments: HPY-GN8D-M4Y1Z (Tilden Mine Expansion)
Attachments: 2.28.24 - Q&A Report-Cleveland Cliffs PH PII Redacted.xlsx

Hey Mike, Brent, and Ryan,

Please find attached a transcript of the questions posed by members of the public during the question & answer session held immediately before last week's public hearing on the proposed Tilden Mine expansion.

As the transcript shows, most of the public inquiries received during the question & answer session can be differentiated into one of three groups:

1. Concern for impacts to fish and wildlife, specifically bald eagles, gray wolves, and beavers.
1. Accounting for cumulative impacts to regulated water resources.
2. Project alternatives that may further avoid or reduce impacts to regulated water resources but not specified in the submitted permit application.

These comments are being provided to CCI for review, consideration, and response. Given the feedback received through the public comment process, EGLE strongly recommends that CCI further elaborate on potential alternatives that could reduce stream and wetland impacts while still extending Tilden's anticipated life of mine.

EGLE recommends that CCI submit written responses for inclusion in the application file and for consideration by both EGLE and federal agency reviewers. I will be following up this email with a phone call to discuss these matters and to try to answer questions CCI may have. Further, a separate compilation of public notice comments received by EGLE prior to the March 9, 2024 deadline will be provided to CCI for review, consideration, and response following that date. Once those comments, as well as federal comments received from the EPA, have been provided to CCI, EGLE will contact you to schedule a meeting to discuss the remaining matters.

Thank you,

-Ryan

Ryan L McCone
District Supervisor - Resources Unit
Water Resources Division
Michigan Department of Environment, Great Lakes, and Energy

Upper Peninsula District
1504 W. Washington Street
Marquette, MI 49855
Phone: (906) 869-3154
Email: mcconer@michigan.gov
Website: Michigan.gov/EGLE

From: Simon, Stevi (EGLE) SimonS17@michigan.gov
Sent: Friday, March 1, 2024 4:11 PM
To: Simon, Stevi (EGLE) SimonS17@michigan.gov
Subject: Follow-Up to EGLE WRD Public Hearing for MiEnviro Portal Submission Number HPY-GN8D-M4Y1Z

Hello,

Thank you again for your interest in the application for the proposed stockpile expansion at Cleveland Cliffs, MiEnviro Portal submission number HPY-GN8D-M4Y1Z. The recorded Public Hearing can be viewed on EGLE's YouTube page at <https://www.youtube.com/@MichiganEGLE/videos> or via the following link: [Expand Cleveland Cliffs Iron Company's Tilden Mine stockpile, Marquette County – 2/28/24 \(youtube.com\)](https://www.youtube.com/watch?v=...)
If you would like to view the recordings with closed captioning, you must turn on the closed captioning.

As a reminder, the public comment period will remain open until March 9, 2024. All comments received during the public comment period will be considered prior to a final decision on the proposed project.

You may submit a comment in the following ways:

1. Through MiEnviro Portal via the following link:
<https://mienviro.michigan.gov/ncore/external/publicnotice/info/3816554689198819001/details>
2. Via Email to: KingH@michigan.gov
3. Via U.S. Mail to: EGLE Marquette District Office, Water Resources Division, 1504 West Washington Street, Marquette, Michigan 49855

Information about the proposed project, including key documents related to the application, is available on MiEnviro Portal via the following link:
<https://mienviro.michigan.gov/ncore/external/publicnotice/info/3816554689198819001/details>.

Please feel free to forward this email to any other parties who may be interested in the project.

Thank you,

Ms. Stevi Simon
Secretary
Department of Environment, Great Lakes, and Energy
Water Resources Division

Marquette District Office
1504 W. Washington Street
Marquette, MI 49855
906-203-0378 (phone)
906-228-4940 (fax)

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ATTACHMENT NAME:

2.28.24 - Q&A Report-Cleveland Cliffs PH PII Redacted.xlsx

ATTACHMENT TYPE:

Microsoft Office 12+, Office Open XML (OOXML/OpenXML): spreadsheet (XLSX)

2/28/24 Cleveland Cliffs PH Question Report

Report Generated:

2/29/2024 13:56

Topic

Webinar ID

Public Hearing for an EG876 8416 2536

Question Details

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Question

Why is this NOT just lip service, where you're checking the box for "we listened to the public" but then the public input doesn't actually matter? Can't help but feel like this is a foregone conclusion because money > environment and corps > citizens.

Does the mining company's application document the presence of a nesting bald eagle?

How many are in the room listening tonight?

Although Cleveland Cliffs also owns the adjacent National Mine site, areas on that parcel were not considered in the proposal as potential dump sites. Why not?

To clarify Ryan McCone, has EGLE confirmed there are no nesting eagles within the impacted areas or does the application materials submitted to EGLE state there are no nesting eagles?

Isn't it time for a comprehensive Cumulative Impact assessment to be done that includes all connected actions - permits for all aspects of two adjacent mining sites that have mined for nearly 200 years?

Why are Tilden and Empire's impacts calculated separately and issued separate permits when they are both adjacent to each other, and owned and operated by the same company?

Hello— is EGLE aware that adjacent landowners have photographed a bald eagle nest on the site of the proposed stockpile expansion? Is EGLE aware that federal regulations do not just apply to "nesting pairs," but to any disturbance of a bald eagle's nest?

According to revisions released on February 12th of this year, disruptions from mining activity require a special permit. Thank you.

In terms of eagles - was there a mammal or bird survey completed (as would be done in an EIA)?

Doesn't the 303 administrative code makes it clear that additional Alternatives can be considered? Economics are not the only or primary consideration in Part 303.

Michigan has 24,000 + contaminated sites. Why would you allow the mining company to expand and create another contaminated site?

Are there nesting eagles?

Given the difference in opinion on bald Eagle presence, how will EGLE confirm that they will not be impacted on this site?

Obviously the law can be used to propose and execute egregious projects that destroy the environment. Slavery used to be legal ..it was the law...did that make it right. From the map shown..it looks like you have already destroyed a good portion of the land..why not dump your crap there???

So you want to dump on the wildlife because it is cheaper???

How do you sleep at night???

If you have to destroy wildlife and environment because it is cheaper...then this project shows how Tilden is a horrible company and shareholders need to be informed immediately.

15 So no mammal or bird survey under the Joint Permit?

How has EGLE assessed the cumulative impacts from mining in the region? Both from a standpoint of the cumulative impacts of mining in the western Great Lakes Basin as well as the cumulative impacts and associated connected action from the Tilden-16 Empire mining complex, which has experienced incremental site expansion.

Hunter — the Cumulative Impact assessment was only a 28 page “update” to a file that 17 is not found in MiEnviro?

When a new wetland mitigation site is created, are the organisms from the original 18 wetlands transported to the new site, or do they all die beneath the waste pile?

Although the company has provided several options for stockpile expansion, should we assume that those are the ONLY options? Could there be options that they have not considered, and should EGLE review those possibilities, especially considering that 19 those could be, per subsection 4 of Section 303, "feasible and prudent alternatives"?

Where is the 2000 Cumulative Impacts document in MiEnviro? It took me a long time 20 to receive access to this document from EGLE.

One more thought about the lack of a mammals survey — the “application states: “The threshold for wildlife species within the Escanaba River watershed has not been approached, since wildlife populations are thriving and few species are on the decline. 21 **Wildlife species are adapting to localized impacts within the mine project areas....** 22 Appendix B is 28 pages long and says nothing...

That didn’t answer the question. What about the original organisms from the 23 destroyed wetlands?

Will the mine consider free prior informed consent from local indigenous tribes prior to 24 impacting treaty-protected resources?

25 Thanks for the comments about Feasible alternatives!

I foia'd for it and was told by the State of Michigan that it would cost me over 300 26 dollars.

27 Could it please be added to the Public Notice document window?

In the public notice documents, reached from the link Jim provided, it is page 16 specifically where the Alternatives analysis starts...if you feel like throwing that out 28 there

It sounded to me like EGLE staff stated this document is available on MiEnviro as "Appendix B". "Appendix B Update to Tilden and Empire Mines Impact Assessment and Proposed and Future Cumulative Impact" uploaded to MiEnviro on 10/19/2023 is NOT the 2000 Cumulative Impact document by Cleveland Cliffs. Please clarify this to during 29 the Public Hearing.

I actually chose to make my comment in writing instead; apologies for the confusion 30 and taking up time. Thanks.

I'm so sorry, I'm having some technical difficulties. I would love if you could share any 31 other ways of filing a comment, thank you!

32 Could those "sensitive items" be redacted and made available to the public?

33 Thanks!

Actual Start Time	Actual Duration (minutes)	
2/28/2024 17:31		105

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Question

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Answer	Question Time	Answered Time
Thanks for your question	2/28/2024 18:06	2/28/2024 18:08
Thanks for your question	2/28/2024 18:06	2/28/2024 18:07
Hello - there are 43 people attending, not including the EC	2/28/2024 18:06	2/28/2024 18:07
Thanks for your question	2/28/2024 18:07	2/28/2024 18:10
Thanks for your question	2/28/2024 18:08	2/28/2024 18:14
Thanks for your question	2/28/2024 18:09	2/28/2024 18:15
Thanks for your question	2/28/2024 18:09	2/28/2024 18:15
Thanks for your question	2/28/2024 18:10	2/28/2024 18:13
Thanks for your question	2/28/2024 18:10	2/28/2024 18:13
Thanks for your question	2/28/2024 18:12	2/28/2024 18:16
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Thanks for your question	2/28/2024 18:13	2/28/2024 18:17

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2/28/2024 18:28

2/28/2024 18:29

2/28/2024 18:31

2/28/2024 18:31

2/28/2024 18:39

got it thanks

2/28/2024 18:49

2/28/2024 18:52

I'm sorry to hear that. We can go back to you again if you want just raise your hand. If you click the up arrow next to your mic you might want to check your settings. You can also make a comment Via MiEnviro: Provide your comments directly into MiEnviro by accessing the Public Hearing Event under Submission HPY-GN8D-M4Y1Z: <https://mienviro.michigan.gov/ncore/external/publicnotice/info/3816554689198819001/details>

By mail:
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2/28/2024 19:05

2/28/2024 19:09

2/28/2024 19:13

2/28/2024 19:15

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