

UNITED STATES OF AMERICA 112 FERC ¶ 62,023  
FEDERAL ENERGY REGULATORY COMMISSION

Wisconsin River Power Company

Project No. 1984-118

ORDER REVISING ORDER APPROVING PURPLE LOOSESTRIFE AND  
EURASIAN WATERMILFOIL MONITORING PLAN PURSUANT TO  
LICENSE ARTICLE 408

(Issued July 13, 2005)

On December 30, 2002, Wisconsin Public Service Corporation (WPSC) on behalf of Wisconsin River Power Company (WRPC or licensee), licensee for the Petenwell-Castle Rock Hydro Project license,<sup>1</sup> filed a proposed amendment to the Order Approving Purple loosestrife and Eurasian water milfoil Monitoring Plan pursuant to license article 408.<sup>2</sup> The Petenwell-Castle Rock Project consists of two developments and is located on the Wisconsin River, near Prairie Du Sac, in Wood, Juneau and Adams Counties, Wisconsin.

BACKGROUND

Article 408 requires that in consultation with the Wisconsin Department of Natural Resources (WDNR) and the U.S. Fish and Wildlife Service (FWS), the licensee develop a plan to monitor purple loosestrife (*Lythrum salicaria*) and Eurasian water milfoil (*Myriophyllum spicatum*) in project waters. The plan is required to include, but not be limited to: (a) the method and frequency of monitoring, (b) a provision to cooperate in the control/elimination of these invasive vegetative species if deemed necessary by the agencies, and (c) documentation of transmission of monitoring data to the agencies.

The licensee filed its plan on June 3, 2002 and the plan was approved by the Commission on January 22, 2003. However, the licensee has now filed a revised plan to amend or supercede the originally filed plan. The request for an amendment originates

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<sup>1</sup> See Order Issuing New License, 97 FERC ¶ 62, 205 (issued December 7, 2001).

<sup>2</sup> See 102 FERC ¶ 62, 045 (issued January 22, 2003).

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from both the WDNR and FWS, who provided late comments on the Wildlife Management Plan<sup>3</sup> and recommended zebra mussel monitoring and management for both flowages. The resource agencies recommended developing environmental and operation options in response to likely future infestations of zebra mussels. Zebra mussels are invasive species, non-indigenous to the United States, and issues regarding them would be best addressed under the plan, approved by the Commission, involving other invasive species.

#### LICENSEE'S PROPOSED PLAN

The licensee proposes that the new plan, which includes zebra mussels, be entitled Invasive Species Monitoring Plan instead of the Purple loosestrife and Eurasian water milfoil Monitoring Plan. The plan would consist of the following measures.

A) Purple loosestrife (*Lythrum salicaria*):

The measures for purple loosestrife would remain unchanged under the proposed amendment.

B) Eurasian water milfoil (*Myriophyllum spicatum*):

The measures for Eurasian water milfoil would remain unchanged under the proposed amendment.

C) Zebra mussel (*Dreissena polymorpha*):

Under the proposed amendment, the licensee would monitor for zebra mussels as recommended by the resource agencies since their discovery in the Wisconsin River upstream of the Petenwell flowage. The licensee proposes to consult with Mr. Ron Martin of WDNR due to his experience with zebra mussel monitoring throughout the state. Once it is confirmed that zebra mussels are present in a flowage, the licensee proposes that monitoring will discontinue at that flowage.

The licensee proposes to monitor for the presence of zebra mussels on a routine basis using substrate samplers located at both the Petenwell and Castle Rock dams. Dam

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<sup>3</sup> See Order Modifying and Approving Wildlife Management Plan Pursuant to Article 409 and Bald Eagle Management Plan and Karner Blue Butterfly Plan Pursuant to Article 407, 102 FERC ¶ 62, 159 (issued March 07, 2003).

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structures and a few (not more than five) hard surfaces along the shoreline that are normally submerged under water will be inspected during a drawdown of the flowage. The licensee proposes that substrate samplers at each of the project dams will be surveyed and documented monthly from May through September of each year. Typically, Petenwell and Castle Rock are both drawn down each winter to increase storage capacity before spring. Inspections will be conducted once a year during this winter drawdown period. Additionally, drawdowns are occasionally needed for maintenance reasons. Zebra mussel inspections will also be conducted during maintenance drawdowns.

The licensee proposes that the results of the substrate sampler inspections along with results of the drawdown inspections will be documented on inspection forms. The summaries of all inspections for both Petenwell and Castle Rock will be provided to the WDNR and FWS no later than December 31 of each year. If needed, the licensee proposes to use the adaptive management process to determine when and what specific control measures will be taken for zebra mussels.

#### AGENCY COMMENTS AND LICENSEE'S RESPONSE TO AGENCY COMMENTS

The licensee provided the resource agencies with a copy of the revised plan which includes their request to monitor for zebra mussels. The FWS provided no comments on the revised plan. The WDNR recommended that the licensee work with Mr. Ron Martin of the WDNR-Madison office because of his previous experience with zebra mussel monitoring in the state. The licensee incorporated this recommendation into the revised plan prior to filing the plan with the Commission.

#### DISCUSSION AND RECOMMENDATIONS

There are no outstanding issues with the proposed revised plan. However, we would recommend that in order to be informed on the success on this invasive species monitoring, the licensee also file the annual monitoring reports with the Commission by December 31 each year when they file reports with the WDNR and FWS. The proposed plan fulfills the intent and filing requirements of license article 408 and incorporates the agency recommendation to monitor for zebra mussels.

In summary, the revised plan should allow the licensee to prevent the rapid infestation of purple loosestrife, Eurasian water milfoil, and zebra mussels from spreading throughout project lands and waters. Therefore, the proposed monitoring plan should be approved.

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The Director orders:

(A) The licensee's revised plan, Invasive Species Monitoring Plan, filed December 30, 2002 is approved and shall supercede the Order Approving Purple Loosestrife and Eurasian Water milfoil Monitoring Plan Pursuant to License Article 408 issued on January 22, 2003.

(B) The licensee shall file invasive species monitoring reports with the Wisconsin Department of Natural Resources, U.S. Fish and Wildlife Service, and the Commission by December 31 each year, starting in 2006.

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

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Division of Hydropower Administration  
and Compliance