



NEWS YOU CAN USE

Week Ending September 26, 2020

SECORD LAKE ASSOCIATION

www.secordlakeassociation.org

State of Michigan Approves State Budget with \$15 Million Commitment to Help FLTF Restore Lake Levels

September 23, 2020 - Rep. Jason Wentworth today announced a new state budget approved by the Michigan House that includes additional disaster relief funding to bolster ongoing flooding restoration efforts in Gladwin and Arenac counties.

As Gladwin and Arenac counties are still recovering from the devastating floods that happened in May due to the dam failure, Wentworth has been an active leader in ensuring disaster relief, financial assistance and restoration services continue to be made available to families and job providers that have been impacted. The budget plan for the fiscal year that begins October 1 includes a total of \$500,000 for Arenac County and **\$15 million for the Four Lakes Task Force – the delegated authority for Midland and Gladwin counties – in state resources to help restore the lake levels.**

To learn more: <https://bit.ly/30f6ktD>

FERC Issues Letter to Boyce Hydro Dated September 17, 2020

The letter reads:

Dear Mr. Mueller:

This letter reiterates information needed before the Commission can consider authorizing the reservoirs to be raised at the Secord and Smallwood Projects. Our July 21, 2020 (Secord) and July 15 (Smallwood) letters (enclosed) provided comments on your submittals of the TRC Engineers Michigan, Inc. Emergency Inspection Reports. **Responses to our comments were due by August 20 and August 14, 2020, respectively. We have not received your responses as of the date of this letter.**

The Secord and Smallwood Projects both sustained damage from the May flood event. As you are aware, the lowered reservoir water surface elevations that are currently in place serve as an interim risk reduction measure until the projects are shown to be adequately repaired and determined to be safe. The information requested in the above referenced letters, along with a statement from Boyce Hydro Power's Chief Dam Safety Engineer attesting/documenting the levels at which the reservoirs can be safely operated, **are required before we can consider allowing the reservoir levels to be raised.**

As public safety at these projects is paramount, we strongly urge you to comply with our regulations and file all the requested information immediately. Please contact me if you have any questions regarding this letter.

Signed,

John A. Zygaj, P.E.

Regional Engineer

This letter and the 15-page attachment can be viewed on the FERC eLibrary.



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Boyce Hydro Requests Extensions from FERC

In a letter dated September 18, 2020, lawyers for Boyce Hydro in a 17-page document asked FERC for extensions. The filing reads in part “respectfully makes this emergency motion for a stay of compliance with the dam safety directives issued on May 20, 2020, June 4, 2020, the Commission letter orders issued on July 15, 2020 and July 21, 2020 concerning supplemental dam safety reports, and of the July 30, 2020 and August 12, 2020 letter orders concerning the federal interagency Endangered Species Act Section 7 (“ESA 7”) consultation process, for a period of 90 days from the date of this filing.”

A 90-day extension, if granted, would push the date for these dam safety directives to mid-December. At this time, September 26, 2020, there has been no response from FERC published on their eLibrary.

This filing can be viewed on the FERC eLibrary.

Dam Safety and Critical Energy Infrastructure Information (CEII) Restrictions

The Hydropower Reform Coalition had a letter posted on the FERC eLibrary dated September 22, 2020. The letter states in part “There are three key issues that must be resolved to fully address dam safety issues. The first is the disconnect between the licensing process and the dam safety process at FERC, the second is the lack of public transparency about the condition of dams (and risk to the public) across the country due to the veil imposed by Critical Energy Infrastructure Information (CEII) restrictions, and the third is the insufficient consequences for hydropower project operators who fail to adequately maintain their facilities and, in so doing, expose the public to downstream risk.”

Recall from previous issues of News You Can Use, the frequent use of CEII in reporting by Boyce Hydro regarding Secord dam. Filing reports in this manner makes them confidential with no access by the public or others. Others, in the case of our current situation regarding Secord dam, include the FLTF, the Counties and the State of Michigan.

This letter can be viewed on the FERC eLibrary.

Boyce Receives Emergency Order to Perform Critical Repairs

The Michigan Department of Environment, Great Lakes and Energy (EGLE) issued an order to Boyce Hydro to “expedite modifications to the Tobacco spillway, which will lower the water level in the impoundment area to a safe height and restore downstream flow.” The order also states that Boyce must divert the Tittabawassee River away from the breach through the dam to its former channel below the spillway. Additionally, sediment and debris in the river must be removed.

To learn more: <https://bit.ly/3mXVtxQ>



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FLTF Key objectives through this year:

- Keep legal lake levels under existing condition of the four dams.
- Manage bottomlands, dams, and property boundaries.
- **Investigate options to restore the water levels for Smallwood and Secord lakes to safely bring them back to “normal” lake levels.**
- Continue to make safety a top priority for residents and the community.

Significant work needed to stabilize dams:

- Winter repairs and changes on Secord and Smallwood remain unknown (unfortunately Boyce Hydro will not grant FLTF engineers’ access to the property to determine scope of damage or work to repair). Funds are in reserve to pay for these winter repairs once the county owns the property.

To learn more:

<https://bit.ly/3i7Vs6D>

<https://bit.ly/3n1DExE>

The FLTF has created an 18-page detailed **RECOVERY AND RESTORATION PLAN 2020-2021 Action Plan**. You can view this at:

<https://bit.ly/3jbyrkM>

You can also visit these websites:

Four Lakes Task Force at <https://www.four-lakes-taskforce-mi.com/about.html>

and

Secord Lake Association at www.secordlakeassociation.org

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