

Boardman River Dams Implementation Team
Grand Traverse County, the City of Traverse City, Traverse City Light and Power
Department, the Grand Traverse Band of Ottawa and Chippewa Indians, the MI
Hydro Relicensing Coalition, the US Fish and Wildlife Service, the MI Department
of Environmental Quality, and the MI Department of Natural Resources

400 Boardman Avenue
Traverse City, MI 49684

Implementation Team Meeting Notes

Location: Traverse City Governmental Center, Committee Room

Time: 6:00-8:00 PM

Date: June 9, 2009

Conference Call: None

Facilitator: Todd Kalish

Notes: Lee Maynard

Implementation Team members present: Jim Cooper (TCLP), Jim Pawloski (DEQ), Rick Westerhof (USFWS), Brett Fessell (GTB), Dennis Aloia (Grand Traverse County), Ben Bifoss (Traverse City), and Todd Kalish (DNR). Not present: Jim Schramm (MI Hydro Relicensing Coalition)

Note: Mark Rollenhagen (TCLP) attended in an observatory capacity because he will be replacing Jim as the TCLP representative beginning with the next IT meeting.

6:00-6:10 **Introduction; discussion item (Todd)**

Todd will provide an overview of the agenda, review the meeting process, and review the IT purpose as stated in the Settlement Agreement

The Boardman River Dams Committee (BRDC) no longer exists. The public notice for this public meeting was accomplished through the City of Traverse City and TV 7/4, in compliance with the terms of the Settlement Agreement. We no longer have the capacity to send general mailings or e-mails through NMC because we have vacated that office. Therefore, in this interim period, the primary office of communications regarding meeting notices and minutes will be the Governmental Center/Traverse City Clerks office. The BRDC library is currently housed at the Traverse City DNR office (all hard copy documents are currently located there).

Overview of four topics of discussion and decision:

1. Overview and acknowledgement of the BRDC.
2. What is the most appropriate role of the Implementation Team (IT) in the next stage of this project.
3. Discussion of potential examples of organizational structures and frameworks for the next stage of this project.

4. Potential IT permitting recommendations.

6:10-6:25 **Overview of the BRDC completed goal and objectives; discussion item (Sandra Sroonian, Jennifer Jay, and Todd)**
Sandra, Jennifer, and Todd will provide an overview of the accomplishments and lessons learned through the BRDC process.

Todd Kalish

Settlement agreement finalized in May 2005; IT formed the BRDC in July 2005

Sept- Dec 2005, actively engaged the public to design the study
100 questions raised by the public regarding the project that formed the foundation for the Scope of Work. All questions were addressed through the engineering and feasibility study.
2006- Hired a facilitator, technical coordinator, and used the QBS process to hire an engineering and consulting firm
2007- ECT and the BRDC collected pertinent data regarding the project
2008- ECT and the BRDC assessed the collected data
Jan 2009- the IT presented the recommendation to the County and City
April 2009- County and City passed motions to pursue dam removal of Sabin, Boardman, and Brown Bridge Dams.

Jennifer Jay:

Provides 'lessons learned' on BRDC during her time as program facilitator

Successes

- Overall provided a strong sense of stewardship
- Many meetings, questions, public activity, getting to know public officials better

Need improvement:

- Not sufficiently funded to adequately manage and communicate a project of this magnitude
- Didn't have a defined structure in place to adequately address people and groups that had a single agenda to disrupt the process
- Need a fiscal agency familiar and willing to provide grant writing support, fiscal management, and clear reporting with ease

Sandra Sroonian:

- Improved setting agendas and timelines over time
- The posing of numerous and continuous questions to experts can be an onerous task for the experts. May want to think of a better process to get public questions answered.

Todd Kalish

The BRDC wanted to fully engage the community and stakeholders

The process started with the community and how the community would develop the process

The primary emphasis was placed on the people not the process

This process was unfamiliar for many because of the high level of accountability distributed to the general public.

\$1.1million raised by the BRDC, and an initial estimate of \$780,000 of in-kind and matching, but not all in-kind services have been reported yet.

A minimum of \$60,000 in non-professional volunteer time, over 2,000 questions answered, and over 400 decisions made by the BRDC and associated sub-teams.

The amount of in-kind dollars will likely equal the amount of cash raised to support the study.

6:25-6:30 **IT finalization of the BRDC goal and objectives; decision item (Todd)**
The IT will review the accomplishments of the BRDC and decide whether or not their accomplishments are congruent with the stated objectives in the Settlement Agreement.

DECISION ITEM: The Implementation Team reached will-live-with agreement to acknowledge that the BRDC completed its mission in accordance with the Settlement Agreement.

6:30-6:55 **Discussion of next steps as stipulated in the Settlement Agreement; discussion item (Brett and Todd)**
The IT will discuss the timeline of events that have occurred since the dam disposition recommendation has been made, discuss what role the IT should have in this project consistent with the Settlement Agreement, and discuss potential options for next steps. Next steps include potential organizational structures and work that may be proposed that is congruent with the County and City decisions to pursue dam removal of Sabin, Boardman, and Brown Bridge Dams.

Discussion by the IT as follows:

Potential options for the organizational structure of the next phase of this project:

- Potentially expand the IT membership. The IT can add ex-officio members
- Watershed Alliance
- Partnership model (County/City primary accountability)
- Partnership agreement

The IT will manage (if the County and City deem that to be an appropriate role for the IT) a construction project because decisions have already been made on the dams, but it is still important to keep the public involved and educated.

The IT could dis-ban if all members agree.

IT members feel it is important to keep the IT together to maintain continuity between the

first and second phases of this project and the IT provides a good structure to ensure that critical expertise and resources of the IT organizations are allocated in a collaborative manner to this project.

The IT should not be the sole source of accountability for all aspects of this project, such as communication and public relations. The County and City are currently exploring options for facilitation of these aspects of the project through the TC Rotary Charities.

Hiring a project manager is a critical first step to assure appropriate resources are allocated to this stage of the project

Project manager should be local who has expertise but is separate from the engineer who creates the design

The IT and project manager are not the appropriate entities for the long term management of the watershed. Once the dam removal project is complete, the IT role, as stipulated in the Settlement Agreement, is complete.

The IT may want to discuss its decision-making process and public comment structure at the next meeting.

The city may want to clearly state that they have approved the removal of Brown Bridge Dam. However, the intent of the motion is clear.

Is there anything that the IT deems appropriate to recommend to the county and city to further complement the dam removal recommendations?

Should the IT recommend the County and City begin the permit process for lowering the impoundments with the existing power house structures?

Response: Yes because the liability risk of the dams will decrease and no because we should compile a removal plan and have an organizational structure in place before the removal process begins. (No action taken on this issue)

6:55-7:00 **Recommendation regarding the next steps of the process; decision item (Todd)**

The IT will recommend appropriate next steps in this project, consistent with the Settlement Agreement.

DECISION ITEM: The IT reached will-live-with agreement to continue their role in the Boardman Dams process consistent with the Settlement Agreement and with the potential approval of the County and City Boards. Dennis and Ben will portray the IT's willingness to continue its role to the County and City.

7:00-7:30 **Public Comment**

Bruce Carpenter: Is this going to be a dam breach or removal project? Answer by the IT: Dam removal.

Ron Alpers: Why is TCLP still involved? Answer by the IT: TCLP has 18 years of institutional knowledge regarding the operation and maintenance of the dams.

Steve Largent: Please remember to consider the larger watershed as part of the project area (including the stretch downstream of Brown Bridge Dam), and not just the dams.

Andy Knott: There is a Grand Traverse Bay Watershed Protection Plan in place that should be considered when removal plans are finalized.

Bruce: Photographed sediment transfer as a result of the Boardman Pond drawdown. Need to understand that a lot of sediment will be transferred, especially with the drawdown of Brown Bridge Pond. IT answer: there will be a sediment mitigation plan

Norb: SA 6.1.1 states the designation stipulation of the IT. States that the IT violated this section of the SA because TCLP has two voting people on the IT. Mark (TCLP) stated that he was only here to observe because he will be replacing Jim at the next IT meeting.

Norb: The IT has to finish the task of developing a comprehensive and succinct removal plan.

Ron: Are the draft BRDC reports finalized, and are they available? IT answer: Yes, you can pick-up a copy at the DNR office.

Ron: What is the status of the Boardman bottomlands issue? IT answer: Dennis is putting together a list of options for the board to consider.

Ron: Will there be a wetland assessment before the drawdown? IT answer: Yes

Michael Estes: I have not received any negative comments regarding the decision to remove the dams from Traverse City residents.