

153 FERC ¶ 62,113
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Dairyland Power Cooperative

Project No. 1960-024

ORDER APPROVING REVISED PURPLE LOOSESTRIFE MANAGEMENT PLAN
PURSUANT TO LICENSE ARTICLE 401, CONDITION Q

(Issued November 18, 2015)

1. On October 7, 2014, Dairyland Power Cooperative (licensee) filed its annual report on purple loosestrife surveys for its Flambeau Hydroelectric Project, pursuant to its approved Purple Loosestrife Management Plan. The licensee also requested revisions to the monitoring and filing requirements of its approved plan. The project is located on the Flambeau River near the City of Ladysmith, in Rusk County, Wisconsin.

LICENSE REQUIREMENTS

2. Article 401 of the license for the Flambeau Project¹ requires the licensee to file, for Commission approval, plans for certain conditions of the Wisconsin Department of Natural Resources (Wisconsin DNR) water quality certification (WQC) for the project. Condition Q of the WQC requires the licensee to annually inspect the project shoreline for purple loosestrife, and file a report on the results with the Wisconsin DNR by December 31 of each year. The licensee's Purple Loosestrife Management Plan was approved in an order issued March 29, 2005.²

3. Under its approved plan, the licensee must inspect the project shoreline for purple loosestrife and map its distribution and relative abundance. Inspections must be scheduled in August. Under the plan, loosestrife is primarily controlled through biological control by releases of *Galerucella* beetles, and monitoring of the biological control is done each spring. The licensee must then submit a report of the monitoring results to the Wisconsin DNR by December 31 of the same year.

¹ Order Issuing New License. 107 FERC ¶ 62,043 (issued April 15, 2004).

² Order Approving Purple Loosestrife Management Plan Pursuant to Article 401. 110 FERC ¶ 62,333 (issued March 29, 2005).

REPORT AND PROPOSED PLAN REVISION

4. In its report, the licensee states that during the annual fall survey, only one stand of purple loosestrife was located within the project boundary. Located near the southwest quarter of the project, the stand was approximately one acre in size. In 2002, and again in 2005, 2006, and 2007, *Galerucella* beetles were released at the sites as biological control for loosestrife. Follow-up monitoring of beetles at the site through the spring of 2014 showed over-wintering success of the beetles, based on the annual observance of leaf damage to the loosestrife plants. Both the stand density and size have been decreased using this biological control method. The site has reached a point of equilibrium in recent years.

5. Based on the recent survey results, and consultation with the Wisconsin DNR, the licensee believes monitoring and reporting under the Purple Loosestrife Management Plan could be reduced considerably. The licensee proposes to perform fall surveys of loosestrife biannually, rather than annually, using surveys in late August or early September, and eliminating the spring beetle surveys. The licensee proposes to only provide reports to the Wisconsin DNR when there has been a change of 10 percent or more in the purple loosestrife stand, or a significant reduction in beetle activity. The licensee would make all files regarding the monitoring available, if requested for review. The licensee would also file reports with the Wisconsin DNR if new plant stands are observed, and discuss further actions needed.

CONSULTATION

6. The licensee consulted with the Wisconsin DNR regarding the proposed revisions to the plan. The Wisconsin DNR provided specific recommendations regarding the revisions via email on September 24, 2014. The licensee incorporated the recommendations into its plan.

DISCUSSION AND CONCLUSIONS

7. The licensee's 2014 purple loosestrife annual report demonstrates that purple loosestrife is being controlled at the project, and the report fulfills the annual reporting requirement.

8. The licensee's proposal to revise its Purple Loosestrife Management Plan to perform purple loosestrife surveys biannually, in late August or early September, eliminate the spring beetle surveys, and only file reports with the Wisconsin DNR under the cited conditions, is reasonable and includes consultations with the Wisconsin DNR. However, we note that the licensee did not specify a date by which it would file reports with the Wisconsin DNR, when determined to be necessary under the revised plan. The licensee should file these reports, when determined to be necessary, based on the results

of the monitoring, with the Wisconsin DNR no later than December 31 of the year in which the monitoring and control is conducted.

9. The revised Purple Loosetrife Management Plan, as modified above, satisfies the requirements of Article 401, Condition Q. Implementation of this plan should ensure continued adequate monitoring and control of purple loosetrife populations at the Flambeau Project. Accordingly, the licensee's revised plan should be approved.

The Director orders:

(A) The revised Purple Loosetrife Management Plan filed by Dairyland Power Cooperative (licensee) on October 7, 2014, pursuant to license Article 401, Condition Q for the Flambeau Project is approved, as modified by ordering paragraph (B), below.

(B) The licensee must file monitoring reports with the Wisconsin Department of Natural Resources (DNR) when determined to be necessary based on the results of the monitoring. These reports must be filed with the Wisconsin DNR no later than December 31 of the year in which the monitoring and control is conducted.

(C) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 8251 (2012), and the Federal Energy Regulatory Commission's regulations at 18 C.F.R. § 385.713 (2015). The filing of a request for hearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Steve Hocking
Chief, Environmental Review Branch
Division of Hydropower Administration
and Compliance

Document Content(s)

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