

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

Water Resources Division
Bay City District Office – Dam Safety Unit
401 Ketchum Street, Suite B, Bay City, MI, 48708-5430
989-619-4295

Site Name: 56-Sanford Dam-Midland
Submission Number: HPM-56M2-CJC9G
Date: June 5, 2023

PUBLIC NOTICE

David Kepler, 233 E Larkin St, 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; and Part 315, Dam Safety of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The applicant proposes to rebuild the right embankment and extend the existing steel sheet piling (SSP) cutoff wall into the dam foundation and install internal filter drainage layers with a toe drain, construct a new auxiliary spillway across the top of the right embankment comprised of roller-compacted concrete (RCC), raise the existing primary spillway side walls and extend them downstream, install new hydraulically operated crest gates, fill the powerhouse with controlled low strength material (CLSM), construct a low level outlet right of the crest gates to maintain base flows, flatten the left embankment slopes and install a blanket filter on the downstream side of the embankment. The proposed work will impact approximately 165 acres of existing wetlands and will create approximately 247.5 acres when the impoundment is restored. The proposed work will temporarily impact 4.14 acres and 240 linear feet of the Sanford Lake with approximately 22,515 cubic yards of fill material and approximately 6,110 cubic yards of dredged material below the ordinary high-water mark (OHWM) (El. 601.7 FT NAVD 88). The proposed work will permanently impact 1.08 acres and 622 feet of the Tittabawassee River with approximately 27,155 cubic yards of fill material and approximately 7,650 cubic yards of dredged material below the ordinary high-water mark (OHWM). The proposed work will also impact the 100-year floodplain (El. 626.2 FT NAVD 88) of the Tittabawassee River with approximately 34,415 cubic yards of fill material and 26,785 cubic yards of excavation. The project is located in T15N, R01W, Section 24, Village of Sanford, Midland County, 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, and 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 MiEnviro 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://mienviro.michigan.gov/ncore/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:

Dave Kepler, Applicant
Midland County Clerk
Sanford Village Clerk
Midland County Drain Commissioner
Jessica Pruden, USFWS
Adam Heinrich, Four Lakes Task Force
Ron Hansen, P.E., Spicer Group
Warren Miller, P.E., Spicer Group
Kelsea Sutton, P.E., Spicer Group
Andy Baxter, P.E., GEI
Jeff Jolley, DNR
Jessica Mistak, DNR
Jerrod Sanders, EGLE
Anne Garwood, EGLE
Jacob Brand, EGLE
Brian Rudolph, EGLE
John Bayha, P.E., EGLE
Luke Trumble, P.E., EGLE