Boardman River Dams Implementation Team

Grand Traverse County
Traverse City Light and Power Department
Michigan Hydro Relicensing Coalition
Michigan Department of Natural Resources
Grand Traverse Conservation District (Ex officio)
Watershed Center Grand Traverse Bay (Ex officio)
Grand Traverse County Road Commission (Ex officio)

City of Traverse City
Grand Traverse Band of Ottawa and Chippewa Indians
US Fish and Wildlife Service
Michigan Department of Environmental Quality
Conservation Resource Alliance (Ex officio)
Charter Township of Garfield (Ex officio)

Approved Meeting Notes

Date: October 16, 2014
Facilitator: Frank Dituri, Grand Traverse Band of Ottawa and Chippewa Indians
Notes: Nate Winkler, Conservation Resource Alliance

IT Members Present:
Kim Balke, Nate Winkler (Conservation Resource Alliance)
Frank Dituri, DJ Shook (Grand Traverse Band of Ottawa and Chippewa Indians)
Dave Benda, Dean Bott (Grand Traverse County)
Steve Largent (Grand Traverse Conservation District)
Jered Ottenwess (City of Traverse City)
Jim Schramm (Michigan Hydro Relicensing Coalition)
Christine Crissman (Watershed Center Grand Traverse Bay)
Rick Westerhof (US Fish and Wildlife Service)
Heather Hettinger (Michigan Department of Natural Resources)
Chuck Korn (Charter Township of Garfield)
Jim Cook (Grand Traverse County Road Commission)

IT Members Absent:
Traverse City Light and Power Department
Michigan Department of Environmental Quality
1. **Introductions** – Introductions were made by those in attendance.

2. **Public comment** – None

3. **Miscellaneous**

   *Agenda deletions/additions* – None

   **Review and potential approval of the September IT meeting minutes** – No comments, approved.

   **Action items from September IT meeting** – Winkler reviewed; those not complete were noted as owing and placed back on the action items list unless determined to no longer be germane.

4. **CRA 3rd quarter invoice: discussion and decision item (CRA, IT)** – Winkler reminded the IT that the 3rd quarter report was included in the prior month’s meeting packet. There was no discussion on the invoice and no questions were posed; subsequently the invoice was approved.

5. **CRA/County scope of services (modification #5): discussion and decision (CRA, IT)** – Winkler distributed an updated copy of the draft scope of services received from the County subsequent to the meeting packet going out with a prior iteration.

   The group agreed to table the item for full discussion until the next IT meeting (November 6) so that the updated draft services agreement could be fully reviewed.

   The action for the IT is to recommend the agreement be entered into between the County and CRA for project management going forward in 2015 for Phase II.

   Schramm noted that any agreement going forward should include some provision for insurance coverage to facilitate hiring legal counsel if the occasion rises in the future.

6. **Fish passage: discussion (IT)** – Winkler reported that in discussions during the last Monitoring and Evaluation team meeting, the issue of fish passage into the upper Boardman River watershed came up regarding a timeline for discussion. Kalish had indicated that it may be timely to include as part of the Project Manager meeting agenda going forward.
Winkler went on to note that Kalish had indicated that any decision would be arrived at through community and agency involvement and that Lansing is amenable to such a process for determining the selection of fish species to pass the eventual lowermost barrier at Union Street dam.

The agenda item covering fish passage at the next Project Manager meeting (November 7) will include a discussion on how to guide the conversation and perhaps the incorporation of the issue into the purview of the Monitoring and Evaluation team.

7. **URS update: report and discussion (Dan DeVaun)** — Dan DeVaun provided the following updates on the federal effort:

- Responses to public comments on the Feasibility Study (which consists of the Environmental Assessment and Detailed Project Report, “EA” and “DPR” respectively) are still in-house at the federal level
- URS is awaiting guidance from the Army on generating responses to comments received from the Environmental Protection Agency and Michigan Department of Environmental Quality (“MDEQ”)

DeVaun related that the Army would like to have documents generated as part of the local effort shared in advance of the signing of the Project Partnership Agreement (“PPA”); the intent is to assure that work products at the local level are not at cross purposes with those of the federal, and (perhaps) vice versa.

After minor discussion regarding any costs to the local team and any concerns subcontractors may have (none on both counts), the IT approved the sharing of documents/work products with the Army.

DeVaun continued with the following local effort update (primarily focused on the Cass Road Bridge replacement and Boardman dam removal and channel restoration):

- The type, size, and location (“TSL”) report for the replacement Cass Road Bridge has been approved by the Michigan Department of Transportation (“MDOT”)
- The Cass Road Bridge Working Group met on September 30, 2014 with follow up communications with MDOT, TC-TALUS (“Traverse City Area Transportation and Land Use Study”), TART, and the Road Commission. The agreed upon design will include 2 vehicle lanes, 8’ wide shoulders, and 54” high 4-tube parapet rail on the bridge deck, and a span of 252’5” that will accommodate trail along the river underneath the bridge. Additional information is available from the Cass Road Bridge Working Group mailing (contact kim@rivercare.org)
- Preliminary design plans are expected to be complete by November 19th and the schedule is on track for May 1 (2015) MDOT letting
The Joint Permit Application ("JPA") has been submitted to the MDEQ for the bridge replacement project—all components (touch down points and piles) of which are delineated as separate from any of the river channel restoration work.

- The demarcation that defines the two permit (JPA) applications to MDEQ are the bridge and river projects.
- The dam breach and river restoration design work is ongoing; of note looking at three different permutations of a spillway design for dewatering the impoundment and the core wall within the berm is in exceedingly good shape.
- The channel and floodplain geometry has been established; now that a minimum floodplain size has been established, can work up from there as far as wants and needs.
- The conceptual design report should be complete and distributed by November 3, would like to convene a meeting to discuss this document and also a potential failure mode analysis on the same day.

The abutments in the draft design to accommodate the addition of a future non-motorized trail will need to be given consideration by the IT; i.e. should the abutments be included or not? After minor discussion, the group approved the removal of the abutments per the Cass Road Bridge Working Group communications, noting the highlights that a non-motorized lane will cost up to an additional $800,000 with no likely grant source to cover those costs, there are no existing “American Association of State Highway and Traffic Officials” and “Americans with Disabilities Act” compliant facilities that would connect to the future Cass Road Bridge, and that the designed 8’ wide shoulders with 54” high railing will provide for pedestrian and bicycle use.

**Bottomlands update: report (Largent)** – Largent reported on the following items:

- The Grand Traverse Conservation District received a grant from the Michigan Department of Natural Resources ("MDNR") for removal of undesirable species, to be utilized at least partially on the bottomlands.
- Aspen management being discussed by the Brown Bridge Advisory Committee, potential for harvested aspen to be used for large wood installation in the river.
- The final round of invasive species treatments are being implemented.
- Per Shook, Grand Traverse Band Tribal Council has approved entry into a design contract with InterFluve for in-stream large wood installation in the Brown Bridge area.
- The above referenced design needs to be complete and accompany submittal of JPA to the MDEQ.
- Access road/trail stabilization work near east overlook nearly complete, waiting for a break in the rain.
Ottenwess inquired on fourth and fifth bullets above as to project funding; Largent responded that multiple sources are providing support including Trout Unlimited, Natural Resources Conservation Service, and the Michigan Fly Fishers (cumulatively to the tune of approximately $140,000).

9. **Funding update: report and discussion (IT/CRA)** – Winkler reported the following items:
   - Noted the updated fundraising activity report was included in the meeting packet
   - CRA had recently submitted a Fish Passage proposal to the US Fish and Wildlife Service for Boardman dam removal ($300,000)
   - CRA will be submitting a Great Lakes Basin Fish Habitat grant proposal by November 7 for the same scope of work as above

Dituri reported that the Grand Traverse Band will be submitting a full proposal to the MDNR Aquatic Habitat Grant program by November 14th. Concerning letters of support submitted for the last round of proposals, although they are dated in 2014, it might be a good idea to have updated letters requested for submittal in this next round. The IT after a short discussion expressed interest in requesting updated letters of support.

10. **Communications update: report (CRA)** – Winkler noted the following items:
   - DamNation will be screened at the State Theater on October 27 and is being sponsored by the Northern Michigan Environmental Action Council
   - Winkler spoke to the Great Lakes chapter of the League of Women Voters on October 3rd at the Park Place and led a paddling tour of the Brown Bridge project on October 5th

Dituri noted that he’d be speaking on the Phase II project at the Grand Traverse Band membership meeting on October 25th and that he’d presented at a recent Grand Traverse Band department managers meeting.

11. **Open forum: report (IT)** – Winkler noted the following:
   - He’d spent a considerable amount of the prior weekend canoeing the river at Brown Bridge both with and without his children; the magnitude of what was done there to restore the river and the transformation back to a natural system is an incredible and rare process to have the privilege of observing
   - The Boardman River Dams Project has very recently received a Qualifications-Based Selection (“QBS”) award from the American Council of Engineering Companies and the Michigan Society of Professional Engineers
12. **Meeting closing:**
   - IT agenda and action item review – November, 2014 IT meeting
   - Public comment - None

13. **Adjournment** – subsequent to coming out of closed session, the meeting was adjourned.

**Action Items:**

**New:**
- Winkler to distribute URS hydraulic assessment to the IT
- Winkler to distribute URS sediment transport analysis to the IT upon receipt
- Winkler to check conference room availability for a longer duration Project Manager meeting on November 7th
- Winkler to distribute litigation settlement document to the IT
- IT to review contractual services agreement between the County and CRA prior to the November 6th IT meeting
- Lombardo to touch base with John Nelson to discuss potential Q and A session with IT representation after DamNation screening
- Chrissman to provide Dituri with information related to speaking at the Freshwater Summit on October 31st

**Outstanding:**
- Shook to draft and distribute to IT letter requesting NRCS assistance
- Benda, Ottenwess to discuss PPA decision and potential negotiation
- IT to collaborate on exploring options to fund a multi-year aquatic macroinvertebrate monitoring program
- Largent to forward water temperature data to Dituri and Winkler
- Dituri, Benda to discuss potential renewal of CRA project management contract
- County to sign work authorization #2 from URS
- Largent to provide Bottomlands team meeting notes to Winkler for inclusion in the project file