

Four Lakes Task Force

Gladwin and Midland Counties' Delegated Authority
of the Four Lakes Special Assessment District

Community Information Session: Webinar

Status Report

February 26, 2025



This Is an Information Session

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- This is not a board meeting or hearing – no formal action will occur
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- These meetings are focused on keeping the community informed and providing an opportunity to ask questions
 - This meeting is being held virtually to accommodate as many people as possible



Agenda

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1. Construction Schedule
2. Permitting
3. Financing
4. Legal Update
5. Questions and Answers



Pictured: Sanford Dam looking downstream. Upstream steel sheet pile removed. Taken Feb. 14, 2025.



Construction Schedule Variability

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Dam	Suspension Date and Description	Estimated Substantial Completion Date Assuming Fall 2025 Restart
Secord	October 2024 Suspended	October 2026 +/-3 months
Smallwood	October 2024 Suspended	May 2026 +/-3 months
Edenville	June 2024 Suspended	August 2028 +/-6 months
Sanford	February 2025 Completion of current work near primary spillway	October 2026 +/-3 months

Note that substantial completion does not equal lake fill which will add approximately 2-4 weeks post-construction if construction is completed in the spring.



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Permitting

Pictured: Edenville Dam

The Edenville Dam Will Be Permitted

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Three open items from last webinar:

- Michigan Department of Environment, Great Lakes, and Energy (EGLE)
 - EGLE provided FLTF with a draft permit this week
 - Surety bond on mitigation work is the only open issue
- ✓ U.S. Fish & Wildlife Service (USFWS) approved the Habitat Conservation Plan (HCP) and issued the Incidental Take Permit (ITP)
- Construction will require temporary access and permanent easement
 - FLTF to address once the EGLE permit is secured, and funding is available

Wetland and Stream Permitting Requirements

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Wetland Monitoring

- EGLE requires FLTF to mitigate for bottomland wetland loss
 - ▣ Mitigation Requirements: Wixom = 447 acres, Sanford = 165 acres (612 acres total of new wetlands formed on bottomlands)
- Mitigation will come in the form of refilling the lakes which will restore hydrology to adjacent and shallow-water wetland areas
 - ▣ Lake refill estimated to restore impacted wetlands: Wixom = 1,483 acres, Sanford = 2,463 acres
- An approved monitoring plan is in place to document this mitigation
 - ▣ Annual studies following lake refill for five years to document wetland restoration

Stream Mitigation

- Stream Mitigation
 - ▣ Culvert replacement
 - ▣ Shoreline enhancement projects
 - ▣ Fish habitat projects
 - ▣ Low impact development (LID)
 - ▣ Rock vanes (Edenville only)
 - ▣ Native vegetation buffers (Sanford only)

Current Cost Estimate

- Edenville Dam: \$3,400,000
- Sanford Dam: \$2,500,000
- Secord Dam: \$1,010,000 (actual)



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Financing

Kayla Stryker, Treasurer, FLTF

Pictured: Secord Dam on February 21, 2025

Spend by Dam

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	SECORD	SMALLWOOD	EDENVILLE	SANFORD	EXPENSES THAT APPLY TO ALL DAMS
Estimated Spend by Project Suspension	\$54M	\$40M	\$20M	\$50M	\$6M
Total Estimated Budget*	\$68M	\$50M	\$125M	\$90M	\$21M

- FLTF had \$180 million in State of Michigan (SOM) funds to utilize for restoration
- Total expenditure of SOM funds on restoration as of suspension totals \$170 million
 - ▣ \$4 million withheld for construction retainage
 - ▣ \$6 million remaining for post-suspension activities

Total budget numbers do not include contingency, escalation or remobilization

Current Funding Status

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Funding 2025 and Beyond

- Have funds for maintenance, operations and legal through 2025
- Will have ~\$6 million in State of Michigan grant remaining following total project suspension
- Awarded: FEMA HHPD grant increased to **\$1,410,693** (from \$433,698)

Additional Funding Updates

- Beginning applications: 2025 DNR Recreation Grant, MSP FEMA BRIC
- Denied: DNR Fisheries grant, EGLE Dam Risk Reduction Grant
- Outstanding grant requests:
 - ▣ EPA Climate Justice Grant, application totaled \$17.7M (on hold)
 - ▣ Appropriation requests totaling \$8.25 million, three USDA Community Facilities grants
 - ▣ Consumer's Energy Citizen Planet



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Legal Status

Pictured: Smallwood Dam on February 21, 2025

Reminders

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- FLTF and its lawyers cannot give legal advice to Heron Cove Association members or any property owner → seek legal advice from your own attorney
- FLTF has always maintained that property owners have the right to appeal
 - ▣ But It does have an impact on timing and cost of financing and construction
- Assessment rolls confirmed by counties, Midland Circuit Court and Michigan Court of Appeals
 - ▣ Any individual inquiries regarding properties will not be addressed at this time

Current Status

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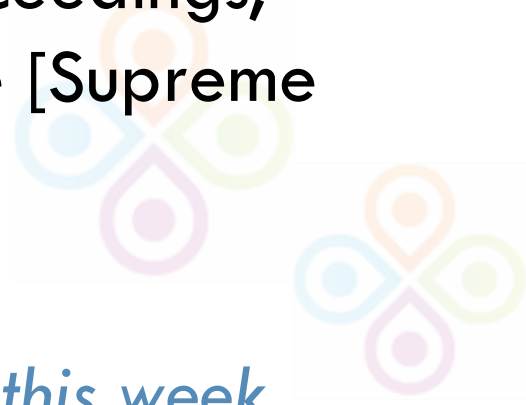
1. On February 15, Heron Cove Association (HCA) filed an application for Leave to Appeal with the Michigan Supreme Court
 - ▣ HCA is asking the Michigan Supreme Court to review the decisions of the Michigan Court of Appeals' and Midland County Circuit Court which dismissed HCA's appeal of the lake level special assessment rolls approved by the counties in February 2024. The Supreme Court can accept or reject the application. In rare instances, the Supreme Court can order lower courts to reconsider issues or take other action.
2. Two HCA lawsuits remain in Federal Circuit Court
 - ▣ Awaiting the Judge's determination on the counties' and FLTF's motion to dismiss

HCA Appeal: What is HCA asking for?

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“... Appellants request that this Court reverse the decisions [made by the Midland Circuit Court and the Michigan Court of Appeals], vacate the special assessment rolls, and/or remand for further proceedings, including an evidentiary hearing, and any other relief the [Supreme Court] finds just and equitable.”

Four Lakes Task Force's lawyers will file our response later this week.



Summary

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- The *fastest* definitive decision from the Supreme Court will be by May or June
 - ▣ We will very likely miss a full construction season
- We are working with the contractors to be as ready as possible to ramp up work
 - ▣ Their flexibility is greatly appreciated
 - ▣ FLTF is prepared to quickly issue municipal financing
- We have funds to operate through 2025
 - ▣ We are working on contingencies and other funding alternatives to ensure we have funding through 2026 and beyond

Questions and Answers

Please use the Q&A feature in GoToWebinar or email questions to info@fourlakestaskforce.org and we will address as many questions as we can

- Questions that have been asked multiple times before and are on our FAQ page we will not address but we will forward a link to you.
- Attendees with multiple questions may have only the first one answered. We will remove attendees that are disrespectful in their questions or statements.
- We are limited in the answers we can provide related to Heron Cove Association or legal matters related to their lawsuits.



Four Lakes Restoration Plan

