

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

**OFFICE OF ENERGY PROJECTS**

Project No. 2239-038--Wisconsin  
King's Dam Hydroelectric Project  
Tomahawk Power & Pulp Company

Mr. Scott D. Goodwin  
Tomahawk Power & Pulp Co.  
3330 Clayton Road  
Suite B  
Concord, CA 94519

JAN 31 2007

Subject: 2006 noxious weed survey

Dear Mr. Goodwin:

This letter acknowledges receipt of your 2006 noxious weed report, filed October 23, 2006. The Commission's *Order Modifying and Approving Noxious Plant Monitoring Plan Pursuant to Article 407* (order)<sup>1</sup>, requires you to monitor, for at least five consecutive years, noxious plant species within the project boundary, including at minimum purple loosestrife and Eurasian watermilfoil. Ordering paragraph (B) of the order requires you to file annual reports with the Commission, including any comments and/or recommendations received from the agencies.

According to your report, your operator completed visual surveys of the Kings dam for purple loosestrife by walking the entire facility once a week, from July 15, 2006 through August 15, 2006. You state there was no sign of purple loosestrife on the facility. You state you submitted your report to the U.S. Fish and Wildlife Service and the Wisconsin Department of Natural Resources, and did not receive any comments from these agencies.

Ordering paragraph (B) of the order requires you to monitor for, at a minimum, purple loosestrife and Eurasian watermilfoil. In your report you state that you only monitored for purple loosestrife. You are reminded that during future monitoring efforts you must also monitor for Eurasian watermilfoil, pursuant to the 2005 order.

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<sup>1</sup> 112 FERC ¶ 62,045. Issued July 19, 2005.

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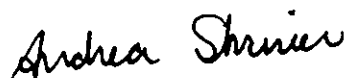
Additionally, you did not complete a survey in 2005, as required by the 2005 order. In a letter filed on December 1, 2006, you state that you did not complete a survey in 2005 because you were not aware that the Commission had approved your Noxious Plant Plan. Pursuant to your approved plan, you are required to monitor purple loosestrife and Eurasian watermilfoil for at least five consecutive years. With the lack of monitoring in 2005, and the lack of monitoring for Eurasian watermilfoil in 2006, you have not fulfilled the requirements of the order for the year 2005 or 2006. Therefore, beginning in 2007, you will need to continue to monitor annually for five years and submit reports up to 2011, at which at that time you may propose an alternative monitoring method, as stated in ordering paragraph (C) of the order.

Within 30 days of receipt of this letter, file a response with the Commission indicating that you have received this letter and acknowledge your understanding of the requirements of the Commission's *Order Modifying and Approving Noxious Plant Monitoring Plan Pursuant to Article 407*, and the updated due dates of your monitoring and annual reports as indicated above. Additionally, your approved plan states that your field operator would be trained by the Wisconsin Valley Improvement Company. In your response, indicate whether or not your operator has completed this training and provide documentation of such training, if available. Please file your response with:

The Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E., Mail Code PJ 12.3  
Washington, D.C. 20426

Your next report is due by December 31, 2007, for the 2007 monitoring season. The 2007 monitoring must include monitoring results for both purple loosestrife and Eurasian watermilfoil. Thank you for your cooperation. If you have any questions concerning this matter please contact me at (202) 502-8171.

Sincerely,



Andrea Shriver  
Ecologist  
Division of Hydropower Administration  
and Compliance

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cc: **Robert Martini**  
**Wisconsin Department of Natural Resources**  
**107 Sutliff Ave**  
**Rhineland, WI 54501-3349**

**Louise Clemency**  
**U.S. Fish and Wildlife Service**  
**2661 Scott Tower Drive**  
**New Franken, WI 54229-9565**