

November Meeting Summary for Prosperity Group

November 12, 2024 | 9:00 a.m.–12:00 p.m.

Allegan County Community Services Building
3255 122nd Ave.
Allegan, MI 49010

Attendees (Organizations Represented)

- Allegan Area Chamber of Commerce
- Allegan Conservation District
- Allegan County Administration
- City of Allegan
- Consumers Energy
- Great Lakes Fishery Commission
- Kalamazoo River Watershed Council
- Lake Allegan Association
- ODC Network (facilitator)
- Public Sector Consultants (facilitator)
- Valley Township

Welcome and Overview

An overview of the agenda was given by ODC Network and introductions were made around the room.

Update from Consumers Energy

Angela Thompkins, Chief Diversity Officer and Vice President of Community Affairs at Consumers Energy, thanked group members for their participation in the group and answered questions concerning U.S. Department of Energy loans to Consumers. She clarified the loans are for planned projects on the northern rivers; the loans will not affect Calkins Dam. Future steps with the loans and related commitments are unclear with the next administration coming into office in Washington. Angela also answered questions about the timing for Consumers’ decisions about the dams. Consumers is still planning on a decision around the end of the first quarter of 2025. There are a handful of potential viable buyers. In the event of a sale, she explained Consumers Energy will maintain the dam while the sale is pending and any grants and loans for that purpose will be expended. A decision on a dam sale could take up to four years to finalize due to the approvals process.

Planning for Prosperity in River Hydro Communities

Kalamazoo River Calkins Bridge Group

Consumers Energy is developing a communications plan they will enact once decisions are made about the dams. Angela shared this is the last meeting for the year, but not the last of these meetings. The conveners and the group members will be involved in the announcement before it is released to the broader public.

Lake Allegan Association stated that they will be asking for a recreation plan from the owner of Calkins Dam once a decision is made. There is work to do with invasive species control and management. They are working to keep their lake, and feel it is worth saving.

Angela stressed this is a difficult decision for Consumers to make and they will rely heavily on PSC's report in that decision making. Community concerns of safety and longevity have been raised by Consumers and discussed with potential buyers. She thanked the group members for their contributions this year.

Priorities for Community Prosperity

Activity: Review Community Assets and Priorities

The group gave feedback and edits on the top priorities for the three scenarios. The **bold parts** of the following tables were the new additions to the Community Assets and Priorities document the group has been working through for the past couple of meetings. These charts are still under review from the community partners and will be finalized and sent out to the group by the end of the year.

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Scenario One: The Hydro Facility Remains and Consumers Energy Retains Ownership

PRIORITY

Improve upon water and habitat quality within Lake Allegan to control invasive species and sediment contamination

List the group's prioritized key actions to advance each asset/opportunity (three to five)	Briefly describe what is needed to move each key action forward, including main actors and the role that the group identified for Consumers Energy to play, if any
1 Coordinate with EPA on long-term sediment cleanup and remediation	<ul style="list-style-type: none"> • Consumers involvement in Superfund remediation • Data sharing from Kalamazoo Watershed Management Plan – Kalamazoo River Watershed Council & CAG
2 Work to control and remove invasive aquatic plants	<ul style="list-style-type: none"> • Take meaningful steps to implement an invasive species control and management plan following Consumers invasive species study for 2024 • Report the results of that 2024 study and tell the community specifically what Consumers will do to implement that plan • Michigan Clean Water Corps members will be reporting on invasives and water quality of Lake Allegan • Identify other partners to implement
3 Further implement practices to reduce nutrient and sediment loading into the lake	<ul style="list-style-type: none"> • Consumers should be part of the TMDL working group
4 Create conditions for a healthier fish community including implementation of effective fish passage	<ul style="list-style-type: none"> • Carp Derby 2025 – ODC, ACD, Lake Allegan • Feasibility study of improving fish ladder that also prevents sea lamprey migration

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	List the group's prioritized key actions to advance each asset/opportunity (three to five)	Briefly describe what is needed to move each key action forward, including main actors and the role that the group identified for Consumers Energy to play, if any
<p>Ensure property values continue to hold or increase their value</p>	<ol style="list-style-type: none"> 1 Continue to maintain dam with sufficient funding for safety 2 Seek to maintain character of lake area 3 Develop long-term succession plan to maintain an impoundment 	<ul style="list-style-type: none"> • Recreational Plan for Lake Allegan • Commercial Development Plan • Invasive Species Management Plan • Allegan County Parks and Rec • Master and Recreation Plans across Townships/Communities are in agreement • Consumers commits to including conversion of the dam to a non-hydro structure, including funding that conversion, in any future delicensing decision or plan
<p>Continue to improve recreational tourism assets and maintain shoreline access to maximize benefits for Lake Allegan and residents of the area</p>	<ol style="list-style-type: none"> 1 Improve and update existing access points and recreational assets 2 Work with Allegan County Parks and DNR to identify additional opportunities for park space 3 Identify and develop additional access points 4 Collaborate with local/county agencies to promote Lake Allegan to broader public 	<ul style="list-style-type: none"> • Use Allegan County's New Richmond Park as a model • Marketing Plan – support from Consumers • Allegan County Economic Development Commission • Allegan Area Chamber of Commerce

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Manage power generation through renovations to the powerhouse	<ol style="list-style-type: none"> 1 Ensure dam operates effectively with nearby recreational uses 2 Ensure clear local understanding of property rights and easements 3 Determine projects and improvements that may qualify for grant funding 4 Establish recurring meetings between Consumers and local partners 	<ul style="list-style-type: none"> • Document and communicate property ownership, tax information, and use with Lake Allegan community
Develop a strategic community plan that brings municipalities together to build a well-connected lake community	<ol style="list-style-type: none"> 1 Develop area-specific section of Kalamazoo River Greenway plan 2 Connect relevant elements of Valley Township, City of Allegan, and Allegan County recreation and master plans 	<ul style="list-style-type: none"> • Improve ability to portage canoes and kayaks from Lake Allegan to the river launch area below the dam • Include potential canoe livery operators • Include DNR to incorporate their facilities in the broader plan

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Scenario Two: The Hydro Facility Remains and a New Party Takes Ownership

PRIORITY

	List the group's prioritized key actions to advance each asset/opportunity (three to five)	Briefly describe what is needed to move each key action forward, including main actors and the role that the group identified for Consumers Energy to play, if any
<p>Acquirer is committed to the operation and function of the dam as an impoundment, not for other uses</p>	<ol style="list-style-type: none"> 1 Transfer land licenses and leases from Consumers to the new owner (Allegan County, e.g.) 2 Require new owners to extend current licenses and leases through the next relicensing period 3 Work to gain the necessary first right of refusals to work through acquisition for a nominal price. Ensure that the lake and dam come back to the public at the end of the acquiror's use for power generation 	<ul style="list-style-type: none"> • Part of sale agreement, negotiation between Consumers and new buyer • Get the community involved early in the negotiation process • Have Consumers negotiate this as part of the sale • County Board • Townships • City of Allegan • Allow local partners the opportunity to review transaction documentation and ensure an understanding that these are public assets
<p>Define and acquire financial assets to secure the impoundment and fund other remediation efforts in Lake Allegan</p>	<ol style="list-style-type: none"> 1 Implement a bond or other surety for the new owner's responsibility for safe operation and eventual removal conversion of the dam to a non-hydro structure 2 Delineate the responsibilities of the new owner 	<ul style="list-style-type: none"> • Requirement of sale agreement • Includes fish passage/lamprey exclusion upgrade • CE create a public-facing document summarizing responsibilities (on the front end)

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	3 Build funding for dam maintenance and upgrades into the power purchase agreement 4 Require a MOU/MOA with new owner for continued access and communication around the dam	<ul style="list-style-type: none"> Requirement of sale agreement Ensure long-term recreational usage of Lake Allegan GLFC
<p>Implement a substantial remediation effort that prioritizes sediment management plan, invasive species management plan, and long-term habitat quality and aesthetics</p>	1 Coordinate with EPA on long-term sediment cleanup and remediation 2 Work to control and remove invasive aquatic plants	<ul style="list-style-type: none"> Consumers and new owner involvement in Superfund remediation Data sharing from Kalamazoo Watershed Management Plan – Kalamazoo River Watershed Council & CAG Take meaningful steps to implement an invasive species control and management plan following Consumers invasive species study for 2024 Report the results of that 2024 study and tell the community specifically what Consumers will do to implement that plan Michigan Clean Water Corps members will be reporting on invasives and water quality of Lake Allegan Identify other partners to implement

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	3 Further implement practices to reduce nutrient and sediment loading into the lake 4 Create conditions for a healthier fish community including implementation of effective fish passage	<ul style="list-style-type: none"> Consumers and new owner should be part of the TMDL working group Carp Derby 2025 – ODC, ACD, Lake Allegan Feasibility study of improving fish ladder that also prevents sea lamprey migration
<p>Transition plan is created for Lake Allegan through the relicensing of the impoundment that is managed by the County or State</p>	1 Funding sources are identified and included in the plan 2 3 4 5	<ul style="list-style-type: none"> Consumers creates a trust fund now, intended to support costs of the eventual transition to public ownership Include Georgia Pacific in planning
<p>Create a recreational plan for long-term changes to the Kalamazoo River that is centered around walkability and a partnership with Allegan Parks and Rec</p>	1 Develop area-specific section of Kalamazoo River Greenway plan 2 Connect relevant elements of Valley Township, City of Allegan, and Allegan County recreation and master plans 3 4	<ul style="list-style-type: none"> Improve ability to portage canoes and kayaks from Lake Allegan to the river launch area below the dam Include potential canoe livery operators Include DNR to incorporate their facilities in the broader plan

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	5	

Scenario Three: The Hydro Facility Is Decommissioned and the River Is Free Flowing

	List the group's prioritized key actions to advance each asset/opportunity (three to five)	Briefly describe what is needed to move each key action forward, including main actors and the role that the group identified for Consumers Energy to play, if any
<p>PRIORITY</p> <p>Implement a substantial remediation effort that prioritizes sediment management plan, and long-term habitat quality and aesthetics</p>	<ol style="list-style-type: none"> 1 Engage with EPA around their long-term PCB cleanup efforts 2 Ensure community involvement in and communicate results of feasibility study to understand the impact of removal 3 Compensate local property owners for lost value through the transition period 	<ul style="list-style-type: none"> • Have public meetings, keep prosperity group; include artistic renderings of river restoration and community post-removal; consider creative uses for existing infrastructure • Lake Allegan Association • CE create a community fund • Community Transition Plan for Businesses
<p>Maintain property values and land management through enhancement of a flowing river-based economy</p>	<ol style="list-style-type: none"> 1 Compensate lakefront owners for loss of property value 	<ul style="list-style-type: none"> • Study to determine property value pre- and post-; develop community fund; compensate for removal of permanent structures along the lake

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	List the group's prioritized key actions to advance each asset/opportunity (three to five)	Briefly describe what is needed to move each key action forward, including main actors and the role that the group identified for Consumers Energy to play, if any
	2 Keep the land public, undeveloped, and developed only for public recreational use	<ul style="list-style-type: none"> Meet with local and state officials to figure out how to transition land
<p>Increase and promote safe access opportunities for paddle sports, fishing, and other recreational access</p>	<p>1 Ensure that those who have access to the river system now still have it after removal</p> <p>2 Create additional access points</p> <p>3 Investment in proactive management of wetland (ex. Conservation easement, Greenway plan)</p>	<ul style="list-style-type: none"> Offer portions of bottomlands to owners for access, determine how to offset initial cost and tax increases Explore wetland mitigation bank Proactively restore floodplain areas at risk of takeover by non-native species
<p>Prioritize improving water resource management of groundwater and surface waters</p>	<p>1 Mitigate the effect of removal on wells by funding wells or other water infrastructure</p> <p>2 Ensure river following cleanup will connect well ecologically with rest of river</p>	<ul style="list-style-type: none"> Inventory wells, conduct study, create mitigation fund
<p>Create a recreational plan for long-term changes to the Kalamazoo River that is centered around walkability and a partnership with Allegan Parks and Rec</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p>	

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There was broad consensus in the group to maintain an impoundment especially among local representatives. However, some members are concerned about long-term viability and lifespan of the dam with some feeling the dam will need to be removed at a future point in time. The Superfund status of the river and the future cleanup activities that will likely be required complicates the scenarios. Regardless, there is desire in the group to have Consumers be a part of funding the future transition and transparency of what maintenance costs would look like for maintaining the structure.

Next Steps

ODC Network facilitators thanked the group members for their participation in the prosperity meetings. Consumers Energy is working to develop a plan to ensure that the prosperity groups are informed of the decisions about the river hydros before the broader public, and to inform all communities at the same time. Once decisions are made, the group will reconvene to determine a way forward.



Dan Callam <danc@outdoordiscovery.org>

Calkins Dam Meeting #3

Jonathan Burns <JBurns@house.mi.gov>

Sat, Aug 24, 2024 at 6:26 PM

To: "danc@outdoordiscovery.org" <danc@outdoordiscovery.org>, "david@outdoordiscovery.org" <david@outdoordiscovery.org>, Jonathan Burns <JBurns@house.mi.gov>, "Rep. Rachelle Smit (District 43)" <RachelleSmit@house.mi.gov>

Mr. Nyitray and Mr. Callam:

Rep. Smit appreciates the work that you are doing with the Calkins Dam Prosperity Group. We were contacted by our constituent Ken Yonker, who brought to our attention a number of issues that he thought were worthy of exploration at the next meeting on 8/28. Please see below. Upon review of his points, Rep. Smit believes these are all good questions / points and hopes that Prosperity Group will offer some time to talk them through if time permits.

Thank you!

John Burns

Questions/ Issues:

Can All members agree on:

1) the path of Allegan 120th road. What, if any, parts have been abandoned, What is the roads position in the area of the Allegan Dam. What other road segments have been added and where are they. Are they properly recorded?

2) What is the point of (end of) navigability of the Kalamazoo River.? the USACE states it is the Allegan CITY DAM (downtown Allegan). T2N R13W, LAT. 42.52478 LONG. -85.84585. This being the case the waters to downtown Allegan are U.S. Section 10 water under section 10 rules and also under section 404 of the Clean Waters Act, both enforced by the USACE.

3) What is the OHWM (ordinary high-water mark) at the Calkin Dam. It was first reported at 595 feet above sea level and now the USACE would like all to recognize the new level at higher OHWM since the river is creating this new level by its own flow. Can all agree on the new OHWM the USACE uses?

4) Is there agreement that the large steel wall immediately below the hydro dam on the east shore was built AFTER the hydro dam construction? Historian John Pahl states he saw it built in 1937.

5) Is there agreement that the land involved in the Lower Kalamazoo River natural river's Act begins downriver of the now Yonker and Elans properties? Valley Township when administrators of the program stated the properties upriver from the Elam property are exemptions in the program.

6) Is there agreement and support of the Michigan law that states for inland waters, the water bottom landowner and the river's adjacent shoreline owner must be the same, they cannot be separated. This being the case the river bottomlands immediately below the dam having CE as the owner must also have CE as the shoreline owner.

7) The land/buildings at the west end of Lake Allegan was an establishment of the RA program of the U.S. government and not a CCC established organization. Knowing and agreeing to this opens up all the U.S. documents for the Allegan RA program. Will the Allegan RA documents be acknowledged as fact?

8) the DNR obtained many acres of land around the Calkin Dam (1982) from Consumer's Energy via the Dingell-Johnson Act. Do all agree this event happened and the principles of the act should be followed?

9) Is there agreement that river construction must be accompanied by proper permitting. General permits, individual permits, after the fact permitting, and joint permits must be understood and used properly.

All best,

John



John Burns

Legislative Director

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Michigan House District 43

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From: Dan Callam <danc@outdoordiscovery.org>

Sent: Wednesday, August 21, 2024 4:37:38 PM

To: amanda.cooper@lakeshoreadvantage.com <amanda.cooper@lakeshoreadvantage.com>; ben.mcleod@mail.house.gov <ben.mcleod@mail.house.gov>; Brian Talsma <brian.talsma@macd.org>; cdoeringer@gmail.com <cdoeringer@gmail.com>; coco@lakeallegan.org <coco@lakeallegan.org>; Theresa Curtin <curtin.mehne@gmail.com>; Diana, Matthew (DNR) <dianam@michigan.gov>; director@alleganchamber.com <director@alleganchamber.com>; Dan Wedge <dwedge@allegancounty.org>; Kenny Kornheiser <ftwrc@aol.com>; Joel Dye <jdye@cityofallegan.org>; Kelly Goward <kelly@outdoordiscovery.org>; Doug McLaughlin <krwc@kalamazooriver.org>; loisheuchert269@gmail.com <loisheuchert269@gmail.com>; lwalter@glfc.org <lwalter@glfc.org>; mikebender4@gmail.com <mikebender4@gmail.com>; Michael Krcatovich <mkrcatovich55@gmail.com>; Poppe, Don (DNR) <popped@michigan.gov>; Rep. Rachele Smit (District 43) <RacheleSmit@house.mi.gov>; Russell, Diane <russell.diane@epa.gov>; sbeltman@allegancounty.org <sbeltman@allegancounty.org>; supervisor@allegantownship.org <supervisor@allegantownship.org>; agropraxisfarm@gmail.com <agropraxisfarm@gmail.com>

Cc: angela.thompkins@cmsenergy.com <angela.thompkins@cmsenergy.com>; David Nyitray <david@outdoordiscovery.org>; Derek A. Nofz <derek.nofz@cmsenergy.com>; Maya Klanderman <maya@outdoordiscovery.org>; Maggie Pallone <mpallone@publicsectorconsultants.com>

Subject: Calkins Dam Meeting #3

Hello everyone,

[Quoted text hidden]

5 attachments



Calkins Dam Condensed Meeting Notes - June.pdf

114K



Consumers Meeting.pdf

3096K



June 24 Slides.pdf

697K



Agenda mtg 3_Kalamazoo River Calkins Bridge Group.pdf

98K



Updated Scenario Planning Table Calkins Bridge.docx

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