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Upper Peninsula Power Company

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CATARACT PROJECT

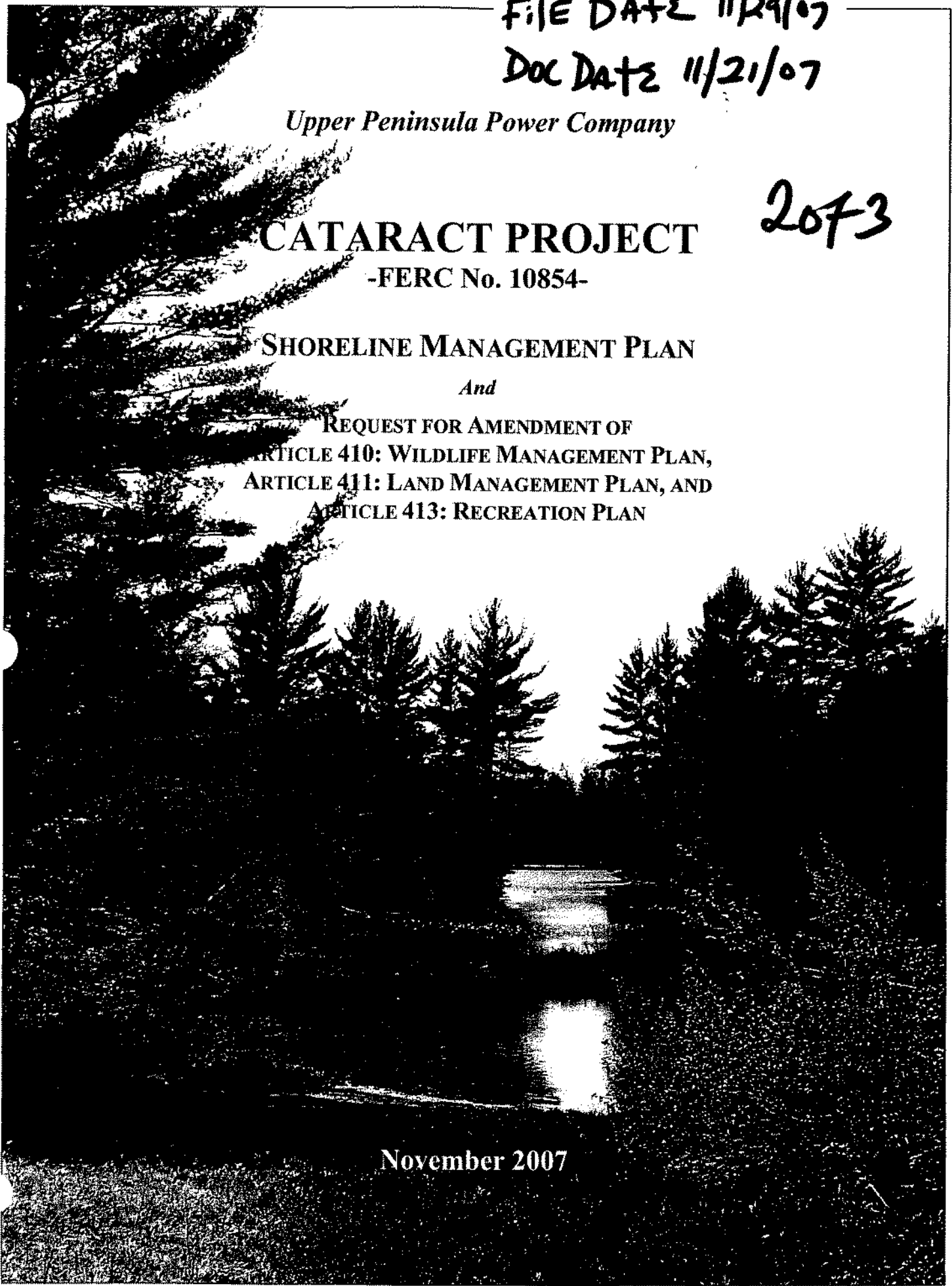
-FERC No. 10854-

SHORELINE MANAGEMENT PLAN

And

REQUEST FOR AMENDMENT OF
ARTICLE 410: WILDLIFE MANAGEMENT PLAN,
ARTICLE 411: LAND MANAGEMENT PLAN, AND
ARTICLE 413: RECREATION PLAN

November 2007



Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 36
28 August 2006
COMBINED AGENCY COMMENTS ON DRAFT REPORTS

**Michigan Hydro
Relicensing Coalition**



August 28, 2006

Shawn Puzen
Upper Peninsula Power Company
P.O. Box 19001
Green Bay, WI 54307-9002

RE: Resource agency comments on draft environmental baseline assessments for non-project use of project lands (FERC Project Numbers 1864, 10854, 2506, 2402, and 10856)

Dear Mr. Puzen:

Please find enclosed combined comments from the Michigan Department of Natural Resources, U.S. Forest Service (Hiawatha and Ottawa National Forests), National Park Service, U.S. Fish and Wildlife Service, Michigan Hydro Relicensing Coalition and Keweenaw Bay Indian Community (Resource Agencies) on the environmental baseline assessments conducted by E-PRO Engineering and Environmental Consulting. These studies were conducted to map and assess important natural resource features on several Federal Energy Regulatory Commission (FERC) hydroelectric basins (FERC Project Nos. 1864, 10854, 2506, 1402, and 10856).

These comments are provided by the Resource Agencies in consultation with Upper Peninsula Power Company (UPPCO) as part of the FERC Shoreline Management Planning process. The overarching goal of the agencies in this process is to assure that any non-project use of project lands does not compromise the integrity of the licenses in place.

We have reviewed the draft studies for recreation, wildlife, loon and aesthetic resources and have enclosed our comments on the studies for each basin. The Resource Agencies are not involved in every project, therefore, we are providing Table 1 (attached) to clarify which agencies are involved at each basin.

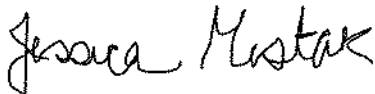
General Comments

We recommend that UPPCO not identify these studies as "Environmental Assessments." Environmental Assessment (EA) has a specific meaning under the National Environmental Policy Act (NEPA). These assessments do not meet the requirements of an EA as defined under NEPA. In general, an EA includes brief discussions of the following: the need for the proposal, an analysis of alternatives, environmental impacts of the alternatives, and a listing of agencies and persons consulted. FERC will likely be completing an EA as part of reviewing and approving a Shoreline Management Plan (SMP). In order to reduce confusion regarding the purpose of the studies by E-PRO, we suggest that the studies be referred to as "Environmental Baseline Assessments."


The study results do provide an overview of some of the resources of each flowage and surrounding project land. This information has improved our understanding of the location and extent of important environmental features at each basin. The information, however, is limited in scope as it was gathered during a brief period during May and June 2006. The reliability of the data collected is also questionable since standard protocols, as suggested by the resource agencies, were not utilized for some resources (raptors, substrate mapping, etc.) Other resources, such as old growth, hemlock, and oak stands were not identified and therefore the studies are not useful in identifying these important habitat features. These caveats will need to be considered as the SMP is developed.

We appreciate the opportunity to provide these comments. If you have any questions about this matter, please contact any of the signatories below at the phone numbers provided.

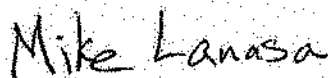
Sincerely,



Jessica Mistak
Senior Fisheries Biologist
Michigan Department of Natural Resources
(906) 249-1611 ext. 308



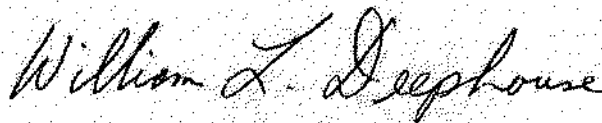
Norman Nass
District Ranger
U.S. Forest Service: Ottawa National Forest
(906) 358-4551 ext 14



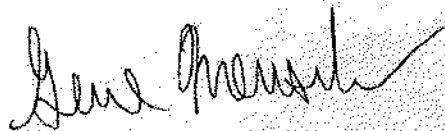
Mike Lanasa
Ecosystems Team Leader
U.S. Forest Service: Hiawatha National Forest
(906) 789-3379



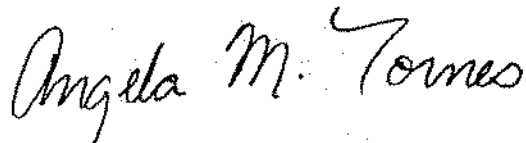
Christie M. Deloria
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(906) 226-1240



William Deephouse
Michigan Hydro Relicensing Coalition
(906) 482-6607



Gene Mensch
Fish and Wildlife Biologist
Keweenaw Bay Indian Community, Natural Resources Department
(906) 524-5757 ext 12



Angela M. Tornes
Regional hydropower coordinator
National Park Service

Enclosures

Cc: John Estep

8/28/2006 9:50 AM

Combined Agency Comments

On

Environmental Baseline Studies

for

Bond Falls, Victoria, Prickett, Cataract, Boney Falls, and AuTrain basins.

Unless otherwise noted the comments below apply to all basins. "Agencies" are Michigan Department of Natural Resources, U.S. Fish & Wildlife Service, U.S. Forest Service (Ottawa and Hiawatha National Forests), Michigan Hydro Relicensing Coalition, National Park Service, and Keweenaw Bay Indian Community.

Study Overview

Impoundments

- For many of these impoundments the reservoir target elevation or minimum elevations varies. Because of this we propose the minimum pond elevation that could be experienced during the boating season be utilized to conservatively estimate surface area and shoreline.

Basin Name	Recommended Elevation
Bond Falls	1469.9 NGVD (minimum elevation during boating season)
Victoria	905 feet Mean Sea Level
Cataract	1,173.5 Mean Sea Level
Boney Falls	906.17 USGS Datum
Au Train	772 ft local datum

Recreation Resources

Introduction

- Michigan Hydro Relicensing Coalition/River Alliance of Wisconsin (MHRC/RAW) and National Park Service should be included in the list of agencies and NGO's

Existing Recreation Facilities

- At the basins many informal recreation sites were identified; most basins had a much higher number of informal recreation sites compared to formal recreation sites. Please clarify whether UPPCO plans to keep the informal sites open for public use or if these sites will be closed.

- The Recreation Plan does not discuss any nearby formal or informal trails. These features should be included and mapped.
- (AuTrain, Boney Falls, Prickett) The Recreation Plan does not discuss any bank fishing sites. These features should be included and mapped.
- For all of the sites a relative measure of compaction was provided. How was compaction measured or observed?
- There are many other forms of recreation on these flowages that do not involve direct use of recreation sites identified and inventoried. Fishing, waterfowl hunting, hiking, birdwatching, canoeing/kayaking, and other forms of recreation occur on and around these flowages. These activities could be impacted by non-project use of project lands. The impact of non-project use of project land on these recreational activities must be analyzed.
- (Bond Falls) Site R-1 is described as a formal boat launching, picnicking, camping, and bank fishing site. There is one nearby campsite (No. 11), but no picnicking or bank fishing facilities are available here. Additionally, two formal boat launching sites are noted. The second site (R-18) is listed on page 2-19 as an informal site. Please clarify whether these sites are formal or informal.
- (Bond Falls) The 15 informal recreation facilities on Map 2-1 and description are confusing. For 9 of these sites (R-4, 5, 9, 10, 11, 12, 13, 15, and 19) you specifically note "no erosion" at the site. However, under 2.2.3 Areas Not Conducive to Recreational Development, you state that "field crews observed eroded banks in 15 different areas around the lake." Do these 15 areas include the recreation sites? Please map these sites so that the location of the recreation sites and erosion sites are shown together.
- (Bond Falls) Descriptions of the informal sites note that the site "appears to be associated", "may be associated", or "is associated" with a formal campsite. How was the relationship between campsite and informal areas determined? In our observations, many of the informal sites are closely associated with formal campsites.
- (Prickett) The Michigan Recreational Boating Information System directory (available from Michigan.gov/dnr website) lists Prickett Dam Backwaters site as having a parking area for 15 car/trailer units. Please correct this information for site R-2 on page 2-3 and make the necessary calculation corrections in section 2.3.3 Lake Use Rate on page 2-8.
- A description of average recreational use of the campgrounds, as well as purpose of campground visit, should be included.
- Include a description of how the existing recreational use may be affected by proposed non-project use of project land.

Additional Recreation Observations

- It should be noted that Michigan Department of Natural Resources staff have observed increased use of the basins during waterfowl hunting season (September through November) and during deer hunting season (October through December). This increased use is not captured in the short time frame of visits in May and June.
- Please note the days of the week and duration of visits to the impoundments. Boating observations may have missed users who were out in the early morning or evening. Also weekend days may have more usage and may not have been captured during the study.
- A description on how proposed non-project uses of project land will impact recreation, including hunting, should be included.
- A thorough description of recreational use by anglers, hunters, and trappers should be included.
- Passive recreational use, such as mushroom and berry picking or bird watching, should be described.

Areas not Conducive to Recreation Development.

- The use of the phrase "natural wave action" is misleading, since the effects of wave action on these flowages is magnified by the artificial manipulation of water levels, which does not allow vegetation to become established in shoreline areas, thus making many areas more prone to erosion from wave action than they would normally be on a natural lake.
- A discussion of site conditions not conducive to the development of dock structures and marinas including shallow water areas that limit ingress and egress to the shore, wetlands, and other sensitive areas should be included. In addition, a map of shoreline site conditions not conducive to the development of dock structures or marinas should be included. According to Wagner (1991)¹, shallow areas of lakes (e.g., less than 5 feet) are most likely to exhibit negative impacts associated with boating. These impacts include sediment re-suspension, reduced water quality, and reduced habitat for aquatic and terrestrial species.
- (Prickett, Victoria) Please provide a detailed topographic map to help visualize the steep bank areas around the reservoir.
- (Bond Falls) For the various sites described, the causes for any erosion observed are stated (human use, natural wave action, etc). This is somewhat speculative, and it would be more appropriate to refer to the Bond Falls Erosion Control Plan (and subsequent contractor report) for information on probable causes of erosion at each site.

¹ Wagner, K. J. 1991. Assessing impacts of motorized watercraft on lakes: Issues and perceptions. Pages 77-93 in Proceedings of a National Conference on Enhancing the States' Lake Management Programs. Northeastern Illinois Planning Commission.

Boating Carrying Capacity

- An important step in determining acceptable boating densities and desired types of water-based recreational use is lacking: developing a “desired condition” for the reservoirs. The desired condition details the setting and type of recreation experiences desired. There are accepted methods for developing the desired condition, such as Water Recreation Opportunity Spectrum (WROS). WROS helps determine the niche of a particular water body in the region. Without determining the desired condition, calculating possible numbers of boats on a water body lacks meaning and context. Any number (or range of numbers) that is arrived at, and any specific watercraft type, may or may not fit with the desired condition. The Forest Service can provide more information on the use of WROS for developing a desired condition for particular basins.
- User perceptions of acceptable boating density in similar settings are missing from the discussion (this is part of WROS process described above).
- A discussion on the type of watercraft commonly used on the impoundment needs to be included.
- The density estimates do not take into account potential for increased public use of the basin and associated facilities over the term of the FERC license.
- The “Recreational Resources” map does not include constraints to recreational development (e.g., docks and marinas) such as shallow water areas, areas of aquatic vegetation, and wetlands.

Usable Lake Surface Area

- Please clarify the elevation of “full pond”. We suggest the minimum pond elevation during the open water boating season be utilized to provide a conservative estimate. See comment under “Study Overview: Impoundments” above.
- (AuTrain) The southern portion, or approximately 1/5, of the basin is considered a wildlife refuge and is closed for over 2 months of the year. This needs to be taken into account when calculating the useable lake surface area.

Boating Density

- Since this section is based largely upon Boating Carrying Capacity as determined by the previous section, and since there are serious questions about the methodology used to estimate Boating Carrying Capacity (see comments above), the range of boat numbers arrived at, and the type of watercraft, has no meaning or context. Again, a “desired condition”, detailing the setting and types of desired recreational experiences, needs to be determined before making calculations of acceptable boating densities and types of watercraft.

- User perceptions of acceptable boating density at the flowages, or in similar settings are missing from the discussion. No interviews were conducted with boaters on this flowage to help determine acceptable boating densities.
- Information on the type of watercraft actually used on the impoundments should have been provided, rather than speculating as to what types of boats/motors represent the “most likely” users.
- The studies referenced (in table 2-1 for Bond Falls) may not be relevant to the discussion, depending on user perceptions in those areas and their history. Using an average of the figures obtained from these studies, is probably overly simplistic and not appropriate for determining appropriate boater densities for this flowage.
- Please include a note in the study that the Resource Agencies and UPPCO, while team evaluating impacts to project resources, will need to agree in the Shoreline Management Plan upon an acceptable boating density standard.
- Please note that fishing boats (and boats used for waterfowl hunting) often have motors greater than 25 HP.
- (Prickett) The analysis should take into account the presence of stumps and floating snags in this flowage, which are abundant and which are one of the major “defining characteristics” of this flowage (p. 5-7). These stumps and snags are one of the main features that attract fishermen to the flowage, and fishing is the dominant recreational use at this time (p. 5-10).

Conclusions

- (Prickett) The presence of stumps and floating snags, and the ways these features shape the current recreational use of Prickett Flowage, needs to be included in the analysis. This would logically be part of the WROS assessment discussed above.

Wildlife and Aquatic Habitat

Study Objectives

- The main objectives of the Wildlife and Aquatic Habitat study should be clarified to reflect the objectives listed in the Scope of Services: 1) gather all readily obtainable, existing information on wildlife and aquatic habitat/species associated with the subject impoundments and project lands, 2) conduct field work to verify the presence and condition of existing data, 3) map and document (on a broad-scale) new occurrences of habitat and species of interest observed during the field work effort, and 4) use these data to develop natural resource constraint maps/databases for each impoundment.
- In addition to possible nesting platforms, potential nesting sites should also be included in the list of study objectives.
- Gray wolf and gray wolf habitat should be included in the list of study items.

Nearshore Aquatic Habitat

- Fisheries assessments were either lacking or were incorrect. Information on the current status of the fish community should be included.
- The presence and distribution of littoral fisheries habitat such as gravel lenses, woody structure, and aquatic vegetation is described in general terms within the assessments. The assessments indicate that habitat conditions were documented using GIS-based field maps and GPS, however the data displayed within the assessments was not site specific. Further detail of specific habitat types with GPS mapping aspects will be necessary if any habitat alteration proposals are entertained. The data displayed within the assessments lacks specificity that would allow for determining the impact any proposals seeking shoreline alterations, dock construction, or woody habitat manipulation.
- (Bond Falls) Please provide a map showing the location for the photo in Figure 3-1.
- (AuTrain) Please clarify intent of the third sentence in the first paragraph under 3.2.1.

Bald Eagle, Great Blue Heron, and Osprey Nesting

- Include information on the typical altitude above ground level at which the helicopter was flown, as well as the separation between transects.
- (Bond Falls) The information obtained (re. existence of suitable bald eagle nest trees on the large peninsula along the eastern shore) is new information and needs to be considered in reference to the new campground unit planned for that peninsula.
- (Bond Falls) A discussion of whether any natural suitable osprey trees currently exist in or around the flowage is missing.
- (Prickett) It is unclear what criteria were used to evaluate nesting habitat potential for great blue heron. The large wetland complex at the south end of the flowage would appear to provide good habitat in general for herons (and herons were observed there), yet the statement is made (p. 3-5) that there is a "lack of suitable natural nesting habitat for great blue heron." Herons are colonial nesters and will utilize a wide range of tree species and tree sizes for their nests (Atlas of Breeding Birds of Michigan, 1991), so it is unclear why there is a lack of nesting habitat.
- (Victoria) It is concluded that "no suitable natural nesting habitat was observed" for ospreys, please define suitable osprey nesting habitat.

Waterfowl and Sandhill Crane

- According to the Michigan Audubon Society², cranes are not dependent on using traditional bogs with sphagnum and leatherleaf for nesting and often use smaller wetlands

² <http://www.michiganaudubon.org/bakersanctuary/crane.htm>

with a greater variety of vegetative cover types. Therefore it is not correct to conclude that there is no crane nesting habitat on project lands around the flowage.

- Although evidence of waterfowl and sandhill crane nesting was limited during the assessments, the large number of goslings, ducklings, and juvenile sandhill cranes indicate that nearby nesting locations are present.
- These surveys were conducted at the wrong time of year to accurately reflect migratory wildlife usage.
- (Prickett) The very brief period of observation for wildlife on this flowage (2 days in June) must be considered when reviewing the data obtained. For example, we have observed several different species of waterfowl on Prickett flowage over the years (including mallards, black ducks, wood ducks, etc.), yet the brief visit revealed only one waterfowl species: common merganser. We would consider the information provided in this report anecdotal.
- (AuTrain) Please clarify the intent of the last sentence of the last paragraph under 3.2.3.

Wetlands and Significant Upland Habitats

- Documentation of the prominent plant species in each wetland cover type and documentation of the hydrological condition of the wetlands including extent of inundation and general water depths is missing.
- (Bond Falls) On 3-7 it states that sandbar willow along the shoreline is typically flooded, providing excellent habitat for wildlife. This may be true in May, but by July, this habitat is gone, as water levels are generally much lower and far below this vegetation.
- (Bond Falls) On p. 3-9 it states that ... "no other unique or significant upland habitat was observed at Bond Falls". This is somewhat misleading, since surveys were not conducted for some upland habitat types recommended by the agencies (stands with old growth characteristics or stands with hemlock/white pine component).
- (Prickett) The sizeable cedar/yellow birch/hemlock wetland and the stand of mature hemlock is an important forest component that was noted in the study. Were these areas identified from a boat or examined on shore?
- (Victoria) There is no discussion of Significant Upland Habitats. Were any project lands surveyed for significant upland habitats?

Wood Turtles

- (Bond Falls) There appears to be an error in this section; Interior Creek does not empty into Bond Flowage, but rather into the M. Branch of the Ontonagon River, some distance south of the flowage. The location for the wood turtle observation should presumably be where the M. Branch flows into the impoundment.

- (Bond Falls) We are familiar with the area around where the M. Branch flows into the impoundment, and the area with the most potential for wood turtle nesting is on the steeper sandy banks along the east side of this narrow bay, not the west side, as labeled in the figure. The angle of slope, sparsity of vegetation, and greater exposure to the sun on the east side of this bay would likely be preferred by wood turtles for nesting.
- (Victoria) Please clarify whether the south or southeast facing slopes that were identified as possible wood turtle nesting habitat were checked on-the-ground for evidence of use by nesting wood turtles or just observed from a distance.

Woodland Raptor Nesting

- It is not clear what distance interval was used to sample for woodland raptors, and how much of this survey was conducted while on land, versus from a boat. Also, please provide time of day the woodland raptor surveys were conducted.
- The search protocol to detect woodland raptors and their nests is insufficient and poorly timed to accurately determine their presence (raptor surveys should occur between April 15 and 30). Additional raptor surveys should be conducted, as well as surveys of raptor nests in absence of foliage, to accurately determine raptor presence.

Wild Rice Surveys and Possible Restoration

- Although grazing by Canada geese can impact wild rice beds, U.S. Forest Service (USFS) has restored wild rice beds on other water bodies within the Ottawa National Forest where geese are relatively abundant. The USFS has not had to employ geese exclusion methods in those areas. Therefore, we suggest replacing the word "likely" with "possible."

Presence of Nuisance Species

- The conclusion that orange hawkweed is widely distributed yet relatively uncommon is confusing and needs clarification.
- Reed canary grass is typically considered a non-native invasive species in this area. Why is it not considered a nuisance species in this study?
- It is not clear whether any sampling was done to detect aquatic invasive plant species such as Eurasian watermilfoil and curly-leaf pondweed. These and other invasive plant species could easily be missed if the only surveys performed were observational, rather than using a weed-rake or similar device to sample vegetation.
- It is incorrect to routinely classify Canada geese as nuisance species. Although they are capable of becoming a nuisance in urban/suburban settings, they are not considered a nuisance at these projects.
- (Bond Falls) Spotted knapweed occurs in many locations on project lands around Bond Flowage, including the campground areas, boat landings, etc. Non-native honeysuckle

also occurs on project lands in the area. Yet, there is no mention of either of these nuisance species in the report.

- (Bond Falls) Rusty crayfish, an invasive animal species, are known to be very abundant within Bond Flowage, yet there is no mention of them in the report. Was any sampling for rusty crayfish, spiny water-flea or other invasive animals conducted?

Shoreline Erosion and Steep Slopes

- A discussion of the general length of the erosion sites as well as the potential causes is missing.
- It should be mentioned that some erosion does occur naturally and this type of erosion is of less concern than erosion caused by project operations or use.
- A description of the scale used to define erosion as major, minor, or moderate should be included.
- Include a description of where eroded material is being deposited.
- (Bond Falls) On 3-12 it states that "most of the active erosion did not appear to be a result of wave action or ice floes". This statement is rather speculative, with no connection to data gathered during this study. It also contradicts some earlier statements (Sec. 2.2.1) that wave action appeared to be a contributing factor in erosion observed at recreation sites.

Gray Wolf Consultation

- We agree that wolves can be found throughout the Upper Peninsula. We would expect that wolves periodically use the areas around the basin for foraging and pup rearing. Because of this we believe that wolves should be considered in developing the SMP. As previously discussed, the review and approval of the SMP by FERC will require section 7 consultation with the U.S. Fish and Wildlife Service.
- (AuTrain, Boney Falls) A discussion of the gray wolf is missing.

Other Comments

- A discussion of rare, threatened, and endangered species is missing.
- It should be noted that the agencies had suggested that more detailed information should be obtained on vegetation within the project lands (specifically stands with old growth characteristics, stands with mesic conifers, stands with red oak), but this information was not obtained during the study.
- It should be noted that recommended agency protocol for collection of aquatic habitat data, and conducting raptor surveys, was not utilized. This unfortunately makes the data obtained of lesser quality for assessing impacts from non-project use of lands and waters on these resources.

- Please make a note under the list of "Other Wildlife Species Observations" that this is not an all inclusive list. Many wildlife and fish species commonly observed on project lands or waters (e.g., Nashville warbler, Northern oriole, blackburnian warbler, song sparrow, veery, rose-breasted grosbeak) are missing.
- (Prickett) The "Other Wildlife Species Observation" list appears to be in the wrong section (currently in the Gray Wolf Consultation section).
- Please provide, in addition to the detailed maps, a habitat constraints map showing an overview of the entire basin.
- On the "Species Observations and Habitat Components," please color-code the species observations so that it is easier to identify important areas for different suites of organisms. For instance bald eagle observations in one color, waterfowl observations in another color, etc.
- (AuTrain) Trumpeter swans are expanding their range and have been documented by MDNR biologists at the AuTrain Basin. MDNR staff believe that trumpeter swan nesting potential at the basin has increased and will be realized within the next few years.

Qualitative Assessment of Potential Impacts of Stump Removal (Prickett Basin)

- This section attempts to assess environmental impacts of implementing a proposal to remove stumps at Prickett. We suggest the environmental effects analysis provided in this document is not sufficient for NEPA. The analysis would need to be more comprehensive looking at all proposed non-project uses of project lands and the direct, indirect, and cumulative impacts of these actions on all affected resources.
- The month of July would be considered part of the fish spawning or bird nesting/brood rearing seasons for several fish or bird species that utilize the snags and submerged wood. August and early September would be considered staging and migration period for many bird species.

Lake Sturgeon

- Two possible ways that downstream sturgeon could be impacted by movement of sediment are discussed. A conclusion is reached that little or no effect to sturgeon would result if high water flows move sediment downstream of spawning beds. A more thorough analysis is necessary to determine the potential impacts of stump removal on downstream sturgeon. Please provide documentation or data to verify the conclusion.
- Several other fish species likely spawn in the Sturgeon River downstream of the Prickett basin. An analysis of impacts of downstream sediment movement resulting from stump removal should address these species as well.

Bird Nesting Habitat

- The conclusion reached in this section...."Removal of the trees outside the nesting and rearing season likely would not result in direct impacts to individuals of these three species," is misleading. Snags were heavily used by these species for nesting and other activities and contributed significantly to their local production. Please clarify how removal of flooded snags outside of the nesting and rearing season will not result in impacts to kingbirds, tree swallows, and common grackles.

Impoundment Fisheries

- On page 3-15 it states "...it is also possible that the flooded snags provide an excessive amount of cover and spawning habitat. This could result in an overabundance of fish, leading to stunted game fish populations. Removal of some flooded snags could help to alleviate stunting problems." The statement that the fishes of Prickett Impoundment are stunted is inaccurate and the assumption that removing woody structure would alleviate stunting is also inaccurate. Michigan DNR fisheries survey data from 1954 – 1999 has clearly documented a quality sport fishery within the Prickett Impoundment. Only one survey effort in 1962 found bluegills that were considered stunted. Fisheries surveys since that period have documented a healthy fishery composition with many predators (northern pike, walleye, and largemouth bass) and forage species (bluegill, yellow perch, black crappie, white sucker, and golden shiners). Data from a May 1999 survey documented a mean growth index for walleye to be +2.4 inches above State average. The report's speculation that removal of flooded snags could alleviate stunting is unsubstantiated by fact. A literature review has failed to find scientific studies that support removal of woody debris to enhance fish populations. We recommend this paragraph be removed from the final report.
- In addition to providing cover for bait fish, flooded snags provide a substrate for aquatic invertebrates. Invertebrates are a major ecosystem component and source of food for fish and other animals. Because of the large amount of flooded wood in Prickett basing, the contribution of this wood to the total available habitat for invertebrates is significant. The potential effect of removing this wood on the aquatic ecosystem is not adequately analyzed in this document.
- Please define "dri-ki."
- We suggest re-wording the concluding statement to: "Removal of flooded snags would eliminate a significant source of fish habitat from the impoundment."

Common Loons (Victoria, Bond, Au Train, Prickett)

- We agree that "human disturbance is well known to affect loon nesting and productivity" (p. 4.2), which is why the agencies included "shoreline areas with minimal road access" within our definition of potential loon nesting habitat. Despite this, there was no attempt made during this study to map and describe shoreline areas with limited road access,

which would have provided additional valuable information with which to assess loon habitat suitability.

- The short time frame of the surveys (1/2 day in some instances) is inadequate to evaluate loon use of the flowages.
- (AuTrain) In general we would like to point out the high amount of loon activity on the basin. We recommend that UPPCO pursue an amendment to the AuTrain FERC license for the protection and enhancement of the common loon population.

Methodology

- In addition to possible nesting platforms, potential nesting sites should also be included in the list of study objectives.
- According to the Scope of Services, aerial reconnaissance was to occur in May. Please explain how only conducting a boat survey in mid-June may have impacted the results.
- Explain how conducting loon surveys in mid-June could have impacted the results. The optimal time for loon survey is the last two weeks of May and early June.

Presence of Loons

- (Bond Falls) The mouth of Interior Creek (p. 4-4) should be the mouth of the M. Branch Ontonagon River.
- (Bond Falls) It is possible that other adult loons observed during the study had attempted to nest before the surveyors were there, and failed for one or more (unknown) reasons. Also, the FERC license includes conditions which should enhance potential for loon nesting over time; this would need to be considered in any environmental assessment that analyzes the potential impact of non-project use of project lands and waters on loons. This is supported by the statement on 4-5: "If (loons) are resident, and are using specific territories, then protection of those areas may encourage their success".

Limiting Factors

- A discussion of water levels maintained by UPPCO during the time of loon nesting would be beneficial in determining potential success.
- (Bond Falls) The statement "...it was determined that there are no limiting factors which affect loons' use of the impoundment for nesting" is not supportable, considering the very limited scope and duration of the study. A wide variety of factors such as reservoir water level fluctuation, human disturbance, forage quality and quantity, etc., could have easily come into play as factors limiting loons' use of the impoundment, but these would have not been detected on a visit to the flowage of one day.
- (Victoria, Bond Falls, Au Train, Prickett,) The assumption that loons cannot be assumed to breed or will do so in the future because only 50% of the highly suitable breeding lakes are currently being used in the northern two-thirds of the State is flawed for two reasons:

1) The assumption could just as easily be made that loons can be assumed to nest at these flowages now or in the future; and 2) The use of the reference is misleading since the term "northern two-thirds of the State" refers to the northern Lower Peninsula and not the Upper Peninsula. The actual point of the reference is that too few loons exist in the NLP to utilize all available habitats. We suggest that this entire discussion be removed from the documents.

- (Prickett, Victoria) A Secchi Disk measurement of 1.85 m (6.07 ft) is noted as not being optimal for loons and approaches the point at which foraging is hindered. Please provide literature supporting this statement. USFS experience on the Ottawa National Forest is that water clarity in this region is rarely a limiting factor for loon foraging, if the lake has an adequate forage base.
- (Victoria) It is speculative to conclude that water level changes in the flowage are "somewhat moot" in their effects on loons. A thorough, comprehensive study would be needed to support such a conclusion.

Conclusions

- Conclusions reached after short duration field observations, such as turbidity being a limiting factor for loon foraging, water level fluctuations not impacting loon nesting, or even the presence or absence of breeding pairs during the entire breeding season, are speculative. Concluding statements in the study should identify the relative uncertainty of the data and that more thorough investigations are necessary to fully understand loon use or possible use of a basin.
- Include information on prior loon nesting from the Michigan Natural Features Inventory and the Michigan Loon Preservation Association.
- (Bond Falls, AuTrain) We agree with the conclusions of the assessment to continue observations and study of the common loons at Bond Falls and AuTrain basins. These studies will allow for protection of preferred habitat, identification of any limiting factors, and form the basis for recommending any enhancement measures necessary to insure future nesting success.

Aesthetic Resources

- Although the surveyors did talk with some land managers in the area regarding which attributes are considered to be visually special, it does not appear that any such interviews were conducted with typical users of these flowages and adjacent project lands (boaters, fishermen, hikers, birdwatchers, picnickers, hunters, etc.). This would be valuable information to include (see below). These interviews should include questions related to the current status of the project as well as the proposed development.

Methodology

- Under the first bullet in Task 1, please describe what “other relevant places” were reviewed for information on scenic lake assessments.

Criteria

- The scoring criteria for Relative Relief are not meaningful for this area, owing to the relatively low relief of the lakes being studied. We recommend changing the scale to more appropriately reflect the areas being assessed. Also, this factor should be given less weight in the scoring table.
- In general, the scoring system used to develop total aesthetic quality scores for the different sub-units is flawed. By breaking most criteria down into various sub-components, and rating each of them separately, much more weight is given to some sub-components than they warrant, especially with regard to lakes in this region of the country. For example, physical features are broken down into six sub-components, each of which is rated with a score of from 0-15. Relief, Vegetation Diversity, and Special Features are also each broken down into three sub-components, and each given a score. By contrast, Degree of Naturalism, which was the lake characteristic most valued by every manager interviewed (p. 5-4), is weighted the same as any of the 15 sub-components above, giving it very little importance overall. Therefore, the total aesthetic quality scores for each sub-unit in Table 5-2 are very misleading, since they give much more emphasis to physical features, relief and other qualities than they do to Degree of Naturalism. We believe that the scoring system should be revamped to give the appropriate weighting to lake attributes that are the most or least important in this region (for example: Degree of Naturalism may be most important, and Relief may be least important). Interviews with actual users of the flowages (in addition to the managers already interviewed) should be done first to help gather information upon which to base this revised weighting of the criteria.
- The scoring criteria for Natural Character does not include 0, although this number was used in Table 5-2.
- Please explain how the individual resource management professionals were selected to provide input on valued qualities when considering inland lakes.
- (Prickett) An attribute that may deserve greater weighting at Prickett are the flooded snags (which are a sub-component within the Special Features category). This would be supported by a statement on p. 5-7 that “flooded snags and submerged stumps....are one of the defining characteristics” of Prickett impoundment.

Overall Visual Character and Setting

- Please clarify where Lake Gogebic, Mountain Lake, and Lake of the Clouds are located.
- Please clarify what is meant by “draw-down regimen.”

- (AuTrain) The last sentence of the second paragraph (under 5.2) should be corrected to read “is managed by the Michigan Department of Natural Resources as a wildlife refuge.”

Types and Numbers of Users

- This section is missing information on the types and numbers of public users at the basins; rather, it only includes the types of recreational use available. According to the Scope of Services, the assessment should include information on who uses the project and why they value it.
- (Bond Falls) Please include a citation for the following portion of the last sentence which refers to the waterfall(s): “most who come to see them don’t stay for other activities.”
- (Boney Falls) Clarify the meaning of “the other side” under 4.3.1.

User Expectations

- This section should include actual expectations of individuals who use the project, rather than expectations of general recreationists. We suggest that this information then be used to identify the objectives to be attained for the aesthetic resources of the project lands surrounding each flowage.
- (Prickett) Please correct the information to indicate that 15 car/trailer units are provided at the public access site.

Highest Value Areas

- Include the highest possible score in the discussion.
- Map 5-1 is very hard to understand. We recommend removing the colors as they appear to be a reference to individual scores in each sub-unit. These scores are presented in table 5-2.

Public Viewpoints

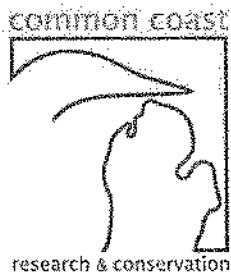
- Since a primary use of these impoundments is by boaters and fishermen, and since ... “all parts of the lake are visually sensitive to people who are boating, informally camping, or using shoreland areas” (p. 5-18), this section on public viewpoints provides little value to the aesthetics assessment.

Table 1. List of organizations and their involvement with Upper Peninsula Power Company owned Bond Falls, Victoria, Prickett, AuTrain, Boney Falls, and Cataract basins. These basins are regulated under Federal Energy Regulatory Commission licenscs.

Organization Name	Basin Name					
	Bond Falls	Victoria	Prickett	AuTrain	Boney Falls	Cataract
Michigan Department of Natural Resources	X	X	X	X	X	X
U.S. Fish & Wildlife Service	X	X	X	X	X	X
U.S. Forest Service – Hiawatha National Forest				X		
U.S. Forest Service – Ottawa National Forest	X	X	X			
National Park Service	X	X	X	X	X	X
Michigan Hydro Relicensing Coalition	X	X	X			
Keweenaw Bay Indian Community	X	X	X			

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 37
28 August 2006
**PUBLIC COMMENTS FROM JOSEPH KAPLAN, DIRECTOR
COMMON COAST RESEARCH & CONSERVATION**



Common Coast Research & Conservation

P. O. Box 202 • Hancock, MI 49930 • Phone: 906.487.9060

28 August, 2006

Shawn Puzen
UPPCO
P.O. Box 19001
Green Bay, WI 54307-9002

Dear Mr. Puzen:

We appreciate the opportunity to provide comments on the draft Assessment of the Recreation, Wildlife, Loon, Acsthetic, Resources for Victoria (FERC Project # 1864), Bond (FERC Project # 1864), Au Train (FERC Project #10856), and Prickett (FERC Project # 2402) Impoundments. Our organization, Common Coast Research and Conservation, is a non-profit company dedicated to the study and protection of common loons throughout Michigan's Upper Peninsula. Our biologists work closely with public agencies, corporations, and the private sector in an effort to increase understanding of this State-threatened species. Our experience with loons spans over fifteen years, and includes the monitoring of color-marked individuals at three principal sites in Michigan's Upper Peninsula: Sency National Wildlife Refuge, Ottawa National Forest, and Isle Royale National Park. We offer our expertise to you as UPPCO evaluates and implements measures to enhance loon usage of its Upper Peninsula reservoirs.

We are pleased that your consultants found suitable nesting habitat on all of the surveyed reservoirs, and observed loons (including a breeding pair on Bond Falls) on all impoundments save for Prickett. In general, we agree with the list of loon nesting requirements provided in the draft assessment, but recommend that you add mercury exposure as a potential limiting factor. Elevated levels of this highly-toxic heavy metal have been documented in loons from the region, and have been shown to be significantly influenced by the type of fluctuating water levels common to managed impoundments.

One prominent aspect of the assessment with which we do not agree is the emphasis placed upon turbidity as a limiting factor for loon usage on the reservoirs where territorial loons were not documented (Victoria and Prickett). We feel that the references provided in the report do not support the conclusions of the consultant in this regard, and should therefore be reconsidered. In the report turbidity is referenced under "Water Quality" in the following manner:

"Loons are visual hunters; therefore, clear water is crucial for efficient foraging. A Michigan study (Gostomski and Evers 1998) documented that time spent for foraging adults in turbid water was significantly greater than in clear water. Barr (1996) documented that secchi disk readings of 1.5m or less alter loon foraging behavior. A study of total suspended solids in Seney National Wildlife Refuge, Michigan, documented a preference by breeding loon pairs for lakes that have less than 28 Nephelometric Turbidity Units (NTU), while lakes over that level were not used for nesting purposes (Evers 2004)."

The Evers 2004 paper cited above employed unpublished data from a study of water quality parameters at Seney National Wildlife Refuge (E.J. Collier 2003). The turbidity "threshold" provided as a limit to loon nesting in this study was based upon a sample of only three unoccupied refuge pools ("lakes") during a single breeding season (1995). It should also be noted that these three pools provided the highest turbidity values recorded on the refuge during an ensuing eight-year sampling period. Owing to this extremely limited sample size, and to the subsequently lower turbidity values which have not allowed for further assessment, we do not believe that the cited reference lends valid support to the report's argument concerning possible complications from excess turbidity.

Citing another Michigan study (Gostomski and Evers 1998), the excerpted paragraph states that "time spent for foraging adults in turbid water was *significantly* [emphasis added] greater than in clear water". We do not agree with this interpretation. Gostomski and Evers themselves state in their paper that time-budget comparisons between Isle Royale (clear water) and Seney (turbid water) loons "could only be speculative" because of differences in sample sizes which precluded statistical comparisons. Furthermore, the authors provide no actual data on water quality (Seney pools are described as "generally stained due to the inputs of tannins"), and merely speculate that the possible differences in foraging rates between the sites may originate from visible differences in water clarity and prey base.

The final reference within the report pertaining to turbidity – Barr (1986) – does provide data in support of a visibility-related parameter operating as a potential limiting factor for loon occupancy: Lakes with Secchi disc water clarity of less than 1.5 meters had lower occupancy levels (31-35%) than their more transparent counterparts (78-93%). While Victoria's clarity (0.9 m) falls below this threshold, Prickett's value (1.85m) does not; the report's contention that the latter is approaching "the point at which foraging is hindered" therefore seems both inaccurate (Barr's limit refers to occupancy, not foraging capacity) and unjustifiably alarmist. Additionally, in the same paper Barr found an association between fluctuating high water levels and increased turbidity. In view of this finding we disagree with the conclusion in the assessment report that "given the degree of turbidity observed on Victoria, and the resultant extreme likelihood that loons will not nest here, water level regimes and their potential effects on nesting loons are somewhat moot."

In light of these revelations, we suggest that UPPCO's consultants establish a far more robust and defensible assemblage of peer-reviewed studies before including turbidity as a possible mitigating factor for loon occupancy on reservoirs such as Victoria and Prickett. We would also suggest including a discussion of how turbidity levels might be expected to change in response to the updated water management regulations contained within the new license agreement.

Beyond the report's treatment of water clarity, we also were given pause by this repeated quotation in support of the likelihood that there may not be enough loons to occupy reservoirs in Michigan: "The Michigan DNR states that only 50 percent of 'highly suitable' breeding lakes (for common loons) are currently being used in the northern 2/3 of the State of Michigan (Michigan DNR, 2006)". As this reference derives from a state website that provides only *general* information on loons – with no attached data on specific regional populations, nor any definition of what constitutes a "highly suitable" breeding lake – it seems inappropriate to the standards of a technical report. The Michigan DNR's own Loon Recovery Plan (1992) highlighted the dramatic disparity in occupancy rates between different regions of northern Michigan, and identified the western Upper Peninsula (where three of the four surveyed reservoirs reside) as an area of comparatively high loon densities. Our own extensive survey work throughout the Ottawa National Forest suggests that occupancy rates on lakes and reservoirs with viable nesting habitat runs far higher than 50%; we would recommend that UPPCO consultants access the Ottawa National Forest's loon occupancy database in GIS format – which was developed in partnership with Common Coast Research & Conservation – to determine more accurately occupancy rates in the areas surrounding the Bonds Falls, Victoria and Prickett impoundments.

We hope that you find these initial comments useful.

Sincerely



Joseph Kaplan
Director
Common Coast Research & Conservation

Cc -
FERC
USFWS
USFS
MDNR

References:

Evers, D.C. 2004. Status Assessment and Conservation Plan for the Common Loon (*Gavia immer*) in North America. U.S. Fish and Wildlife Service, Hadley, MA.

Collier, E.J. 2003. Seney National Wildlife Refuge Water Quality Report – May 2003. Unpublished report, Seney National Wildlife Refuge, Seney, MI.

Gostomski, T.J. and D.C. Evers. 1998. Time-activity budget for Common Loons, *Gavia immer*, nesting on Lake Superior. Canadian Field-Naturalist 112:191-197.

Michigan DNR. 2006. http://www.michigan.gov/dnr/0,1607,7-153-10370_12145_12202-32587--,00.html Accessed June 20, 2006.

MI Loon Recovery Committee. 1992. A plan for recovery of the common loon in Michigan. Unpubl. report submitted to the Michigan Department of Natural Resources. Michigan Loon Recovery Committee, Lansing, MI.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 38
28 August 2006
PUBLIC COMMENTS FROM D. BORCHERDING

-----Original Message-----

From: fishingal@charter.net [<mailto:fishingal@charter.net>]

Sent: Monday, August 28, 2006 1:11 AM

To: Wolfe, Janet

Subject: Bond Flowage Land Sale

Dear Ms. Wolfe,

The environmental assessments regarding the Bond & Victoria Flowage sales leave much to be desired. This is far too important & valuable a habitat & natural resource to fail to do a complete & comprehensive impact study. The argument that there are no development plans at this time doesn't seem too valid, considering that Naterra Land Co. has unveiled plans to do just that, 424 lots at Bond Falls, with 35 individual piers & 40 multi-slip piers. I live on one of the Madison lakes, & I get a very sick feeling when I imagine that happening to a pristine, unspoiled flowage like the Bond. There should be NO piers, NO lights, & very little impact on this area. The people who purchase property on these bodies of water should understand what is at stake, & should be the type of people who will be happy to beach their small boats as the campers do. These waters are not suitable for large, noisy, polluting watercraft, & that should not be permitted nor expected. This area can be developed, yes, but it MUST be done responsibly & correctly with as little disturbance & human impact as possible. Thank you for your attention. D. Borcharding McFarland, WI.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 39
28 August 2006
PUBLIC COMMENTS FROM SCOTT HICKMAN

-----Original Message-----

From: scott hickman [<mailto:suboscine@hotmail.com>]

Sent: Monday, August 28, 2006 11:01 AM

To: Puzen, Shawn C

Cc: christie_deloria@fws.gov; travisb@michigan.gov

Subject: CCBasin

Hi all,

I've been continuing to track shorebird migration through Alger County and have found that Cleveland Cliffs Basin continues to support far more shorebirds than any other site. The high counts of each species encountered last week are listed below for your records. The visit on August 22nd was made with Skye Hass. I'm afraid that I didn't pay much attention to waterfowl, but include a couple of species which I did note. Hope you are all enjoying a fine end to your summer. Scott

High counts for the basin (Aug 20 - 27) include:

Wood Duck - over 50 August 26

Blue-winged Teal - Stayed at about the same as on 22nd, 200? more? Well over 300

"sandpipers" (plovers, tringines, & calidridines) on the 20th Black-bellied Plover - 1 Aug

22 Semipalmated Plover - over 60 Aug 20 Killdeer - over 30 Aug 25 Spotted Sandpiper -

over 2 on the 20 Solitary Sandpiper - over 10 Aug 20, 22 Greater Yellowlegs - 2 on Aug

20 Lesser Yellowlegs - 26 Aug 27 Semipalmated Sandpiper - over 60 Aug 20 Least

Sandpiper - over 100 Aug 20 Baird's Sandpiper - 5 Aug 22 Pectoral Sandpiper - over 76

Aug 22, more, but not counted Aug 20 Buff-breasted Sandpiper - 2 Aug 22 (plus one

same day AuTrain) Wilson's Snipe - 6 Aug 27 Caspian Tern - 8 Aug 22 Trumpeter Swan

- 3 Aug 22 & 27

Other than that, 1 N. Harrier on the 27th as well as Peregrine Falcon

(1) on the 26th and 27th.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
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Attachment 40
28 August 2006
PUBLIC COMMENTS FROM DOUGLAS R. CORNETT

Douglas R. Cornett
P.O. Box 122
Marquette, MI 49855
doug@northwoodswild.org
ph. 906-226-6649

August 28, 2006

UPPCO Environmental Studies
c/o Janet Wolfe
PO Box 130
Houghton, MI 49931

Dear Ms Wolfe:

I am writing as an alternative committee member representing the Upper Peninsula Public Access Coalition for the eastern UP group. I have reviewed the environmental studies for all 6 flowages under review. I am particularly concerned that only a few days of field studies have been conducted for each area. As a biologist I have reviewed many environmental assessments and impact statements and believe the work done so far by E-PRO is too limited in scope to properly assess the resources that could be impacted by development of the shoreline that Naterra plans for project lands and waters.

By limiting the studies to project lands, the likely effects, and cumulative effects, of development of non-project lands is not being taken into consideration. Naterra is planning to, and perhaps have even started, logging and road-building. Considering the fact that building dozens of miles of roads at each project, and logging most merchantable timber (this is the *modus operandi* of Naterra of all their other developments in the UP and northern Wisconsin) will affect project lands and the waters contained in these impoundments. These actions can cause long-term deleterious effects for decades to come, affecting both project and non-project lands.

By trying to limit the scope of comments to just project lands is ludicrous considering all the resources that can potentially be impacted. Raptors that might be found in the project area, especially sensitive species like the Northern Goshawk and Red-shouldered Hawk, would likely have nesting habitat outside the project area and move back and forth between project and non-project land. How can these resources be assessed properly without looking at both land categories?

The assessments, hastily completed in just a matter of days, captured only a snapshot overview of some of the natural features and resources of the project lands and waters of the impoundments. Many species require much more time just to locate. As mentioned above, Northern Goshawk can require many hours to find, *if* proper research protocol is observed. E-PRO said they did their raptor surveys using a helicopter. How can meaningful data be obtained when such a disturbing method is employed? Raptors are

especially sensitive to disturbance. I am unaware of any good data being obtained through such an intrusive method. With that in mind, I request that E-PRO provide peer-reviewed research that substantiates this method of data collection.

Additionally, E-PRO chose to redact entire sections of the reports, citing that "sensitive species" information might be revealed to those seeking to collect or harm in other ways rare, sensitive and endangered species. While I understand that site-specific information is not good to release, there still is the need to present information that can assure the public that sensitive species are being protected. E-PRO's treatment of this was completely unprofessional and might lead the public to believe that there is something to hide.

UPPCO recently released information speculating increased tax revenues to townships if your proposed non-project uses of project lands are approved. This data was also distributed at the public meetings giving the impression these increased revenues would be net gains. However, you failed to allow any public questions or discussion of increased cost of services. This is unethical and inappropriate, considering the studies you commissioned might influence the scale of development and result in a reduction in the number of lots the developer can build on. This might also lead one to believe that you are fitting your studies into a pre-determined framework that has no flexibility to be altered.

I believe you should be consulting with the Federal Energy Regulatory Commission and work to prepare a new and comprehensive environmental impact study that will consider ALL resources.

Thank you for the opportunity to comment.

Sincerely,

Douglas R. Cornett

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 41
28 August 2006
PUBLIC COMMENTS FROM STEVE GARSKE

-----Original Message-----

From: Steve and Nancy [mailto:asimina@ecoisp.com]

Sent: Monday, August 28, 2006 8:43 PM

To: Wolfe, Janet

Cc: magalie.r.salas@ferc.fed.us; asimina@ecoisp.com

Subject: PUBLIC COMMENT ON "ASSESSMENT" REPORTS FORUPPCO-OPERATED FLOWAGES.

August 28, 2006

UPPCO Environmental Studies

c/o Janet Wolfe

PO Box 130

Houghton MI 49931

jwolfe@wpsr.com

PUBLIC COMMENT ON "ASSESSMENT OF THE RECREATION, WILDLIFE, LOON, AND AESTHETIC RESOURCES" REPORTS FOR BOND FALLS AND VICTORIA (FERC Project P1864), BONEY FALLS (P2506), CATARACT (P10854), AU TRAIN (P10856), AND PRICKETT (P2402) FLOWAGES.

Dear Janet Wolfe,

I would like to comment on the Upper Peninsula Power Company / WPS Resources environmental assessment reports for the above 6 flowages, all of which are operated by UPPCO and regulated by FERC. As most of my experience has to do with floristic surveys (including rare plant surveys), I will primarily comment on the "Wildlife and Aquatic Habitat" section (Section 3) of each report.

Unfortunately I must say that I have read a significant number of environmental assessments by both public agencies and private consultants over the years, and that these cookie-cutter reports for UPPCO are probably the most superficial and poorly done of all of them. Indeed they use a significant portion of their meager "results" sections to report the presence of sand, rock outcrops, coarse woody debris (old logs) and other features that all flowages would be expected to have. They make arbitrary statements and draw baseless conclusions with little or no data to back them up. And perhaps most importantly, they don't adequately address the potential impacts that the planned massive residential developments will have on the natural, recreational, and aesthetic qualities of these flowages.

The assessment reports all state that wetland types were classified in accordance with "Cowardin et al. (1979)". This source is not included in the references for any of the reports, however. Thus it becomes difficult for interested readers without access to a university library to track down this source, or to ascertain whether the methodology is appropriate for classifying the wetlands found around these flowages.

The reports all purport to have included adequate surveys for rare plants and animals on these flowages. The most widely accepted method for assessing the floristic quality of a site is to conduct surveys 3 times during the growing season - in early spring (typically May) to find spring ephemerals and early-flowering plants, in midsummer (July) for certain sedges and other plants flowering at that time, and in late summer (late August-September) to find late-flowering plants including many aster family species. When time or resources are limited, organizations sometimes cut corners by having an early survey (May or June) and a late survey (August-September). Unfortunately UPPCO's consultants have taken this corners-cutting process to a new low, by surveying each area only once - from June 15-19 for Bond Falls (p. 3-2), June 22-23 for Victoria Flowage, 6 days between May 26 and June 22 for Prickett, etc. These visits were too early in the season to reliably detect rare aquatic plants such as Vasey's pondweed (*Potamogeton vaseyi*) and Farwell's water milfoil (*Myriophyllum farwellii*), both listed as Michigan "threatened". They are also too early to be effective in finding major invasives such as Eurasian water milfoil (*Myriophyllum spicatum*) and purple loosestrife (*Lythrum salicaria*), all of which generally much easier to find later in the year. Furthermore, the plant inventory lists (for example, "Vallisneria, Potamogeton, Polygonum, Najas, Ceratophyllum, Utricularia, Elodea, and native Myriophyllum" for Bond Falls, p. 3-3) could apply to nearly every lake over 1 acre in size in the UP. Similarly the Prickett report (p 3-4) lists "Potamogeton, Elodea, native Myriophyllum, Vallisneria, and Polygonum", the Victoria report (p 3-3) list ("Potamogeton, Elodea, native Myriophyllum, and Polygonum.") and so on. [Apparently the consultants were not interested in emergent or shoreline vegetation at all, such as that appearing in abundance in their photo of "SAV" (submergent aquatic vegetation) on page 3-5 of their Bond Falls report, page 3-4 of the Victoria report, etc.] These lists are ridiculously inadequate for describing the aquatic plant communities of each of these flowages.

Several of the reports have entire sections blacked out. Most environmental assessments at least let the public know what rare species may have been searched for and whether any were found, blacking out only locationally-related information. But the UPPCO reports black out essentially all the information they might have on rare species in these flowages (but see discussion on the merlin below), giving the public no way to judge whether rare species were found and what impacts UPPCO's and Naterra's development plans may have on these species.

Naterra's plans to place numerous homes around these flowages (474 houses around Bond Falls Flowage alone, as I understand it) will likely lead to significant eutrophication of these reservoirs due to increased erosion from paths and shoreline use, as well as removal of natural vegetation, installation and fertilization of lawns within the watersheds, and leaking septic tanks within their respective watersheds. This degradation of water quality in turn can be expected to lead to a decrease in diversity of native plants and animals in the flowages.

The reports claim to assess the presence and impacts of "nuisance" species, but never defines what these species are. In fact the "nuisance species" found in each flowage seems to be arbitrarily chosen. For example, on P 3-12: of the Bond Falls report, they unilaterally declare reed canarygrass (*Phalaris arundinacea*) a non-invasive species: "Although not considered a nuisance plant species for purposes of this study, reed canary grass was widespread and common along the shorelines and within most of the wetlands of the Bond Falls impoundment." This highly aggressive invader of natural wetlands and other habitats is not native to the Great Lakes region, and is considered a major invasive by every state and federal agency in the region.

The use of a helicopter to conduct aerial surveys for nesting and non-nesting bald eagles, ospreys, and great blue herons and the presence of potential nesting sites seems like a questionable practice to me. While this method may have certain advantages in terms of expediency, it has the potential to be highly disruptive to these birds precisely during the time that they are nesting, when they are most sensitive to disturbance. The public is frequently reminded (and rightly so) by the Michigan DNR and others of the risks involved in disturbing these birds at their nests, yet the consultants had no qualms about flying over their nests and perching and foraging sites with helicopters at this time. Beyond a list of bird species that happened to be encountered during their brief surveys (which, by the way, included nothing on use of these areas by migrating birds) and some simple and obvious textbook statements about the favored habitats of a few of them, little useful quantitative information about the importance of habitats around these flowages to these birds is given.

In the Bond Falls report (page 3-11), the consultants mention the presence of merlins (*Falco columbarius*) near the flowage. They even give the locations of these sightings, on map P-3-5. The same is true for the Victoria report, where a merlin "acting aggressively" (an indication that the consultants were near its nest) is mentioned on page 3-8, with the location plotted on map P-3-4. A similar encounter with an aggressive merlin is mentioned in the Cataract report (page 3-6 and maps P-3-3 and P-3-4). Despite the consultant's purported concern about endangered species on these flowages, they seem unaware that the merlin is listed as "threatened" in Michigan (MNFI 1999).

The poor quality of these assessments must be obvious to even the most casual reader. The Bond Falls report even states that (page 3-3) "Bond Falls is a relatively large impoundment with extensive open-water areas and associated wind fetches. As a result, the majority of nearshore aquatic habitat at Au Train generally consisted of coarse sands. Sandy areas were ubiquitous throughout the impoundment." And on page 3-7 of the same report: "No sandhill cranes or suitable sandhill crane nesting habitat areas were observed at Bond Falls. In the Upper Peninsula, sandhill cranes nest most commonly in sphagnum bogs (Tacha et al., 1992), a habitat that is not present at Au Train Basin." This sort of carelessness indicates that the consultants did not try to thoroughly describe the unique features and environmental characteristics of each flowage, but simply used a boilerplate, fill-in-the-blank form, not even bothering at times to change the name of the flowage supposedly being assessed.

Whether the consultants doing these "assessments" were unfamiliar with the geography and natural habitats of the area, were not given enough time to do the needed surveys, or were simply incompetent (or some combination of all three), these reports are wholly inadequate for assessing the impacts of the large-scale residential developments planned for these flowages. They are an insult to local residents and others who care about these areas and should be thrown out, and full Environmental Impact Statements done for each of these areas by a qualified and impartial organization.

Thank you for considering my comments.

Steve Garske
PO Box 4
Marenisco, MI
49947-0004
asimina@ecoisp.com

Cc: Magalie Roman Salas, Secretary
Federal Energy Regulatory Commission
(Hard copy also sent USPS)

References consulted include:

[MNFI] Michigan Natural Features Inventory. 1999. Michigan's Special Animals.
http://web4.msue.msu.edu/mnfi/data/animal_list.pdf (August 2006).

[FERC] Federal Energy Regulatory Commission. December 2001. Draft Environmental Impact Statement for Hydropower Licensing. Bond Falls Project. FERC Project No. 1864-005.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 42
29 August 2006
PUBLIC COMMENTS FROM TROUT CREEK

August 7th Trout Creek Pubic Meeting

"Once again, UPPCO shows total disregard for the people of the U.P. Your objective in the aesthetic value of the impoundment was "why these areas have high aesthetic value and who values them and why," yet the only people you ask about this was a couple of park rangers and two campers. Your total failure to contact any local people on this subject confirms my thoughts on your extreme greed. If I were you I'd leave the U.P. out of your name. Maybe Wis. Power Company would be better" - Bruce Crossing, MI.

"The land (Bond) has been with us for 50+ years. The people that choose to recreate also understand this. Those that purchased property on Bond should have known this. Good job on Enviro Studies. Project should proceed!" - Trout Creek, MI.

"Aesthetics - Most important item is the protection of the wild appearance of the shoreline and piers will detract from that wild appearances. Study should include the aesthetics related to water quality. Clean water exists today but proposed use likely will reduce water quality." - Watersmeet, MI.

"It is not appropriate to use acres per boat because much of the reservoir surface has submerged stumps which makes many acres unsuited to boats - remove stumpage acres from calculations. Wildlife studies need to account for future changes in the old growth buffer and project lands - will be different 100 years from now." - Watersmeet, MI.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 43
Late August 2006
WEBSITE ADDITION – FORSYTH TOWNSHIP SCENARIO

FORSYTH TOWNSHIP

\$9,490,000 (Fair Market Value) x 50% = \$4,745,000 (Taxable Value)

Assumptions

Since no final development plan has been created, lot numbers, sizes, prices, etc. are subject to change.

- 59 lots
- Average Lot Price - \$50,847
- Average Home Cost - \$110,000
- Water Access
- Some docking rights

Without water access and some docking rights, the estimates will likely drop by 50-75%, and the development will likely take much longer to complete.

The following is an estimate of taxes to be collected (in 2005 dollars) on the non-project Cataract land sold and to be sold by UPPCO. The estimate assumes that all the lots are sold and homes are constructed on the lots, which may take several years. It also assumes water access.

Summer Taxes

Description	Millage	Amount	Used For
State Education Tax	6.0000	\$28,470.00	
County Operating	1.8284	\$ 8,675.76	
TOTAL		\$37,145.76	

Winter Taxes

Description	Millage	Amount	Used For
County Tax	3.6570	\$ 17,352.47	
County Transit	0.5945	\$ 2,820.90	
Special Program	1.5772	\$ 7,483.81	
ISD/Special Ed	2.0207	\$ 9,588.22	
School Operation	18.0000	\$ 85,410.00	
Township Tax	6.0730	\$ 28,816.39	
CLB HSE/REC	1,8591	\$ 8,821.43	
TOTAL		\$ 160,293.22	

CATARACT TAX INFORMATION FACTS

AD VALORUM* TAXES PAID BY UPPCO ON NON-PROJECT LANDS

(Property sold to or to be sold)

Forsyth Township

2005 Summer Taxes	\$ 446.00
2005 Winter Taxes.....	\$1,924.00

Total 2005 Taxes \$2,370.00

AD VALORUM* TAXES PAID BY UPPCO ON PROJECT LANDS

(Land that will not be sold and will remain open to the public)

Forsyth Township

2005 Summer Taxes	\$ 5,661.00
2005 Winter Taxes.....	\$ 24,427.00

Total 2005 Taxes \$ 30,088.00

UPPCO will continue to pay taxes on in the future.

* Ad valorem taxes fall under two classes: 301 [Industrial] and 501 [Timber Cutover].
None of UPPCO's property is in any type of managed forest program that could result in a tax reduction.

August 2006

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 44
31 August 2006
FOCUS GROUP MEETING AGENDA

Upper Peninsula Hydroelectric Project:
August 31, 2006 Eastern Focus Group Meeting Agenda

Focus Group Purpose

The Focus Group is an advisory group. While it is neither a decision making body, nor will you be asked to reach consensus on any issues, your input is important. We ask that you:

- Provide feedback on the topic being presented
- Share what you learn with others in the community

UPPCO thanks you for taking the time to be a part of the process.

- | | |
|-----------------------|---|
| 6:00 p.m. – 6:02 p.m. | Welcome & opening comments: Susan Finco |
| 6:02 p.m. – 6:15 p.m. | Focus group member introductions (Approx. 1 - 2 minutes each) <ul style="list-style-type: none"> • Name and organization(s) you are representing • What are you hearing in the community / from your associates? |
| 6:15 p.m. – 6:18 p.m. | Overview comments about environmental reports: <ul style="list-style-type: none"> • Susan Finco |
| 6:18 p.m. – 7:00 p.m. | Au Train, Boney Falls and Cataract areas
Environmental reports presentation: E/PRO <ul style="list-style-type: none"> • David R. Dominie • Gary Emond |
| 7:00 p.m. – 7:30 p.m. | Focus group member comments / questions |
| 7:30 p.m. | Meeting adjourns |

UPCOMING MEETING DATES:

- Thursday, September 28: Eastern Focus Group Meeting
- Thursday, October 19: Eastern Focus Group Meeting

Draft SMP Public Open Houses

Tentative dates pending upon availability / confirmation of site locations

- Tuesday, October 17: Western Meeting
- Wednesday, October 18: Eastern Meeting

Upper Peninsula Power Company -- Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 45
Early September 2006
WEBSITE ADDITION -- FOCUS GROUP MEETING NOTES

Susan Finco opened up meeting, went over the ground rules and the agenda, reminding everyone this meeting was about the environmental studies recently conducted.

Susan wanted to make comments before starting the initial comments. There was some confusion about the studies being draft documents – and the fact that there were some editing and grammatical errors in the draft versions that were shared. The editing and draft errors are being cleaned up – but nothing substantive in the draft will change.

Emphasized these are draft documents and there may be some changes before the final document is issued.

Input provided may result in changes before a final document is issued. UPPCO did receive helpful insights from open houses that are being considered for the reports.

One example is that it was pointed out Little Falls was overlooked as an aesthetic feature. As a result, Little Falls was visited and the information will be included in the final document.

She also mentioned the blacked out, or redacted, lines in the document. Explained this is because UPPCO is not allowed to publicly identify habitats of rare, sensitive, threatened or endangered fish and wildlife.

This information is given to the state and federal agencies UPPCO is working with and can be obtained by contacting one of the following agencies:

- National Park Service
- USDA Forest Service
- US Fish & Wildlife
- Michigan DNR
- Michigan DEQ
- Great Lakes Indian Fish & Wildlife Commission
- Keweenaw Bay Indian Community
- Michigan Hydro Re-licensing Coalition
- Michigan Attorney Generals office
- FERC – Federal Energy Regulatory Commission

The environmental studies themselves focus on items including wildlife and aquatic habitat, loon nesting, recreation resources and aesthetic.

Another example from the Eastern UP is some information provided to us by focus group member Dave, who pointed out a recreational access site. It was visited and will be included in the final report.

Susan reiterated that this meeting was not about non-project lands or the development of non-project land by Naterra. Naterra is in the process of creating its initial design and is proceeding on a parallel path with UPPCO – even though it cannot finalize those plans until UPPCO, along with the agencies, and with FERC approval, decides what is appropriate for the use of project lands.

The results of the studies along with the agency consultation process, and public input, will be used to develop a proposed Shoreline Management Plan – or SMP.

The SMP will cover non-project land use issues – and the draft SMP will be the subject of future public open houses and, if you so desire, focus group meeting. The draft SMP is anticipated to be completed sometime in October.

Initial Comments

The basin doesn't have any water left in it so the campers are gone. Not hearing too much, just wondering where all the water is. Said it would be nice to have a sign that said 'we're working on dam, be patient.' It's bad publicity if people don't know what's happening.

From LSCP representative – members are looking at making money, they see an opportunity to build houses, it's a positive thing. They don't like taxes but on other hand, townships and municipalities have more and more mandates, so they get less money and the only way to continue is to raise mileages or broaden tax base. The opportunity to broaden the tax base is something we support over increased mileages. Want to make sure we support area for tourists, quality of life. It's not just about money and profit.

Wanted to know if people were still going to be able to fish at Cataract. Said it is a big concern.

Not hearing anything different from before. Said the people he represents are not welcoming of intense development of lakeshore and stream areas. Referred to previous comment on tax base, saying with development comes more expenses – whether there is development or no development, there will be expenses; it is not the answer to the economic problems of the U.P.

Environmental Presentations

David R. Dominie - E/PRO - Recreation and Aesthetics

Back in February and March of this year, the resource agencies provided an extensive list of recommended studies they would like to see conducted in relation to the development of the six impoundments. Tonight will be regarding Boney Falls, Au Train and Cataract.

The studies were divided into three categories - recreation, aesthetics and wildlife/aquatic habitat. In the last category, a special section was given to the Loons as a specific separate study. Loons were only investigated in Au Train. David Dominie presented the recreation and aesthetic portions of the study while Gary Emond presented the wildlife/aquatic habit and loon portions of the study.

Recreation and Aesthetics

Recreation – the purpose of the recreation study was to assess the quantity and types of facilities on the impoundments. They looked at existing information developed in relation to the FERC licensing process.

Site visits were conducted at each impoundment, primarily by boat. They photographed each site, filled out a survey form for each site as well, recording the location, what was at the site, erosion, amenities, if any, and whether it was a formal or informal site. Formal meaning actively managed by UPPCO, the DNR of another institution and having amenities such as toilets, parking areas, boat launches, picnic tables, etc.

Informal would be sites that were not officially managed by an institution but has been frequented over the years by people. Each site is pictured in the report (figure 2.1) with a brief narrative.

One other thing that they did was desktop exercise to look at boating carrying capacity. Based on literature, they tried to get a handle on how many boats or what boating density these impoundments could handle.

First, a usable lake surface was determined by subtracting a 100-200 foot area around the shore as a buffer for safety and/or environmental reasons. The usable lake surface was then divided by a boating density.

This came from literature and varied from each place. Places where motorboats could be used would have more acres than places that would have people powered boats, like canoes and kayaks.

Findings of recreation study

Boney Falls – There was an UPPCO campsite with a boat launch, toilets and parking. There was also an informal site with a launch.

Cataract – There was a boat launch at the dam as well as a fishing area, pier and a picnic area off Route 35.

There were also a couple informal sites off 35 and then off an old bypass where people launch boats.

Au Train – There was a significant campground, a boat launch, toilets, capacity for vehicles and trailer rigs and also other smaller sites. There were informal sites with a boat launch and camping.

“We think we’ve covered that thoroughly, but people brought forward information and we may have missed some.”

Aesthetics -- There was a fairly specific scope from the agencies regarding aesthetics. They wanted to map the areas that have high aesthetic values and then know who values them and why.

Research has shown that people have a clear visual preference when it comes to aesthetics. They like to look at water and dramatic relief and when those two are combined, the ranking goes up significantly.

These were looked at and a quantitative assessment was undertaken. Each impoundment was subdivided into subunits because each impoundment has distinct areas with different characteristics.

Some of the criteria used for the aesthetic study:

Relief - long distance views (hills, watershed, ridgelines, dramatic relief)

Physical features - beaches, rocks, ledges, cliffs, coves, etc.

Mystery -- If you aren't quite sure what's out there or what's around the bend, it makes you want to keep going.

Vegetation diversity -- the number of types, if there's coniferous or deciduous or a mix of both, are there special emergent wetlands, super story trees, fall color, etc.

Special feature -- wildlife such as waterfowl, raptors, eagles, wading birds, moose, deer, etc.

Also, if a place has unusual cultural or historical features like an old cabin that has been nicely maintained, or historic feature that is associated with the area, that is something people look for. It brings memory or meaning.

Detractors – Excessive residential, recreational and/or industrial development that has been poorly done and doesn't go with the area – people don't like that. Poorly sited facilities that are out of scale, wrong color, doesn't fit, the lines are just wrong with what you see around you.

Where these situations existed, points were taken off of the rating.

Au Train – seven subunits, a couple high, the rest medium.

Cataract – most were medium, a couple were low.

Boney – most were low

When something's rated low, it doesn't mean it's unattractive, it's just that relative to other areas, it didn't rate as high.

All of this information is in the report. Some of it has been modified.

Gary Emond – Wildlife and Aquatic Habitat.

The purpose of this part of the study was to conduct a habitat inventory and develop a baseline of not just the habitats out there but the species of interest to the resource agencies. A listing of habitats, both aquatic and land was developed. In order to accomplish this, a team of consultants was formed consisting of wildlife biologists. They worked with King McGregor, a consultant group based in Michigan that has a lot of experience in the U.P. Basically they worked with agencies to develop work scopes based on established protocol and sample protocol.

In May, helicopter flights were conducted, looking for suitable and existing bald eagle, osprey and great blue herring habitats. They watched for large pine trees, snags and wetlands and suitable perch trees.

Following up on that, in June, they did boat surveys and field surveys, walking the shoreline and examining the vegetation. Underwater cameras, typography, GPS devices, video cameras and digital cameras were all used in the study. A number of types of wetlands and habitats were noted. The team did not look for a species unless an agency specifically asked them to look for it but they did note the absence of certain species. What they found was all three wetlands with aqua vegetation were found in areas with shallow typography because it was protected from harsh waves. The soils conducive to that kind of veg are sand, silt, mud, etc. In higher energy areas, they found cobble, gravel, coarse woody debris, old dead floating trees, etc. They mapped all of that with the idea that you need to know what's out there for habitats to avoid impacts on the land and protect it.

Loons – They did not look at Cataract or Boney Falls because the agencies were not interested in those areas. They observed loons at Au Train, but no nests. The loons weren't acting territorial like they typically do so it was concluded that they were just foraging. The southern part is used extensively by sand hill cranes for feeding and roosting at night. They also observed different waterfowl species and woodland raptors/birds of prey at all three. They didn't find much about any of the impoundments that was unusual – they were typical areas of the Midwest and the northeastern U.S. From the results of the study, they developed a template of habitats, knowing where it is so that later on any impacts could be minimized.

Comments/questions regarding presentations

Susan Finco started off by saying they would start with comments regarding the presentation and then go around again to get people's perspectives on the aesthetics of the impoundments.

Where is the best fishing?

Gary: We have information that is on the way to us from the DNR. We don't have any data for Cataract, but we sampled Boney and Au Train. We don't know what the data says, we don't know the typical size of fish species. We do know all 3 impoundments contain warm water fish, perch, walleye, pike, etc.

Will this information be forthcoming at the end of November? Will it be at hand then?

Gary: I don't know how the DNR would feel about us releasing field data. What we will do is report what's out there, not so much the health of the fishery.

Shawn: Whenever I have visited Cataract, I have observed people catching fish. It doesn't always happen to see people catching from the shore. We're expecting Cataract would be very good.

Table 4.2 - referring to aesthetics, the degree of naturalism, what are they referring to?

David: The natural setting, how undisturbed it is.

It's showing negative figures for Cataract.

David: If one assumes a lake is natural in character, things that disrupt that nature would get negative points. You can see power lines at Cataract. The dams were considered an integral part of the landscape. If have other areas are incongruent with the setting, the area gets negative points.

Is it explained anywhere – I can't see it. Is there something other than the power lines (that would give Cataract negative points)? It is pretty aesthetically pleasing and relatively undisturbed except for power lines. It is hard to understand how they arrived at that.

David: We can add a definition of naturalism. An area is assumed natural and anything perceived not natural gets negative points. If you have something that detracts from that natural character, it gets negative points.

Shawn: If you look at section 4.5, it divides natural character into three categories: low, moderate, and high. I think that's what you're looking for, for a definition of why it's this or that score.

Is it entirely because of power lines?

David: I don't remember exactly... there are houses that come down to the shore. An example of a detractor of natural character – we were driving along Shoreline Drive in Marquette and suddenly there's big power plant with large stacks. Aesthetically, it isn't attractive. That would definitely get negative points.

Shawn: Table 4-3 goes through each subunit and describes where detractors come from. I just took a ride and a walk yesterday at the Au Train basin; it's kind of low because of maintenance. In comments talking about aquatic weeds and stuff... Being in lower shallow water, the southern end is nothing but a large mudflat and weed bed. When that study was done, there were at least 3 different types of weeds you could see, floating dead mats of weeds. How

much of an impact does something like that --- when you have that many diff types of aquatic life in shallow area, how is that set up in your study?

Gary: We took straight lines across the basin, if we get to a point where it gets deep. What we're able to do is map areas of submergent aqua vegetation. We mapped emergent vegetation too and different species types.

Other question I have – anyone who's lived around that area knows that within that land to be sold, it has probably two to four major migration routes for deer. Will there be any type of studies done on what kind of impact development would have on that?

Gary: That is outside of our study.

So no studies done on lands that would be sold or developed?

Gary: We didn't do any work outside of FERC project lands.

Do you folks plan to come back and study the basins during waterfowl season? I know you saw a few Canadian geese, but you're not hitting the right time of year.

Gary: This wasn't a conductive use study. We did a habitat inventory, taking the assumption that if a habitat is there and is usable; the species is there as well. Just because we weren't there, doesn't mean we wouldn't consider the species inhabiting that area.

If you're assuming, you should assume waterfowl hunters are there. You didn't list any waterfowl hunters.

Gary: That would have been tied to recreation work.

You did list recreational users, but you didn't list hunters.

Greg: We have been working on that.

Gary: At Cataract and Au Train we were just looking at habitat characteristics. Certain areas are very good for migrating waterfowl; we worked that approach with DNR. That was one of their concerns – can you determine what is used by waterfowl? If the habitat is there, we assumed they are there.

On the south end, did you list rough grouse and sharptails?

Gary: If we heard drumming or whatnot, it would have been noted.

Shawn: One of the things this report is designed to do is to collect data we didn't have. When we get to planning non-project uses, we'll use available data. If we have other information about waterfowl use, in making decisions, whether that existing data gets into report or not, it won't matter for documenting purposes.

I see your point, but if we could get our hands on other information you're using, that would be useful. We only have reports. It's good to be better informed.

Shawn: One thing we will be doing in developing the SMP is indicating why decisions were made, that's where other data will come into play.

I found the studies it very interesting. But everybody knows water has fish in it, I didn't see a lot about migrating birds.

Gary: We could certainly beef that up.

You waited till after fishing season started to do studies. All the people are on the lakes and the wildlife disappears. It matters because you gave more points to areas that had more wildlife. Some places rated lower because there were more people, which means less wildlife. Also, erosion is a big concern of yours, but if you plan on putting 400 houses on an impoundment, how would that help?

Shawn: One of the things that we will be required to do is to make sure whatever gets proposed does not accentuate the erosion problem. As we've said in earlier meetings, once something gets approved, it doesn't mean we can walk away and say so what if it's causing erosion.

Environmental impacts will have to be dealt with. If non-project use is affecting shoreline, we will have to look at that. I can give you some examples – if somebody is frequently using a spot by shoreline, we will have to take measures, stabilizing it or providing alternative access with a stairway or something. It's good you brought it up. We do have to take that into account.

There are no people there right now using it, but we still have an erosion problem. The more people you stick in there, the more erosion you have. As far as the aesthetics of the place, Boney Falls is in last place because of rooftops and houses and Au Train scored a lot higher because there are no houses. If you stick 400 houses there, what will happen to the aesthetics of the area? How are you going to deal with that? Also, no nests were found for sand hill cranes and blue herrings but most of the study was done in a boat. You probably won't find nests floating in water. In order to study 200 feet of land you would have to go 20 people wide and go around the basin.

Gary: We did conduct helicopter flights to look for nests; we scoured those impoundments looking for those. Sand hill cranes have special habitat requirements, wet meadows, bugs, etc. There wasn't any of that type of habitat in the project boundary. In Cataract, there was one area that is a possible nesting area but we couldn't find anything.

Comments on Aesthetic Values

Everyone was asked, "What do you use the impoundments for and what do you value about them aesthetically?"

[I like] their relatively natural conditions. If you want to go canoeing or fishing, it's nice to look at nature around you. On most lakes, you're looking at some guy's big house, there's too many docks, boats. These places (the impoundments) are a nice place to get away from development. I've been to all three – Cataract is the closest one. That's a neat spot; there are lots of nooks and crannies to go in around there. Other than that power line, it seemed pretty natural, lots of wildlife, didn't seem like a lot of boating pressure. The trend is more and more of these lakes are being lost. Fence Lake got bought up and closed up. Hate to see the protections not enforced.

I live less than a quarter mile north of the end of the (Au Train) basin. There are two great things you can enjoy. You can walk along the river at the north end, across the dam, the fall colors are unbelievable. A number of people stop to take pictures. The other thing is in the fall, you can take a canoe when there's water and there's always wildlife – deer, bear, waterfowl... it's great to go down on old tower hill, you can watch anything you want to see go flying through there. It's just been natural enough where you can go down there and there's always something to see.

I value quiet and darkness. I go down to Au Train at dusk especially during waterfowl migrations. I canoe down the shore and just sit there – it's the lack of human activity that makes it precious.

Familiar with Boney falls but never used it.

Never been to Boney. But Au Train and Cataract... there isn't a nicer spot in the fall. By Au Train, you got the hills and the water, it's beautiful. I don't care if I catch fish; bouncing around out in the boat, you look around and you're lost in the whole world. Once it gets all built up, it'll take that away.

Au Train basin – there's nobody there, the fishing is excellent, the walleyes there are gigantic. It's recognized in many national magazines for its walleye and pike. There are no houses, no lights at night, I go ice fishing at midnight, just go sit out there, I'm only one, that's what I like.

If it comes to aesthetics, when you make a change, you talked about number of people using areas. When I lived in lower Michigan, in some areas it was hard to see the lake. Depends on the degree of development.

More question/comments on the Environmental Studies

Regarding the system they used to determine a carrying capacity and using a 200-foot buffer, the report showed very few boats or no boats in some areas. I'm not sure how that will affect UPPCO's plans on filling the lots up. Cataract doesn't have the capacity of handling very many boats yet 58 lots are projected.

What effect would a low carrying capacity have on plans to develop that area?

David: The carrying capacity was done to give a sense of the appropriate number of boats. On Cataract, that's not the kind of place to have jet skis and speedboats on. Person powered boats would be okay. That was just in there to give examples, it's not definitive.

Right now, we're worrying about the number of docks on these basins. If anyone wanted to do follow up check on Au Train basin, now would be a good time because there's no water out there. As shallow as it is, now is the time to see the impact of docks; you can really see that bottom. Another question: The east side of basin is quite hilly – if homes are put in that area, has any consideration been giving to water quality due to runoff and sewage in that area.

Shawn: One of the things that when Naterra plans development, they have to make sure each lot has an acceptable location for that. That combined with the distance from the actual impoundment should take into account those concerns.

What kind of problems did you run into on the eastside? 150 little springs, all come down the sides of those hills. You can be an appropriate distance away from the water, but what happens on top of that hill impacts that water and that basin. The people in the community are concerned about this because of the typography.

Greg: Naterra has not developed any plans yet but info like that is very import for future consideration

As part of these studies, you didn't make any conclusion of the development of project lands on habitats?

Gary: No. We're working for UPPCO, not Naterra. We're just looking within the FERC boundaries.

Is anyone doing studies on project land?

Greg: That would be directed towards Naterra.

Brad: We don't do individual environmental impact studies. We work with the health department and septic systems.

You could wipe out these streams because you're on private land?

Shawn: No. They are protected regardless because of state law.

Brad: We involve DEQ and other proper authorities before we do any development.

Are there any raptors nesting?

Brad: Not on our property.

No development has been proposed on the eastside of Boney; When Naterra plans on that, I will have something to say.

Naterra: There are no roads. It will probably be sold to an adjacent property owner. We can't sell lots where they have canoe or boat access only."

Regarding the environmental study – it seems more and more that all we're doing is building better brochure for Naterra to sell land. The more aesthetically pleasing the land is and the more animals you find, it drives up lot prices.

Greg: I understand why you would think that, but the real purpose was to identify the features on the reservoirs, so we can determine where things should be done, where they should not be done and get an inventory. What you have been telling us is this is beautiful place, we know that, but the inventory tells us there are areas where nothing should be done and maybe areas that should be developed. That is the purpose. Understand where you're coming from because you had nice secret on the Au Train. It's documented now that this is nice place.

It's not only water we're concerned with, lots all around places people can't get. There's nobody on that land, no access, so once people have houses and lots, it will be taken over. It will be there backyard. We'll lose the lake AND the woods.

Hunting pressure – I see how a number of people using the land will have an adverse affect. It's DNR policy too. An example could be Ewen township, the timberlands development, I haven't heard anything to the negative on that where people have complained, seems like it would be with policies related to hunting and fishing.

Shawn's comments on the Au Train drawdown

Shawn: We need to do another news release on the Au Train drawdown. It's unique from an environmental standpoint and a dam standpoint. The only way we can draw down is 100 CFS through the powerhouse.

We began in early June and we did a news release. We probably need to do an update because that was a long time ago. We're still viewing it as working on the same project but those not familiar with the process don't view it like that. As we did begin maintenance work on the south levy, we needed to do some testing in the basin itself. That testing has not yet begun because we're waiting for bed to dry out. It is a mud hole right now. That testing is to look for depth to bedrock, that is something FERC has asked us to do. Based on that, we would have to propose changes to the dam. We're doing maintenance and testing. Maintenance started on the 21st. We will get out a news release to say how long we expect it to continue. Some areas of the dyke are slightly lower than other areas, so FERC has asked us to raise the elevation. It settled because some of the organic material has decomposed -- that's a theory. In addition to that, when we reached the lower level, if we would continue as the license says, that reservoir would continue to drop. So what we have asked the resource agencies for is to reduce the amount of water to try to keep it from dropping. It's been a dry year, so we have very little water coming in. Evaporation in the summertime is a big factor, too.

We may see it continue to drop slowly, but we're trying to reduce that. As soon as we're done, we will gladly begin to refill.

Is the Federal Government tightening down on levy control since what happened in New Orleans?

Greg: No, it's part of dam safety program. Not to say dams aren't safe by the standard they were built by, but they implemented a program 10 years ago to prepare for the "probable maximum flood." It was mathematically calculated, based on run off officiated and the worst rain event. We have had to modify most of the dams in WPS's resources. We own 34 dams under 24 FERC licenses and most had to have some sort of modification. We're rebuilding dykes. When a humungous flow is coming over, the concern for the maximum flood is that dam will tip over. It's not just the dams in Midwest, all across US. They're doing replacements of major dykes, concrete work, etc. It started way before the poor levies issue in New Orleans.

How are you balancing that -- I assume you're dumping warmer water in the basin.

Shawn: When weather was forecasted to be above 80 degrees, we did daily temperature readings, but if water got above certain temperature, we wouldn't release the full CFS. Under normal full elevation, you're drawing water from bottom where it's colder. In all the years we've dealt with draw downs, during warm nights, but now we're having colder nights so it is less of a concern. We're trying to get drawdown, but if get rain, go backwards, if you slow down, that effects temperatures, delays drawdown. It's good for drawdown to be a dry year.

In the papers sent in last mailing it say without water access and docking rights, the value drops 50 %. The condos in Marquette sold before they were built. There's some by the arena, those were sold and they're building more. They're not worrying about having docks, they just want to see water. Just using the condos as an example. These people don't have any water rights but those buildings were sold before they were completed. If you can see water, it's just as good as putting a dock in the water.

Susan: The topic of the next meeting, which is September 28, same time, same place, will be economic impacts.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 46
5 September 2006
PUBLIC COMMENTS FROM DOUG SCHEUNEMAN

From: Doug Scheuneman [mailto:dscheune@ner.timberproducts.com]
Sent: Tuesday, September 05, 2006 12:31 PM
To: Puzen, Shawn C
Cc: Lesley.Kordella@ferc.gov; john.estep@ferc.gov
Subject: E-Pro Environmental Assessment of Hydro Projects (1864, 10854, 2506, 2402, 10856)

Shawn:

The Alger County Fish and Game Alliance has read thru comments made by the Michigan Hydro Relicensing Coalition to your company and FERC on August 28, 2006 regarding the Environmental Baseline Assessments conducted by E-Pro Consulting on your firm's behalf. Our organization is extremely concerned that these studies were too superficial and lacked the necessary intensity to provide the type of information that will be necessary for lifelong decisions to be made regarding non-project use of project lands. Although we certainly agree that your firm should be able to sell your non-project lands, we are very concerned that whatever you ask to do within the project boundaries will have a negative effect on all current recreational users of the project lands.

From here forward all of my comments will be restricted to the AuTrain Basin Hydro site (#10856):

The study of the AuTrain Basin was too broad for this large flowage, it only skimmed the surface. The time period of the E-Pro work was not only short in duration but was taken at a period when "normal" recreational use was at a minimum compared to other months. While there were some fishermen and a few campers, peak use of the campgrounds does not occur until after the first of July.

Perhaps the most significant use of shoreline (project) land areas, along this impoundment, is waterfowl hunting and bird watching during the fall migration. From Sept 1 through the first two weeks of November use of project lands, on both sides of this flowage, peaks. Other important recreational uses of project land such sightseeing, hiking, and canoeing or kayaking occur mainly from spring thru fall. However, there is some winter ice fishing and snowmobiling.

All of these users could be negatively impacted by non-project uses of project lands and nothing was covered in the E-Pro study to address this issue.

The problem this year in the Basin for trying to study recreational use in all seasons, is that the present drastic "drawdown", for whatever reason, has altered and even eliminated a lot of the "normal" recreational use of the impoundment.

We suggest that additional studies be set up for next year, if normal water levels permit, to measure the current recreational use of the Basin. Then perhaps intelligent decisions can be made regarding the real impact that non-project uses of project lands on this flowage will have on all recreational users. Then, and only then, can a sound SMP be written for the AuTrain Basin. A plan that will insure any shoreline development occurring within project boundaries be consistent with the requirements and purposes of the Federal License that is in place for this Hydro site.

Sincerely,

Doug Scheuneman Sr.
Vice President, ACFG
Munising, Mi

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 47
28 September 2006
FOCUS GROUP MEETING AGENDA

Upper Peninsula Hydroelectric Project:
September 28, 2006 Eastern Focus Group Meeting Agenda

Focus Group Purpose

The Focus Group is an advisory group. While it is neither a decision making body, nor will you be asked to reach consensus on any issues, your input is important. We ask that you:

- Provide feedback on the topic being presented
- Share what you learn with others in the community

UPPCO thanks you for taking the time to be a part of the process.

- | | |
|-----------------------|--|
| 6:00 p.m. – 6:02 p.m. | Welcome & opening comments: Susan Finco |
| 6:02 p.m. – 6:15 p.m. | Focus group member introductions (Approx. 1 - 2 minutes each) <ul style="list-style-type: none">• Name and organization(s) you are representing• What are you hearing in the community / from your associates? |
| 6:15 p.m. – 6:45 p.m. | Presentation on Economic Impact Analysis <ul style="list-style-type: none">• Tom Baade• Roger Trudeau |
| 6:45 p.m. – 7:30 p.m. | Focus group member comments / questions |
| 7:30 p.m. | Meeting adjourns |

UPCOMING MEETING DATES:

- Thursday, October 19: Eastern Focus Group Meeting
- Thursday, November 2: Eastern UP: Draft SMP Open House
- Thursday, November 20: Eastern Focus Group Meeting

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 48
2 October 2006

**EMAIL CORRESPONDENCE - MICHIGAN DNR COMMENTS
RE: REVISED SMP GOALS AND OBJECTIVES**

From: "Puzen, Shawn C" <SCPuzen@wpsr.com>
To: "Norman Nass" <nnass@fs.fed.us>
Date: 10/02/2006 4:03:14 PM
Subject: RE: Revised SMP Goals and Objectives

To Norm and all Agency Representatives:

Thank you for your comments on the SMP goal and objectives. At this point, UPPCO believes it would be in the best interest of the group to table any additional comments on the goals and objectives until the draft SMP is released for comment. During the comment period, if you believe the goals and objectives still need to be modified including these most-recent recommendations, you will have the opportunity to formally provide these comments through the draft SMP comment period. To address any of your comments through that process would be very beneficial because you would actually have a draft SMP to apply your comments to. One difficulty, that both UPPCO and the resource agencies are having is the open-endedness of what will be included in the SMP. Therefore, both UPPCO and the resource agencies are attempting to provide for every potential option, which is very difficult to do. Hopefully, this approach will help with that.

In addition, UPPCO has decided to amend its current schedule slightly to allow for a more thorough process in development of the SMP. The following is a new schedule for the remaining process:

Finalize reports based upon comments: Early to mid October 2006
Release Draft SMP for Public and Agency Comment: Late October 2006
Agency/UPPCO meeting on Draft SMP: To be scheduled.
2006 SMP Submittal to FERC: Early to Mid December 2006.

As a consequence of the schedule, UPPCO would again like to hear your availability for a meeting to discuss the Draft SMP in Crystal Falls. The potential dates are as follows: October 30, November 1, 2, 3, 7, 8, or 10.

Please let us know your availability for a meeting (conference call will also be set up to call-in) on the potential dates listed above. If we do not hear a response by end of day Friday, October 6, 2006, we will assume you are available for all of the dates.

Cary Gustafson-Please let me know if the room is available.

Thanks,

Shawn C. Puzen
Environmental Consultant
Wisconsin Public Service Corporation
(920) 433-1094
scpuzen@wpsr.com

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-----Original Message-----

From: Norman Nass [mailto:nnass@fs.fed.us]

Sent: Friday, September 15, 2006 8:31 AM

To: Puzen, Shawn C

Cc: Jessica Mistak; ddominie@eproconsulting.com;

gemond@eproconsulting.com; kgosselin@eproconsulting.com;

wcampbell@eproconsulting.com; john.estep@ferc.gov;

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christie_deloria@fws.gov; Ann McCammon Soltis; gmensch@kbic-nsn.gov;

Chris Freiburger; Cary Gustafson; Pamela Stevenson;

angie_tornes@nps.gov; jdschramm@oceana.net; troutkpr@up.net; Snyder, Gil

E; Egtvedt, Gregory W; Hartman, Kathryn A; Spees, Kerry A; Moyle, Keith

E; Trudeau, Roger J; Heidel, Richard R; Darla Lenz; Mark Fedora

Subject: Revised SMP Goals and Objectives

Shawn, thank you for the opportunity to provide additional input for the SMP Goals and Objectives. The revisions you have already made, especially to the Purpose section, help to address concerns previously expressed by the Agencies regarding license compliance. The purpose section now is stated in a manner which clarifies that the SMP will provide guidance for multiple shoreline uses in a way that is consistent with license requirements.

I have a few additional comments which are intended to more closely link the SMP goals and objectives to the license requirements.

The introduction includes the following statement (3rd sentence) which should be considered for deletion:

"Economic benefits received for non-project lands around these Projects

would help maximize the potential for continued protection/conservation

of other lands in the region that are of equal or greater recreational,

aesthetic or environmental significance/value as the non-project lands

being proposed for sale, or project lands proposed for alternative private/public uses".

This statement addresses the economic value of non-project lands and the non-commodity values associated with other lands located in the region. While it is recognized that this may be of interest to UPPCO, the relationship to the Shoreline Management Plan is not clear. Therefore, removing this statement would improve the clarity of the introduction statement.

Definitions:

I recommend adding definitions for Goals and Objectives. Including these definitions would provide the Focus Groups, UPPCO and the Agencies a common understanding of the way to interpret and apply the Goals and Objectives.

Definitions of Goals and Objectives can be found in FERC's Shoreline Management Planning handbook

Goals: Statements that define what is to be accomplished with this Shoreline Management Plan.

Objectives: Those actions which help to achieve the goal, or to measure the success in meeting the goal.

Goal 6 - recommend rewording this goal to be more consistent with the license requirements as follows:

Protect the aesthetic quality of the shoreline.

The first objective under Goal 6 would then be reworded as follows:
Site and design shoreline facilities, if any, in a manner that maintains or enhances the aesthetic quality of the shoreline.

Goals 8 and 9 should be reworded to clarify that species habitat is included as part of each goal as follows:

Goal 8 - Avoid or minimize impacts to wildlife and avian species and their habitat.

Goal 9 - Avoid or minimize negative impacts to threatened and endangered species and their habitat.

The second objective under Goal 9 is also recommended for editing as follows:

Design and site shoreline facilities, if any, in a manner that protects or enhances threatened and endangered species and their habitat.

Goal 10 - Objective 5: This objective should be clearly linked to the desired condition of the recreational boating setting at each project.

Thus, this objective could be stated as follows:

Determine recreational boating carrying capacity of the project in accordance with desired recreational uses and plan for proposed facilities accordingly.

Thanks again for this additional opportunity to submit comments on the SMP goals and objectives.

/s/ Norman Nass

Norman Nass, District Ranger
Iron River and Watersmeet Ranger Districts Ottawa National Forest
(906) 265-5139 ext 14 (Iron River)
(906) 358-4551 ext 14 (Watersmeet)
e-mail nass@fs.fed.us

CC: "Jessica Mistak" <mistakjl@michigan.gov>,
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<dlenz@fs.fed.us>, "Mark Fedora" <mfedora@fs.fed.us>, "Puzen, Shawn C"
<SCPuzen@wpsr.com>

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 49
Mid October 2006
WEBSITE ADDITION – FOCUS GROUP MEETING NOTES

UPPCO FOCUS GROUP MEETING - SAWYER - SEPTEMBER 28, 2006

Susan Finco opens meeting, goes over agenda and opens the floor for initial comments.

INITIAL COMMENTS FROM FOCUS GROUP MEMBERS – ONLY THREE ATTENDING

"I don't have a whole lot to give to the group tonight."

"We have organized visits to basins that have brought people out to support for keeping things natural."

"I'm not hearing a whole lot; there is no water at the Au Train basin so everyone is gone. I'm wondering where the fish went. I'd say about 3/4 of the lake is gone."

UPPCO: Did you see press release in the paper?
I just saw something that said to stay off the basin.

UPPCO: We did do one explaining the draining based on your comments at the last meeting. It's up to the papers whether they want to write a story.
It just said not to drive four wheelers on the Au Train basin.

UPPCO: For us it's still one project, but to others it may not be apparent because it's been going on since June

Side note from facilitator: Regarding the date of the open house. It says on the agenda November 2. There is lots of pre- election stuff going on that week so we will be rescheduling it. We will get something out to you as soon as we know – tomorrow or next week.

PRESENTATION ON ECONOMIC IMPACT ANALYSIS – TOM BAADE, NATERRA DEVELOPMENT MANAGER

Two months ago these numbers came out. I will go over how we arrived at these numbers. We used existing projects to come up with these numbers – these were similar projects in Central Wisconsin. Some of them had their own piers; others had a multi-slip pier system. There are 500 units in Castle Rock. These are real recent numbers.

Timber Bay – This development had about 10,000 acres and 38 units. Of those, there were four units off the water with no view and no slip. These went for \$42,950. There were 24 units with a slip – it is a multi-slip pier where each owner is entitled to tie up one boat – those sold for \$87,317 each. So you can see what value a slip adds. These units were roughly the same size, about two acres.. There are 10 FERC frontage properties that look like lake lots and have views of the water – these sold for \$131,450. Q: How are the 24 units different from the 10? The 10 had a view, the 24 didn't.

Q: Were those the \$40,000?
No, those were the \$131,000. The ones for \$40,000 had no slip and no view. We wanted you to see most current numbers and what drives the number – these units sold out in two months.
I know a guy who does real estate and he said land is not moving right now.

I'm glad you mentioned it. We have seen it slow down because of gas and interest rates. A lot of folks buy with a home equity loan, so as the interest has gone up, the sales have gone down. But we've been in business 26 years; the market goes up and down.

Also, these prices are higher than they would be in the U.P. These developments are by Chicago and Milwaukee. There is a larger pool of people making more money. We have done market studies in the U.P. and feel there are values up here but since you have to drive farther, the land is less. I sat in on a blind marketing test where they had strangers that might be interested in land in the U.P. We asked, what do you think about land in U.P. and heard a lot of words like Siberia, cold winters, desolate, isolated. But when you talk to them about it, they started to realize the same things as to why people live here. The lakes are in better shape, there's more value. We spent a couple years figuring out if this is doable and we are confident it is.

We've all heard comments about 9 months of winter and 3 months of hard sledding.
Yeah, that's the first thing that came to mind.

Another project is Twin Lakes (in Wisconsin) – this development is off to the side and more difficult to get to. There are four units with no slips that went for \$27,200. Fifteen units with a slip went for \$46,216. There are 19 units on the FERC boundary with water view that went for \$131,900. A water view is the most valuable thing. These lots are more affordable than other ones, because of the type of land. It had been logged, had bad windstorms, it wasn't nearly as nice as something else. It has a lot to do with different pieces. For example land with a lot of poplar would go for less than land with big white maples.

There is continued development at Castle Rock, so we have projected what prices will be. Lots without slips would be about \$40,000, with slips \$100,000 and with frontage would be about \$300,000. It's kind of a trend to show you the difference of value with having or not having docks. I'm not going to shy away, obviously Naterra will try to get docks out there because it drives up value. At this point, there are so many unknowns.

GOING OVER ASSUMPTIONS

Au Train Township – 229 lots are assumed. This goes with the assumption of roads being built, some individual piers, but a bulk of them would have multi-slip piers so everyone could get one slip. Just so you know, we finished calculations on Castle Rock and we're building out at 6 percent per year. It seems to be moving along. With 229 lots, it will be about 10-12 years before it approaches 90 percent buildout. We rarely get 100 percent because lots of people buy more than one lot. This is just one assumption made if everything happened out there.

These numbers were figured at non-homestead tax rates. Naterra is a retirement and recreational home developer. Most of these I would guess - and by looking at the development we've done in the U.P. - would be 90 percent plus non-homestead, which is a higher tax rate. The total for Au Train came to about \$900,000 dollars in new taxes.

Those numbers were realized based on what's happening in other areas?

It's what we've averaged in other places. The millages are from county assessments.

Is that actual tax revenue?

Yes. The biggest gain coming is in the schools. It goes directly through local schools. As a recreational developer, we rarely see school-aged children on our developments. There's lots of revenue with very little cost with regard to schools.

(Referring to the assumptions handout) One assumption is water access, what do you mean by that?

It refers to the ability to get down the water.

Everyone has the right to get on to the water on FERC land, how would you not have water access?

Perhaps we used the wrong term. The idea is to be able to keep a boat in the water. It should say water access with docking rights.

Has Naterra ever had a basin where there were no docking rights allowed?

None that I'm aware of.

Can you see how that's different than what you're looking at with these developments? As a person who likes natural things, I would pay more for lot with no boats, jet skis, etc. If I could take walk after supper and look at the lake and the loons, that would be valuable. In the last 30 years, there has been more interest in that sort of thing. There's probably not a lot available for that. Lakes have been developed; people put houses as close to water as they can, sometimes over the water. But there is a growing movement for people who want to get off couch and get out there. I worked at Yellowstone years ago and if you walked 100 feet off the road, you were alone. The last time I was there it was so different. The woods were full of people. That's changing in the country. My generation is more willing to get out there and enjoy nature and look at things. I don't know if this projection you're making from Central Wisconsin applies here.

You have a couple different thoughts here. You're right, there is a trend in quiet sports, kayaks, fishing, etc. –

Especially in Marquette County, non-motorized sports are big.

We are specifically looking at that for Cataract. The bigger flowages, where there's a lot more water, people will likely want to have a fishing boat or a pontoon boat. We're appealing to different markets. Quiet sports is a much smaller market than the trend to have the ability to be on lake and have a pontoon. The values show that.

If you've never had one of these developments with no docking rights, than you never know.

We have one with much larger frontage. It's a no wake lake, that's taken a couple years to sell. We have people call and when we say you can't have a wake, they look at it and decide they'd rather have lake they could have a pontoon or fishing boat on. One last thing on quietness – it is very valuable and to me, the way we're looking at developing these areas, we won't have homes on top of the lake. FERC has boundaries.

If you have pontoon boats, that's going to kind of...

We're going to take 25 linear feet with docks. There will be plenty of space with no docks.

The picture of two pontoon boats on the lake and the one without, it's a completely different scene.

Both have a different view.

Not necessarily, whenever you're doing real state appraisals, you can never get an exact...

Location, location, we won't know if it's priced appropriately or not.

About the time of depression, 80 percent of land was rural. Then there was a shift and as time goes on, we'll see more people wanting to be out in the woods.

I think you're right. I've been to town meetings, and we've been picking where they want to see public access, trails, getting input from folks that live there. Right now the town and county don't want free land. It's not like everything is going to get wrecked. It's a balancing act.

About no homestead land... This has been going on in the U.P. for a long time, lakes get developed, people keep building bigger and bigger homes and it gets zoned for seasonal use. Typically people eventually want to live here year-round. They retire here and declare residence there. Or the husband declares residence in one place and the wife declares it the other place so they can get homestead taxes in both places. It's a battle with lakeshore people and the townspeople. I'm sure you've heard of that in Watersmeet. They have kids that need the millage in school and the lake people vote it down because they don't have kids. Government people think they're going to have more money, but they never look at how the expenses wind up. From what I've seen, the more development, the higher the tax is.

We're getting a little off topic. We can get into the topic of sociology another time. The cost benefit -- comparing Au Train to the Bond Falls flowage, the millages are roughly the same, but the taxes in Au Train are lower because of development. They're able to generate more taxes. There are pluses and minuses to all of it. They're coming out ahead in Au Train. There are instances on either side, we could go on all night.

Non-homestead taxes may not work.

They may not, you're right. But places will have a long time to work this out and be prepared for it. Townships will be responsible to handle what goes on.

Facilitator: Tom, maybe you can continue to go through the numbers.

Boney Falls -- This is a funny development because there are four different townships in it and it's the smallest of the three developments.

In Cornell there are just two lots. In Wells - for Boney, there are 22 lots; it works the same there with the fair market value and non-homestead taxes. We assume \$75,000 in tax base. Wells did have to be re-zoned, the town board approved this in anticipation for development.

If you got \$3.5 million for fair market value, what is the actual tax revenue for Wells?

\$74,000. That's summer taxes and winter taxes.

Ewing -- there's no development planned here. It will probably be sold to adjacent landowners, so there will be little increase there.

Cataract - that's one we had pictured marketing to quiet sports people. It will typically be a lower lot price – people on this type of land tend to build smaller more efficient homes.

We're still seeing water access and docking rights there so people put a boat in, tie it up, they can have kayaks; they still have to have access to get boats out of the water. If you take away docking rights, they will have to drag the canoe/kayak 600 feet. You'll see no homes while on that basin. If you don't have a place to keep boats in project lands, you would have to drag it back and forth. That value decreases for those people. All of us like to have a convenience factor. If you took away docking rights, it would lose half it's value. It would go from \$5 million to \$2.5 million or less.

With summer taxes and winter taxes, we would be adding \$200,000 dollars.

That money isn't actually going to the townships, right?

Divided up by millages, schools and other part so of the town. What are we trying to say here
jw?

And the state would get a bunch?

Yes, they would get part of it.

Regarding homestead taxes, what tax do you take away – school voted or school debt?

I think school voted. Typically towns vote those for non-homestead, that's how they raise extra money. We got this information from each community.

Does anyone have questions on how we got these numbers? It's important to understand this is just an assumption. When we get there, numbers will vary. The units have to be approved by the health department, the local township has to approve – we have a long way to go but this should give you a good idea on the taxes.

Facilitator: We can't finalize anything until UPPCO gets the okay on the SMP.

What will happen is as the SMP is finished up, we'll have a topographical map, soil information, we'll know where roads go and we'll cut as few trees as possible. We don't reshape the land. It's a long process. It's frustrating for a lot of people because we can't show exactly what we're planning – it takes year or two.

What restrictions or involvement did the DEQ have on this?

As we develop our plans, in regards to wetlands, endangered species, etc., we have to take plans to the DEQ and get permits. For anything that was ever wet, a permit is reviewed by the DEQ and we build roads according to that. The health department is the one who determines septic systems and wells. We have to prove we have a back up septic system and a water source.

When you say back up septic, does that mean you have to have space to move something?

Yes. Michigan has the most stringent rules I have seen when it comes to septic systems. You have to prove both spots work. You have to have room for the house, and the well has to be drilled meeting health codes. It works very well for homebuyers. They apply for a septic permit and it's all set, it's all on record.

What would you say normal life of septic field is with part-time residents?

That's hard to say for part-time residents because it depends on how much water they are using and how often they are there.

When was this developed (referring to the documents with the tax information)?

August, it's on the bottom of the sheet. We worked through the summer to get all the numbers.

You give 229 lots for Au Train. That's a pretty specific number. You must have a map. I just wondered if after environmental studies the number of lots went down.

We haven't compared Au Train to the environmental studies. We have for the other ones and the number of lots has changed. The big thing out there is pier location. The locations line up good with protection of sensitive habitats. There hasn't been a big change. Our final plans for Au Train would have to react to the environmental studies.

Any more questions?

I can't think of any other questions right now.

It's nice to be able to ask questions as we go along because of the small size of the group.

We will email the correct date for the open house. It will be here in big ballroom.

Meeting Adjourned.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 50
19 October 2006
FOCUS GROUP MEETING AGENDA

Upper Peninsula Hydroelectric Project
October 19, 2006, Eastern Focus Group Meeting Agenda

Focus Group Purpose

The Focus Group is an advisory group. While it is neither a decision making body, nor will you be asked to reach consensus on any issues, your input is important. We ask that you:

- Provide feedback on the topic being presented
- Share what you learn with others in the community

UPPCO thanks you for taking the time to be a part of the process.

6:00 p.m. – 6:02 p.m.	Welcome & opening comments: Susan Finco
6:02 p.m. – 6:15 p.m.	Focus group member introductions (Approx. 1 - 2 minutes each) Name and organization(s) you are representing What are you hearing in the community / from your associates?
6:15 p.m. – 6:30 p.m.	Presentation on Recreational Enhancements: Shawn Puzen
6:30 p.m. – 7:00 p.m.	Focus group member comments / input / questions
7:00 p.m.	Meeting adjourns

UPCOMING MEETING DATES

Thursday, November 30: Eastern Focus Group Meeting

Draft SMP Public Open House Meeting Date: To be determined.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 51
25 October 2006
PRESS RELEASE – SHORELINE MANAGEMENT PLANS

UPPCO Expects Draft Shoreline Management Plans to be Complete and Presented to the Public by mid- to late November 2006

Houghton MI – After gathering data from environmental studies and meeting with the public, focus groups, and numerous governmental agencies, Upper Peninsula Power Company expects to unveil its draft Shoreline Management Plan (SMP) for five U.P. Hydroelectric Projects (involving six reservoirs) by mid- to late November 2006. A 30-day comment period will follow, during which time UPPCO will hold open houses to take public comments about the SMP.

“We originally hoped to present the plan in late October,” said Roger Trudeau Director of Real Estate, “but in the data-gathering and SMP-preparation stages, we’re taking our time to make sure we put the best product out there we can - and that it reflects all the input we’ve received from various sources. We’ve gotten some very good ideas for public recreational enhancements at the projects. We need to analyze those suggestions and will incorporate as many as feasible. This will take additional time, because some of the public improvements will require drafting policies and procedures for implementation. SMPs are not just maps - they also require preparing a fair amount of text.”

The SMP will outline what non-project uses of the lands and additional public amenities within the hydroelectric project boundaries will be proposed to the Federal Energy Regulatory Commission. UPPCO has said it expects the SMP to propose some individual and multi-slip piers and small natural pathways to the shoreline as part of the proposal.

“We’re still working on the specifics of the plan,” said Shawn Puzen, UPPCO Environmental Consultant. “It will designate some areas where piers might be appropriate and other areas that are not suitable. It could also contain things like recommendations for shoreline management and habitat protection. It’s a work in progress.”

Puzen said the company has solicited suggestions from its focus groups for improving public access to the project lands. So far, he said, suggestions include creating hiking trails, constructing pavilions, improving fishing and boating access for people with disabilities, and improving public boat launches.

“Realizing there are significant costs associated with some of the improvements, we’ll do whatever is feasible, given the results of the land sale and development process,” said Trudeau. “A lot will depend on FERC approval of the SMP.”

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 52
Late November 2006
WEBSITE ADDITION – FOCUS GROUP MEETING NOTES

UPPCO Meeting minutes

Sawyer Tail Winds

Conference Room

6:00 PM

October 19, 2006

Susan Finco opens the meeting, goes over the agenda and opens the floor for initial comments

F= Facilitator

G= Group comment

U= UPPCO Team

Initial comments from focus group members:

G: "I haven't heard anything different recently... everyone I speak to would still like the area to stay in a natural condition."

G: "Our concerns are maintaining access to the lakes and it staying in the natural condition. I'm familiar with the area... one of the first places I canoed is this lake in 1976 or so. I worked on a hydro for a consultant on the Cataract Basin... Recently I went to the Au train basin and there was no water in it."

G: "We found out that there will be no development on the property on east side of Boney Falls, and was interested in what was happening there. Maybe the township will be interested in it but haven't heard anything from the public."

G: "I'm here to see how this project will develop. The group I'm with is interested in promoting recreation, and we have not been getting any comments from the people we work with."

G: "During the initial onset I heard a lot of comments, but they have winded down. Every so often I hear that accessibility is the most important thing, and the social structure."

G: "Where is the water in au train? It won't be back. That's about it."

UPPCO: "All I can say is that we can't make water. For a while it was coming up slowly.

The last I heard what little bit was there tapered off due to rainfall. I would like to see if we could reduce the level limits for how much we can release. The powerhouse mechanical equipment limits how low our levels can be so we can't just continue to reduce the release to nothing. If the turbine starts to spin, it can spin out of control and spin apart, so we can only go so low, however the siphon works on head pressure and can siphon over the dam, and if it gets high enough we can reduce the minimum flow.

G: "Next year can we not go so low?"

UPPCO: "We don't go any further than we have to."

G: "Good, because I've been hearing all kinds of rumors that they drew down the water to kill off the weeds, and make it more saleable. You know, sandy shores are more attractive than weedy water. If someone goes to buy it a sandy area looks better than a weed-bed."

UPPCO: "No, our draw-downs are a process. There's DEQ requirement and we have to file with FERC the reasons why we need it and how far. We never draw down below what we need. The lower we draw, the more money it costs UPPCO."

G: *“To follow up on that, will ‘El Nino’ help with that? They claim we’ll get more moisture from that...”*

UPPCO: “I don’t know.”

G: *“When I give reports at board meetings I haven’t gotten any comments.”*

F: “Now we’ll have a brief overview of recreational enhancements.”

UPPCO: “One common theme we hear is that accessibility to reservoirs is the main focus.

Providing environmental recreation is one of the SMP requirements.

Enhancements go with hydro projects. I was just talking about creating new access points and boat landings being upgraded as possibilities at Boney falls, Cataract, Au Train. I was going to develop list of possibilities and then after talking to a focus group member it occurred to me that what a better and more desirable way to do this by getting local feedback through the focus groups. When you bring it up to your groups, you act as a conduit to and from your local constituents. We’ll use this focus group as we develop our plans, and will rely heavily on what you think from a recreational standpoint. What do people want to see? Trails developed? I’m not saying they can all be done, but everything you suggest will weighed in on as well as the other things like docks. This is your chance to give us ideas and tell us what you’d like to see for recreational projects as local individuals.”

F: “If it were to happen, what would you like to see? If you take the stand that you want nothing to happen, you’re missing out on an opportunity to benefit from what these things can be. These focus groups are occurring to give ideas like creating new boat landings, and perhaps some of the projects will happen. In Au Train, perhaps a public pavilion can be developed for rental by the locals, for anniversary parties, family reunions, things like that. A town park?”

U: “I’m kind of trying to work outside of the traditional ideas. Cataract’s focus should be on quiet sports, the reservoir lends itself to that. A smaller reservoir doesn’t lend itself to power boats.”

UPPCO: “Other thoughts? We are open to hear what you’d like to see. We can’t guarantee they will happen but can guarantee that we will look at it and will be paid for by UPPCO as benefits of sale of the land.”

G: *“From my perspective, I recently took a canoe trip and saw only boats on the water. I saw lots of people on foot that came from park lands that will be blocked off when Naterra takes over. Hiking or walking paths would be good. Hopefully along parallel of the shore if can’t access it by traditional routes. We’re speaking speculatively. When we see what will really be, we will have more to offer for replacements. Maintaining public access to sections of the reservoir that are currently available as part of the plan... we hope to have the same or better access than now.”*

UPPCO: “Your comment indicated that you think the area will be cut off?”

G: "Horseshoe area looks like it's cut off. I haven't explored that yet, but looks like shoreline and that direction...In that particular area."

UPPCO: "The horseshoe area - Naterra will not be cutting off as part of the development."

G: "My perspective is to have access to it by trail instead of a road. I guess the thing I'd like... I'm trying to recall the Cataract reservoir. I remember the reservoir was more conducive to small craft. I'd hate to see jet skis and that kind of thing with all that... I hate to see that, it's really a problem. So many people with those types of machines really ruin it for people who wish to fish and watch wildlife and doing that kind of a thing.

Wildlife and hunting vs. thrills-- that's why FERC has its rules. I guess that's off the top of my head never been to Boney Falls or Au Train. It's a pretty spectacular place with the waterfall and undeveloped nature of it. You get a feeling out there on a boat by yourself. I'm aware of the access that the campground... looks like access by the gate at

M-94... don't know what to say about that. We need to have whatever facilities there exist maintained. I'll leave it at that and get out and view it sometime."

G: "I'd like to see a campground and scenic interpretive trail on the east side. Plant life, wildlife, limited boating. The designated area for swimming is not easy to get to... A possible pavilion, spinning off to a parcel that wanders around it, would be a nice site.

Some type of rental facility would work well. We'll see what's proposed. The supervisor is open to that type of thing, but the neighbor is not too excited. Time will tell, things can change."

G: "Some come to mind. Trail networks are big. The County is known for access to natural areas for tourists, and I'd like to encourage lot of things that take that into consideration.

Especially residents, there's always issues between motorized and nonmotorized.

I would like to see any non-motorized projects. People with speed cause trouble. People like access to include access for the physically impaired. Interpretive signage would be good, direct people to a shaded areas to have a picnic. We have to consider locals that are affected by that.

No one wants loud vehicles going by their home.

Shawn mentioned talking about some type of access. You can carry in at the north-east end maintaining minimal hiking trail on the eastern side. I am a big advocate on limiting horse power on these type of areas, like power boats."

UPPCO: "That rests with the town, not with us."

G: "We'd like to see recreation impacts as minimal as possible, not a boat launch per se."

G: "Go slow. Jet skis- wouldn't like to see that. As far as access roads, a big highway around basin wouldn't be good. That would be bad. I think as far as more campsites, UPPCO and the DNR could get together and could have it filled all the time. As far as more boat ramps, not more here instead of site on south?"

G: "You're talking on south-west carry south-east site on south-west that I can carry my boat and sit and eat... End of 26, some kind of dock, don't want it so big for a 50 ft., 14 foot or whatever is good enough. The easier you make it, you bring out the lazy people."

UPPCO: "Planks or skid pier? Like a dock when you launch a boat. It's a dock at... a moveable dock... it's there for convenience for people launching boats. Commonly put at boat landings to facilitate bigger boats? The size of the launch has to do with depth of water. It limits size of the boat. Some call it a convenience pier."

G: "My point is don't make it be a convenience."

G: *"It used to be concrete planks but over the years have gone away."*

G: *"It's inaccessible now and scary with a camper. In the summer time you need a 4 wheel drive to get in there."*

G: *"Our property stops there, I know what you mean. Both good and bad... it limits size of boats and campers, if you come in you'll lose it."*

G: *"Can't think of too much to say on the subject of feeder roads. The road commission is in financial trouble. How much extra maintenance is needed? Will they be more focused on those? The reduction of employees and not replacing employees affect all other roads. Will there be more pressure to maintaining the roads going into the areas?"*

G: *"I mentioned the recreational authority, there are 7 townships and 3 cities are in it in Marquette area. When Tom Bade spoke I mentioned it to the township association that they should get his card to look for 1/10th of a mil."*

UPPCO: "Are you looking for us to discuss the upkeep?"

G: *"No...how can certain things be extended? Should talk to Carol Fulsher, she can be reached at 226-6591."*

F: "Great input and comments! Now that you've heard what the others have said, would you like to comment on each other's comments? Discuss anything further? We've heard a lot about trails and launch sites... anything else you like a lot?"

G: *"The trails aspect- one thing lacking on a lot of reservoirs are trails to hike around. They have minimal impact and give access to hikers. In regards to the development of trails, I don't want to see 8 foot wide trails, we're talking minimal trails."*

G: *"Just wanted to say that regarding recreational projects overall, I feel lot of what we see in U.P. is poorly signed and see facilities closed down and then we see what the demand is and what could be, we could be telling people what's out there giving them good direction and signage to access it."*

UPPCO: "Signage is an important component of good recreation. Everyone focuses on the site. Two thoughts-- one is *don't want to share* and the other is *share*. MDOT is not a big fan of signs on highways. I can give you an example of a sign next to the cataract dam boat landing that almost didn't happen. We found someone at MDOT and were told it was part of what have to do, so make it happen."

G: *"No sign by Cataract."*

UPPCO: "On M 35. UPPCO paid MDOT to put that sign up."

G: *"The thing that's unique about this area is that it is not developed.. so many hundreds of lakes in U.P. So many not unique anymore. We need to minimize the loss of nature. All settings should not visible from the water. I don't want to see anything in here that would impact the populations of waterfowl and hope UPPCO will take all things into consideration to make sure the impact is minimal."*

Susan Finco asked Greg to expound on his accessibility comments.

G: *"Some people in wheelchairs need access. There should be some accommodations for people who are handicapped and note that the area has barrier free access."*

G: *"A place like Cataract-allow access, in particular to explore it from the water. If someone can't walk a great distance, from water is best, but the wetlands..."*

G: *"Not every site lends itself to barrier free, but will look into it."*

F: "Anything not mentioned? Kerry is our key contact or Janet. Please let us know anything that comes up that you'd like us to know."

G: *"On the east side of the basin, on those hills, a platform in woods to look out over basin would be nice. Before the trees grew you could see better, but I suppose to do that the trees would be impacted. But go a little bit further, and bird watching is possible..."*

G: *"I read something that you need a license to develop if eagles are nesting ¼ mile away."*

UPPCO: *"Its dependent on the time of year. Late winter it's ¼ mile and then 660 feet, others 330 feet... it has to do with nesting time. You want to avoid the nest if there are eggs. If they leave the nest in the cold weather the eggs won't survive. Au Train has an active eagle nest."*

G: *"There are 3 or 4 in the area..."*

UPPCO: *"If there is one now, we'll have to avoid it, unless the experts say its okay."*

G: *"This summer we had golden eagles for first time..."*

UPPCO: *"We see a lot of immature eagles that look like Golden eagles..."*

G: *"No, they're huge and I saw them together. Just a thought."*

G: *"One thing to mention on opposite side of bringing in tourism is also, they may overuse it and the banks get trampled. You'd have vegetation, soil erosion...that type of condition. That's what you may have to deal with if you bring too many people into the area. An example is Au Train on waterfall area on the north side of the basin, people like to see the falls and there's nothing to regulate or funnel them into where you want them to go. Waterfall areas are particularly hard to manage because people want to look over edge – Montreal falls is like that. Fishing areas are sometimes problems... they can drive to the shore and party and leave a big mess. When you do recreational planning look at those things and assess them and incorporate those into the plans. Maybe if you want to build better camping areas..."*

UPPCO: *"Good point. Offer stairs for steep banks. We're familiar with dealing with those types of situations. Erosion is one of the things we have to deal with in the license. If that happens we'll have to address it."*

G: *"I notice campgrounds people looking for firewood, they chop green trees, trees fall if not cut down, people take firewood often times. In a park situation they haul away trees when sometimes they need to stay as a natural barriers. It seems like there's a lot of things that have always been done. We get conditioned, so we're better off to observe human behavior and determine what to do, vs. put up sign of what not to do. People will do it just to defy the sign."*

G: *"Maybe the trails shouldn't be on the shoreline, but away from it to not impact species that occupy the shoreline. Have the trails where the ground is more stable."*

UPPCO: *"Terrain or wetlands will dictate where the trails go, a lot of time we cannot control human nature. We can talk about it... we've been developing land and maintaining recreational sites for many years, and are part of a large network... We can send an email and ask if someone dealt with a problem before. We always get an answer from someone who has."*

F: "SMP process?"

UPPCO: "The Shoreline Management Plan in November... delayed public meetings to develop that SMP. What you did today will help enormously. We want to do a thorough job and take time before we move forward... not several months, but a month or two months...that's why we pushed the public meeting back, to take into account as many of these concerns as we can."

F: "We will notify all of you so you can plan in advance and have adequate time. We will have a draft SMP before the next public meeting. Our hope was to discuss draft a SMP at that time. We're working on a schedule... update of final environmental report, commented on draft... will be finalizing the reports."

UPPCO: "As soon as we know... we didn't change the 30th date will let you know..."

G: "Recently a draft of some recreation plans for Bond Falls went to the DEQ... as far as recreation plans..."

UPPCO: "As far as I'm aware the DEQ does not have a draft of the recreation plans. The DEQ has a plan that we need to obtain a permit for Shoreline Stabilization."

G: "Do you anticipate any of the projects?"

UPPCO: "The DEQ needs to permit any kind of work below the ordinary high water mark. We'll have to obtain a permit, county sedimentation permit... similar permits... trail building doesn't require one..."

F: "Thank you all for joining us tonight..."

G: "I have a question about power generation demand. How's the situation for UPPCO, and demand increase... is there a question?"

UPPCO: "There is a required reserve, we're working on a plan to strengthen our ability to bring power to the U.P., I don't think there is anything worrisome about getting electricity... ATC (something about how the grid works and access to Wisconsin and the UP)... no cause for concern for power supply... (system?) still very constrained... working on it, always working on it, looking at it...If someone shoots something out, we're in trouble."

G: "What if other states ask for power from us?"

UPPCO: "If you have a contract, no one can take it away from you. Last year St. Louis, Ohio needed power, and we asked our customers to conserve so we could send power to them. We wouldn't be in a position to cut off power to our customers, only conserve so we can send when needed... but we wouldn't deny our own customers so we can give a way power to someone else."

G: "Is there a plan to strengthen the grid?"

UPPCO: "We're building in Wausau in 2008. Wisconsin and U.P. both need it; we only have 4 links coming in... (laughing) We're a power company, and are glad we can answer questions about power."

F: "We will keep you posted about the dates and thank you!"

Adjourned.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 53
30 November 2006
PRESS RELEASE – SHORELINE MANAGEMENT PLANS DELAYED

UPPCO Hydroelectric Projects' Shoreline Management Plans Delayed, Perhaps Until March 2007

UPPCO cites additional time needed to incorporate data gathered, the holidays, and its desire to provide a comprehensive overview of shoreline plans for all its U.P. project lands

Houghton, MI – Upper Peninsula Power Company has revised the timeline for completing the draft Shoreline Management Plans (SMP) for project lands at Au Train, Bond Falls, Boney Falls, Cataract, Prickett, and Victoria reservoirs to allow time to incorporate information gathered from the public, focus groups, the environmental studies, and resource agencies. The company now says its plans to complete the SMPs by December 1 were optimistic and adds that no rights to use the project lands would be conveyed until a final SMP is approved by the Federal Energy Regulatory Commission.

UPPCO is planning more detailed SMPs for submittal to the Federal Energy Regulatory Commission (FERC), and the process is time consuming.

“We could submit general SMPs relatively quickly,” said Shawn Puzen, a WPS Resources Environmental Consultant working with UPPCO, “but the plans wouldn’t provide the level of detail the public and agencies indicated they’d like to see. It also makes more sense to us to submit the complete, detailed SMPs initially. We think providing an overall view of the plans will be more meaningful to stakeholders. The plans will provide continuity while still recognizing the individual characteristics at each of the projects.”

Puzen also believes it is important for stakeholders to see the plans as a whole. “To some degree, the plans are dependent on one another,” he said. “Certain activities may be proposed at one location that are not proposed at all locations.”

Puzen explained that the company would present its plans at public meetings in the eastern and western Upper Peninsula. “That’s consistent with how we’ve approached this in the past,” he said. “It makes sense to hold meetings for Bond, Victoria and Prickett in the west and AuTrain, Boney Falls, and Cataract in the east so that local people won’t have far to drive.”

After the draft SMPs are presented, UPPCO will take public and agency comments before finalizing the plans and submitting them to the FERC.

UPPCO said it wouldn’t wait until the end of the first quarter of 2007 to present the SMPs if they’re completed before then. “We’ll get them out to the public as soon as possible when they’re finished,” Puzen said. “We understand that people will be disappointed in the delay, and we appreciate their patience, especially those entities eagerly awaiting the final product. Nevertheless, we think everyone would agree that it’s more important to do this right than do it fast.”

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 54
As of 21 December 2006
DIRECT MAIL – COMMENTS RECEIVED


Comments on Scope of Environmental Studies: Once Again
UPPCO shows its total disregard for the people
of the U.P. Your objective in the Aesthetic value of the
Improvements was "why these areas have high aesthetic value, and
what value they have." The only people you ask about
this was a couple of Park Rangers & two campers. Your total
failure to contact ANY local people on this subject confirms
my thoughts on your extreme greed. If I were you I'd have
the U.P. out of your name. ~~UPPCO~~ ^{WSP} ~~Power Company~~
would be better.

Name: Wayne Jokkala

Address: 11384 US 45

City/State/Zip: Bruce Crossing, Michigan 49917

Phone: 906-827-3762




Comments on Scope of Environmental Studies:
the lake (Bard) has been
with us for 50+ years. The
people that choose to recreate
also understand this. Those that
purchased property on Bard
should have known this.
Good job on Enviro studies
Project should proceed!

Name: John Jokkala

Address: _____

City/State/Zip: _____

Phone: _____



Comments on Scope of Environmental Studies:

It is not appropriate to use acres per boat because much of the reservoir surface has submerged stumps which makes many acres unsuited to boats - remove stumpage acres from calculations.

Wildlife studies need to account for future changes in the old growth buffer & project lands - will be different

Name: Tom Church 100 yrs. from now.

Address: PO Box 778

City/State/Zip: Watersmeet MI 49969

Phone:



Comments on Scope of Environmental Studies:

Your ideas for Bond and Victoria are INSANE

Name: DOES NOT MATTER - RS

Address: You DO NOT LISTEN ANYWAY

City/State/Zip:

Phone:



Comments on Scope of Environmental Studies:

Aesthetics — Most important item is the protection of the wild appearance of the shoreline and piers will detract from that wild appearance.

— Study should include the aesthetics related to water quality. Clean water exists today but proposed use likely will reduce water quality.

Name: Tom Church
Address: PO Box 778
City/State/Zip: Watersmeet, MI 49969
Phone:



Comments on Bond Falls Land Sale: I am opposed to this sale and the Natena development. Until public outcry developed, UPPCO and WPS tried to hide this land sale and subdivision from the public. Now you are "backtracking" and trying to please us (placate us). This does not strike me as a good way to win the public trust. A full environmental review is needed and the terms of the FERC license strictly followed.

Name: Jeff Niese
Address: 1202 School Rd.
City/State/Zip: Tomahawk MI 54487
Phone: (715) 453-7290
My daughter and family have used Bond Falls for the past few years for camping, recreation and cross-country training camp.



Comments on Scope of Environmental Studies: I found it quite amusing that your E-pro people could only find 3 sites on the whole Bond Impound that contain hen mallard with a brood. On any given summer day I can walk the shores of Bond Lake and spot 3 broods of mallards in a 200 yard walk. Maybe that means a two to three day studied just doesn't tell you whole story about an area. One more thing, the Canada goose is not consider a nuisance bird in the U.P. The D.P. is not yet the same as a park in Green Bay!

Name: WAYNE JOKISALO

Address: 11384 US 45

City/State/Zip: Bruce Crossing Michigan

Phone: 906-827-3762



Comments on Scope of Environmental Studies: SHAWN PUZEN'S comments at the end of meeting in Even tonight were of much concern to me. He said there can be NO conclusions to any of these studies because "we don't know what's going to be there." Well that MAKE ME come to this conclusion - you really could care less about the environmental studies all you want is 10 times better than far market value for your land! Someone must be looking for a CHRISTMAS REASUS!

Name: WAYNE JOKISALO

Address: 11384 US. 45

City/State/Zip: Bruce Crossing Michigan 49912

Phone: 906-827-3762



Comments on Bond Falls Land Sale: Being a land owner in
Haight town, my main concern is public access
on Bond Falls Flowage, & the inevitable increase in
property taxes. To subdivide non project lands is
one thing but to allow docks on public lands is
another thing. I do not agree with docks of
any kind on Bond Falls Flowage! If allowed,
law enforcement problems alone will use up any dollars
gained in new tax receipts. Please don't allow docks!

Name: James A. Pietile

Address: 8890 Della Dr

City/State/Zip: Woodruff WI 54568

Phone: 715-356-7074



Comments on Bond Falls Land Sale:

We believe UPPCO has made changes to
a former agreement. Therefore a new
Environmental Impact Statement is
needed before our precious wild areas
are converted to another suburbia!

Name: Charles Waters

Address: 18896 Firante Road

City/State/Zip: Ewen, Mich. 49925

Phone: 906-988-2428



Comments on Bond Falls Land Sale: I understand you have a right to sell property that belongs to you, but land that is considered public project lands should remain completely public no private structures whatsoever, docks buildings or any structures, please follow the commitment to the FERC license as it was intended, Do not accommodate a developer above the common good.

Name: James Bieniewski
Address: 3281 Old US 45
City/State/Zip: Paulding MI 49912
Phone: 906-827-3616



Comments on Bond Falls Land Sale: Forget what the DNR, the environmentalists, and developers want. What is needed is a state wide ballot proposal to turn it all into a state park. In other words, this should be looked at in terms of 50-100 years, and not just 5-10 years.

Name: Paul Olson
Address: 11602 CHOATE ROAD
City/State/Zip: EWING MI 49805
Phone: 906-988-2744



Comments on Bond Falls Land Sale: I recommend that you complete an independent cost of community services study for the the Bond Falls development. I don't believe any of these parcels adjacent to the project boundary with access to the shoreline will actually be taxed (assessed) at shoreline values (vs. backland values). A cost of community services study would likely show that the increase in property values (tax revenues) would not be sufficient to offset the costs the local communities will need to bear to service the development, but at least the study would provide a quantitative indication one way or the other.

Name: Bryan Pierce
Address: 2201 Military Rd.
City/State/Zip: Eagle River, WI 54521
Phone: (715) 479-7530



Comments on Bond Falls Land Sale: To Naterra Rep:
If a lake is deemed environmentally sensitive, as in your example & if Naterra "lives for connections to nature" as you suggested, why then would you deem shoreline development an appropriate and respectable thing to do?

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____



Comments on Bond Falls Land Sale: Well presented AT THE SCHOOL, it will all come out in THE WASH. WE HAD ALOT YEARS AGO BOUGHT FROM UPPEE NEXT TO THE LONGEST LOT AT HERS. WE SOLD IT YEARS BACK, WE DID NOT USE IT MUCH. EVERY BODY ELSE USED IT. WE KEPT OUR SMALL BOAT ON IT. INTERIOR TOWNSHIP NEEDS THE TAX BASE, WE HAVE LIVED IN FRONT CREEK FOR YEARS, BEFORE MOVING FROM

Name: gaynesville I went through J.E. High School
 Address: _____
 City/State/Zip: _____
 Phone: _____

Electronic Sales
 Stanley W. Strangle 3390T
 12218 Scamie Rd, PO Box 1110
 Bruce Crossing, MI 49912-0110



Comments on Bond Falls Land Sale: I would discourage the provision for docks on Bond Falls Flowage docks are a privilege of shoreline owners who pay taxes based on that ownership. Unless these new owners pay taxes at the shoreline rate, they shouldn't be allowed personal access. It is not common practice for the public living adjacent to public land, to place personal property or structures on that public land - including piers.

Name: Gail Gilson Pierce
 Address: 2201 Military Rd
 City/State/Zip: Eagle River, WI 54521
 Phone: (715) 479-7530



Thank you for considering this comment.

Comments on Bond Falls Land Sale:

Have any studies been conducted on the effect to trout & wildlife below the reservoir due to the increased pollution due to Boat & Human presence? Exotic species protections etc?

Name: Pat Indermuchte

Address: 4464 Pioneer Rd

City/State/Zip: Conover WI 54519

Phone:



Comments on Bond Falls Land Sale:

Does Natterra's building plans for Bond Falls include ~~any~~ or address ~~the~~ ~~potential~~ ~~of~~ terrestrial & aquatic plant species

eg. weed free building materials?

eg. Req "new" land owners to inspect boats

Name:

Address:

City/State/Zip:


Phone:

eg. Boat washes?
eg. Seed source for roadsides?



Comments on Bond Falls Land Sale: *Have you studied what the max. # of boats the lake can handle?*


Name: _____
 Address: _____
 City/State/Zip: _____
 Phone: _____



Comments on Bond Falls Land Sale: _____

I would like to make a comment on our need for developments in the UP-

Name: *Mazje Scheffer*
 Address: _____
 City/State/Zip: _____
 Phone: _____



Comments on Bond Falls Land Sale: _____

*This shouldn't have started without
public hearings, and without
seriously pursuing sale to a
conservancy.*

Name: M. Schaffer
Address: _____
City/State/Zip: Iron River, MI 49935
Phone: _____



Comments on Bond Falls Land Sale: *I believe the controversy
and disagreements and division among
this County, due to this sale will
have lasting effects that will go
down in history! It is shameful
that most of us found out about the
effects of the sale, from someone other
than UPPCO! UPPCO will be remembered
in history as someone who divided the County.*

Name: _____
Address: _____
City/State/Zip: _____
Phone: 827-3616

Ms. Bernita Lee Bieniewski
3281 Old Us 45
Paulding, MI 49912



Comments on Bond Falls Land Sale: I don't want anyone to tell me that I can or cannot sell my property and I try to live by the rule - do unto others as you would have others do unto you. Lifetime resident of Ewen

Name: THOMAS M PLATSKIE
Address: PO Box 271
City/State/Zip: Ewen, Mi 49925
Phone: 988-2558



Comments on Bond Falls Land Sale: An excellent proposal. Property needed on the ad valorem tax rules is sorely needed here. Keep public access available to the respective flowages. I hope your land sale is a huge success.

Name: Carl Nykanen
Address: 15613 North Cemetery Road
City/State/Zip: Ewen, Mi 49925
Phone: 906-988-2274



Comments on Bond Falls Land Sale: This should remain public land. This meeting at Trout Lake School on 2/2/06 is an after the fact public relations bandaid. This sale has all the appearance of a closed door done deal to a ~~the~~ private developer with a poor track record. It will remain a public relations nightmare for UPPCO. Too many people care.

Name: Barb Bates
Address: 7515 No Fish Bay
City/State/Zip: St. Germain, WI 54558
Phone: _____



Comments on Bond Falls Land Sale:

I UNDERSTAND UPPCO SIGNED A LICENSE AGREEMENT WITH FERC, HOW CAN UPPCO NOT ADHERE TO THE AGREEMENT

Name: RICHARD SLOAT
Address: 223 8TH AVE
City/State/Zip: IRON RIVER, WI 49935
Phone: 906-265-0757



Comments on Bond Falls Land Sale:

What top class is the property
is now for investment purpose.

Name:

P. H. K. A. G. M. A. N.

Address:

City/State/Zip:

Phone:



Comments on Bond Falls Land Sale:

Besides Natera, what other
companies, developers, were
interviewed regarding the
sale of UPPCO lands?

Name:

L. Keohane

Address:

City/State/Zip:

Phone:

(906) 524 6288



Comments on Bond Falls Land Sale:

is the operation from paying
taxes on the timber valuation

Name: Pat Kitzman
Address: _____
City/State/Zip: _____
Phone: _____



Comments on Bond Falls Land Sale:

what 'deal'
did you use for all these
years - what are you coming
'upsay' to the Kowalski's
for the 'deal'

Name: [Signature]
Address: [Signature]
City/State/Zip: _____
Phone: _____



Comments on Bond Falls Land Sale:

From my reading of your ^{FERC} license, any development or sale such as this pretty clearly requires a new Environmental Impact Statement. Has Taylor Investments done one of these so that it is sure that its investment will give a good return? How can Taylor be sure they'll be able to make a killing on this investment?

Name:

Address:

City/State/Zip:

Phone:

Jake Baxton

PO Box 243

2nd O'Leary Ct 54840

2



Comments on Bond Falls Land Sale:

How much of this land was originally obtained through the power of eminent domain by or for or with power

TAX CLASS

what tax class is this property in now

Name:

Address:

City/State/Zip:

Phone:

why is it in development

is the tax on the Taylor thing

around 700

Pat H. H. H.



Comments on Bond Falls Land Sale:

When did they change their name to Naterra?

Karen Anderson
Conover, WI 54519

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____



Comments on Bond Falls Land Sale:

How much of this land was originally got by UPP through eminent domain

Price paid for land by Naterra

Name: Pat A. Lyman

Address: _____

City/State/Zip: _____

Phone: _____



Comments on Bond Falls Land Sale: HOW LONG WILL
UPPCO/NATERA BE INVOLVED W/ THE
NON-PROJECT LANDS? WHO WILL BE
RESPONSIBLE TO ASSURE THAT
LAND OWNERS MEET THEIR AGREEMENT?

Name: ZOMB
Address: 17550 MARQUETTE
City/State/Zip: WATERBURY, MI 49169
Phone: _____



Comments on Bond Falls Land Sale: _____
After the property owner on
Loon Lake or elsewhere is in
their home, how do you manage to
enforce your "do" + "don't" requirements?
How about 5 years later, 10 years, 25 years
and so on? What happens if a violation is uncorrected?

Name: Dan Savera
Address: 1111 10th Ave
City/State/Zip: Houghton MI 49931
Phone: 906-487-6619



Comments on Bond Falls Land Sale:

Q What is minimal number of Decks Anticipated _____
What would be maximum number of Decks anticipated _____

Name: Jay Ibsen
Address: PO Box 43
City/State/Zip: Trout Creek MI
Phone: 906-857-3479



Comments on Bond Falls Land Sale:

Considering the mean income of Ontonagon Co. is less than 24K per year. Who will buy this property? What will the lots cost?
Will the taxes become so high that local folks won't be able to afford to live there — like what is on Lake Gogebic?

Name: James
Address: 106 N 4th St.
City/State/Zip: Ontonagon, MI 49953
Phone: 906-884-6103



Comments on Bond Falls Land Sale: As an 18 year
landowner on Bond Falls
Flowage We and all of our
 neighbors have NEVER been permitted
 to place any structure on the shoreline
 including ramps, docks or piers.
 What is different now? The FERC license
 is the same - the environmental laws
 are the same. Is it BIG MONEY TALKING?

Name: Linda Rein
 Address: Bond Falls and Ontonagon
 City/State/Zip: _____
 Phone: 906 8842903



11/26/07

Comments on Bond Falls Land Sale: _____

Name: RICHARD SLOAT
 Address: 223 BIRCH AVE
 City/State/Zip: IRON RIVER, MI 49935
 Phone: 906-265-0751



Comments on Bond Falls Land Sale:

QUESTION: CAN HEIGHT TRIP,
EFFECTIVELY ZONE OUT
DOCKS and SWR PLUMBING (BOND)
OR ARE THEY PROHIBITED
FROM DOING THIS BY FERC?

Name: Thank you
Address: _____
City/State/Zip: _____
Phone: _____



Notes

Comments on Bond Falls Land Sale: Will the proposed
lands have any covenants such as
minimum dwelling sizes or number
of buildings allowed per lot?? -
This would be in addition to, or
over and above current local zoning?

Name: Dudley Pierce
Address: E18441, Grace Lake Rd
City/State/Zip: Watsonmet MS 39089
Phone: 906 358 4506



Comments on Bond Falls Land Sale: ~~READ~~ JUST A WEEK AGO I
THAT UPPCO ANNOUNCED "ALL REMAINING NON-PROFIT
LANDS ARE CLOSED FOR BID, NADOPRA WILL
BE PERMITTED TO BUY ALL OF IT" TODAY
YOU SAID YOU ARE "STILL TALKING" WITH
THE NADOPRA CONSUMERS, WHAT
ARE YOU STILL TALKING ABOUT?

Name: AL WARREN
Address: PO BOX 102
City/State/Zip: EWEN, MT 59925
Phone: _____



2/2/05 6:35 PM
Comments on Bond Falls Land Sale: SHAWN P. JUST
CONTRADICTED INFORMATION GIVEN BY
TOM AT INTERVIEW YOUR LAST MON!
TOM SAID 300-400 DOCKS, TRAILS,
2 BOAT DOCKS! NOW SHAWN
SAYS THERE IS NO "NGLA"

I HAVE A COPY OF IT & THE
DATE TO BE FILLED IN WAS DEC '05
WHAT IS THE TRUTH?

Name: AL WARREN
Address: PO BOX 102
City/State/Zip: EWEN MT 59925
Phone: _____



P.S. - TOM TOLD INTERVIEW "300-400"
NOW STEVE SAYS "NO PLANS YET" LOTS
- 01/30/05
TOM/STEVE

Comments on Bond Falls Land Sale:

① Will the final development plan be presented to the township officials prior to its implementation and will there be flexibility to change from the subsequent inputs?

② In what ways will public access be enhanced on the project lands as the result of the non-project development?

Name:

Address: FRANK KOCHENAR PO Box 127

City/State/Zip: WATERSMEET, MI 49869

Phone: 906 358 4507

fkuchenar@charter.net



Comments on Bond Falls Land Sale: REGARD3 FERC

WHAT CHANGES ARE YOU SEEKING TO THE FERC AGREEMENT, (DOCKS FOR EXAMPLES)?

Name: ZOARS

Address: N4550 MARLEN LK ROAD

City/State/Zip: WATERSMEET, MI

Phone:



Comments on Bond Falls Land Sale: Thanks for asking
for input after the land is already sold.
Uppco used to be a class act. Not Any-
more. I know shakeoil salesmen when I
hear them and Naterra fits the discription.

Question - Bond Falls was created for public
use totally. When did the wealthy
get exclusive dock rights?

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____



Comments on Bond Falls Land Sale:

The map for Bond Falls Flowage shows both
lands that have been sold (orange) and lands
that haven't yet been sold (green). Would
Uppco still consider selling these lands to
the State of Michigan, the US Forest Service or
a Conservation organization

Name: Steve Gaska
Address: PO Box 4
City/State/Zip: Marquette, MI
Phone: 906-842-3587 (late even & weekends)



Comments on Bond Falls Land Sale: I'm g/ed that we have a chance to increase the tax base. Our school district is 300,000 in deficit. Our ambulance service could use more milage for running expenses. We need job opportunities - building trades, etc.

Name: Patricia L. Talsma (Pat)
Address: 16468 Shively Rd
City/State/Zip: Bruce Crossing, MI 49912
Phone: 906 - 827-3827



Comments on Bond Falls Land Sale:

See attached

Name: Nancy Warren
Address: PO Bx 102
City/State/Zip: Ewen MI 49925
Phone:



A lot has been said about Naterra's track record & reputation
Comments on Bond Falls Land Sale:

Has Naterra Land or Taylor Investment Co.
been involved in ^{any} wetland non-compliance issues
in your 26 year history of sensitive
ecological development? Please explain.
~~Have you~~ Thank you

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____



Comments on Bond Falls Land Sale:

Shaun gave incorrect information
① I got the NELA from Roger
Trudeau not a resource agency
② There have already been 2!
I have both

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____



Comments on Scope of Environmental Studies: Whatever Amount
of money you paid to have E-pro do these studies (you
paid too much). It would appear with all the pretty little
pictures and high school like description of informal campsites
that you're trying to prove there is some erosion at Bond Lake.
Well yes there is, but do you expect me to believe it will
be better with 400 to 500 houses around Bond? Come on how
CAN 30 to 40 campsites that have been there for 60 years be worse.

Name: Wayne JORISALO
 Address: 11384 U.S. 45 South
 City/State/Zip: Bruce Crossing, Michigan 49912
 Phone: 906-827-3762



Comments on Scope of Environmental Studies: _____
Fishing, a 1^o use of the floodage
was not evaluated. Objective data
on bait usage, fuel sales + other
camping supplies (owner Debbie Winkle
Does U.P.Co. believe the environmental
quality will be improved by Natures
development.

Name: C.A. MURRAY III MD.
 Address: P.O. Box 38
 City/State/Zip: Bruce Crossing, Mich. 49912
 Phone: None. I live in a wildland
spot which I own west of Paulding.



Comments on Scope of Environmental Studies: Fishing, A10 use of the flowage was not evaluated. Objective data on boat usage, fuel sales & other camping supplies could be obtained from Debbie Winkle at the Raubling Store.

Does UPLC believe the environmental quality will be improved by Waterias Residential development?

Name: C. A. Marra, III MD.

Address: P.O. Box 38

City/State/Zip: Rauce Crossing, Mich 49912

Phone: NO - Am Resident of Orose Nell forest west of Raubling & am in a wilderness area.



Tom Baade stated the current snowmobile trail may be rerouted but will stay on Naterra lands. When can we expect a decision for the new snowmobile trail?

Warren
Eileen Yu

Shouldn't UPPCO's present proposal for Significant Development now be addressed in a new Environmental Impact Study (NOT an EA selected by UPPCO) followed by a public comment period before FERC rules on this?

Warren
Ewen MI

UPPCO Keeps talking about "improved access" for the public as a result of this development yet this is not an objective of The Bond Falls license. Many local residents prefer the Shoreline be left in an undeveloped state as stated in the license agreement. Why is UPPCO changing the conditions of the 40 year license? Warren
Ewen MI

A Shoreline Management Plan was not done during relicensing because UPPCO stated they had no plans to develop the lands.

Now that UPPCO has changed their plans, when can we expect the process to begin to develop a Shoreline Management Plan?

Warren
Ewen MI

Are the present home owners
on Bond Lake (who do
not have docks) contributing
to shoreline erosion?

Robert Kuehl
P.O. Box 78
Trout Creek

UPPO's 4/20/06 letter to FERC STATES
THAT NATERRA IS PROCEEDING WITH
LAND PLANNING ACTIVITIES FOR NON
PROJECT LAND AND THAT NATERRA
WILL USE CERTAIN ASSUMPTIONS
RELATIVE TO NON-PROJECT USE OF
PROJECT LANDS. WHAT ARE THESE
ASSUMPTIONS?

Warren
Ewen Yui

Q: WHAT ARE PLANS FOR THE
HISTORIC TOWN OF BARCLAY
AND ITS TOWN CENTER,
NOW OWNED BY NATERRA?
(WAS NOMINATED FOR HISTORIC
SITE STATUS IN 2002)

MICHAEL GENICH
106 N. 4TH ST
BENTON APTS 45953
884-6103

1200 SPECIES OF DOCKS, ~~STAIRS~~
 PAVES, ETC FOR RECREATED
 CAMPSITES,

 MICHAEL GEDDICK
 106 W. 4TH ST
 OTTAWA ON

 888-6103

How much is
 68 years of free
 public water use
 matter to upper
 water projects

HAS ANY CONSIDERATION BEEN
 GIVEN TO DOCUMENTING OR
 POSTING WITH A HISTORICAL
 DISPLAY AND/OR IDENTIFYING
 THE TOWNSITE OF CHILDERWOOD
 WHICH WAS FLOODED OVER
 IN THE CREATION OF THE
 FLOWAGE,

 R. KNIVILA,

Q: Would UPPCOS STAY
 THE 20 FOOT ~~WIDE~~
 WIDTH DRAWINGS OF
 ROAD AND BEGIN
 COMPLYING WITH THE
 DRAWING RESTRICTIONS
 OF THE NEW 2003
 HYDRO LICENSE ?

Mr. BENNICK
 SUPERVISOR

Will the new landowners
 near the waterfront have to
 pay for lake front taxation
 if there are paths made
 down to the lakefront ?

Pat Oltz
 P.O. Box 1643
 Watersmeet, MI 49969

Numerous agencies have
 written in opposition to
 UPPCOS proposed plans, how
 are you addressing their
 Environmental & Wildlife
 concerns ?

Warren
 PO Box 102
 Eben Yre

How do you believe the proposed conveyances for private lighted docks & walkways are consistent with Section 5.4.3 of the DNAC which states conveyances must be consistent with the scenic recreational & other environmental values of the project?

Warren
Ewen Mc

An objective of the aesthetic study is to describe why these areas have high aesthetic value, who values them & why

How will this be determined & how will the public be involved

Warren
Ewen Mc
99925

What impact will increased camping on the islands have on the loon population?

Warren
PO Box 102
Ewen 99925

8/05
 WPPD has stated that mowing camp sites would advance the project values of promoting old-growth forests, protecting birds & preserving Shenandoah Ecosystem.

Explain how hundreds of private logged acres & acreages (instead of (compacted) meets the goals of promoting old-growth forests, protecting birds & preserving Shenandoah Ecosystem.

The current NEPA allows for cutting dead trees & live vegetation 2" in diameter at the 5 ft level. How is this actually consistent with old growth designation agreed in the lease?

Warner
 Euen 49925

The WPPD website claims National has a tradition & commitment for quality projects.

Within the Wisconsin circuit court system, National was cited for 17 violations, mostly for failure to obtain appropriate permits for various activities. Please comment Warner Euen 49925

Why wasn't a Michigan
Company Chosen to Conduct
The Environmental Assessment
in Michigan?

What Specific Studies will be
Conducted regarding the Impact
This Development will have on
The Wild & Scenic River Qualities
of the Ontonagon River Watershed?

Warren
Ewen Yu

Why Has UPPCO Ignored the
Request from over 1200
Individuals Requesting an
Independent Comprehensive
Environmental Impact
Assessment?

Warren
Ewen Yu

In August 2005 WPPCO gave
would have reformation as one of the
reasons why companies will be
relocated. ~~How~~ will private
lighted deep & wide ways impact
this will have reformation?

Why has WPPCO Reluctant to Conduct
an independent Environmental
assessment, water & biology
upon E-PRO, an electricity to
water, reformation in regard to
conduct the study?
Warren
Evan Chu

What is the Status of the
Shoreline Management Plan
Required by Michigan DNR
US Fish & Wildlife, US Forest
Service, RBIC, National Park
Service & MHR 2
Warren
Evan Chu

Why is the sale price Naterra is paying
UPPCO being kept secret in a sealed
affidavit at the courthouse?
Is Naterra counting on UPPCO to
deliver private NON-project uses of
the project lands to increase the
value of their new properties?
Will the final price to UPPCO
be determined by how many
private NON-project uses of project
lands (trails, lighted docks) UPPCO →

will he able to sign over to
Naterra?

Warren
Ewen Mc

The new lot owners will not be
purchasing waterfront lots, yet UPPCO
plans to convey the rights to
private docks & trails through project
lands that are supposed to be
managed for the public. Why
can't the general public use
the docks for our boats?

Warren
Ewen Mc

UPPCO told the Ontonagon EDC
 That new tax income would
 Exceed \$2 million / year assuming
 all lots have "water access" Are
 these figures gross or net? Has
 the cost of new services for the
 development been estimated?
 What are they?

Warren
 Ewen Yu

In August 2004, UPPCO filed a new Recreation
 Plan with FERC recommending two designated
 Campsite locations that would replace
 dispersed campsites along the shoreline at
 Bond, UPPCO told FERC the plan was
 designed to be consistent with the Buffer &
 Wildlife & Land Management Plan. It
 now appears the consolidation could
 benefit Natterra's plans for lot sales
 & placement of docks on the shoreline
 previously used for public campsites.

What month & year did UPPCO &
 Natterra first begin discussions
 for sale of the non-project lands?

Warren
 Ewen Yu

The Slough is surrounded by project lands, that according to UPPCO's license are to be managed for the public. What exactly does UPPCO mean by "water access" will Naterra's lot owners be given Exclusive Rights NOT afforded to the general public?

Warren
Ewen Yu

The Shoreline Management Plan would allow for setting goals & objectives and input from key stakeholders to address key concerns and issues that must be considered. Why has this democratic process been eliminated by UPPCO?

Warren
Ewen Yu

IF UPPCO EXPECTS TO PREPARE LICENSE AMENDMENTS, HOW WILL THE PUBLIC AND AGENCIES BE INVOLVED IN THAT AMENDMENT PROCESS?

Warren
Ewen Yu

DOES UPPCO ANTICIPATE THAT
EVERYTHING IN THE PROPOSAL THEY
WILL EVENTUALLY SUBMIT TO FERC WILL
BE CONSISTENT WITH THEIR FERC
LICENSE OR IS UPPCO EXPECTING TO
HAVE TO PREPARE LICENSE AMENDMENTS
TO COVER ANY INCONSISTENCIES?
Warren
Ewen Yu

QUESTION FOR UPPCO/WPS:

In August, 2004 UPPCO filed a new Recreation Plan with FERC recommending two designated campsite locations that would replace dispersed campsites along the shoreline at Bond. UPPCO told FERC that the plan was designed to be consistent with the Buffer Zone and Wildlife and Land Management Plans. It now appears this consolidation could benefit Naterra's plans for lot sales and placement of docks on the shoreline previously used for public campsites. What month and year did UPPCO & Naterra first begin discussions for sale of the non-project lands?

Al Warren
Ewen

Question for UPPCO/WPS

Re: FERC Process

The project land study scopes to be conducted by UPPCO were a result of Michigan DNR and other agencies. All the proposed studies are identified in FERC's Guidance for Shoreline Management Planning (SMP). The DNR has asked FERC (3/23/06) to urge UPPCO to follow the SMP guidance to provide adequate protection to environmental, recreational and public interests.

Does UPPCO agree with this recommendation?

Al Warren
Ewen

QUESTION FOR UPPCO/WPS ?

Why is the sale price Naterra is paying UPPCO being kept secret in a sealed affidavit at the Courthouse?

Is Naterra counting on UPPCO to deliver private non-project uses of the project lands to increase the values of their new properties? Will the final price to UPPCO be determined by how many private non-project uses of project lands (trails, lighted docks) UPPCO will be able to sign over to Naterra?

Al Warren
Ewen

Keith Moyle
General Manager
Upper Peninsula Power Company

Mr Moyle,

I have already spoken to my Township officials. I have made very clear my opposition to any docks on the Bond Falls Flowage. I have also written FERC.

I reached this opinion before I had ever heard of UPPAC. I don't need UPPAC or you to tell me what I should think.

Receiving 50 percent revenue is more than we are getting now, and I don't believe you or your company care about our local economy. Nor do I believe that you have a crystal ball and can predict how much tax revenue will ultimately be generated.

Feel free to include my comments in the information you submit to the FERC as part of the process.

Sincerely,

Judith Fleming-Berger
Judith Fleming-Berger
16021 Taylor Road
Bruce Crossing, Mi. 49912

Upper,

I'm writing in regards to the development of Bond Falls Flowage and the other flowages that will unfortunately will have the same outcome. I'm absolutely against ^{any} type of lighting on the flowage or visual view of any buildings from the flowage.

I'm very disappointed and upset in the sale and development of the lands around the flowages. You have dammed a free flowing river which belongs to everyone and made a profit from it for many years. The least you could do is to keep the land yourself or sell it at a very reasonable price to the state of Michigan. This land should be kept for the general public and not for a select few people and owners. If you disagree with this then why don't you hand over the profits from the dam to the people of Michigan.

Sincerely,

Terry Johnson

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 55
January 2006 - December 2006
EMAIL CORRESPONDENCES

Email Correspondences -- Jan. 2006--Dec. 2006

2

From: Spees, Kerry [mailto:KSPEES@wpsr.com]
Sent: Friday, January 13, 2006 12:51 PM
To: Haight, Mr.
Subject: Re: UPPCO Customer Service (Contact Us)

Mr. Haight: I apologize for my earlier email. I meant to respond to Roger Trudeau, who originally received your message from our customer service department.

I'm familiar with the UPPCO land sale and was offering to respond to your email.

The land that was sold is not within the hydroelectric project boundaries but you're absolutely right, we have an obligation to meet all the requirements of our FERC license for that property which will remain with UPPCO and within the project.

To date, there seems to be a significant amount of rumor and speculation as to what will be allowed within the project boundaries, which vary from about 110 feet to almost 1,100 feet from the shoreline to the property that was sold.

We're working with the FERC and other agencies to determine what may be allowed within those project boundaries. Nothing is cast in concrete at this point, except to assure you that there will be no "view" corridors at Bond Falls. There aren't being considered because to create a view corridor would be in violation of the specific requirements of that project license.

Currently in the Upper Peninsula, more than 60% of the land is open to the public - since it is owned by governments and land trust/conservancy agencies. While we've heard from many people who share your feelings about development, we've also heard from a number of people who believe that the economic development of the region is also very important.

As far as the land within the project boundaries - UPPCO has not and will not violate or attempt to violate any of the FERC restrictions in the license. We'll continue working with the FERC and other agencies to satisfactorily resolve any issues that arise.

Thank you for your comments.

Sincerely,

Kerry Spees
Public Affairs
Wisconsin Public Service
920-433-1589

>>> "Mr. Haight" <tom@gladon.com> 1/12/2006 8:46:35 PM >>>
An e-mail was sent from the Contact Us section of the UPPCO website by 10.16.0.9 at
1/12/2006 8:46:35 PM.

Name: Mr. Thomas J Haight
Company Name:

12/29/2006

Email Correspondences -- Jan. 2006--Dec. 2006

3

Address: 8980 South 42nd St
City: Franklin
State: WI
Zip Code: 53154

Account Number:

E-mail Address: tom@gladon.com
Home Phone: () -
Work Phone: () -
Cell Phone: () -

Contact By: Email

Comments: I am writing to express my dismay at your decision to sell land for development near the resevoirs you operate. Your action is NOT in the public interest. You had an obligation to protect the natural resources found there. You failed miserably. Your FERC application was obviously a sham. I urge you to do the best possible thing now. DO NOT permit docks, lights, access routes, etc. across the shorelines you control under your FERC permits. Keep these shoreline wild.

From: Joseph LeBouton [<mailto:lebouton@msu.edu>]
Sent: Saturday, June 24, 2006 6:32 AM
To: Spees, Kerry A
Subject: Rc: Lincoln County

Mr. Spees,

I don't like to be the screaming greenie, but I do think WPS and UPPCO could do better than they are doing by the local and extended communities that surround our hydro projects. Don't you see anything inconsistent, looking at it from outside, with WPS suing Lincoln County communities for democratic zoning decisions that changed what you see as the status quo in Lincoln County on the one hand, while holding fast against groups that insist that UPPCO follow its own actual and implied responsibility to maintain the status quo at the UP flowages on the other?

I like to see WPS being a good corporate citizen. I don't like seeing you resorting to money-grubbing using high-priced lawyers against grass-roots democracy in action. Municipal planning and zoning is a difficult enough process on its own! It pains me to see successful zoning processes that actually set aside conservation areas being challenged by big corporate lawyers for the sake of a greasy buck.

Conservation zoning is looking into the future. Development of low-density residential subdivisions is holding on to the past, as land becomes more and more scarce. WPS needs to take the long view as it divests of its lands, as it does when working on green energy and other community outreach.

12/29/2006

My suggestion: have a change of heart, and issue a huge press release saying that WPS has decided to honor the democratic zoning decisions in Lincoln County. Fire the misguided lawyer who suggested otherwise. In the same press release you could say that, in keeping with the trio of WPS priorities for restructuring its assets, WPS will over the next... 5 or 10 years? 1) Divest of un-needed lands, 2) Do so in a way that maintains the historical public access on 100% of these lands, and 3) foster SUSTAINABLE local economic growth instead of one-off subdivisions and house construction that results in a forever-altered landscape.

In this new initiative, which is merely re-stating the divestiture plan in the terms you're already throwing around to justify our present course, WPS would commit to working exclusively with conservation organizations (both public and private) in divesting of its lands. The lands will go as a first priority to organizations that will maintain them as WORKING FORESTS, the only primary natural resource we've got up here that can be sustainably harvested. Only as a distant second priority would WPS consider selling lands for preservation. WPS would establish a grant program for proven locally-based natural-resource industries to do value-added manufacturing or processing on sustainably-utilized resources that exist on the land. WPS would ALSO establish "speculative grants" programs to help locals think outside the box and start unique industries. Maybe we wouldn't supply a lot of money, just help folks get in touch with existing federal and state funds. In the UPPCO case it would be forestry and hunting, fishing, and river guides, snowmobile and xc ski trails, and maybe races and events year-round. Custom value-added wood products, from traditional saw mills to on-site biomass plants. Help create green zones in existing local communities with the goal of making them energy self-sufficient. WPS is uniquely situated to be energy consultants to local communities in terms of conservation and self-sufficiency. Create a new profit-making arm along those lines! Since you're so far along with Bond Falls, make it a green model community with high-density housing in a small area and 90% productive forest, by covenant, that feeds a local sawmill that really will provide added local revenue from a sustainable source. Think outside the box! Go out on a limb. But please don't contribute to land fragmentation and the loss of high-quality spaces available for renewable resources and sustainable development.

Point-by-point to your last communication:

When I most recently visited the UPPCO website, the majority of the comments were negative on the Bond Falls issue. That website is the closest thing to a survey instrument I've seen on this issue. The town boards of Haight and Interior may well be biased sources when reporting on local sentiment, because they are apparently on board with the development. On the other hand, one would expect UPPCO to be a biased source, and the letters and comments they've received and posted are against the project by almost 2:1. Folks who justify the Bond Falls et al projects on the basis of increasing local tax revenue probably haven't seen the studies on cost-of-services from around the entire nation that always show that isolated residential subdivisions cost local communities more in maintenance than they ever can possibly bring in tax revenue. With so much data to the contrary, how can you put forward the idea that these types of development are good for the local tax base? Will the Lincoln County issue be any different for WPS?

60% of UP land, perhaps, is public-access; but how much wild lakeshore is available for public use? (even around artificial lakes?) How much of that wild lakeshore is around lakes as large as Bond or Victoria flowages? UPPCO and WPS are in a unique position as large land-owners to maintain to our grandchildren's legacy of 60% of the land and, ...

can you give me a number? I'll pull one out of the air... 10% of the wild lakeshore on water bodies >40 acres in size. You are SCREWING IT UP, one parcel at a time. Project that into the future for 10, 50, 100, 200 years. Once parcel boundaries are drawn, they are seldom erased. WPS and UPPCO have a unique opportunity, not to solve land fragmentation and opportunistic subdivision issues, but to HOLD THE LINE by preferentially divesting of OUR large tracts to conservation agencies instead of to land developers. Make that our PR coup, instead of the PR nightmare that is this real estate development.

As far as private landowners maintaining public-access lands: with the Bond Falls deal, UPPCO would maintain project lands and grant license for single-user and multi-user private piers in the Bond Falls et al.

project. UPPCO is begging for the opportunity to put private piers on the land. Will the same happen in Lincoln County?

As for conservation agencies being better-placed to be stewards of public-access land, you are absolutely correct. However, in the UPPCO case, the USFS offered to purchase 800 acres, and UPPCO turned them down. UPPCO's explanation for WHY it turned down the USFS offer casts aspersions on UPPCO's sincerity when it says it's trying to DIVEST of unneeded lands, don't you think? A land exchange instead of a cash sale, is the explanation I heard, maybe even from you at the first Ewen meeting re: Bond Falls. Have similar things happened in Lincoln County that haven't yet come to light? If WPS is trying to divest of land, and I fully support that policy, WHY IGNORE THE POLICY?

Please consider and pass along the points and suggestions raised in the first half of this letter. I do appreciate your communication on this issue. I think the public is constantly becoming more aware of these issues, and if I were you I wouldn't feel comfortable assuaging my conscience by calling the people you actually hear from on these issues a "vocal minority." The letters and comments you actually receive are the only finger you have on the pulse of what people are thinking. You ignore that on your own peril.

Some believe that WPS and UPPCO are so limited in terms of talent, interest, and energy that finding anything to do with our lands OTHER THAN selling to Naterra Land for short-term mutual profit is impossible.

I think WPS is better than that, however, and I think WPS could profit greatly from using more imagination in the way it divests of its lands.

Somebody is obviously able to think of giving back to communities, as witnessed by your scholarship and grant programs in other areas. Why not leverage your greatest resource, the land, in something positive and long-term that does not result in a loss of productive land for local and extended communities?

thank you again for your attention,

-Joseph LeBouton

Spees, Kerry A wrote:

> Mr. LeBouton:

>

> It's clear that you and I have different viewpoints regarding the
> development and of the sentiments of the majority of people in the
> affected areas. Just recently, for example, the DAILY MINING GAZETTE
> ran a story in which a Interior Township Planning Commission member
> indicated that the majority of township opinion was in favor of the
> development. That said, however, I know that you would, likewise, be
> able to find information to the contrary. But from the UPPCO
> perspective, those seeking to maintain the status quo seem to be in
> the minority - a very vocal minority.

>

> While I understand your concerns about the development of land, I must

> point out that more than 60% of the land in the Upper Peninsula of
> Michigan is already open to the public.

>

> In general, I don't think it's appropriate for the public to expect a
> private landowner to maintain its lands for their use. A Wisconsin
> Public Service land transaction a couple years ago resulted in the
> Wisconsin DNR buying a large tract that will continue to be maintained

> for the public. Holding land in the public interest is better done by

> a conservancy agency or similar organization. Unfortunately, in the
> case of the U.P. and Lincoln County lands, no organization has stepped

> to the plate with an interest in acquiring the lands at a fair price.

>

> Again, thank you for your comments.

>

>

>

> -----Original Message-----

> From: Joseph LeBouton [<mailto:lebouton@msu.edu>]

> Sent: Thursday, June 22, 2006 7:27 PM

> To: Spees, Kerry A

> Subject: Re: Lincoln County

>

> Mr. Spees,

>

> Thank you for your long letter explaining WPS's position on this

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matter.

>

> Contrary to your assumption, I have no problem whatsoever with WPS's

> policy of divesting of non-productive and un-needed lands. I just
> don't think we should shove development down the throats of
> communities that are trying to define their own destiny. There are
> plenty of models for setting aside such rare, undeveloped land for
> uses other than ownership fragmentation, paving, building, and forever

> changing the character of the ecosystems that surround WPS holdings.
> WDNR, the Nature Conservancy, various local conservancies perhaps.
> You are correct, I am not in favor of developing ever-more-rare large
tracts of land.

>

> I haven't yet studied this case as I have the Bond Falls case.
> However, in this case it's painfully apparent that WPS has gone over
> the top by bringing a lawsuit against communities who have made clear

> their zoning preferences. In the Bond Falls area, UPPCO claims that
> the locals have spoken in favor of the development, and ignores the
> larger community that is speaking out against the development. In the

> Lincoln County case, in your letter below you claim that the locals'
> voices have no merit precisely because they live too close to the
> affected area to matter, and it is ONLY the extended community that
> matters. You are left whining that, despite local townships' desires,

> the land was once zoned differently and therefore the zoning change is
against the law.

>

> No doubt you will batter and bruise the townships and draw out this
> legal fight until it's too expensive for the townships to continue,
> and you'll win by attrition. What township or local community will
> dare to go against you then? And since you choose the number and
> scope of people to include in each of your public relations coups, you

> will always (albeit transparently) play the good corporate citizen
> card regardless of the shamefulness of your tactics. This is not
> being a good corporate citizen; this is being an economic bully. Are
> WPS shares plummeting because all of its departments are run by bulls
> in china shops, or is real estate the only blunder? WPS has some
> wonderful "green" initiatives, and some very admirable
good-corporate-citizen
> initiatives. Overall I like the company; that's why I'm a
shareholder.

12/29/2006

>
 > But WPS is wrong, wrong, wrong in this case, as it is in the Bond
 > Falls et al. cases.
 >
 > As for your point about UPPCO and WPS being different companies, 1)
 > who owns UPPCO, and 2) is Mr. Trudeau working on this WPS land sale as

> well as the UPPCO land sale? What precisely is the distinction
 > between these two situations, other than that in the northern case
 > UPPCO has already sold the land, while in the southern case WPS got
 > out-foxed by zoning?

>
 > Mr. Spees, if we don't protect the value of our natural resources,
 > what will your grandchildren have left to call home? A big fat wad of

> land value money wrapped around them to ward off the piles of human
 > excrement through which they'll be forced to crawl to and from work
 > every day?

> How quaint. WPS and UPPCO both have wonderful parcels that have been
 > protected from fragmentation and suburbanization. The value of the
 > land thus far has been protected precisely because it never occurred
 > to anyone to develop it. So divest, divest, divest! But do so in a
 > way that protects the character and the ecological integrity that
 > remains of these pieces.

>
 > That is my vote as a shareholder. May the others who feel differently

> please feel free to address my points above.

>
 > Sincerely,

>
 > -Joseph LeBouton

>
 > Spees, Kerry A wrote:

>>Mr. Lebouton:

>>
 >>Thank you for your comments regarding the Wisconsin Public Service
 >>land in Lincoln County. I'm sorry you do not agree with the company's

>>course of action regarding the selling of land not needed, and not
 >>included in the Federal Energy Regulatory Commission project boundary,

>>for the safe, reliable operation of our hydroelectric facilities. The
>
>
>>issues in Lincoln County are in no way connected to those at Bond
>>Falls. In fact, the assets are owned by two different companies.
>>Townships in the Bond Falls area have gone on record supporting the
>>sale and development. In Lincoln County, opposition to the rezoning
>>generally comes from other property owners on Lake Alexander who seek
>>to deny the benefits they receive from the lake to others. An
>>influential group, they have successfully persuaded the towns to deny
>>returning our land to its prior zoning status.
>>
>>As you are a shareowner, you are likely aware of the company's asset
>>management strategy, developed several years ago, to divest of
>>unneded properties. In Lincoln County, we are planning to sell 200
>>acres that are outside the project boundaries. About a year ago, as
>>part of a County-wide land planning effort, several towns rezoned our
>>property to classifications that would effectively prohibit
>>development of the land, significantly reducing its value - and
>>affecting shareowner return, in turn. Public Service appealed to the
>>towns to return the land to the prior zoning but was rebuffed.
>>
>>Prior to December 2004, all of the property associated with the
>>Alexander hydro project was zoned Residential, Rural Residential or
>>Recreational. These designations would have allowed the type of
>>development the company is now proposing and in fact, even more
>>aggressive development than the company's proposal. The development is
>
>
>>recreational in nature and consistent with existing development on the
>
>
>>river and Lake Alexander.
>>
>>The Town of Merrill placed one parcel into RR-2 zoning but the
>>Company's requests to restore the rights it had under the zoning it
>>held for many years prior to December 2004 in the townships of Harding
>
>
>>and Scott were denied. Unfortunately at the point, our only option to
>
>
>>protect the value of the land is in suing the county and the towns.
>>We believe we have a strong case.
>>
>>Utilities do not pay local property taxes. Restoring the company's

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>>legitimate property rights and allowing reasonable development of the
>>200 acres as the company is proposing would mean a substantial
>>addition to the property tax base for local governments, Lincoln
>>County and the Merrill Area Public School System, while preserving
>>public access and protecting the environment. The land itself is
>>estimated to be worth approximately \$4 million with the proper zoning
>>and following development, it could provide more than \$20 million in
>>new property tax base. Again, nearly 85 percent of the company's
>>property associated with the Alexander hydro project will remain

>
> undeveloped.

>>Mr. Lebouton, it is clear from your correspondences that you do not
>>support development of any of our property near hydroelectric

>
> projects.

>>Others hold a different viewpoint.

>>
>>Again, thank you for your comments.

>>
>>Sincerely....

>>

--

Joseph P. LeBouton
Forest Ecology PhD Candidate
Department of Forestry
Michigan State University
East Lansing, Michigan 48824

Office phone: 517-355-7744
email: lebouton@msu.edu

From: Mr. koski [<mailto:eandishop@mblp.org>]
Sent: Wednesday, March 22, 2006 3:12 PM
To: Spees, Kerry A
Subject: UPPCO Land Sale Comments

An e-mail was sent from the Land Sale Comment Form section of the UPPCO website by 10.16.0.9 at 3/22/2006 3:12:11 PM.

Name: Mr. david koski
Company Name:

12/29/2006

Email Correspondences – Jan. 2006—Dec. 2006

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Address:
City: limestone
State: mi
Zip Code:

E-mail Address: eandishop@mblp.org
Home Phone: () -
Work Phone: () -
Cell Phone: () -

Contact By: Email

Comments: upcco and the autrain basin-

Imagine the great publicity upcco would get if it saved the largest and most centrally located lake from development. The autrain basin should not be developed. If upcco needs money and wants to spur the local economies, then hire local loggers to select cut the forest around the lake. This would generate a cash flow forever, not just one quick sale. Naterra land is not local and the people buying the land won't be local. If the land gets developed and the water level is like last summers level, upcco will be receiveing complaints by the thousands. What if all the houses get built, the dam fails and drains the lake?

lawsuit,lawsuit lawsuit!! Why does upcco want the headache? Selling or leasing to a local logging company is the best for everyone, the wildlife, the locals, upcco and naterra. I feel upcco has dropped enough gifts in naterra's lap already. Now do something good for the upper peninsula, spare the basin and save yourself a headache.

from:
local rate payer
and basin user

is anybody reading these?

From: Spees, Kerry A
Sent: Friday, December 08, 2006 6:30 AM
To: 'alwarren'
Subject: RE: Information

Good morning, Nancy. The study you refer to is "Recreational Homes and Regional Development - A case study from the Upper Great Lakes States" by David W. Mareouiller, Gary R. Green, Steven C. Deller, and N.R. Sumathi of the Universities of Minnesota and Wisconsin Extensions. On page II of the Executive Summary, you'll find this section "Recreational housing in a region appears to contribute more to a local government's ability to generate revenues than to place demands on services, as measured by public expenditures."

It's important to distinguish between regular residential development and recreational development when you consider impacts to services.

Sincerely

12/29/2006

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Kerry Spees
Public Affairs
920-433-1589

From: Spees, Kerry A
Sent: Friday, December 08, 2006 6:46 AM
To: 'alwarren'
Subject: RE: Information

In addition, Nancy, we should not discount "multiplier" effect of money spent in the area. Additional people means additional spending - even after the influx of dollars for construction, etc. Dollars spent generally turn over several times in the region, bringing a significant economic benefit to the people of the area. Refer to the "Regional Multipliers" handbook by the U.S. Department of Commerce.

Kerry Spees
Public Affairs
920-433-1589

12/29/2006

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 56
March 2007

RESPONSE TO AGENCY COMMENTS AND TRANSMITTAL OF FINAL RESOURCE REPORTS

**UPPCO Response to Comments on
 Assessment of the Recreation, Wildlife, Loon, and Aesthetic Resources of the Bond Falls, Boney Falls, Victoria, Prickett, Cataract, and Au Train Impoundments
 March, 2007**

PREFACE

In response to comments presented below, it should be noted that many of the comments received criticize the Assessment of the Recreation, Wildlife, and Aesthetic Resource Reports for the six impoundments for not meeting the standards of an "Environmental Assessment". Specifically, some commentors state the reports do not address the impacts of potential development on non-project lands and/or the impacts of such development on project lands and the impoundments.

The resource reports were never intended to be environmental assessments. Rather, as clearly indicated in the scopes of work that were reviewed and commented on by the resource agencies, *the objectives of the studies were to gather readily available existing information, to conduct field work to verify the presence and condition of existing data, to document existing conditions, and to assimilate and provide the collected information in the form of GIS-generated resource inventory maps and reports.*

Furthermore, it needs to be made clear that any future assessment of impacts to project lands will be limited to just that – impacts to project lands. Such impacts might be due to such things as footpaths down to the water's edge, limited view enhancement areas, and/or the placement of docks along the shore. There will not be any residential housing or other conspicuous development on project lands (i.e., within the FERC boundary). Until such time when development proposals at each of the impoundments are put forth, it is not possible to assess the potential resource impacts on project lands and waters.

Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
<p> Combined Agency Comments: Michigan Hydro Relicensing Coalition Keweenaw Bay Indian Community National Park Services Department of Natural Resources Forest Services, US Dept. of Agriculture US Fish & Wildlife Services August 28, 2006 </p>	<p>We recommend that UPPCO not identify these studies as "Environmental Assessments." Environmental Assessment (EA) has a specific meaning under the National Environmental Policy Act (NEPA). These assessments do not meet the requirements of an EA as defined under NEPA. In general, an EA includes brief discussions of the following: the need for the proposal, an analysis of alternatives, environmental impacts of the alternatives, and a listing of agencies and persons consulted. FERC will likely be completing an EA as part of reviewing and approving a Shoreline Management Plan (SMP). In order to reduce confusion regarding the purpose of the studies by E-PRO, we suggest that the studies be referred to as "Environmental Baseline Assessments."</p>	<p>The commentor is correct in stating that these assessments "do not meet the requirements of an EA as defined under NEPA". These assessments, as scoped in consultation with the resource agencies, were designed to be resource/habitat baseline inventories, not NEPA-level environmental assessments. See Preface.</p>	1
	<p>The study results do provide an overview of some of the resources of each flowage and surrounding project land. This information has improved our understanding of the location and extent of important environmental features at each basin. The information, however, is limited in scope as it was gathered during a brief period during May and June 2006. The reliability of the data collected is also questionable since standard protocols, as suggested by the resource agencies, were not utilized for some resources (raptors, substrate mapping, etc.) Other resources, such as old growth, hemlock, and oak stands were not identified and therefore the studies are not useful in identifying these important habitat features. These caveats will need to be considered as the SMP is developed.</p>	<p>As explained in our response to agency comments on the scopes of work, not all agency-suggested protocols were going to be performed. Specifically, substrate mapping and raptor calls. We believe our methods to identify and map various habitats within the impoundments are more than adequate for informed decision-making on non-project uses of project lands.</p>	2
	<p>Study Overview</p> <p>For many of these impoundments the reservoir target elevation or minimum elevations varies. Because of this we propose the minimum pond elevation that could be experienced during the boating season be utilized to conservatively estimate surface area and shoreline.</p>	<p>Three of the impoundments (Boney, Prickett, and Au Train) are operated as run-of river, meaning that water levels do not fluctuate much during the boating season. The others experience drawdowns of varying degrees during the boating season. Because each resource may be impacted differently by water level change (both timing and magnitude), setting a single level is not practical.</p>	3

**UPPCO Response to Comments on
Assessment of the Recreation, Wildlife, Loon, and Aesthetic Resources of the Bond Falls, Boney Falls, Victoria, Prickett, Cataract, and Au Train Impoundments
March, 2007**

Recreation Resources		
Michigan Hydro Relicensing Coalition/River Alliance of Wisconsin (MHRC/RAW) and National Park Service should be included in the list of agencies and NGO's.	The Michigan Hydro Relicensing Coalition has been added. The recommendations from the "agencies" as referenced in the report introductions did not include the River Alliance of Wisconsin or the National Park Service. These groups will be added to future references to "agencies".	4
At the basins many informal recreation sites were identified; most basins had a much higher number of informal recreation sites compared to formal recreation sites. Please clarify whether UPPCO plans to keep the informal sites open for public use or if these sites will be closed.	This issue will be addressed during the development of Shoreline Management Plans for the Projects.	5
The Recreation Plan does not discuss any nearby formal or informal trails. These features should be included and mapped.	The reports have been revised to include formal and informal trails, within the Project boundary, on the maps.	6
For all of the sites a relative measure of compaction was provided. How was compaction measured or observed?	The reports have been revised to reflect only the presence or absence of compaction.	7
There are many other forms of recreation on these flowages that do not involve direct use of recreation sites identified and inventoried. Fishing, waterfowl hunting, hiking, birdwatching, canoeing/kayaking, and other forms of recreation occur on and around these flowages. The impact on non-project use of project land on these recreational activities must be analyzed.	As identified in the agency-reviewed scope of work, the objective of the recreation assessments was to review and map existing recreation facilities within the project boundary. The assessments were not designed to analyze impacts. See response ID 1.	8
(Bond Falls) Site R-1 is described as a formal boat launching, picnicking, camping, and bank fishing site. There is one nearby campsite (No. 11), but no picnicking or bank fishing facilities are available here. Additionally, two formal boat launching sites are noted. The second site (R-18) is listed on page 2-19 as an informal site. Please clarify whether these sites are formal or informal.	Site R-1 encompasses information for all the dispersed camping and recreation sites that are considered to be part of the campground; thus the picnicking may not occur at site R-1 but does occur at a site associated with the dispersed camping area. The report has been revised to clarify R-18 is a formal site.	9
(Bond Falls) The 15 informal recreation facilities on Map 2-1 and description are confusing. For 9 of these sites (r-4, 5, 9, 10, 11, 12, 13, 15, and 19) you specifically note "no erosion" at the site. However, under 2.2.3 Areas Not Conducive to Recreational Development, you state that "field crews observed eroded banks in 15 different areas around the lake." Do these 15 areas include the recreation sites? Please map these sites so that the location of the recreation sites and erosion sites are shown together.	The 15 areas of erosion that were noted in section 2.2.3 of the report and shown on Map 2-1 do not include erosion at the recreation sites. As noted in the last sentence of the section "In addition to the eroded banks listed above, over half of the recreation sites exhibited moderate to major amounts of erosion." The erosion associated with recreation sites is described in the narrative description of the relevant recreation site.	10
(Bond Falls) Descriptions of the informal sites notes that the site "appears to be associated", "may be associated", or "is associated" with a formal campsite. How was the relationship between campsite and informal areas determined? In our observations, many of the informal campsites are closely associated with formal campsites.	The relationship between the informal recreation sites and the formal campsites was determined by comparing the information collected in the field with the map of the Bond Falls Flowage formal recreation sites. A judgment was then made by the observer.	11
(Prickett) The Michigan Recreational Boating Information System directory (available from Michigan.gov/dnr website) lists Prickett Dam Backwaters site as having parking area for 15 car/trailer units. Please correct this information for site R-2 on page 2-3 and make the necessary	The Michigan Boating Information System listed a parking area for 15 car trailer units. The site visit, however, determined that there are 6 trailer units and 6 single car parking spaces. The site visit determination is based upon actual measurements.	12

**UPPCO Response to Comments on
Assessment of the Recreation, Wildlife, Loon, and Aesthetic Resources of the Bond Falls, Boney Falls, Victoria, Prickett, Cataract, and Au Train Impoundments
March, 2007**

	calculation corrections in section 2.3.3 Lake Use Rate on page 2-8.		
	A description of average recreational use of the campgrounds, as well as purpose of campground visit, should be included.	As identified in the agency-reviewed scope of work, the objective of the recreation assessments was to review and map existing recreation facilities within the project boundary, not to investigate recreational use patterns. See also response ID 8.	13
	Include a description of how the existing recreational use may be affected by proposed non-project use of project land.	As identified in the agency-reviewed scope of work, the objective of the recreation assessments was to review and map existing recreation facilities within the project boundary, not to analyze impacts to recreational use. See also response to ID 8.	14
	It should be noted that Michigan Department of Natural Resources staff have observed increased use of the basins during waterfowl hunting season (September through November) and during deer hunting season (October through December). This increased use is not captured in the short time frame of visits in May and June.	See response ID 14.	15
	Please note the days of the week and duration of visits to the impoundments. Boating observations may have missed users who were out in the early morning or evening. Also weekend days may have more usage and may not have been captured during the study.	The reports have been revised accordingly.	16
	A description on how proposed non-project uses of project land will impact recreation, including hunting, should be included.	As identified in the agency-reviewed scope of work, the objective of the recreation assessments was to review and map existing recreation facilities within the project boundary, not to analyze impacts to recreational use. See also response ID 8.	17
	A thorough description of recreational use by anglers, hunters, and trappers should be included.	See response ID 14.	18
	Passive recreational use, such as mushroom and berry picking or bird watching, should be described.	See response ID 14.	19
	The use of the phrase "natural wave action" is misleading, since the effects of wave action on these flowages is magnified by the artificial manipulation of water levels, which does not allow vegetation to become established in shoreline areas, thus making many areas more prone to erosion from wave action than they would normally be on a natural lake.	To avoid confusion and speculation on causes of erosion noted at sites, the reports have been revised to remove all references to probable causes.	20
	A discussion of site conditions not conducive to the development of dock structures and marinas including shallow water areas that limit ingress and egress to the shore, wetlands, and other sensitive areas should be included. In addition, a map of shoreline site conditions not conducive to the development of dock structures or marinas should be included. According to Wagner (1991), shallow areas of lakes (e.g., less than 5 feet) are most likely to exhibit negative impacts associated with boating. These impacts include sediment re-suspension, reduced water quality, and reduced habitat for aquatic and terrestrial species.	Recreational development constraints (erosion areas and wetlands) are mapped and included in the reports. Sensitive areas information was also mapped, but only provided to state and federal resource agencies. All this information will be taken into consideration during the development of the Shoreline Management Plans. Mapping of shallow water areas was not conducted as contemplated in the agency-reviewed scope of work. As development proposals for docks and marinas are made available, shallow water areas will be assessed.	21
	(Prickett, Victoria) Please provide a detailed topographic map to help visualize the steep bank areas around the reservoir.	The two reports have been revised to include maps with topographic features (see Map 2-2 for each respective report).	22
	(Bond Falls) For the various sites described, the causes for any erosion observed are stated (human use, natural wave action, etc). This is somewhat speculative, and it would be more appropriate to refer to the	See response ID 20.	23

**UPPCO Response to Comments on
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Bond Falls Erosion Control Plan (and subsequent contractor report) for information on probable causes of erosion at each site.		
(Au Train, Boney Falls, Prickett) The Recreation Plan does not discuss any bank fishing sites. These features should be included and mapped.	The reports already include discussions, photos, and mapped locations of bank fishing sites.	24
An important step in determining acceptable boating densities and desired types of water-based recreational use is lacking: developing a "desired condition" for the reservoirs. The desired condition details the setting and type of recreation experiences desired. There are accepted methods for developing the desired condition, such as Water Recreation Opportunity Spectrum (WROS). WROS helps determine the niche of a particular water body in the region. Without determining the desired condition, calculating possible numbers of boats on a water body lacks meaning and context. Any number (or range of numbers) that is arrived at, and any specific watercraft type, may or may not fit with the desired condition. The Forest Service can provide more information on the use of WROS for developing a desired condition for particular basins.	We are familiar with the Water Recreation Opportunity Spectrum method. The Boating Carrying Capacity analyses, however, were only meant to identify a range of recreational boating carrying capacity at each reservoir. It was beyond the scope of this literature based desk-top exercise to determine the "desired condition" at each impoundment.	25
User perceptions of acceptable boating density in similar settings are missing from the discussion (this is part of WROS process described above).	This study was scoped as a literature-based, desk-top exercise. User perceptions were not included.	26
A discussion on the type of watercraft commonly used on the impoundment needs to be included.	The report will include mention of the type of watercraft observed and reported to be commonly used on the impoundments.	27
The density estimates do not take into account potential for increased public use of the basin and associated facilities over the term of the FERC license.	The reports were never intended to speculate about the potential for increased public use.	28
The "Recreation Resources" map does not include constraints to recreational development (e.g., docks and marinas) such as shallow water areas, areas of aquatic vegetation, and wetlands.	Recreational constraint factors cited will be addressed in the development of Shoreline Management Plans.	29
Please clarify the elevation of "full pond". We suggest the minimum pond elevation during the open water boating season be utilized to provide a conservative estimate. See comment under "Study Overview: Impoundments" above.	Full pond is the areal extent of the waterbody as obtained from the Michigan DNR Fisheries Division on-line shape file lake polygons as of March 2004. Three of the impoundments (Boney, Prickett, and Au Train) are operated as run-of-river; meaning that water levels do not fluctuate much during the boating season. The others have drawdowns of varying degrees during boating season. Because each resource may be impacted differently by water level change setting a single level is not practical.	30
(Au Train) The southern portion, or approximately 1/5, of the basin is considered a wildlife refuge and is closed for over 2 months of the year. This needs to be taken into account when calculating the useable lake surface area.	The refuge area is closed to boating from September 1 through November 10, which is outside the normal boating season.	31
Since this section is based largely upon Boating Carrying Capacity as determined by the previous section, and since there are serious questions about the methodology used to estimate Boating Carrying Capacity (see comment above), the range of boat numbers arrived at, and the type of watercraft, has no meaning or context. Again, a "desired condition", detailing the setting and types of desired recreational experiences, needs to be determined before making calculations of acceptable boating densities and types of watercraft.	See response ID 25.	32
User perceptions of acceptable boating density at the flowages, or in	This study was scoped as a desk-top exercise. User perceptions were not included.	33

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similar settings are missing from the discussion. No interviews were conducted with boaters on this flowage to help determine acceptable boating densities.		
Information on the type of watercraft actually used on the impoundments should have been provided, rather than speculating as to what types of boats/motors represent the "most likely" users.	The "most likely" users covers pretty much all the potential users of the impoundments. The reports have been revised to include mention of the type of watercraft observed and reported to be commonly used on the impoundments.	34
The studies referenced (in table 2-1 for Bond Falls) may not be relevant to the discussion, depending on user perceptions in those areas and their history. Using an average of the figures obtained from these studies, is probably overly simplistic and not appropriate for determining appropriate boater densities for this flowage.	The table cited represents information that is in the literature. This information and the approach used represent potential tools for future use in assessing boating densities.	35
Please include a note in the study that the Resource Agencies and UPPCO, while team evaluating impacts to project resources, will need to agree in the Shoreline Management Plan upon an acceptable boating density standard.	It is not known if a boating density standard will be included in the SMP. The boating capacity study is designed to provide planning guidelines.	36
Please note that fishing boats (and boats used for waterfowl hunting) often have motors greater than 25 HP.	Boats used for fishing and waterfowl hunting may have motors of greater than 25HP. The larger point here is that fishing and hunting boats on these impoundments generally are not traveling at a high rate of speed.	37
(Prickett) The analysis should take into account the presence of stumps and floating snags in this flowage, which are abundant and which are one of the major "defining characteristics" of this flowage (p. 5-7). These stumps and snags are one of the main features that attract fishermen to the flowage, and fishing is the dominant recreational use at this time (p. 5-10).	The report has been revised accordingly.	38
(Prickett) The presence of stumps and floating snags, and the ways these features shape the current recreational use of Prickett Flowage, needs to be included in the analysis. This would logically be part of the WROS assessment discussed above.	Comment noted.	39
Wildlife & Aquatic Habitat		
The main objectives of the Wildlife and Aquatic Habitat study should be clarified to reflect the objectives listed in the Scope of Services: 1) gather all readily obtainable, existing information on wildlife and aquatic habitat/species associated with the subject impoundments and project lands, 2) conduct field work to verify the presence and condition of existing data, 3) map and document (on a broad-scale) new occurrences of habitat and species of interest observed during the field work effort, and 4) use these data to develop natural resource constraint maps/databases for each impoundment.	The report has been revised to clarify the objectives.	40
In addition to possible nesting platforms, potential nesting sites should also be included in the list of study objectives.	The report objectives have been revised to include potential nesting sites.	41
Gray wolf and gray wolf habitat should be included in the list of study items.	The reports have been revised to address the comment.	42
Fisheries assessments were either lacking or were incorrect. Information on the current status of the fish community should be included.	Fish community information has recently been provided by the Michigan DNR and the reports have been revised to reflect this information.	43
The presence and distribution of littoral fisheries habitat such as gravel lenses, woody structure, and aquatic vegetation is described in general terms within the assessments. The assessments indicate that habitat	We feel that the littoral habitat data that was collected is sufficiently specific for determining potential impacts associated with shoreline alteration, dock placement, etc.	44

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conditions were documented using GIS-based field maps and GPS, however the data displayed within the assessments was not site specific. Further detail of specific habitat types with GPS mapping aspects will be necessary if any habitat alteration proposals are entertained. The data displayed within the assessments lacks specificity that would allow for determining the impact any proposals seeking shoreline alterations, dock construction, or woody habitat manipulation.		
(Bond Falls) Please provide a map showing the location for the photo in Figure 3-1.	The site in the photo is located on Map 3-3.	45
(Au Train) Please clarify intent of the third sentence in the first paragraph under 3.2.1.	The report has been revised accordingly.	46
Include information on the typical altitude above ground level at which the helicopter was flown, as well as the separation between transects.	The report has been revised to address this comment.	47
(Bond Falls) The information obtained (re. existence of suitable bald eagle nest trees on the large peninsula along the eastern shore) is new information and needs to be considered in reference to the new campground unit planned for that peninsula.	Comment noted.	48
(Bond Falls) A discussion of whether any natural suitable osprey trees currently exist in or around the flowage is missing.	The report has been revised to address this comment.	49
(Prickett) It is unclear what criteria were used to evaluate nesting habitat potential for great blue heron. The large wetland complex at the south end of the flowage would appear to provide good habitat in general for herons (and herons were observed there), yet the statement is made (p. 3-5) that there is a "lack of suitable natural nesting habitat for great blue heron." Herons are colonial nesters and will utilize a wide range of tree species and tree sizes for their nests (Atlas of Breeding Birds of Michigan, 1991), so it is unclear why there is a lack of nesting habitat.	The report has been revised to address this comment.	50
(Victoria) It is concluded that "no suitable natural nesting habitat was observed" for ospreys, please define suitable osprey nesting habitat.	The report has been revised to address this comment.	51
According to the Michigan Audubon Society cranes are not dependent on using traditional bogs with sphagnum and leatherleaf for nesting and often use smaller wetlands with a greater variety of vegetation cover types. Therefore is it not correct to conclude that there is no crane nesting habitat on project lands around the flowage.	The report has been revised to address this comment.	52
Although evidence of waterfowl and sandhill crane nesting was limited during the assessments, the large number of goslings, ducklings, and juvenile sandhill cranes indicated that nearby nesting locations are present.	Comment noted.	53
These surveys were conducted at the wrong time of year to accurately reflect migratory wildlife usage.	One of the objectives of these studies was to inventory and map existing habitats and, based on habitat characteristics, determine if those habitats would be generally suitable for certain species' life stages such as staging and foraging for migratory wildlife. These studies were not scoped or designed to determine habitat utilization by migratory wildlife, just the presence of habitat itself.	54
(Prickett) The very brief period of observation for wildlife on this flowage (2 days in June) must be considered when reviewing the data obtained. For example, we have observed several different species of waterfowl on Prickett flowage over the years (including mallards, black ducks, wood	Comment noted. The emphasis of the assessments was on suitable habitat for species identified by the agencies, not solely on the observed presence of species.	55

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	ducks, etc.), yet the brief visit revealed only one waterfowl species: common merganser. We would consider the information provided in this report anecdotal.		
(An Train) Please clarify the intent of the last sentence of the last paragraph under 3.2.3.	The report has been revised to address this comment.		56
Documentation of the prominent plant species in each wetland cover type and documentation of the hydrological condition of the wetlands including extent of inundation and general water depths is missing.	The reports have been revised to address prominent plant species and general hydrological condition.		57
(Bond Falls) On 3-7 it states that sandbar willow along the shoreline is typically flooded, providing excellent habitat for wildlife. This may be true in May, but by July, this habitat is gone, as water levels are generally much lower and far below this vegetation.	The report has been revised to address this comment.		58
(Bond Falls) On p. 3-9 it states that ... "no other unique or significant upland habitat was observed at Bond Falls". This is somewhat misleading, since surveys were not conducted for some upland habitat types recommended by the agencies (stands with old growth characteristics or stands with hemlock/white pine component).	The report has been revised to address this comment.		59
(Prickett) The sizeable cedar/yellow birch/hemlock wetland and the stand of mature hemlock is an important forest component that was noted in the study. Were these areas identified from a boat or examined on shore?	The entire area was examined and mapped on foot by walking throughout the interior of the wetland and using GPS to map the approximate outer limit of the area.		60
(Victoria) There is no discussion of Significant Upland Habitats. Were any project lands surveyed for significant upland habitats?	A brief discussion of the survey results specific to significant upland habitats has been included in the revised report.		61
(Bond Falls) There appears to be an error in this section; Interior Creek does not empty into Bond Flowage, but rather into the M. Branch of the Ontonagon River, some distance south of the flowage. The location for the wood turtle observation should presumably be where the M. Branch flows into the impoundment.	The report has been corrected.		62
(Bond Falls) We are familiar with the area around where the M. Branch flows into the impoundment, and the area with the most potential for wood turtle nesting is on the steeper sandy banks along the east side of this narrow bay, not the west side, as labeled in the figure. The angle of slope, sparsity of vegetation, and greater exposure to the sun on the east side of this bay would likely be preferred by wood turtles for nesting.	The comment is acknowledged and the map and text have been revised accordingly.		63
(Victoria) Please clarify whether the south or southeast facing slopes that were identified as possible wood turtle nesting habitat were checked on-the-ground for evidence of use by nesting wood turtles or just observed from a distance.	These areas were examined on-the-ground by several biologists.		64
It is not clear what distance interval was used to sample for woodland raptors, and how much of this survey was conducted while on land, versus from a boat. Also, please provide time of day the woodland raptor surveys were conducted.	In general, at the Bond Falls, Victoria, Prickett, Boney Falls, and Cataract impoundments, woodland raptor call back surveys were primarily conducted from a boat. However, these surveys were also occasionally conducted from land. At these impoundments, distance intervals were up to a 1/4-mile and surveys were generally completed by mid-morning. At the Au Train basin, woodland raptor surveys were conducted while on land.		65
The search protocol to detect woodland raptors and their nests is insufficient and poorly timed to accurately determine their presence (raptor surveys should occur between April 15 and 30). Additional raptor surveys	We concur that the timing of the woodland raptor surveys was somewhat late in the season to fully and accurately determine the presence of nesting woodland raptors in the assessment area. However, we believe the methods used to determine raptor presence are more than		66

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should be conducted, as well as surveys of raptor nests in absence of foliage, to accurately determine raptor presence.	adequate for informed decision-making on non-project uses of project lands.	
Although grazing by Canada geese can impact wild rice beds, U.S. Forest Service (USFS) has restored wild rice beds on other water bodies within the Ottawa National Forest where geese are relatively abundant. The USFS has not had to employ geese exclusion methods in those areas. Therefore, we suggest replacing the word "likely" with "possible."	The reports have been revised accordingly.	67
The conclusion that orange hawkweed is widely distributed yet relatively uncommon is confusing and needs clarification.	The reports have been revised accordingly.	68
Reed canary grass is typically considered a non-native invasive species in this area. Why is it not considered a nuisance species in this study?	Reed canary grass was not on the list of nuisance species provided by the resource agencies during the study scoping process. However, the report authors acknowledge in the report that this species is generally considered nuisance. The reports have been revised to specifically describe Reed canary grass as a nuisance species.	69
It is not clear whether any sampling was done to detect aquatic invasive plant species such as Eurasian water milfoil and curly-leaf pondweed. These and other invasive plant species could easily be missed if the only surveys performed were observational, rather than using a weed-rake or similar device to sample vegetation.	Sampling for the presence of Eurasian water milfoil and purple loosestrife, including collecting and analyzing samples, was routinely conducted at all six impoundments. The reports have been revised to further clarify this.	70
It is incorrect to routinely classify Canada geese as nuisance species. Although they are capable of becoming a nuisance in urban/suburban settings, they are not considered a nuisance at these projects.	Canada goose was described by the resource agencies as a "nuisance species" during the study scoping process. That is the reason it is also described as a nuisance species in the reports.	71
(Bond Falls) Spotted knapweed occurs in many locations on project lands around Bond Flowage, including the campground areas, boat landings, etc. Non-native honeysuckle also occurs on project lands in the area. Yet, there is no mention of either of these nuisance species in the report.	None of the resource agencies expressed concern about these species during the study scoping process. Therefore, field surveys did not specifically focus on these species.	72
(Bond Falls) Rusty crayfish, an invasive animal species, are known to be very abundant within Bond Flowage, yet there is no mention of them in the report. Was any sampling for rusty crayfish, spiny water-flea or other invasive animals conducted?	See response ID 72.	73
A discussion of the general length of the erosion sites as well as the potential causes is missing.	Information on the general lengths of erosion sites has been added to the revised reports. The potential causes of erosion are assessed in a separate study, unrelated to this effort, and previous comments identified concerns about determining the cause. Therefore, cause will not be discussed in the revised report.	74
It should be mentioned that some erosion does occur naturally and this type of erosion is of less concern than erosion caused by project operations or use.	The reports have been revised to address this comment.	75
A description of the scale used to define erosion as major, minor, or moderate should be included.	The reports have been revised to remove all references to the extent of erosion.	76
Include a description of where eroded material is being deposited.	The reports do not include this information as it outside of the agency-reviewed scopes of work.	77
(Bond Falls) On 3-12 it states that "most of the active erosion did not appear to be a result of wave action or ice floes". This statement is rather speculative, with no connection to data gathered during this study. It also contradicts some earlier statements (Sec. 2.2.1) that wave action appeared to be a contributing factor in erosion observed at recreation sites.	These statements have been clarified in the revised reports.	78

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	We agree that wolves can be found throughout the Upper Peninsula. We would expect that wolves periodically use the areas around the basin for foraging and pup rearing. Because of this we believe that wolves should be considered in developing the SMP. As previously discussed, the review and approval of the SMP by FERC will require section 7 consultation with the U.S. Fish and Wildlife Service.	Comment noted.	79
	(Au Train, Boney Falls) A discussion of the gray wolf is missing.	Although requested, we have not received information from the DNR other than that stating that wolves are habitat generalists and may or may not use project lands. As a result, we are unaware of any benefits that a vague discussion of gray wolves would provide.	80
	A discussion of rare, threatened, and endangered species is missing.	There is no separate section entitled Rare, Threatened and Endangered Species. Rather, individual species are discussed as appropriate e.g., bald eagles, wood turtles. Information regarding the locations and presence of rare, threatened, and endangered (RTE) wildlife species associated with project lands and waters has been provided to the resource agencies. Since these species are protected by laws, it is generally not good practice (and potentially irresponsible) to release information on the locations of RTE plant species and immobile life stages of wildlife species to the general public. Members of the general public interested in such information should submit a formal request to state and/or federal agencies regarding the release of this information. The reports have been revised to limit the redacting to sensitive species locations	81
	It should be noted that the agencies had suggested that more detailed information should be obtained on vegetation within the project lands (specifically stands with old growth characteristics, stands with mesic conifers, stands with red oak), but this information was not obtained during the study.	Comment noted. See response ID 59.	82
	It should be noted that recommended agency protocol for collection of aquatic habitat data, and conducting raptor surveys, was not utilized. This unfortunately makes the data obtained of lesser quality for assessing impacts from non-project use of lands and waters on these resources.	Protocol methods were modified to allow for greater distances between survey points, and to enable field crews to do the majority of the calling from boats. Since sound carries well on water, it was felt that this approach would not diminish the effectiveness of the surveys. In addition, we believe that the aquatic habitat data collection methods employed allowed for the collection of data of equal or better quality than if agency recommended methods were followed.	83
	Please make a note under the list of "Other Wildlife Species Observations" that this is not an all inclusive list. Many wildlife and fish species commonly observed on project lands or waters (e.g., Nashville warbler, Northern oriole, blackburnian warbler, song sparrow, veery, rose-breasted grosbeak) are missing.	Comment noted. The emphasis of the assessments was on suitable habitat for species identified by the agencies, not solely on the observed presence of species.	84
	(Prickett) The "Other Wildlife Species Observation" list appears to be in the wrong section (currently in the Gray Wolf Consultation section).	The report has been revised accordingly.	85
	Please provide, in addition to the detailed maps, a habitat constraints map showing an overview of the entire basin.	The reports do not include habitat constraints maps for areas outside of the assessment areas (i.e., lands and waters within the FERC project boundary). See approved scopes of work.	86
	On the "Species Observations and Habitat Components," please color-code the species observations so that it is easier to identify important areas for different suites of organisms. For instance bald eagle observations in one color, waterfowl observations in another color, etc.	Report maps have been revised to make them easier to read and interpret. However, it was determined that identifying suites of organisms as suggested would make the maps too busy and the benefits would be outweighed by the distractions.	87
	(Au Train) Trumpeter swans are expanding their range and have been	Comment noted.	88

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documented by MDNR biologists at the Au Train Basin. MDNR staff believe that trumpeter swan nesting potential at the basin has increased and will be realized within the next few years.		
Qualitative Assessment of Potential Impacts of Stump Removal (Prickett Basin)		
This section attempts to assess environmental impacts of implementing a proposal to remove stumps at Prickett. We suggest the environmental effects analysis provided in this document is not sufficient for NEPA. The analysis would need to be more comprehensive looking at all proposed non-project uses of project lands and the direct, indirect, and cumulative impacts of these actions on all affected resources.	Comment noted. See response ID 1.	89
The month of July would be considered part of the fish spawning or bird nesting/brood rearing seasons for several fish or bird species that utilize the snags and submerged wood. August and early September would be considered staging and migration period for many bird species.	Comment noted.	90
Two possible ways that downstream sturgeon could be impacted by movement of sediment are discussed. A conclusion is reached that little or no effect to sturgeon would result if high water flows move sediment downstream of spawning beds. A more thorough analysis is necessary to determine the potential impacts of stump removal on downstream sturgeon. Please provide documentation or data to verify the conclusion.	We disagree with the characterization that the text in the draft Prickett report stating "it is possible that high flows exiting the impoundment, combined with the spring flows, would carry sediments downstream of spawning beds. This could result in relatively little effect to lake sturgeon spawning habitat," is a conclusion. Rather, it is a qualitative statement describing that this is a possibility given certain seasonal conditions.	91
Several other fish species likely spawn in the Sturgeon River downstream of the Prickett basin. An analysis of impacts of downstream sediment movement resulting from stump removal should address these species as well.	The report has been revised to address this comment.	92
The conclusion reached in this section... "Removal of the trees outside the nesting and rearing season likely would not result in direct impacts to individuals of these three species," is misleading. Snags were heavily used by these species for nesting and other activities and contributed significantly to their local production. Please clarify how removal of flooded snags outside of the nesting and rearing season will not result in impacts to kingbirds, tree swallows, and common grackles.	We disagree that the text is misleading.	93
On page 3-15 it states "...it is also possible that the flooded snags provide an excessive amount of cover and spawning habitat. This could result in an overabundance of fish, leading to stunted game fish populations. Removal of some flooded snags could help to alleviate stunting problems." The statement that the fishes of Prickett Impoundment are stunted is inaccurate and the assumption that removing woody structure would alleviate stunting is also inaccurate. Michigan DNR fisheries survey data from 1954 - 1999 has clearly documented a quality sport fishery within the Prickett Impoundment. Only one survey effort in 1962 found bluegills that were considered stunted. Fisheries surveys since that period have documented a healthy fishery composition with many predators (northern pike, walleye, and largemouth bass) and forage species (bluegill, yellow perch, black crappie, white sucker, and golden shiners). Data from a May 1999 survey documented a mean growth index for walleye to be +2.4	The statement on stunting was derived from an undated DNR report, the only fisheries information that had been provided to UPPCO during the time that the draft report was being prepared. The DNR has since provided UPPCO with more recent fisheries data. The report has been revised to incorporate these data and all text referring to stunting has been removed.	94

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	inches above State average. The report's speculation that removal of flooded snags could alleviate stunting is unsubstantiated by fact. A literature review has failed to find scientific studies that support removal of woody debris to enhance fish populations. We recommend this paragraph be removed from the final report.		
	In addition to providing cover for bait fish, flooded snags provide a substrate for aquatic invertebrates. Invertebrates are a major ecosystem component and source of food for fish and other animals. Because of the large amount of flooded wood in Prickett basing, the contribution of this wood to the total available habitat for invertebrates is significant. The potential effect of removing this wood on the aquatic ecosystem is not adequately analyzed in this document	The revised report includes a qualitative analysis of the potential effect of the removal of flooded snags on aquatic macro-invertebrates.	95
	Please define "dri-ki."	The term dri-ki has been removed from the report. This material is now referred to as coarse woody debris.	96
	We suggest re-wording the concluding statement to: "Removal of flooded snags would eliminate a significant source of fish habitat from the impoundment."	Comment noted.	97
	<p>Common Loons (Victoria, Bond, Au Train, Prickett)</p> <p>We agree that "human disturbance is well known to affect loon nesting and productivity" (p. 4.2), which is why the agencies included "shoreline areas with minimal road access" within our definition of potential loon nesting habitat. Despite this, there was no attempt made during this study to map and describe shoreline areas with limited road access, which would have provided additional valuable information with which to assess loon habitat suitability.</p>	<p>For the purpose of this assessment, a more comprehensive set of known parameters necessary for loon nesting were considered. These parameters (which are detailed in the reports) are based on published data, recently and thoroughly summarized by David Evers of BioDiversity Research Institute in his Status Assessment and Conservation Plan for the Common Loon (<i>Gavia immer</i>) in North America, as prepared for the U.S. Fish and Wildlife Service in 2004 (Evers, 2004).</p> <p>It is interesting to note that the single active loon nest that was identified during these assessments (and was successful in hatching one chick) was located in close proximity to a public boat launch, and a shoreline area near road access.</p>	98
	The short time frame of the surveys (1/2 day in some instances) is inadequate to evaluate loon use of the flowages.	As identified in the agency-reviewed scope of work, the objective of this assessment study was to evaluate and map potential nesting habitat, not to evaluate loon use.	99
	(Au Train) In general we would like to point out the high amount of loon activity on the basin. We recommend that UPPCO pursue an amendment to the Au Train FERC license for the protection and enhancement of the common loon population.	Loons were observed by E/PRO consultants on Au Train on several occasions during the summer of 2006. UPPCO is unaware of any evidence which supports the need to amend the Au Train license for the protection and enhancement of common loon populations.	100
	In addition to possible nesting platforms, potential nesting sites should also be included in the list of study objectives.	As identified in the agency-reviewed scope of work, the objective of the assessments was to evaluate and map potential nesting habitat, not to identify nesting platforms.	101
	According to the Scope of Services, aerial reconnaissance was to occur in May. Please explain how only conducting a boat survey in mid-June may have impacted the results.	Aerial observations of loons on the reservoirs simply serve to augment our observations of whether loons were present on each lake. Note that the overall purpose of this study was to identify areas of suitable loon nesting habitat, <i>not</i> loon use and abundance. Observed loon presence was merely used as a tool to help identify those areas that not only contain suitable habitat, but may potentially be occupied by loons as well.	102
	Explain how conducting loon surveys in mid-June could have impacted the	As identified in the agency-reviewed scope of work, the objective of the assessments was to	103

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	<p>results. The optimal time for loon survey is the last two weeks of May and early June.</p>	<p>evaluate and map potential nesting habitat, not to conduct surveys for loons. Given this, the results were not impacted by the timing of the habitat surveys (June 12, 13 and 14).</p>	
	<p>(Bond Falls) The mouth of Interior Creek (p. 4-4) should be the mouth of the M. Branch Ontonagon River.</p>	<p>The river has been re-labeled the <i>Middle Branch of the Ontonagon River</i>.</p>	104
	<p>(Bond Falls) It is possible that other adult loons observed during the study had attempted to nest before the surveyors were there, and failed for one or more (unknown) reasons. Also, the FERC license includes conditions which should enhance potential for loon nesting over time; this would need to be considered in any environmental assessment that analyzes the potential impact of non-project use of project lands and waters on loons. This is supported by the statement on 4.5: "If (loons) are resident, and are using specific territories, then protection of those areas may encourage their success".</p>	<p>As identified in the agency-reviewed scope of work, the objective of the assessments was to map and evaluate potential nesting habitat, not to analyze impacts on loons. UPPCO believes that Article 414 of the current FERC license for Bond Falls is adequate to enhance loon nesting potential.</p>	105
	<p>A discussion of water levels maintained by UPPCO during the time of loon nesting would be beneficial in determining potential success.</p>	<p>As identified in the agency-reviewed scope of work, the objective of the assessments was to evaluate potential nesting habitat, not to determine potential loon nesting success.</p>	106
	<p>(Bond Falls) The statement "...it was determined that there are no limiting factors which affect loons' use of the impoundment for nesting" is not supportable, considering the very limited scope and duration of the study. A wide variety of factors such as reservoir water level fluctuation, human disturbance, forage quality and quantity, etc., could have easily come into play as factors limiting loons' use of the impoundment, but these would have not been detected on a visit to the flowage of one day.</p>	<p>UPPCO disagrees. The very fact that a pair of loons was documented to be actively nesting on the reservoir indicates that all the parameters are acceptable (at least in one location) for loons to select this water body for nesting purposes. The parameters listed by the commenting agency may affect nesting density and/or success, however this was not the listed objective in the agency-reviewed scope of work.</p>	107
	<p>(Victoria, Bond Falls, Au Train, Prickett,) The assumption that loons cannot be assumed to breed or will do so in the future because only 50% of the highly suitable breeding lakes are currently being used in the northern two-thirds of the State is flawed for two reasons: 1) The assumption could just as easily be made that loons can be assumed to nest at these flowages now or in the future; and 2) The use of the reference is misleading since the term "northern two-thirds of the State" refers to the northern Lower Peninsula and not the Upper Peninsula. The actual point of the reference is that too few loons exist in the NLP to utilize all available habitats. We suggest that this entire discussion be removed from the documents.</p>	<p>The reports have been revised to remove this discussion.</p>	108
	<p>(Prickett, Victoria) A Secchi Disk measurement of 1.85 m (6.07 ft) is noted as not being optimal for loons and approaches the point at which foraging is hindered. Please provide literature supporting this statement. USFS experience on the Ottawa National Forest is that water clarity in this region is rarely a limiting factor for loon foraging, if the lake has an adequate forage base.</p>	<p>The agencies mischaracterize statements in the report. The secchi disk measurement of 1.85m applies to Prickett only. The report states that "this <i>approaches</i> the point at which foraging is hindered". This statement is based on Barr (1996), which is cited among the information provided in the water quality paragraph of the introduction (page 4-1). Specifically, the citation reads: "Barr (1996) documented that secchi disk readings of 1.5m or less alter loon foraging behavior".</p> <p>UPPCO was/is unaware of published information on the USFS experience.</p> <p>The reports have been revised to indicate that existing data suggests that these relationships should be considered when assessing the overall habitat quality on a given lake.</p>	109
	<p>(Victoria) It is speculative to conclude that water level changes in the</p>	<p>The report has been revised to address the comment.</p>	110

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	flowage are "somewhat moot" in their effects on loons. A thorough, comprehensive study would be needed to support such a conclusion.		
	Conclusions reached after short duration field observations, such as turbidity being a limiting factor for loon foraging, water level fluctuations not impacting loon nesting, or even the presence or absence of breeding pairs during the entire breeding season, are speculative. Concluding statements in the study should identify the relative uncertainty of the data and that more thorough investigations are necessary to fully understand loon use or possible use of a basin.	It was not the charge of this study to estimate loon use or possible use of a basin. The reports did not attempt to make such conclusions. The only conclusions the reports make is whether or not territorial loons (or loons in general) were observed on the impoundments at the time of this study and if there is suitable nesting habitat. The reports stress on many occasions that more thorough investigations are necessary to truly understand loon use of the impoundments. This idea is spelled out in the conclusions for Bond Falls and Au Train, where loons were frequently observed in summer 2006.	111
	Include information on prior loon nesting from the Michigan Natural Features Inventory and the Michigan Loon Preservation Association.	The Michigan Loon Preservation Association Web site was searched as part of preparation to perform this study. No useful data regarding population estimates or nesting information in the areas of the impoundments considered in this study were located. Likewise, the Michigan Natural Features Inventory (which is non-published and therefore non-public) was not located or able to be accessed online. If information regarding prior loon nesting were made available from either of these sources, it would be considered for inclusion in this assessment.	112
	(Bond Falls, Au Train) We agree with the conclusions of the assessment to continue observations and study of the common loons at Bond Falls and Au Train basins. These studies will allow for protection of preferred habitat, identification of any limiting factors, and form the basis for recommending any enhancement measures necessary to insure future nesting success.	Comment noted.	113
	Aesthetic Resources Although the surveyors did talk with some land managers in the area regarding which attributes are considered to be visually special, it does not appear that any such interviews were conducted with typical users of these flowages and adjacent project lands (boaters, fishermen, hikers, birdwatchers, picnickers, hunters, etc.). This would be valuable information to include (see below). These interviews should include questions related to the current status of the project as well as the proposed development.	We acknowledge that the draft report contained little information pertaining to interviews of typical users of the flowages and adjacent project lands. The revised report will include the results of (1) interviews of focus group members who use the reservoirs; (2) in-the-field surveys of parties who were recreating on the reservoirs during the Labor Day weekend; and (3) UPPCO personnel familiar with winter use on the impoundments.	114
	Under the first bullet in Task 1, please describe what "other relevant places" were reviewed for information on scenic lake assessments.	The following studies were consulted and will be cited in the final report: Hjawatha National Forest: Assessment Report for Transition to Scenery Management System, 2003 Huron-Manistee National Forests: Scenic Variety Indicators (courtesy Thomas Kokx Associates) Maine Land Use Regulation Commission: Scenic Lakes Assessment in Maine's Unorganized Towns, 1997 Maine State Planning Office: A Comprehensive Land Use Plan for the Moosehead Lake Region (visual analysis section by H. Dominic) Millward, H. and D. Allen (1989) "The scenic resources of Nova Scotia: A macro-scale landscape assessment." As reported in: Natural History of Nova Scotia, Volume 1: Topics, Nova Scotia Museum of Natural History. National Park Service: North Country National Scenic Trail Draft NE Minnesota Route	115

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	Assessment and Environmental Assessment Tahoe Regional Planning Agency, Draft Proposed Scenic Review System for Shorezone, 2003	
The scoring criteria for Relative Relief are not meaningful for this area, owing to the relatively low relief of the lakes being studied. We recommend changing the scale to more appropriately reflect the areas being assessed. Also, this factor should be given less weight in the scoring table.	The rating system is based upon the regional context within which the reservoirs are located, the Upper Peninsula. The presence of Relief is important in the visual appeal of Victoria, Au Train, and Prickett and so will remain a factor, but be given less weight than Natural Character	116
In general, the scoring system used to develop total aesthetic quality scores for the different sub-units is flawed. By breaking most criteria down into various sub-components, and rating each of them separately, much more weight is given to some sub-components than they warrant, especially with regard to lakes in this region of the country. For example, physical features are broken down into six sub-components, each of which is rated with a score of from 0-15. Relief, Vegetation Diversity, and Special Features are also each broken down into three sub-components, and each given a score. By contrast, Degree of Naturalism, which was the lake characteristic most valued by every manager interviewed (p. 5-4), is weighted the same as any of the 15 sub-components above, giving it very little importance overall. Therefore, the total aesthetic quality scores for each sub-unit in Table 5-2 are very misleading, since they give much more emphasis to physical features, relief and other qualities than they do to Degree of Naturalism. We believe that the scoring system should be revamped to give the appropriate weighting to lake attributes that are the most or least important in this region (for example: Degree of Naturalism may be most important, and Relief may be least important). Interviews with actual users of the flowages (in addition to the managers already interviewed) should be done first to help gather information upon which to base this revised weighting of the criteria.	We agree that Natural Character is the most valued visual characteristic of the impoundments. Interviews with users of the impoundments confirmed what the professionals had said and the evaluation system will be refined. This factor will be given highest weight in the final scoring system. However, because existing development is not a major factor on these lakes, the scoring results for subunits may not change appreciably in relative terms. According to people using some of the reservoirs (e.g. Au Train), Relief is an important consideration and, because of this, will not be given the least weight.	117
The scoring criteria for Natural Character does not include 0, although this number was used in Table 5-2.	The report has been revised to correct this error.	118
Please explain how the individual resource management professionals were selected to provide input on valued qualities when considering inland lakes.	Several of the professionals were identified by agency receptionists as the "most likely to know about the lakes within the agency's jurisdiction and why they are valued." One was consulted because she is familiar with USFS scenery management system application in Michigan (Leeann Loupe); another because he is the ranger responsible for Silver Mountain, one of the visible and noteworthy features which make Prickett Lake special.	119
(Prickett) An attribute that may deserve greater weighting at Prickett are the flooded snags (which are a sub-component within the Special Features category). This would be supported by a statement on p. 5-7 that "flooded snags and submerged stumps...are one of the defining characteristics" of Prickett impoundment.	Agreed. The report has been revised accordingly.	120
Please clarify where Lake Gogebic, Mountain Lake, and Lake of the Clouds are located.	The report has been revised to include this clarification.	121
Please clarify what is meant by "draw-down regimen."	The report has been revised to include this clarification.	122

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(Au Train) The last sentence of the second paragraph (under 5.2) should be corrected to read "is managed by the Michigan Department of Natural Resources as a wildlife refuge."	The report has been revised to include this correction.	123
This section is missing information on the types and numbers of public users at the basins; rather, it only includes the types of recreational use available. According to the Scope of Services, the assessment should include information on who uses the project and why they value it.	The reports have been revised to reflect the results of interviews with users of the reservoirs (e.g. activities engaged in/frequency of use/parts of reservoirs they value). Where information is available, user numbers (i.e. campers) will be estimated.	124
(Bond Falls) Please include a citation for the following portion of the last sentence which refers to the waterfall(s): "most who come to see them don't stay for other activities."	The draft report included a citation (personnel communication, Tom Strietzel, USFS. The report has since been updated with a new source (i.e., campground office staff).	125
(Boney Falls) Clarify the meaning of "the other side" under 4.3.1.	The report has been revised to clarify this issue.	126
This section should include actual expectations of individuals who use the project, rather than expectations of general recreationists. We suggest that this information then be used to identify the objectives to be attained for the aesthetic resources of the project lands surrounding each flowage.	The reports have been revised to include the results of recent interviews.	127
(Prickett) Please correct the information to indicate that 15 car/trailer units are provided at the public access site.	See response ID 12.	128
Include the highest possible score in the discussion.	The report has been revised accordingly.	129
Map 5-1 is very hard to understand. We recommend removing the colors as they appear to be a reference to individual scores in each sub-unit. These scores are presented in table 5-2.	The report maps have been revised.	130
Since a primary use of these impoundments is by boaters and fishermen, and since ... "all parts of the lake are visually sensitive to people who are boating, informally camping, or using shoreland areas" (p. 5-18), this section on public viewpoints provides little value to the aesthetics assessment.	We disagree with the statement that the section on public viewpoints provides little value. Campers, picnickers, and people who bank fish from public access points are sensitive to changes in the areas depicted on these maps. The information is highly important, even if it is incomplete at present, because such assessment was outside of the scope of this study. Sensitive areas will be addressed during the development of the Shoreline Management Plans.	131
Table 1. List of organizations and their involvement with Upper Peninsula Power Company owned Bond Falls, Victoria, Prickett, Au Train, Boney Falls, and Cataract basins. These basins are regulated under Federal Energy Regulatory Commission licenses.	Comment noted.	132

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Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
August 7th Trout Creek Public Meeting August 29, 2006	Once again UPPCO shows total disregard for the people of the U.P. Your objective in the aesthetic value of the impoundment was "why these areas have high aesthetic values and who values them and why," yet the only people you ask about this was a couple of park rangers and two campers. Your total failure to contact any local people on this subject confirms my thoughts on your extreme greed. If I were you I'd leave the U.P. out of your name. Maybe Wis. Power Company would be better. -- Bruce Crossing, MI	We acknowledge that the draft reports contained little information pertaining to interviews of typical users of the flowages and adjacent project lands. The reports have been revised to include the results of (1) comments from focus group members who use the reservoirs; (2) in-the-field surveys of parties who were recreating on the reservoirs during the Labor Day weekend; and (3) UPPCO personnel familiar with winter use on the impoundments.	133
	The land (Bond) has been with us for 50+ years. The people that choose to recreate also understand this. Those that purchased property on Bond should have known this. Good job Enviro Studies. Project should proceed! -- Trout Creek, MI	Comment noted.	134
	Aesthetics -- Most important item is the protection of the wild appearance of the shoreline and piers will detract from that wild appearance. Study should include aesthetic related to water quality. Clean water exists today but proposed use likely will reduce water quality. -- Watersmeet, MI	The reports have been revised to give Natural Character the highest weight. Existing water quality was considered in the reports in accordance with the approved scopes of work. The assessments did not, however, consider the impacts on water quality from potential future development as it was outside of the project scope. See response ID 1.	135
	It is not appropriate to use acres per boat because much of the reservoir surface has submerged stumps which makes many acres unsuited to boats -- remove stumpage acres from calculations. Wildlife studies need to account for future changes in the old growth buffer and project lands -- will be different 100 years from now. -- Watersmeet, MI	The Boating Carrying Capacity analysis was meant to provide perspective regarding potential boating use on the reservoirs and to provide a possible tool for further assessment of this issue. Results vary greatly based on the assumptions made. For example, if one assumes only fishing-related, or canoe/kayak boating activity then the entire reservoir, stumps included, would be suitable for use.	136

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Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
Steve Garske August 28, 2006	I would like to comment on the Upper Peninsula Power Company / WPS Resources environmental assessment reports for the above 6 flowages, all of which are operated by UPPCO and regulated by FERC. As most of my experience has to do with floristic surveys (including rare plant surveys), I will primarily comment on the "Wildlife and Aquatic Habitat" section (Section 3) of each report.	Comment noted.	137
	Unfortunately I must say that I have read a significant number of environmental assessments by both public agencies and private consultants over the years, and that these cookie-cutter reports for UPPCO are probably the most superficial and poorly done of all of them. Indeed they use a significant portion of their meager "results" sections to report the presence of sand, rock outcrops, coarse woody debris (old logs) and other features that all flowages would be expected to have. They make arbitrary statements and draw baseless conclusions with little or no data to back them up. And perhaps most importantly, they don't adequately address the potential impacts that the planned massive residential developments will have on the natural, recreational, and aesthetic qualities of these flowages.	The intent of the assessments, as scoped with the resource agencies, was to conduct a resource/habitat baseline inventory of FERC project lands and waters (particularly littoral zones). This effort was not intended, nor was it designed to be, an environmental assessment or impact analysis. See response ID 1.	138
	The assessment reports all state that wetland types were classified in accordance with "Cowardin et al. (1979)". This source is not included in the references for any of the reports, however. Thus it becomes difficult for interested readers without access to a university library to track down this source, or to ascertain whether the methodology is appropriate for classifying the wetlands found around these flowages.	This source has been added to the references section of the revised reports.	139
	The reports all purport to have included adequate surveys for rare plants and animals on these flowages. The most widely accepted method for assessing the floristic quality of a site is to conduct surveys 3 times during the growing season - in early spring (typically May) to find spring ephemerals and early-flowering plants, in midsummer (July) for certain sedges and other plants flowering at that time, and in late summer (late August-September) to find late-flowering plants including many aster family species. When time or resources are limited, organizations sometimes cut corners by having an early survey (May or June) and a late survey (August-September). Unfortunately UPPCO's consultants have taken this corner-cutting process to a new low, by surveying each area only once - from June 15-19 for Bond Falls (p. 3-2), June 22-23 for Victoria Flowage, 6 days between May 26 and June 22 for Prickett, etc. These visits were too early in the season to reliably detect rare aquatic plants such as Vasey's pondweed (<i>Potamogeton vaseyi</i>) and Farwell's water milfoil (<i>Myriophyllum farwellii</i>), both listed as Michigan "threatened". They are also too early to be effective in finding major invasives such as Eurasian water milfoil (<i>Myriophyllum spicatum</i>) and purple loosestrife (<i>Lythrum salicaria</i>), all of which generally much easier to find later in the year. Furthermore, the plant inventory lists (for example, "Vallisneria, Potamogeton, Polygonum, Najas, Ceratophyllum, Utricularia, Elodea, and native Myriophyllum" for Bond Falls,	None of the reports "purport" to have included surveys for rare plants. However, surveys to determine the presence of rare animals, particularly many of interest to the resource agencies, were conducted. Mr. Garske is correct in indicating that multiple growing season surveys are preferable when searching for rare, threatened, and endangered (RTE) plants. It is for that very reason that conducting RTE plant surveys was not a primary focus of the assessment. As such, we did not conduct surveys specifically for RTE plants because we felt the results would be less than desirable. Rather, our goal was to document the presence of rare plants if they were encountered during other surveys. Mr. Garske is incorrect in stating that the timing of the surveys was "too early to be effective in finding major invasive such as Eurasian water milfoil and purple loosestrife". Most of the submerged aquatic vegetation was well developed at the time of the surveys, and field crews were able to reliably identify the presence of Eurasian water milfoil in the waters of the Prickett impoundment. Also, some invasive plants, such as purple loosestrife, have distinct features (e.g., leaves and the previous years plant stalks) that are easily visible, making the plants easily identifiable by experienced biologists. Furthermore, monitoring of loosestrife and Eurasian milfoil is an UPPCO license requirement and is being undertaken.	140

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	<p>p. 3-3) could apply to nearly every lake over 1 acre in size in the UP. Similarly the Prickett report (p 3-4) lists "Potamogeton, Elodea, native Myriophyllum, Vallisneria, and Polygonum", the Victoria report (p 3-3) list ("Potamogeton, Elodea, native Myriophyllum, and Polygonum.") and so on. [Apparently the consultants were not interested in emergent or shoreline vegetation at all, such as that appearing in abundance in their photo of "SAV" (submergent aquatic vegetation) on page 3-5 of their Bond Falls report, page 3-4 of the Victoria report, etc.] These lists are ridiculously inadequate for describing the aquatic plant communities of each of these flowages.</p>		
	<p>Several of the reports have entire sections blacked out. Most environmental assessments at least let the public know what rare species may have been searched for and whether any were found, blacking out only locationally-related information. But the UPPCO reports black out essentially all the information they might have on rare species in these flowages (but see discussion on the Merlin below), giving the public no way to judge whether rare species were found and what impacts UPPCO's and Naterra's development plans may have on these species.</p>	<p>See response ID 81.</p>	<p>141</p>
	<p>Naterra's plans to place numerous homes around these flowages (474 houses around Bond Falls Flowage alone, as I understand it) will likely lead to significant eutrophication of these reservoirs due to increased erosion from paths and shoreline use, as well as removal of natural vegetation, installation and fertilization of lawns within the watersheds, and leaking septic tanks within their respective watersheds. This degradation of water quality in turn can be expected to lead to a decrease in diversity of native plants and animals in the flowages.</p>	<p>Comment noted.</p>	<p>142</p>
	<p>The reports claim to assess the presence and impacts of "nuisance" species, but never defines what these species are. In fact the "nuisance species" found in each flowage seems to be arbitrarily chosen. For example, on P 3-12: of the Bond Falls report, they unilaterally declare reed canarygrass (<i>Phalaris arundinacea</i>) a non-invasive species: "Although not considered a nuisance plant species for purposes of this study, reed canary grass was widespread and common along the shorelines and within most of the wetlands of the Bond Falls impoundment." This highly aggressive invader of natural wetlands and other habitats is not native to the Great Lakes region, and is considered a major invasive by every state and federal agency in the region.</p>	<p>A list of nuisance species of interest was provided by the resource agencies. As a result, field crews primarily focused on documenting those particular species. However, knowing that reed canary grass is generally considered to be an invasive species, field crews made sure to document its presence in the assessment areas. Based on the text in the draft reports, it is unclear how Mr. Garske came to the conclusion that the report authors "unilaterally declare reed canary grass a non-invasive species".</p>	<p>143</p>
	<p>The use of a helicopter to conduct aerial surveys for nesting and non-nesting bald eagles, ospreys, and great blue herons and the presence of potential nesting sites seems like a questionable practice to me. While this method may have certain advantages in terms of expediency, it has the potential to be highly disruptive to these birds precisely during the time that they are nesting, when they are most sensitive to disturbance. The public is frequently reminded (and rightly so) by the Michigan DNR and others of the risks involved in disturbing these birds at their nests, yet the consultants had no qualms about flying over their nests and perching and foraging sites with helicopters at this time. Beyond a list of bird species that happened to be encountered during their brief surveys (which, by the way, included nothing on use of these areas by migrating birds)</p>	<p>The use of helicopters and small planes by resource agencies for conducting aerial surveys for bald eagles is a common and accepted method. General field survey methods for conducting these flights to document the presence of nesting and non-nesting bald eagles, ospreys, and great blue herons were submitted to the resource agencies for review. At no time did they object to this widely accepted survey method.</p> <p>We disagree with the need to revise the reports to provide "quantitative information about the importance of habitats around these flowages" to birds. Rather, the reports will remain qualitative in describing that, if habitats associated with the impoundments exhibit certain characteristics, these areas may be suitable for certain</p>	<p>144</p>

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	<p>and some simple and obvious textbook statements about the favored habitats of a few of them, little useful quantitative information about the importance of habitats around these flowages to these birds is given.</p>	<p>species' life stages (e.g., foraging and staging for migratory species).</p>	
	<p>In the Bond Falls report (page 3-11), the consultants mention the presence of Merlins (<i>Falco columbarius</i>) near the flowage. They even give the locations of these sightings, on map P-3-5. The same is true for the Victoria report, where a Merlin "acting aggressively" (an indication that the consultants were near its nest) is mentioned on page 3-8, with the location plotted on map P-3-4. A similar encounter with an aggressive Merlin is mentioned in the Cataract report (page 3-6 and maps P-3-3 and P-3-4). Despite the consultant's purported concern about endangered species on these flowages, they seem unaware that the Merlin is listed as "threatened" in Michigan (MNF1 1999).</p>	<p>We are aware that Merlins are a state-listed threatened species in Michigan. However, nowhere in the reports did we provide specific information on the locations of nests, young, etc. The reports simply state that Merlins were observed in flight and do not disclose any information on immobile or vulnerable life stages.</p>	<p>145</p>
	<p>The poor quality of these assessments must be obvious to even the most casual reader. The Bond Falls report even states that (page 3-3) "Bond Falls is a relatively large impoundment with extensive open-water areas and associated wind fetches. As a result, the majority of nearshore aquatic habitat at Au Train generally consisted of coarse sands. Sandy areas were ubiquitous throughout the impoundment." And on page 3-7 of the same report: "No sandhill cranes or suitable sandhill crane nesting habitat areas were observed at Bond Falls. In the Upper Peninsula, sandhill Cranes nest most commonly in sphagnum bogs (Tacha et al., 1992), a habitat that is not present at Au Train Basin." This sort of carelessness indicates that the consultants did not try to thoroughly describe the unique features and environmental characteristics of each flowage, but simply used a boilerplate, fill-in-the-blank form, not even bothering at times to change the name of the flowage supposedly being assessed.</p>	<p>See response ID 1. The report has been revised to correct the erroneous reference.</p>	<p>146</p>
	<p>Whether the consultants doing these "assessments" were unfamiliar with the geography and natural habitats of the area, were not given enough time to do the needed surveys, or were simply incompetent (or some combination of all three), these reports are wholly inadequate for assessing the impacts of the large-scale residential developments planned for these flowages. They are an insult to local residents and others who care about these areas and should be thrown out, and full Environmental Impact Statements done for each of these areas by a qualified and impartial organization.</p>	<p>See response ID 2.</p>	<p>147</p>

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Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
<p>Nancy Warren August 27, 2006</p>	<p>From the obvious omissions and clerical errors, it seems clear the reports were completed in haste. For example, the Middle Branch of the Ontonagon River, a premier trout stream and part of the Federally designated Wild and Scenic River System was referred to as "Interior Creek".</p>	<p>The report has been corrected.</p>	<p>148</p>
	<p>A waterfall, popular for its recreational and aesthetic values, was missed entirely by the E-PRO team. When questioned about the failure to document the presence of spotted knapweed, honeysuckle and rusty crayfish, non-native/invasive species known to exist at Bond Flowage, the E-PRO representative state it was because the species are too common.</p>	<p>We agree that Little Falls was missed and is an important oversight. It was not visible during the aesthetic site visit because of the high water level. It has since been field-checked and the report has been revised.</p>	<p>149</p>
	<p>According to the UPPCO document date 4/18/06 "Scope of Services", the Agencies requested that UPPCO map and identify "aesthetic resources (areas to be considered to have high value);" and describe "why these areas have high aesthetic value and who values the aesthetic resources". This was a stated objective of the study. Yet, E-PRO never spoke to one actual user: fisherman, hunter, camper, paddler, bird watcher, picnicker, tourist, to ascertain first hand: "Who values these resources and why?"</p>	<p>We acknowledge that the draft report contained little information pertaining to interviews of typical users of the flowages and adjacent project lands. The report has been revised to include the results of (1) comments from focus group members who use the reservoirs; (2) in-the field surveys of parties who were recreating on the reservoirs during the Labor Day weekend; and/or (3) UPPCO personnel familiar with winter use on the impoundments.</p>	<p>150</p>
	<p>The assessments, completed in just a matter of days, captured only a snapshot overview of some of the natural features and resources of the project lands and waters of the impoundments.</p>	<p>We disagree. Assessments were conducted on 27 days over a five-month period.</p>	<p>151</p>
	<p>UPPCO recently sent letters to Interior Township residents speculating about increased tax revenues to the township and county if their proposed non-project uses of project lands are approved. This data was also distributed at the public meetings giving the impression these increased revenues would be net gains, without allowing public questions or discussion of increased cost of services. We believe this is inappropriate and an attempt to mislead the public.</p>	<p>This comment is irrelevant to the resource assessments.</p>	<p>152</p>
	<p>UPPCO is attempting to solicit local support for private docks, piers and trails on the project lands, without addressing the negative impacts of these uses on the project lands. Not only aesthetics but fishing, waterfowl hunting, hiking, birdwatching, animal tracking, camping and other forms of recreation will be impacted by non-project uses of project lands. None of this was addressed by these studies.</p>	<p>The assessments were not designed to analyze the impact of non-project uses on the current uses of project lands. See the approved scopes of work for the assessments.</p>	<p>153</p>
<p>We believe the assessments for these impoundments should include the environmental impacts of the proposed action and alternatives. We urge FERC to force UPPCO to follow the section 5.4 handbook process and initiate a new comprehensive environmental impact study -- one that incorporates seasonal habits of birds and wildlife, recreational uses, aesthetic values and the impacts of the proposed non-project use of the project lands.</p>	<p>See response ID 1.</p>	<p>154</p>	

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Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
Douglas R. Cornett August 28, 2006	I am writing as an alternative committee member representing the Upper Peninsula Public Access Coalition for the eastern UP group. I have reviewed the environmental studies for all 6 flowages under review. I am particularly concerned that only a few days of field studies have been conducted for each area. As a biologist I have reviewed many environmental assessments and impact statements and believe the work done so far by E-PRO is too limited in scope to properly assess the resources that could be impacted by development of the shoreline that Naterra plans for project lands and waters.	As previously stated, these studies were not intended or designed to be environmental assessments. These studies, which were scoped in consultation with resource agencies, were resource/habitat baseline inventories. See response to 1.	155
	By limiting the studies to project lands, the likely effects, and cumulative effects, of development of non-project lands is not being taken into consideration. Naterra is planning to, and perhaps have even started logging and road building. Considering the fact that building dozens of miles of roads at each project, and logging most merchantable timber (this is the <i>modus operandi</i> of Naterra of all their other developments in the UP and northern Wisconsin) will affect project lands and the waters contained in these impoundments. These action can cause long-term deleterious effects for decades to come, affecting both project and non-project lands.	See response ID 1.	156
	By trying to limit the scope of comments to just project lands is ludicrous considering all the resources that can potentially be impacted. Raptors that might be found in the project area, especially sensitive species like the Northern Goshawk and Red-shouldered Hawk, would likely have nesting habitat outside the project area and move back and forth between project and non-project land. How can these resources be assessed properly without looking at both land categories?	We acknowledge the author's comment, however, only the lands and waters within the project boundary are subject to the Federal Energy Regulatory Commission's purview.	157
	The assessments, hastily completed in just a matter of days, captured only a snapshot overview of some of the natural features and resources of the project lands and waters of the impoundments. Many species require much more time just to locate. As mentioned above, Northern Goshawk can require many hours to find, if proper research protocol is observed. E-PRO said they did their raptor surveys using a helicopter. How can meaningful data be obtained when such a disturbing method is employed? Raptors are especially sensitive to disturbance. I am unaware of any good data being obtained through such an intrusive method. With that in mind, I request E-PRO provide peer-reviewed research that substantiates this method of data collection.	Helicopter surveys were conducted to determine the present of nesting and non-nesting bald eagles, ospreys, and great blue herons, not woodland raptors. Nowhere in any of the reports do the authors state that helicopter surveys were conducted for woodland raptors. Rather, woodland raptor surveys were conducted using a modified version of the U.S. Forest Service protocol, which generally calls for playing recordings of woodland raptor calls in an attempt to solicit responses from nesting raptors.	158
	Additionally, E-PRO chose to redact entire sections of the reports, citing that "sensitive species" information might be revealed to those seeking to collect or harm in other ways rare, sensitive and endangered species. While I understand that site-specific information is not good to release, there still is the need to present information that can assure the public that sensitive species are being protected. E-PRO's treatment of this was completely unprofessional and might lead the public to believe that there is something to hide.	See response ID 81.	159
	UPPCO recently released information speculating increased tax revenues to townships if your proposed non-project uses of projects lands are approved. This data was also distributed at the public meetings giving the impression these increased revenues would be net gains. However, you failed to allow any public questions or discussions of increased cost of services. This is unethical and inappropriate.	This comment is irrelevant to the resource assessments.	160

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	<p>considering the studies you commissioned might influence the scale of development and result in a reduction in the number of lots the developer can build on. This might also lead one to believe that you are fitting your studies into a pre-determined framework that has no flexibility to be altered.</p>		
	<p>I believe you should be consulting with the Federal Energy Regulatory Commission and work to prepare a new comprehensive environmental impact study that will consider ALL resources.</p>	<p>Comment noted.</p>	<p>161</p>

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Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
<p>D. Borcharding August 28, 2006</p>	<p>The environmental assessments regarding the Bond & Victoria Flowage sales leave much to be desired. This is far too important & valuable a habitat & natural resource to fail to do a complete & comprehensive impact study. The argument that there are no development plans at this time doesn't seem too valid, considering that Naterra Land Co. has unveiled plans to do just that, 424 lots at Bond Falls, with 35 individual piers & 40 multi-slip piers. I live on one of the Madison lakes, & I get a very sick feeling when I imagine that happening to a pristine, unspoiled flowage like the Bond. There should be NO piers, NO lights, & very little impact on this area. The people who purchase property on these bodies of water should understand what is at stake, & should be the type of people who will be happy to beach their small boats as the campers do. These waters are not suitable for large, noisy, polluting watercraft, & that should not be permitted nor expected. This area can be developed, yes, but it MUST be done responsibly & correctly with as little disturbance & human impact as possible. Thank you for your attention. D. Borcharding McFarland, WI.</p>	<p>Comment noted. See response ID 1.</p>	<p>162</p>

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Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
<p>Scott Hickman August 28, 2006</p>	<p>I've been continuing to track shorebird migration through Alger County and have found that Cleveland Cliffs Basin continues to support far more shorebirds than any other site. The high counts of each species encountered last week are listed below for your records. The visit on August 22nd was made with Skye Hass. I'm afraid that I didn't pay much attention to waterfowl, but include a couple of species which I did note.</p> <p>High counts for the basin (Aug 20 - 27) include: Wood Duck - over 50 August 26 Blue-winged Teal - Stayed at about the same as on 22nd, 200? more? Well over 300 "sandpipers" (plovers, tringines, & calidridines) on the 20th Black-bellied Plover - 1 Aug 22 Semipalmated Plover - over 60 Aug 20 Killdeer - over 30 Aug 25 Spotted Sandpiper - over 2 on the 20 Solitary Sandpiper - over 10 Aug 20, 22 Greater Yellowlegs - 2 on Aug 20 Lesser Yellowlegs - 26 Aug 27 Semipalmated Sandpiper - over 60 Aug 20 Least Sandpiper - over 100 Aug 20 Baird's Sandpiper - 5 Aug 22 Pectoral Sandpiper - over 76 Aug 22, more, but not counted Aug 20 Buff-breasted Sandpiper - 2 Aug 22 (plus one same day Au Train) Wilson's Snipe - 6 Aug 27 Caspian Tern - 8 Aug 22 Trumpeter Swan - 3 Aug 22 & 27 Other than that, 1 N. Harrier on the 27th as well as Peregrine Falcon (1) on the 26th and 27th.</p>	<p>Comment noted. This information has been incorporated into the revised Au Train report.</p>	<p>163</p>

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Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
<p style="text-align: center;">Joseph Kaplan Common Coast Research & Conservation August 28, 2006</p>	<p>We appreciate the opportunity to provide comments on the draft Assessment of the Recreation, Wildlife, Loon, Aesthetic, Resources for Victoria (FERC Project #1864), Bond (FERC Project #1864), Au Train (FERC Project #10856), and Prickett (FERC Project #2402) Impoundments. Our organization, Common Coast Research and Conservation, is a non-profit dedicated to the study and protection of loons throughout Michigan's Upper Peninsula. Our biologists work closely with public agencies, companies, and the private sector to increase understanding of this State-threatened species. Our experience with loons spans over 15 years and includes the monitoring of color-marked individuals at three principal sites in Michigan's Upper Peninsula; Seney National Wildlife Refuge, Ottawa National Forest, and Isle Royale National Park. We offer our expertise and assistance to you as UPPCO evaluates and implement measures to enhance loon usage of its Upper Peninsula reservoirs.</p>	<p>Comment noted.</p>	<p>164</p>
	<p>In general, we agree with the list of loon nesting requirements provided in the draft assessments but recommend you add Mercury exposure as a potential limiting factor. Elevated levels of this highly toxic heavy metal have been documented in loons from the region, and have been shown to be significantly influenced by the type of fluctuating water levels common to managed impoundments.</p>	<p>Listing mercury exposure as a possible limiting factor to potential loon nesting is unfounded based on any evidence to date. While data show that high levels of exposure affect behavior to some degree, there is nothing substantial to support that mercury contamination will preclude nesting attempts.</p>	<p>165</p>
	<p>One prominent aspect of the assessment with which we do not agree is the emphasis placed on turbidity as a factor for loon use on reservoirs where territorial loons were not documented (Victoria and Prickett). We feel the references provided in the report do not support the conclusions of the consultant in this regard, and therefore be reconsidered. In the reports turbidity is referenced under "Water Quality" in the following manner:</p> <p style="padding-left: 20px;">"Loons are visual hunters; therefore, clear water is crucial for efficient foraging. A Michigan study (Gostomski and Evers 1998) documented that time spent for foraging adults in turbid water was significantly greater than in clear water. Barr (1996) documented that secchi disk readings of 1.5m or less alter loons foraging behavior. A study of total suspended solids in Seney National Wildlife Refuge, Michigan, documented a preference by breeding loon pairs for lakes that have less than 28 Nephelometric Turbidity Units (NTU), while lakes over that level were not used for nesting purposes (Evers 2004)."</p> <p>The Evers (2004) paper cited above employed unpublished data from a study of water quality parameters at Seney National Refuge (E.J. Collier 2003). The turbidity "threshold" provided as a limit to loon nesting in this study was based on a sample of only 3 unoccupied refuge pools (lakes) during a single breeding season (1995). It should be noted that these three pools provided the highest turbidity values recorded on the refuge during an ensuing eight-year sampling period. Owing to this extremely limited sample size, and to the subsequently lower turbidity values which have not allowed for further assessment, we do not believe that the cited reference lends valid support to the report's argument concerning possible complications from excess turbidity.</p>	<p>The assessments include information that was published in peer reviewed and publicly available documents. The language in the reports has been edited to reflect that there is some data which suggest that water clarity may affect loon foraging efficiency, and that this parameter should be considered to some degree when assessing the overall potential habitat suitability.</p>	<p>166</p>

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	<p>Citing another Michigan study (Gostomski and Evers 1998) the excerpted paragraph states that "time spent for foraging adults in turbid water was significantly greater than in clear water". We do not agree with this interpretation. Gostomski and Evers themselves state in their paper that time-budget comparisons between Isle Royale (clear water) and Seney (turbid water) loons "could only be speculative" because of differences in sample sizes which precluded statistical comparisons. Furthermore, the authors provide no actual data on water quality (Seney pools are described as "generally stained due to the inputs of tannins"), and merely speculate that the possible differences in foraging rates between the sites may originate from visible difference in water clarity and prey base.</p>	<p>The statement "time spent for foraging adults in turbid water was significantly greater than in clear water" is a verbatim summary by one of the cited authors in a later publication (Evers 2004). The remaining information in this paragraph is accurate. The language in the reports has been edited to reflect that there is some data which suggest that water clarity may affect loon foraging efficiency, and that this parameter should be considered to some degree when assessing the overall potential habitat suitability.</p> <p>The report has been revised to remove any conclusions indicating that turbidity may preclude potential loon nesting.</p>	167
	<p>The final reference within the report pertaining to turbidity – Barr (1986) – does provide data in support of a visibility-related parameter operating as a potential limiting factor for loon occupancy: Lakes with Secchi disc water clarity of less than 1.5 meters had lower occupancy levels (31-35%) than their more transparent counterparts (78-93%). While Victoria's clarity (0.9 m) falls below this threshold, Prickett's value (1.85m) does not; the report's contention that the latter is approaching "the point at which foraging is hindered" therefore seems both inaccurate (Barr's limit refers to occupancy, not foraging capacity) and unjustifiable alarmist. Additionally, in the same paper Barr found an associate between fluctuating high water levels and increased turbidity. In view of this finding we disagree with the conclusion in the assessment report that "given the degree of turbidity observed on Victoria, and the resultant extreme likelihood that loons will not nest here, water level regimes and their potential effects on nesting loons are somewhat moot."</p>	<p>UPPCO believes the commenting party has mischaracterized statements in the Prickett report. The report has been revised to clarify the issue.</p>	168
	<p>In light of the revelations, we suggest that UPPCO's consultants establish a far more robust and defensible assemblage of peer-reviewed studies before including turbidity as a possible mitigating factor for loon occupancy on reservoirs such as Victoria and Prickett. We would also suggest including a discussion of how turbidity levels might be expected to change in response to the updated water management regulations contained within the new license agreement.</p>	<p>UPPCO believes, the commenting party has mischaracterized statements in the report. The report does not state turbidity is a "possible mitigating factor for loon occupancy", as stated by the commenting party. The report cites it as a possible <i>limiting</i> factor.</p> <p>Published, peer-reviewed literature to date supports the possibility that turbidity may be a limiting factor to overall habitat quality and resultant occupancy rates. The data cited has been upheld as part of the breeding season habitat requirements listed within the U.S. Fish and Wildlife Service's Status Assessment and Conservation Plan for the Common Loon (<i>Gavia immer</i>) In North America (Evers 2004). Given the scope of these assessments, and the clarified language within the reports, we feel that such a discussion is not necessary.</p>	169
	<p>Beyond the report's treatment of water clarity, we also were given pause by this repeated quotation in support of the likelihood that there may not be enough loons to occupy reservoirs in Michigan: "The Michigan DNR states that only 50 percent of 'highly suitable' breeding lakes (for common loons) are currently being used in the northern 2/3 of the State of Michigan (Michigan DNR, 2006)". As the reference derives from a state website that provides only general information on loons – with no attached data on specific regional populations, nor any definition of what constitutes a</p>	<p>As identified in the agency-reviewed scope of work, the objective of the assessments was to map and evaluate potential nesting habitat, not to assess loon abundance or use. General population information was sought only to get a basic idea of loon abundance throughout the Upper Peninsula. Since no technical assessments were to be based on this information, more extensive population data (Ottawa National Forest's loon occupancy database - which is not publicly accessible nor offered</p>	170

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	<p>"highly suitable" breeding like – it seems inappropriate to the standards of a technical report. The Michigan DNR's own Loon Recovery Plan (1992) highlighted the dramatic disparity in occupancy rates between different regions of northern Michigan, and identified the western Upper Peninsula (where three of the four surveyed reservoirs reside) as an area of comparatively high loon densities. Our own extensive survey work throughout the Ottawa National Forest suggest that occupancy rates on lakes and reservoirs with viable nesting habitat runs far higher than 50%; we would recommend that UPPCO consultants access the Ottawa National Forest's loon occupancy database in GIS format – which was developed in partnership with Common Coast Research & Conservation – to determine more accurately occupancy rates in the areas surrounding the Bond Falls, Victoria and Prickett impoundments.</p>	<p>through consultation with the USDA FS) was not sought beyond that which is publicly available.</p>	
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Commenting Entity	Comments	UPPCO/EPRO Response	Response ID
<p>Linda S. Rehn August 27, 2006</p>	<p>The Bond Falls Landowners have many concerns regarding the recent assessments done on the six U.O. Flowages affected by the UPPCO/WPS/Naterra Land Sales. We have studied the assessments for Victoria, Prickett, and Bond Flowages done by EPRO Engineering & Environmental Consulting and have the following comments and concerns: We question the real purpose of the study as it appears to be nothing more than an attempt to justify the proposed campground reorganization plans, the proposed residential development and plans for private shoreline structures like PRIVATE DOCKS for the express use of the new lot owners.</p>	<p>Comment noted.</p>	<p>171</p>
	<p>When we all purchased our properties, we realized that we are NOT purchasing "lakefront" or "shoreline" properties, and hence we had no "exclusive rights of use" to the shoreline, as FERC License dictates that it is to be managed for the benefit of the public. Anything happening on the project lands is supposed to "protect and enhance the scenic, recreational, and environmental values of the project", and be for the benefit of the public.</p>	<p>Comment noted.</p>	<p>172</p>
	<p>Given that the study was conducted during such a short period of time, during only a several week period in the late spring/early summer, we believe that it is inadequate and does not represent an accurate picture of these flowages. At this early time in the season, many species of flora and fauna were not emergent at that time. These studies cannot qualify in any sense of the imagination as a comprehensive EIS of any kind. Such a short "snap-shot" cannot possible be complete as it does not take into account any yearly or seasonal variations and we believe many wildlife species were over looked, missed altogether, miscounted, and ignored.</p>	<p>We disagree. Assessments were conducted on 27 days over a five-month period.</p>	<p>173</p>
	<p>The invasive species known as Rusty Crayfish was not even noted in summary for Bond Falls Flowage. As Bond Falls Landowners we have documents the presence of Rusty Crayfish with the resource agencies, and we have noted their presence at Bond for at least the last 20 years. This destructive species is very prominent and we question how EPRO could overlook or discount something so obvious and important. This makes us question what else has been overlooked, omitted, miscounted, discounted or ignored.</p>	<p>See response ID 72.</p>	<p>174</p>
	<p>We question the methodology used in the study, and whether it can be actually considered "valid" as actual "scientific data" vs. what appears to be no more than "subjective observations: from a quick boat ride and walk around to try and document how PUBLIC USE has been so detrimental and caused so much "erosion" on the flowage. Interesting that the E/PRO assessment credits very little to the fluctuating water levels caused by the inherent way that UPPCO/WPS manages this hydro project.</p>	<p>As identified in the agency-reviewed scope of work, the objective of the recreation assessments was to review and map existing recreation facilities within the project boundary. The reports have been revised to remove all references to probable causes of erosion.</p>	<p>175</p>
	<p>We believe more weight should have been given to the historical fact that UPPCO/WPS fluctuates the water levels greatly and we question why the EPRO surveys for the most part overlook and minimize this fact.</p>	<p>Water level fluctuations within the impoundments are approved license conditions of the respective FERC licenses. The approved scopes of work never contemplated modifying existing water level license conditions.</p>	<p>176</p>
	<p>A visual observation of certain sites and then a subjective assumption such as the probable causes of erosion is not very scientific and tells you nothing about how many people actually use each site. Interestingly enough none of the notes in the survey eluded to deer or other wildlife and pathways they make to the water which can also cause "compaction" and "erosion" or "sedimentation" of the sites.</p>	<p>See response ID 20.</p>	<p>177</p>
	<p>A more scientific assessment would have included a look at the campground log records of the actual usage. It is our observation that most campers are conscientious and cause very little impact.</p>	<p>As identified in the agency-reviewed scope of work, the objective of the recreation assessments was to review and map existing recreation facilities within the project boundary, not to</p>	<p>178</p>

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		review and document campground usage.	
	Lets see some, "real", "authentic" data, not your qualitative analysis which amount to nothing more than subjective personal opinions on the part of the E/PRO surveyors. With the methodology used, there was a great chance things could be missed and/or omitted with the claim the "We weren't looking for that." We demand to see quantitative scientific data!	The methodologies to review and map existing recreation facilities within the project boundary were reviewed and approved by the state and federal agencies consulted with for managing recreation resources.	179
	When we questioned the methodology used regarding "Aesthetic Values" with UPPCO and EPRO at the PUBLIC MEETINGS, we were told that neither of you had ANY plans to actually survey or poll or question any of the "ACTUAL USERS" of these flowages, to see which attributes they value!	Since that time numerous users have been interviewed. The reports have been revised to include this information.	180
	If you REALLY wanted to know who uses and values these flowages and why, you could have very easily researched your data and surveyed campers, visitors to the State Park and Falls, and even visitors who used the day-use area especially on busy weekends and holidays like this past July 4, when the flowage was at peak with hundreds of users present for you to poll. Why did you not do this? It appears that no data was used from campground logs regarding campground usage by site. This would have give a more accurate idea of who uses these campsites, which sites are the most popular and why, and which ones subsequently get the most use and have the most "aesthetic value" to the public. We believe your data is flawed, incomplete and unscientific.	See response ID 180.	181
	We believe the assessments for these flowages should include the environmental impacts of the proposed residential developments and proposed plans for "non-project use of project lands" which does not appear to be compliant with the FERC License. We urge FERC to force UPPCO to follow the section 5.4 handbook process and initiate a new and comprehensive environmental impact study that accounts for seasonal variations in the flora and fauna, recreational uses, aesthetic values and the impact of the proposed non-project use of project lands.	See response ID1.	182

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Commenting Entity	Comment	UPPCO/EPRO Response	Response ID
<p>Doug Scheuneman September 5, 2006</p>	<p>The Alger County Fish and Game Alliance has read thru comments made by the Michigan Hydro Relicensing Coalition to your company and FERC on August 28, 2006 regarding the Environmental Baseline Assessments conducted by EPRO Consulting on your firm's behalf. Our organization is extremely concerned that these studies were too superficial and lacked the necessary intensity to provide the type of information that will be necessary for lifelong decisions to be made regarding non-project use of project lands. Although we certainly agree that your firm should be able to see your non-project lands, we are very concerned that whatever you ask to do within the project boundaries will have a negative effect on all current recreational users of the project lands. From here forward all of my comments will be restricted to the Au Train Basin Hydro site (#10856): The study of the Au Train Basin was too broad for this large flowage, it only skimmed the surface. The time period of the EPRO work was not only short in duration but was taken at a period when "normal" recreation use was at a minimum compared to other months. While there were some fishermen and a few campers, peak use of the campgrounds does not occur until after the first of July.</p>	<p>Comment noted.</p>	<p>183</p>
	<p>Perhaps the most significant use of shoreline (project) land areas, along this impoundment, is waterfowl hunting and bird watching during the fall migration. From Sept. 1 through the first two weeks of November use of project lands, on both sides of this flowage, peaks. Other important recreational uses of project lands such as sightseeing, hiking, and canoeing or kayaking occur mainly from spring thru fall. However, there is some winter ice fishing and snowmobiling. All of these could be negatively impacted by non-project lands and nothing was covered in the EPRO study to address this issue.</p>	<p>See response ID 1.</p>	<p>184</p>
	<p>The problem this year in the Basin for trying to study recreation use in all seasons, is that the present drastic "drawdown", for whatever reason, has altered and even eliminated a lot of the "normal" recreational use of the impoundment.</p>	<p>Comment noted.</p>	<p>185</p>
	<p>We suggest that additional studies be set up for next year, if normal water levels permit, to measure the current recreational use of the Basin. Then perhaps intelligent decisions can be made regarding the real impact that non-project uses of project lands of this flowage will have on all recreational users. Then, and only then, can a sound SMP be written for the Au Train Basin. A plan that will insure any shoreline development occurring within project boundaries be consistent with the requirements and purposes of the Federal License that is in place for this Hydro site.</p>	<p>Comment noted.</p>	<p>186</p>

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 57
Mid - April 2007
COMMENTS RECEIVED FROM PUBLIC MEETING

Comments on Shoreline Management Plan

The 200' buffer is if an average ~~width~~ ^{width} of 200' or a consistent 200'?

Name: Rusty Mallett
Address: 8 Fairbanks Road, Prineville, 97522
Phone:

Comments on Shoreline Management Plan

Trails should be kept to a width of approx. 4' and with a minimal disturbance to the natural aspect of the lands.

Name: Rusty Mallett
Address:
Phone: MAUDISTING

Comments on Shoreline Management Plan

What are your proposed riparian zone buffer boundaries? The riparian zone? Are there people living there? Use riparian habitat as their riparian zone? Riparian zone?

Name: Keith E. Bond
Address: N. 5106 Salmon, UMATMAN.
Phone: 506-439-5704

Comments on Shoreline Management Plan

What are the economic benefits of UPPCO selling their Non-Project Land? Was UPPCO's non-project land public or private property prior to the decision to sell?

Name: Jessica Brown-Kobala
Address: Mosqueto
Phone: 906-860-0072

Comments on Shoreline Management Plan

Would the Au Train Project have the same positive impact on local school districts as the Board Reservoir Project is proving to have on the Ewert-Trout Creek School District?

Name: Maggi Brown/S.O.S. ^{Save Our School} Share Our Shore
Address: P.O. Box 11 Trout Creek
Phone: 906-365-0061

Comments on Shoreline Management Plan

What % of the shoreline around the Au Train Basin will be set aside for conservation. ~~What~~ What is the amount of shoreline that's included in the Au Train Project Land?

Name: Maggi Brown/S.O.S. ^{Save Our School} Share Our Shore
Address: Bergland ^{Line}
Phone: ~~906-988-2345~~ 906-575-3513

Comments on Shoreline Management Plan

What Protections/Restrictions has UPPCO included in their draft SMP to protect the environment?

Name: Cindy Ellsworth (number 505)
Address: Morrisfather (Lake Gogebic)
Phone: 575-3448

Comments on Shoreline Management Plan

Will UPPCO be responsible for access roads into primary recreation areas?

Will UPPCO maintain an eradication program for Garlic Mustard? (on FERC lands)

Name: Cold Springs Forester/Chris Fink
Address: E5539 Woodland Ave, Antoin MI 49806
Phone: 906-892-8665

Comments on Shoreline Management Plan

through the SMP
The continuous trail proposed to exercise the basin will negatively affect species sensitive to fragmentation / ^{human} intrusion within the conservation zones. ~~The~~ trails should be placed outside of these zones at a habitat interface.

Name: Scott Hickman
Address: N9550 Shore Drive, Antoin, MI 49806
Phone: suboscne@hotmail.com

There are at least 22 species of birds considered to be either highly imperiled, of continental importance, of conservation concern, or at risk by the USFWS, DNR, USFS, or U.S. shorebird conservation plan (list available on request) - using the south end of the basin of the adjacent DNR waterfowl refuge.

~~Would it be possible~~ Given the biological significance of this area, Michigan's current financial problems, & UPCO's public responsibilities, would ~~it~~ UPCO be willing to ~~donate~~ the south basin lands to the DNR, or sell them on a very long term contract to the DNR?

Scott Hickman
19550 Shore Dr
Aurora, MI 49806
suboscine@hotmail.com

Comments on Shoreline Management Plan

The conservation areas of the SMP will be ineffective if development immediately outside them (land potentially to be sold) is not controlled/prohibited. Do SMP designations, conservation designations in particular, restrict the development allowed immediately outside their boundary?

Name: Scott Hickman
Address: NRSTO Shore Dr. Anthony, ME 49806
Phone: subscinaphotmail.com

Comments on Shoreline Management Plan

What kind of recreational enhancements have been included in the Au Train SMP?

Name: Mary Hintza (member of S.O.S.)
Address: Bertrand
Phone: 906-575-3561

Comments on Shoreline Management Plan

Will the water + the shore lands of the UPPCO Project lands remain open to the public after UPPCO sales of the "Non-Project" land? Will there be a number of different access points available to the public?

Name: Mary Hintza (member of S.O.S.)
Address: Lake Umbagog
Phone: 575-3561

Comments on Shoreline Management Plan

Reference 26 Road Access -

The Alcona County Road Commission maintains 26 Road the possibility of excess use of 26 Road for Basin Access will be of interest to the Rd. Commission

Name: *Douglas L Miron Chair*
Address: *Alcona County Rd. Commission*
Phone: *906 387 2042*

Comments on Shoreline Management Plan

Pertaining to Roads within the proposed Basin Project - The developer should contact the Alcona County Road Commission with any design plans for Roads and if they are interested in those projected Roads being within the system

Name: *Douglas L Miron Chair*
Address: *Alcona County Road Commission*
Phone: *906 387 2042*

Comments on Shoreline Management Plan

We are leaving on Forest Lake and all other meetings we have attended have been told we will have first option to purchase property we are still waiting to hear when this will be happening

Name: *ROBERT NELSON*
Address: *E 5315 State Hwy M94 MUNISING*
Phone: *906-439-5863*

Comments on Shoreline Management Plan

Where does UPPCO get their ideas from when considering enhancements to be included in their draft SMP?

Name: Wabi Rolston (Number 8 SOS)
Address: Lake George
Phone: 906-285-0077

Comments on Shoreline Management Plan

Will all of the property that UPPCO pulls from the various projects across the U.P. be classified as residential or will there be some that will be available for "commercial"?

Name: Bill Rolston
Address: Bond/Victoria Project Area
Phone: 906-575-3777

Comments on Shoreline Management Plan

Appx 25% of the land included in the On-Stream Project are classified as "conservation." What does that mean and how does UPPCO insure that?

Name: Bill Rolston (Number 8 SOS)
Address: Lake George (Bond Project Area)
Phone: 906-285-0077

Comments on Shoreline Management Plan

I THINK THAT THE SHORELINE MANAGE-
MENT PLAN THAT YOU PROPOSE IS A
FINE WAY TO MAKE BETTER USE
OF THESE NATURAL RESOURCES,
NOW THEY ARE UNDER-USED, &
THIS PLAN SHOULD OPEN THE AREA UP FOR
A NUMBER OF OPPORTUNITIES TO EX-
PAND USE.

Name: JAMES B. HEIKKINEN
Address: 28316 GAS PLANT RD, CALUMET, MI
Phone: ~~8~~ 906-296-9698

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 58
April 13, 2007 – May 21, 2007
EMAIL CORRESPONDENCES

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Sunday, April 15, 2007 1:15 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1854, 2402, 2506, 10856, 10854

Registration?
Name? Karin Andrus
Address? 13888 Cemetery Road
City? Bruce Crossing, MI 49912
State?
Zip code?
E-mail? bambam4@jamadots.com
Phone Number? (906) 827-3489
Post Comments on web site? yes

Comments? I grew up camping on Bond Lake, so did my children. It is a tragedy that the next generations of my family will have to miss out on this experience. Bond will never be the same again because of greed and lies. Let the bucks\$ stop here...NO DOCKS, I like Bond just the way it is.....

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Sunday, April 15, 2007 2:39 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1854, 2402, 2506, 10856, 10854

Registration?
Name? Wade Fleming
Address? 13888 Cemetery Road
City? Bruce Crossing, MI, 49912
State?
Zip code?
E-mail? wadefleming@hotmail.com
Phone Number? 906-235-0666
Post Comments on web site? yes

Comments? NO DOCKS, NO WALK WAYS, NO LIGHTED PATHS, I like Bond just the way it is! I liked the dispersed campsites.....don't care much for the new and improved.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Sunday, April 15, 2007 7:29 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Kelly Niemi
Address? 1117 Palmer
City? Miles City
State? MT
Zip code? 59301
E-mail? kniemi@midrivers.com
Phone Number? 406-234-8084
Post Comments on web site? yes

Comments? Bond Lake will never be the same after development. Can we preserve some serenity? Docks and lighted pathways will take away the last of any remaining serenity this haven held.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Monday, April 16, 2007 12:04 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Teresa Davis
Address? 5755 Antilles Dr.
City? Sarasota
State? FL
Zip code? 34231
E-mail? keysu@land@aol.com
Phone Number? 941-894-0909
Post Comments on web site? yes

Comments? To whom this may concern: I am against the development of Bankd Falls. The docks and lights the prospective buyers want to put in will ruin the lake for the rest of the users. Although from what I understand you don't really care about the people that have raised their families on the lake. Me being one of thousands.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Tuesday, April 17, 2007 10:14 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Jon and Norma Miller
Address? 14715 US 45
City? Bruce Crossing, MI 49912
State?
Zip code?
E-mail? bambam4@jamadots.com
Phone Number? 906 827 3558
Post Comments on web site? yes

Comments? We like Bond Lake the way it is. This area will not benefit from lakes like the ones in the lower peninsula. Traverse City is a jungle. NO DOCKS, NO LIGHTS, NO WALKWAYS.....

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Thursday, April 19, 2007 11:56 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Wade Fleming
Address? 13888 Cemetery Road
City? Bruce Crossing, MI, 49912
State?
Zip code?
E-mail? wadefleming@hotmail.com
Phone Number? 235-0666
Post Comments on web site? yes

Comments? Bond should be left the way it is! There shouldn't be any houses, docks, paths! By putting four hundred some houses on Bond, will destroy the lake for everyone! Do you really think this will bring business to the area will it might bring some but, most of those people would probably much rather to go shopping in Eagle River! Most of them will probably go eat in Land 'O' Lakes!

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Monday, April 23, 2007 10:33 AM
To: Wolfe, Janet; alwarren@jamadois.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? L. Ursin
Address? 6 Clearwater Court
City? Lake Zurich
State? IL
Zip code? 60047
E-mail? lursin@klaucens.com
Phone Number?
Post Comments on web site? no

Comments? I find the proposed dock plan for Bond Falls to be totally unacceptable. The idea of 424 boat slips on land that is supposed to be managed for the public is not my idea of managing the land for the public. Nor is having homes ringing the lake managing the land for the public. Nor is turning wilderness camping into camping with your neighbor right next to you managing land for the public. In fact, there is no part of your plan that takes anyone's interests into account except for UPPCO's.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Saturday, April 28, 2007 10:21 PM
To: Wolfe, Janet; alwarren@jamadois.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Wade Fleming
Address? 13888 Cemetery Road
City? Bruce Crossing, MI, 49912
State?
Zip code?
E-mail? wadefleming@hotmail.com
Phone Number? 906-235-0666
Post Comments on web site? yes

Comments? NO docks, no paths, no lights

Wolfe, Janet

From: webcommentform@uppcoc.com
Sent: Monday, May 07, 2007 11:04 PM
To: Wolfe, Janet; awwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Darren Yirek
Address? 2405 Criswell Blvd
City? Beloit
State? WI
Zip code? 53511
E-mail? darrenyirek@charter.net
Phone Number? 608-295-9311
Post Comments on web site? yes

Comments? I/We have seen it time and time again. The bottom line is money. As long as "they" can turn a profit, there isn't any concern what happens to the landscape, wildlife, or serenity of this lake, or any other lake/property like it. They will conduct tests, and justify any environmental impacts, but the bottom line is the serenity of the lake will suffer no matter what they say or test. You can never get serenity or pristine shorelines back once humans dig in. We are the only species that has to protect ourselves, from ourselves, when it comes to greed. We have been raised to believe that making money by clearing and cutting Mother Earth is a good thing, a good idea, a good business venture. Since money is the driving force, it is near impossible to get an American business man to reverse his way of thinking when it comes to this topic. They believe the earth is here to bow down to them. During their working lives they (construction companies, real estate companies, etc) will try to make as much as possible off our planet to provide for their own needs and desires, and it gets justified as "good development opportunity". When does it stop?

Name: Mr. James A Pietila
Company Name:
Address: 8890 Della drive
City: Woodruff
State: WI
Zip Code: 54568

Account Number:

E-mail Address: jim.pietila@cppl.state.wi.us Home Phone: (715) 356-7075 Work Phone: (715) 277-3366 Cell Phone: () -

Contact By: Email

Comments: Comments regarding docks at Bond Falls flowage. Please, no docks!!!

Wolfe, Janet

From: webcommentform@uppcc.com
Sent: Friday, May 11, 2007 8:45 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration? project 1864
Name? Bret Hautamaki
Address? 20065 Silver Creek Terrace
City? Ashburn
State? VA
Zip code? 20147
E-mail? bhautama@umich.edu
Phone Number? 734-709-1733
Post Comments on web site? yes

Comments? As a major landowner/taxpayer in both Interior & Haight townships, I am adamantly opposed to any development on project lands as proposed by the UPPCO SMP. It is in obvious conflict with the provisions of the FERC license agreement and poses a significant danger to a federally protected watershed and ecosystem. At a minimum, an independent, biologically-sound, environmental impact study should be mandated before any consideration be given. Please - "do the right thing".

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Monday, May 14, 2007 10:17 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Jennifer Tyminski
Address? 9118 Seminole
City? Redford Township
State? MI
Zip code? 48239
E-mail? jentyminski@hotmail.com
Phone Number? 313-715-8845
Post Comments on web site? yes

Comments? Questions:
Is the map that shows the lots at Bond Falls & posted to the uppac website accurate?

If yes, why wasn't it made available to the public by UPPCO?

Why haven't we seen the development plans for the other flowages where land has been sold to Naterra?

If this map is not accurate, when will UPPCO release the preliminary development plans for the lakes where land has been sold?

Whether or not the map is accurate, we all know the land will be developed. Why hasn't the impact the proposed development and private uses of the project lands will have on water quality been addressed in the draft Shoreline Management Plan.

Even though several of the lakes flow into rivers designated under the Wild & Scenic Rivers Act, the Draft SMP indicated that no special studies were planned because the flowages are not designated. This appears to be in conflict with the Wild & Scenic Rivers Act & I believe the issue of water quality as it pertains to these rivers must be addressed.

Thank you
Jennifer Tyminski
jentyminski@hotmail.com

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Monday, May 14, 2007 1:12 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Katie Alvord
Address? PO Box 516
City? Houghton
State? MI
Zip code? 49931
E-mail? ktalvord@myvine.com
Phone Number? 906-482-4364
Post Comments on web site? no

Comments? I STRONGLY OPPOSE CONSTRUCTION OF DOCKS as proposed by Upper Peninsula Power Company at Prickett Lake, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites. A full and adequate environmental impact report should be required of UPPCO in this matter.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Tuesday, May 15, 2007 5:51 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Darren Yirek
Address? 2405 Criswell Blvd
City? Beloit
State? WI
Zip code? 53511
E-mail? darrenyirek@charter.net
Phone Number? 608-295-9311
Post Comments on web site? yes

Comments? It is beyond me how people can destroy our landscapes, environment, and our serenity all for the love of money. Once you start digging, thats it, you have taken another piece of our northwoods away forever. Money comes and goes, but what you are proposing is final and permanent. How can you think that what you are doing is "good business" or a "nice development". It is money, and thats all it ever is, it has to be. No one who visits or lives in that area wants this, and if they don't then who does? The people who it means the least to are the ones who will be developing, and those people just follow the stench of money. We are at a very critical point with our (northwoods) environment, as well as the entire planet itself. If these developments don't happen, then what, someone doesn't get the new Benz they've been eyeing. This whole thing stinks of greed. If these plans go through I hope those responsible can answer for themselves to our children and their children. Maybe the responsible party can give them a new car or something shiny, because thats what all this is about. You are not fooling anyone.

Wolfe, Janet

From: Chris Gale [cbgale@up.net]
Sent: Wednesday, May 16, 2007 10:08 AM
To: Wolfe, Janet
Subject: UPPCO Impoundment sites

Janet: I have lived in the UP for nearly 40 years. My family has owned property in this area for nearly a hundred years. I have had the good fortune of being able to have access to the various impoundments within an hour or two of where I live, to go hiking, camping, fishing, boating, and picnicking with my family. The presence of docks at these locations for the benefit of a few, and to the detriment of all, is a bad idea. Removal of stumps which provide safe refuge for fish and other water-based wildlife is a mistake.

I understand the temptation to develop these lands in the short run for much needed funding to support power generation, but again, this is a bad idea. I am ready to pay for the true cost of energy, to keep what we have. As humans, we are simply the "owners" of the land for a very short time. We have a responsibility to be good keepers of the land. Think about the generations to come, the generations who have benefited to date, and what you want to leave as your own personal legacy. I cannot believe that the legacy that you, or anyone at UPPCO wishes to leave to future generations is the destruction of the waterfront and wildlife by a few who want docks and clear boating. Chris.

Christopher Gale
Buell Consulting, Inc.
54410 Old County Road
Calumet, MI 49913
Ph. 906-281-2161
FAX 906-337-6276
email: cbgale@up.net

Wolfe, Janet

From: Matt Van Grinsven [jahrift@hotmail.com]
Sent: Wednesday, May 16, 2007 11:35 AM
To: Wolfe, Janet
Subject: Comments on the Shoreline Management Plan

Fragmentation of wild area begins with seemingly small scale development. Collectively these individual development projects lead to more and more alteration of suitable habitat. Shoreline development will have dramatic impacts on wild game such as fish and birds, which brings in money to local economies. Shorelines are incredibly productive providing food and shelter for a diverse array of wildlife including loons, wood turtles, eagles, and sturgeon just to name a few. I strongly oppose construction of docks and all associated development proposed by the Upper Peninsula Power Company at Prickett (# 2402), Victoria (# 1864), Au Train (# 10856), Cataract (#10854), Boney Falls (#2506) and Bond Falls (# 1864) sites. Providing access to the general public to appreciate such areas is quite different than catering to large scale developers, who will potentially rid these areas of the very wildlife which attract people to these places. Environmental Assessment should be required of UPPCO, as I do not believe the Shoreline Management Plan is enough to ensure that these areas are properly managed and protected

Matt Van Grinsven
237 Wright St. Apt. #3
Hancock MI, 49930

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Wolfe, Janet

From: Elaine Dougovito [eladoug@up.net]
Sent: Wednesday, May 16, 2007 5:44 PM
To: Wolfe, Janet
Subject: Plea

Please consider leaving Prickett Dam and Bond Falls as is. It is a beautiful pristine area and it would be nice if it could stay that way. If you must sell it for financial gain, consider an agency who would not develop it. Thanks for your consideration. Elaine Dougovito, East Shoreline L'Anse Bay, 16683 Bayshore Rd. L'Anse, MI 49948

5/17/2007

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Wednesday, May 16, 2007 7:06 PM
To: Wolfe, Janet; elwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Thomas Hovel
Address? 6112 Creamery Court
City? McFarland, WI 53556
State?
Zip code?
E-mail? bearcub41@verizon.net
Phone Number? 608-838-3985
Post Comments on web site? yes

Comments? Dear Sir/Madam:

Please note my opposition to the development of current UPPCO/WPS property along or near the Bond Falls Flowage. In a time of rising energy costs, increased loss of natural teh natural environment due to development, and a decline in the overall quality of water resources, it appears that any typical ex-urban development will only exacerbate the destruction of the precious environment that is presented by the Bond Falls flowage. While much of the falls has been already effected by human's to produce energy, that should not provide any impetus to further effect the land area.

Insteady, I would suggest, that if development is to occur, a small eco-frendly development on a small amount of acreage that could be used as a model for other development. The development could be accomplished in accord with the new standards being developed by LEEDS. With such a development you can develop a small area, say 80 or less acres, and yet the environment remains protected and the resources remain in a viable long lasting manner.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Thursday, May 17, 2007 8:20 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?

Name? Jim Tyminski
Address? 9364 Tecumseh
City? Redford Township
State? MI
Zip code? 48239
E-mail? jimtyminski@hotmail.com
Phone Number? 313-937-8845
Post Comments on web site? yes

Comments? After reading the Draft Shoreline Management Plan, I am very upset to see that you are still planning for private lighted docks, pedestrian paths and at some flowages viewing corridors. I believe these uses will destroy the aesthetic qualities of these lakes and project lands. The shorelines should remain undisturbed. -

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Thursday, May 17, 2007 7:11 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?

Name? Suzanne Tyminski
Address? 9364 Tecumseh
City? Redford Township
State? MI
Zip code? 48239
E-mail? styiminski@hotmail.com
Phone Number? 313-937-8845
Post Comments on web site? yes

Comments? I am opposed to all private uses of the project lands, including lighted docks and paths. These paths, while technically "open to the public" will lead from the new lot owners private property to a private lighted dock. I do not support a public trail around the flowage. I believe it will only further fragment wildlife habitat.

Wolfe, Janet

From: webcommentform@uppco.com
Sent: Thursday, May 17, 2007 8:32 AM
To: Wolfe, Janet; elwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1854, 2402, 2506, 10856, 10854

Registration?
Name? Kenneth Kraft
Address? 41209 Pike River Road
City? Chassell
State? MI
Zip code? 49918-9307
E-mail? kkraft@portup.com
Phone Number? 906 523 4748
Post Comments on web site? yes

Comments? The decision to consolidate the public campgrounds was made without public input. The elimination of the dispersed campsites and campground redesign should be re-evaluated as part of the Shoreline Management Plan process. It should be a campsite design that most benefits the public.

I am opposed to any private lighted individual and cluster docks or viewing corridors at any of the flowages. None of these activities is consistent with the current license.

I want the Federal Energy Regulatory Commission to order a new Environmental Impact Study to assess the full impact of this development on the project lands.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Thursday, May 17, 2007 8:22 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Pat Olejniczak
Address? 9375 Beech Daly
City? Redford Township
State? MI
Zip code? 48239
E-mail? polenick1960@hotmail.com
Phone Number?
Post Comments on web site? yes

Comments? I am not impressed with UPPCO's increased "conservation areas". It is just an attempt to mitigate damage caused by private docks as well as trails and viewing corridors. I cannot support private docks on the project lands. Have any of the folks involved ever stopped even if for just a moment to think about the disruption of wildlife?

Wolfe, Janet

From: Lynette Potvin [lpotvin@mtu.edu]
Sent: Thursday, May 17, 2007 1:17 PM
To: Wolfe, Janet
Subject: Comments on Shoreline Management Plan

Janet Wolfe
Communications Manager
UPPCO
PO Box 130
Houghton, MI 49931-0130

I STRONGLY OPPOSE CONSTRUCTION OF DOCKS as proposed by Upper Peninsula Power Company at Erickett (Project No. 2402), Victoria (Project No.1864), Au Train (Project No.10856), Cataract (Project No.10854), Boney Falls (Project No. 2506), and Bond Falls (Project No.1864) sites. Given the complexity of this issue and the limited scope of the Shoreline Management Plan an Environmental Assessment should be required of UPPCO in this matter.

Sincerely,

Lynette Potvin
45304 Superior Rd
Houghton, MI 49931

MS candidate Forest Ecology and Management School of Forest Resources and Environmental Sciences Michigan Technological University

Wolfe, Janet

From: test [ngatta@jamadots.com]
Sent: Thursday, May 17, 2007 7:53 PM
To: Wolfe, Janet
Attachments: "AVG certification"

Dear Ms. Wolfe:

Please support the docks proposal for the Bond Falls development. As a teacher at Ewen-Trout Creek School, I see this development as a boon to our economy and to our school. The tax revenues generated by this can help save E-TC School, but without the docks, I cannot imagine that the land will look as attractive to potential buyers.

Thank you for your time.

Nancy Gatta

Wolfe, Janet

From: Elaine Dougovito [eladoug@up.net]
Sent: Wednesday, May 16, 2007 6:44 PM
To: Wolfe, Janet
Subject: Plea

Please consider leaving Prickett Dam and Bond Falls as is. It is a beautiful pristine area and it would be nice if it could stay that way. If you must sell it for financial gain, consider an agency who would not develop it. Thanks for your consideration. Elaine Dougovito, East Shoreline L'Anse Bay, 16683 Bayshore Rd. L'Anse, MI 49846

Wolfe, Janet

From: webcommentform@upperc.com
 Sent: Friday, May 18, 2007 9:22 AM
 To: Wolfe, Janet; alwarren@lamadots.com
 Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
 Name? Roseanna Larrin
 Address? 7999 1 1.2 Mile Road
 City? Trout Creek
 State? MI
 Zip code? 49967
 E-mail? rlarrin@msu.edu
 Phone Number? (506) 852-3224
 Post Comments on web site? yes

Comments? The SMP meeting held at E-TC school was the first UPPCO public meeting that I have attended and it was very disappointing. We are used to having public meetings with some kind of open forum and the way you conduct your public meetings is very controlled. Obviously, you do not want to hear what the public has to say through an open forum. I assure you we can conduct ourselves as responsible, calm adults. Demanding that we write out questions on cards allowing you to choose which questions you answer or which part of the questions you answer is not having an open, public meeting. It is manipulative and just another way to control information-- a symbol of the low regard you have for the people of this area to make informed, reasonable and rational decisions.

The SMP report itself is full of "carrots," what you think the people of this area would respond to. But, it is things that people like you and people who will be purchasing those lots, urban people, think are fine ideas. Many of us do not feel this way. We like Bond Lake as it is now, in its natural state. The things you are planning are things that may be found on any developed lake, any place in America. Bond Lake, as it is now, is not.

And, of course, everything that you are planning enhances the area for the urban people Naterra plans on anticing up here, as well as adding to your \$1 million contingency fee from Naterra. It is reprehensible that you represent these plans as "for the locals" when they are no such thing.

Your doublespeak is also demeaning. For example, referring to groups of docks as "cluster docks" is ridiculous--we recognize a planned marina when we see one.

E-PPCO's environmental study is flawed in major areas. I suspect that WhiteWater's is not. Please urge Naterra to release that environmental study to the public. A reality check is in order.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Friday, May 18, 2007 9:25 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Tim Krause
Address? 38585 Asbury Park
City? Clinton Township,
State? MI
Zip code? 48836
E-mail? krausemom78@hotmail.com
Phone Number?
Post Comments on web site? yes

Comments? My family for three generations have enjoyed the Bond Falls Flowage as area land owners and admirers of the natural beauty it holds. My father started coming here in the early 1950's, first hunting & then vacationing with the family, eventually buying property to insure his children & grandchildren would always enjoy this area. Now I feel the same way & my children do too. We have come to love the area, having camped & viewed the falls for 35 years. Now my grandchildren will be deprived of this because some people want to line their pockets with a get-rich-quick development. This development is going to destroy the beauty of a very serene area that people come from all over the world to see. We need to preserve the natural wild landscape & feel of this area for future generations to enjoy & experience. The falls, lake and land surrounding the lake are rare jewels that can only be found in the UP and when that peaceful quality is gone it is gone, never to be regained though development. The land was to be retained for conservation purposes, not intended for development by a greedy few, who intend to benefit from the destruction of the natural landscape. We hope you will do the right thing & stop this act in destroying the land & instead keep it as is for future generations to come to enjoy.

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Friday, May 18, 2007 4:21 PM
To: Wolfe, Janet; alvarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Raymond DaPra
Address? P.O. Box 83
City? Ironwood
State? MI
Zip code? 49938
E-mail? milo@portup.com
Phone Number? 906-932-0374
Post Comments on web site? yes

Comments? After reading the Draft Shoreline Management Plan, I am very upset to see that you are planning for private lighted docks, trails and pedestrian paths at all the six flowages. I do not support the storage of boats on the projects land or viewing corridors. I believe these uses will destroy the aesthetic qualities of these lakes and project lands. These uses are consistent with the license since the intent of the bufferzone is to protect these areas. The shorelines should remain undisturbed.

Wolfe, Janet

From: pfredendall [phyllis.fredendall@finlandia.edu]
Sent: Thursday, May 17, 2007 10:38 PM
To: Wolfe, Janet
Subject: lighted docks

Dear Ms. Wolfe,

I would encourage you to rethink the proposed developments on the dam sites Project Numbers 1864, 2402, 10856, 10854, and 2506.

I am particularly opposed to lighting areas that are not now lit. The habit is adversely affected as is for me the most precious and least appreciated asset we are quickly losing on this peninsula - the night sky.

Thank you for your time and consideration.

Phyllis Fredendall
936 Summit Street
Hancock, MI 49930
906-487-9271

Wolfe, Janet

From: Northwood Alliance [nwa@nnex.net]
Sent: Friday, May 18, 2007 10:42 AM
To: Wolfe, Janet
Subject: SMP comments

Janet Wolfe
Communications Manager
UPPCO
PO Box 130
Houghton, MI 49931-0130

Dear Ms. Wolfe;

As a coalition of citizens concerned for the integrity and quality of the UPPCO-held project lands surrounding reservoirs in the Upper Peninsula, the Northwood Alliance would like to express deep concern about recently developed Shoreland Management Plans. We feel these plans to be inconsistent with the uses described in the FERC license and unacceptable for maintaining a healthy shoreline that is also conducive to non-intrusive public use.

We strongly feel that these SMPs fail to account for important environmental characteristics of the respective shorelines. For example, the proposed shoreline uses are contradictory to maintaining the old growth forest type called for by the FERC license.

Additionally, in many cases there are no provisions to protect habitat or nesting sites of threatened or endangered species such as osprey or bald eagle. It is also widely demonstrated that human impacts such as clearing and dock building and the traffic that they allow adversely affect riparian areas and lead to erosion, loss of biodiversity, and degradation of water quality.

Proposed developments on project lands such as docks, boat slips, and viewing areas/walking paths for private landowners will inevitably impact the potential for public recreational uses of these reservoir shorelines. Hiking pathways will be impeded or interrupted, wilderness camping opportunities will be diminished, and fishing areas will be restricted. Aside from these concrete and logistic changes, the wilderness atmosphere of the area will be damaged by docks, dock lights, and cleared corridors, as well as the development proposed on the adjoining non-project lands.

The activities outlined in the SMPs do not appear to fit within the current and, in most cases, recently renewed FERC project licenses. The license objectives serve to protect and enhance the environmental, scenic, and recreational values of project lands, and proposed SMP activities on these project lands satisfy none of the above. The management plans in no way describe how docks, view corridors, or increased traffic are consistent with the federal goals for the project lands.

In all, we believe the SMPs for these flowages as they stand to be inadequate and grossly non-compliant with the intended uses of these lands.

Thank you for your time and the opportunity to comment on these plans.

Sincerely,

Joe Hovel
Northwood Alliance
6063 Baker Lake Road
Conover, WI 54519

cc. FERC

Wolfe, Janet

From: David Rulison [rulisond@hotmail.com]
Sent: Friday, May 18, 2007 8:26 AM
To: Wolfe, Janet
Subject: dams

Hello Janet,

I would like to take a few moments to comment on UPPCo's proposed development of Prickett Lake and other impoundments in the UP.

Straight out, I think it's a bad idea. I feel like we don't need any more "development" of this type anywhere in the UP, instead we need to preserve and protect more wild places, because we have less and less of them.

I know, from an economic point of view, it seems to make sense, to improve tax revenues, create some jobs, etc, but I think this could be achieved without changing the personality of the area.

If the sale of the lots and the, so called, development is inevitable, then why promote this action only to a high end, noisy, polluting type market?

Instead, why not market it to customer's looking for a beautiful, quiet, low impact setting that it is now, and emphasize the natural characteristics that currently define it, and write in sales agreements that demand it remain that way.

I feel that your proposals are really out of touch with the current demand for wild places in this county, and world for that matter, and that your short sightedness will result in degradation, not improvement, in the overall quality of life for the UP.

You need not look any further than the Grand Traverse area in the UP, to see what and why these types of actions are needed and necessary, and to see how preservation and development can work hand in hand, to benefit us all.

Thank you for your time.

Sincerely,

Dave Rulison

Peikie, MI

Wolfe, Janet

From: kristin tepsa [ktapsa@hotmail.com]

Sent: Friday, May 18, 2007 1:15 PM

To: Wolfe, Janet

Ms. Wolfe

I would like to voice my vehement opposition to UPPCO's proposed development of these sites. I have been fortunate enough to have been able to enjoy visiting these sites and their wild and natural beauty for many decades and hope for my offspring to be able to do the same.

Project No. 1864 (Bond and Victoria)

Project No. 2402 (Prickett)

Project No. 10856 (Au Train)

Project No. 10854 (Cataract)

Project No. 2506 (Boney Falls)

Kristin Tepsa

Houghton, MI 49931

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5/18/2007

Wolfe, Janet

From: Diane Miller [dimiller@mtu.edu]
Sent: Friday, May 18, 2007 3:46 PM
To: Wolfe, Janet
Subject: UPPCO's plan for development (project numbers 1864, 2402, 10856, 10854, and 2506)

I am registering my view on UPPCO's plan to develop lighted boat docks and viewsheds on the area reservoirs. Please do not do this. These lakes are appreciated for their wildness, and to change their character now would pose hazards to wildlife and change the spirit of the places. It would also violate the spirit (and perhaps the letter as well) of your original agreement regarding these properties.

Please allow for the continued protection of these places. Thank you.

Diane Miller

--

Diane Miller
Ph.D. Candidate
Department of Humanities
Michigan Technological University
1400 Townsend Drive
Houghton, MI 49931
(906) 370 1069

"If you can't find the truth where you are, where do you think you will find it?"--the Buddha

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Wednesday, May 16, 2007 9:54 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? James A. Pietila
Address? 8890 Della Drive
City? Woodruff,
State? WI
Zip code? 54568
E-mail? jim.pietila@bcpl.state.wi.us
Phone Number? 715-356-7076
Post Comments on web site? yes

Comments? Re: Draft Shoreline Management Plan for Bond Falls flowage. I've read most of the proposals for development of the flowage & certainly have no real concerns regarding the subdividing of private property. It's your property, do with it as you will. According to my understanding, the shoreline is a different story. The license granted the FERC for impounding of water dictated that the shoreline be used by the public & was signed by UP Power Co. officials and FERC. Now GREED enters the picture & UP Power want to get really rich (as does Naterra). If FERC would allow this change in shoreline management & allow docks of any kind on any of these flowages, it would be just another example of political corruption enhancing the rich. Please don't let this happen!

Wolfe, Janet

From: Graves [jsgaves@lds.net]
Sent: Friday, May 16, 2007 5:56 AM
To: Wolfe, Janet

It is my understanding that upcco plans to sell several parcels of land in the UP and that these lands abut forest land that is a vital habitat for wildlife. I also understand that the licenses that upcco holds on these lands to be sold require upcco to enhance wildlife habitat. Given these facts, I am astonished that upcco could even consider the building boat docks to aid residential development in these sites. It should not be allowed. You should reconsider the terms of your licenses. Sincerely James H. Graves M.D.

Wolfe, Janet

From: kgreen@skynet.net
Sent: Friday, May 16, 2007 1:40 PM
To: Wolfe, Janet
Subject: Project Numbers 1664, 2402, 10856, 10854, and 2506.

I urge you not to develop water shed areas , lakes, ponds, etc. owned by UPPCO as it is most likely to negatively effect wildlife.

Please seriously consider this request.

Kim K. Green
P.O. Box 371
Calumet, MI 49913

Sent through e-mol. E-mail, Anywhere, Anytime. <http://www.e-mol.com>

Wolfe, Janet

From: Michele Anderson [andersm2@sbcglobal.net]
Sent: Friday, May 18, 2007 5:38 PM
To: Wolfe, Janet
Subject: UPPCO reservoir plans: public comment

Janet Wolfe
Communications Manager
UPPCO
PO Box 130
Houghton, MI 49931-0130

Dear Ms. Wolfe:

This is to inform you that I strongly oppose construction of docks as proposed by the Upper Peninsula Power Company at Prickett, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites. I am referring to these projects:

Project No. 1864 (Bond and Victoria)
Project No. 2402 (Prickett)
Project No. 10856 (Au Train)
Project No. 10854 (Cataract)
Project No. 2506 (Boney Falls)

Given the complexity of this issue and the limited scope of the Shoreline Management Plan, an Environmental Assessment should be required of UPPCO in this matter. I understand that license agreements issued from the Federal Energy Regulatory Agency (FERC) for the generation of hydroelectric power require that UPPCO protect and enhance wildlife habitat, provide for public access and manage the forest for old-growth at these reservoirs. UPPCO's plans, which would threaten the health of forests, wood turtles, loons, eagles, migratory birds, and sturgeon appear to be contrary to these agreements.

I am also a customer of UPPCO and feel bad about supporting a company that puts profit above respect for the environment.

Thank you for considering these comments.

Sincerely,
Michele Anderson
Hancock, Michigan

5/18/2007

Wolfe, Janet

From: Diane Miller [dmiller@mtu.edu]
Sent: Friday, May 18, 2007 3:46 PM
To: Wolfe, Janet
Subject: UPPCO's plan for development (project numbers 1884, 2402, 10858, 10854, and 2506)

I am registering my view on UPPCO's plan to develop lighted boat docks and viewsheds on the area reservoirs. Please do not do this. These lakes are appreciated for their wildness, and to change their character now would pose hazards to wildlife and change the spirit of the places. It would also violate the spirit (and perhaps the letter as well) of your original agreement regarding these properties.

Please allow for the continued protection of these places. Thank you.

Diane Miller

Diane Miller
Ph.D. Candidate
Department of Humanities
Michigan Technological University
1400 Townsend Drive
Houghton, MI 49931
(906) 370 1069

"If you can't find the truth where you are, where do you think you will find it?"--the Buddha.

Wolfe, Janet

From: Rick Loduha [rick.loduha@finlandia.edu]
Sent: Friday, May 18, 2007 10:51 PM
To: Wolfe, Janet
Subject: docks

UPPCO...

I am writing to object to your plans to build docks at the hydro-electric reservoirs in your stewardship.

Such development will encourage the type of building that hardly fulfills the dictates of your licensing agreement, "...to protect and enhance wildlife habitat, provide for public access and manage the forest for old-growth..."

Please do not take this path.

Sincerely,
Rick Loduha

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Saturday, May 19, 2007 3:14 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? kevin botkins
Address? 4914 Hwy G
City? eagle river
State? wi
Zip code? 54521
E-mail? kevin@kevinskennel.com
Phone Number? 715 479 4188
Post Comments on web site? yes

Comments? I am writing to register my opposition to the planned docks on Bond Falls flowage. Hundreds of docks and paths and lights would diminish the aesthetic appeal of this area. The affect of docks on fish habitat is well documented and this project would adversely impact a fine fishery.

I also anticipate some confusion and conflict with this quasi-private property on public land. Adjacent landowners would feel they were afforded some sort of privilege that they aren't necessarily entitled to. Rifts are sure to develop between recreational users and homeowners.

Wolfe, Janet

From: mekindre@mtu.edu
Sent: Saturday, May 19, 2007 8:08 AM
To: Wolfe, Janet
Subject: reservoir development

Ms. Wolfe,

"Bread and circuses" is what kept the creaky, rotting old Roman Empire going longer than it should. Does America really need MORE ways to entertain itself by colonizing and technologizing yet more of its wilderness areas?

UPPCO can be a leader in environmental preservation and protection or it can become yet another ring-in-the-nose "grabacious" (Caribbean term for "greedy") follower as owner of pristine property that somebody wants to convert into \$\$\$\$\$\$.

We know that money speaks loudly and everything in America is justified on economic terms, so some of us must give voice to simply preserving non-vocal nature which operates without lust for money as its prime directive.

Please don't develop the reservoir areas!

Merle Kindred
Hancock, MI

Wolfe, Janet

From: webcommentform@uppsc.com
Sent: Sunday, May 20, 2007 7:40 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1854, 2402, 2506, 19856, 10854

Registration?
Name? Anna Drew
Address? 440 Cherry St.
City? Negaunee, MI 49866
State?
Zip code?
E-mail? Anna_may16@yahoo.com
Phone Number? 906 475 5729
Post Comments on web site? yes

Comments? NO DOCKS!

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Sunday, May 20, 2007 8:05 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Kathleen Krause
Address? 38585 Asbury Park
City? Clinton Township
State? MI
Zip code? 48036
E-mail? krausemom78@hotmail.com
Phone Number?
Post Comments on web site? yes

Comments? Save Bond Lake, please don't agree to putting in the docks. We are the caretakers for future generations. We love it the way it is, don't ruin it. Sen. Debbie Stabenow even people from Macomb County enjoy this beautiful place we expect you to step up and stop this! This was suppose to be for the public to enjoy in an environmentally safe way. Retain the natural beauty of the area. Save the Bond!!

Wolfe, Janet

From: Sue Ellen Kingsley [sekingsley@pasty.com]
Sent: Sunday, May 20, 2007 9:34 PM
To: Wolfe, Janet
Subject: NO DOCKS

NO DOCKS at Prickett, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites.

Sue Ellen Kingsley
53044 Hwy M203
Hancock MI 49930
(906) 482-6827
sekingsley@pasty.com

5/21/2007

Wolfe, Janet

From: Joanne Lynn Thomas [key1naw@yahoo.com]
Sent: Sunday, May 20, 2007 11:29 PM
To: Wolfe, Janet
Subject: The plan to develop boat docks.

Dear Ms. Wolfe,

Relating to Project Numbers 1864, 2402, 10856, 10854, and 2506.
The plan to develop lighted private boat docks and "viewsheds" on six, area hydro-electric reservoirs, (i.e., Prickett Dam, Bond Falls, Victoria Falls, Au Train, Cataract, and Boney Falls) which would enhance the sale-ability of adjacent lands which Uppco plans to sell to a developer, docks and development would, however, pose potential hazards to wildlife (loons, eagles, wood turtles, and migratory birds) and sturgeon.

Basically, UPPCO's plans violate the letter and especially the spirit of their original licensing agreement (administered by FERC, the Federal Energy Regulatory Commission.)

Please reconsider. Thank you,
Joanne L. Thomas
Allouez, Mi.

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5/21/2007

Wolfe, Janet

From: webcommentform@uppco.com
Sent: Sunday, May 20, 2007 11:54 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Tom Church
Address? PO Box 778
City? Watersmeet, MI
State? 49969
Zip code?
E-mail? CrookedLa@aol.com
Phone Number? 986-358-4171
Post Comments on web site? yes

Comments? As a member of the Western Focus Group, which was assembled to provide input for the Shoreline Management Plans, I do not feel that UPPCO has done justice to the input received from the Focus Group members. UPPCO wants to provide private docks on Project Lands to maximize profits from the sales of Non-Project Lands, and they have used the Shoreline Management Plans to circumvent the Focus Groups, the Public and the requirements of the FERC license.

Watersmeet Township Board, on which I serve, has voiced its opposition to private docks on Project Lands, unless those docks are available for use by the public. That simple request of public access to any docks on Project Lands has apparently been rejected by UPPCO. This clearly indicates to me that UPPCO's attitude of maximizing profits comes before the requirements of the FERC license or the desires and needs of the Public.

I strongly urge FERC to reject the proposal from UPPCO for private docks on Project Lands, and that FERC hold UPPCO to the requirements of the licenses for all of these projects. It is important that FERC work for the public good in the review and enforcement of these licenses.

Wolfe, Janet

From: Louie Dombroski [louie_dombroski@yahoo.com]

Sent: Sunday, May 20, 2007 10:39 AM

To: Wolfe, Janet

Subject: Protecting Wild Reservoirs

I AM STRONGLY OPPOSED TO THE CONSTRUCTION OF DOCKS at Prickett, Victoria, Au Train, and Bond Falls sites as proposed by the Upper Peninsula Power Company. The Shoreline Management Plan was inadequate and did not consider all of the important Assessment should be required of UPPCO with regards to this issue. Increased access does not have to mean motorized access, which will harm not only wildlife. Thank you for considering my views.
Louie Dombroski
McMillan, MI

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5/21/2007

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Sunday, May 20, 2007 10:45 AM
To: Wolfe, Janet; alwarren@jamedots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? Louie Dombroski
Address? 24236 CR 438
City? McMillan
State? MI
Zip code? 49853
E-mail? louie-dombroski@yahoo.com
Phone Number? 906-291-0291
Post Comments on web site? no

Comments? I AM STRONGLY OPPOSED TO THE CONSTRUCTION OF DOCKS as proposed by Upper Peninsula Power Company at Prickett, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites. Given the limited scope of the Shoreline Management Plan, an Environmental Assessment should be required of UPPCO in this matter. Let's preserve these sites not just for wildlife, but for people who want to enjoy them quietly. There are too many lakes in our state already that allow motorized travel. Thank you for considering my views.

Wolfe, Janet

From: Linda Cree [cree@linda@hotmail.com]
Sent: Sunday, May 20, 2007 10:46 AM
To: Wolfe, Janet
Cc: cree@linda@hotmail.com
Subject: Upper Shoreline Management Plan

Dear Ms. Wolfe,

I'm writing to express my opposition to the construction of docks by UPPCO at Au Train, Victoria, Prickett, Cataract, Bond Falls, and Boney Falls.

I think most of us who live in the U.P. enjoy its rural-wilderness character and realize how rare this has become in our super-industrialized, highly urbanized world. Protecting the lakes from over-development is important to more than just Yoopers, however. Everyone in Michigan and beyond our borders can benefit from the rich biodiversity and the natural beauty we have in the U.P. We need to take such values seriously, and do our part to protect and enhance this land.

Be a good neighbor. No docks, please.

Sincerely,

Linda Cree
108 Winberg Rd.
Skandia, MI 49885

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Wolfe, Janet

From: Aimee Cree Dunn [starrivers@hotmail.com]
Sent: Sunday, May 20, 2007 1:11 PM
To: Wolfe, Janet
Subject: Upper Shoreline Management Plan

Dear Ms. Wolfe:

I want to register my opposition to UPPCO's proposed dock construction at Au Train, Victoria, Prickett, Cataract, Bond Falls, and Boney Falls. These areas are not the right areas for this sort of construction.

Listen to those of us who live here, who have lived throughout the northern Great Lakes region all our lives -- keep the U.P. wild! No to UPPCO's proposed dock construction! What a violation of the public trust.

Aimee L. Dunn
108 Winberg Rd.
Skandia, MI 49885

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Wolfe, Janet

From: WILDLANDCO@aol.com
Sent: Monday, May 21, 2007 11:43 AM
To: Wolfe, Janet
Cc: WILDLANDCO@aol.com
Subject: Protect Bond Falls, Prickett, Victoria, Au Train, Boney Falls, Cataract

May 21, 2007

RE: Project No. 1864 (Bond and Victoria)
Project No. 2402 (Prickett)
Project No. 10856 (Au Train)
Project No. 10854 (Cataract)
Project No. 2506 (Boney Falls)

Janet Wolfe
Communications Manager
UPPCO
PO Box 130
Houghton, MI 49931-0130

Dear Ms. Wolfe:

The purpose of this letter is to oppose construction of docks and other development as proposed by Upper Peninsula Power Company at Prickett, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites. Given the complexity of this issue and the limited scope of the Shoreline Management Plan, an Environmental Assessment should be required of UPPCO in this matter. UPPCO has the opportunity to be a good steward of these pristine natural areas. Please reconsider these short sighted development plans.

Thank you for your consideration.

Gina Nicholas
13992 Smith Fisheries
Mohawk, MI 49950

See what's free at <http://www.aol.com>.

Wolfe, Janet

From: Christine Saari [singer139@hotmail.com]
Sent: Monday, May 21, 2007 6:00 AM
To: Wolfe, Janet
Cc: jsaari@nmu.edu
Subject: UPPCO reservoirs and Environmental Assessment

Janet Wolfe
Communications Manager
UPPCO

Dear Ms. Wolfe,

I am writing as a long-time user of several of the reservoirs that UPPCO has managed, under FERC regulations, for many years. I am concerned that major changes will occur through the sale of these lands to a Minnesota-based developer, and think that an Environmental Assessment is in order to assess these potential changes. UPPCO is charged with maintaining the wildlife habitat and wild nature of these places, which means they should stay pretty much as they are. The nights need not be illuminated by dock lights, the viewsheds enlarged through paths and tree cutting, the waters changed through docks and stump removal. These are big changes -- not to mention the residential development set back but very close to these water bodies -- and do not appear to me consistent with UPPCO's stewardship of these lands and waters.

I have often in the past fished the waters below Prickett Dam. One year I had the unusual experience of watching a huge sturgeon moving upstream to spawn. I have also found, and collected the shells of wood turtles along this stretch of water. Both species deserve special attention, and any changes to Prickett Dam reservoir (Project No. 2402) must include a consideration of the impacts on these two species.

Victoria Reservoir (Project No. 1864) is also a special concern for me. This reservoir lies within the Ontonagon River system, which is partially protected under the federal Wild and Scenic Rivers program. To the West along the river is thirty miles of Ottawa National Forest, much of it along the Trap Hills escarpment-- a special corner of the U.P. that deserves enhanced protection as a national treasure. Victoria Reservoir is a wild place today, and I find the prospect of residential settlement near its shores incompatible with this wild character (as seen in the river system and in the Trap Hills). This is not a well used recreational corridor, like Bonny Falls (Project No. 2506) or Bond Falls. These differences among the reservoirs should also be noted in an Environmental Assessment of all six reservoirs, for each of them has a different character.

The days are long gone when it was the task of public bodies to facilitate the exploitation of natural resources for private gain. The presumption today is that private gain must be rigorously justified, when it affects other values negatively. The sale and private reconfiguration of these six reservoirs is such a case for rigorous public review.

Thank you for hearing my views.

Jon Saari
120 E. Park Street
Marquette, MI 49855

c. FERC

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Wolfe, Janet

From: Rosemary [rgrier@remc1.net]
Sent: Monday, May 21, 2007 11:08 PM
To: Wolfe, Janet
Subject: SMP

To Janet Wolfe,

I am a resident of the Western U.P. and I strongly oppose the language in the draft SMP that would forever negatively alter the unique wilderness areas of all the UPPCO impoundments in this vicinity.

Rosemary Grier

*** This Email was sent by an educator at Dialin Users in REMC #1.

Wolfe, Janet

From: Ann Pace [apace@charter.net]
Sent: Monday, May 21, 2007 11:24 PM
To: Wolfe, Janet
Subject: Dock Construction

I am strongly opposed to the docks that UPPCO is proposing to build on various sites in the UP. These are Project No. 2506, Project No. 10854, Project No. 10856, Project No. 2402 and Project 1864 (Boney Felle, Cataract, Au Train, Prickett and Bond and Victoris). These proposed projects and other aspects of UPPCO's "Shoreline Management Plans" seem inconsistent with UPPCO's legal obligations to protect and enhance wildlife habitat.

I believe they do not serve the long-term public good.

Ann Pace
1124 Bigsbee St.
Hancock MI 49930
Phone: (906) 482-5413
Cell: (906) 370-5439

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Monday, May 21, 2007 11:25 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? John Slivon
Address? 1124 Sigsbee St.
City? Hancock,
State? MI
Zip code? 49930
E-mail? john@jrsdesign.net
Phone Number? 906-482-5413
Post Comments on web site? yes

Comments? I STRONGLY OPPOSE CONSTRUCTION OF DOCKS as proposed by Upper Peninsula Power Company at Prickett, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites. Given the complexity of this issue and the limited scope of the Shoreline Management Plan an Environmental Assessment should be required of UPPCO in this matter. UPPCO must be made to comply with its legal agreement to protect wildlife as part of its agreement to use these areas for the generation of power.

Wolfe, Janet

From: John Slivon [frogs@charter.net]
Sent: Monday, May 21, 2007 11:47 PM
To: Wolfe, Janet
Subject: project nos. 1864, 2402, 10856, 10854, and 2506

I STRONGLY OPPOSE CONSTRUCTION OF DOCKS as proposed by Upper Peninsula Power Company at Prickett, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites. Given the complexity of this issue and the limited scope of the Shoreline Management Plan an Environmental Assessment should be required of UPPCO in this matter. UPPCO apparently agreed to protect wildlife as a condition to generate power on these waterways and must be held to that agreement. Building docks and disrupting the surrounding land will not do anything to protect wildlife and can only be detrimental to wildlife.

John Slivon

Wolfe, Janet

From: Connie Sherry [csherry@up.net]
Sent: Monday, May 21, 2007 2:32 PM
To: Wolfe, Janet
Subject: Shoreline Management Plans

To Whom it may concern:

I am a native Yooper who now lives in Iron County, but come from Houghton County. For years, the public has had access to the wonderful wilderness lakes of the dam impoundments at Victoria, Prickett, and Bond Falls dams. IF this must change, I urge you to keep it safe for wildlife by keeping the wilderness character of those bodies of water.

I am opposed to language in the draft SMP's that would alter the wilderness character of the UPPCO impoundments in the Western UP.

Thank You,
Constance Sherry

5/21/2007

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Monday, May 21, 2007 3:03 PM
To: Wolfe, Janet; a1warren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name? James Rein
Address? 420 Pennsylvania Avenue
City? Ontonagon
State? MI
Zip code? 49953
E-mail? jelsrein@charter.net
Phone Number? (906) 884-2903
Post Comments on web site? yes

Comments? I am a 20 year landowner of property on Bond Flowage and an avid outdoor enthusiast who has extensively utilized the flowage areas for numerous recreational opportunities. UPPCO has never permitted us or our neighbors to have private docks. UPPCO's corporate policy has always prohibited private docks in the FERC project lands.

Only after the sale of non-project lands to Naterra, UPPCO now claims private docks for the new Naterra lot owners are appropriate. The question is "Why?" The answer is "An extra \$3,000,000.00 dollars."

As a landowner who is intimately familiar with this entire flowage area, I totally disagree with UPPCO's present contentions. The highly fluctuating water levels alone, are not conducive to docks of any kind. Additionally, private docks seem to directly contrast with the terms and spirit of the FERC licensing agreements. I believe private docks and other exclusive amenities planned for the Naterra lot owners, are not consistent with the FERC license requirements of "enhancing and protecting the scenic, recreational and environmental values of the hydro project."

I support and echo the requests of over 1700 individuals, who urge FERC to order a new EIS to determine the cumulative effects these development proposals will have on the sensitive environment, ecosystems, aesthetic beauty, recreational opportunities, and abundant and varied wildlife species of the flowages. I also support and echo the request for COS studies and request that the campground displacements be rescinded and re-examined as part of the SMP's, so adequate public involvement can be undertaken and any changes will be fair to the public, instead of what has happened with removing the previously dispersed campsites.

Also, private docks will obstruct the presently existing unencumbered public access enjoyed by thousands of visitors to Bond every year. As a landowner who will be adversely affected by the Shoreline Management Plans, I vehemently oppose the UPPCO/WPS & Naterra plans.

Keep your promises, UPPCO/WPS and manage these flowages for the public.
Do the right thing and stop the docks.

No private docks in the FERC project lands. NO DOCKS!

Sincerely,

James Rein
Ontonagon, MI and Bond Falls Flowage

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Wednesday, May 23, 2007 12:17 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1854, 2402, 2505, 10856, 10854

Registration?

Name? Wade Fleming

Address? 13988 Cemetery Road

City? Bruce Crossing MI, 49912

State?

Zip code?

E-mail? wadefleming@hotmail.com

Phone Number? 1-905-235-0666

Post Comments on web site? yes

Comments? Enhanced viewing areas? I don't think looking at 424 houses and docks will enhance anything! Private trails connecting with public trails isn't a good idea it'll j create problems between the general public and the pickers. The development on any of these flowages isn't a good development!

From: webcommentform@uppac.com
Sent: Friday, May 25, 2007 10:50 AM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration?
Name?
Address?
City?
State?
Zip code?
E-mail?
Phone Number?
Post Comments on web site? yes

Comments? I STRONGLY OPPOSE CONSTRUCTION OF DOCKS as proposed by Upper Peninsula Power Company at Prickett, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites. Much of the UPPCO-owned land on these reservoirs is surrounded by National Forest and has been protected for many generations. I believe maintaining private docks on regulated reservoirs for the purpose of making them more attractive to developers deviates from the intent of the hydro-license agreements. Given the complexity of this issue and the limited scope of the Shoreline Management Plan an Environmental Assessment should be required of UPPCO in this matter. My comments apply to all of the projects listed below:

Project No. 1864 (Bond and Victoria)
Project No. 2402 (Prickett)
Project No. 10856 (Au Train)
Project No. 10854 (Cataract)
Project No. 2506 (Boney Falls)

The UP is a special place to live and enjoy. It would be a shame to develop all/much of the shoreline of the lakes and reservoirs as is the case in lower Michigan. In the UP, much of the development on water bodies is for summer time use only. In the Keweenaw Peninsula, shoreline that has been open to the public for generations has been sold and 4000 sq. ft. houses have been built on the shoreline. These huge homes are used for maybe six weeks out of the year. However, the landscape has been permanently altered, and the public can no longer enjoy the shoreline. Please preserve the special areas listed above for wildlife, natural beauty, and natural enjoyment.

Norma Veurink
813 W. Edwards
Naughton, MI 49931

Wolfe, Janet

From: webcommentform@uppac.com
Sent: Tuesday, May 29, 2007 11:20 PM
To: Wolfe, Janet; alwarren@jamadots.com
Subject: UPPCO Shoreline Management Plan Comments

This E-mail contains comments regarding Projects 1864, 2402, 2506, 10856, 10854

Registration? Fedina
Name? Victoria James
Address? 106 N. 4th St.
City? Ontonagon
State? MI, 49953
Zip code?
E-mail? vjamesi@charter.net
Phone Number? 906-884-6103
Post Comments on web site? yes

Comments? I have already sent my Focus Group comments to UPPCO/WPS/Naterra seperately, and to FERC a few days ago. If WPS/Naterra had been honest about their recent disclosures during the relicensing process, my feelings may have been different.

I support well-thought out development in our area; after all, we live here, and we need a sustainable economy. However, the cavalier methods employed by UPPCO/WPS/Naterra lead me to seriously doubt whether this venture is the kind of economic development that the area desperately needs.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 59

13 April 2007

**PUBLIC COMMENTS FROM AMY CLICKNER,
LAKE SUPERIOR COMMUNITY PARTNERSHIP**

ORIGINAL



Lake Superior Community Partnership, INC.

1-888-57UNITY • www.marquette.org • mqinfo@marquette.org

Upper Peninsula Area Chamber of Commerce
600 Palms Avenue • Ishpeming, MI 49849
(906) 486-4841 • FAX (906) 486-4850

Marquette Area Chamber of Commerce
507 S. Front Street • Marquette, MI 49855
(906) 226-6391 • FAX (906) 226-2099

April 13, 2007

Magalie Roman-Salas, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, D.C. 20426

RE: FERC No. 10854 Cataract Project
FERC No. 2506 Boney Falls Project

2007 APR 19 P 4: 30

Dear Secretary Salas:

The Lake Superior Community Partnership (LSCP) supports the Shoreline Management Plans submitted by the Upper Peninsula Power Company for the use and development of the Cataract and Boney Falls Reservoirs in Marquette County, Michigan.

LSCP participated as a member of the local Focus Group regarding the use of these sites and the process allowed over many months for input and consideration of the recommendations from interested parties, including environmental, hunting and fishing business and governmental representatives. In addition to this consultation with a diverse group of stakeholders, we know that also UPPCO conducted public presentations and opportunities for citizens to comment at them and met with officials from local, state and federal government and state and federal resource agencies. We are also pleased that UPPCO offered an SMP public comment period.

From an economic and community development perspective, we are pleased that public access to these reservoirs will be preserved, while allowing for residential opportunities in a beautifully preserved natural setting. The plan provides an opportunity for local contractors to build lakefront homes and provides tax base expansion for local townships. We view this as an opportunity to enhance access to our natural environment, increase opportunity for the general public and tourists to utilize these sites and create jobs and tax revenue for our county and local community.

We appreciate the opportunity to participate in this collaborative effort, and endorse and support the final Shoreline Management Plans after reviewing the draft plans and final environmental reports produced by a nationally-known and respected firm.

We look forward to working with UPPCO and the Naterra Land Company to promote the natural beauty of our area to local residents and seasonal visitors.

Sincerely yours,

Amy Checkner
Amy Checkner, CEO

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 60

7 May 2007

PUBLIC COMMENTS FROM RONALD BACKUS

May 7, 2007

VPPCO: ORIGINAL

We have been very disappointed with
 what seems a betrayal of the interests
 of residents and vacationers by VPPCO
 since we had thought the lands and
 waters held by them were in trust
 all, in the return for VPPCO's use
 of our waters to produce electric power
 for profit. Sale to a development company
 for development of lake front lots is not
 in the public interest.

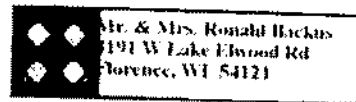
FILED
 OFFICE OF THE
 SECRETARY
 2007 MAY 14 P 4:12
 FEDERAL ENERGY
 REGULATORY COMMISSION

We do not expect a change in
 this for profit business decision, but
 we do hope that public agencies
 (FERC & others) will ensure adequate
 to environmental loss and reduce the
 negative impacts of development.

We hope VPPCO will consider the
 well being of our people and our
 unique places.

Project Numbers
 10854, 2402, 1864,
 10856, 2406.

Ronald H. Backus



Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 61
8 May 2007
PUBLIC COMMENTS FROM TOM WOLFE

P-10854
P-2402
1864
P-10856
P-2406

ORIGINAL

17439 N Cemetery Rd
Ewen, MI 49925

May 8, 2007

OFFICE OF THE
SECRETARY

2007 MAY 15 P 3:51

NOT RECORDED

Upper Peninsula Power Company
P O Box 130
Houghton, MI 49931
Attention Janet Wolfe

Dear Ms Wolfe

Over the past year, I attended several meetings hosted by UPPCO. I had hoped I would be permitted to speak and ask questions. Instead, UPPCO made a mockery of this important "public" process. Questions had to be written on cards only to be screened by the facilitator. We were told we could not ask any questions about the proposed development or the impact the development would have on the flowages. When a question was read, it was only partially answered, if it was answered at all. Follow-up questions were not permitted. UPPCO told us only what they wanted the public to hear.

I am a property owner on Calderwood Rd, (Interior Township) and do not believe docks should be permitted at Bond Flowage or any of the other flowages in the U.P.

I must use the public access to launch my boat and then take it home at the end of the day or according to the draft SMP, pay to use a "public dock". I believe the new lot owners should follow the same restrictions the rest of us do. As an avid fisherman and hunter, I believe care must be taken to protect the natural resources of the area. The placement of lighted docks, electric hoists and trails within the project lands will cause irreparable damage, particularly affecting the wildlife habitat and the aesthetic values of the flowages. None of these uses should be permitted.

Sincerely,

Tom Wolfe

Tom Wolfe
Copy to FERC (P-1864)

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 62
9 May 2007
PUBLIC COMMENTS FROM ROBERT R. HAGEN, JR.

ORIGINAL

FILED
OFFICE OF THE
SECRETARY

2007 MAY 14 P 4: 24

FEDERAL ENERGY REGULATORY COMMISSION

4815 Culver Road
Golden Valley, MN 55422

May 9, 2007

Magalie Roman Salas, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Dear Ms. Salas:

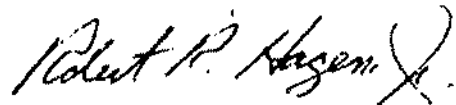
I am writing to register my opposition to the planned easements to the Upper Peninsula Power Company's Shoreline Management Plan (SMP) for Projects Numbers: 10854 (Cataract), 2402 (Prickett), 1864 (Bond/Victoria), 10856 (AuTrain) and 2406 (Boney Falls).

My opposition is based on the harm such easements will do to the scenic, recreational and environmental values of the surrounding areas. I am a native of Houghton, Michigan and was a long-time stockholder in the Power Company. I am appalled at the lack of concern for the natural environment displayed by the Power Company's SMP. Once developed, such lands are lost to the public forever. The least the FERC can do is to exercise its responsibility to the environment and minimize the harm done. I do not want the Upper Peninsula of Michigan, my home area to which I plan to retire, to turn into another Cape Cod where you have to drive for miles without a view of the ocean due to private development.

Once private development occurs, there is no going back. The least the federal government can do is perform its duties as a steward of public resources.

Thanks you very much for your attention to this matter.

Sincerely,



Robert R. Hagen, Jr.

cc: Janet Wolfe, UPPCO

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 63

12 May 2007

**PUBLIC COMMENTS FROM JONATHAN MEAD,
UPPER PENINSULA ASSOCIATION OF COUNTY COMMISSIONERS**



U.P. Association of County Commissioners

P.O. Box 606
2501 14th Avenue South
Escanaba, MI 49829

906.786.4701 • Fax 906.786.5853
www.upcap.org

WHEREAS, Upper Peninsula Power Company has unveiled Shoreline Management Plans for project lands at its five hydroelectric projects (Numbers: 2402, 10854, 2506, 10856 and 1864) located in numerous U.P. counties; and,

WHEREAS, the Shoreline Management Plans include proposals to protect the environment and enhance recreational opportunities for citizens at the flowages, as well as ensure that proposed activities are consistent with the purposes of protecting and enhancing the scenic, recreational and other environmental values of each project; and,

WHEREAS, these draft plans were developed based on more than 14 months of input from state and federal resource agencies, local government officials and the public. In addition, UPPCO conducted focus groups consisting of various stakeholders, including representatives from county and township boards, hunting and fishing interests, outdoor enthusiasts and economic development. UPPCO also conducted public meetings and invited comments from citizens concerning the plans. The company also engaged the public over many months regarding plans to sell UPPCO private property at the five hydroelectric projects; and,

WHEREAS, the flowages these Plans address will continue to be open for people to use alongside numerous acres of U.P. acres already available to citizens, including state and federal lands such as the Hiawatha and Ottawa National Forests that are off limits to development; and,

WHEREAS, it is projected that any development resulting from the sale of property at the projects will over time assist the U.P. construction trades industry, help local businesses and grow local tax bases to the benefit of schools, as well as township and county units of government and the programs and services they provide to citizens. Broadening the tax base in U.P. counties is welcomed, recognizing the state's current financial status and economic outlook; now therefore,

BE IT RESOLVED, that the Upper Peninsula Association of County Commissioners (UPACC) hereby approves this resolution of support for the Plans with the expectation that UPPCO will continue working with local units of government and other stakeholders as the process continues and directs that a copy of this document be transmitted to U.P. Power Company and appropriate state and federal officials.

Jonathan Mead, UPACC Secretary

May 12, 2007

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 64
14 May 2007
PUBLIC COMMENTS FROM HENRY DE GROOT,
WELLS TOWNSHIP BOARD

**WELLS TOWNSHIP
MARQUETTE CO.**

FILED
OFFICE OF THE
SECRETARY
2007 MAY 21 P 3 38
FEDERAL ENERGY REGULATORY COMMISSION

May 14, 2007

Magalie-Roman Salas
Federal Energy Regulatory Commission
888 First Street NE
Washington, D.C. 20426

Concerning: Project Boney Falls 2506

Dear Magalie-Roman Salas

I wish to inform you that the Wells Township Board has reviewed the Boney Falls "Shoreline Management Plans."

Our Board is encouraged and pleased that planned development resulting from these Plans would as time progresses help improve the economic climate of our township, providing a needed new tax base increase, thereby providing needed resources to our citizens by our government and county.

The plan provides an opportunity for local contractors to build waterfront homes assist local building supply firms and provide additional jobs. All this assistance is welcome, given our state and region's challenging economic times.

Further, the additional tax revenue generated would be a great asset to the Wells Township School District (K-8) which is struggling under current state budget conditions.

The Board also views this as an opportunity to enhance access to our natural environment, to promote the natural beauty of our area to local residents, the general public and tourists to utilize these sites.

We are please the environmental protection and recreational improvements have been proposed. We call your attention to information in the Plans about property around these flowages the public now use and will continue using in addition to utilizing Boney Falls.

In closing, we offer our support for the Plans with the request that UPPCO continue working with local stakeholders.

Sincerely,


Henry De Groot, Supervisor

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 65
15 May 2007
PUBLIC COMMENTS FROM GERALD O. CORKIN,
MARQUETTE COUNTY BOARD OF COMMISSIONERS

**MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF
SHORELINE MANAGEMENT PLANS FOR
UPPER PENINSULA POWER COMPANY'S
CATARACT AND BONEY FALLS FLOWAGES**

WHEREAS, the Marquette County Board of Commissioners has reviewed in consultation with the County Planning Commission proposed Shoreline Management Plans for Upper Peninsula Power Company's Cataract (#1084) and Boney Falls (#2506) flowages; and


WHEREAS, these plans were developed based on over 14 months of input from resource agencies, local and state government leaders, the public and a UPPCO focus group that included representatives from this board and several townships, as well as outdoor enthusiasts and the Lake Superior Community Partnership, which the Board notes has gone on record in support of the plans. The draft plans include recreational enhancements for the public good and proposals to protect the environment and promote responsible development; and

WHEREAS, it should be noted that the project lands at these flowages will remain open for public, allowing Boney Falls and Cataract to continue being resources for people to use alongside more than 280,000 acres of land open to the public in Marquette County, as well as 416,000 acres in the Escanaba River State Forest of the Central Upper Peninsula; and

WHEREAS, the Board notes that UPPCO's non-project lands sold at these flowages are expected over time to play a role in diversifying the County's economy. Given this time of uncertainty about future state aid to local units of government and the Michigan economy, the Board welcomes development that would broaden the Marquette County tax base and provide new revenue to help fund services citizens rely on from local government, as well as help the construction trades industry. Any new tax base will also be of help to applicable K-12 Public and Intermediate School Districts.

NOW THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners hereby offers support for the Shoreline Management Plans and that a copy of this Resolution is transmitted to appropriate UPPCO and government officials.

Adopted this 15th day of May, 2007



Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

May 8, 2007

Honorable Chair and Members of the
Marquette County Board of Commissioners

When the Committee of the Whole met on Tuesday, May 8, 2007, they considered a recommendation from the Marquette County Planning Commission review of the Draft Shoreline Management Plans for the Cataract Basin and Boney Falls.

Dottie Lewis, Planner, was present to answer any questions. During the regular scheduled meeting on May 2, 2007, the Marquette County Planning Commission reviewed the Draft Shoreline Management Plans for the Cataract Basin in Forsyth Township, and the Boney Falls Basin in Wells Township. The plans were prepared by the Upper Peninsula Power Company (UPPCO) as a Federal Energy Regulatory Commission requirement. UPPCO developed the plans in response to the recent UPPCO non-project land purchases by Nantera Land Company surrounding the two basins. The Planning Commission reviewed the Draft Plans for planning process and consistency with the Marquette County Comprehensive Plan.

The planning process involved input from members of focus groups, local government officials, and the general public. All proposed recreation enhancements would be located on the project lands according to the land's classification. Classification was determined according to field investigations that determined land suitability and resource inventory. In addition, the proposed recreation enhancements would be designed and funded by UPPCO.

According to the Marquette County Comprehensive Plan Recreation Policies, the County is encouraged to promote the cooperation among government units, other public and private organizations, and businesses in developing recreational programs and facilities.

The Planning Commission agreed that UPPCO's proposed recreation enhancements to the Cataract Basin and Boney Falls are which include the design, development, maintenance and operation of trails, fishing piers, historical interpretive maps, bathymetric maps of the water flow, dock systems and recreational brochures would be a benefit to Marquette County. Commissioners unanimously agreed that the proposed enhancements would increase the surrounding property values and therefore increase taxes to the municipalities.

The Marquette County Planning Commission fully supports the recreational enhancements proposed in the Draft Shoreline Management Plans for the Cataract and Boney Falls basins.

It was moved by Comm. Bergdahl, seconded by Comm. Heikkila, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board support the Draft Shoreline Management Plans for the Cataract Basin and Boney Falls.

Respectfully submitted, COMMITTEE OF THE WHOLE

David Carburn
Chair

B. L. Lu
Vice-Chair

[Signature]
[Signature]
[Signature]

[Signature]
[Signature]
[Signature]

Approved
5-15-07
[Signature]

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 66
16 May 2007
PUBLIC COMMENTS FROM STEVE HOVEL

ORIGINAL

RE: P- 1864, 2402, 10856, 10854, 2506
RE: The application by UPPCO and its SMP for all of the above
Attention:
Janet Wolfe communications manager UPPCO
CC: Kimberly D. Bose Federal Energy Regulatory Commission

FILED
OFFICE OF THE
SECRETARY

2007 MAY 16 P 3 17

Dear Janet and Kimberly,

I oppose modifications to the original license, and I oppose the new SMP as proposed by UPPCO.

As I viewed the SMP's for Bond and Prickett and looked at the maps of the areas it is clear that the human disturbance will fragment the ecosystem. I am a retired Environmental Science Instructor, and in my analysis to allow development of building sites and then piers and docks as proposed would certainly interfere with the contiguous habitat requirements of a number of species.

While many species can adapt to humans including whitetail deer and the skunk, it is the much rarer and endangered or threatened species that will not be able to adapt.

All species have a Zone of Tolerance shaped like a bell shaped curve, now divide that bell with 5 vertical zones with the center being the optimum range, every species has its own range of what it can tolerate and thus its own bell shaped curve for every environmental factor, such as temperature, sunlight, rainfall, competition on and on, including man made factors such as noise, as well as habitat fragmentation. When a species is forced to try to live out side of its optimum range it encounters stress.

This could result in a variety of consequences ranging from poor reproduction (to no reproduction) to loss of the species. The species may simply move and leave the area (emigration) or may perish while trying to adapt. Plant species can not pack up and go. A coyote could adapt the timber wolf would not, the whitetail deer would adapt the Moose would not, now include all species including migratory song birds. (The US Army Corps of Engineers can update you on the Federal Migratory Bird Act which would have an impact on the wetland areas such as flood plain next to all rivers.) In addition human disturbance will lead to the intrusion of a number of invasive species or "non natives".

It is well documented that the number one cause of a loss of species is loss of habitat. Today unless there is a natural disaster the main cause of a loss of habitat starts with fragmentation of the original habitat by humans. Add to this other environmental factors such as climate change and the ecosystem is severely stressed, and finds itself in an artificial zone of tension. Plant species and everything else associated would be altered forever.

I am not opposed to sales to some types of conservation minded groups, nor am I opposed to all types of development. But to take these large tracks of land and change their management to allow for multiple building sites and water access would be a fatal blow to the ecosystem as it has evolved over the thousands of years since the glaciers.

Sincerely,

Steve Hovel
Steve Hovel

W6054 Creamery Road Fort Atkinson, WI. 53538
hovelc@compuserve.com

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 67
17 May 2007

PUBLIC COMMENTS FROM JIM LYONS

ORIGINAL

Jim Lyons
POB 698
Buxton NC, 27920

FILED
OFFICE OF THE
SECRETARY
MAY 23 P 3 10

May 17, 2007

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St. N.E.
Washington D.C. 20426

Re: Please protect Michigan's undeveloped water bodies: Project No.1864 (Bond and Victoria), Project No. 2402 (Prickett), Project No.10856 (Au Train), Project No.10854 (Cataract) and Project No. 2506 (Boney Falls).

Dear Secretary Bose,

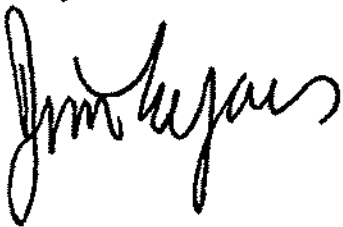
I STRONGLY OPPOSE CONSTRUCTION OF DOCKS as proposed by Upper Peninsula Power Company at Prickett, Victoria, Au Train, Cataract, Boney Falls, and Bond Falls sites. Given the complexity of this issue and the limited scope of the Shoreline Management Plan an Environmental Assessment should be required of UPPCO in this matter.

Building these docks will fall the mitigation for these license agreements UPPCO agreed to protect. Please safeguard and enhance wildlife habitat, provide for public access and manage the forest for old-growth (at Bond Falls and Victoria Reservoirs) as previously agreed.

We hope to visit this part of Michigan one day but will not if this shoreline loose their undeveloped character.

Sincerely,

Jim Lyons



Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 68

17 May 2007

**PUBLIC COMMENTS FROM WILLIAM MALMSTEN, VICE PRESIDENT
UPPER PENINSULA ENVIRONMENTAL COALITION**

Upper Peninsula Environmental Coalition
C/O William Malmsten
22300 County Road CL
Ishpeming, MI 49849

May 17, 2007

Janet Wolfe, Communications Manager
Upper Peninsula Power Company
PO Box 130
Houghton, MI 49931-0130

**RE: COMMENTS ON DRAFT SHORELINE MANagements PLANS FOR SIX
BASINS IN THE UPPER PENINSULA OF MICHIGAN**

Dear Ms. Wolfe:

The following comments are in regard to the draft Shoreline Management Plans (SMPs) for six basins in the Upper Peninsula of Michigan, specifically as follows: Project Numbers: 10854 (Cataract), 2402 (Prickett), 1864 (Bond/Victoria), 10856 (AuTrain), and 2406 (Boney Falls) (the Basins hereinafter).

These comments are submitted on behalf of the Upper Peninsula Environmental Coalition (UPEC). UPEC is a grass roots nonprofit organization with about 300 members. We are dedicated to the protection of the unique environmental qualities of the Upper Peninsula of Michigan. Our members tend to enjoy nature's quiet splendor while participating in such activities as hiking, canoeing, bird watching, and nature photography. Many of our members use or would like to use the Basins in question for the pursuit of such activities.

The Basins are currently in a relatively natural condition suitable for the enjoyment by our members. In general the intense development provided for in your draft SMPs would severely degrade the natural conditions of the Basins making them poorly suited for the enjoyment by our members. This intense level of development is inconsistent with the provisions and intent of the operating licenses from the Federal Energy Regulatory Commission.

Our objections to the draft SMPs center on the proposed non-project use of project lands, specifically the proposed granting of easements to property owners of lands bordering the project lands for the following purposes: The installation of private boat docks up to 150 feet in length. The installation of power lines to power lights on the docks with up to 300

watts per dock and to power boat lifts on the docks. The clearing of view corridors up to 200 feet in width through the projects lands so that bordering property owners will be able to view the basins from their homes. The construction of four-foot wide pathways through the project lands from private homes to their private docks on the basins.

While the Division of Hydropower Administration and Compliance (DHAC) Compliance Handbook-Standard Land Use Article, appendix H Article (a), and the corresponding provisions in each project license, provides for non-project use of project lands, it states that "The licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project." (emphasis provided) The proposed easements would neither protect nor enhance the scenic, recreational or environmental values of the project basins.

Boat Dock Installation:

Perhaps the largest negative impact would occur as a result of the proposed dock installations. A total of 837 individual lighted boat slips with electric powered boat lifts would be allowed in the six basins. It is unclear whether the electric power could be used by dock owners for other purposes such as powering boat lights or electronic music sound systems. The negative impact on the scenic values of the basins by the docks alone would be severe. When 837 boats are added to the docks, the affect would be devastating on the scenic and environmental values of the basins.

While UPPCO does not have direct authority over boating activity on the basins, the type of boat launch facility and the presence of the docks would have a major impact on the intensity of boat use and the type and size of watercraft present. Larger boats and pontoon boats may be impractical to use on the basin because of the difficulty in launching and retrieving the boats in the basins. But if the boats can be launched and left in the basins at the private boat docks for the entire boating season, then the use of these larger boats will be feasible and their use is likely to occur. The presence of these larger boats at the boat docks and also their use on the basins would negatively affect the scenic and environmental values of the basins, and they would also negatively affect the recreational values of our members and of many other people who enjoy the natural beauty of the basins.

The presence of larger numbers of larger sized boats could also be expected to negatively impact water quality. The following excerpt is from the *Environmental Assessment for The Use of Motorized Watercraft In the Sylvania Wilderness*, Ottawa National Forest, United States Department of Agriculture, July 1994 (emphasis provided):

The degree to which engines emit pollutants depends on a variety of factors including the size of the engine, the age of the engine, the type of engine (two-cycle, four-cycle, jet, etc.) type of fuel used and/or the degree to which the engine is tuned and maintained.

Once discharged into the water, petroleum hydrocarbons may remain suspended in the water column, concentrate at the surface, or settle to the bottom. Many hydrocarbon compounds may not persist for very long because of their immiscibility, volatility, or biodegradability. However, while petroleum may disappear rapidly from the water column, the portion that reaches the sediment may persist for several years. Lead compounds from gasoline additives tend to sink to the bottom sediments (*Pollution Impacts from Recreational Boating: A Bibliography and Summary Review*, Milliken and Lee, 1990). Effect of pollutants from marine engines include odor, and off taste in fish and toxic effects on aquatic organisms.

Power boats also have been shown to impact bottom sediments of lakes and to increase turbidity. In 1974 the Environmental Protection Agency (EPA) published a study analyzing the impacts of boating activity on turbidity in shallow lakes (defined as those with a maximum depth of 30 feet). They examined the impact of varying horsepower engines on lakes of varying depths. The study concluded that even a 10 horsepower engine could produce substantial stirring of bottom sediments at depths up to 15 feet and that engines with greater horsepower can do even more damage than smaller engines (*Power boats on shallow lakes: A brief summary of literature and experience on Lake Monegan (NY)*, Wright and Wagner, 1991).

Thus if the installation of the large number of docks called for in the draft SMPs results in increased boating activity and increased boat size, the negative environmental impact would be substantial.

The environmental studies commissioned by UPPCO provided a detailed description of the basins, the associated project lands, and the flora and fauna present. However the impact of the proposed development on the flora and fauna was not covered or was not covered adequately. Many of the wildlife species noted in the studies, such as eagles, loons, and great blue herons, are know to be sensitive to human activity. The increase in boating activity, and the disturbance of shoreline habitat with 150 ft long boat docks would neither protect nor enhance environmental conditions for wildlife in and around the basins.

View Corridors:

While the View Corridors up to 200 feet in width are intended to provide a view of the basins from the homes on lands bordering the project lands, such clearing would also make the homes visible from the basins. Our members and others who are visiting the basins to view the natural beauty of the landscape would be negatively impacted when the view of nature is replace by the view of private homes. Wildlife using the habitat provided by project lands would be negatively impacted by the clearing of the view corridors and by the increase human activity in the view corridors. The presence of the view corridors would neither protect nor enhance the scenic, recreational, and environmental values of the project as required by the project licenses and by the Standard Land Use Article.

While the conveyance of easements is provided for in the license agreements for certain purposes under certain circumstances, the clearing of View Corridors is not among the listed possible purpose for easements.

Pedestrian Paths and Wooden Walkways:

The four-foot width of the pedestrian paths would seem to be wider than necessary for foot travel. The presence of wooden stairs and walkways could negatively affect the scenic values of the project. The provision allowing the storage of docks, boat lifts, and ramps on the pedestrian paths within in project lands would negatively affect scenic values of the project.

Predetermined Outcome of Planning Process:

UPPCO seems to have used the elaborate planning process to try to justify the intense level of development that they had already decided upon before the planning process began.

As a member of the eastern basin Focus Group I attended every eastern basin focus group meeting. At each meeting I made most of the points that are listed above. The members of the eastern basin focus group were largely opposed to the intense development of the basins. Yet the opinions of the focus group members seemed have been largely ignored in the draft SMPs in favor of the desires of Naterra Land Company managers, the purchaser of the bordering non-project lands.

I understand that Wisconsin Public Service's (UPPCO's parent company) 2005 report to stock holders indicates that UPPCO sold a portion of its real estate holdings for 5.9 million dollars, with the possibility of realizing up to an additional 3.0 million dollars as certain contingencies are resolved. If in fact those contingencies include the project land easements being granted to Naterra's lot purchasers, then it may be clear why UPPCO is favoring Naterra over the needs and desires of the people. It appears that it will be very difficult for UPPCO mangers to objective in the development of Shoreline Management Plans and that close scrutiny by The Federal Energy Regulatory Commission is in order.

Conclusion:

The rapid development of the shorelines of lakes and streams for home construction in the Upper Peninsula of Michigan is causing wildlife habitat, and scenic and recreational opportunities to disappear. The licensing agreements for the hydroelectric projects were designed to protect the shorelines from development for wildlife habitat and for the scenic and recreational enjoyment by the public. UPPCO is trying to cash in on the

demand for shoreline lots by developing the project basins in conflict with the spirit and letter of the licensing agreements. The process used to develop the SMPs is flawed because of UPPCO manager's bias for development. An Environmental Assessment by a neutral party is needed in order to determine the affect of the proposed development on the scenic, recreational, and other environmental values of the project. We believe that the proposed easements through project lands should not be allowed.

Sincerely,

William Malmsten, Vice President, Upper Peninsula Environmental Coalition

cc: FERC

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 69

18 May 2007

PUBLIC COMMENTS FROM DAVID L. SLADKY



David L. Sladky
N3709 Hwy. 17, Merrill, WI 54452
(715) 536-4112

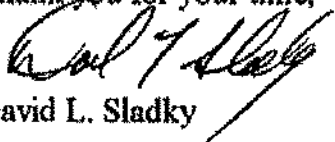
5-18-07

Janet Wolfe
Communications Manager
UPPCO
PO BOX 130
Houghton, MI 49931-0130

Dear Janet Wolfe,

It is essential to respect our natural home and reserve places for quiet rejuvenation. The long term monetary value of keeping nature natural will far exceed any short term profit or convenience. Docks and shoreline development will only encourage disrespect and disharmony, lowering property value. For real value, for the benefit of future generations, for our home, for your legacy, keep nature natural.

Thank you for your time,


David L. Sladky

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 70
18 May 2007
PUBLIC COMMENTS FROM JOHN COUPE

ORIGINAL

May 18, 2007

Upper Peninsula Power Company
 PO Box 130
 Houghton, MI 49931
 Attention: Janet Wolfe

FILED
 OFFICE OF THE
 SECRETARY

2007 MAY 25 P 3:09

Dear Ms Wolfe:

FEDERAL ENERGY
 REGULATORY COMMISSION

As an Ontonagon County landowner, I have closely followed the proposed sale of 7300 acres of land (of which approximately 1360 acres have been sold) by UPPCO at six UP flowages. Each of these flowages has unique characteristics which I do not believe were adequately addressed in the Draft Shoreline Management Plans.

It is difficult to place a value on aesthetic beauty. But I best describe it as something you realize you had once it is gone. As an avid canoeist, I enjoy the serenity of an undisturbed shoreline, drifting along observing eagles, listening to loons or watching a turtle lay her eggs in the sand. I am also a hunter of deer, grouse and other small game. I have many concerns with land fragmentation and the loss wildlife habitat.

According to the license agreements (and associated plans), UPPCO agreed to protect a minimum 200 foot buffer around these impoundments. However, the draft SMP outlines many planned uses, including private lighted individual and cluster docks. None of these will protect the shoreline and definitely do not enhance the reasons I value these flowages. It also causes me to question the integrity of UPPCO's promise with the FERC and general public.

UPPCO has not established how these uses are consistent with the terms of their license. The draft SMP fails to address the cumulative effects any planned development will have on the project lands and waters. Until these plans are made known and the effects evaluated, these proposed uses for the project lands should not be approved.

If UPPCO is truly serious about protecting these fragile environments, they should uphold the license by establishing permanent protection of the shoreline and prohibit private docks.

Sincerely,



John Coupe
 3527 136th Ave
 Hamilton, MI 49419

Copy to: FERC Projects 1864, 2402, 2506, 10856, 10854

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 71
18 May 2007
PUBLIC COMMENTS FROM DAN HASKELL

Project #1864 Bond + Victoria
 2402 Prickett
 May 18, 2007 10856

Janet Wolfe
 Communications Manager
 UPPCO
 PO Box 130
 Houghton, MI 49931-0130

FILED
 OFFICE OF THE
 SECRETARY

2007 JUN -7 P 2:30

Dear Ms. Wolf

I oppose the recent plans for housing development for the Bonds Falls project (project no. 1864) and other similar projects in the U.P. The following report is reason enough for UPPCO to reconsider the planned development in this region. This report is based on scientific research conducted in northern Wisconsin in recent years.

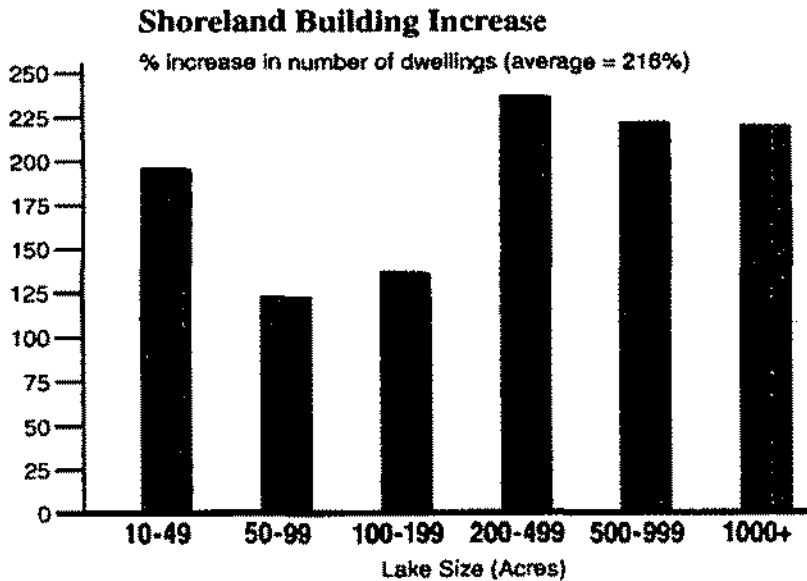
Summary:

Shoreland housing development has increased dramatically in recent decades in northern Wisconsin. Riparian and littoral habitat has been altered due to this housing development. The riparian and littoral areas of inland lakes are critical habitat for a variety of wildlife. In addition, lakes shorelines are transition zones between upland and aquatic ecosystems and support an exceptionally high biodiversity. Recent studies conducted on high- and low-development lakes in Vilas County, Wisconsin have documented negative changes in the floral and fauna on these lake shorelines.

Introduction:

Northern Wisconsin contains the third largest density of freshwater glacial lakes in the world, with more than 12,400 lakes scattered across the northern third of the state (WDNR 1996). Vacationers have been attracted to this region for decades, and more recently, increasing numbers of people are replacing small seasonal cottages with large year-round houses along the lakeshore. Housing development has increased an average of 216% since 1965 on lakes greater than 10 ha in northern Wisconsin (Figure 1. WDNR 1996). Gonzalez-Abraham *et al.* (2006) suggest that lakes are the single most important factor determining both housing density and spatial pattern of human development. Their results revealed that 41% of human development occurred within 100 m of lakeshores in northern Wisconsin since the 1930s, and most buildings were located within 50 m of each other, suggesting people will tolerate living close to one another on lakes (Gonzalez-Abraham *et al.* 2006). This concentration of housing development along lakeshores has negative consequences for wildlife habitat and the structure of riparian bird communities (Racey and Euler 1983, Lindsay *et al.* 2002, Woodford and Meyer 2003).

Figure 1. Percentage of shoreline development in northern Wisconsin since 1965 (WDNR 1996).



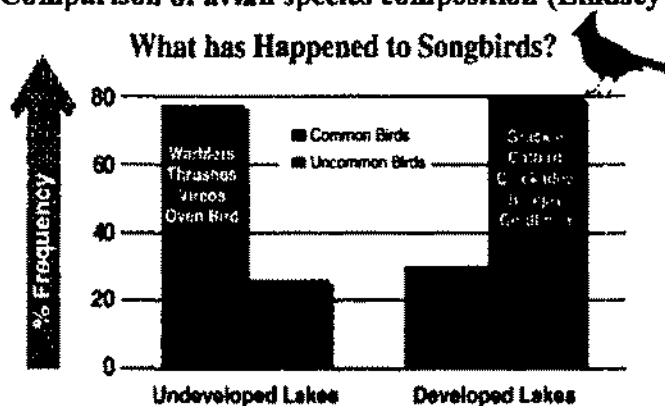
Removal of vegetation structure along shorelines on high-development lakes is a common practice. Elias and Meyer (2003) reported a significant reduction of shrub layer and coarse woody debris on high-development compared to low-development lakes. In addition, non-native and less common species have spread and proliferated with human development and habitat fragmentation throughout northern Wisconsin. Altered species composition can change the physical characteristics of lakes and the biological processes that occur within them.

Background:

Riparian and littoral zones of lakes provide critical habitat for a variety of wildlife, protect water quality, and have aesthetic appeal when the shoreline is naturally vegetated (Engel and Pederson 1998). Recent studies have documented the negative effects on the floral and fauna due to lakeshore alteration caused by housing development. For example, species composition of breeding birds differ significantly (Lindsay *et al.* 2002), abundance of green frogs is substantially lower (Woodford and Meyer 2003), and vegetation structure and composition in riparian and littoral zones differ profoundly (Elias and Meyer 2003) between high- and low- residential development lakes. In addition, certain piscivorous birds such as the common loon (*Gavia immer*), and osprey (*Pandion haliaetus*) avoid lakes with a high level of human disturbance (Newbrey *et al.* 2005). Furthermore, high-development lake shorelines have less coarse woody habitat (Christensen *et al.* 1996, Elias and Meyer 2003, Marburg *et al.* 2006) and aquatic vegetation (Radomski and Goeman 2001) which reduces habitat for waterfowl and fish (Moyle and Hotchkiss 1945, Jennings *et al.* 1999) and decreases fish growth rates and population size (Schindler *et al.* 2000, Sass 2004).

Lindsey *et al.* (2002) paired high-development lakes with low-development lakes of similar physical characteristics and performed point-counts around the perimeter of each lake to assess bird community structure. Their results revealed several species and some resource guilds were more abundant in one lake development type or the other (Figure 2). Ground nesting and insectivorous birds were more common on low-development lakes. On high-development lakes seed-eating and deciduous-tree nesting birds were more abundant (Lindsey *et al.* 2002).

Figure 2. Comparison of avian species composition (Lindsey *et al.* 2002)



Several species that are listed in U.S. Fish & Wildlife Service Region 3 Resource Conservation Priorities (2002) appear to be more abundant around low-development lakes (Table 1; Robertson and Flood 1980, Clarke *et al.* 1983, Moors 1993, Meyer *et al.* 1997). The regional and local decline of these species has potential ecological effects. For example, the loss of insectivorous birds can have a profound effect on woody plant production (Sipura 1999) and may relate to the substantial increase in defoliating insects in Wisconsin (WDNR 2004).

Table 1. USFWS Region 3 species of conservation priority, which are associated with low-development lakes in northern Wisconsin (Meyer *et al.* 1997, Lindsey *et al.* 2002, Newbrey *et al.* 2005, Meyer 2006).

Common Names	Species	Foraging	Diet	Nesting
Black-throated Blue Warbler	<i>Vermivora pinnus</i>	Hover glean	Insect	Shrub
Canada Warbler	<i>Wilsonia canadensis</i>	Hover glean	Insect	Ground
Common Loon	<i>Gavia immer</i>	Surface diver	Fish	Ground
Connecticut Warbler	<i>Oporanis agilis</i>	Ground Glean	Insect	Shrub
Golden-winged Warbler	<i>Vermivora chrysoptera</i>	Foliage Glean	Insect	Ground
Osprey	<i>Pandion haliaetus</i>	High dive	Fish	Deciduous

Recognition of the indirect influence of riparian residential development has spurred investigations aimed at understanding which features of development are responsible for altering breeding bird abundance. In a study of residential development along forested shorelines on Lake Superior, Manarolla and Flaspohler (in review) found that development-related changes in vegetation were responsible for dramatic differences in breeding density for at least seven bird species. Greater vegetation diversity and structure increase bird abundance and species richness (Niemi and Hanowski 1984, Probst *et al.* 1992, Patterson and Best 1996). The reduction of sub-canopy and shrub layer coverage on high-development lakes (Clarke *et al.* 1983, Elias and Meyer 2003) plus increased predation and human disturbance likely contributes to the scarcity of ground nesting and insectivorous birds on high-development lakes in northern Wisconsin (Schmidt and Whelan 1998) (Table 2).

Table 2: Bird species which may be negatively influenced by shoreline development (Meyer *et al.* 1997, Lindsey *et al.* 2002).

Common Names	Species	Foraging	Diet	Nesting
American Redstart	<i>Setophago ruticillo</i>	Ground glean	Insect	Deciduous
Black-and -White Warbler	<i>Mniotilta varia</i>	Bark glean	Insect	Ground
Black-throated Blue Warbler	<i>Vermivoro pinus</i>	Hover glean	Insect	Shrub
Black-throated Green Warbler	<i>Dendroico virens</i>	Foliage glean	Insect	Conifer
Blackburian Warbler	<i>Dendroica fusca</i>	Foliage glean	Insect	Conifer
Brown Creeper	<i>Certhio omericono</i>	Bark glean	Insect	Conifer
Canada Warbler	<i>Wilsonia canadensis</i>	Hover glean	Insect	Ground
Chestnut-sided Warbler	<i>Dendroico pensylvonica</i>	Foliage glean	Insect	Shrub
Common Loon	<i>Gavia immer</i>	Surface diver	Fish	Ground
Common Yellowthroat	<i>Geothlypis trichas</i>	Foliage glean	Insect	Shrub
Connecticut Warbler	<i>Oporonis agilis</i>	Ground glean	Insect	Shrub
Golden-winged Warbler	<i>Vermivora chrysoptero</i>	Foliage Glean	Insect	Ground
Hermit Thrush	<i>Cathorus guttatus</i>	Ground glean	Insect	Ground
Magnolia Warbler	<i>Dendroica magnolia</i>	Hover glean	Insect	Conifer
Mallard	<i>Anas platyrhynchos</i>	Dabbles	Seeds	Ground
Nashville Warbler	<i>Vernivora ruficopilla</i>	Foliage glean	Insect	Ground
Northern Parula	<i>Porulo americana</i>	Foliage glean	Insect	Deciduous
Ovenbird	<i>Seiurus ourocopillus</i>	Ground glean	Insect	Ground
Pileated Woodpecker	<i>Dryocopus pileatus</i>	Bark glean	Insect	Snag
Pine Warbler	<i>Dendrocia pinus</i>	Bark glean	Insect	Conifer
Rose-breasted Grosbeak	<i>Pheucitcus ludovicianus</i>	Foliage glean	Insect	Deciduous
Scarlet Tanager	<i>Piroga olivaceo</i>	Hover glean	Insect	Deciduous
Solitary Vireo	<i>Vireo Solitorius</i>	Foliage glean	Insect	Conifer
Song Sparrow	<i>Melospiza melodio</i>	Ground glean	Insect	Ground

Swainson's Thrush	<i>Catharus ustulatus</i>	Ground glean	Insect	Shrub
Tennessee Warbler	<i>Vermivora peregrina</i>	Foliage glean	Insect	Ground
Tree Swallow	<i>Tachycineta bicolor</i>	Aerial forage	Insect	Snag
Veery	<i>Catharus fuscescens</i>	Ground glean	Insect	Ground
Warbling Vireo	<i>Vireo gilvus</i>	Foliage glean	Insect	Deciduous
White-throated Sparrow	<i>Zonotrichia albicollis</i>	Ground glean	Insect	Ground
Winter Wren	<i>Troglodytes troglodytes</i>	Ground glean	Insect	Snag
Yellow Warbler	<i>Dendroica petechia</i>	Foliage glean	Insect	Shrub
Yellow-bellied Sapsucker	<i>Sphyrapicus varius</i>	Bark glean	Insect	Deciduous
Yellow-rumped Warbler	<i>Dendroica Coronata</i>	Foliage glean	Insect	Conifer
Yellow-throated Vireo	<i>Vireo flavifrons</i>	Foliage glean	Insect	Deciduous

Several studies throughout North America have revealed an increased in mesopredators (e.g. raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*) and feral cats (*Felis catus*)) with increasing housing development and habitat fragmentation (Oehler and Litvaitis 1996, Crooks and Soule 1999, Crooks 2002). Mesopredators are medium-sized predators, adult males weighing between one and 15 kilograms (Buskirk 1999). In addition, housing development displaces higher trophic level carnivores, which may control mesopredator populations or result in a "mesopredator release" (Crooks and Soule 1999, Schmidt 2003). A mesopredator release involves the release or increased density of a consumer species usually following a decline in predation by species at higher trophic levels. The increased abundance of mesopredators is experienced by species in the next trophic lower level in the form of higher predation rates, which in turn can cause prey populations to decline and can potentially alter community structure (Terborgh et al. 1999). Certain mesopredators adapt well to human development (Hecht and Nickerson 1999, Prange et al. 2004) and prey heavily on nests of wetland and songbirds, waterfowl and raptors (Johnson et al. 1989, Sargent, A.B. et al. 1993, Schmidt 2003, McCann et al 2005). Certain avian species that nest on or near lake shores are currently in decline, which may be due to an increase in mesopredators (Lindsey et al 2002). Furthermore, historically these mesopredators were not common to northern Wisconsin (Jackson 1961) and recently have emerged in abundance with human development.

Among the mesopredators, the raccoon has probably benefited the most due to high human development on lakeshores. Raccoons have the most diverse diets of any carnivore, which has been important in their success in human dominated landscapes (Gehrt 2004). Raccoons readily exploit human garbage, pet food, and other food resources related to human activities (Gehrt 2004, Prange et al. 2004). The raccoons climbing ability allows it to access garbage cans, dumpsters, and bird feeders, which are common in residential developments. This artificial food resource has had positive affects on raccoon demographics throughout its range (Hoffman and Gottschang 1977, Prange et al. 2003, 2004). Raccoons often lose 50% of their body mass over winter (Mech et al. 1968), but in suburban areas raccoons may lose only 10% (Riley et al.

1998). It is well documented that raccoon densities are higher in urban and suburban areas (Hoffman and Gottschang 1977, Broadfoot *et al.* 2001, Prange *et al.* 2003). Prange *et al.* (2004) reported raccoons having relatively small home ranges in urban and suburban environments in contrast to rural areas, which was due to the abundance of artificial food resources. In addition, seasonal changes home ranges size were least pronounced at the suburban area (Prange *et al.* 2004). Furthermore, Hoffman and Gottschang (1977) documented that raccoons use linear travel routes going to and from feeding areas and home range averaged 5.5 times as long as wide, suggesting that high population densities and abundant food resources are the cause of small linear home ranges.

Conclusion:

It is well documented the effects housing development has on lake ecosystems. Therefore, I urge UPPCO to reconsider the current development plan on Bond Falls and other projects in the region. I believe that UPPCO and private citizens has a responsibility to protect and preserve our natural resources. The time has come when cooperate entities, developers, government agencies and private citizens' work together to manage our dwindling resources.

Sincerely,

Dan Haskell
P.O. Box 589
South Range, MI 49963

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<http://www.fws.gov/midwest/News/documents/priority.pdf>

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 72
19 May 2007

**PUBLIC COMMENTS FROM NANCY WARREN,
UPPER PENINSULA PUBLIC ACCESS COALITION**

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The Upper Peninsula Public Access Coalition
P O Box 102
Ewen, MI 49925
www.uppac.com

May 19, 2007

Upper Peninsula Power Company
PO Box 130
Houghton, MI 49931
Attention: Janet Wolfe

Re: Draft SMP Comments P-1864, P-2402, P-10856, P-10854, P-2506

Dear Ms Wolfe:

Upper Peninsula Public Access Coalition (UPPAC) is a "coalition" of concerned citizens. The common thread that connects us all is our enjoyment and concern for the lakes, streams, rivers and woodlands in Michigan's Upper Peninsula.

To date, we have garnered support from over 1760 individuals who believe FERC should force UPPCO to follow the Section 5.4 Handbook process and order the preparation of a new environmental impact study. We believe FERC should not approve any conveyances until a new EIS has been prepared and shared with the public because the planned sale and residential development of adjacent UPPCO lands were never disclosed to the public during the relicensing process.

We believe it is critical that all citizens be allowed the opportunity to participate at each level of the process involving the planned uses for the public waterways and project lands surrounding the flowages at Bond, Victoria, Prickett, AuTrain, Cataract and Boney Falls.

As stakeholders, UPPAC fought for a Shoreline Management Plan. We believed one of the most basic goals for development of the plan was for the licensee (UPPCO) to bring together all interested parties for open discussion. UPPCO made public promises they would, but like many other promises, UPPCO fell terribly short.

Public Meetings

Throughout this process, UPPCO/WPS held several "informational" meetings. However, their many "rules" limited public participation:

- Questions had to be in writing
- Only questions related to the topic being discussed that night could be submitted
- No other topics could be raised
- Anything written had to be in the form of a question (no comments were allowed)
- No matter how poorly the question was "answered", no follow-up questions were permitted

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Due to the limited time UPPCO permitted, very few questions were read. For those that were, UPPCO representatives often either partially answered it or missed the point altogether and failed to answer it at all. One just has to look at attachments 69 and 70 of the Draft SMP to read the number of questions/comments submitted either at the meetings or via email (some of the questions/comments are even cut off) that still have not been addressed by UPPCO.

The AuTrain public meeting was held 4/3/07 despite a prediction of 8-11 inches of snow and dense fog along the Lake Superior Shoreline keeping many people away.

The meeting for Boney and Cataract was held 4/4/07, even though more than a foot of snow fell during the day, with winds gusting to 50 mph, closing many roads and canceling flights. Here is an excerpt from the 4/5/07 edition of the Mining Journal:

MARQUETTE — High wind gusts and record snowfall made the idea of spring in April a far-off dream for Marquette County residents.

The National Weather Service in Negaunee Township measured 24 inches of snowfall Wednesday, breaking a 1974 record of 12 inches. Meteorologist Jason Ahumbaugh also said the snowfall total was the second largest 24-hour total in the office's history...

We were shocked that UPPCO held these two public meetings despite record breaking severe weather. If UPPCO was truly sincere about receiving public input, they would have rescheduled each of them.

Focus Groups

UPPCO has now presented their Shoreline Management Plan stating it is the result of "consultation" and "collaboration" with local government officials, agencies, and members of the public, including two specially formed focus groups. Consultation implies there were discussions among focus group members and with UPPCO. Attempts by any member to initiate a discussion were not tolerated. UPPCO never sought consensus and it was made clear that the focus groups would not have any role establishing goals or objectives for the Shoreline Management Plan.

Similar to the public meetings, the Focus Groups also had a strict set of rules that restricted participation:

- At the beginning of each meeting, we were permitted to make a statement.
- No one was allowed to ask any questions during the UPPCO presentations.
- Following the presentations, each member was given a chance to make another statement or ask a question. On rare occasions, and if time allowed, we were permitted a follow-up question.
- The public was not allowed to observe the meeting
- Reporters were not allowed
- We were not permitted to record any meeting.

At the 5/2/06 public "informational" meeting, the public was told that the Shoreline Management Plan "will address concerns." Yet, focus group members were never

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allowed to discuss many of our concerns. Those that were mentioned, such as the impact unburned fuel/fuel spills would have on water quality, were not addressed. The numerous comments regarding private docks and the negative impact they will have on shoreline aesthetics and the traditional uses of the flowages were ignored and some of these comments were not recorded in UPPCO's official minutes. UPPCO even led local government representatives to believe their concerns over private docks didn't matter (unless they supported them) because the final decision rested with The FERC.

UPPAC suggested separate focus groups be formed for each of the flowages or least each project, to accommodate more public participation; UPPCO refused. We asked for a team of "technical advisors" such as biologists, wildlife managers and other experts who could be available at meetings to answer our questions; UPPCO refused. It became clear from the beginning that UPPCO was merely going through the motions but not the process by hosting focus group meetings. UPPCO was just not interested in any input that opposed their plans to convey private uses of the project lands to Naterra.

Following complaints about the composition and rules for the focus group, UPPCO issued a letter to focus group members dated 6/13/06 that stated "If you continue to attend, we consider it an acceptance of the meeting structure and guidelines in this letter." In other words, take it or leave it.

Section 6.7 of the SMP indicates the majority of the planned enhancements are the result of "consultation" with members of the focus groups. This is simply not true. Most were "planted" ideas, initiated by UPPCO representatives at the focus group meetings. UPPCO representatives even met privately with selective focus group members at other times and locations to barter support for their "enhancements" and private conveyances to Naterra.

UPPAC requested a meeting devoted solely to the licenses and hoped for a meaningful dialogue. UPPAC anticipated a meaningful dialogue. We were hopeful that the proposed uses for the project lands would be compared to each license and associated plans. Instead, at the 6/22/06 meeting the focus group was told this was not our role. UPPCO representatives read selective sections from the license while we were expected to sit and listen. Those of us who read the license were frustrated because we were not allowed to question UPPCO or discuss the numerous inconsistencies. For example:

Prickett

A key element of the Prickett license, Article 414, was never even mentioned at the focus group meetings and was not posted to the UPPCO website until UPPAC brought it to their attention in late March 2007. We believe this was a critical omission as this article refers to the shoreline buffer zone as an area where there should be a "no tree cutting zone." Although UPPCO substituted the wording in the Land Use and Recreation Management Plan to read "no timber harvesting", no one anticipated a major development or that "enhanced" view corridors would be planned. When asked, UPPCO responded that they interpreted "no timber harvesting" to mean, "no commercial harvesting". The intent of Article 414 is clear - no tree cutting; the license would have stated no commercial harvesting had that been the intent.

UPPCO is proposing the removal of brush (including young saplings) less than 2 inches in diameter for pedestrian paths and viewing corridors. It is our position that viewing corridors should not be permitted without a license amendment request with impacts addressed as part of an environmental impact study.

AuTrain

Appendix D (Private Land Use Guidelines, applying to corporate lands) of the Comprehensive Land Management Plan, approved May 1999, states "4.2 Unauthorized Private uses of Hydro Lands – private docks and shoreline use."

The intent of the approved CLMP is clear, there will be no private docks or use of the shoreline at AuTrain.

Cataract

The Comprehensive Land Management Plan and Wildlife Plan, approved by the FERC in 1999, called for aesthetic management "aesthetic management is applied to areas that have unique qualities that require more restricted management policies or prescriptions. Such areas include but are not limited to 200 ft shoreline buffer zones...due to the importance of the areas within the 200 ft of shoreline, any management within the 200 ft zone will be conducted only after consultation with MDNR."

Among the objectives stated was "UPPCO's goal is to work in partnership with nature through proper management of the project lands for optimum enhancement." However, Goal 6 of the draft SMP is to "minimize impacts to the aesthetic quality of the shoreline."

The approved Wildlife Plan also states "the relatively undisturbed condition of the property within the project boundary provides for excellent wildlife habitat... land management activities will incorporate wildlife management techniques to enhance wildlife populations." However, the draft SMP, Goal 8, states to "avoid or minimize impacts to sensitive wildlife species."

The approved Wildlife Plan further states "Shoreline buffer zones and environmentally sensitive areas are treated different from other areas. All shoreline buffer zones are 200 ft wide and aesthetic management techniques are the only management activities allowed in these areas. Active vegetative management can take place within this 200 ft zone if approved by all parties (licensee, USFWS, MDNR)". The draft SMP allows for "enhanced" view areas. This is a direct contradiction to the management concepts described in the license's wildlife management plan. UPPCO/WPS wants us and the FERC to believe their draft SMP is consistent with the approved license and plans. They are not even close.

Bond

The recreation plan submitted by UPPCO and approved by FERC stated "In order to obtain old growth characteristics along the shorelines of project reservoirs as described in the Buffer Zone Plan, to enhance loon nesting potential as described in the Wildlife and

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Land Management Plan, and to provide more isolated habitat for waterfowl and threatened species, *UPPCO proposes to develop two designated camp site locations near the boat launches of the Bond Falls Reservoir, one on the east side and one on the west side of the reservoir.*"

UPPCO lead us to believe elimination of the dispersed campsites was for environmental reasons, while in reality; they were planning for an extensive land sale to a major developer. It was not until after UPPCO obtained FERC approval for consolidation of the dispersed campgrounds (November 2005) that they unveiled their plans to sell their non-project lands to Naterra and to convey easements for trails and private piers and docks to the new lot owners.

Now that the true reasons have been revealed, the entire campground configuration should be re-evaluated as part of this process.

The Recreation Plan approved by FERC allowed for:

- A canoe take out area with directional signage to Agate Falls for canoe launching opportunities
- A hard surface boat launch at Barclay boat landing
- A skid pier at Barclay boat landing
- Improvements to parking at Barclay Boat landing

Now, UPPCO states these enhancements for the public will be done **WITHIN TWO YEARS OF PLACEMENT OF THE FIRST DOCK** for Naterra's lot owners or 2010. This is just another ploy by UPPCO to mislead the public: If you support the private docks; UPPCO will "give" you a canoe take-out while in reality, these recreational enhancements are required by the license.

Nearly all the other public recreational enhancements need approval by FERC or consultation with agencies but UPPCO says they are now contingent upon the first private dock being placed on the project lands. These additional enhancements are merely a manipulative tool by UPPCO, hoping to buy support for Naterra's private docks on the project lands.

Individuals who did not read the license were given the impression that the proposed planned non-project uses of the project lands were in compliance.

General Comments Regarding the Draft Shoreline Management Plan

We believe UPPCO has a responsibility to ensure that shoreline development activities that occur within project boundaries are consistent with the intent of the FERC approved license(s) and associated management plans.

According to FERC guidelines, a Shoreline Management Plan (SMP) is a comprehensive plan to manage the multiple resources and uses of the project shorelines in a manner that is consistent with license requirements and project purposes, and addresses the needs of the public. However, UPPCO has stated the purpose of the SMP is "managing and

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mitigating the impacts of anticipated development of non-project lands so as to complement or have neutral effects on those natural resources." UPPCO fails to mention compliance with the license requirements.

The Upper Peninsula Public Access Coalition opposes all private individual and cluster docks at all six Upper Peninsula flowages. We do not support "pedestrian paths" or "enhanced" view corridors. We believe these uses to be in conflict with the current licenses and/or management plans for the flowages. The project shorelines are undeveloped with little human disturbance. The proposed uses will degrade not only the aesthetic values of the shorelines, but will also negatively impact wildlife and waterfowl habitat.

The Draft SMP suggests that our communities can expect an economic windfall if the proposed private docks are allowed. The analysis presented by UPPCO is purely speculative without information about the cost of road maintenance, police, fire and other services. UPPAC is once again asking that UPPCO and Naterra fund an independent cost of service study to support (or challenge) their claims.

UPPCO would like the public to believe thorough environmental assessments were done. They even claimed at the 5/02/06 public meeting that they consider "its environmental study to be equivalent in scope to an Environmental Impact Statement." We disagree. The assessments done by EPRO were merely an overview of some of the reservoir features. They were poorly prepared, omitted vital information and provided only a snapshot of the natural features of these flowages. When EPRO was asked at a public meeting why the assessments did not address the impacts UPPCO's proposals will have on the project lands, they responded they were not hired to address the impacts.

UPPCO now states "Until such time when development proposals at each of the impoundments are put forth, it is not possible to assess the potential resource impacts on project lands and waters." We believe all of UPPCO's and Naterra's development plans should first be put forth. Then, the potential resource impacts on the project lands and waters can be made known through a FERC ordered Environmental Impact Study followed by a public comment period.

Given the way focus group and public "informational" meetings were conducted, it is no surprise that the Draft SMP reflects everything UPPCO had originally proposed in their NELA of December 2005 with one exception. UPPCO did remove the ban on public fishing within 100 ft of Naterra's private docks. In virtually every other way, this Draft SMP is a direct reflection of UPPCO's original goal: private boat slips for every Naterra lot owner.

Summary

The Draft Shoreline Management Plans are inadequate. None address the cumulative impacts the proposed sale and development of the non-project lands will have on the project lands including water quality, wildlife habitat and the aesthetic value. The proposed non-project uses of the project lands are not consistent with the license and will

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significantly diminish public access and recreational use of the shoreline and project waters.

We will continue to urge the Federal Energy Regulatory Commission to order a new comprehensive Environmental Impact Study for each of the flowages, along with public hearings followed by a public comment period, prior to the approval of any conveyances on the project lands.

Thank you for the opportunity to comment.

Sincerely,

(filed electronically with UPPCO)
Nancy Warren
Spokesperson
Upper Peninsula Public Access Coalition

Copy to FERC

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Submission Contents

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Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 73
19 May 2007
PUBLIC COMMENTS FROM KAREN TISCHLER

19 May 2007

Janet Wolfe
Communications Manager
Upper Peninsula Power Company
P.O. Box 130
Houghton, MI 49931-0130

RE: Comments on the draft Shoreline Management Plans for proposed developments on Bond Falls, Victoria, Prickett, AuTrain, Boney Falls, and Cataract Reservoirs (FERC hydroelectric projects numbers P-1864, P-2402, P-10856, P-2506, P-10854)

Dear Ms. Wolfe:

Thank you for the opportunity to comment on the draft Shoreline Management Plans (SMPs) for each of the PERC-regulated reservoirs listed above.

The Standard Land Use Article (Article 420) of the current license agreements between FERC and UPPCO allows UPPCO to grant permission for some uses of project lands on the reservoirs, but only for those uses that are "*consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project*". I will make reference to this statement in these comments to demonstrate how I believe the actions proposed in the SMPs for these reservoirs are inconsistent with the spirit of the FERC license agreements with UPPCO.

We in the western Upper Peninsula are fortunate to have abundant public lands which protect natural resources and provide recreational opportunities. UPPCO's own commissioned "Assessment of the Recreation, Wildlife, Loon, and Aesthetic Resources" (prepared by E/PRO in 2006) states that "*A defining character of UP lakes in general is their remote, undeveloped feel*". However, with the increasing value of waterfront property, fewer and fewer shorelines retain this wild feel—even within the boundaries of large tracts of public land, such as the Ottawa National Forest, much of the lakeshore is privately-owned and developed. Since the function of these project lands has primarily been to generate electricity, and secondarily to fulfill the associated federal licensing requirements, these reservoirs have de facto been maintained as wild landscapes with limited development, providing ample habitat for wildlife and recreational opportunities.

As evidence of the high value the public places on natural and scenic landscapes, I refer to the same UPPCO-commissioned report cited above, in which surveyed users ranked the "natural character" of these reservoirs as the most important factor why people choose to use them for recreation. Furthermore, users also valued remote lakes, undeveloped shorelines, ample wildlife viewing opportunities, seeing few people, and a dark night sky *more* than they valued developed campgrounds. Why then is UPPCO proposing additional campground development and new public docks as concessions for developing the lake for private interests, and couching these concessions as "recreational

enhancements" when your own survey suggests these are not among the things that the public would identify as "enhancements" on these particular reservoirs?

I believe the developments UPPCO proposes in the SMPs to remove stumps (on Prickett) and add viewing areas, access paths, docks, and dock lighting in FERC-regulated project areas will degrade rather than protect and enhance the scenic, recreational and environmental values local (such as myself) and tourist users seek at these sites.

I am particularly concerned that proposed actions in the SMP for Prickett Lake will have a deliterious impact on both the environmental and aesthetic integrity of this site. The E/PRO report states that the topograpy surrounding Prickett Lake "is noteworthy for the Upper Peninsula" and that "this quality is enhanced by long-distance views from the southeastern subunits of Silver Mountain" (Section 5-9). Adding the proposed trails (and stairs), docks and lights would significantly alter the association, appearance and feel of this landscape. Additionally, as I understand, the area just below the Prickett Dam supports one of, and perhaps the only remaining, free-ranging, self-sustaining population of Lake Sturgeon in the Great Lakes Basin. While the SMP does concede that stump removal and dock additions would likely cause temporary increases in turbidity, the plan in no way evaluates the potential long-term impacts of these activities on downstream Lake Sturgeon. I believe any actions which could jeopardize the health of this population would violate the FERC license agreement.

I urge UPPCO to not only uphold the terms of existing licensing agreements with FERC on these hydroelectric project reservoirs, but also to be a leader in land stewardship by considering partnerships with conservation buyers on non-project lands rather than development interests.

I recommend Prickett Lake as an ideal place to practice the type of land stewardship. Protecting this area would be a great contribution to the communities you serve in the Upper Peninsula and would go far in improving your commitment to being an environmentally sensitive company.

I hope you take these comments and concerns into consideration.

Sincerely,

Keren Tischler
49820 Limerick Rd.
Hancock, MI 49930

Cc: FERC, Congressman Bart Stupak, Senator Carl Levin, Senator Debbie Stabenow

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 74
20 May 2007

**PUBLIC COMMENTS FROM JOSEPH KAPLAN,
COMMON COAST RESEARCH & CONSERVATION**



Common Coast Research & Conservation

PO Box 202 • Hancock MI 49930 • 906 487 9060

20 May 2007

Janet Wolfe
 Communications Manager
 Upper Peninsula Power Company
 P.O. Box 130
 Houghton, MI 49931-0130

Subject: Comments on draft Shoreline Management Plans for Upper Peninsula hydroelectric projects: Bond Falls (P-1864); Prickett (P-2402); Au Train (P-10856); Escanaba River Dam #4, Boney Falls (P- 2506); Cataract (P-10854).

Dear Ms. Wolfe,

We appreciate the opportunity to provide comments on the draft Shoreline Management Plans (SMPs) for the six reservoirs on which private development and increased public use is being proposed by the Upper Peninsula Power Company (UPPCO).

Our organization is dedicated to the study and protection of common loons in Michigan. Our biologists work closely with public agencies, corporations, and the private sector in an effort to increase appreciation and understanding of this State-listed species. Our experience with loons spans over fifteen years, and includes the monitoring of loon populations throughout the Upper Peninsula, including the Ottawa National Forest, Isle Royale National Park and Seney National Wildlife Refuge. The following comments will address aspects of the SMPs that have the potential to influence the protection and enhancement of loons and loon habitat on these reservoirs.

We are concerned that the draft SMPs do not convey a commitment from UPPCO to protect and enhance conditions for nesting loons on these hydroelectric project lands, and we identify this as the major deficiency of the plans. We believe that the *Assessment of the Recreation, Wildlife, Loon, and Aesthetic Resources* on the reservoirs (completed for UPPCO by E/PRO in 2006) provided insufficient information for determining the appropriate number and placement of docks and trails so as to minimize impacts to breeding loons and their nesting habitat. Furthermore, we believe that the current management of the project lands that allows for widely fluctuating water levels to be the primary limiting factor for the use of UPPCO reservoirs by breeding loons.

Our own cursory surveys of the Bond Falls, Au Train and Prickett reservoirs suggest that while the number of current loon territories on these reservoirs appears to be much lower than that suggested by their overall size and their frequency of nesting habitat, there is considerable potential to support additional loon territories by *enhancing* this habitat to accommodate the particular characteristics of the impoundments. Specifically, the use of floating nest platforms for loons can be very effective on reservoirs that experience large fluctuations in water levels (e.g., Bond Falls and Au Train). We have successfully used this conservation tool in the western Upper Peninsula to mitigate the loss of nesting habitat due to shoreline development, and nesting platforms are in widespread use on FERC-regulated projects in New England (Evers 2004, p. 39). UPPCO is obligated by Article 414 of the relicensing agreement on the Bond Falls Project to place two such platforms on Bond Falls and one on the Victoria Reservoir. However, at this time no platforms have been placed, nor has UPPCO assessed the number of loon territories that could feasibly be supported on each of these reservoirs with the use of these platforms. Until a complete assessment of both existing and potential loon territories is undertaken, including an evaluation of the most appropriate locations in which to position potential platforms, we believe that any proposed alterations to the impoundment shorelines or islands that will increase or concentrate recreational use of the reservoirs is premature. We believe that the impacts of such proposed actions on current and future loon use cannot yet be accurately evaluated.

We are additionally concerned that UPPCO's proposal to develop docks and trails adds a new layer of complexity for maintaining these water resources for loon production. Development and recreation do not necessarily preclude successful loon occupancy and productivity, but it is widely established that nesting loons can be disturbed by human recreation. Understanding the impacts of this recreation on loon productivity is complex, and requires carefully designed site-specific strategies to assure successful protection (Evers 2004). For example, loons nesting on artificial platforms in high recreation areas often need a buffer area (created by floating buoys) to reduce disturbance. In our experience, it takes a considerable commitment to maintain and monitor artificial nest platforms and buoys to assure successful use by loons, and an additional investment of time and energy to educate the public regarding the appropriate buffer distances required by these nesting pairs.

In light of these considerations, we offer the following recommendations to protect and enhance loon populations on FERC-regulated Upper Peninsula impoundments. We urge UPPCO to incorporate these recommendations in the final SMPs.

- 1) We recommend that UPPCO establish goals for the number of loon pairs to be maintained on each reservoir through the development of a long-term artificial nest platform and monitoring program. Our conservative estimates for the number of potential loon territories on the Bond Falls, Prickett and AuTrain reservoirs are:
 - a. Bond Falls: potential for 5-7 loon territories (at least three currently exist)
 - b. Prickett: potential for 2 loon territories (no known territories currently exist)
 - c. AuTrain: potential for 5-6 loon territories (no known territories currently exist).

These estimates are based upon surveys of the current conditions on these waterbodies, and upon loon territorial densities on a) nearby reservoirs that experience more natural water level fluctuations (i.e. Cisco Chain), and b) large natural lakes systems at Isle Royale National Park. We believe that these estimates represent reasonable goals that can be achieved within a five-year time frame, and we strongly encourage UPPCO to adopt them within them within the final SMPs.

- 2) We recommend that UPPCO develop an artificial loon nesting platform and monitoring program before taking measures to increase recreational opportunities on shoreline and island areas through construction of docks, trails, and new campsites. Prior establishment of an artificial loon nesting platform and monitoring program would allow for a less disruptive approach to the subsequent placement of any development infrastructure.
- 3) We recommend that the SMPs incorporate all potential loon nesting habitat (including islands, wetlands and areas surrounding nest platform sites) into Conservation Areas, especially on reservoirs with maximum likelihood of supporting natural loon nesting sites (i.e., those that are managed in a "run-of-river" mode and experience limited water level fluctuations). Specifically, on the Prickett Impoundment we recommend that all shoreline to the east of the islands at the south end of the lake be designated as a Conservation Area rather than an Access Pathway Area.
- 4) As there is little evidence (published or anecdotal) that the proposed no-wake zones outlined in the SMP will be effective in protecting nesting loons, we recommend removal of no-wake zones from the final SMPs if they were included for the benefit of loons.
- 5) We recommend UPPCO evaluate the potential impact of proposed increases in recreational use on nesting loons and modify the Development and Recreational Enhancement Proposals of the SMPs accordingly.

We hope you find these comments useful. We offer our expertise to you as UPPCO considers measures to protect and enhance loon usage of its Upper Peninsula reservoirs.

Sincerely,



Joseph Kaplan

Director, Common Coast Research & Conservation

Cc: FERC, USFWS, USFS, MDNR

Literature cited: Evers, D.C. 2004. Status assessment and conservation plan for the Common Loon (*Gavia immer*) in North America. U.S. Fish and Wildlife Service, Hadley, MA.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 75
20 May 2007
PUBLIC COMMENTS FROM NICOLE POLLACK

3649 Bayou
West Bloomfield, MI 48323

20 May 2007

Janet Wolfe
Communications Manager
Upper Peninsula Power Company
P.O. Box 130
Houghton, MI 49931-0130

RE: Comments on draft Shoreline Management Plans for Upper Peninsula hydroelectric projects: Bond Falls (P-1864); Prickett (P-2402); Au Train (P-10856); Escanaba River Dam #4, Boney Falls (P- 2506); Cataract (P-10854)

Dear Ms. Wolfe:

Thank you for the opportunity to provide public comment on Upper Peninsula Power Company's (UPPCO) Shoreline Management Plans. UPPCO, a subsidiary of Integrys Energy Group, Inc. (formally WPS Resources Corporation) contends they chose Natterra Land (formally Taylor Investment Corporation and Four Season's Reality) to develop land surrounding U.P. reservoirs because Natterra Land has a "tradition and commitment for quality projects that are harmonious with the surrounding environment." Unfortunately, Wisconsin circuit court system (<http://wcca.wicourts.gov>) and the U.S. Army Corps of Engineers records indicate this may not be the case, as Natterra Land is well represented in the files of both (see information below). In addition, there are several instances where Natterra Land has sued local planning commissions and/or conservation districts when these authorities have moved to control the scope of Natterra's development. It concerns me that several of the reservoir projects are in rural areas that may have no protective zoning measures in place thus making them vulnerable to unscrupulous developers (i.e. Houghton County's portion of Prickett, FERC No. 2402).

Though UPPCO may view commentary on Natterra Land beyond the limited scope of the Shoreline Management Plans I believe it is important for UPPCO to clarify or defend Natterra's "track record" in regard to potential past violations such as those provided below. UPPCO is on record promoting Natterra Land's reputation as a contentious developer. I believe it is critical to evaluate past problems of UPPCO's development partner so that the character of the reservoirs in question is not negatively impacted by UPPCO's proposed plans to provide private docks on FERC regulated flowages. What contingencies does UPPCO currently have in place with Natterra Land regarding the development of docks on UPPCO flowages?

I would like to know why UPPCO contends Natterra is "the best of the best" when it comes to developers and, specifically, what US Army Corp of Engineers cases represent violations of navigable waters. Furthermore, can UPPCO provide any other Federal or State agency records concerning violations of protective statutes by Natterra Land or its

aliases (e.g. the Environmental Protection Agency or the State of Minnesota)? What measures can be put in place to avoid the kind of misunderstandings that lead to lawsuits between any potential developer and local planning agencies?

Finally, UPPCO has sought the support of local governments and school districts to support their proposed Shoreline Management Plans on the premise that such development will lead to more tax money for schools and municipalities. Can UPPCO provide any evidence, such as a Cost of Services Analysis, that can support the assumption that docks and trails will produce much needed tax revenue for these rural communities? It seems that any increase in tax revenue will most certainly be offset by the cost of developing and maintaining infrastructure in such remote and rural locations. I recommend UPPCO provide a summary in the SMP's of what measures it has taken to gain the support of local units of governments and what information was provided to these decision making entities that was not shared at the planned public meetings to discuss the SMP.

UPPCO's proposed actions as outlined in the SMPs have been the focus of a lot of concern by the public, organizations, and resource agencies. I do not agree with UPPCO approach of separating project and non-project uses as it tries to seek approval for "improvements" that are necessary for large-scale residential development around these impoundments. Changing the use of these areas from predominately forestry to that of residential should not be taken lightly and I strongly advocate that UPPCO deals with these concerns in a more thoughtful manner through the development of an Environmental Assessment under National Environmental Policy Act requirements for each of UPPCO's FERC-licensed facilities.

I appreciate your consideration of my concerns regarding UPPCO's proposed Shoreline Management Plans.

Sincerely,

Nicole Pollack

From the Wisconsin circuit court system (<http://wcca.wicourts.gov>)

January 2005 – Case No. 2005FO 000045 (Ashland County)

State of Wisconsin vs. Bradley J. Stillings (Alias: Naterra Land – Doing Business As)
Violations:
Fail/Obtain Construction Site Permit (Statute NR 216.43-- Citation R176353)

August 2004 – Case Nos. 2004FO 000342 through 000347 (Iron County)

State of Wisconsin vs. Taylor Investments

Violations:

Enlarging a Waterway without a Permit (Statute 30.19(1g)(a) -- Citation R172620 & R172616)

Fail/Revise Plans to Protect Waters (Statute NR216.50 -- Citation R172614)

Fail/prepare Storm Water Pollution Plan (Statute NR 216.27 -- Citation R172613)

Fail/Maintain Erosion Control BMPs (Statute NR 216.46(1) -- Citation R172618)

Fail/Implement Site Erosion Control Plan (Statute NR 216.46 -- Citation R172610)

December 2002 -- Case No. 2002FO 001552 (Oneida County)

State of Wisconsin vs. Taylor Investment Corp

Violations:

Remove Soil/Bank Stream without Permit (Statute 30.19(1)(c) -- Citation R147033)

December 2002 -- Case Nos. 2002FO 000394 through 000396 (Lincoln County)

State of Wisconsin vs. Taylor Investment Corp

Violations:

Fail/Maintain Erosion Control BMPs (Statute NR 216.46(1) -- Citation R147034)

Fail/Inspect Erosion Control BMPs (Statute NR 216.48(4) -- Citation R147035)

Fail/Implement Site Erosion Control Plan (Statute NR 216.46 -- Citation R147032)

August 1999 -- Case No. 1999FO 000319 (Sawyer County)

Zoning -- Sawyer County vs. Taylor Investment Corporation

Violations:

Failure to Obtain Land Use Permit (Statute 9.2 -- Citation Z345)

September 1996 -- Case No. 1996FO 000673 (Vilas County)

County of Vilas vs. Taylor Investment Corp

Violations:

Cutting Shorland [sic] w/o a Permit (Statute 6.2 -- Citation 9292)

August 1995 -- Case Nos. 1995FO 000511 through 000513 (Lincoln County)

State of Wisconsin vs. Taylor Investment Corporation

Violations:

Remove Soil/Bank Stream without Permit (Statute 30.19(1)(c) -- Citation R23079 & R23082)

Unauthorized Boom Construction/Navigable Water (Statute 30.15(1)(c) -- Citation R23083)

United States Army Corps of Engineers – File cases for Naterra Land (under associated aliases) – NOTE: these cases do not necessarily represent permit violations.

20057421 Naterra Land-Pike Lake Subdivision
20056459 Naterra Land, Inc.-Raymond Haberoth-deli
20055829 Naterra Land Inc. Cartway Petition Kutil
20055673 Naterra Land Co. – Brule River
20055592 Naterra Land, Inc. – Longfellow Retreat
20055467 Christine King-housing-Red Cedar River
20054925 Red Cedar Ridge Subdivision
20054859 Naterra Land
20051274 Mae Wikus Trust Plat Bear Paw
2004160876 Taylor Investment Corp. Bass Lake wetland
200405363 Floodwood Lake – Wetland Delineation
200404898 Taylor Investment – Little Long Lake
200404243 Lessard – Nature’s Way Plat
200403607 Aaron Lake Estates Driveway
200402541 Taylor Investment Corp – Chippewa Ridge Dev
200402471 Taylor Investment Corp – Superior Heights
200401271 Taylor Investment Corp, Tilden Millpond – housing
200400240 Taylor Invest. Corp.
200400177 Taylor Investment – Whispering Willow Preliminary Plat
200309251 Taylor Investments – The Preserve at Stewart Lake
200307971 Construct Roadway to West Elbow Lake Estates
200307889 Rolling Meadows Subdivision
200307244 Taylor Investment – Mistwood Boat Ramp
200306056 Taylor Investment Corporation Bluebill Pass Roadway
200305183 Taylor Investment Corp – Fill/Road – Wetland
200305131 Taylor Investment – N. Br. Pelican
200303140 Grouse Ridge, Pickereel Lake
200302630 Taylor Investment Big Lake dev
200301702 Taylor Investments-Potato River
200300279 Taylor Investment Corp. – City of Mt. Iron Subdivision
200208375 Taylor Investments – new construction
200206915 Taylor Investment/Ross Lake/“Woodland” development road
200206738 Taylor Investment Polk Co road and 32-lot subdivision
200206585 Taylor Investments/Residential Area
200205926 R and L Land Development Riprap
200205104 Taylor Investment Corp/Whitefish Lake Estates
200202983 Taylor Investment Corporation Trimbelle Acres res deve
200202736 Oak Ridge Preserve
200202434 Taylor Investment Corp – Vermilion Trail Estates
200201695 Taylor Investment aerator
200201089 Taylor Investment – Mistwood Property
200106000 North Ten Mile Estates
200105743 Taylor Investment Corporation/Plat

200104351 Molzan/Juniper Shores
200103951 Johnson's Point Plat
200102757 Pickerel Lake Shores/Thor
200102007 Taylor Investment – Rivers Edge Dev.
200100992 Taylor Investment – Spirit River Flowage
200007014 Taylor Investment Corp.
200006730 Taylor Investment - Terry Wiley
200006296 Taylor Invest. Corp of WI – Bridge Uk Trib McKinley Lake
200006114 Fishs Island Lake Shores plat development
200004885 East Silent Lake Shores/Wagener
200004883 Glawe Beach
200004533 Beauty Lake Estates/Hubbard County
200002744 East Silent Lake
200002446 Taylor Investment – Landing Lake
200001792 Jessie Lakes Estates
200000613 Four Seasons Scott Lake outlet road
200000409 Taylor Investment – Baker Lake
199807367 Taylor Investment Corporation – road
199804159 Taylor Investments Bridge
199803543 Taylor Investment – White Ash Lake
199801431 Taylor Investments Walsh Lake Development
199706109 Taylor investment crossing
199705391 Taylor Investment Corporation – unnamed Tributary
199704582 Engle Estates Development
199703906 Taylor Investment Aeration System
199703226 Helen/Tank Lake Development road by Taylor Investment
199703207 Pleasant Lake Estates
199702507 Taylor Investment – Spirit River Flowage
199604923 Preliminary Plat
199604381 Taylor Investment at Kathryn Lake
199603190 East Indian Shores
199602828 TAYLOR INVESTMENT
199602232 Walsh Ridge Estates
199508030 Taylor Investment – access off Sheep Camp Road
199508030 Taylor Investment – access off Sheep Camp Road
199507746 Ridgewood Estates
199507411
199505484
199503842 Taylor Investment project – Lotus Lake
199503615 Buteau – Long Lake in Harrison Hills
199503099 Taylor Inv. Corp.
199501736 Taylor Investment Corp.
199501735 Tylor Investment project
199501731
199501327 Lawrence Lake property
1995001079

199407140
199406914
199406096 Upgrade a Private Road
199405589 Maurice Baltes Estate
199403971 Carey Cove Development
199402967 Wilderness Retreat Pain
199304557
199302453 PAINE LAKE POINTS
199302294 OX LAKE HOUSING DEVELOPMENT
199301777
199300927
199206069 LEECH LAKE DEVELOPMENT
199200926
199190273 TAYLOR INVESTMENT CORPORATION
199162673 TAYLOR INVESTMENT
199162658 TAYLOR INVESTMENT CO
199062192 TAYLOR INVESTMENT CO
199000767 TAYLOR INVESTMENT CORP
198963182 TAYLOR INVESTMENT CO
198962951 TAYLOR INVESTMENT CO
198901017 TAYLOR INVESTMENT CORP
198860928 TAYLOR INVESTMENT CO
198800869 TAYLOR INVESTMENT CORP
199800549 TAYLOR INVESTMENT CORP
199800136 TAYLOR INVESTMENTS
199800108 TAYLOR INVESTMENT CORP
198660107 TAYLOR INVESTMENT CO

The Daily Register - IL - March 1997

www.dailyregister.com/outdoors/stories/kinkaid032997.html

(archived at http://www.zoominfo.com/directory/Taylor_Phil_20062890.htm)

At Kinkaid, A Developer Wants Cash Again

By Joe McFarland
American News Service

MURPHYSBORO (March 28, 1997) -- Two years after a proposed housing development was nixed by the state at Kinkaid Lake near Murphysboro, the developer who attempted the business deal is demanding more than 3 million dollars from the local conservancy district.

Phil Taylor, president of Taylor investments of Minneapolis, Minn. claims the failed building deal to put hundreds of houses on the shore of Kinkaid Lake cost him more than

\$3 million dollars in lost profits, a turn of events for which he is suing the lake's government managers for breach of contract.

A January letter from Taylor's lawyers to the Kinkaid-Reeds Creek Conservancy District seeks \$3.6 million dollars to compensate Taylor for profits he expected to make by leasing the building sites at the Jackson County lake. The forested lake property is jointly owned and managed by the Department of Natural Resources, The Shawnee National Forest and the conservancy district.

An April, 1994 contract signed between Taylor and the conservancy district would have allowed Taylor a 50-year lease on certain Kinkaid land owned by the district and the former Department of Conservation.

Taylor said at the time he intended to develop the land to include as many as 2,000 homesites and would build a golf course and lodge at some later date. However, considerable public opposition developed after the proposed deal became public in early 1995, and the state refused to allow the land to be transferred to Taylor effectively blocking the project.

In a letter denying the land, Department of Conservation (now DNR) Director Brent Manning said Taylor's proposal did not meet the terms of the 1981 Big Kinkaid Creek Project Agreement, "nor does it comport with Illinois law."

DNR spokeswoman Carol Knowles said Wednesday that Taylor as never responded to Manning's letter.

Taylor also did not respond to messages regarding the lawsuit left at his office this week. Conservancy officials say only that they do not intend to pay the \$3.6 million. All of this has proven to be an unexpected topic to discuss at the annual meeting of a local grassroots organization called Friends of Kinkaid Lake, which formed during the original controversy.

"Now we'll really have something to talk about," says Dianna Exner, club secretary.

The meeting, scheduled for Tuesday, April 8 at 7 p.m. at the Murphysboro High School Auditorium, also will discuss the possibility of elk being reintroduced here.

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Comments to Joe McFarland

Daily Times – TN – 10/22/2005
<http://www.thedailytimes.com/sited/story/html/220654>

Developer Sues County

by Lesli Bales-Sherrod
of The Daily Times Staff

It's deja vu all over again.

Naterra Land, owner of The Homestead development that straddles the Blount and Sevier county lines, filed suit against Blount County and the Blount County Planning Commission again Friday.

The new suit in Blount County Chancery Court takes the place of the one the company filed against the Planning Commission in July, said Naterra attorney Arthur Seymour Jr. That suit was filed after the Planning Commission denied the preliminary plat of The Homestead Phase 2 on May 26.

Now the company is suing over the Planning Commission's Sept. 22 denial of the same preliminary plat. The plat was before planning commissioners a second time because Naterra was granted a variance by the Blount County Board of Zoning Appeals, but planning commissioners took action that night to make that variance "null and void."

The new suit still claims the denial of Phase 2 was "arbitrary and capricious" because the Planning Commission changed the county's subdivision regulations after Phase 2 was first proposed and then refused to grandfather the development. East Millers Cove Road, which leads to the Blount County side of the development, does not meet the new standard of 18 feet with 2-foot shoulders, and Naterra is unable to obtain from property owners the right of way necessary to widen the road.

"It is unfair to change the rules in midstream, full well knowing we were going to develop," Seymour said in a telephone interview Friday. "It is impossible for us to comply with their regulations."

The new suit goes a step further, however, challenging also the commissioners' "failure to recognize a valid variance as granted by" the BZA. The suit notes that Planning Commissioner Rick Brownlie, who made both motions Sept. 22 to declare the variance null and void and to deny Phase 2, signed a petition regarding The Homestead before he became a planning commissioner. The petition dated June 15, 2004, is attached to the suit.

"Filing lawsuits is not the way we want to do business, but we are between a rock and a hard place and there is nothing else we can do," said Mel Lager, who joined Naterra as vice president last month. "We would be glad to work something out with the county and not have a lawsuit, but they left us no choice."

This is actually the third time the company, formerly called Four Seasons Properties, has sued for preliminary plat approval of The Homestead. Phase 1 was approved in May 2004 after a Knox County judge ruled the denial "arbitrary" and remanded the matter to the planning commission for reconsideration.

Phase 1 almost ready

While Phase 2 is tied up in court, Phase 1 is coming right along, Lager said Friday.

The roads are in, but lack paving, Lager explained on a tour of the Blount County side of the development Friday. Therefore, Naterra will be back before the Planning Commission Thursday, asking for another six-month extension of the Phase 1 preliminary plat.

An initial six-month extension was granted March 24.

According to an Oct. 15 memo from the Blount County Planning Department to planning commissioners, planning staff will recommend Thursday for renewal of the Phase 1 preliminary plat.

Lager said he intends to file for final plat approval of Phase 1 in time for the December planning commission meeting. If approved, Naterra will start marketing those 40 lots as early as January, he added.

On the Sevier County side of the development, 55 homes are completed or under construction, said Regional Sales Manager Ed Garrett. About 290 home sites on the Sevier County side have been sold, he added, and the development boasts owners from 26 states as well as Canada and Switzerland.

New VP looks to future

A month into his new job as vice president and general manager Naterra's Tennessee properties, Lager said he is looking to the future.

"I can't go back and change anything in the past," Lager said Friday. "But given the same information, reasonable people will come to the same conclusions."

Lager formerly served as the vice president and general manager of ALCOA Inc. He left the company in May to open his own consulting company, which he still maintains.

Lager said he joined Naterra for two reasons: because he wanted to stay in East Tennessee and because he believes in the company's vision.

"I value that the company has been a steward of the land and continues to protect the environment," he said. "You're not going to stop development, but I know we're going in there and doing the right thing."

Tuesday, challenging the planning commission's May 26 denial of its Phase II preliminary plat.

The company -- which changed its name earlier this year from Four Seasons Properties to Naterra Land -- also filed suit in 2003, after planning commissioners denied its Phase I preliminary plat.

The Phase I preliminary plat was approved in May 2004 after a Knox County judge ruled the denial "arbitrary" and remanded the matter to the planning commission for reconsideration.

Now Naterra Land is asking that planning commissioners' denial of the Phase II preliminary plat also be ruled "arbitrary" because the denial was based on the county's subdivision regulations as they exist now, not as they existed when Phase II originally was proposed in April 2004.

The change in the county's subdivision regulations took place in January 2005, when planning commissioners approved new road-width regulations of 18 feet with 2-foot shoulders on each side. East Millers Cove Road, which leads into the Blount County side of the development, does not meet those standards.

Naterra Land asked planning commissioners in January to "grandfather" existing developments from the new road-width regulations, but planning commissioners did not.

Naterra Land notes in the lawsuit that Phase II was before the planning commission "on several previous occasions" -- it was pulled from the agenda three times and deferred four times -- while the company tried to resolve the road issues.

With neighboring land owners refusing to sell the necessary right of way, Naterra Land first asked the Blount County Commission to use eminent domain to condemn the land, but commissioners refused.

Naterra Land later offered to gate the development and, finally, proposed paying \$500,000 of the \$507,000 estimated for road improvements.

Still, planning commissioners denied the Phase II preliminary plat 7-2, with one planning commissioner recusing himself and two absent.

The suit alleges the planning commission created "an impossible condition" by requiring The Homestead to meet new road-width regulations when Naterra Land cannot gain the necessary right of way.

Further, the suit contends that the strict application of the new road-width regulations violates both the federal and state constitutions "as it constitutes a taking of (Naterra Land's) property without just compensation."

For that reason, the suit asks that the new road-width regulations be ruled unconstitutional.

"It is impossible for (Naterra Land) to acquire right of way from landowners who have stated for the record that they are unwilling to sell their property," the suit states.

"Therefore, the planning department's recommendation that the developer secures rights of way and widens the entire length of ... East Millers Cove Road from development entrance to Old Walland Highway is illegal and unenforceable."

Blount County Planning Director John Lamb received the suit Wednesday and handed copies of the suit to planning commissioners at their meeting Thursday night.

Planning commissioners did not discuss the suit.

The development

The Homestead is a 2,000-acre development that straddles the Blount and Sevier county lines, with 1,200 acres in Blount. Although the main entrance is located off Wears Valley Road in Sevier County, the development must connect to East Millers Cove Road to meet Blount County regulations for inner looping.

Phase I, which consists of 40 lots on 120 acres, is under construction.

Phase II also consists of 40 lots on 120 acres.

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 76
21 May 2007

**COMMENTS FROM MENOMINEE COUNTY BOARD OF COMMISSIONERS,
SUBMITTED BY BARBARA MORRISON, COUNTY CLERK**

"Menominee - Where the best of Michigan begins"

ORIGIN:

MENOMINEE COUNTY BOARD OF COMMISSIONERS

Menominee County Courthouse
839 10th Avenue
Menominee, Michigan 49858-3000

OFFICE OF THE
SECRETARY

Brian Neumeier - County Administrator
Jamie Wenzel - Administrative Assistant
Telephone: (906) 863-7779 or 863-9648
Fax: (906) 863-8839

2007 JUL 23 P 2:38

GENERAL ENERGY
REGULATION COMMISSION
MENOMINEE COUNTY
RESOLUTION 07 - 09

WHEREAS, Upper Peninsula Power Company has unveiled Shoreline Management Plans for project lands at its five hydroelectric projects (Numbers: 2402, 10854, 2506, 10856 and 1864) located in numerous U.P. counties; and,

WHEREAS, the Shoreline Management Plans include proposals to protect the environment and enhance recreational opportunities for citizens at the flowages, as well as ensure that proposed activities are consistent with the purposes of protecting and enhancing the scenic, recreational and other environmental values of each project; and,

WHEREAS, these draft plans were developed based on more than 14 months of input from state and federal resource agencies, local government officials and the public. In addition, UPPCO conducted focus groups consisting of various stakeholders, including representatives from county and township boards, hunting and fishing interests, outdoor enthusiasts and economic development. UPPCO also conducted public meetings and invited comments from citizens concerning the plans. The company also engaged the public over many months regarding plans to sell UPPCO private property at the five hydroelectric projects; and,

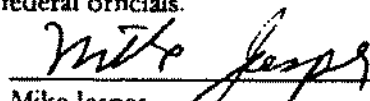
WHEREAS, the flowages these Plans address will continue to be open for people to use alongside numerous acres of U.P. acres already available to citizens; including state and federal lands such as the Hiawatha and Ottawa National Forests that are off limits to development; and,

WHEREAS, it is projected that any development resulting from the sale of property at the projects will over time assist the U.P. construction trades industry, help local businesses and grow local tax bases to the benefit of schools, as well as township and county units of government and the programs and services they provide to citizens. Broadening the tax base in U.P. counties is welcomed, recognizing the state's current financial status and economic outlook; now therefore,

BE IT RESOLVED, that the Menominee County Board of Commissioners hereby approves this resolution of support for the Plans with the expectation that UPPCO will continue working with local units of government and other stakeholders as the process continues and directs that a copy of this document be transmitted to U.P. Power Company and appropriate state and federal officials.



Jim Lynch
County Board Chairperson



Mike Jasper
Deputy County Clerk

5-21-07
Date

5-21-07
Date

Jim Lynch - Chairperson

Greg Furmanski - Vice Chairperson

Bernie Lang

Floyd Berger

Bill Kakuk

Moved by Com. Berger, seconded by Com. Furmanski that the resolution be adopted. Date: May 21st, 2007.

Ayes: 5 Nays: 0 Absent: None

I, Barbara Morrison, the duly qualified and acting Clerk of Menominee County, do hereby certify that the following resolution was adopted at a meeting of the county Board of Commissioners held on May 21st, 2007, is on file; has not been amended, altered or revoked; and is in full force and effect.


Barbara Morrison, County Clerk

Upper Peninsula Power Company – Cataract (FERC NO. 10854)
LAND SALES CONSULTATION DOCUMENTS

Attachment 77
21 May 2007
COMBINED AGENCY COMMENTS ON DRAFT SMPs

Michigan Hydro
Relicensing Coalition



May 21, 2007

Shawn Puzen
Upper Peninsula Power Company
P.O. Box 19001
Green Bay, WI 54307-9002

RE: Resource agency comments on draft Shoreline Management Plans (FERC Project Numbers 1864, 10854, 2506, 2402, and 10856)

Dear Mr. Puzen:

Please find enclosed combined comments from the Michigan Department of Natural Resources, U.S. Forest Service Hiawatha and Ottawa National Forests, National Park Service, U.S. Fish and Wildlife Service, Michigan Hydro Relicensing Coalition and Keweenaw Bay Indian Community (collectively referred to as "Resource Agencies") on the draft Shoreline Management Plans (SMPs) for Federal Energy Regulatory Commission (FERC) hydroelectric projects 1864, 10854, 2506, 2402, and 10856. These comments are provided by the Resource Agencies in consultation with Upper Peninsula Power Company (UPPCO) as part of the FERC Shoreline Management Planning process. The overarching goal of the agencies in this process is to assure that any non-project use of project lands does not compromise the integrity of the licenses in place. All Resource Agencies are not involved in every project; therefore, we are providing Table 1 (attached) to clarify agency involvement.

In summary, the SMPs identify various zones around each basin where different types of non-project and project uses would be allowed. Types of non-project use of project lands discussed in the SMPs include installation of trails, access pathways, basin view corridors, public and private boat docks, and other recreational enhancements. The classification areas presented in the SMPs were Project Operations, Conservation, Enhanced View, Pathway Access, and General Use/Formal Recreation. Project Operations areas include those lands that are necessary for electrical generation or transmission. According to the SMP, Conservation Areas were intended to be set aside to protect important natural resource features and would allow for development of trails. Some of the basins would also have enhanced view areas where brush and tree limbs could be removed to allow views from a residence to the water. Pathway Access areas allow

installation of pathways (or paths) from non-project lands through project lands thereby facilitating access to docks. The installation of buried electrical lines for dock lighting is also proposed in the Pathway Access areas. General Use/Formal Recreation Areas would allow dock placement, construction of paths and roads, cutting of enhanced view areas, and construction of recreational facilities. The SMPs suggest that increased public use of these basins is anticipated as a result of implementation of these non-project related activities.

We appreciate the close communication between the Resource Agencies and UPPCO during the development of the SMPs. Much of this communication is evidenced in the SMPs Appendix A: Record of Agency and Public Collaboration, although several documents were not included which provide important information on the consultation process; these documents should be included in the final SMPs (see Appendix for missing documents). Some of the language in the SMPs, however, suggests that the documents were created in collaboration with the Resource Agencies. We believe this language overstates our involvement and participation in drafting the SMPs. We clarify that the draft SMPs are solely the product of UPPCO and remind UPPCO that our involvement, communication, and comments do not imply endorsement.

We have identified several potential issues of concern with respect to the draft Shoreline Management Plans. These issues are discussed below under specific comments for FERC License and Plan Consistency, Environmental Studies and Shoreline Zones, Potential Impacts to Environmental Resources, and SMP Implementation. The following points summarize our detailed comments:

- Non-project related activities identified in the SMPs, such as trails, pathways, and docks, are not consistent with the FERC licenses or approved plans. New threats and resource impacts associated with these activities were not identified or mitigated in the original license or plans. New plans should be written concurrently with the SMPs to specifically address these new threats.
- The Assessment of the Recreation, Wildlife, Loon, and Aesthetic Resources (Environmental Studies) conducted by E/PRO either lacked information on important aquatic and forest related resources or did not follow recommended agency protocol for collecting such data. This lack of reliable data makes it difficult to fully understand the impacts of various activities along the basins' shorelines. This requested information needs to be provided and UPPCO needs to clearly show how all environmental study data was utilized in developing appropriate shoreline zones.
- Non-project related activities have the potential to impact fish, wildlife, recreation and aesthetic resources on each of the basins by direct habitat loss, fragmentation, and increased human disturbance. These impacts need to be analyzed and discussed in the SMPs.
- Monitoring and enforcement plans should be developed concurrently with the SMPs, with input from the Resource Agencies. Updates of the SMP should be completed every five years reflecting new information and changed conditions discovered through monitoring. These updates should be prepared with the agencies and re-filed for FERC

approval.

FERC License and Plan Consistency

The SMPs suggest that, outside of the Recreation and Land Use Plans, many of the management plans for each project do not need amendments. We have found multiple inconsistencies among the licenses, associated plans, and SMPs (Table 2, 3, 4, 5, and 6). We believe that most management plans need to be rewritten to incorporate the new threats associated with SMP implementation.

The existing plans were written to help protect or enhance a variety of natural resources associated with each project. When these plans were written, significant resource threats were almost solely from forestry operations within the project boundaries. Development of project lands through trails, public and private docks, new recreational facilities, and enhanced view corridors, were not anticipated during the relicensing process. Therefore, the impacts associated with SMP implementation were not considered during development of the plans. As part of the SMP process and concurrent with SMP development, these management plans must be rewritten to help protect resources from these new threats.

Shoreline Classification Areas and Environmental Studies

Conservation Area

According to the SMPs, the Conservation Areas were intended to protect important natural resource features at each basin. With the limited information provided in the SMPs, however, we identified several examples where important resources were not protected or included in a Conservation Area. For example, at Au Train the entire area designated as a Wildlife Refuge by Michigan Department of Natural Resources (DNR) was not included in a Conservation Area. There are instances at all the basins where important resources such as wetlands, loon nesting habitat, areas of high aesthetic value, and bald eagle roosts were not included in a Conservation Area. Without being included in a Conservation Area, some of these resources are likely to be detrimentally impacted by the various proposed activities.

If Conservation Areas are being set aside for conservation purposes, it is inappropriate to incorporate trails into these zones. Vegetation removal and increased human use of these areas as a result of trail placement could impact sensitive species (e.g., loons, eagles, and osprey). Reducing human disturbance is noted as a key priority for protecting these species in many of the license's management plans (Table 2, 3, 4, 5, and 6). Conservation Areas should protect sensitive environmental resources and provide areas where these species could be expected to thrive. Although access to Conservation Areas should be allowed, it should not be encouraged through the development of trails.

Additionally, the Conservation Areas are fragmented by zones of higher development and higher human activity such as the Pathway Access and General Use/Recreation zones. Michigan's Wildlife Action Plan (Eagle et al. 2005) identified habitat fragmentation, the division of contiguous landscapes into habitat patches, as the highest priority threat to wildlife habitat in

Michigan. Numerous studies discuss the risk of habitat fragmentation, including Hawbaker et al. (2005) who describes the fragmentation of forested landscapes across Northern Wisconsin from 1937-1999. In a related study, Robinson et al. (1995) described the negative effects of forest fragmentation on nesting migratory birds, including several rare or declining species in our region. The fragmentation by trails and access pathways areas make these habitat areas less valuable and functional than a contiguous area. Even what may be deemed minimal disturbances (e.g., placement of a road or path) may be detrimental, especially to less mobile species such as reptiles and amphibians. To avoid fragmentation, it is recommended that large tracts of land are protected (Askins 1995). Fragmenting the Conservation Areas with public paths and trails also increases the risk of introducing non-native invasive species due to the heavy human use at many points around the shoreline. For these reasons, UPPCO should consider consolidating Conservation Areas and reducing fragmentation by consolidating or reducing the number of proposed new trails, Pathway Access, and General Use/Recreation Areas.

Environmental Studies

As the basis for developing the SMPs, you completed Environmental Studies for each basin in summer 2006. We believe these studies were inadequate in several respects (see agency comments on Study Scopes May 19, 2006 and agency comments on E/PRO Reports, August 28, 2006). Many of the agency comments were summarily rejected or not adequately addressed. As such, the final Environmental Studies have many deficiencies which limit their usefulness as a tool for protecting important resources.

With limited substrate data and no bathymetric data for the basins, we are unable to determine if proposed dock locations protect important fish spawning and waterfowl foraging areas. In fact, based on anecdotal information provided by tribal fishermen, several General Use/Formal Recreation zones would include areas that are important to walleye spawning and may impact tribal spearing opportunities at Bond Falls and Prickett (A. McCammon Soltis, Great Lakes Indian Fish & Wildlife Commission, personal communication; G. Mensch, Keweenaw Bay Indian Community, personal communication). Without more detailed substrate and bathymetric information for each basin, it is impossible to identify the degree of impacts to fisheries and wildlife habitat which would likely result from proposed dock placement.

In our comments on the Scope of Services for the Environmental Studies, we requested that you identify high value or rare forest types within the project boundaries, including forest stands with old growth characteristics, stands that contain high-value mesic conifers (e.g., hemlock, white pine), and stands that contain red oak. In response, you stated that this information already existed through recently conducted timber surveys. This information, however, was not provided as part of the Environmental Studies and we must assume it was not utilized in development of the draft SMPs. We believe this information is needed to fully evaluate the impacts of non-project uses on high-value habitat areas.

With the limited information provided in the SMPs, it is not clear how information from the Environmental Studies was used in the shoreline classification process. Aerial photographs, with resource information overlaid, should be provided in the SMPs. It would also be helpful to provide a map showing the location of the resources and the proposed shoreline classification

areas.

Potential Impacts to Environmental Resources

The SMPs suggest that environmental impacts would be neutral or potentially beneficial. The agencies suggest that there could be detrimental impacts to water quality, aquatic resources, wildlife, forest communities, recreation, and aesthetics as a result of implementing the SMPs. The impacts on these natural resources need to be articulated and analyzed within the SMPs. In many cases the FERC mandated management and monitoring plans for each project need to be re-written in order to address the new threats and impacts associated with the proposed non-project use of project lands.

Water Quality

Potential long-term effects on water quality could arise from increased boating-related sources attributable to use of the proposed public and private docks and new boat launch facilities. In shallow water, motor boats are capable of disturbing bottom sediments leading to increased turbidity (Engel and Pederson 1998; Mosish and Arthington 1998). Additionally, increased use of motor boats intensifies the risk of water pollution due to uncontrolled release of fuel, motor oil, and exhaust fumes (Mosish and Arthington 1998). It is possible for these pollutants to remain in the sediment for long periods at levels toxic to fish and invertebrates (Asplund 2000). Given the number of boats likely to use the docks and boat launches, there would be a greater potential for accidental fuel spills, oil discharges, and leaks from normal boating operations. These additional sources of pollution would incrementally contribute to cumulative water quality impacts. To avoid these impacts, recreational boating should be limited by avoiding or minimizing the installation of docks.

The increased boating activity on these basins could create impacts to water quality that were not considered during the FERC relicensing process. Therefore, the water quality plan for each basin should be rewritten to include monitoring that would document parameters such as uncombusted fuel that may increase in the project waters as a result of non-project use of project lands. The new plan should include a mitigation or control strategy if water quality is impaired.

Invasive Species

As a result of non-project use of project lands, human activity on or adjacent to the basins is likely to increase. Increased vehicular, pedestrian, and boating use on project lands and waters brings a higher risk of movement and spread of non-native invasive species. The invasive species plans for each basin should be re-written to address the higher threat of introducing nuisance plants and animals. For example, Eurasian watermilfoil is typically introduced into water bodies via motorboats and increased boating on the basins will increase the potential for introduction and spread of this plant. It would, therefore, be prudent to do more frequent surveys for aquatic nuisance plants and animals than is currently required under the plans.

The risk of introducing terrestrial nuisance plants, including species not contemplated when the original plans were prepared, will also be greater as a result of non-project use of project lands.

Therefore, surveys for both aquatic and terrestrial invasive plants and animals should be given more emphasis than it is in the current plans, including more frequent surveys and an expansion of the surveyed list of nuisance species. At a minimum, garlic mustard, rusty crayfish, zebra mussel, quagga mussel, spiny water flea, curly-leaf pondweed, Eurasian watermilfoil, and purple loosestrife should be identified in the plans as a priority for survey and control. The plans should also specify that UPPCO will consult with the agencies annually to determine if there are new invasive plants and animals of concern that need to be included in future surveys.

We support your recommendation to incorporate additional invasive species signage at each basin. This effort also should be added to each basin's nuisance species management plan along with the point that additional efforts may be necessary in the future to reduce the introduction and spread of non-native invasive species.

Aquatic Resources

The placement of public and private docks, new boat launches, and subsequent increases in boating activities anticipated with the implementation of the draft SMPs could have adverse impacts to aquatic plants, fish, and other species. Lakeshore development is well known to negatively impact fish and plant species in northern temperate lakes (Jennings et al. 1999; Schindler et al. 2000; Hatzenbeler et al. 2004; Scheuerell and Schindler 2004). Development of the shoreline and increased recreational use of a water body will result in reduced availability of woody material, aquatic vegetation, and coarse substrate (Christensen et al. 1996; Radomski and Goeman 2001; Hatzenbeler et al. 2004; Jubar 2004). Many fish species exhibit strong preferences for coarse spawning substrate while others prefer wood structure or vegetation (e.g., bluegill, walleye, muskellunge, largemouth bass, and smallmouth bass). Shoreline alteration, through placement of docks and vegetation removal, may reduce suitable spawning habitat and result in greater substrate embeddedness through the introduction of fine materials (Jennings et al. 2003). The reduction in available substrate will impair the ability of fish to use nearshore habitat for spawning, foraging, and refuge during various life stages.

Corresponding with an increase in lakeshore development, several studies found a decrease in aquatic vegetation (Radomski and Goeman 2001; Jennings et al. 2003; Hatzenbeler et al. 2004; Jubar 2004). These decreases in vegetation may be attributed to increased recreational use, manual removal, or shading by docks. For example, Ostendorp et al. (1995) found that emergent plants decreased with increased wave action associated with recreational use of lakes. Radomski and Goeman (2001) found that lakeshore development in Minnesota contributed up to 28% reduction in emergent aquatic vegetation. In a related concern, it has also been found that the loss of native plants encourages the establishment of invasive species such as Eurasian watermilfoil and curly-leaf pondweed (Engel and Pederson 1998).

As previously noted, the Environmental Studies did not provide adequate data to determine important aquatic resource zones along the shoreline. In the case of aquatic resources, we previously recommended the collection of site-specific (GPS-mapped) data on littoral resources such as gravel lenses, woody structure, and aquatic vegetation. Instead, these resources were discussed only in general terms in the Environmental Studies. Therefore, we do not believe that the data utilized by UPPCO is of the quality and specificity needed to determine the

environmental impacts of any proposals seeking shoreline alterations, dock placement, or woody habitat manipulation.

Carrying Capacity

The boating carrying capacity for each basin was calculated based on water surface area and the type of watercraft anticipated to be used. The calculation involved averages and range of boating densities which did not appear to be based on relevant literature (basins similar to the remote Upper Peninsula basins) or any on-the-ground observations. In our comments on the Environmental Studies, we noted that any meaningful calculation of boating carrying capacity needs to start with a determination of desired condition for each reservoir. Yet, this desired condition was not identified in the draft SMP as part of carrying capacity determination. Understanding and defining this future desired condition is a prelude to determining boating capacity, types of watercraft, and other appropriate recreational uses. We recommend using a decision making framework, such as Visitor Experience and Resource Protection (VERP; National Park Service, 1997) or Water Recreation Opportunity Spectrum (WROS; Haas, et al. 2004), to aid in identifying a future desired condition for each basin. These methods, widely accepted by State and Federal Resource Agencies and other entities involved in recreational planning, step through a process of identifying the significance of an area, the desired conditions (range of visitor experiences and resource conditions) for it, what combination of visitor experiences will best protect and enhance the water body values, and how to achieve and maintain the desired condition over time. This would include identifying possible management prescriptions for different shoreline zones, and then setting standards to be used for monitoring that would trigger management actions if standards were exceeded. Desired condition for each basin should be identified and should inform subsequent boat and dock related decisions (number of docks, public access sites, what types of boats). We are willing to work with you on developing a future desired condition for each basin using WROS or VERP. Without defining a future desired condition for each flowage, any assumptions made regarding watercraft capacity, type of watercraft, or other appropriate recreation is premature.

After reviewing the carrying capacity studies (which we believe need to be modified based on future desired condition) and draft SMPs, we noted instances where the calculations were based on flawed data and where conclusions were not incorporated into the SMPs. For example, the entire surface areas of Prickett and Au Train were inaccurately utilized in calculating boating carrying capacity. At Prickett, much of the basin has extensive snags and stumps which would reduce the usable water surface area. At Au Train, the entire surface area of the basin was utilized in determining carrying capacity although a significant portion of the basin is closed as part of a DNR wildlife refuge from September 1 to November 10. The AuTrain SMP suggests that the wildlife refuge was not factored into the carrying capacity analysis as the closing did not occur within the peak boating season. We again point out the error of this omission, as the extensive use of the basin by waterfowl hunters in the fall makes this one of the busiest boating period. Realistic calculations of water surface areas at each of the projects should be factored into boating carrying capacity estimates.

Further, we noted instances where the results of the carrying capacity study were not incorporated into the SMPs. According to the boating carrying capacity study, additional boat

docks are not appropriate at both Cataract and Victoria. Nonetheless, additional boat docks or slips are proposed in the Pathway Access Area at Cataract. Docks are not appropriate at Victoria as well, per the boating carrying capacity study assuming a 200' buffer and combined use. The carrying capacity is already exceeded by the number of boats originating from the public launch. Given this information, it is not clear why docks are being proposed on either of these basins.

Docks

Docks could, depending on placement, have long term negative impacts on important fish, wildlife, and aesthetic resources. A study by Dahlgren and Korschgen (1992) determined that the installation of docks in areas of waterfowl breeding habitat forced waterfowl to move to less attractive sites. As previously discussed, dock placement can also impact fish spawning and nursery habitat. As nearshore habitat was not fully mapped, it is unclear how "dock zones" avoided these habitat areas. Anecdotal data provided by the Great Lakes Indian Fish & Wildlife Commission and Keweenaw Bay Indian Community (KBIC) suggests that on Bond and Prickett flowages, dock placement areas could overlap with important nearshore walleye areas. Without detailed substrate and bathymetry data, it is not possible to fully evaluate the extent of potentially significant adverse effects to aquatic resources. Such data is needed to determine if and where dock placement may be appropriate.

In order to further review dock and dock placement, we not only need more detailed aquatic resource information, but we also need valid carrying capacity estimates based on a desired future condition as discussed above.

Wildlife

Implementation of the draft SMPs, including development of trails, pathways, new launch facilities, docks, and view corridors could impact important wildlife habitat through direct modification (cutting of small diameter trees for view corridors or paths), fragmentation, or human disturbance. Many neotropical migratory songbirds are especially sensitive to fragmentation of nearshore areas since fragmentation often results in the loss of ground cover and other habitats used for nesting, and may also lead to increased nest predation and nest parasitism (Austin 1961; Askins 1995; Robinson, et al, 1995; Engel and Pederson 1998; Lindsay et al. 2002). Cutting trees for trails, pathways, and view corridors could result in habitat fragmentation and loss of migratory bird nesting habitat.

Increased human use of the shoreline and flowages as a direct result of access pathways and dock placement also could negatively impact sensitive wildlife species. To protect disturbance sensitive species, Asplund (2000) recommends limiting human access to undisturbed shorelines that provide habitat for species such as loons, herons, turtles, and eagles. In addition, several studies have found that increased use of motor boats led to increased disturbance of nesting birds (Asplund 2000), with migratory birds being of most concern due to their increased energy needs and resulting delayed migration (Kahl 1991). The trails and pathways proposed in the SMPs will promote greater human activities around the basins and no proposed SMP zones would prohibit trails. Individual docks, dock clusters, and new launch facilities will allow greater boating activity on each basin, in turn creating more disruption to wildlife.

These impacts to wildlife would conflict with license and plan objectives which relate to protection of these species and their habitat. Implementing the draft SMP would also conflict with the general requirement in the licenses to protect and enhance the resource values at each project. In addition to not meeting the objectives of the existing licenses and plans, the SMPs as proposed would result in additional long-term degradation and loss of wildlife habitat. The impacts to wildlife resources should be clearly discussed in the SMPs. The projects' plans should also be rewritten to address the new wildlife threats and impacts associated with implementing the SMPs.

Species of Concern

All the project's licenses address several species of special concern including federal and state listed threatened or endangered species such as the bald eagle, gray wolf, common loon, wood turtle, and osprey. Increased human disturbance and modification of habitat associated with implementing the draft SMPs could result in negative impacts to these species. These negative impacts are not consistent with licenses and plans which articulate UPPCO's responsibility to protect and enhance habitat for these species.

Bald Eagle

All projects identify the need to protect and enhance habitat for bald eagles. This typically includes contributing to annual nest surveys, reducing human disturbance around nest sites, and protecting suitable habitat for eagles. At some basins, protection of forage and roost trees is also incorporated into the license and plans. The implementation of the draft SMPs could negatively affect eagles through increased human disturbance and direct modification of habitat.

The proposed conservation zones do not incorporate all nesting and foraging sites. Based on our review, it appears that only bald eagle nests which were active in summer 2006 were placed in the SMPs most restrictive conservation zone. In many situations, bald eagles utilize several nest sites in a general area and often switch activities among these nests year to year. This is true at Prickett and Au Train basins where one bald eagle pair has several nests on each basin. These alternate nest sites need to be incorporated into conservation zones. We consider nests to be "historic" only after ten years have passed without any nesting activity.

Bald eagle foraging areas and roost trees were not thoroughly documented in the Environmental Studies and, when documented, these areas were not protected in conservation zones. For example, it is noted in the Boney Falls Endangered and Threatened Species Management Plan that the basin is used extensively by foraging bald eagles. The Plan includes a map of the important foraging areas. All of these foraging areas were not incorporated into a conservation zone.

Increased human disturbance within project boundaries could impact foraging or nesting bald eagles. In addition to pedestrian activity along the shoreline on trails and pathways, the expected increase in watercraft activity may also adversely affect eagles. Studies have shown that bald eagles are affected by shoreline development (Buehler et al. 1991) and may be forced to spend

additional energy on feeding as their nests are moved further inland to avoid human disturbance (Fraser et al. 1985). The implementation of the draft SMPs would likely reduce eagle nesting attempts or nesting success on project lands in the future.

As currently proposed, implementation of the draft SMPs could adversely impact bald eagles and conflict with license objectives for protecting and enhancing bald eagle habitat. Increased boating activity, trails, pathways, and numerous docks are new threats to eagles which need to be clearly addressed in the SMP. In addition, eagle related management plans for each basin need to be re-written to address any new impacts.

Gray Wolf

Gray wolves are found throughout the Upper Peninsula of Michigan. Since gray wolves move extensively throughout the area, it is presumed that project lands are utilized by wolves at least periodically. Gray wolves were recently removed from the list of federally threatened and endangered species, but still remain on the Michigan endangered species list.

The existing project management plans for gray wolves focus on reducing threats from logging activities including closing logging roads and protecting den and rendezvous sites. Given the proposed changes to project lands discussed in the SMPs, protective measures that address threats of logging activities on wolves are no longer relevant. The plans need to be re-written to incorporate new threats and impacts associated with SMP implementation. Increased human activity and disturbance of project lands, as well as associated non-project land development, may result in less utilization of these areas by wolves. The numerous new access points around the shoreline proposed by UPPCO in the SMPs, along with trails and other recreational enhancements around the flowage shoreline, would be in direct conflict with license direction and likely lead to irreversible degradation of wolf habitat.

As currently proposed, implementation of the draft SMPs could negatively impact gray wolf and conflict with license objectives for protecting and enhancing wolf habitat. Increased human disturbance associated with trails and pathways are new threats to wolves which need to be clearly addressed in the SMP. In addition, wolf related management plans for each basin need to be re-written to address any new impacts.

Common Loon

Based on the Environmental Studies, common loon or common loon habitat was found at Au Train, Bond, Prickett, and Victoria basins during a one or two day visit to the basins. Only the Bond Falls license (Bond and Victoria basins) specifically identifies measures to protect and enhance habitat for loons. With loon habitat observed at Prickett and Au Train, we believe protection of loons at these basins is important and management plans are warranted.

Increases in human disturbance and boating activity as a result of SMP implementation would negatively impact loons. Loons are highly sensitive to human disturbance (Evers 2004). Loons are also known to be affected by both shoreline development, which often results in the removal of nesting material, and increased recreational use (Titus and VanDruff 1981; Evers 2004).

During our review, we also noted that not all high quality loon habitat was protected by a Conservation Area. For instance, only a portion of the high quality habitat at Bond Falls flowage would be placed in a Conservation Area with accompanying no-wake signs. Several other high quality loon areas on Bond Falls, however, are not protected in a conservation zone. In one location, where the agencies recommended loon platform placement, UPPCO proposed a cluster dock (see Figure 8-2 of the Bond Falls SMP).

As currently proposed, implementation of the draft SMPs could impact common loon and conflict with Bond Falls license objectives of protecting and enhancing loons and loon habitat. Increased watercraft activity and increased human disturbance associated with trails, pathways, docks, and new boat launch facilities are new threats to loons which were not addressed in the relicensing process. These impacts to loons need to be clearly addressed in the SMPs. The Bond Falls Wildlife Plan needs to be re-written to incorporate and consider these new threats to loons. Loon protective measures need to be added to Prickett and Au Train wildlife management plans.

Sturgeon (Prickett and Victoria)

Lake Sturgeon is listed as a state threatened species in Michigan. Currently there are only three known river spawning locations remaining for this species within the U.S. side of the Lake Superior basin. One of these spawning locations is just downstream of the Prickett dam on the Sturgeon River. Downstream of Victoria Dam on the Ontonogan River, there are ongoing efforts to restore a spawning population of lake sturgeon. Increases in boating activity on these basins could result in water quality degradation and impacts to downstream spawning adults, eggs, or larvae. The SMPs need to address potential impacts to lake sturgeon.

Old Growth/Land Management

Each of the projects has an approved land management plan that refers either to management for old growth forest or protection of forest vegetation. In all instances, the proposed non-project uses of project lands and permitted activities would negatively affect old growth or other forest communities within the project boundaries. Therefore, these activities would be inconsistent with the FERC licenses and approved plans.

The licenses for Bond Falls and Cataract refer to management of the project lands for old growth. The DNR uses a working definition of old growth: "Old growth forests are those that approximate the structure, composition, and functions of native forests. These native conditions generally include more large trees, canopy layers, native species, and dead organic material." As proposed in the SMPs under Permittable Activities, cutting brush or small trees and removing tree limbs or dead organic material for paths and enhanced view areas would not be consistent with old growth forest development. Trenching along the paths to install electrical lines would also negatively impact old growth forest, as it would damage tree root systems and disrupt ground-level vegetation.

While AuTrain, Prickett, and Boney Falls projects do not have specific old growth management objectives, they have approved FERC plans that include provisions for protection of forest

vegetation. In each plan, project lands are to be maintained with a diversity of vegetation types and age classes to encourage wildlife use and preserve project aesthetics. Since the creation of enhanced view areas, trails, and pathways within project lands was not envisioned when these plans were written during relicensing, they need to be amended or rewritten to address these new threats.

Recreation

Recreational Enhancements

Significant recreational enhancements are proposed in each SMP. According to UPPCO, these enhancements, in addition to what is provided for in each license, will assure that recreational access to the general public is provided as the land surrounding the project boundary is developed. UPPCO intended to site these recreational facilities to avoid sensitive environmental resources and to ensure that their use was consistent with existing FERC license plans.

The proposed recreational enhancements are inconsistent with the licenses. Many of the enhancements conflict with key license objectives, particularly those relating to protection of wildlife habitat, minimizing human use of the project shoreline, maintaining existing walk-in access for dispersed recreation, and protection of shoreline aesthetics. For example, the proposed Little Falls access point and parking area is located within one of the most environmentally sensitive areas along the Bond Falls shoreline. As noted in the Environmental Studies, the sand bank along the east side of the Little Falls Bay contains high quality wood turtle nesting habitat and wood turtles were observed in this area during the 2006 survey (wood turtles are a U.S. Forest Service Sensitive Species and also a State of Michigan Species of Concern due to declining populations). Two of the primary threats to wood turtles are poaching by humans and human disturbance of turtles during their nesting season. Additional human use of this area would conflict with the objective of protecting this rare species and its habitat.

To avoid unnecessary conflicts with the existing FERC license plans, the agencies recommend that recreational enhancements not be implemented at this time. While some of these enhancements such as public docks to alleviate use and crowding at public launches may be needed in the future, there is currently no demonstrated need. Because many of these enhancements may have negative environmental, recreational, and aesthetic impacts, recreational enhancements should only be considered when a need is indicated by the periodic recreational use assessment (FERC Form 80). Further, if it is demonstrated that recreational enhancements are warranted, the implementation schedule should not be tied to dock placement.

Impacts to Recreational Use

Currently, each of the projects is located in a rural, mostly forested landscape. Recreation, for the most part, is informal with many users participating in bird watching, fishing from boats and shore, or hunting. Many of UPPCO's recreation sites are primitive in nature and consist of a boat launch, canoe portage, and outhouse. The public has become accustomed to this type of recreational experience at all of these projects, and the existing licenses and license plans are written to provide this type of use. Current recreational uses, such as tribal fish spearing at

Prickett, could be negatively impacted by development of the project shoreline and installation of docks. Allowing the proposed non-project uses of project lands will result in a different recreational experience and, in some instances, conflicting use.

One of the Resource Agencies' concerns with the increased non-project use of the project lands is the negative impact to hunting. Hunting is very important to Michigan's rural economies. In 2001, 754,000 Michigan residents and non-residents spent \$490 million dollars on equipment, travel, and hunting licenses (U.S. Department of the Interior et al. 2001). Recreational hunting is especially important at the AuTrain project, which includes a 2,000 acre wildlife refuge that covers a significant portion of the southern basin. The DNR describes the AuTrain Basin Waterfowl Project as the most productive game lands in Alger County because of the diversity in cover types including northern forests, aspen, and cherry, all mixed with small and large openings that provide for excellent wildlife habitat. Although the AuTrain SMP states that the sale of non-project lands will not impact hunting practices because the Non-exclusive License Agreement will require designated homeowners to allow waterfowl hunting within 200 feet of their dwellings (State law prohibits hunting from within 450 feet of a dwelling without written permission from the owner), we are concerned that the designated locations only represent a small portion of the basin. Other flowages and surrounding shorelines also experience considerable use by hunters, particularly waterfowl hunters and upland game hunters. We maintain that proposed non-project uses of project land would restrict the ability of the public to participate in current recreational uses, including shoreline hunting.

Wild Rice (Prickett Only)

Prickett Reservoir has been identified by KBIC as a potential area for wild rice establishment. To date, there have been limited areas identified around Baraga and L'Anse where wild rice would be successful and where tribal members would have unhindered access. The potential for increased boating, water quality degradation, and non-native species introduction as a result of SMP activities could impede establishment of wild rice at this reservoir. Placement of docks and subsequent boating impacts may conflict with KBIC's culturally significant wild rice planting and harvest. Impacts to wild rice establishment at Prickett should be addressed within the SMP.

Navigation Channel (Prickett Only)

The resource agencies have previously expressed several concerns about removing stumps or snags from this reservoir (see August 28, 2006 agency comments). We believe it is premature to propose removal of stumps and snags from this water body prior to preparing a recreation opportunity analysis and establishing a "desired condition" for the reservoir (see our related comments under Carrying Capacity above). Until a desired condition is established and the appropriate types of water-based recreation for the reservoir are defined, the necessity of stump and snag removal is unknown. For example, if the primary recreational uses of the reservoir are fishing and observing nature with small watercraft (canoes, kayaks, small fishing boats), then the presence of stumps and snags would likely enhance the recreational experience and their removal would not be desirable. It should be noted that the primary use of the reservoir at the present time is primarily by this type of small watercraft.

Snags have considerable value for several bird species that nest in this area. Bald eagles and ospreys utilize some of the larger snags as places to perch or forage. The Prickett Bald Eagle Management Plan requires protection of important eagle habitat, which would include snags utilized by eagles. Several cavity-nesting bird species also utilize these snags. Removal of these nesting snags would result in a direct, negative impact to this unique habitat feature, as noted in the Prickett E/PRO Report (p. 3-25).

Further, flooded stumps and snags have considerable value as fish habitat and as a substrate for aquatic invertebrates, as previously indicated to UPPCO by the resource agencies. The revised (October, 2006) Prickett E/PRO Report Section 3.3.4 discusses the value of this wood to the fishery in the reservoir. This information, which indicates a probable decrease in benthic invertebrate production, fish growth rates, and fish production if flooded stumps and snags are removed, was not fully considered or utilized in the Prickett SMP. There is no analysis or discussion in the Prickett SMP of the direct, indirect, and cumulative effects of removal of flooded stumps and snags on the aquatic ecosystem, including fish.

Based on the above, the proposed removal of stumps and snags may be inconsistent with the license and license plans in several areas, including protection of natural aesthetics, protection of bald eagle habitat, and protection of wildlife and fish habitat.

Aesthetics

Activities associated with the SMPs, such as installation of docks, predicted increases in boat traffic, cutting of view corridors, and installation of trails could impact the aesthetics at each basin. Currently these basins are primarily remote flowages with few to no docks or other shoreline development and limited boating activity. Noise and visual disturbance from boating can impact the character of an area. In FERC's Guidance for Shoreline Management Planning at Hydropower Projects it states: "The licensee should have an idea of what the project's aesthetic resources are, areas of the project that are considered to have high aesthetic values, why those areas have high values, and who values the aesthetic resources. Aesthetic attributes that are commonly valued include vegetated shorelines, clean water, the presence of wildlife, and views of water. Conversely, licensees should have an idea of highly valued shoreline views that are threatened or have been degraded by past development."

It is unclear in the SMPs how the information on aesthetic resources was utilized in developing appropriate shoreline classification zones. Some of the highly scored aesthetic units identified in the Environmental Studies were not placed in Conservation Areas and could therefore be degraded by some level of development activity including construction of trails, pathways, formal recreation areas, or docks.

Shoreline Erosion

Increases in boating activity on these basins could result in greater shoreline erosion. It is well understood that motor boats may cause shoreline erosion through increased wave action (Engel and Pederson 1998; Mosish and Arthington 1998). Most shoreline erosion from boating is anticipated to occur in shallow and nearshore areas (Asplund 2000). The SMP should discuss

this potential for shoreline erosion. Shoreline erosion plans for each project should be re-written to address this new threat and incorporate monitoring and appropriate mitigation measures.

Wetlands

There are various wetland types associated with each flowage both along the shoreline and slightly inland within the project boundary. According to Michigan's Wildlife Action Plan (Eagle et al. 2005), "Wetlands are vital for a variety of Michigan species; they provide important breeding, spawning, and nursery habitat for many fish species; nearly all of Michigan's amphibians are dependent on wetlands, particularly for breeding; they provide nesting sites for migratory waterfowl and nesting or foraging sites for a variety of landbirds, waterbirds, and waterfowl; and they are preferred by mammals such as muskrats, otter, and beaver." Protection of Michigan's varying wetland types is a conservation priority.

Some of the wetland areas identified as part of the Environmental Studies were not incorporated into Conservation Areas. Impacts to these wetlands could occur if they are filled to facilitate non-project uses of project lands. In addition, the SMP should discuss how nearshore wetland communities may be affected by increased boating activity. Wetlands within the project boundaries could be impacted as a result of implementing the SMPs.

SMP Implementation

UPPCO should develop a SMP monitoring and enforcement plan concurrently with the SMPs, with input from the Resource Agencies. We also believe that the SMPs should be monitored and reviewed on a regular basis to determine their effectiveness. We recommend monitoring the following items as a minimum (this list may increase as the SMPs are developed and additional monitoring needs are identified): amount of undisturbed shoreline, changes in fish and wildlife habitat/fish and wildlife use of project lands and water, change in condition of buffer strip and project land vegetation, number of docks, number of boats launched, number of permit violations and how addressed, and changes in adjacent land use. We also recommend that, if agreement is reached on the Shoreline Classification System, the designated areas remain in place for the term of the license, with the exception that additional areas may be designated for conservation purposes if warranted (e.g., identification of sensitive species).

Implementation of the SMPs is also likely to require the development of road access to non-project and project lands. At Au Train, Bond Falls, Prickett and Victoria access through National Forest System lands may be needed. Obtaining approval and any required permits for access through National Forest System lands will need to be pursued directly with the Hiawatha National Forest for Au Train and with the Ottawa National Forest for Bond Falls, Prickett and Victoria. It is also important to note that this connected action needs to be fully disclosed and evaluated by FERC in any Environmental Assessment or Environmental Impact Statement they prepare in response to these SMPs.

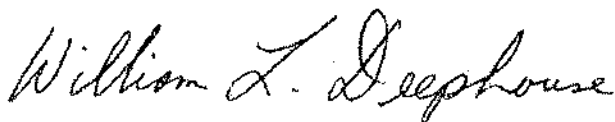
Summary

In summary, non-project related activities as described in the SMPs are not consistent with

FERC licenses and management plans for the basins. Additional detailed aquatic substrate, bathymetry, and forest stand information is necessary to fully evaluate potential impacts to these resources. Based on the limited information provided, new threats and impacts to natural, aesthetic, and recreational resources are likely. We believe these new threats and impacts should be fully analyzed and discussed in the SMP. Furthermore, management plans need to be rewritten, with agency involvement and concurrent with SMP development, to address these new threats and impacts. Finally, we recommend incorporating a monitoring component into the SMPs.

We look forward to continued communication regarding the draft SMPs and encourage you to set up a meeting to discuss our above concerns.

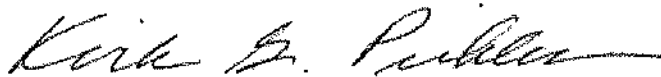
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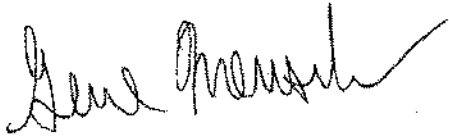
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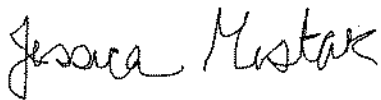
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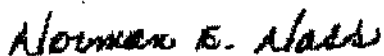
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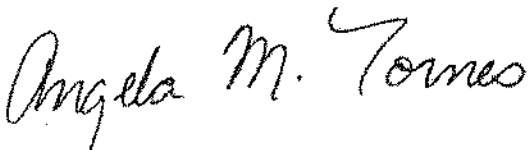
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Table 1. List of organizations and their involvement with Upper Peninsula Power Company owned Bond Falls, Victoria, Prickett, AuTrain, Boney Falls, and Cataract basins. These basins are regulated under Federal Energy Regulatory Commission licenses.

Organization Name	Basin Name					
	Bond Falls	Victoria	Prickett	AuTrain	Boney Falls	Cataract
Michigan Department of Natural Resources	X	X	X	X	X	X
U.S. Fish & Wildlife Service	X	X	X	X	X	X
U.S. Forest Service – Hiawatha National Forest				X		
U.S. Forest Service – Ottawa National Forest	X	X	X			
National Park Service	X	X	X	X	X	X
Michigan Hydro Relicensing Coalition	X	X	X			
Keweenaw Bay Indian Community	X	X	X			

Table 2. AuTrain License Articles, Management Plan Objectives, and potential conflicts with activities as proposed in the draft SMP

License Article	Plan	Objectives	Conflict
404	Noxious Plant Monitoring Plan	Monitor and control for Eurasian watermilfoil and purple loosestrife	An amendment is needed to include UPPCO's proposed nuisance species education program, as well as monitoring and control of additional nuisance species (e.g., garlic mustard, curlyleaf pondweed) when requested by the resource agencies.
405	Bald Eagle Management Plan	Protection of current nests, areas of medium to high potential for nesting, abandoned nests, historical nesting areas, and blown down nests.	The description of Article 405 needs to include protective zones around all eagle nests- active and inactive- rather than only nests that have seen activity within the last year.
		Protect existing and potential habitat, including nesting sites, perch trees, and roosts. In the plan, the entire basin is classified as potential bald eagle habitat.	Non-project use of project land will result in negative impacts to bald eagle habitat and nesting success.
406	Wildlife Management Plan	Protection of environmentally sensitive areas by 1) forest habitat management and development, 2) waterfowl management, and 3) endangered or sensitive species management	Not all environmentally sensitive areas, including wetlands and high value forest types, are protected by the proposed shoreline classification.
		Minimize impact to the buffer zone, increase the overall number of waterfowl using the project, and protect sensitive species	Non-project use of project land will result in negative impacts to the buffer zone and less waterfowl use and protection of sensitive species.
		Maintain the forest with a diversity of vegetation types and age classes and protect cavity nesting and super canopy trees.	Any cutting of vegetation within the buffer zone will conflict with this objective.
407	Land Management Plan	Fruit and mast bearing trees and shrubs will be retained for the enhancement of wildlife; lowland stands of conifers for winter cover of white-tailed deer will be maintained; and hollow, wolf trees, and den trees will be retained	UPPCO's proposal to allow removal of vegetation to install electrical lines and placement of walking paths is in conflict with the intent of this plan. Protection of terrestrial resources should be maintained and Article 407 should not be eliminated.

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