

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, Inc.

November 8, 2012

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

Subject: 2012 Eurasian Water Milfoil and Purple Loosestrife Survey Report
Extension of Time

Dear Mr. Christie:

On October 22, 2012, you filed a letter, which was supplemented on November 5, 2012, with corrected information, requesting an extension of time until December 1, 2012, to file the survey reports for Eurasian watermilfoil and purple loosestrife at the Sanford Project No. 2785, Edenville Project No. 10808, Secord Project No. 10809, and Smallwood Project No. 10810, pursuant to license articles 409, 408, 407, and 407, respectively.¹ The respective license articles required you to file, for Federal Energy

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.

Regulatory Commission (Commission) approval, a plan to monitor purple loosestrife and Eurasian watermilfoil in project waters. Your plans were approved on May 10, 1999, for all four projects.²

The May 10 approval order requires you to survey, on a five-year basis, the entire project lakes to determine the extent and concentration of purple loosestrife and Eurasian watermilfoil. 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 should be identified by a different color and the criteria for the various densities of infestation should be included on the maps.

In addition to the maps, a written report is required that includes: (1) an estimate, in acres, of the infestation of Eurasian watermilfoil and purple loosestrife; (2) a summary and copies of lake management studies done by various organizations; (3) a list of Michigan Department of Environmental Quality (MDNR) permits for chemical treatments in each lake; (4) a description of weed treatments, including the method and extent of treatment; (5) a summary of community activities that address the nutrient loading problems in each lake, such as sewer feasibility studies; and (6) a description of your participation in and a summary of the Michigan State University Purple Loosestrife Program as it relates to your projects. The maps and written report should be filed with the Commission and MDNR by October 31, of the year in which the five-year survey for purple loosestrife and Eurasian watermilfoil was conducted.

On January 9, 2012, you filed the 2011 five-year survey report for Eurasian watermilfoil and purple loosestrife at your four projects, which was determined by Commission staff to be deficient and was rejected by our letter dated February 17, 2012. On March 27, 2012, you filed a request for an extension of time until September 1, 2012, to conduct the field reconnaissance and to file the monitoring report for Eurasian watermilfoil and purple loosestrife.

By Commission letter dated May 22, 2011, you were directed to conduct the field reconnaissance for Eurasian watermilfoil and purple loosestrife during the summer of 2012. You were also directed to file color-coded maps and the survey report with the Commission and MDNR by October 31, 2012, in accordance with the respective license articles and the approved purple loosestrife and Eurasian watermilfoil monitoring plans.

Your October 22, 2012 letter and your November 5, 2012 supplemental correction letter noted that your consultant completed the field surveys and is working on the maps for the monitoring report. Your letters also noted that the maps portion of the survey report is taking longer than anticipated and will not be completed by the October 31,

² Order Approving and Amending Purple Loosestrife and Eurasian Milfoil Monitoring Plans (87 FERC ¶ 62,171).

2012 filing deadline. Your letters request an extension of time until December 1, 2012, to file the 2012 survey report and maps. Your request for an extension of time until December 1, 2012, to file the color-coded maps and monitoring report with the Commission and MDNR, is granted.

Please note that in order to stay on the original five-year monitoring schedule, you are required to conduct the field reconnaissance for Eurasian watermilfoil and purple loosestrife in 2014, and to file that monitoring report by October 31, 2014. Implementation of your 2012 and 2014 Eurasian watermilfoil and purple loosestrife surveys and timely filing your monitoring reports should bring you into compliance with the respective license article requirements, and return you to the five-year surveying and reporting cycle. Please add these dates to your project tracking calendars.

Lastly, please file an original and eight copies of your complete 2012 survey report, for the four projects, for Eurasian watermilfoil and purple loosestrife by December 1, 2012, with:

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

The Commission encourages electronic filing. In lieu of filing an original and eight copies of your report, you may file the required information electronically via the Internet. See the instructions on the Commission's website (<http://ferc.gov/docs-filing/efiling.asp>). 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.

Thank you for your cooperation. If you have any questions regarding this matter, please contact John Mark at (212) 273-5940 or by email at john.mark@ferc.gov.

Sincerely,

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

cc: Mr. Lee W. Mueller
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