

**FEDERAL ENERGY REGULATORY COMMISSION**  
Washington D.C. 20426

**OFFICE OF ENERGY PROJECTS**

**Project No. 4914-022 - Wisconsin  
De Pere Hydroelectric Project  
Thilmany Papers, LLC**

**Jay Weigelt  
Thilmany Papers  
200 Main Avenue  
De Pere, Wisconsin 54115**

**March 18, 2011**

**Subject: Nuisance plant baseline survey report per article 406**

**Dear Mr. Weigelt:**

**This letter acknowledges receipt of your nuisance plant survey report, filed December 15, 2010. Your report was filed pursuant to the Commission's Order Modifying and Approving Nuisance Plant Control Plan Pursuant to Article 406<sup>1</sup> (plan) for the De Pere Hydroelectric Project (project).<sup>2</sup> The project is located on the U.S. Army Corps of Engineer's De Pere Lock and Dam on the Fox River in the City of De Pere in Brown County, Wisconsin.**

**Your plan requires you to file a report following the completion of your baseline survey for Eurasian water milfoil and purple loosestrife in project waters. In addition to reporting the results of your baseline survey, you may include in your report, a recommendation to discontinue future surveys, should the baseline survey results indicate that the project area is lacking suitable habitat for both species. You must file the report with the U.S. Fish and Wildlife Service (FWS) and the Wisconsin Department of Natural Resources (WDNR) for review and comment prior to filing it with the Commission by March 1, 2009. Your filing with the Commission must include documentation of consultation with the FWS and WDNR.**

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<sup>1</sup> Order Modifying and Approving Nuisance Plant Control Plan, 121 FERC ¶ 62,153 (issued November 30, 2007).

<sup>2</sup> Order Issuing Subsequent License, 110 FERC ¶ 62,239 (issued March 10, 2005).

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In your report, you summarized the results of your baseline survey conducted on August 7, 2008. You employed a point-intercept method commonly used by the WDNR to determine the presence and abundance of Eurasian water milfoil and purple loosestrife within the project boundary, as well as the area immediately surrounding the project boundary. Your survey identified zero Eurasian water milfoil beds and one colony of purple loosestrife, which was located outside of the project boundary. During the survey, you noted one shoot of Eurasian water milfoil floating downstream, which you attributed to a known population located upstream of the project. Given the absence of Eurasian water milfoil, purple loosestrife, or any other nuisance plant species in the project area, you recommended that monitoring efforts scheduled for 2009 per your plan, be cancelled.

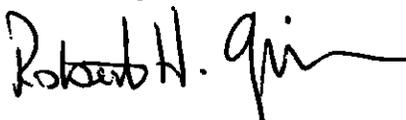
You provided your report to the FWS and WDNR for review prior to filing it with the Commission. Both agencies concurred with your report and recommendation to cancel monitoring activities scheduled for 2009.

When reviewing your filing, it became evident that the report was filed past the reporting deadline specified in your approved plan. The Commission recommends that you re-evaluate your license requirement tracking system to eliminate the potential for additional late filings in the future.

Your survey report, filed December 15, 2010, adequately fulfills the reporting requirements specified in your approved plan. Please be advised that, while Commission staff will continue to review these filings, staff will no longer issue acknowledgement letters for future filings under this license requirement, unless further Commission action is needed. When your future filings for this requirement are posted on the Commission's e-library system, you may consider that as acknowledgment of the Commission's receipt of your submittal.

Thank you for your cooperation. If you have any questions regarding this letter, please contact me at (202) 502-6760.

Sincerely,



for Joy M. Kurtz  
Aquatic Ecologist  
Division of Hydropower Administration  
and Compliance

Document Content(s)

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