

82 FERC ¶ 62,001

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Wisconsin Public Service Corporation) Project No. 2433-014
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ORDER MODIFYING AND APPROVING PURPLE LOOSESTRIFE AND EURASIAN MILFOIL MONITORING PLAN

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On November 3, 1997 the Wisconsin Public Service Corporation (WPSC), Licensee for the Grand Rapids Hydroelectric Project filed a Purple Loosestrife and Eurasian Milfoil Monitoring Plan (Plan), pursuant to Article 411 for the Project license. ^{1/} The Grand Rapids Project is located on the Menominee River in Marinette County, Wisconsin and Menominee County, Michigan.

BACKGROUND

Article 411 requires the Licensee to develop a plan, to monitor and control the distribution and abundance of purple loosestrife (Lythrum salicaria) and Eurasian milfoil (Myriophyllum spicatum) in project waters. The Plan shall include at a minimum: (1) the method and frequency of monitoring, (2) a provision to cooperate in the control/elimination of these vegetative species if deemed necessary by the agencies, and (3) documentation of transmission of monitoring data to Michigan Department of Natural Resources (MDNR), Wisconsin Department of Natural Resources (WDNR), and U.S. Fish and Wildlife Service (FWS).

PROPOSED PLAN

Eurasian Milfoil: WPSC proposes to use a methodology developed with WDNR. A routine aquatic macrophyte survey by boat will take samples at fifteen different transects, approximately 40 feet in length, in the first study period. The transects will be mapped using Global Positioning System (GPS) coordinates. The number of transects in the second monitoring period will be reduced to about ten, using best judgement/random selection process. Transects will be selected based upon location of macrophyte colonies and areas of likely infestation. The transect samples will occur every three years and will be analyzed for presence and abundance of Eurasian milfoil.

WPSC will display the results of each transect in tabular form indicating relative abundance which will be provided to WDNR, MDNR, and FWS by December 31, every third year. If the

^{1/} 79 FERC ¶ 62,098 (February 2, 1997).

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abundance of Eurasian milfoil becomes great, WPSC proposes to allow a natural predator to maintain the population. WPSC will increase public awareness about Eurasian milfoil by providing information notices from the MDNR and WDNR at WPSC owned public access areas in the project boundary.

Purple Loosestrife: WPSC proposes to annually (July or August) monitor for purple loosestrife when the plants are in bloom. Monitoring methods include a shoreline survey of the impoundment, the Menominee River, and all wetlands within the project boundary. The survey will be conducted by boat and on foot to determine a baseline of existing colonies. Subsequent monitoring will determine the increase of density and abundance of purple loosestrife.

The survey results will be displayed on a map of the total project area and provided to the WDNR, MDNR, and FWS by October 31, every year. The map will indicate relative populations based on the following criteria: (1) small colonies of 1 to 5 plants, (2) medium colonies of 6 to 50 plants, and (3) dense colonies of more than 50 plants. Subsequent to the monitoring, the need for further action will be discussed with the agencies. Small colonies will be cut. The remaining plant stems will be hand pulled or cut and then sprayed by an appropriate aquatic herbicide. WPSC will display purple loosestrife fact sheets from the WDNR and MDNR at all WPSC owned public access areas within the project boundary.

AGENCY COMMENTS AND LICENSEE RESPONSE

Eurasian milfoil: By letters dated October 9 and 10, 1997, WDNR and MDNR, respectively, provided comments on the Plan. WDNR and MDNR recommend that the Plan be modified to include measures to control and eliminate Eurasian milfoil, if it becomes established at the project. The agencies argue that control should be included because that is the intent of Article 411.

MDNR recommends that all Eurasian milfoil mats be identified on the impoundment locations for this species. Identifications should be permanently marked, with floating markers, using GPS coordinates around the perimeter of the mat, if large, and a single GPS coordinate in the center of the mat, if small. The perimeter should be measured and the identified mats within each area should be measured for density. Overall mat thickness should be estimated using multiple locations within each mat.

All other agency comments on Eurasian milfoil were either resolved or incorporated into the Plan.

WPSC responds to agency comments by letter dated October 31, 1997. First, WPSC argues that it is not the intent of Article 411 to make the licensee solely responsible in controlling

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Eurasian milfoil. There have been no indications by past agency actions that indicate needed control of Eurasian milfoil. WPSC says populations of Eurasian milfoil have declined in some areas due to control by a native weevil (euhrychiopsis lecontei) which feeds upon Eurasian milfoil. The weevil is native to the area and requires a relatively undeveloped shoreline covered with leaf litter for its terrestrial wintering habits, such as the Grand Rapids Project area. Second, WPSC does not agree to mark the matted areas with floating markers due to hazards to boat traffic and liability issues associated with placing floating markers. WPSC also argues that determining mat density and thickness is beyond the scope of license Article 411.

Purple loosestrife: The MDNR and WDNR recommend that the Plan be modified to include measures to control and eliminate purple loosestrife if it becomes established at the project.

MDNR recommends using US Agriculture Stabilization and Conservation Service (ASCS) true color aerial photos of the project area to assist in surveys of the impoundments, if available. The area of each purple loosestrife stand should be estimated. In addition to the relative abundance estimate, MDNR recommends that stem densities be estimated at a minimum of 3 locations within the plant stand using a meter square frame. At least 10 percent of each stand should be measured for plant density and computation of an average stem density. Locations for this species should be permanently marked using a shoreline benchmark with a known GPS coordinate.

All other agency comments on purple loosestrife were either resolved or incorporated into the Plan.

WPSC responded to MDNR's recommended monitoring methods by stating that WPSC's data has a defined use for eventual control/elimination, whereas MDNR's method would only generate information that is not needed.

DISCUSSION AND RECOMMENDATIONS

Eurasian milfoil: The intent of license Article 411 is to monitor, then cooperate in controlling/eliminating these noxious species, as needed. However, until monitoring reports document established populations of Eurasian milfoil in the project area, specific elimination measures may not be precise. To date, the need for specific elimination measures has not been demonstrated. Therefore, we agree with the licensee's current proposal to use a natural eradication process if Eurasian milfoil becomes established. However, if and when monitoring reports support the need to eliminate this plant, the licensee should cooperate with the agencies in developing site-specific measures to control or eliminate Eurasian milfoil.

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We agree with the licensee that floating markers could create potential boating hazards, and therefore, they are not included as part of this Plan. However, we agree with MDNR that mat density, stand perimeter, and mat density are needed information within the scope of license Article 411. In addition, this information has been routinely collected when monitoring for Eurasian milfoil at other FERC projects (i.e., Brule, Chalk Hill, and White Rapids).

Purple loosestrife: As stated above, if and when monitoring results support the need to eliminate purple loosestrife, the licensee should cooperate with the agencies in developing site-specific measures to control/eliminate this plant.

We agree with the licensee that stringent sampling techniques, such as those recommended by MDNR are not necessary at this time. Since all areas of the impoundment will be inspected, the licensee's proposed sampling methods will adequately quantify any infestations of purple loosestrife at the project site.

The Plan: According to the Plan, the licensee will file the monitoring results with the agencies by December 31, every three years for Eurasian milfoil, and by October 31, every year for purple loosestrife. It is only necessary that the documentation be filed with the Commission for the first two monitoring years (1998 and 2001 for Eurasian milfoil and 1998 and 1999 for purple loosestrife). This documentation will allow us to confirm that the monitoring plan is being properly implemented. The licensee is required, however, to monitor for Eurasian milfoil and purple loosestrife over the life of the license. The licensee shall continue to provide the annual and tri-annual results to the MDNR, WDNR, and FWS as described in the Plan.

In summary, the Purple Loosestrife and Eurasian Milfoil Monitoring Plan satisfies the requirements of license Article 411. Implementation of this Plan, should adequately monitor and help control the purple loosestrife and Eurasian milfoil populations on Grand Rapid Project lands and waters. Therefore, this Plan should be approved, as amended.

The Director orders:

(A) The Purple loosestrife and Eurasian milfoil Monitoring Plan filed by the Wisconsin Public Service Corporation on November 3, 1997, pursuant to license Article 411 for the Grand Rapids Project, is approved, as modified by ordering paragraphs (B) and (C).

(B) The Licensee shall monitor Eurasian milfoil every three years, starting August 1998, and notify the Commission that the tri-annual monitoring results were filed with the agencies by

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December 31, 1998 and 2001. Monitoring reports should include copies of any comments from the agencies.

(C) The Licensee shall monitor purple loosestrife annually, starting August 1998, and notify the Commission that the annual monitoring results were filed with the agencies by October 31, 1998 and 1999. Monitoring reports should include copies of any comments from the agencies.

(D) The Commission reserves the right to require changes to the Purple loosestrife and Eurasian milfoil Monitoring Plan.

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



Kevin P. Madden
Acting Director
Office of Hydropower Licensing