

MEMORANDUM

DATE:	February 18, 2017
FROM:	William Elzinga and Sandra Sroonian
SUBJECT:	Lyons Dam Removal NEPA EA Public Scoping Meeting Summary
TO:	Amec Foster Wheeler Project File Number: 33933161661

Title: Lyons Dam Removal Environmental Assessment (EA) Public Scoping Meeting Summary - February 3, 2016

Purpose and Content:

A public scoping meeting was held on February 3, 2016 at the Lyons Township Fire station located at 212 Water Street in Lyons, Michigan from 6:00 PM to 8:00 PM to solicit public input regarding the proposed removal of Lyons Dam that includes proposed river restoration activities. The meeting was held in an open house format and included the distribution of two handouts both labeled “Lyons Dam Removal and Grand River Restoration Project” and a comment form to all attendees. The handouts used to communicate project information included the following two attached 8.5- by 11-inch handouts and a PowerPoint Presentation as follows:

- Hand Out: Lyons Dam Removal and Grand River Restoration Project. Included selected exhibits of proposed action as presented in the Joint Permit Application prepared by E.S. Very, Ph.D., Hydrologist:
 - Proposed Access Roads and Project Storage/Re-fueling Areas
 - Lyons Dam Removal
 - East Channel Removal and Reconstruction
 - Grand River Bank Protection
- Hand Out: Aerial Map of the project area noting location of the dam, fish ladder, east channel and other pertinent features.
- PowerPoint Presentation: “*Lyons Dam Removal Project*” prepared by USFWS.

The primary speaker during the meeting was Rick Westerhof from the USFWS supported by both William Elzinga and Sandra Sroonian from Amec Foster Wheeler Environment and Infrastructure, Inc. (Amec Foster Wheeler).

Results:

A total of more than 80 individuals attended the meeting from the general public or other interested parties. However, a total of 48 individuals signed. Supporting personnel included representatives from the USFWS, Michigan Department of Natural Resources, the Ionia Conservation District, the Village of Lyons, Central Michigan University, and Amec Foster

Wheeler Environment & Infrastructure, Inc. (Amec Foster Wheeler). A total of 16 individuals or organizations provided written comments either at the meeting or subsequently via email or mail. Content of the comments are summarized below:

Attendees provided a range of comments and input at the public meeting. Verbal comments received during open discussion consisted of several positive comments in support of dam removal and a larger number of negative comments. All attendees were encouraged to provide written comments that could be reviewed by the study team as part of the scoping process.

Summary findings of the public comments received at the meeting by general topic and subject matter are as follows:

Effectiveness in addressing elements of the Purpose and Need (fish passage, dam safety/liability, erosion control)

1. Removal of dam is positive, and will return the river to a free flowing river.
2. Dam and associated structures are a safety hazard and impacting erosion on the west bank, downstream of the dam.
3. It needs to be made safe.
4. The erosion control on the west side ONLY!
5. Fish ladder is a safety hazard, especially for young children in the area.
6. Fix the dam, even if you have to take off a layer.
7. We need to fix, not remove the dam.
8. I believe that erosion needs attention and the present dam needs repair, not removal. Someone write a grant for repair of the dam and include erosion control.
9. Liability? Who says it is a problem, review pros and cons of the use of the fish ladder and pond.
10. Control erosion areas.
11. Is the control and change of this area going to positively affect other areas?
12. Control problem areas, fix problem areas.
13. Consider what is the backup plan if the proposal fails and/or causes more problems? Any requires more money??

Alternatives

1. Out of two proposals why not have one to repair? Keep what is good, fix what is unsafe. Is the proposal for the good of the people, the nature, future changes to the land? Please take in consideration the following:
2. Money for removal should be spent on repairing the dam (e.g., west side of the dam and holes in the middle).
3. A show of hands at the meeting there were more people for keeping the dam than having it removed.
4. Don't feel as if this is much of a poll for approval of "proposed" action, as much as it is going to be done regardless and as a courtesy that we are letting you know
5. Don't remove the dam.
6. Is there a government-funded choice to upgrade and change something that doesn't required action due to no liability and nothing wrong with it? Don't feel the need to change something if it doesn't have a problem.

Fish and Wildlife

1. Removal of dam will lower the water level in the river, which will have a negative impact on fish population, which will have an impact on the wildlife (Bald Eagle and Osprey) and ability to access Wager and Webber Dams with their boats. Hard to get up river with a motor boat.
2. Dam removal will harm current wildlife habitat.
3. This is affecting more than JUST the Village! Removing the dam, lowering the water level, changing the appearance, effects on the land and habitat upstream.
4. Eagles that rest on the river will be negatively impacted. Eagles are protected correct?

Recreational Use/Aesthetics

1. I think that it will make the fishing a little better.
5. This is affecting more than JUST the Village! Removing the dam, lowering the water level, changing the appearance.
6. Don't remove the dam since the Lyons Dam area is a beautiful and wonderful place to go, part of the community for years, and should remain.
7. Dam removal will result in decreasing miles of river currently available to be fished.
8. Removal of the dam will narrow the river ruining fishing and boating both upstream and downstream of the dam.
9. Dam removal will limit access to the river.
10. Dam removal will not allow the use of pontoons/boats on their riverfront property.
11. We will have a boat launch for no reason?
12. Out of towners frequent the bridge to fish. What small part of stimulation for the local economy will be gone?
13. Dam removal will destroy aesthetics of their property and access to the river (i.e., boating, fishing and swimming); changing the lands waterway where they camp, fish, swim and boat.
14. Dam removal will not allow accessibility to the river for their children to fish from their home.
15. Everything, you are going to make boating, fishing and living on our river bank a mess.
16. Proposed plan will impact water levels, fishing, boating, and general living on the river above the dam will crawl to a halt.
17. Fishing will be non-existent.

Personal Property

1. Dam removal will decrease property values, altering real estate/property boundaries, and remove the river entirely in front of some back yards.
2. Dam removal will reduce property value.
3. Property value, recreation and erosion.
4. People have been coming for years to just see the dam.
5. What boat launch? (useless).
6. No one with river front property wants it.

Water Levels/Hydrology

1. How much is the water going to be lowered?
2. Dam removal will have a large impact on river flow.
3. Water level is going to drop.

General Comments

1. None, was not convinced it is the right thing to do.
2. Don't like any aspects of the proposed plan for dam removal.

3. You already made up your mind to remove it.
4. That there is hope that the federal government will use the money elsewhere.
5. No personal likes, only concerns.
6. I don't like that the Village of Lyons made this decision.
7. What is going to be done? Don't believe that the people's opinions and wants are going to have much weight.
8. Leave the dam alone, being fiscally responsible is important.
9. The school's name is Twin Rivers, not stream
10. The river is part of the town's heritage.
11. Time and money put into the Green ViewPoint, another waste of money, it won't be as scenic.
12. Will have to change the name of Islandfest.
13. Village wants this not the residents' council.
14. Have you heard of McKensy Construction, I know they got the job already?

Additional verbal comments:

1. Question whether or not water level in raceway channel would remain or whether this would dry up
2. Question regarding potential contaminated sediments upstream of dam that would be exposed by dewatering. Would contaminated sediments have to be remediated by property owners?
3. Question regarding direct access of landowner to water where wood root wad structures are proposed. These would impair access.
4. Question as to what would be done to address potential safety issues associated with old powerhouse once dam is removed and water levels are reduced.

Comments



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 16 2016

REPLY TO THE ATTENTION OF:

E-19J

Rick Westerhof
U.S. Fish and Wildlife Service
Midwest Region Office Fisheries
6644 Turner Road
Elmira, Michigan 49730

RE: Scoping – Preparation of an Environmental Assessment for the proposed removal of the existing Lyons Dam on the Grand River; Village of Lyons, Ionia County, Michigan

Dear Mr. Westerhof:

The U.S. Environmental Protection Agency (EPA) has recently learned of the U.S. Fish and Wildlife Service's (USFWS) proposal to prepare an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA) for the proposed removal of the existing Lyons Dam located on the Grand River in Lyons, Michigan. The Ionia Conservation District has agreed to serve as the non-Federal cost-sharing sponsor. EPA has reviewed early project information provided by USFWS on the proposed project, as well as bid documents and other project specifications on the Ionia Conservation District's website. This letter provides EPA's scoping comments, pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The proposed project site is located in the vicinity of the Lyons Dam, which is located on the Grand River in Lyons, Michigan, immediately upstream of the Hazel Devore Island Park. Lyons Dam was constructed in 1857, and has been rebuilt at least five times between its initial construction and the 1930s. Being more than 50 years old, the dam is eligible for listing on the National Register of Historic Places. The dam's current dimensions are 8 feet wide by 13 feet tall by 275 feet long.

The project was initiated because of failure of the downstream face of concrete on the Lyons Dam and also because of massive erosion along the west end of the dam, which is threatening property. In addition to impeding fish migration within the river, the existing dam currently impedes movement of the important native mussel populations within the Grand River and the Lake Michigan watershed, as larval glochidia attach to migrating fish.

Information presented by USFWS at a public meeting held February 3, 2016, included discussion of proposed activities at the project location, which include the removal of Lyons Dam and closure of its fish ladder; filling of the existing raceway pond located east of the dam; large-scale riverbank and in-river erosion control measures to be installed both upstream and downstream of the dam; removal of a second, smaller dam in the “east channel” downstream of Lyons Dam; bank stabilization along the Hazel Devore Island Park; and construction of associated access roads and staging areas for project implementation.

Removal of the dam is expected to drop the upstream river pool elevation by at least two feet, and drops of 4-5 feet are expected in the summertime. Bid documents reviewed by EPA indicate that approximately 220 acres of the Grand River, its banks, islands, and upstream wetlands, will be impacted by the proposed project. The total impacted area extends nearly three miles upstream from Lyons Dam.

To help USFWS prepare going forward, EPA would like to emphasize the role and importance of the statement of purpose and need that will be required in forthcoming NEPA documentation for this project. The purpose and need statement should be specific enough that the range of alternatives can be evaluated in terms of how well they address purpose and need, but not so narrow that they pre-select a single alternative. Furthermore, a project’s purpose and need must justify the impacts associated with a Proposed Project. EPA is aware that specific construction plans have been drawn up and that specific project elements have been put out for bid; this occurred before the NEPA process was conducted. At this point, USFWS appears to have skipped the important step of developing a range of alternatives (including a No Build alternative) to meet a specific project purpose and need. All reasonable alternatives should be identified and studied, regardless of whether or not they are within the jurisdiction of the lead Federal agency.

Based on the limited information provided, EPA offers the following comments for consideration when preparing the EA for the proposed project.

PURPOSE AND NEED / PROJECT ALTERNATIVES

EPA recommends that the forthcoming EA identify and substantiate the purpose and need for the proposed project as well as the preferred alternative. The project purpose and the project need statements for the proposed action should be clear and concise for reviewers of the EA. After underlying problems have been identified and substantiated, the alternatives identified to solve the underlying problems should then be identified and explained. The no-action alternative and all action alternatives that would satisfy the substantiated purpose and need should be fully assessed in the EA. The EA should identify any alternatives considered but dismissed from further consideration (if applicable), and should provide elimination criteria and clear explanations for their early elimination.

PROJECT DESIGN¹:

On March 9, 2016, USFWS informed EPA that significant modifications to the project have been proposed to the project design that was put out for bid in January 2016. Once the NEPA process has been completed and a preferred alternative selected, that alternative will need to be reflected in updated project plans. That preferred alternative will also require modification of existing permits, particularly the Michigan Department of Environmental Quality (MDEQ) permit that has already been issued. EPA recommends that the forthcoming EA discuss the following:

- The EA should document how long the current dam has been in place, information on location and type of prior (legacy) dams, the type of existing dam and its current condition, and the material of which it is constructed.
- Project design may include full or partial removal of impounded materials. If the project site will require dredging, the analyses should discuss USFWS's plan for disposal of any contaminated or uncontaminated sediments. Sediment analyses should state clearly whether or not sediment behind the dam is suitable for beneficial re-use (i.e., land application, brownfield restoration, upland fill, landfill cover, etc.). Information on the placement locations for all dredged sediment should be included in the EA.
- Mitigation of deleterious impacts resulting from the remobilization of previously-impounded sediments may be required. Potential remedial measures may include full or partial removal of impounded materials, staged removal of a dam to control sediment remobilization, and/or stabilizing sediment exposed through dam removal. Based on sediment testing, EPA assumes that sediment analyses will inform how USFWS plans to deal with contaminated sediment (if present at the project site), in addition to removal of inert sediment.
- The EA should include a discussion of sediment dispersion or removal. EPA generally does not support flushing of dam sediments downstream. Depending on the volume and composition of the sediment, spatially-uniform remobilization of sediment may occur as the river channel gradually reestablishes itself through the formerly impounded area. If the volume of sediment is sufficient, however, removal of the dam may not immediately restore the upstream hydraulic gradient. In this case, remobilization of sediments may occur through head-cutting, with the cut progressing upstream. The period of time required for a head cut to reach equilibrium is determined by several factors including, but not limited to, sediment composition, channel-forming flow events, high-flow events, physical characteristics of the channel (e.g., ledge), presence of infrastructure (e.g., pipeline), and whether river channel aggradation has occurred upstream of the impoundment².
- The EA should discuss expected effects of dam removal (both positive and negative) on water quality in the Grand River. Specifically, the EA should discuss how the project will contribute to the overall water quality of the river.
- The EA should provide a wetland delineation and robust analysis of wetland impacts associated with all project alternatives. Wetlands appear to be present adjacent to and in the vicinity of the Lyons Dam. Project design and the alternatives analysis should incorporate a wetland delineation to ensure wetlands in the project vicinity are located and that wetland impacts are avoided, unavoidable impacts are minimized, and mitigation is provided for unavoidable, minimized impacts (as per the Clean Water Act Section 404(b)(1) guidelines).
- The EA should discuss the potential for erosion due to project implementation. In particular, the EA should discuss if or how dam removal will increase the possibility of bank scour or

¹ EPA Comment: some of these topics are discussed in more detail in subsequent sections of this letter.

² [http://onlinepubs.trb.org/onlinepubs/archive/NotesDocs/25-25\(14\)_FR.pdf](http://onlinepubs.trb.org/onlinepubs/archive/NotesDocs/25-25(14)_FR.pdf)

in-stream erosion. The EA should also discuss, for each alternative, whether bank erosion control or in-stream grade control measures are proposed or necessary, and if yes, where are they proposed and how were they designed.

- The EA should provide information pertaining to construction access and how work will be done (i.e., construction staging from the river bank vs. in-stream river work). If cofferdams or other temporary dewatering measures are proposed, those measures, their impacts, and the lengths of time they will be installed, should be discussed.
- The EA should describe information on proposed construction sequencing, including the proposed timeline for this project and the specific proposed steps to accomplish the project.
- A discussion of how USFWS plans to deal with non-sediment components if the dam and appurtenant structures are removed, including a discussion on where materials from concrete caps, paved roads, and abutments will be disposed.
- The EA should include a determination as to whether a legacy dam exists and whether the removal of a legacy dam will need to be incorporated into any of the action alternatives that propose removal of the Lyons Dam. When a new dam is constructed in the same or close location to an original dam (as Lyons Dam was reconstructed multiple times), it was historically common to submerge or built to submerge the older dam (or its remnants). A submerged older dam is referred to as a legacy dam. The need for removal of an upstream legacy dam as part of a downstream dam removal project is fairly common in the field of dam removal.

CUMULATIVE IMPACTS

When analyzing the proposed project and alternatives, USFWS must consider actions that result as a direct or indirect consequence - that is, connected, similar, and cumulative actions³.

Specifically, this would include indirect impacts to upstream wetlands. These actions should be incorporated into the description of the proposal (and alternatives, if relevant). In determining the scope of the proposed project, as an example, previously-issued U.S. Army Corps of Engineers (USACE) or Michigan DEQ Section 404 dredge and fill permits under the Clean Water Act and Federal Energy Regulatory Commission hydroelectric licenses issued for projects within the project footprint could be considered connected actions.⁴

AIR QUALITY

The forthcoming EA should discuss if Ionia County is in non-attainment or maintenance for any of the National Ambient Air Quality Standards (NAAQS). Because of their impact on human health, EPA has emphasized the need to address PM2.5 (and diesel emissions) through the National Clean Diesel Campaign⁵, along with regional initiatives.

³ 40 CFR 1508.25

⁴ Connected actions are those that are “closely related” to the proposal and alternatives. Connected actions automatically trigger other actions, they cannot or will not proceed unless other actions have been taken previously or simultaneously, or they are interdependent parts of a larger action and depend on the larger action for their justification.

⁵ <http://epa.gov/diesel/>

The forthcoming EA should identify and discuss existing air quality and air quality impacts at the project location, and those potentially associated with future construction and operations at site of the proposed project. The impacts of all action alternatives on air quality should be assessed by evaluating each alternative's impacts on the NAAQS. Each alternative's potential emissions should be discussed, and should include both direct and indirect emissions that are reasonably foreseeable. Be aware that there may be state and local air quality requirements to consider. These requirements can include, but are not limited to, provisions such as State indirect source regulations and State air quality standards.

GENERAL CONFORMITY

This project may need to address the General Conformity Rule⁶ requirements. Under the General Conformity Rule, Federal agencies must work with State, Tribal and local governments in a nonattainment or maintenance area to ensure that Federal actions conform to the clean air quality goals as contained in the State Implementation Plan. General Conformity is required for all National Ambient Air Quality Standard nonattainment and maintenance areas.

CONSTRUCTION IMPACTS

EPA recommends that the forthcoming EA recommend specific measures and best management practices that will be undertaken to minimize construction impacts to air quality, water resources, soil, and other regulated resources. The EA should discuss proposed construction measures, including a discussion of staging areas and their locations, access to the worksite, and a discussion of any proposed in-stream construction. EPA recommends that equipment not work from the active river, and that dewatering measures such as temporary portable dams or cofferdams be installed to isolate river flow from any active work areas.

VEGETATION AND WILDLIFE HABITAT

It is likely that some tree removal and clearing will be required to access the project location. The forthcoming EA should include information on current vegetation. Regarding proposed tree trimming and removal, the EA should disclose the types and numbers (and acreage of shrubby areas or trees) that are proposed to be cleared for construction. The EA should also disclose whether these clearing areas are located in wetlands or stream as well as potential impacts to Indiana bat and northern long-eared bat, both species listed on the Endangered Species Act. Additionally, EPA recommends that discussion of tree clearing/removal (if located in wetland areas) specify whether trees will be mechanically cleared (bulldozed) or cut at their base (leaving the trunks intact). This differentiation in tree removal is important with regard to regulatory requirements under Sections 404 and 401 of the Clean Water Act.

EPA recommends voluntary mitigation for any tree loss associated with the project. Mitigation might include, but is not limited to, replanting of native tree species adjacent to the river, or assisting local, county, or state agencies with any appropriate ongoing or planned reforestation plans. The EA should document any voluntary mitigation measures to be undertaken to compensate for the loss of trees.

⁶ 42 U.S.C. 7506(c), Section 176(c)

FEDERAL AND STATE ENDANGERED/THREATENED/RARE SPECIES AND CRITICAL HABITAT

The USFWS's website⁷ lists the presence of five Federally-endangered species in Ionia County. The discovery of the Federally-endangered snuffbox mussels several years ago at the project location led to a large mussel relocation effort in 2015. It is clear that the Grand River provides an important source of unionid [mussel] diversity present in the region and may provide an important native mussel source population for nearby streams and marshes in the Lake Michigan Watershed. It is not clear to EPA if USFWS has undertaken any coordination efforts with the Michigan Department of Natural Resources (MDNR), or the Michigan Natural Features Inventory (MNFI), regarding the potential for impacts to other state-listed species, or if USFWS has coordinated with MNFI to determine if state-listed species are present within any areas proposed to be disturbed via project construction.

The Draft EA should discuss how USFWS has worked with, or initiated a Rare Species Review with MNFI. A Rare Species Review involves a refined review of the rare species in the immediate vicinity of your project. The Rare Species Review corresponds to the Endangered Species Assessment previously provided by the Wildlife Division of MDNR, as MDNR ceased to accept review requests to the Environmental Review Program after September 16, 2011. These consultations are required to determine if any Federally- or state-listed endangered or threatened species are present within the project boundaries, and if project implementation would or could detrimentally affect any listed species or their critical habitat. As on-site surveys vary by species, and in certain instances must be completed during specific short seasonal timeframes, EPA strongly encourages swift and timely coordination with MNFI as soon as possible.

Correspondence to and from the MNFI regarding required consultation efforts should be included in the forthcoming EA. State coordination with the MDNR - National Heritage Program may be required under Part 365 (Endangered Species) of the Michigan Natural Resources and Environmental Protection Act prior to commencement of construction activity. Additionally, the EA should include information on the requirement for consultation for both Federally- and state-threatened and endangered species, and information on the status and results of those consultation efforts.

HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL, & CULTURAL RESOURCES

The Draft EA should include information on USFWS's consultation with the Michigan State Historic Preservation Office (SHPO) under Section 106 of the National Historic Preservation Act regarding potential detrimental impacts to the Lyons Dam and/or any other sites within the project's Area of Potential Effect.

WATER QUALITY

The Grand River is listed as impaired (i.e., not meeting water quality standards) on the MDEQ Clean Water Act Section 303(d) list of impaired waterbodies. The forthcoming EA should discuss existing water quality issues, the existing impairments, and how the proposed project may affect water quality in the Grand River.

⁷ <http://www.fws.gov/midwest/endangered/lists/michigan-cty.html>

SEDIMENT TESTING/DREDGING

- Materials reviewed by EPA indicate that sediments to be dredged from the Grand River and/or dam demolition materials are proposed to be utilized to fill the adjacent raceway pond. At the time of this letter, EPA is not aware of any up-to-date sediment testing that has been undertaken by USFWS, including specific information on sediment testing locations or protocols undertaken for dredging. The forthcoming EA should include, at a minimum, the following information:
 - A map/figure outlining the proposed dredging location(s);
 - Narrative information on the type and quantity (cubic yards) of material proposed to be dredged, and a proposed dredging schedule;
 - Information on prior sediment sampling (1994 and 2009 sampling, and any other sampling undertaken prior to 2016) and results of all prior sampling;
 - Specific information on sediment testing (to include elutriate testing) regarding how dredged materials were or will be tested to ensure they are both suitable for open water disposal/shallow water placement, and also meet Michigan Water Quality Standards; and
 - A discussion on how sediment, elutriate, biological, and bioaccumulation testing indicate that in-water placement of these dredged materials will not cause an adverse impact on biota or water quality.

PERMITS/PLANS

The EA should also include a list of all Federal, state, and local permits that will be required to undertake the proposed actions. If construction plans for the action alternatives are available at the time, please include them with the EA. EPA understands that construction plans may be draft or at less than 100% design.

WETLANDS

It is unclear if a wetland delineation has been completed or is planned to be completed. EPA recommends that a formal wetland delineation be undertaken to determine the potential for wetlands in all access/staging/clearing areas, and in areas of/adjacent to the river pool upstream that could be affected by dam removal. An action alternative that involves either direct or indirect impacts to wetlands would not be “self-mitigating.” Direct impacts to wetlands would be due to the placement of dredged or fill material; indirect wetland impacts are attributed primarily to the loss of wetland hydrology associated with the drop in water level following dam removal. In addition to wetland fill, the loss of (via indirect impacts to) wetlands, is of concern to EPA. Many wetland functions and values will be lost if existing wetlands revert to upland areas. While there the potential for the development of new wetlands in areas currently inundated by the Lyons Dam impoundment, there is substantial uncertainty as to the quality, location, and acreage of wetlands that may actually develop post-dam removal.

Forthcoming NEPA documentation should include specific narrative information on proposed mitigation for direct wetland impacts. Additionally, EPA recommends that USFWS continue to work with MDEQ and/or EPA to develop an acceptable mitigation ratio and mitigation plan to compensate for indirect wetland impacts that meets requirements of the 2008 USACE Mitigation

rule (40 CFR 230). Details on mitigation for indirect wetland impacts (including mitigation ratios, mitigation type, mitigation location(s), etc.), should be included in the EA.

EPA encourages additional coordination between USFWS and the wetland regulatory agencies to ensure that project implementation does not result in a net loss of wetland. The Draft EA should discuss how USFWS is in compliance with Executive Order 11990 (Protection of Wetlands).

The Draft EA should discuss the effects the proposed project will have on lowering the pool elevation behind the dam, including the likelihood of instability over a period of many years as the river adjusts to a new, stable channel. In the interim period, the channel may headcut, which may induce incision, wasting of banks, and channel widening. Channel instability may also contribute to erosion of the many acres of exposed sediments upstream post-dam-removal. The Draft EA should include additional information on fluvial geomorphology changes expected or possible in the new channel as it forms post-dam removal, and the potential for these fluvial processes to affect the proposed restoration efforts.

MEASURES OF SUCCESS:

The EA should discuss the potential for restoration activities along the affected river stretches if the dam and its appurtenant structures are removed. EPA recommends development of an Adaptive Management Plan (AMP) with a description of actions to be undertaken if it is determined that restoration is unsuccessful based on the measures of success selected. We recommend the AMP include action triggers based on monitoring. This should be included as an appendix to the EA.

MONITORING/MAINTENANCE:

The EA should discuss duration of monitoring and rationale for selecting that time period. Key features of the monitoring plan should also be included (e.g., vegetation density, invasive species, observed wildlife, wildlife habitat, etc.). Monitoring plans should also discuss the intervals at which (after construction and restoration activities are complete) project performance will be measured. Monitoring plans should clearly state which entity(s) (e.g., USFWS, state resource agency, local government, non-governmental organization) will be responsible for monitoring and maintenance activities, and if an entity other than USFWS will be responsible for monitoring and maintenance activities, how USFWS will ensure project standards are met.

CORRESPONDENCE

For all environmental impact categories requiring coordination with other Federal or state agencies, EPA recommends that you provide copies of both your letters to those agencies, as well as the responses from those agencies, in the EA. Please include a complete copy of the wetland delineation/determination and MDEQ/USACE regulatory correspondence (e.g., jurisdictional determination) with the forthcoming EA.

Thank you for the early solicitation of EPA's comments regarding the proposal. We are available to discuss our comments with you in further detail if requested. If you have any questions about this letter, please contact the project lead, Ms. Liz Pelloso, PWS, at 312-886-7425 or via email at pelloso.elizabeth@epa.gov.

Sincerely,



Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Enforcement and Compliance Assurance

cc (via email):

Scott Hanshue, MDNR
Jeff Fischer, MDEQ (Permit: 15-34-0014-P)
Luke Trumble, MDEQ-Dam Safety
Dean Anderson, Michigan SHPO
Melissa Eldridge, Ionia Conservation District
Sandra Sroonian, Amec Foster Wheeler Environment & Infrastructure, Inc.
Bill Elzinga, Amec Foster Wheeler Environment & Infrastructure, Inc.

Subj: **Re: Lyons Dam**
Date: 3/25/2016 9:11:40 A.M. Eastern Daylight Time
From: LJandernoa@aol.com
To: SMITHS1@michigan.gov
CC: hanshues1@michigan.gov

James Dexter
D.N.R Fisheries Division

Dear Mr. Dexter:

Thank you for your email of March 24, 2016.

In my letter of March 18, 2016 to Director Moritz, I tried to provide detailed information about the History of the Lyons Dam, the people involved with the current issues, and the effects that removal of the dam would have on the exceptionally popular fishing, the loss of beauty, the loss of affected property values, etc.

I would like to meet with you and Scott Hanshue together at the Dam Site.

In advance of that meeting I request that under the Freedom of Information Regulations you send me a copy of the current Village of Lyons application including all related papers and information requesting financial assistance from the D.N.R. to pay part of the cost of removing the Lyons Dam.

In your letter you state "It is the policy of the Department to assist Dam Owners in voluntary removal of deteriorated dams that no longer have value or provide a service."

A. The Lyons Dam provides a service. It is beautiful year around. In addition, the sound of the water cascading over the dam is a very pleasant sound. Beauty is an important calming ingredient in a peaceful society. Do you consider exceptional beauty as a factor in your decisions?

B. Fishing is popular immediately east of the Dam and on both sides of the Grand River immediately north of the nearby Automotive-Pedestrian Bridge. One summer I walked down the trail to the east side of the River immediately north of the Pedestrian Bridge. I was wearing dress shoes and dress clothes so I did not wander around this damp uneven area. I asked two fishermen where they were from. They responded that they lived 100 miles distant in Flint and came regularly to fish in this exact area. As I remember there were ten fishermen in that immediate area and all were busy.

C. Fishing is good upstream which people access by using the Boat Launch about a quarter mile upstream from the Dam. Use of the Boat Launch is free. The Launch is used by Fishermen and Families to fish and, or, enjoy cruising the river up to five miles where the next Power Dam is located. The Boat Launch was a gift about 60 years ago from a Pewamo, Lyons Township Resident. Removal of the Dam will eliminate use of the Boat Launch. The Boat Launch is a Legacy presented to everyone by a Caring Citizen. Use of this Inheritance should be preserved for all citizens to enjoy.

D. The Dam area has a Fish Ladder. For at least five years I have heard complaints that

the D.N.R. fails to repair the Fish Ladder. If the Fish Ladder was repaired, the fishing upstream might be even better. Please inquire of your DNR associates why the Fish Ladder repair has been delayed for years. Then let me know.

E. Would you agree that to replace the Lyons Dam it would probably require several Million Dollars? If, in your opinion, the Lyons Dam no longer has value and does not provide a service, why would an experienced Owner-Operator of several Hydro Power Dams be willing to accept total responsibility for the Dam, repair the dam and restore the Hydro Power electricity production?

F. Dam restoration including Hydro Power Production would maintain the beauty of the dam and the good fishing. It would require several million dollars -- all private dollars -- and allow the DNR to redirect its proposed financing of removal of the Lyons Dam to assist in the removal of other Michigan Dams that should be replaced.

I am emailing a copy of this letter to Scott Hanshue and the others who received a copy of your March 24, 2016 letter.

Thank you in advance for the copies of the application and related papers as well as your response to the questions the I have included in this letter.

Sincerely,

Don Jandernoa, Native of Lyons Township and Enthusiast of the Lyons Dam and the related areas for 80 years

3761 Portman Lane SE
Grand Rapids, MI 49508-8748

In a message dated 3/24/2016 1:12:47 P.M. Eastern Daylight Time, SMITHS1@michigan.gov writes:

EMAIL: LJandernoa@aol.com

Dear Mr. Don Jandernoa:

SUBJECT: Lyons Dam

Thank you for your Email dated March 1, 2016, and your March 18, 2016 letter to Director William E. Moritz, Department of Natural Resources (Department), concerning the proposed removal of the Lyons Dam. Director Moritz has forwarded your letter to the Department's Fisheries Division for response.

The Department and U.S. Fish and Wildlife Service (Service) have partnered with the Village of Lyons (Village) and the Ionia Conservation District to voluntarily remove the deteriorated Lyons Dam with the goals of increasing fish movement and restoring free-flowing conditions to the Grand River.

As you note in your correspondence, the Village is the owner of the Lyons Dam. Due to its current deteriorated condition, the Village decided to remove the structure. It is the policy of the Department to assist dam owners in voluntary removal of deteriorated dams that no longer have value or provide a service.

The adverse impacts of dams on river systems have been well documented. Dams interrupt and alter the physical and ecological processes of a river, including the movement and distributions of fish and other aquatic life. Although the Lyons fish ladder provides passage of salmon and steelhead, resident native fishes do not use the ladder and their movements are blocked by the dam. Removal of this structure will eliminate a barrier to fish movement and provide many environmental and recreational benefits.

You attended the February 3, 2016 public meeting to discuss and receive comments from the public on the proposed removal of the Lyons Dam. At that meeting the Service announced they have initiated the preparation of an Environmental Assessment (EA) to evaluate all aspects of this complex project. A draft EA will be available for public comment and represents a comprehensive analysis of the proposed design, and the potential outcomes of removing the dam, including future recreational uses of the river. Until this analysis and the final EA is completed, no final decisions regarding future actions will be made.

If you have additional questions, please contact Mr. Scott Hanshue, Fisheries Division, at 269-685-6851 or hanshues1@michigan.gov; or you may contact him at DNR, 621 N. 10 Street, Plainwell, Michigan 49080.

Sincerely,

James Dexter

Fisheries Division

cc: Dr. William E. Moritz, Director, DNR

Mr. Bill O'Neill, Natural Resources Deputy, DNR

Friday, March 25, 2016 AOL: LJandernoa

Mr. Jay Wesley, DNR

Mr. Scott Hanshue, DNR

Mr. Rick Westerhof, USFWS

Shirley Smith

Management Assistant to Chief Jim Dexter DNR Fisheries Division

Office: 517-284-5836

Email: smiths1@michigan.gov



**LYONS DAM REMOVAL
PROPOSED CONCEPT PLAN
COMMENT CARD**



Thank you for your interest in the Lyons Dam Removal project. The proposed plan is intended to represent concepts in restoring the river habitats and resources that were altered and over time have degraded since the dam was constructed, thus becoming a more natural, free-flowing river.

After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: Susan Craft
Address: 1007 E Bridge St
City/State/Zip: Lyons, MI 48851
Phone: 989-640-0574
E-mail: suecraft1@gmail.com

What aspects do you like about the proposed plan?

The proposal will enable the river to flow more naturally mitigating the stale, warm water we experience at our riverfront property upstream of the Tabor Boat launch and especially in Steven's Bayou. Fishing will also be greatly improved. The dam is a safety hazard and is causing much destruction of

~~What are aspects you do not like about the proposed plan?~~

the west bank of the river. The dam is an attractive nuisance that lures the youth of the community to try & play in the water. We have had rescues of people caught in the turbulence, children sliding down the face even though there are large holes in the concrete, people cutting through the fences of the fish ladder

~~Other comments you would like to share?~~

and sitting on the concrete in the ladder snagging fish. Snagging of fish trapped by the dam is common and the failed infresture is very unsafe. The west bridge abutment is being undermined and the stairs we had on the west side had to be removed because of the failed west abutment creating turbulence which undermined the bank causing the structure to be unsupported.

THANK YOU FOR YOUR INPUT AND PARTICIPATION!

The dam is very unsafe and should be removed. Before FERC regulated. Webber dam flows the level of the river in Lyons varied greatly each day from a very low river to very high. Boat traffic dealt with those issues and when the dam is removed the boat traffic will compensate. The village needs to be able to keep their

Sroonian, Sandra L

From: Michael Yuhas <myuhas@charter.net>
Sent: Wednesday, February 10, 2016 2:31 PM
To: Sroonian, Sandra L
Subject: Lyons Dam

Hello,

My name is Mike Yuhas. I live in Muir and have since the early 80's. I don't have a real dog in this fight. I don't own property on the river, nor do I own a boat. I do not fish. What I really like to do is watch the water go by and think. Now I think Muir is a wonderful town, but our bridge is very utilitarian. The Lyons dam area is beautiful, serene and a wonderful place to just watch the world go by. I have taken all my sons and almost all my grandkids to the fish ladder. As I said, I really don't have any real reason to ask that the dam be saved, other than it's a part of Lyons, and has been for a long time, and should continue. I have included my phone number so you can confirm I am a real person with a real opinion. (Please do not forward or record my number for documentation)

Thank you.

Michael A. Yuhas

Sroonian, Sandra L

From: Nicholas Godwin <agrandaddictionguideservice@gmail.com>
Sent: Wednesday, February 10, 2016 1:47 PM
To: Sroonian, Sandra L
Subject: Lyons Dam Removal

Hello,

I would like to make a couple comments about the proposed removal of the dam in Lyons Mi.

I understand the reasons some want it removed. It is definitely in need of repair no question. But to remove the dam completely would ruin that stretch of the Grand River for everyone. The water will be too low to hold many fish. Which will have an impact on the Bald Eagle and Osprey population in that area for sure. The water will be too low to access Wager dam or Webber Dam with our boats. That completely takes a few miles of river away from Mi fisherman that is hard for us to access as it is. Our MDNR has finally started planting Coho below Webber Dam so we will have a much better return success rate each year. Last year was the first year we seen the results with an absolutely incredible number of adult Coho in that area. They stage just above the Lyons Dam in the 'pond'. Literally thousands of them, Waiting for conditions to change to prompt them to move farther upstream and spawn. Now with the dam being removed this summer and the water level going to drop what will happen to all those thousands of returning Coho? They cannot hold in 2' of water and survive very long. There's no place else for them to stage in the area that offers the depth and is big enough for thousands of adult Coho. In my opinion removing the Lyons dam will kill the Coho program that just got fixed! What an absolute waste of a resource and sportsman's dollars. If the water level drops like is predicted the boat ramp above the Lyons Dam will be useless. Won't reach the water. Are there plans to install a new launch so Kayakers and canoers can utilize the river? What about a boat ramp below the dam? As it is now we either launch on the maple river and come up around to the dam or we launch right below the bridge on the East side. I certainly hope there is a decent boat ramp included somewhere in the plans.

I would like to see the gentleman who offered to purchase the dam do so and get it up and running again. That would accomplish 2 things in my opinion. First it would save the dam obviously but secondly it would bring a few much needed jobs to Lyons!

Thank You for your time.
Nick Godwin
616-890-7541



**LYONS DAM REMOVAL
PROPOSED CONCEPT PLAN
COMMENT CARD**



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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: RON CURRIGAN

Address: 351 BALDWIN ST.

City/State/Zip: LYONS MKH 48851

Phone: 989 855 3573

E-mail: _____

What aspects do you **like** about the proposed plan?

NONE

What are aspects you **do not like** about the proposed plan?

I BELIEVE TAKING OUT THE DAM WILL NARROW THE RIVER RUINING FISHING & BOATING BOTH BELOW AND ABOVE THE DAM.

Other comments you would like to share?

I THINK MONEY SHOULD BE SPENT REPAIRING THE WEST SIDE OF THE DAM AND SOME HOLES IN THE MIDDLE

THANK YOU FOR YOUR INPUT AND PARTICIPATION!





LYONS DAM REMOVAL PROPOSED CONCEPT PLAN COMMENT CARD



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Please **PRINT** the following information:

Name: SHON VARNER
 Address: 292 HIGBEE ST
 City/State/Zip: LYONS MI 48857
 Phone: 517 528 7383
 E-mail: shon.varner@gmail.com

What aspects do you **like** about the proposed plan?

NONE REALLY

What are aspects you **do not like** about the proposed plan?

LIMITING ACCESS TO RIVER, DECREASING PROPERTY VALUES
ALTERING REAL ESTATE/PROPERTY BOUNDARIES, REMOVING THE
RIVER ENTIRELY IN SOME BACK YARDS LIKE MINE.

Other comments you would like to share? HABITATS, DESTROYING AESTHETICS OF
MY OWN PROPERTY AND ACCESS TO
MY BOATING, FISHING & SWIMMING.
CHANGING THE LANDS WATER WAY
WHERE WE CAMP & FISH, SWIM & BOAT.

FEEL LIKE THIS ISNT SO MUCH A POLL FOR APPROVAL OF "PROPOSED"
ACTION AS MUCH AS IT IS ITS GOING TO BE DONE REGARDLESS

THANK YOU FOR YOUR INPUT AND PARTICIPATION!

AND AS A COURTESY WE'RE LETTING YOU KNOW WHAT IS GOING
TO BE DONE. DONT REALLY FEEL LIKE THE PEOPLE'S OPINIONS
WANTS ARE GOING TO HAVE MUCH WEIGHT.



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PROPOSED CONCEPT PLAN
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Please **PRINT** the following information:

Name: Kent B Schaefer Jr

Address: 368 Irish st

City/State/Zip: Lyons MI 48851

Phone: 616 902 9599

E-mail: Kb-schaefer@yahoo.com

What aspects do you **like** about the proposed plan?

Nothing at all
Leave the dam alone

What are aspects you **do not like** about the proposed plan?

Every aspect of it going to make my
property value go down + make it unaccessible
for my kids to fish from our home

Other comments you would like to share?

water level is going drop
fishing will be non-existent
a show of hands at the meeting there were
more for keeping the dam than want it gone

THANK YOU FOR YOUR INPUT AND PARTICIPATION!



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PROPOSED CONCEPT PLAN
COMMENT CARD**



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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: Nik Wheeler
 Address: 990 Keeper Hwy
 City/State/Zip: Lyons MI/48851
 Phone: 989-855-3040
 E-mail: Nikolauswheeler@yahoo.com

What aspects do you **like** about the proposed plan?

Nothing

What are aspects you **do not like** about the proposed plan?

The water is going down. less fish.
Hard to get up river with a boat motor
Dam could be there for a lot more years untouched

Other comments you would like to share?

People been coming for years to just see the Dam.
What boat launch? (useless)

THANK YOU FOR YOUR INPUT AND PARTICIPATION!



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PROPOSED CONCEPT PLAN
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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: Liane Wood
 Address: 6519 Oak Lane
 City/State/Zip: Lyons MI, 48851
 Phone: 989 855-2107
 E-mail: lianewood@yahoo.com

Over

What aspects do you like about the proposed plan?

That there is hope the federal gov't will use the money elsewhere.

What are aspects you **do not like** about the proposed plan?

- 1 will not be able to use pontoons/boats on our riverfront property.
- 2 We have a boat launch for no reason?
- 3 Out of towners frequent the bridge to fish.

Other comments you would like to share?

~~It's about a handicap accessible wake launch, why it can't be used.~~

leave it alone, being fiscally responsible is important. No one with river front property wants it.

THANK YOU FOR YOUR INPUT AND PARTICIPATION!

- The schools name is Twin Rivers, not stream
- This river is part of the towns heritage.

What small part of the local economy will be gone

- eagles that nest on the river will be negatively impacted. Eagles are protected correct?
- Time & money put into Greenview Point another waste of money, it won't be as scenic.
- Will we have to change the name of Islandfest?
- Village Council wants this not the residents

2nd page of Liane Wood



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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: Quinn Curigan
 Address: 351 Baldwin St
 City/State/Zip: 48851
 Phone: 917-526-7588
 E-mail: Quinn.Curigan19@gmail.com

What aspects do you **like** about the proposed plan?

I think it will make the fishon better a little.

What are aspects you **do not like** about the proposed plan?

How much its gonna lower the water.

Other comments you would like to share?

THANK YOU FOR YOUR INPUT AND PARTICIPATION!



LYONS DAM REMOVAL PROPOSED CONCEPT PLAN COMMENT CARD



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Please **PRINT** the following information:

Name: Julia Fygn

Address: 416 N. Elizabeth Street

City/State/Zip: Lyons, Michigan 48851

Phone: 616-902-0603

E-mail: _____

What aspects do you **like** about the proposed plan?

None

What are aspects you **do not like** about the proposed plan?

The taking away of the water flow for fishing and boating

Other comments you would like to share?

Fix the dam. Even if you have to take a layer off.

THANK YOU FOR YOUR INPUT AND PARTICIPATION!



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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: TAMMY WAKEFIELD

Address: 608 ATWATER ST.

City/State/Zip: LYONS MI 48857

Phone: 616-902-6572

E-mail: unicornlady29@hotmail.com

What aspects do you **like** about the proposed plan?

NONE, WAS NOT CONVINCED IT IS THE RIGHT THING TO DO

What are aspects you **do not like** about the proposed plan?

EVERYTHING, YOU ARE GOING TO MAKE BOATING, FISHING, AND LIVING ON OUR RIVER BANK A MESS.

Other comments you would like to share?

WE NEED TO FIX NOT REMOVE THE DAM.

THANK YOU FOR YOUR INPUT AND PARTICIPATION!



LYONS DAM REMOVAL PROPOSED CONCEPT PLAN COMMENT CARD



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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: Kevin Page

Address: 4946 Reeder Rd

City/State/Zip: Lyons M. 48851

Phone: _____

E-mail: _____

What aspects do you **like** about the proposed plan?

It need to be made safe

What are aspects you **do not like** about the proposed plan?

Other comments you would like to share?

THANK YOU FOR YOUR INPUT AND PARTICIPATION!



**LYONS DAM REMOVAL
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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: Chris Ly Vere
 Address: 3613 Keefer Hwy
 City/State/Zip: Lyons MA 01851
 Phone: 517 614 0124
 E-mail: _____

What aspects do you **like** about the proposed plan?

Nothing

What are aspects you **do not like** about the proposed plan?

water levels, fishing impact
Boating impact, general living on
the river about the Dam will
crawl to A nutt

Other comments you would like to share?

THANK YOU FOR YOUR INPUT AND PARTICIPATION!



**LYONS DAM REMOVAL
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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: DIANA ALMY
 Address: 7125 REEDER ROAD
 City/State/Zip: LYONS MI 48851
 Phone: 616-822-2986
 E-mail: almydiana@gmail.com

What aspects do you like about the proposed plan?

The EROSION Control on the West Side ONLY!

What are aspects you do not like about the proposed plan?

This is affecting more than just the Village!
Removing The DAM, Lowering the Water level, Changing
The appearance, Effects on the land and hermit
UP Stream.
I don't like that the Village of Lyons made this
design,

Other comments you would like to share?

I believe the EROSION needs Attention, And
the Present Dam need Repair, Not Removal,
Someone Write a Grant for Repair of
the Dam, And include EROSION Control.

THANK YOU FOR YOUR INPUT AND PARTICIPATION!

Thank-you for your information



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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: DAVE KLINE
 Address: 426 IRISH ST
 City/State/Zip: LYONS MI 48851
 Phone: 517 526-0996
 E-mail: _____

What aspects do you **like** about the proposed plan?

NONE
you already made up your mind
to remove it

What are aspects you **do not like** about the proposed plan?

my prop. VALUE
RECREATION
erosion

Other comments you would like to share?

have you heard of
McKENSY construction
I know they got the job already

THANK YOU FOR YOUR INPUT AND PARTICIPATION!



LYONS DAM REMOVAL PROPOSED CONCEPT PLAN COMMENT CARD



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After reviewing the proposed plan for the Lyons Dam Removal project, please give us your comments below.

Please **PRINT** the following information:

Name: Dakota Bonter

Address: 2229 Staley Rd

City/State/Zip: Lyons MI 48051

Phone: (989)-855-2576

E-mail: buttonbug12@hotmail.com

What aspects do you **like** about the proposed plan?

No personal likes only concerns.

What are aspects you **do not like** about the proposed plan?

Is this a government funded choice to upgrade and change something that doesn't require action do to no liability and nothing wrong with it. Don't feel the

Other comments you would like to share? need to change something if it doesn't have a problem.

Out of two proposals why not have one to repair keep what is good fix what is unsafe. Is the proposal for the good of the people, the nature, future changes to the land.

THANK YOU FOR YOUR INPUT AND PARTICIPATION!

Please take in consideration my points on the back.

* Liability?

- Who says it is a problem, Review pros and cons of the use of the fish ladder and ponds.

* Safety of boat launch

* Put the money into protecting the fish and wildlife

* Control erosion areas.

* Is the control and change of this area going to positively affect other areas.

* Control problem areas by problem areas

* Consider water

* Consider: what is the likelihood of the proposal will and/or causes more problems, And what more money??

2nd page for
Dakota Bonter