



March 21, 2013

Jana Murphy, Manager  
Flambeau Mining Company  
N4100 Hwy. 27  
Ladysmith, WI 54848

SUBJECT: Copper Park Business and Recreational Area Maintenance and Monitoring Plan, Flambeau Mine, Rusk County, City of Ladysmith, WI

Dear Ms. Murphy,

We have reviewed the *Copper Park Business and Recreation Area Maintenance and Monitoring Plan* submitted to the Department by the Flambeau Mining Company (FMC) dated February 15, 2013 and received on February 21, 2013. This plan supersedes an earlier submittal by the same title dated May 8, 2012. This plan was submitted by FMC at the request of the Department to replace the January 12, 2007 *Biofilter Management Plan*. This action was necessitated by the replacement of the 0.9-acre Biofilter with an infiltration basin per the May 18, 2011 *Copper Park Business and Recreation Area Work Plan* approved by the Department through a Chapter 30 Permit issued on October 12, 2011. This submittal contains many of the same elements as the February 24, 2012 *Copper Park Business and Recreation Area Sampling and Monitoring Plan* submitted to the Department to comply with Item # 24 of the Chapter 30 Permit approval. This letter will address both submittals with the intent of creating a single monitoring and maintenance plan that applies to the entire Industrial Outlot portion of the Flambeau Mine site.

Our comments on the major elements of the plan are as follows:

### **Routine Inspections**

We agree with the scope and frequency of the routine inspections of the infiltration basins as described in the Appendix 1 checklist. However, we recommend adding a section to the routine inspections form to indicate the presence or absence of water in the basins and, if standing water is present, the readings on the staff gages installed in the Eastern and Northern Infiltration Basins. This is an easy and objective way to verify that the infiltration basins were properly designed and are infiltrating enough water to maintain their integrity.

### **Vegetation Observation Monitoring**

We agree with the scope and frequency of the vegetative monitoring.

### **Structure Inspection**

We agree with the scope and frequency of the structure inspections.

### **Prescribed Burning**

We agree with the scope and frequency of the prescribed burning plan.

### **Sediment Accumulation**

We agree with the scope and frequency of the inspections and potential actions in the case of detrimental sediment accumulation, with the addition of including water level measurements from the staff gauge as one means of determining if sediment accumulation is affecting the ability of the infiltration basins to function properly.

### **Surface Water Monitoring**

We agree with the sampling locations, parameters, frequency and reporting as presented in the plan. We have only one minor correction, which is to state that, "*A qualifying storm water runoff event will be determined by having visible surface water flow from the culvert under Highway 27 at SW-C9 and in the channel of Intermittent Stream C at SW-C1 which will trigger the sampling.*". The purpose of this requirement is to make sure FMC is not sampling stagnant surface water which could lead to water quality results that are not representative of the true water quality in Stream C.

For the most part, we are accepting to plan as submitted. If you would like to discuss our minor recommended changes or propose alternatives, please contact me and we can arrange for a meeting to discuss them. Otherwise, no additional submittals are necessary.

Sincerely,



Philip Fauble, P.G.  
Mining Program Coordinator  
Wisconsin Department of Natural Resources

Cc: Ed Lynch – WA/5  
Connie Antonauk – NOR, Rhinelander S.C.  
Tom Aartilla – NOR, Park Falls S.C.  
Jon Kleist – NOR, Park Falls S.C.  
Craig Roesler – NOR, Hayward S.C.