

UNITED STATES OF AMERICA 114 FERC ¶62,287
FEDERAL ENERGY REGULATORY COMMISSION

Upper Peninsula Power Company

Project No. 1864-057

ORDER APPROVING MODIFICATIONS TO WATER QUALITY MONITORING
PLAN UNDER ARTICLE 409

(Issued March 22, 2006)

On February 8, 2006, Upper Peninsula Power Company (licensee) filed a request to modify its approved water quality monitoring plan under article 409 of the license for the Bond Falls Hydroelectric Project (FERC No. 1864).¹ The project is located on the Ontonagon River in Ontonagon and Gogebic Counties, Michigan, and Vilas County, Wisconsin.

The licensee states that, as reported in the annual water quality monitoring summary report dated December 5, 2005, water quality deviations from the license requirements were observed in 2005, due in part to the abnormally warm and dry conditions throughout the Upper Peninsula of Michigan and northern Wisconsin. During the annual meeting of the Bond Falls Implementation Team², it was agreed that additional monitoring should be conducted prior to developing plans to mitigate water quality problems, with some changes to the monitoring plan.

The proposed changes to the approved water quality monitoring plan include:

1. Cease water quality monitoring at the Cisco Dam monitoring location, as there is little flow over the dam for most of the summer and no license requirement for a minimum flow;
2. When deviations from the dissolved oxygen (DO) water quality standard are observed below the Victoria Powerhouse, the licensee will attempt to document the downstream extent of the deviations. This will be performed by walking downstream with a hand held DO meter and measuring the DO

¹ February 16, 2005 Order Modifying and Approving Water Quality Monitoring Plan Under Article 409 (110 FERC ¶ 62,146).

² The members of the Implementation Team include: the licensee, U.S. Forest Service, U.S. Fish and Wildlife Service, Wisconsin Department of Natural Resources, Michigan Hydro Relicensing Coalition, American Rivers, American Whitewater Affiliation, Keweenaw Indians, and Michigan Department of Natural Resources (MDNR).

- concentration at various points in the river when monitoring equipment is being calibrated and deployed;
3. In order to evaluate if additional flow through a bypass pipe at the Bond Falls reservoir main dam could help mitigate water temperature deviations, the licensee will monitor water temperature in the discharge of the bypass pipe from June 1 through September 30, 2006; and
 4. DO and water temperature profiles of the Bond Falls reservoir will be taken by boat in the deepest part of the impoundment in order to assess the approximate size of the pool of cool water that could be used to mitigate warm water temperatures in the Middle Branch of the Ontonagon River.

By letters dated December 20, 2005, the licensee requested comments from the Bond Falls Implementation Team and the Michigan Department of Environmental Quality (MDEQ). The MDNR, by letter dated January 10, 2006, concurred with the modifications to the plan. The MDEQ, by letter dated January 11, 2006, provided comments on the licensee's proposed modifications to the plan which the licensee incorporated into its filing.

The proposed modifications to the licensee's approved water quality monitoring plan should allow the licensee to gain additional information on water quality at the project and should, therefore, be approved.

The Director orders:

(A) The proposed modifications to the approved water quality monitoring plan under article 409 of the license for the Bond Falls Project (FERC No. 1864), filed on February 8, 2006, is approved.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 CFR § 385.713.

George H. Taylor
Chief, Biological Resources Branch
Division of Hydropower Administration
and Compliance