



United States Department of the Interior



FISH AND WILDLIFE SERVICE

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June 17, 2011

Mr. Thomas J. Kipp, President
Wisconsin Valley Improvement Company
2301 North Third Street
Wausau, Wisconsin 54403

re: Final Review of Plans and Reports
Wisconsin River Headwater Projects
FERC Project No. 2113
Vilas, Oneida, Lincoln, and Marathon Counties,
Wisconsin

Dear Mr. Kipp,

The U.S. Fish and Wildlife Service (FWS) has received your letter dated May 13, 2011, requesting comments on the subject project prior to June 20, 2011. We have reviewed the subject project and our comments follow.

Article 401 – Preparation of a Shoreline Erosion Control Plan

The FWS does not have any comments regarding Article 401 and concurs with and/or defers to any comments provided by the Wisconsin Department of Natural Resources (WDNR).

Article 413/415 – Five-year review of the Fish and Wildlife Management Plan

The FWS does not have any further comments regarding Article 401 in addition to those comments provided by the Wisconsin Department of Natural Resources (WDNR) in their letter dated June 17, 2011. We concur with the WDNR comments on this issue.

Article 420 – Preparation of a Land Resources Management Plan

The FWS does not have any comments regarding Article 420 and concurs with and/or defers to any comments provided by the WDNR.

Article 421 – Five-year Review of the Operating Plan for the Headwaters Project

The FWS concurs with comments provided by the WDNR in their letter to you dated June 17, 2011. In addition to their comments, the FWS would like to provide the following additional comments relative to the Big Eau Pleine (BEP) reservoir:

Since the implementation of the aeration system at BEP reservoir in 1981, the fishery has suffered five major fish kills. WDNR noted in their June 17, 2011 letter that three of the fish kills have occurred after you began dissolved oxygen (DO) sag management in 1993. During the winter of 2008, the BEP experienced one of the worst fish kills in history with an estimated fish mortality of more than 70%. On April 20, 2009, our office received a formal complaint from Mr. Scott Borchardt, on behalf of the citizens of BEP, regarding the fish kill the previous winter. Subsequently, our office was contacted by the Big Eau Pleine Citizens Organization (BEPCO) about the same issue regarding the >70% fish kill in BEP reservoir.

The FWS considers massive fish kills such as this (>50% fish mortality) in any regulated reservoirs as a result of project operation to be unacceptable and definitive measures should be taken to: 1) avoid, 2) reduce, or 3) mitigate for any damages to fishery resources due to project operation. Because the first priority is to avoid any potential damages, the FWS highly recommends revising the consultation protocol to include additional triggers, such as, mandatory consultation in May of any year in which a fish kill occurs the previous winter and mandatory consultation in any year in which a reservoir does not fill by May 18.

Because we understand that damages are not always avoidable/predictable, we support recommendations provided by WDNR in their letter dated June 17, 2011. In particular, we have reviewed BEPCO's proposed "60% solution" (i.e., 60% full pool level on December 1 and 20% minimum winter pool level) and recommend the following changes to the Winter Storage Goal for BEP:

- The FWS supports a higher minimum pool elevation for the BEP at 25% (1131.00 NGVD) year round.
- The FWS supports a higher winter storage goal of 60% for BEP by December 1, but only if the storage is also protective of Wisconsin River flow goals. As stated by WDNR in their June 17, 2011 letter, this goal is only a target and would not require adherence during extreme condition, such as extreme drought.
- The FWS recommends agency consultation if modification of the 60% storage goal should be necessary.

We appreciate your efforts to work proactively to manage winter DO sags coming into BEP reservoir. Your proactive management has likely prevented further fish kills from occurring in the BEP.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Nick Utrup at 920-866-1736.

Sincerely,



Catherine J. Carnes
Acting Field Supervisor