October Boardman River Dams Implementation Team Meeting
APPROVED Meeting Notes

Date: Thursday, October 15, 2015 at 1:30 pm
Facilitator: Frank Dituri, Grand Traverse Band of Ottawa and Chippewa Indians
Notes: Nate Winkler, Conservation Resource Alliance
Location: Traverse City Governmental Center, Commission Chambers

Implementation Team

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IT Members Present:
Amy Beyer, Nate Winkler, Kim Balke (Conservation Resource Alliance)
Christine Maxbauer, Dean Bott (Grand Traverse County)
Christine Crissman (Watershed Center Grand Traverse Bay)
Jim Schramm (Michigan Hydro Relicensing Coalition)
Jim Cook, John Nelson (Grand Traverse County Road Commission)
Rick Westerhof (US Fish and Wildlife Service) (via conference line)
Marty Colburn (City of Traverse City)
Frank Dituri, DJ Shook (Grand Traverse Band of Ottawa and Chippewa Indians)
Scott Heintzelman (Michigan Department of Natural Resources)
Steve Largent (Grand Traverse Conservation District)

IT Members Not in Attendance:
Charter Township of Garfield
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** – Colburn suggested that an agenda item be added to discuss a recent correspondence to the City of Traverse City (“City”) from the Federal Energy Regulatory Commission (“FERC”) citing Mr. Charles Peterson’s interest in producing hydroelectricity (“hydro”) at Boardman and Sabin Dams (added as agenda item 4.5).

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

   **Action items from the September IT meeting** – Reviewed by Winkler; those not complete were noted as owing and placed on the “Pending Action Items” list (at end of these notes) unless determined by the group to no longer be relevant. Any elaboration and/or discussion of items were noted in the action item “Discussion” section.

4. **CRA Third Quarter 2015 Project Managers Report: discussion and decision item (CRA/IT)** – Winkler noted that the CRA Third Quarter 2015 Project Managers Report was included in the meeting packet. There were no questions or comments on the reports’ content and thusly approved.

4.5 **FERC letter to the City of Traverse City regarding hydro generation: report and discussion (Colburn)** – Colburn reported that recent correspondence from FERC cited Mr. Charles Peterson’s interest in producing hydro at Boardman and Sabin Dams.

   Schramm indicated that the submittal of such a letter to FERC is a formality and it’s not incumbent on the owner to allow anyone submitting such a letter to operate the project to produce hydro. While not a requirement, a response to the FERC letter by Grand Traverse County (“County”) indicating that there is no interest in producing hydro would be a courtesy, as pointed out by Bott.

   Maxbauer reiterated Bott’s comment by noting that the County is not authorizing Mr. Peterson to move forward at this time and that the County is not in the business of hydro generation. Because the County has not formally decided to continue with the dam removal project utilizing recent offers of funding from the Environmental Protection Agency and the US Army Corps of Engineers (“Army Corps”), Maxbauer
suggested that such a response to FERC would better be sent subsequent to the County’s decision on the matter. Additionally, Maxbauer noted that several requests have been made of Mr. Peterson to remove the equipment that he owns within and attendant to the Boardman Dam. DeVaun added that some of the equipment is integrated to the point that removing it could cause failure to the powerhouse structure. DeVaun also noted that once powerhouse demolition begins, it would take approximately two weeks to remove the equipment.

Bott pointed out that the County’s insurance carrier indicated they would not insure Boardman and Sabin Dams if they were put back into hydro production. Bott also felt that Mr. Peterson may be forestalling removal of his equipment due to a pending sale of the equipment to a third party.

5. **US Army Corps of Engineers update: report and discussion (Platz/Winkler)** – Carl Platz had sent an email to Winkler prior to the meeting indicating there was no update for today. Any current information he had was presented at last week’s (October 7) joint government meeting.

Schramm commented and those in attendance agreed that the project team was extremely fortunate to have an Army Corps project manager of Platz’ capability and level of diligence.

6. **AECOM (URS) update: report and discussion (Dan DeVaun)** – DeVaun presented the following updates on the local effort:

- **Cass Road Bridge**
  (No update)

- **Dam Removal**
  - Currently working toward 100% level of design (“100% design”) for Boardman Dam removal and river channel restoration, considering comments received on the 90% design, as well as determining the need for additional documentation given the potential for the Army Corps to take over (including switching title block formats and facilitating the review process). Any design changes as a result of the Army Corps taking over the project are not covered in the current contract between AECOM and the project team. This additional level of work on the 100% design will push the release date back a week to Friday, October 23 (2015)
  - The environmental assessment (“EA”) produced by the Army Corps will require amending of the scope to include powerhouse demolition at both Boardman
and Sabin Dams, roadway construction related to the new Cass Road Bridge, and the demolition of the old bridge structure

- Drawings are complete for the Ellul access route, DeVaun will forward to Largent and Dituri

DeVaun added that currently three change orders were under development including:

- Construction assistance (currently being performed) on the bridge project which is estimated to be a maximum cost of $14,000
- Conversion from a County project to an Army Corps project (i.e. transition from design to construction), will utilize current contract to complete
- Finalization of the scope of work and fee for Sabin Dam removal design

Dituri inquired of DeVaun as to the level of effort needed to complete design for Sabin Dam removal. DeVaun responded that three primary items include soil borings, cement core sampling, and topographical survey around the dam due to the extreme change in grade.

Balke noted she’d been in discussion with various grant funding administrators to ascertain the ability to shift funds committed for Boardman Dam removal to Sabin Dam removal in the event the County agrees to continue with the project.

7. **Bottomlands update: report (Grand Traverse Conservation District)** – Largent provided the following updates:

- 50 logs have been procured for the Brown Bridge large wood project and are currently still in the woods awaiting transport to the Grand Traverse Conservation District (“District”) pole barn to be decked
- Still determining who will be submitting the Joint Permit Application (“JPA”) to the Michigan Department of Environmental Quality (“MDEQ”) for the large wood project, whether it be Inter-Fluve or the local team
- There will be a seedling planting bee at Brown Bridge on October 24 (2015) from 9:00 a.m. to 3:30 p.m., staging will be at the east overlook off Hobbs Highway
- Largent has been in contact with the Grand Traverse County Soil Erosion and Sediment Control Department (Gwen Zagore) to discuss eroding banks above Station 133 at Brown Bridge brought to her attention by Dave Downer
- Working with Traverse Area Recreational Trails (“TART”) to continue planning for the eventual Boardman River Trail extension when it gets under/over/through South Airport Road and heads up to Beitner Road
- A shallow, open water wetland excavation project was recently permitted through MDEQ for Brown Bridge
• Working with Camp Grayling National Guard Base to plan for install of new foot bridge near Grasshopper Creek using one of their helicopters. The bridge design and the bridge itself were donated by two separate project supporters

8. Communications update: report (CRA/IT) – Items of note included:
   • Discussion regarding the October 7 joint governmental meeting with Dituri giving a word of thanks to the County and the City for their collaboration with the Grand Traverse Band
   • Report by Winkler of a canoe float through the Brown Bridge project area attended by himself, Largent, Colburn, Dituri, and a journalist and photographer from the Traverse City Record Eagle (10.12.15)
   • Beyer announced that the “State of Lake Michigan” conference would be in Traverse City at the end of October (2015) and that there would be a short-course on the Boardman River dams project (10.29.15) as part of the agenda


10. Funding update: report (CRA/IT) – Beyer covered the current state of fundraising for the project referring to the financial materials included in the packet.

   Subsequent to review of the materials, the voting IT members present approved the current funding plan with the exception of item 15-2 which Largent noted as complete.

11. Open forum: (IT) – The following items were offered:
   • Colburn thanked Winkler, Largent, and Dituri for arranging the canoe float through Brown Bridge the previous Monday
   • A short discussion ensued regarding the permitting phase for the large wood installation at Brown Bridge. The quote given by Inter-Fluve to complete the JPA and “Natural Rivers” application was quite high so much consideration is being given to completing the applications in-house. Winkler offered to send a JPA package he’d completed for a similar project on the Little Manistee River to Largent as an example
   • Cook reported that the request for proposals for construction administration for the bridge project will be let soon and also that design work for the intersection of Keystone and Cass Roads was ongoing. Additionally, to date, the Grand Traverse County Road Commission has been excluded from the communication loop between the Michigan Department of Transportation and the contractor, Davis Construction
   • Winkler announced that the venue for the November IT meeting would be the commission chambers instead of the training room as was previously scheduled
12. **Meeting closing:**
IT meeting agenda and action items were reviewed for November.

Public comment – None

Meeting adjourned at approximately 3:00 p.m.

**Action Items**

**New:**
- **Winkler** to distribute approved September IT meeting notes to the IT and post on the project website
- **Winkler** to distribute draft October IT meeting notes to the IT
- **Largent** to contact *(County) Commissioner Clous* regarding a possible project tour
- **Winkler** to forward Little Manistee River large wood JPA to **Largent** and **Dituri**
- **DeVaun** to forward Ellul access drawings to **Dituri** and **Largent**
- **Beyer** to forward *(County) Commissioner Maxbauer, IT, and Mayor Estes* the agenda for the “State of Lake Michigan” conference

**Pending:**
- **Dituri** to review and sign draft letter of thank you to Dave Benda which **Winkler** composed and forwarded
- **City/Hill** to follow up on release of claims question and forward response to **Winkler** for distribution to the IT
- **Largent** to forward 2014/2015 water temperature data to **Dituri** and **Winkler**
- **Largent** to provide Bottomlands team meeting notes to **Winkler** for inclusion in the project file
- **Frank D.** will check on a couple of float trip dates to offer City and County Commissioners (sometime in November?)

**Discussion:**
- Regarding item relating to the Monitoring and Evaluation Team meeting, the Supplemental Environmental Plan (“SEP”) will be proposed by Will Harman (Stream Mechanics) to the MDEQ who will either reject or accept. If accepted, SEP is implemented and the “Notice of Violation” will be closed-funding vehicle of which is separate from legal settlement with landowners