



**Upper Peninsula Power Company**  
1002 Harbor Hills Drive  
Marquette, MI 49855  
[www.UPPCO.com](http://www.UPPCO.com)

September 18, 2015

FERC Project No. 10855  
NATDAM No. MI00197

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

Dear Secretary Bose:

Dead River Hydroelectric Project – Silver Lake Development  
Silver Lake Basin Fish Tissue Monitoring Schedule Extension Request

Per Article 408 of the License Issued October 4, 2002 and Amended September 1, 2011, Upper Peninsula Power Company (UPPCO) must submit tissue samples from 10 resident, predatory fish or legal size to be tested for mercury on a 10-year rotation. In the Commission's September 30, 2014 letter to UPPCO, it was specified by the Federal Energy Regulatory Commission (FERC) to confirm with the Michigan Department of Natural Resources (MDNR) that sampling was complete and that the tissue samples had been analyzed.

The deadline for submission of the tissue analytical results to the Commission is October 1, 2015. The intent of this letter is to provide a status update and request an extension of the October deadline from the Commission, due to unforeseen and unintentional delays in receiving the fish tissue analytical results.

In December 2012, UPPCO established that the MDNR would conduct the fish tissue sampling of Silver Lake Basin in 2014 instead of 2012, due to the basin not yet being entirely full<sup>1</sup>. UPPCO was notified by the MDNR via email on September 3, 2014, indicating the MDNR would not be able to complete the sampling in 2014 and that sampling would be conducted in 2015 when MDNR sampling crews could be scheduled to visit the area<sup>1</sup>.

In May 2015, MDNR Fisheries Division Staff were able to collect 10 small mouth bass (*Micropterus dolomieu*) samples out of Silver Lake Basin. On August 24, 2015 UPPCO inquired about the status of the fish tissue sample testing. The MDNR indicated that the analytical results of the tissue samples would not be available until the end of the calendar year<sup>1</sup>.

Due to the delays in fish tissue sample collection and testing, UPPCO is requesting a schedule extension from the original deadline of October 1, 2015, to a new deadline of January 29, 2016 for submittal of the analytical results from the fish tissue sampling.

---

<sup>1</sup> See Documentation of Agency Consultation

Ms. Kimberly D. Bose  
September 18, 2015  
Page 2 of 2

If you have any questions regarding this update or the submission extension request, please contact Mr. Jarrod Nelson at (906)232-1433 or Virgil Schlorke at (906)232-1431

Sincerely,



Virgil Schlorke  
Director - Energy Supply & Resource Planning

Enc. Agency Communication – December 7, 2012 to August 24, 2015

cc: Mr. Joseph Bohr, MDEQ  
Mr. Koren Carpenter, MDEQ  
Mr. Steve Casey, MDEQ  
Mr. Burr Fisher, USFWS  
Ms. Diana Klemans, MDEQ  
Mr. Gary Kohlhepp, MDEQ  
Mr. George Madison, MDNR  
Mr. Robert Meyers, UPPCO  
Mr. Keith Moyle, UPPCO  
Mr. Jarrod Nelson, UPPCO

**UPPCO Dead River Hydroelectric Project**

**Documentation of Agency Consultation – Silver Lake Basin Fish Tissue Sampling**

**Nelson, Jarrod F**

---

**From:** Metcalf, Mark W  
**Sent:** Friday, September 11, 2015 10:38 AM  
**To:** Nelson, Jarrod F  
**Subject:** FW: Fish tissue sampling - Silver Lake  
**Expires:** Sunday, September 10, 2017 1:00 AM

**Mark Metcalf**

Environmental Consultant – Air & Water  
office: 920-433-1833  
mobile: 920-606-8432

---

**From:** Bohr, Joseph (DEQ) [mailto:BOHRJ@michigan.gov]  
**Sent:** Monday, August 24, 2015 3:04 PM  
**To:** Metcalf, Mark W; Madison, George (DNR)  
**Cc:** Schlorke, Virgil E; Nelson, Jarrod F; Meyers, Robert J; Casey, Steve (DEQ)  
**Subject:** RE: Fish tissue sampling - Silver Lake

Hello Mark,

Those samples have not yet made it to the lab. It will definitely be after October 1 before results are available; I will have them at the top of the queue for the next set and would expect results by the end of the calendar year.

Joe

*Joseph Bohr*  
*Aquatic Biologist*  
*Water Resources Division*  
*Michigan Department of Environmental Quality*  
517-284-5525 [bohri@michigan.gov](mailto:bohri@michigan.gov)  
~~~~~

---

**From:** Metcalf, Mark W [mailto:MWMetcalf@integrysgroup.com]  
**Sent:** Monday, August 24, 2015 3:46 PM  
**To:** Madison, George (DNR); Bohr, Joseph (DEQ)  
**Cc:** Schlorke, Virgil E; Nelson, Jarrod F; Meyers, Robert J; Casey, Steve (DEQ)  
**Subject:** RE: Fish tissue sampling - Silver Lake

Good afternoon George and Joe,

I am wondering if you can provide a status update on the tissue analysis being conducted on the smallmouth bass collected from Silver Lake this spring? As mentioned below, UPPCO needs to file the results of the fish tissue analysis with the Agency by October 1, 2015. Please let us know if the results are expected to be available prior to October 1, and if not, an anticipated date the results would be available.

Thank you,  
Mark

**Mark Metcalf**

Environmental Consultant – Air & Water

office: 920-433-1833

mobile: 920-606-8432

---

**From:** Metcalf, Mark W

**Sent:** Tuesday, May 26, 2015 11:21 AM

**To:** Madison, George (DNR); Casey, Steve (DEQ)

**Cc:** Puzen, Shawn C; Schlorke, Virgil E; Nelson, Jarrod F; Meyers, Robert J; Bohr, Joseph (DEQ)

**Subject:** RE: Fish tissue sampling - Silver Lake

Good morning George,

To confirm our phone conversation from this morning, the MDEQ has submitted the smallmouth bass collected from Silver Lake this spring for tissue analysis, which will include mercury analysis.

Per the Water Quality Monitoring Plan for the Dead River Hydroelectric Project, UPPCO is required to monitor mercury levels in resident predator fish species. I spoke with Joe Bohr this morning and he confirmed that smallmouth bass are considered predator species. Per correspondence from the FERC, UPPCO needs to file the results of the fish tissue analysis with the Agency by October 1, 2015. Please forward the results of the tissue analysis when they are available. When I spoke with Joe this morning, he indicated it could be several months before the results are available. If the Department becomes aware that the tissue analysis will not be completed prior to October 1, please let us know so that the status of the sampling and analysis can be communicated to the FERC.

As you indicated, the MDEQ would like to get back to Silver Lake yet this year to try and collect northern pike and have that species analyzed for mercury content as well. If the Department is able to do so, please let UPPCO know so that those results can be provided to the FERC as well.

Thanks,

Mark

Mark Metcalf

Environmental Consultant - Air & Water | Integrays Business Support, LLC

920-433-1833

920-606-8432 cell

[mwmetcalf@integraysgroup.com](mailto:mwmetcalf@integraysgroup.com)

---

**From:** Madison, George (DNR) [<mailto:MADISONG@michigan.gov>]

**Sent:** Tuesday, May 12, 2015 7:56 AM

**To:** Metcalf, Mark W; Casey, Steve (DEQ)

**Cc:** Puzen, Shawn C; Schlorke, Virgil E; Nelson, Jarrod F; Meyers, Robert J; Bohr, Joseph (DEQ)

**Subject:** RE: Fish tissue sampling - Silver Lake

Mark,

Due to the loss of most of our field staff due to transfers or retirement, MDNR Fisheries Division will not be able to get to Silver Lake Basin in 2015. MDEQ's John Matousek and Mike McCauley were able to electrofish Silver Lake Basin during the period of approximately 5-7-2015 and were able to collect 10 small mouth bass.

George Madison, Fisheries Manager

Michigan Department of Natural Resources

West Lake Superior Management Unit  
427 US-41 North  
Baraga, Michigan 49908

906-353-6651

---

**From:** Metcalf, Mark W [<mailto:MWMetcalf@integrysgroup.com>]  
**Sent:** Monday, May 11, 2015 4:47 PM  
**To:** Casey, Steve (DEQ); Madison, George (DNR)  
**Cc:** Puzen, Shawn C; Schlorke, Virgil E; Nelson, Jarrod F; Meyers, Robert J  
**Subject:** Fish tissue sampling - Silver Lake

Good afternoon Steve and George,

Per the Water Quality Monitoring Plan for the Dead River Hydroelectric Project, Upper Peninsula Power Company (UPPCO), with the assistance of MDNR, conducted monitoring of mercury levels in resident predator fish species in the Dead River Storage Basin back in 2012. At that time, the Department deferred monitoring of predator fish in the McClure Storage Basing until the next scheduled sampling period (2022). With regards to sampling at the Silver Lake Storage Basin, UPPCO entered a Consent Judgment with MDEQ related to the restoration of the Dead River dated June 3, 2009. As part of the Judgment, UPPCO contributed \$50,000 to the Natural Resources Damage Fund specifically to support fish tissue contaminant monitoring in the Silver Lake Reservoir. It is our understanding that the MDNR plans to sample and conduct fish tissue contaminant monitoring in Silver Lake in 2015. Please confirm whether the Department intends to conduct fish tissue monitoring in Silver Lake in 2015 and if so, the anticipated timing of the sampling.

Thank you,  
Mark

**Mark Metcalf**  
**Environmental Consultant - Air & Water | Integrys Business Support, LLC**  
920-433-1833  
920-606-8432 cell  
920-433-4916 fax  
[mwmetcalf@integrysgroup.com](mailto:mwmetcalf@integrysgroup.com)  
[www.integrysgroup.com](http://www.integrysgroup.com)

See how Integrys is *Investing In Our Future* in our [Corporate Citizenship Report](#).  
[www.integrysgroup.com](http://www.integrysgroup.com)

*Providing support for Integrys Energy Group, Michigan Gas Utilities, Minnesota Energy Resources, North Shore Gas, Peoples Gas, Trillium CNG and Wisconsin Public Service.*



**Puzen, Shawn C**

---

**From:** Casey, Steve (DEQ) <CASEYS@michigan.gov>  
**Sent:** Wednesday, September 03, 2014 11:31 AM  
**To:** Puzen, Shawn C; Koetje, Mitch (DEQ)  
**Cc:** Metcalf, Mark W; Bohr, Joseph (DEQ); Carpenter, Koren (DEQ)  
**Subject:** RE: Fish Tissue Monitoring - Silver Lake Storage Basin

Shawn,

Sorry, but we didn't sample this year. We will have crews in the area next year and will do the sampling then. Do you need us to communicate with FERC on this issue?

---

**From:** Puzen, Shawn C <SCPuzen@integrysgroup.com>  
**Sent:** Wednesday, September 3, 2014 10:00 AM  
**To:** Casey, Steve (DEQ); Koetje, Mitch (DEQ)  
**Cc:** Metcalf, Mark W  
**Subject:** FW: Fish Tissue Monitoring - Silver Lake Storage Basin

Mitch and Steve-

Are you aware if any fish tissue sampling and analysis occurred this year at Silver Lake? As you can see below, we have not been successful in finding any results from the MDNR. We are looking for the results because we are required to report them to the FERC.

Are you able to provide us confirmation of whether or not MDEQ completed any sampling per Bill Taft's commitment below?

We understand Bill is no longer with the agency, maybe you may be able to tell us who may have picked up those duties.

If you do not know, we may try to contact Koran Carpenter, Diana Klemens, or Gary Kohlhepp.

We came to you two first because the commitment came from the consent judgment.

Thanks,

**Shawn C. Puzen**  
Environmental Consultant | Environmental Services | Integrys Business Support, LLC  
920-433-1094



920-639-2480 cell  
920-433-1176 fax  
[SCPuzen@integrysgroup.com](mailto:SCPuzen@integrysgroup.com)  
[www.integrysgroup.com](http://www.integrysgroup.com)

*Providing support for Integrys Energy Group, Integrys Energy Services, Integrys Transportation Fuels, Michigan Gas Utilities, Minnesota Energy Resources, North Shore Gas, Peoples Gas, Wisconsin Public Service, and Wisconsin River Power. Also providing services to Upper Peninsula Power Company.*

This email and any of its attachments may contain proprietary information, which is privileged, confidential, or subject to copyright belonging to Integrys Energy Group, Inc. This e-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this e-mail is strictly prohibited and may be unlawful. If you have received this e-mail in error, please notify the sender immediately and permanently delete the original and any copy of this e-mail and any attachment. Thank You.

---

**From:** Metcalf, Mark W  
**Sent:** Friday, August 22, 2014 8:05 AM  
**To:** Puzen, Shawn C  
**Subject:** FW: Fish Tissue Monitoring - Silver Lake Storage Basin

FYI, MDEQ did not collect tissue samples on Silver Lake this year.

Mark Metcalf  
Environmental Consultant - Air & Water | Integrys Business Support, LLC  
920-433-1833  
920-606-8432 cell  
[mwmetcalf@integrysgroup.com](mailto:mwmetcalf@integrysgroup.com)

---

**From:** Madison, George (DNR) [<mailto:MADISONG@michigan.gov>]  
**Sent:** Friday, August 22, 2014 7:38 AM  
**To:** Metcalf, Mark W  
**Subject:** RE: Fish Tissue Monitoring - Silver Lake Storage Basin

Hello Mark,

I'm not aware if DEQ visited Silver Lake or not, and unfortunately this waterbody was not on their list of desired collections that they sent out this spring. I wish I would have known earlier in the year and we could have had one of our staff who fish the lake collect some pike.

---

**From:** Metcalf, Mark W [mailto:MWMetcalf@integrysgroup.com]  
**Sent:** Friday, August 22, 2014 7:59 AM  
**To:** Madison, George (DNR)  
**Subject:** FW: Fish Tissue Monitoring - Silver Lake Storage Basin

Good morning George,

As indicated in the email chain below, MDEQ was planning to conduct fish tissue sampling on predator species present in the Silver Lake Storage Basin in 2014. Can you advise whether this sampling has occurred yet? If so, Can you forward a copy of the results to me so that UPPCO can provide the fish tissue sampling results to FERC?

Thank you,  
Mark

Mark Metcalf  
Environmental Consultant - Air & Water | Integrys Business Support, LLC  
920-433-1833  
920-606-8432 cell  
[mwmetcalf@integrysgroup.com](mailto:mwmetcalf@integrysgroup.com)

---

**From:** Taft, Bill (DEQ) [mailto:TAFTW@michigan.gov]  
**Sent:** Wednesday, December 19, 2012 1:50 PM  
**To:** Metcalf, Mark W; Koetje, Mitch (DEQ); Casey, Steve (DEQ); Klemans, Diana (DEQ); Bohr, Joseph (DEQ)  
**Cc:** Puzen, Shawn C; Meyers, Robert J; Schlorke, Virgil E; Kohlhepp, Gary (DEQ); Scott, Steven (DNR); Madison, George (DNR)  
**Subject:** RE: Fish Tissue Monitoring - Silver Lake Storage Basin

Mark, in the attached memo signed by the DEQ-Water Resources Division and DNR-Fisheries Division, it explicitly states on the bottom of page 1 that "monitoring will only take place upon refill of the Silver Lake Reservoir and monitoring will not occur prior to 2014". In keeping with the plan, the state intends to monitor the Silver Lake Storage Basin for fish tissue samples in 2014. The \$50,000 dollars that was provided by UPPCO for this monitoring effort will be used at that time for all associated activities.

If you have any questions, please contact me.

William Taft  
Aquatic Biologist  
517-335-4205

---

**From:** Metcalf, Mark W [<mailto:MW.Metcalf@integrivsgroup.com>]  
**Sent:** Friday, December 07, 2012 4:49 PM  
**To:** Taft, Bill (DEQ); Koetje, Mitch (DEQ); Casey, Steve (DEQ)  
**Cc:** Puzen, Shawn C; Meyers, Robert J; Schlorke, Virgil E  
**Subject:** Fish Tissue Monitoring - Silver Lake Storage Basin

Good afternoon everyone,

Per the Water Quality Monitoring Plan for the Dead River Hydroelectric Project, Upper Peninsula Power Company (UPPCO) is required to monitor mercury levels in resident predator fish species in 2012, and every 10 years thereafter for the term of the License. On March 21, 2012, UPPCO contacted the MDNR and MDEQ regarding fish tissue monitoring within the Dead River Hydroelectric Project. As required by the water quality monitoring plan, UPPCO contacted the agencies to identify and sample the target species of interest and identify the location(s) to be sampled based on current information available to the MDEQ and MDNR. With regards to sampling at the Silver Lake Storage Basin, UPPCO entered a Consent Judgment with MDEQ related to the restoration of the Dead River dated June 3, 2009 (please refer to the attached document). As part of the Judgment, UPPCO contributed \$50,000 to the Natural Resources Damage Fund specifically to support fish tissue contaminant monitoring in the Silver Lake Reservoir. Therefore, UPPCO recommended that fish tissue monitoring as part of the water quality monitoring plan be focused on the Dead River and McClure Storage Basins.

In response to UPPCO's consultation, MDNR and MDEQ indicated that as MDNR fisheries staff was scheduled to sample only the Dead River Storage Basin in 2012, the agencies recommended that sampling only occur in that impoundment in 2012. Fish collection from the McClure Storage Basin could be waived for 2012. With regards to the Silver Lake Storage Basin, it was recommended that since the Silver Lake Storage Basin is slowly filling and needs time to stabilize, sampling would be waived for 2012, and should occur in the year that the basin is full; at which time, a predator species should be collected and analyzed to establish baseline mercury tissue concentrations. Sampling of the Dead River Storage Basin was conducted in August 2012, and the results of the monitoring were provided to the MDNR, MDEQ and FWS on 9/6/12.

As UPPCO has provided funds to the Department as part of the Consent Judgment specifically to support fish tissue contaminant monitoring at the Silver Lake Storage Basin, we are requesting confirmation that the baseline monitoring will be conducted by the resource agencies in the year that the basin is full and that UPPCO will not be required to sample or analyze fish tissue samples from the reservoir until the next scheduled sampling event. In 2022 (the next scheduled sampling event per the water quality monitoring plan), UPPCO will consult with the resource agencies to identify and sample the target species of interest and identify the location(s) to be sampled based on current information available to the MDEQ and MDNR.

With regards to reservoir operation, in 2012 the Silver Lake reservoir reached the long term, maximum reservoir operating level of 1481.5 feet. In accordance with the Silver Lake refill plan, the reservoir still needs to be filled to the spillway elevation of 1485.2 feet for dam safety purposes and the three year period of operational testing still needs to occur, however; the reservoir is at least at the long term operating level for the facility. Consequently, the reservoir could be considered "full", and baseline sampling of the reservoir could occur if desired. With this information, UPPCO is requesting that the agencies provide an estimate of when baseline sampling of the Silver Lake Reservoir could occur so that the FERC can be informed as to the tentative plan for monitoring fish tissue.

Thanks,  
Mark

Document Content(s)

20150918 SLL out.PDF.....1-2  
20150918 SLL out attach.PDF.....3-11