BOARDMAN RIVER

BROWNBRIDGE HYDROELECTRIC PROJECT (P-2978)
BOARDMAN HYDROELECTRIC PROJECT (P-2979)
SABIN HYDROELECTRIC PROJECT (P-2980)

A. SUMMARY

The licensee of the project decided that the project is not economically feasible for relicensing. Through a settlement of which HRC/MHRC was a part, the licensee decided to decommission the project, potentially opening the door for dam removal. For relicensing, Federal Energy Regulatory Commission (FERC) wanted licensee to install emergency spillways at Brown Bridge dam.

1. License Issued: Sep 24, 1984
2. Expiration: Aug 31, 2014
3. Waterway: Boardman River
4. Capacity: 2.2 MW
5. Licensee: Traverse City Light and Power (TCL&P)
6. Counties: Grand Traverse County, Michigan
7. Developments
   a. Brown Bridge dam, most upstream at river mile 18.5
      - Owned by the City
      - Powerhouse capacity of 0.725 MW
      - 46 ft by 2400 ft
      - Brown Bridge Pond – 151 sq. miles
   b. Boardman dam at river mile 6.1 (also called Keystone dam)
      - Owned by the County
      - Has powerhouse with capacity of 1 MW
      - 56 ft by 900 ft
      - Impounds Boardman Pond – 267 sq. miles
   c. Sabin dam at river mile 5.3
      - Owned by the County
      - Earthen and concrete dam with a powerhouse
      - Generates 0.5 MW
      - 32 ft by 921 ft
      - Impounds Sabin Pond – 269 sq. miles
   d. Union Street dam, most downstream at river mile 1.5
      - Not a hydropower generating dam, under MDEQ's jurisdiction
      - Composed of earthen materials and steel sheet pile
      - Has fish ladder
      - 10 ft by 200 ft
      - Impounds the natural Boardman lake – 259 acres

8. Settlement Agreement: May 16, 2005
9. Parties to Settlement Agreement:

- Michigan Department of Natural Resources (MI DNR)
- Michigan Department of Environmental Quality (MI DEQ)
- US Fish and Wildlife Service (FWS)
- Michigan Hydro Relicensing Coalition (MHRC)
- Grand Traverse County
- City of Traverse City
- Traverse City Light and Power Department (TCLPD)
- Grand Traverse Band of Ottawa and Chippewa Indians

B. RESOURCE ISSUES

Boardman River is one of the best trout streams in Michigan. Trout species such as Brook trout and rainbow trout and Salmon species such as Steelhead, coho and Chinook salmon can be found in the Boardman River.

C. HRC INVOLVEMENT/ACHIEVEMENTS SO FAR

HRC/MHRC worked with licensee and agencies to agree to a settlement that would decommission the project and open avenues for dam removal.

Restoration Plan for Boardman River prepared by US Army Corps of Engineers in 2006 recommended removal of Brown Bridge, Boardman and Sabin Dams and reconstruction of the existing fish ladder at Union Street Dam.

D. IMPORTANT PROVISIONS OF SA

1. *Surrender of License* [Reference: SA Section 3.1]
   The TCLP will apply for surrender of license with FERC for the three hydroelectric projects.

2. *Dam Removal Option* [Reference: SA Section 3.3]
   Studies will be conducted to study removal of Brownbridge, Boardman, and Sabin dams. Union Street dam removal may also be studied upon such a decision by the City. If removal is pursued, studies on erosion control, sediment mitigation, wildlife management etc will be studied.

3. Boardman River Dams Committee meets monthly to review progress. Meeting dates are posted at http://theboardman.org/events/

4. The Settlement Implementation Team meets annually to review activities for the previous year and make plans for future.

E. PROGRESS IN 2007-2009

A historic agreement between the MHRC, local, state, tribal and federal officials was signed in 2005 that is seen as the first step to potentially restoring the Boardman River in northwest Michigan to a free-flowing, natural state. The MHRC as a signatory to the Settlement Agreement serves on the Implementation Team along with MI DEQ, MI DNR, USFWS, Grand Traverse County, City of Traverse City, TCL&P, and Grand Traverse Band of Ottawa and Chippewa Indians.

At the center of the agreement is the license surrender, decommissioning and potential disposition of three hydroelectric projects, Sabin, Boardman, and Brown Bridge on the Boardman River in Grand Traverse County. Disposition of the lake control dam, Union Street Dam in Traverse City will also be addressed

TCL&P filed the Settlement and Surrender Application with FERC in September, 2005. FERC filed the notice of the Surrender Application on November 9, 2005. FERC issued an Order approving conditional surrender of license and exemptions and EA on March 17, 2006. TCL&P filed a plan and schedule for decommissioning with FERC which included the remedial requirements (17 foot drawdown at the Boardman Dam) by MI DEQ to take over supervision on the projects. In December, 2006, FERC approved the final surrender of the license and exemptions. The dams are now under the supervision of MI DEQ under the Michigan Dam Safety Act. The required drawdown of the Boardman Pond was completed in September, 2007.

The development of the engineering/feasibility study has begun. The Implementation Team has approved two work orders for the contractor, Environmental Consulting and Technology (ECT). The first work order addresses identification of issues associated with the Boardman Pond drawdown and the second work order deals with baseline economic and social analysis.

The Implementation Team and the Boardman River Dams Committee jointly meet monthly to review status of the engineering/feasibility studies and the reports of the Team Committees created to address specific issues. The public comment period is currently open for the three Engineering and Feasibility Study reports that are available. The reports are the Boardman River Fisheries Existing Data Report; Economic and Social Analysis of the Boardman River Dams, and A Summary of Terrestrial Habitats in the Boardman River Watershed. The reports can be viewed on the Boardman website at http:///theboardman.org/project.

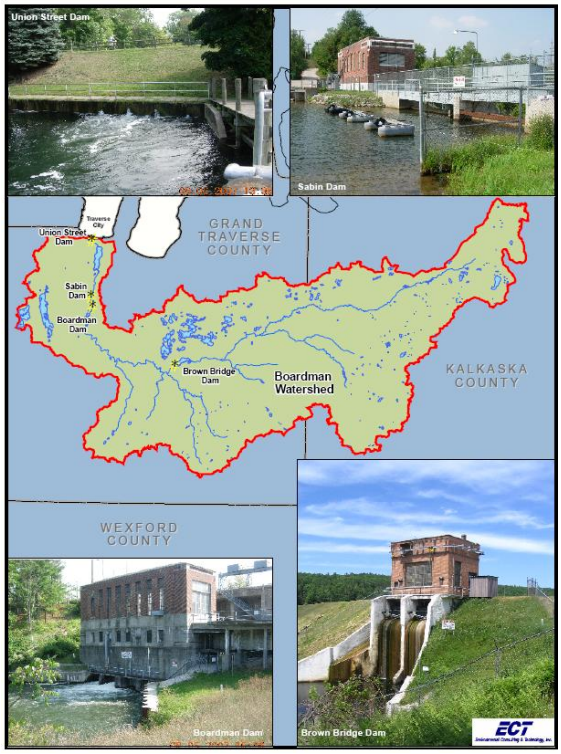
Current studies being developed are the Baseline river survey and sediment characterization and Proposed Approach to Evaluation of Dams Disposition Alternatives. Also ongoing is work by the Communications Team, Finance and Fund Development Team, and Bottomlands Management and Property Owners Issues Team.

Meetings in September, October and November, 2008 resulted in finalization of the Boardman River Feasibility Studies. Along with this the public survey was completed which gathered public input on the future disposition of the dams.

In December, 2008, the Implementation Team and Boardman River Committee made two recommendations to Traverse City and Grand Traverse County. The primary recommendation was to keep and modify Union Street Dam and remove Sabin, Boardman and Brownbridge Dams. A secondary recommendation was to explore reactivating hydro operations at the Sabin, Boardman and Brownbridge Dams.

In January, 2009, Traverse City and Grand Traverse County agreed with the recommendations of the Implementation Team and approved removal of the dams. Traverse City and Grand Traverse County are moving forward on their decision to remove three dams. The City and County have asked the Implementation Team to continue to be involved and oversee the dam removal process. The City and County have specifically asked the MHRC to continue to be involved and provide its legal and dam removal expertise to the process. The Implementation Team has hired the Conservation Resource Alliance to be the Project Manager. Meetings take place monthly in Traverse City with work plans and feasibility studies being developed to include fund raising.

F. MAP OF BOARDMAN RIVER BASIN


Union Street Dam
Sabin Dam
GRAND
TRAVERSE
COUNTY
Traverse City
Union Street Dam
Sabin Dam
Boardman Dam
Brown Bridge Dam
Boardman
Watershed
KALKASKA
COUNTY
WEXFORD
COUNTY
Boardman Dam
Brown Bridge Dam
ECT