

Four Lakes Task Force

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

June 1, 2021, Board Meeting



Four Lakes Task Force

Agenda

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- 1) Call to order
- 2) Roll call
- 3) Approval of March 2, 2021 Board minutes
- 4) Approval of the agenda
- 5) Consent agenda:
 - a. Acceptance of Mark Bone to FLTF board as Midland County representative
 - b. Approval of quick claim deeds of Sanford Dam bottomlands to Midland County
 - c. Delegation to Kepler and Colaianne to negotiate and obtain liability insurance
- 6) Update on 2021 spending status versus plan through April 2021 – Kayla Stryker
- 7) Legal Review
 - a. Status of class action suits
 - b. Discussion of regulatory status transition of FERC to EGLE for the remaining dams
 - c. Status of Four Lakes Operations
- 8) 2021 engineering and construction efforts
 - a. Review of Secord and Smallwood 2021 - design engineering budget and timing – Ron Hansen
 - b. Stabilization status on the four dams – Ron Hansen
 - c. Bottomlands and environmental efforts
- 9) Review and approval of Restoration Plan and critical issues - Kepler, Hansen and Colaianne
- 10) Upcoming meetings and events
- 11) Public comments



Consent Agenda – For Board Approval

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- Approval to accept Mark Bone as the Midland County Board of Commissioners assigned representative to the FLTF Board of Directors
- Directors' and officers' (D&O) and liability insurance
- Approval of deed of Sanford bottomlands to Midland County



FLTF Project Spending June 2021 Update

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Project Area	Budget Total	Spending YTD	
	2021	Total Spend	%
Operations and Program Office	\$953,500	\$454,436	48%
Program Office	\$296,631	\$134,724.30	45%
Operations and USGS Gauges	\$656,869	\$319,712	49%
Acquisition	\$816,824	\$182,656	22.36%
Dam Stabilization	\$23,663,685	\$4,549,841	19%
Booms	\$1,300,000	\$48,754	4%
Edenville Phase I Stabilization	\$3,775,000	\$2,538,731	67%
Edenville Phase II Stabilization	\$7,935,000	\$346,051	4%
Sanford Dam Stabilization	\$8,800,000	\$59,939	1%
Smallwood and Secord Stabilization	\$1,360,000	\$900,350	66%
Third Party Reviews	\$50,000	\$1,800	4%

FLTF Project Spending June 2021 Update

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Erosion Stabilization and Debris Removal	\$13,437,149	\$1,531,795	11%
EWP Eligible Erosion Projects	\$5,750,000	\$1,531,795	27%
Non-EWP Eligible Erosion Projects	\$180,000	\$0	0%
Bottomland Debris Removal	\$4,830,000	\$0	0%
Bottomland Sediment Removal	\$1,840,000	\$0	0%
Downstream Debris Removal	\$600,000	\$0	0%
Rebuilding	\$3,713,720	\$667,218	18%
Flood Study	\$915,700	\$191,710	21%
Feasibility Study	\$650,000	\$247,499	38%
Design Engineering	\$1,500,000	\$228,009	15%
Environmental and Natural Resource Studies	\$500,000	\$231,823	46%
Special Assessment District	\$347,865	\$40,044	11.5%
Program Management	\$1,400,855	\$329,118	23%
Other	\$0	\$76,094	
Legal Costs		\$76,094	
2021 Total	\$43,440,745	\$8,063,025	19%

FLTF Donation Report

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- FLTF has received over 750 individual contributions
- FLTF has raised over \$4 million in private donations
- Thank you to all our supporters!

Source	Total by Donor
Anononyous	\$ 110,000.00
Consumers Energy	\$ 50,000.00
Dave Kepler	\$ 166,621.00
Dow Chemical	\$ 350,000.00
Gerstacker Foundation	\$ 1,000,000.00
Grace A Dow Foundation	\$ 1,000,000.00
Kolevar Foundation	\$ 10,000.00
Patrica and David Kepler Foundation	\$ 840,000.00
Sanford Lake Association	\$ 35,000.00
Secord Lake Association	\$ 5,000.00
Secord Township	\$ 15,000.00
Smallwood Lake Association	\$ 5,000.00
Strosacker	\$ 503,000.00
The Harry A. and Margaret D. Towsley Foundation	\$ 10,000.00
Wixom Lake Association	\$ 40,000.00
Donations under 10,000	\$ 389,767.78
Total Donations	\$ 4,289,388.78



Legal Review

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- Status of class action lawsuits
- Discussion of regulatory status transition of FERC to EGLE for the remaining dams
- Clarification of county ownership
- Status of Four Lakes Operations



Engineering Report – Dams

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- Interim measures implemented at Secord, Smallwood and Tobacco
- Engineering progress on dams
 - ▣ 30% dam restoration design concepts (see Feasibility Report)
 - ▣ Final design engineering for Smallwood and Secord has started
 - ▣ 50% design complete – Edenville Phase II interim stabilization
 - ▣ Started final design engineering for Sanford Interim stabilization
- Anticipated construction activities in 2021
 - ▣ Public safety/boat booms installed at Secord, Smallwood and Tobacco
 - ▣ Sister walls at Edenville Tobacco Dam
 - ▣ Demolition and river aligning at Edenville Tittabawassee Dam (into 2022)
 - ▣ Stabilization at Sanford Dam (into 2022)



Engineering Report – Other Tasks

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- NRCS shoreline erosion stabilization
- NRCS debris and sediment removal program
- Vegetation management
- Mussel surveys
- Lake restoration and wetlands surveys
- Threatened/endangered species and cultural resource surveys
- Weather station and river gauge installation
- Project coordination
 - EGLE, DNR, USFWS, NRCS, USDA, USGS, USACE, Consumer's Energy, MDOT, local government, property owners and other stakeholders



Feasibility Study Conclusions

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- The best alternative for Midland and Gladwin counties is to fulfill their legal obligations under Part 307 to return the Four Lakes, as soon as safely possible, to their legally defined lake levels
 - ▣ The Four Lakes as legally defined under Part 307 best defines the end state of the restoration: recreation, environmental impact and property value
- It is technically feasible, and financing capacity exists to rebuild and repair the dams
 - ▣ The financing capacity exists to finance these as recreational dams
 - ▣ Restoration of the four hydroelectric generation facilities is not presently cost-effective
 - ▣ These dams do not meet the U.S. Army Corps of Engineers criteria as flood control dams
- Flooding will still exist with, or without, these dams in certain historically flood-prone areas
 - ▣ Dams will be rebuilt to modern dam safety and engineering standards with increased spillway discharge capacity to keep the lake levels from overflowing during extreme flood events, thus preventing future dam breaks
- FLTF must be committed to being a responsible operator of the dams and a good steward of the public trust of safety and the environment

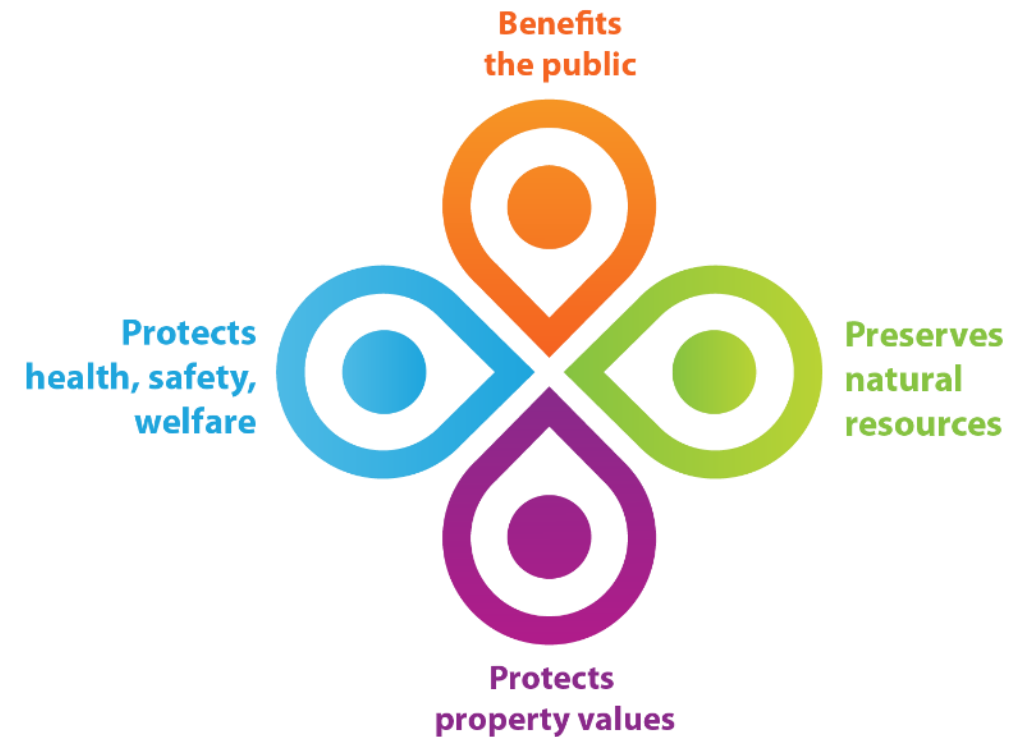
Our Responsibilities on a Public Owned Lake

- ❑ Owners of the dams and lakes have been given the privilege to use a natural resource for their benefit. Therefore, they have an obligation to protect the public and the environment in that use
 - ❑ The Four Lakes Task Force as the delegated authority of the counties has assumed the stewardship of this obligation
 - ❑ Those that live upstream of a dam have the same obligation of use. This includes the communities, townships, improvement boards and Lake Associations
- ❑ The Four Lakes Special Assessment District is a requirement
 - ❑ The counties and the state need to be assured that there is a financial resource at hand to fund operations, manage liabilities, and address emergencies and repairs going forward
 - ❑ In other words, regardless of who pays to repair the dams, without a SAD, there are no lakes

Four Lakes Restoration Plan

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- Lake restoration is the best alternative for the region
 - Re-creating our PURE MICHIGAN promise
- Preserves the natural resources of the state
 - Environmental impact management of construction
 - Threatened and endangered species
 - Water quality
- Protects the value of property around the lakes
 - Keeping the lakes affordable for property owners
 - Restore the lake levels
- Protects the public health, safety, and welfare
 - Flood design and dam safety
 - Regional economics



Four Lakes Restoration Plan

Safety Lakes Local Economy Value Preservation Recreation Natural Resources Environment

Planning Level Costs - \$215 Million

Secord ↑	Smallwood ↑	Edenville ↓	Sanford ↓
<i>\$25 million</i>	<i>\$18 million</i>	<i>\$121 million</i>	<i>\$51 million</i>
2024	2024	2026	2025

- ❑ Major elements that change the estimates:
 - + Flood level prediction and modeling requires greater spillway capacity
 - Using embankment failures for auxiliary spillway
 - Reduced coffer dam capacity
 - + 25% contingency included
- ❑ **\$250 million** is used for planning estimate for risks and environmental

Critical Issues *

* A **critical issue** can stop or significantly delay the project if not addressed

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1) Funding:

- ▣ \$10 million of funding from outside the Four Lakes Special Assessment District by YE 2021 so all dams can get to a point of financing construction
- ▣ \$150+ million in 2022-2024 would bring community affordability to pre-failure levels

2) Environment:

- ▣ Several million dollars may be needed for environmental restoration on Wixom and Sanford lakes; FLTF has engaged with EGLE to accept the restoration plan and identify funding sources. This will be discussed at the September 7th FLTF board meeting

3) Assessments:

- ▣ A fair and consistent methodology for the assessment of property owners of the Four Lakes Special Assessment District needs to be put in place

4) Flood studies:

- ▣ Spillway capacity will likely need to be greater than previously established based on Michigan Dam Safety regulations. These should be completed no later than the December 7th FLTF board meeting

Update on Special Assessment

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- Assessment is necessary for improvements, operation and maintenance
- Assessment boundary set by circuit court
- Benefit factors, as shown on website, are being updated
- Updates include evaluating benefits to the property based on:
 - ▣ Lake view, water depth, water frontage, ability to develop
 - ▣ Derived benefit of non-residential properties
 - ▣ Back lot easement access width and frontage
- Apportionment percentages are not final until a public hearing is held, the county board approves, and appeal procedures are complete
- Implementation over 2 counties and 8 townships
- Assessment will be implemented for the winter of 2022



Four Lakes Restoration Plan Conclusion

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- The Four Lakes Restoration Plan is both feasible and obtainable
 - ▣ The alternative is decades of dispute, with no source of funding planned, placing the public safety at risk, with significant clean up and long-term change in the economic future of the region
- The majority of people want the lakes back, but the counties cannot afford to pay for all the plan
- The voice of the community needs to move towards the advocacy of the plan and the need for state and federal funding

Four Lakes Task Force

ROLL CALL VOTE FOR APPROVAL OF

Four Lakes Restoration Plan



Upcoming Meetings and Information

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□ Upcoming Meetings

▣ <https://www.four-lakes-taskforce-mi.com/events.html>

- Virtual Information Session: June 2, 2021
- Board Meeting: September 7, 2021
- Board Meeting: December 7, 2021

□ Information on FLTF Web Site

▣ <https://www.four-lakes-taskforce-mi.com/frequently-asked-questions.html>

▣ <https://www.four-lakes-taskforce-mi.com/feasibility-study.html>

□ For News Subscription:

▣ <https://www.four-lakes-taskforce-mi.com/subscribe.html>



Public Comment

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Ground rules:

1. Public comment will be taken at the microphones. Commenters are allowed 2 minutes and will be asked to conclude at the end of the time.
2. Please form a socially distanced line when approaching the microphone.
3. Because of time restrictions, individuals may only make one comment.
4. Any commenter who is disrespectful, slanders another, is in any way inappropriate or otherwise refuses to follow the protocol will be muted.
5. Those who do not wish to approach the microphone may leave a comment/question on a card. Cards are available at the entrances.

Please send questions to info@fourlakestaskforce.org or
leave your question on a card

Comment Timer

00 : 02 : 00

Change Clock Type

Digital

Duration: 00 02 00

TimeUp Reminder (Optional):

00 00 15

Choose Sound Effect

Tick



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Thank you for joining us!