

FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects
Division of Dam Safety and Inspections
Chicago Regional Office

April 23, 2026

**In reply refer to:
P-7142 Cheboygan
Hydroelectric Project**

VIA Electronic Mail

Thomas Homco
Hom Paper XI, LLC
C/O Tyler Tennent
Dawda, Mann, Mulcahy & Sadler, PLC
Counselors at Law
ttennent@dmms.com

Re: Response to April 2026 Flooding Event and Engineering Assessments Required

Dear Mr. Homco:

As you know, record flooding started in early April 2026 at the Cheboygan Dam, and is expected to continue. Due to heroic efforts on the part of a team consisting of representatives from Consumers Energy, U.S. Army Corps of Engineers, state and local officials, and staff from HydroMine, the turbine generating unit was brought on-line on April 17, 2026 and the bypass gates were able to be fully opened. This has allowed the Cheboygan Dam complex to pass additional flows, which has been critical in keeping the dam from overtopping to date.

As the Cheboygan Dam exemptee, you are ultimately responsible for the safety of the project. Because of the record flooding, the interim risk reduction measures implemented (flood fighting measures), and the past inoperability of the project, you must have a professional engineer with experience in dam safety evaluate and assess the safety of the project, which includes the powerhouse, navigation lock, earth embankment and spillway, in its current condition. This evaluation must include a comprehensive structural condition assessment of the powerhouse. The engineer should provide a summary of their observations and evaluations and make any recommendations necessary for ensuring continued safe operation of the project. This evaluation and assessment must be documented in a report prepared by the engineer, which you must submit to FERC. The engineer will also need to coordinate with Michigan Department of Natural Resources (DNR) to understand the measures that they have taken to protect the project and to evaluate any other measures that could be taken to ensure the safety of the project.

It is important to note that the connection of the generating unit to external transmission is only temporary and is not intended for long-term operations. You must also take all necessary measures to provide for a permanent connection for the generating unit and restore the powerhouse to full and safe operation. It is critical that you work collaboratively with Michigan DNR to maintain appropriate flow levels through the operation of the bypass gates to ensure safety.

You must also have a dam safety engineering consultant perform an evaluation of the required spillway capacity at this high-hazard project. This effort was not completed as required by the previous exemptee.

As this flood emergency condition remains, you must undertake these efforts as quickly as possible. Your engineer must be on-site within the next 7 days to begin their assessment. The assessment report must be submitted no later than May 15, 2026. You must provide an update on the plans for permanent connection of the generating unit and powerhouse restoration within 10 days. You should submit a plan and schedule for performance of the spillway capacity evaluation within 15 days.

This letter constitutes notice under section 31 of the Federal Power Act¹. Failure to comply with the requirements set forth in the letter may lead to a civil penalty proceeding, license revocation, or other enforcement action.

If you have any questions regarding this letter, please call me at (312) 596-4456.

Sincerely,

**MARILYN
SABIDO** Digitally signed by
MARILYN SABIDO
Date: 2026.04.23
13:40:09 -05'00'

Marilyn Sabido, P.E.
Regional Engineer

Cc: VIA Electronic Mail

Steven Kokinos
HydroMine Cheboygan, LLC
P.O. Box 1114
Jackson, WY 83001

¹ 16 U.S.C. § 823b.

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