



United States Department of the Interior  
FISH AND WILDLIFE SERVICE

2651 Coolidge Road, Suite 101  
East Lansing, Michigan 48823-6360



November 19, 2021

Mr. Todd Konechne  
Project Coordinator  
The Dow Chemical Company  
Midland, MI 48674

RE: Dow Chemical – Consent Decree No: 1-19-ev-13292  
Appendix D – Eagle Ridge Nature Area  
Supplemental Final Design and Implementation Plan  
Submittal Document - NRD2021.21

Dear Mr. Konechne:

On behalf of the Trustees for Natural Resources in the referenced Consent Decree, I am providing the Trustees' response to your submittal of the Eagle Ridge Nature Area Supplemental Final Design and Implementation Plan (Submittal Document NRD2021.21) on September 14, 2021.

The Trustees approve the Supplemental Final Design and Implementation Plan with the following conditions.

- 1) The Trustees' October 25, 2021 comments on the educational signs should be incorporated and/or discussed further with the Trustees.
- 2) The sequence of site preparation steps for the pollinator area listed in the Supplemental Final Design and Implementation Plan shall be modified to be consistent with Dow's September 24, 2021, letter proposing revisions and providing an updated figure. The Trustees previously stated their support for this modification in an email on September 24, 2021, which allowed a fall herbicide application to proceed prior to the first frost.
- 3) The proposed seed mixes and seeding rates should be modified to be similar to the attached recommendation from the U.S. Fish and Wildlife Service's Regional Pollinator Coordinator. Native species with strains suitable for mid-Michigan should be used and cultivars or strains from other regions of the country should be avoided. The Trustees understand that the list may need to be adjusted based on availability and are looking forward to continued collaboration on the final selection of the seed mix for the pollinator area.
- 4) The Trustees' comments on the entry signs, which Dow provided on October 25, 2021, are attached and should be incorporated or discussed further with the Trustees.

If you have any questions, please feel free to contact me at [lisa\\_williams@fws.gov](mailto:lisa_williams@fws.gov) or 517-256-0231 (cell/teleworking). It is unclear at this time when I will return to regular work in the office, but for future reference that phone number is 517-351-8324.

Sincerely,

Lisa L. Williams, Ph.D.  
Lead Administrative Trustee

cc:

As to the United States:

U.S. Department of Justice by email: [eescdcopy.enrd@usdoj.gov](mailto:eescdcopy.enrd@usdoj.gov)

Steve Willey, on behalf DOJ EES

Kimberly Gilmore, DOI Office of the Solicitor

As to the State:

Polly A. Synk, MDAG, Environment, Natural Resources, and Agriculture Division

Art Ostaszewski, EGLE

Jessica Mistak, MDNR

As to the Saginaw Chippewa Indian Tribe of Michigan:

Debra Flute, Senior Associate General Counsel

Michael Fisher, Associate General Counsel

Sally Kniffen, Environmental Planning Department

# Trustee Comments on Eagle Ridge Supplemental Final Design and Implementation Plan

Dow Submittal Number: NRD2021.21

Entry Sign Drafts Submitted October 25, 2021

## Comments and Suggestions:

### 1. Main Entry Information Panel:

- a. Consider switching the first two sentences to read as follows: The Eagle Ridge Nature Area consists of wetlands, wooded wetlands, forests, areas of previous glacier deposits, and areas managed to benefit pollinators. Approximately 1.5 miles of nature trails loop through the area for recreational and educational use.
- b. Delete "There is approximately 800 feet of boardwalks throughout Eagle Ridge". The next sentence could begin with something like "Approximately 800 total feet of boardwalks were built... "
- c. Is "(See Nature Area Trail Map for details)" necessary since the map will be in the adjacent panel? If it does stay, it needs a period.
- d. Wildlife Diversity: Consider deleting the sentence "There are many commonly encountered species here and wildlife in this area."
- e. Birds: Replace this photo of European woodpecker with a photo of a downy or hairy woodpecker.
- f. Reptiles and Amphibians: Since you mention a spring peeper, consider using a photo of a spring peeper.
- g. Plants: consider replacing "hardwood, softwood, and wetland plants" with "hardwood and softwood trees, and wetland plants".
- h. Move the 5 sentences about how to use the trails up into the introduction area immediately following the "No Bicycle", "No Horses" row of symbols, as is done on the Secondary Entry Sign.
- i. "Eagle Ridge Nature Area was a collaborative team project between the following members" should be "Eagle Ridge Nature Area was a collaborative team project among the following members"

### 2. Main Entry Trail Map

- a. "YOUR ARE HERE" should be "YOU ARE HERE"
- b. We know space is tight, but consider possibly labelling "Jay St" by the Bird Box Trail Entry point, maybe alongside the street like was done for Ridgewood Dr at the north end of the map
- c. Nice touch in adding the Stratford Woods Park Trails
- d. We defer to the designers but consider some sort of distance scale in addition to the compass direction graphic.

### 3. Internal Trail Map

- a. We have a preference for putting "YOU ARE HERE" text in the map as was done on the Main Entry Trail Map instead of in the legend.
- b. Consider adding a distance scale on the internal maps as well.

### 4. Secondary Entry Sign

- a. We have a preference for putting "YOU ARE HERE" text in the map as was done on the Main Entry Trail Map instead of in the legend.
- b. See comments a, b, and c for the Main Entry Sign
- c. Consider labelling Jay St by the Bird Box Trail Entry
- d. Consider adding a distance scale.