

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30755
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

August 27, 2018

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Re: Motion to Intervene by the Michigan Department of Natural Resources on the Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Protests for the Sanford (FERC No. 2785), Edenville (FERC No. 10808), Smallwood (FERC No. 10810), and Secord (FERC No. 10809) Hydroelectric Projects on the Tittabawassee River, Michigan

Dear Ms. Bose:

The Michigan Department of Natural Resources has reviewed the Commission's notice regarding a temporary amendment to the licenses for the above-mentioned projects for the purposes of lowering the impoundments for a focused spillway assessment. Boyce Hydro Power, LLC (Boyce) proposes to lower the impoundments for the above-mentioned projects below the normal operating range during the period they will be conducting the inspection. By lowering impoundments below the operating range, significant portions of the littoral zone will be dewatered, and aquatic resources may be negatively affected. The Department is the state agency charged with managing and protecting the aquatic resources of the Tittabawassee River. As the agency charged with protecting these public trust resources, we respectfully request to intervene on this license amendment request process.

If you have any questions or need clarification, please feel free to contact me or Kyle Kruger, MDNR Fisheries Division at (989) 826-3211, extension 7073, krugerk@michigan.gov.

Sincerely,



Nathan A. Gambill
Assistant Attorney General
Environment, Natural Resources, and
Agriculture Division
(517) 373-7540
gambilln@michigan.gov

NG/amm

cc: Kyle Kruger, MDNR Fisheries Division