

State of Michigan
Department of Environment, Great Lakes, and Energy

Water Resources Division
Dam Safety Unit
525 West Allegan Street, Lansing, Michigan 48933
517-284-5567

Site Name: Edenville Dam
Submission Number: HP9-C25B-FCQ1W
Date: March 14, 2022

PUBLIC NOTICE

Mr. David Kepler, Four Lakes Task Force, 233 E. Larkin St., Suite 2, Midland, MI 48640, has applied to this office for a permit under authority of Part 31, Water Resources Protection; Part 301, Inland Lakes and Streams; Part 303, Wetlands Protection; Part 315, Dam Safety; of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The applicant proposes to drawdown the Wixom Lake impoundment by a maximum of 15.0 vertical feet, from elevation 662.0 feet NAVD88 to 647.0 feet NAVD88; lower the crest of the Tobacco Spillway of the Edenville Dam, Dam ID No. 549, by approximately 20.8 feet, from elevation 667.8 feet NAVD88 to 647.0 feet NAVD88; regrade and stabilize the earthen embankment and newly formed Tobacco River channel east of the M-30 Causeway to the Tittabawassee Spillway; lower the crest of the Tittabawassee Spillway by approximately 47.8 feet, from elevation 667.8 feet NAVD88 to approximately 630 feet NAVD88; construct a new riprap and steel sheet pile wall through the existing breach area, east of the Tittabawassee Spillway; restore the Tittabawassee River downstream of the spillway and breach locations; remove sediment deposited by the dam failure from within the former Tittabawassee River channel approximately 3,000 feet downstream from the Tittabawassee Spillway; stabilize the Tittabawassee River channel as needed; stabilize the existing breach channel once river flows have been redirected back through the Tittabawassee Spillway former channel; restore the Tobacco River channel downstream of the spillway; remove material previously placed in the river channel; install bank stabilization as needed; and install bank stabilization measures within the former Tobacco Impoundment, as needed, to prevent further sloughing once the impoundment is lowered. Grade approximately 88,773 cubic yards of material below the Ordinary High-Water Mark (OHWM) and within the 100-year floodplain of the Tobacco and Tittabawassee Rivers, including dredging of approximately 15,536 cubic yards of sediment and placement of approximately 1,837 cubic yards of riprap fill. No filling of wetland areas is proposed. An emergency conditional permit, WRP026173 v1.1 was issued on November 19, 2020 for this project and much of the proposed work has been completed. The purpose of this after-the-fact public notice is to solicit public comment and information that EGLE must consider when making a final permit decision. The project is located in T16N, R01W, Section 01, Edenville Township, Midland and Gladwin Counties, Michigan, in accordance with plans attached to this notice.

THIS NOTICE IS NOT A PERMIT

The proposed project may also be regulated by one or more additional parts of the NREPA that are administered by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD). The requirements of all applicable parts are considered in determining if a permit can be issued. When a permit application is received requesting authorization to work in or over the inland waters of the State of Michigan, pursuant to Part 31, Part 301, Part 303, Part 315 of the NREPA, the NREPA provides that EGLE submit copies for review to the department of public health; the city, village, or township and county where the project is to be located; the local soil conservation district; and any local watershed council organized under

Part 311, Local River Management, of the NREPA. Additional notification is provided to certain persons as required by statute or determined by EGLE.

The normal review of a permit application considers the impacts that the encroachment will have on flood stage or discharge characteristics but does not consider the impact that the proposed work will have on the local community development and land use patterns.

Those persons wanting to make comments on the proposed project shall furnish comments through MiWaters no later than 20 days from the date of this notice. Comments will be made part of the record and should reference the above application number. Objections must be factual, specific, and fully describe the reasons upon which any objection is founded. Unless a written request is filed with EGLE within the 20-day public comment period, EGLE may make a decision on the application without a public hearing. The determination as to whether a permit will be issued or a public hearing held will be based on an evaluation of all relevant factors, including the public comments received and the effect of the proposed work on the public trust or interest, including navigation, fish, wildlife, and pollution. The specific permit decision criteria can be found in the parts of the NREPA applicable to this application and listed above. Copies of these parts of the NREPA are available on the public notice Web site. Public comments received will also be considered.

The entire copy of the public notice package may be viewed at the WRD's district office listed on the top of this public notice or online at:

<https://miwaters.deq.state.mi.us/miwaters/#/external/publicnotice/search>.

To access the public notice page online, search for the public notice by location or applicant name, and view by clicking on the "Documents" tab. Comments should be sent electronically by clicking on the "Add Comment" tab. When inputting your comment please do not add any personal identification information (PII) concerning yourself or any other individual, into the comment box, including but not limited to email or telephone number. A hard copy of the public notice may be requested by calling the above number.

cc:

David Kepler, Applicant
Gladwin County Clerk
Edenville Township Clerk
Gladwin County Drain Commissioner
Gladwin CEA
Midland County Drain Commissioner
Midland CEA
Mr. Adam Heinrich, Four Lakes Task Force
Mr. Ron Hansen, P.E., Spicer Group
Mr. Warren Miller, P.E., Spicer Group
Ms. Kelsea Sutton, P.E., Spicer Group

Mr. Andy Baxter, P.E., GEI
Mr. Paul Drew, P.E., GEI
Mr. Paul Perri, P.E., AECOM
Ms. Jessica Mistak, MDNR
Mr. Jeff Jolley, MDNR
Ms. Jessica Pruden, USFWS
Ms. Amy Lounds, EGLE
Mr. Luke Trumble, P.E., EGLE
Mr. Dan DeVaun, P.E., EGLE
Adjacent Property Owners
Local Postmaster