



NEWS YOU CAN USE

Week Ending October 16, 2020

SECORD LAKE ASSOCIATION

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FERC Denies Request for Extensions Filed by Boyce Hydro

In a letter dated September 18, 2020, lawyers for Boyce Hydro in a 17-page document, asked FERC for extensions.

In a 10-page detailed letter issued on October 15, 2020, FERC denied all requests for stay of requirement and extensions. Here are excerpts:

“As to the requested extensions, Commission staff has been flexible in granting numerous extensions of time to Boyce Hydro with respect to compliance with the dam safety directives and environmental surveys. Despite this flexibility, Boyce Hydro continues to ask for more time, even asking to indefinitely delay important measures. However, because the directives are necessary to protect public safety and the environment, we do not find persuasive Boyce Hydro’s justification for requesting additional time to comply with the outstanding orders and directives for the Secord, Smallwood, and Sanford Projects.”

“As licensee for these three projects, Boyce Hydro must continue to comply with the license conditions at its projects to ensure public safety and environmental protection.”

“For the same reasons, the Commission will not grant a 90-day extension of time to Boyce Hydro to complete the outstanding dam safety directives and environmental surveys.” It cites the specific past FERC deadlines missed: “Boyce Hydro’s September 21, 2020 request for an extension of time to prepare supplemental dam safety reports, remove debris at the Sanford Dam and complete environmental surveys, as required in the May 20, June 4, July 15, July 21, July 30, and August 18, 2020 Orders, is denied.”

This filing can be viewed on the FERC eLibrary.

FLTF Granted Access to the Dams

Four Lakes Task Force negotiated an access agreement with Boyce Hydro Power, and got a limited stay from the bankruptcy court, for the four dams the week of October 12. The purpose is to assess operations, identify items for repair and compliance, and prepare for winter and spring operations. The focus of the work will be on dam stabilization, assessing critical needs for winter operations, inspection and assessment of short-term critical action items, and efforts to refine the estimates for the restoration of Sanford and Edenville, and the repairs of Smallwood and Secord dams.

This will help Four Lakes Task Force refine the cost estimates of repairs that will be needed to prepare the dams for winter operations. Multiple individuals will be on-site at the dams throughout the week representing the Michigan Department of Environment, Great Lakes and Energy, the Natural Resources Conservation Service, and FLTF engineering consultants Spicer Group and GEI, among others.

This is an important engagement in stabilizing the dams for winter and identifying immediate needs for critical repairs and operations for the dams through the winter and spring.

<https://www.four-lakes-taskforce-mi.com/updates/fltf-granted-access-to-dams>