



STATE OF MICHIGAN  
 DEPARTMENT OF  
 ENVIRONMENT, GREAT LAKES, AND ENERGY  
 LANSING




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VIA E-MAIL

TO: Senate Appropriations Subcommittee on Natural Resources and  
 Environment, Great Lakes, and Energy Members  
 Senate Environmental Quality Committee Members  
 Senate Natural Resources Committee Members  
 House Appropriations Subcommittee on Environment, Great Lakes,  
 and Energy Members  
 House Natural Resources and Outdoor Recreation Committee Members

FROM: Amy Epkey, Senior Deputy Director 

DATE: March 22, 2022

SUBJECT: Report on the Dam Safety Emergency Action Fund

In accordance with Section 1004 of Article 4, Part 2, of 2021 PA 87, attached is the Department of Environment, Great Lakes, and Energy's (EGLE) report on the Dam Safety Emergency Action Fund for fiscal year 2022.

If you need further information, please contact Luke Trumble, P.E., Supervisor, Dam Safety Unit, Water Resources Division, at 517-420-8923 or TrumbleL@Michigan.gov; or you may contact me at 517-242-7407.

cc/att: Kathryn Summers, Director, Senate Fiscal Agency  
 Mary Ann Cleary, Director, House Fiscal Agency  
 Chris Harkins, Director, State Budget Office  
 George W. Cook, III, Legislative Affairs Director, Governor's Office  
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MICHIGAN DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY

## Legislative Report

# DAM SAFETY EMERGENCY ACTION FUND REPORT

Report Period:  
Fiscal Year 2022

Authority:  
Section 1004 of Article 4, Part 2, of 2021 PA 87

This report is provided in accordance with Section 1004 of Article 4, Part 2, of 2021 PA 87. Funds appropriated for the Dam Safety Emergency Action Fund may be expended by the Department of Environment, Great Lakes, and Energy (EGLE) to make remedial or corrective actions to address significant safety risks posed by dams should the owner be unwilling or unable to take remedial or corrective actions.

For fiscal year (FY) 2022, \$6 million was appropriated to the Dam Safety Emergency Action Fund. This appropriation occurred on October 1, 2021. Following notification of this appropriation, EGLE's Dam Safety Program staff began working with Water Resources Division (WRD) management to develop processes for how the funds will be administered and to identify additional staff resources needed to administer the fund and oversee emergency projects to be undertaken by EGLE.

No funds have been expended from the Dam Safety Emergency Action Fund in FY 2022 to date.

In order for EGLE to take emergency action at a dam, it must exercise its authority under Section 31518 or Section 31521 of Part 315, Dam Safety, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Both of these sections require inaction by the dam owner to meet inspection requirements for their dam or to address deficiencies that endanger the dam, respectively. Increased compliance and enforcement actions by EGLE are aimed to limit the occurrence of such situations, and this fund is intended to be utilized only after traditional compliance and enforcement actions break down or the condition of a dam requires immediate action.

For the remainder of FY 2022, the WRD will use the Dam Safety Emergency Action Fund when immediate action is necessary. Funds will be expended as necessary to prevent dam disasters should the owner not be willing or able to do so. An updated report, including starting and ending balances of the fund, list of dams that required emergency action from the fund, total expenditures at each dam, summary of enforcement actions taken, and summary of expenditures from the fund in previous years along with any funds recovered through enforcement actions, will be provided before December 31, 2022.