



Michigan Hydro Relicensing Coalition

1620 High Street
Traverse City, MI 49684

Telephone (231) 775-4321



Ms. Debbie-Anne Reese, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426
Via e-file

May 15, 2025

Re: Objection to Boyne USA Characterization of Michigan Hydro Relicensing Coalition
Representation of Interests, P-3409-032

Dear Secretary Reese:

The Michigan Hydro Relicensing Coalition (Coalition) is in receipt of the Objection to the Motion to Intervene by the Charlevoix County Office of Emergency Management¹ and the Objection to the Motion to Intervene by the City of Boyne City² filed by Boyne USA in regards to the Boyne Hydropower Project relicensing proceedings (Docket No. P-3409-032). In both of these filings, the licensee through its agent Kuhn Rogers, PLC states:

"Additionally, the City's interest is protected by two other intervening parties...FERC granted the Michigan Hydro Relicensing Coalition ("Coalition") and the Michigan Department of Natural Resources ("MDNR") party status in this matter and as stated in FERC's May 6, 2025, order, these intervening parties sufficiently represent the interest of environmental and recreational interest groups. The City's [and Charlevoix County Emergency Management Services] interest is sufficiently protected through the party status of these entities, and the general authority of FERC. Additional intervention on the City's [and Charlevoix County Emergency Management Services] part is unnecessary considering their lack of timeliness and failure to meaningfully supplement the record."

The Coalition's mission is to ensure that conservation, environmental and recreational concerns are adequately addressed by the Federal Energy Regulatory Commission and given the fullest possible consideration throughout the licensing process. In its filing of a Motion to Intervene, Charlevoix County Emergency Services stated that the Boyne Hydropower Dam is directly relevant because the Emergency Management team plays a crucial role in dam safety.³ In its filing of a Motion to Intervene⁴, the City of Boyne City stated that it seeks intervention because the potential failure of the Boyne River hydroelectric project dam would have

¹ Objection and Response to the Motion to Intervene by the Charlevoix County Office of Emergency Services and Comments, Kuhn Rogers PLC on behalf of Boyne USA, P-3409-032, filed with the Federal Energy Regulatory Commission, May 14, 2024.

² Objection and Response to the Motion to Intervene by the City of Boyne City and Comments, Kuhn Rogers PLC on behalf of Boyne USA, P-3409-032, filed with the Federal Energy Regulatory Commission, May 14, 2024.

³ (doc-less) Motion to Intervene of Charlevoix, County Office of Emergency Management under P-3409-000, March 26, 2025

⁴ (doc-less) Motion to Intervene of Boyne City under P-3409-000, March 27, 2025.

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devastating consequences for the City of Boyne City infrastructure and its residents. The Motion also stated Boyne City's interests are not adequately represented by other parties in the licensing proceedings. While the Coalition advocates for dam safety, it is not appropriate for it to represent this issue on behalf of Charlevoix County Emergency Services, a far more qualified entity on the subject. Similarly, the Coalition is not in a position to represent the interests of a municipality, that being the City of Boyne City. Therefore, given the dam safety issues raised by both parties and the Coalition's stated mission, it is the Coalition's position that it does not represent Charlevoix County Emergency Services or the City of Boyne City's interests in the Boyne Hydropower relicensing proceedings, and the Coalition objects to any assertion by Boyne USA's agent (Kuhn Rogers PLC) that it does. The Coalition also requests that the Commission grant late Interventions to Charlevoix County Emergency Services and the City of Boyne City so that their respective interests may be adequately represented. Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Stuber".

Robert J. Stuber, Executive Director

Cc: Charlevoix Office of Emergency Services (Sienna Wenz)
City of Boyne City (M. Cross)
Michigan Department of Natural Resources (Dana Castle, Jessica Mistak)
U.S. Fish and Wildlife Service (Scott Hicks, Jessica Pruden)
Little Traverse Band of Odawa Indians (Doug Craven, Samuel Day)
Kuhn Rogers PLC (Joseph E. Quandt)
Boyne USA (Jason Perl)
Friends of the Boyne River (Adam Kennedy)

Document Content(s)

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