

**160 FERC ¶ 62,173**

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

City of Kaukauna, Wisconsin

Project No. 2677-036

ORDER APPROVING REVISED INVASIVE SPECIES  
MONITORING AND CONTROL PLAN

(Issued August 23, 2017)

1. On July 11, 2017, the City of Kaukauna, Wisconsin (licensee) filed a revised invasive species monitoring and control plan (revised plan) for the Badger-Rapide Croche Hydroelectric Project No. 2677, to supersede its previously approved plan (2012 plan).<sup>1</sup> The project is located on the Fox River in Outagamie County, Wisconsin, and includes two developments - the Badger and Rapide Croche developments. The Badger Development is located in the City of Kaukauna at the U.S. Army Corps of Engineers' (Corps) Kaukauna dam. The Rapide Croche Development is located in the Town of Buchanan at the Corps' Rapide Croche dam.
2. The 2012 plan was approved pursuant to license article 401 and Wisconsin Department of Natural Resources' Water Quality Certification Condition (WQC) No. 8.<sup>2</sup> The 2012 plan requires the licensee to monitor sites within the project boundary for Eurasian water milfoil and other invasive species every four years beginning in 2017. The licensee later determined that the monitoring sites included in the 2012 plan were outside of the project boundary. The licensee submitted the revised plan which focuses on lands and water within the project boundary.
3. The revised plan is consistent with the 2012 plan; however, it replaces the original monitoring sites with 11 new sites that would be monitored for invasive species every even numbered year beginning in 2018. Monitoring reports would be filed with the Wisconsin DNR by December 20 of the monitoring year for a 30-day comment period. All comments would be addressed in the report and filed with the Commission by January 31 of the year following monitoring. The revised plan also incorporates some additional comments provided by the Wisconsin DNR.

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<sup>1</sup> *City of Kaukauna*. 139 FERC ¶ 62,184 (2012).

<sup>2</sup> *City of Kaukauna*. 135 FERC ¶ 62,149 (2011).

4. The licensee provided the revised plan to the Wisconsin DNR and the U.S. Fish and Wildlife Service (FWS) for review and comment. On June 7, 2017, the Wisconsin DNR provided comments on the plan. The FWS stated it had no comments on the revised plan in an email to the licensee dated June 26, 2017. All comments and recommendations were incorporated into the revised plan.

5. The licensee's revised invasive species monitoring and control plan filed July 11, 2017, fulfills the requirements of license article 401 and Wisconsin DNR's WQC Condition No. 8, and should be approved.

The Director orders:

(A) The City of Kaukauna, Wisconsin's revised invasive species monitoring and control plan filed July 11, 2017, pursuant to license article 401 and Wisconsin Department of Natural Resources' Water Quality Certification Condition No. 8, is approved.

(B) 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. § 825l (2012), and the Commission's regulations at 18 CFR § 385.713 (2017). The filing of a request for rehearing 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 and Project Review Branch  
Division of Hydropower  
Administration and Compliance

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