

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

**Project No. 2785-016--Michigan
Sanford Water Power Project**

**Project No. 10808-007--Michigan
Edenville Project**

**Project No. 10809-006--Michigan
Secord Project**

**Project No. 10810-008--Michigan
Smallwood Project**

Boyce Hydro Power, LLC

February 17, 2012

**Frank O. Christie, P.E.
General Manager
Boyce Hydro Power, LLC
6000 South M-30 (P.O. Box 15)
Edenville, MI 48624**

Subject: 2011 Eurasian Water Milfoil and Purple Loosestrife Survey Report

Dear Mr. Christie:

On January 9, 2012, you filed with the Federal Energy Regulatory Commission (Commission) the 2011 survey report for Eurasian watermilfoil and purple loosestrife at the Sanford Project (FERC No. 2785), Edenville Project (FERC No. 10808), Secord Project (FERC No. 10809), and Smallwood Project (FERC No. 10810), pursuant to license articles 409, 408, 407, and 407, respectively.¹ As discussed below, your survey report is deficient and, therefore, rejected.

¹ Order on Rehearing and Amending License Order (61 FERC ¶ 61,066), Order Issuing Original License (85 FERC ¶ 61,063), Order Issuing Minor License (85 FERC ¶ 61,064), and Order Issuing Minor License (85 FERC ¶ 61,065), respectively, all issued October 16, 1998.

License Requirements

Articles 409, 408, 407, and 407 of the respective licenses required you to file, for Commission approval, a plan to monitor purple loosestrife and Eurasian watermilfoil in project waters. The plan was to include: (1) a description of the monitoring method; (2) a monitoring schedule; (3) a schedule for providing the monitoring results to the Michigan Department of Natural Resources (MDNR); (4) documentation of agency consultation, including copies of comments and recommendations on the completed plan; and (5) specific descriptions of how the agencies' comments are accommodated by the plan. On April 14, 1999, you filed, for Commission approval, purple loosestrife and Eurasian watermilfoil monitoring plans for each project. On May 10, 1999, the Commission issued the Order Approving and Amending Purple Loosestrife and Eurasian Milfoil Monitoring Plans for the four projects.²

The approval order requires you to survey, on a five-year basis, the entire project lakes to determine the extent and concentrations of purple loosestrife and Eurasian milfoil. The data collected from the surveys are to be plotted on U.S. Geological Survey (USGS) maps, showing three levels of concentration for each plant. Each concentration would be identified by a different color and the criteria for the various densities of infestation would be included in the maps.

In addition to the maps, a report was to be generated to include: (1) an estimate, in acres, of the infestation of Eurasian milfoil and purple loosestrife; (2) summary and copies of lake management studies done by various organizations; (3) list of Michigan Department of Environmental Quality permits for chemical treatments in each lake; (4) description of weed treatments, including the method and extent of treatment; (5) summary of community activities that address the nutrient loading problems in each lake, such as sewer feasibility studies; and (6) participation in and a summary of the Michigan State University Purple Loosestrife Program.

Discussion and Conclusions

Your first monitoring survey for Eurasian watermilfoil and purple loosestrife was conducted in August of 1999, and the initial survey report was filed with the Commission on August 2, 2000. By letter dated December 14, 2000, the Commission accepted the initial survey report as fulfilling the requirements of the May 10, 1999 approval order. However, our December 14, 2000 letter included three recommendations for future survey reports: (1) provide a map for the Secord Project even though that project had the least concentration of weed growth; (2) all maps should include the criteria for determining the three levels of infestation concentration; and (3) all maps need to separate general weed growth from identified Eurasian watermilfoil plants.

² 87 FERC ¶ 62,171.

Project No. 2785-016, *et al*

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Our review of your 2011 survey report for Eurasian watermilfoil and purple loosestrife, filed January 9, 2012, finds that the report is deficient and does not meet the requirements of the respective license articles and the approved plans for each project. Your report is deficient because it does not include: (1) an estimate, in acres, of the infestation of Eurasian milfoil and purple loosestrife for each project; (2) a summary and copies of any lake management studies done by various organizations; (3) description of any weed treatments, including the method and extent of treatment; (4) summary of county, township, and community activities; and (5) revised maps showing the areas of Eurasian watermilfoil and purple loosestrife growth with color-coded depictions of infestation concentration. Please revise your report to include these items.

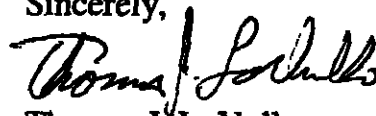
Please file an original and eight copies of your complete, 2011 survey report for Eurasian watermilfoil and purple loosestrife, with the Commission, within 30 days of the date of this letter. Please submit the revised report with:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Instead of filing paper copies, you may file this information electronically via the Internet; see the instructions on the Commission's website (<http://ferc.gov/docs-filing/efiling.asp>). Although the Commission encourages electronic filing, your response may be paper-filed at the address above. Please put the docket numbers, P-2785-016, P-10808-007, P-10809-006, and P-10810-008, on the first page of your response.

If you cannot file the requested information within 30 days from the date of this letter, please provide an explanation for the delay and request an extension of time. Thank you for your cooperation. If you have any questions regarding this matter, please contact John Mark at (212) 273-5940.

Sincerely,



Thomas J. LoVullo
Chief, Aquatic Resources Branch
Division of Hydropower Administration
and Compliance

c: Mr. Lee W. Mueller
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