November Boardman River Dams Implementation Team Meeting

APPROVED Meeting Notes

Date: Thursday, November 9, 2017 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
Grand Traverse County ........................................... City of Traverse City
Traverse City Light and Power Department ............... Grand Traverse Band of Ottawa and Chippewa Indians
Michigan Hydro Relicensing Coalition ...................... US Fish and Wildlife Service
Michigan Department of Natural Resources ............. Michigan Department of Environmental Quality
Grand Traverse Conservation District (Ex officio) ........ Conservation Resource Alliance (Ex officio)
Watershed Center Grand Traverse Bay (Ex officio) ........ Charter Township of Garfield (Ex officio)
Grand Traverse County Road Commission (Ex officio)

IT Members Present:
Frank Dituri (Grand Traverse Band of Ottawa and Chippewa Indians)
Nate Winkler, Amy Beyer, Kim Balke (Conservation Resource Alliance)
Heather Hettinger (Michigan Department of Natural Resources)
Jim Schramm (Michigan Hydro Relicensing Coalition)
Jim Cook (Grand Traverse County Road Commission)
Marty Colburn (City of Traverse City)
Rick Westerhof (US Fish and Wildlife Service)

IT Members Absent:
Michigan Department of Environmental Quality
Traverse City Light and Power Department
Charter Township of Garfield
Watershed Center Grand Traverse Bay
Grand Traverse County
Grand Traverse Conservation District

Non-IT Members Present:
Dan DeVau (AECOM)
*Dan Zielinski
(Great Lakes Fishery Commission)
Carl Platz*, Chris Schropp*, *Paul Powell
(US Army Corps of Engineers)
Ed Martell
Dennis Aloia

* attendance via conference line
1. Welcome and introductions – Introductions were made by those in attendance.

2. Public comment – Mr. Ed Martell provided comment regarding the potential for a procedural oversight in advance of the Boardman River dam removal project (“project”) initiation. The following were key points in Mr. Martell’s assertions:
   - The project circumvented sections 4F, 6F, and 106 of the Federal Code and as such constitutes a circumvention of the law
   - The project violates the charter that created the Grand Traverse Nature Education Reserve (which recognizes that there are protected resources behind the dams)
   - An appeal will be filed with the US Secretary of the Interior by Mr. Martell regarding this issue as federal funding was used in execution of the project

3. Miscellaneous

   Agenda deletions/additions – Westerhof noted he’d like to discuss the issue of brook trout and the Boardman River during the open forum portion of the meeting.

   Review and potential approval of the October IT meeting notes – Approved with no discussion.

   Action item review from the October IT meeting – Reviewed by Winkler; those not complete were noted as owing and placed on the “Pending Action Items” list (at the end of these notes) unless determined to no longer be relevant.

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

   Boardman Dam
   - AECOM is pulling together and prioritizing a punchlist of tasks to be completed by Michels on the project prior to year’s end (2017)-will be meeting with Michels the following week to review on-site
   - Currently reviewing state of bottomland/floodplain slopes to determine they are graded to design specifications
   - Sediment traps continue to be maintained
   - Assessments ongoing of haul roads and associated tributaries and groundwater seeps which will require conveyance beneath the haul roads
   - AECOM is currently under contract with the District to assess recreational trail alignments in the vicinity of Cass Road
   - Per a question by Dituri, DeVaun added that the channel alignment and floodplain grading work would be complete prior to year’s end (2017)
4. AECOM update (cont.)

Sabin Dam
- AECOM is currently working on responses to final comments by MDEQ on the JPA
- AECOM is also working through design changes requested by the MDEQ
- An additional change order (CO #9) will be proposed by AECOM to cover 1) additional costs incurred as a result of the unanticipated level of dialogue required with MDEQ and 2) to coordinate a “lessons learned” debriefing. The total cost of the change order will be $15,000.

Beyer noted that CRA was in support of the change order as it could result in savings during the Sabin Dam removal and that a set of “lessons learned” bullet points is being anticipated by various funding agencies. Dituri suggested the final version of the change order be circulated which details out how fees are applied.

Westerhof approved of the concept but only after assurances that funds could be acquired to pay for the tasks. Dituri asked if the AECOM construction group out of Pennsylvania would be tapped to assist with DeVaun noting that they would not.

DeVaun went on to add that the main concern was with risk associated with pay items in bid documents and is similar to what is being proposed. There will be additional requirements for sediment management, impoundment drawdown rates, stabilization of slopes, and extent of disturbed area within the project area. Per a question by Beyer, DeVaun concluded by noting the change order will result in a contractual agreement between the County and AECOM.

Union Street Dam
- AECOM and the GLFC conducted a FishPass kick-off meeting the day prior

5. Army Corps update: report (Chris Schropp)

Schropp provided the following project updates on behalf of the Corps:

Boardman Dam
- The demolition of the power house has been completed with Michels continuing with shaping and grading of slopes and floodplain as well as construction of soil encapsulated lifts
- Michels anticipates securing the site and departing by around November 18 (2017) for the winter
- A punchlist walk-through of the site is scheduled for the following Wednesday (November 15) with the Army Corps, Michels, AECOM, and InterFluve

Dituri suggested making keys to gates available to the local team for access onto the construction site during the winter.
5. **Army Corps update (cont.)**
Shropp agreed that the Corps would be leaning on the local team during the hiatus to keep an eye on the site. Beyer inquired as to what the protocol will be if issues arose. DeVaun noted that Michels is responsible for site security and in the event of site instability (i.e. mass wasting of banks), they and the Army Corps will need to be notified.

6. **Draft response to County re. Sabin Dam maintenance: discussion, decision (CRA, IT)**
Winkler noted that the draft response to the County regarding maintenance assistance had been included in the meeting packet and asked that the members of the IT review the document if they haven’t already and to provide any comments toward a final draft. Discussion ensued as to where responsibility lies for maintenance of Sabin Dam (i.e. cleaning of trash racks). It was pointed out that the earliest a contract would be awarded is February 2018 with the contractor not onsite until sometime later that spring (and as such, not available to perform maintenance). Hettinger suggested that the County respond with a maintenance plan to cover the intervening span of time. Westerhof added that the County should keep the IT apprised of progress as far as maintenance and plans for future maintenance. Schramm pointed out that this was a good lesson learned—not to remove essential components of the dam prior to removal.

7. **Amendment to consent order (re. October 6 incident): discussion, decision (Dituri, IT)**
Dituri provided a synopsis of the topic of remaining funds from the SEP, which totals $6,800. Dituri recommended and requested that the remaining funds be applied to the development of a stream quantification tool for the Boardman River being developed by Will Harman (Stream Mechanics). A short discussion ensued with Westerhof and Hettinger both recommending the use of the remaining SEP funds as requested by Dituri only if the funds are not required for any additional SEP work (with the rest of the IT members present in agreement).

8. **Monitoring and Evaluation Team update: report, discussion (Winkler)**
Winkler provided the following updates:
- The redd survey on two sections of the Boardman River will occur the following week if water levels have returned to normal by then (high water has prevented undertaking the survey in October and early November)
- The macroinvertebrate survey report from GLEC for 2016 and 2017 has not yet been received and as a result, GLEC’s invoices remain unpaid
- As of yet there is no approved monitoring and evaluation plan for the Sabin Dam removal as AECOM continues to work through comments received from MDEQ which have to be addressed prior to approval of the plan

Dituri and Hettinger reported that a fish survey will occur on the lower Boardman River the following Monday (November 13) with subsequent winter surveys occurring in January (2018). The survey locations are between the river mouth and Cass Street Bridge and between the weir and Union Street Dam.
Dan Zielinski provided the following updates with the regard to the FishPass project:

- the GLFC is compiling the remaining on-line survey data from the public open house that took place on October 10 (2017)
- the public open house “red dot/green dot” exercise results are being analyzed-trends emerging at this point include a desire for additional restroom facilities and not a lot of enthusiasm for boat storage lockers
- an editorial letter to the Record Eagle is in the works by the GLFC relating to the FishPass project and a summary of the open house participant feedback with a link to the project website
- the FishPass project website has been updated to reflect the completion of the open house event
- Zielinski and Andrew Muir will be performing follow-up meetings with stakeholders
- The radio telemetry antenna array and PIT tag readers are not yet installed in the lower Boardman River due to the high water experienced the last few weeks-permits were required by both the City and the MDOT to attach the antenna to Union Street Bridge. Installation is scheduled for the following Tuesday (November 14) from 9-10:00 a.m. The antenna array installation locations include the Union Street Bridge and the mouth of the Boardman River with PIT tag readers being installed within the Union Street Dam fish ladder and at the weir downstream of Front Street

The following items were offered by the IT:

- DeVaun reported that AECOM is developing a set of plans for two of the eroding banks upstream of the Boardman Dam project, project construction is anticipated some time in 2018
- The Conservation District held a tree planting bee out at Brown Bridge the day prior

11. Communications update: report (CRA/IT)
Members of the IT covered the following updates:

- (Beyer) A draft project communications plan is being developed between CRA and CML, should have a draft plan available for IT review between now and December
- (Dituri) A contingent of the project team was in Buffalo, New York for the recent HOW conference
- (Winkler, DeVaun) DeVaun and Winkler presented recently at the MARC conference at Boyne Mountain which included a productive panel discussion

12. Funding update: report, discussion (CRA/IT)
Beyer reviewed the materials included in the meeting packet as well as covering the following updates:

- Project funds are now flowing to the Boardman Dam project via the recently established GTB agreement
12. **Funding update (cont.)**

- Total funding amount currently being obligated to the Boardman Dam project is approximately $8,500,000
- Nearly every step in the Army Corps process has been taken relating to the Sabin Dam removal project
- GTB has requested hastier funding flow from the GLFT to accommodate Army Corps billing schedule
- CRA is awaiting word on the status of the County Brownfields agreement which will provide $500,000 in funding for the Sabin Dam removal
- CRA has submitted a $100,000 request to Rotary and is awaiting word of success (or not)
- Would like to send the GTB a letter of “thank you” on behalf of the IT recognizing that nation’s leadership in the course of the overall dam removal project (idea subsequently approved by those members of the IT present)

Westerhof announced that a GLFWRA request for proposals has been advertised with a deadline of January 8 (2018) for pre-proposal submittals and if invited, full proposals are due on March 30th (2018).

13. **Open Forum:** The following items were offered by members of the IT:

- Westerhof reported on communications with members of “The Coalition to Protect the Boardman River Brook Trout” (“Coalition”) and a request for information from them on interspecific interactions between brook trout and other salmonids. Westerhof suggested members of the IT forward any related literature they have available to Winkler for compilation and make the material available to the Coalition
- Associated with the topic above, Winkler noted that while the Coalition is tangentially related to the local chapter of Trout Unlimited (of which Winkler is currently serving as President), the Coalition is a separate entity under separate leadership and Winkler has gone to great length to isolate both himself and his philosophy regarding fish passage in the Boardman River from that of the Coalition and Trout Unlimited. Because there is a close alignment in philosophy between Winkler and the two organizations, Winkler will not be seeking re-election when his term expires in December (2018) but will however remain on the Board of Directors. Comments Winkler submitted to the MDNR, GTB, City, and the USFWS were submitted as a stakeholder and river “user”, not as an employee of CRA or a representative of the IT or Trout Unlimited
- Schramm inquired of the group whether or not they’d had a chance to review the “knowledge share” document Bob Stuber had put together for the MHRC. Not everyone present had had a chance to download the material and requested that Schramm ask Stuber to resend the link to Winkler for distribution
14. **Meeting Closing:** Meeting action items were reviewed by Winkler and subsequently the meeting was adjourned.

**Action Items**

**New:**
- **Winkler** to distribute draft November IT meeting notes for review
- **Winkler** to have approved October IT meeting notes posted to the project website
- **Winkler** to make documents provided by Mr. Ed Martell available to the IT via Google Drive
- **DeVaun** to pass along Change Order #9 to **Winkler** the following day
- **Winkler** to distribute Change Order #9 to IT for review and comment
- **Shropp** to identify Michels notification/contact chain in the event of issues arising onsite
- **IT** to pass along comments to **Winkler** prior to the following Tuesday (November 14) on the draft response to the County’s request for assistance to maintain Sabin Dam
- **Zielinski** to provide a FishPass project website link to **Winkler** for posting on theboardman.org
- **Winkler/Dituri** to follow up with Mike Wills regarding comments received on the project website relating to high water
- **Winkler/Dituri** to follow up with paddle sports concessionaire regarding their comments in a Record Eagle article related to the project
- **DeVaun** to make a request to Luke Trumble to summarize MARC dam removal panel discussion
- **Westerhof** to forward to **Winkler** GLFWRA announcement
- **IT** to forward brook trout-related literature to **Winkler** for compilation by the following Thursday (November 16)
- **Schramm** to have **Stuber** re-send knowledge share link to **Winkler** for distribution to the IT
- **Winkler/Dituri** to respond to **Scott Howard** with decision on remaining SEP funds and application toward the stream quantification tool
- **Winkler** to update the IT contact information list
- **Winkler** to poll IT members on the performance of the IT Chair over their last term and expectations for IT leadership in 2018/2019
- **Winkler** to make updates to dam removal project emergency contact plan and make plan available to the IT

**Pending:**
- **Dituri** to provide SEP final report to **CRA** for IT distribution
- **Shook** to distribute to IT (via **Winkler**) Brown Bridge large wood installation report once complete

**Discussion:** None
# Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AECOM</td>
<td>Project engineer</td>
</tr>
<tr>
<td>Brown Bridge</td>
<td>Brown Bridge Quiet Area and dam removal location</td>
</tr>
<tr>
<td>CML</td>
<td>CML Marketing and Communications (communications contractor)</td>
</tr>
<tr>
<td>City</td>
<td>City of Traverse City</td>
</tr>
<tr>
<td>Corps or Army Corps</td>
<td>United States Army Corps of Engineers</td>
</tr>
<tr>
<td>County</td>
<td>Grand Traverse County</td>
</tr>
<tr>
<td>CRA</td>
<td>Conservation Resource Alliance</td>
</tr>
<tr>
<td>District</td>
<td>Grand Traverse Conservation District</td>
</tr>
<tr>
<td>FishPass</td>
<td>Fish passage exploration project at Union Street Dam</td>
</tr>
<tr>
<td>GLEC</td>
<td>Great Lakes Environmental Center</td>
</tr>
<tr>
<td>GLFC</td>
<td>Great Lakes Fishery Commission</td>
</tr>
<tr>
<td>GLFT</td>
<td>Great Lakes Fishery Trust</td>
</tr>
<tr>
<td>GLFWRA</td>
<td>Great Lakes Fish and Wildlife Restoration Act</td>
</tr>
<tr>
<td>GTB</td>
<td>Grand Traverse Band of Ottawa and Chippewa Indians</td>
</tr>
<tr>
<td>HOW</td>
<td>Healing Our Waters</td>
</tr>
<tr>
<td>HRM</td>
<td>Herpetological Resources and Management</td>
</tr>
<tr>
<td>InterFluve</td>
<td>River restoration contractor</td>
</tr>
<tr>
<td>IT</td>
<td>Boardman River Dams Settlement Agreement Implementation Team</td>
</tr>
<tr>
<td>MARC</td>
<td>Michigan Aquatic Restoration Confoerance</td>
</tr>
<tr>
<td>MDEQ</td>
<td>Michigan Department of Environmental Quality</td>
</tr>
<tr>
<td>MDNR</td>
<td>Michigan Department of Natural Resources</td>
</tr>
<tr>
<td>MDOT</td>
<td>Michigan Department of Transportation</td>
</tr>
<tr>
<td>MHRC</td>
<td>Michigan Hydro Relicensing Coalition</td>
</tr>
</tbody>
</table>
**Acronyms and Abbreviations (cont.)**

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michels</td>
<td>Boardman Dam project dirt contractor</td>
</tr>
<tr>
<td>PIT</td>
<td>Passive Integrated Transponder</td>
</tr>
<tr>
<td>PPA</td>
<td>Project Partnership Agreement</td>
</tr>
<tr>
<td>Rotary</td>
<td>Rotary Camps and Services</td>
</tr>
<tr>
<td>SEP</td>
<td>Supplemental Environmental Project</td>
</tr>
</tbody>
</table>