

# CLARK HILL

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September 20, 2018

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

**Re: Docket No. P-10808-058**  
**Letter of Michigan State Senator Jim Stamas**

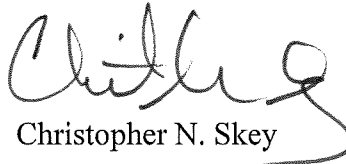
Dear Ms. Bose:

Attached for filing in Docket No. P-10808-058 is a letter from Michigan State Senator Jim Stamas.

A copy of this filing is being served via email to each person on the Service List in this Docket. Thank you.

Sincerely yours,

**CLARK HILL PLC**



Christopher N. Skey

cc: Service List Docket No. P-10808-058



MICHIGAN SENATE

**JIM STAMAS**

36TH DISTRICT

September 18, 2018

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

Dear Ms. Bose,

I am writing in support of Lake Association's and Gladwin County's Emergency Motion to Stay the license revocation order to maintain the status quo for a period of at least one hundred eighty (180) days. I have been monitoring the efforts taken by residents and community leaders in the 36<sup>th</sup> Michigan Senate District to find a long-term, sustainable solution to the operational, financial, and public safety issues at the Edenville Project, No. 10808 (Edenville Project). These efforts have been led by Sanford Lake Preservation Association, Sanford Lake Association, and Wixom Lake Association (Lake Associations), Midland and Gladwin counties, and other stakeholders. These efforts have involved numerous public and private meetings, negotiations, strategic planning sessions, technical assessments, document preparations, and substantial community input and commitment.

On September 10, 2018, the Federal Energy Regulatory Commission (Commission) issued an order revoking the license for the Edenville Project. This order requires the dam owner (Boyce Hydro Power, LLC) to permanently disable all power generating equipment by September 25, 2018. In response, the Lake Associations and Gladwin County have jointly filed an Emergency Motion to Stay the order. I support that Motion.

Although I certainly appreciate the serious nature of the issues addressed in the order, the timing of both the issuance of this order, and very short period of time for closing the Edenville Project electric generation plant and removal of federal jurisdiction, substantially disrupts good faith efforts undertaken by the Lake Associations, Gladwin and Midland Counties, and other stakeholders. To date these good faith efforts include:

- The formation of a Four Lakes Task Force to develop a long-term technical and financial strategy for operating and maintaining the dams;
- Holding numerous discussions with the Gladwin and Midland County Commissioners and other policymakers regarding long-term solutions; conferring with representatives of Michigan's Department of Natural Resources and Department of Environmental Quality regarding the status and planning associating with the dams and the lakes;
- Securing \$200,000 in private funding to advance the efforts of the Lake Associations and the Four Lakes Task Force;
- Retaining legal, financial, and engineering experts to assist with the efforts of the Lake Associations and the Four Lakes Task Force; and
- Working cooperatively with Boyce Hydro Power, LLC and local engineers to obtain an inspection report with cost and timing estimates required for the dams associated with the Edenville Project and other dams.

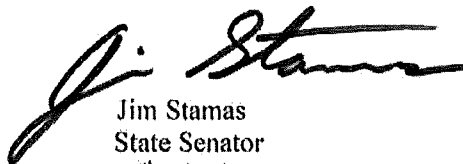
STATE CAPITOL P.O. BOX 30036 LANSING, MI 48909-7536

Wixom Lake, Sanford Lake, Secord Lake, and Smallwood Lake are impoundments created by the hydroelectric dams and are dependent on the coordinated operation of the dams to regulate the respective water levels within the lakes. Maintaining a predictable water level on all four lakes affects over 6000 homeowners and is vital to the economies, recreation, and environment within Midland and Gladwin counties. I believe the Lake Associations in conjunction with the Counties, represent the best chance for a long-term, viable solution to address issues at the Edenville Project while serving the best interests of the surrounding community. All these efforts take time, and are in the public interest.

Accordingly, I am writing in support of Lake Association's and Gladwin County's Emergency Motion to Stay the license revocation order to maintain the status quo for a period of at least one hundred eighty (180) days. This additional time would allow the Commission sufficient time to conduct currently-scheduled public safety inspections in a coordinated fashion with the State of Michigan's Department of Environmental Quality and to continue the community's efforts to achieve a long-term solution to remedy the Edenville Project's problems; and, the coordination of the operation of the other dams on the Tittabawassee River that are under the Commission's jurisdiction in a manner that will ultimately serve the best interests of the community and its residents.

Thank you for your attention to this important matter. If you have any questions, please do not hesitate to contact me at 517.373.7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Stamas". The signature is fluid and cursive, with a large initial "J" and "S".

Jim Stamas  
State Senator  
36<sup>th</sup> District

JS/kw

Document Content(s)

Letter from Sen. Stamas.PDF.....1-3