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January 5, 2024

VIA Electronic Filing

Ms. Debbie-Anne Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Subject: **Additional Information Request**
Saxon Falls Hydroelectric Project (FERC Project No. 2610)
Superior Falls Hydroelectric Project (FERC Project No. 2587)

Dear Secretary Reese:

On November 6, 2023, the Federal Energy Regulatory Commission (Commission) issued an Additional Information Request letter to Northern States Power Company - Wisconsin (NSPW) regarding its final license application for the Saxon Falls Hydroelectric Project (FERC Project No. 2610) and the Superior Falls Hydroelectric Project (FERC Project No. 2587). Accordingly, NSPW hereby submits the following information and responses as requested in the Commission's aforementioned letter.

ADDITIONAL INFORMATION

Project Boundaries

FERC Comment 1a

Section 9.3 of Exhibit E describes the proposed changes to the project boundaries. Specifically, Northern States proposes to remove approximately 93 acres of land and 334 acres of land from the Saxon Falls and Superior Falls Project boundaries, respectively. However, the license applications do not describe current uses, land management practices, and environmental measures on lands proposed to be removed from the project boundaries. In addition, the license applications do not describe the anticipated future uses of lands proposed to be removed from the project boundaries. So that staff can describe existing conditions and reasonably foreseeable effects associated with the proposal to remove land from the project boundaries, please provide the following information:

A description of: (1) timber harvest practices on current project lands including the location, type, harvest frequency, and acreage of any timber management areas; (2) methods of timber harvest (clear-cut vs. thinning); (3) environmental measures implemented at each timber management area (e.g., buffer zones); and (4) any observed or potential effects of timber harvest on erosion, terrestrial habitats, federally and state-listed species, adjacent wetlands or surface waters, recreation and aesthetic resources, cultural resources, and adjacent environmental justice communities.

NSPW Response

One timber harvest was conducted at each Project during the terms of their current licenses. The timber harvests were composed of multiple areas and a prospectus was used to bid out the work. The prospectus, which included a map of the harvest areas, quantity of wood to be harvested, management objectives, and additional harvest details, is enclosed in **Appendix AIR-1**.

When setting up the timber sales, NSPW reviewed the natural heritage inventory for potential threatened or endangered species and completed archaeological surveys in the proposed harvest areas not previously surveyed. Since the timber harvests occurred within the State of Wisconsin, they were established in accordance with [Wisconsin's Forest Management Guidelines](#) and included BMPs to avoid wetland or riparian impacts due to erosion or sedimentation or recreational impacts to public snowmobile trails.¹ Specific attention was given to Chapter 4, Visual Quality, and Chapter 5, Riparian Areas and Wetlands, of the guidelines. These chapters were included in the FLA as Appendices E-55 and E-56, respectively. No adverse effects on erosion, terrestrial habitats, federally and state-listed species, wetlands or surface waters, recreation, aesthetic resources, or environmental justice communities were observed during the timber harvests. Detailed information regarding the harvests at each Project is provided in the following sections.

Superior Falls

Approximately 14 acres of red pine plantation, 26 acres of aspen, and 81 acres of northern hardwood stands were harvested. These are the only areas where timber management activities have occurred or are planned for in the future. The objective of the red pine harvest was to harvest all overstory trees to create an opportunity for sun dependent hardwood and conifer species to become established via natural regeneration from seeds and sprouts. Several red pine “seed trees” were retained within the stand to provide an additional seed source. The aspen stands were mature and were clearcut to regenerate an even-aged forest cover with similar species composition. In these areas, all oak, white pine, hemlock, cedar, and other trees marked by the forester, including several snag trees, were retained for wildlife and aesthetic purposes. The hardwood stands were selectively harvested to remove poor quality trees and to improve spacing and vigor for better quality trees, and to create canopy gaps to encourage hardwood regeneration. Per the Visual Resources Protection Plan (license article 413), no harvesting activities took place within an approximate 200-foot buffer of the Montreal River and/or Project reservoir.

Saxon Falls

Approximately 2 acres of red pine plantation and 6 acres of aspen were harvested. These are the only areas where timber management activities have occurred or are planned for in the future. The objective of the red pine harvest was to remove all overstory trees to create an opportunity for sun dependent hardwood and conifer species to become established via natural regeneration from seeds and sprouts. Several red pine “seed trees” were retained within the stand to provide an additional seed source. The aspen stands were mature and were clearcut to regenerate an even-aged forest cover with similar species composition. In these areas, all oak, white pine, hemlock, cedar, and other trees marked by the forester, including several snag trees, were retained for wildlife and aesthetic purposes. No harvesting activities occurred within an approximate 200-foot buffer of the Montreal River and/or Project reservoir. The 200-foot buffer zone, although not required by the FERC license, was established to be consistent with the timber harvests at Superior Falls.

FERC Comment 1b

A description of: (1) recreation use policies and any agreements for public use of the current project lands proposed to be removed from the project boundaries (e.g., snowmobile trails, hunting, camping, hiking); (2) any known recreational uses on lands proposed to be removed from the project boundaries such as hiking or camping as well as any recreation management practices; (3) any maps showing the network of road/trails available for public use and access; and (4) a description of Northern States' maintenance activities and frequency of maintenance that occurs

¹ Similar [Michigan BMPs](#) are available and would be followed for areas within the State of Michigan.

on these roads/trails and lands.

NSPW Response

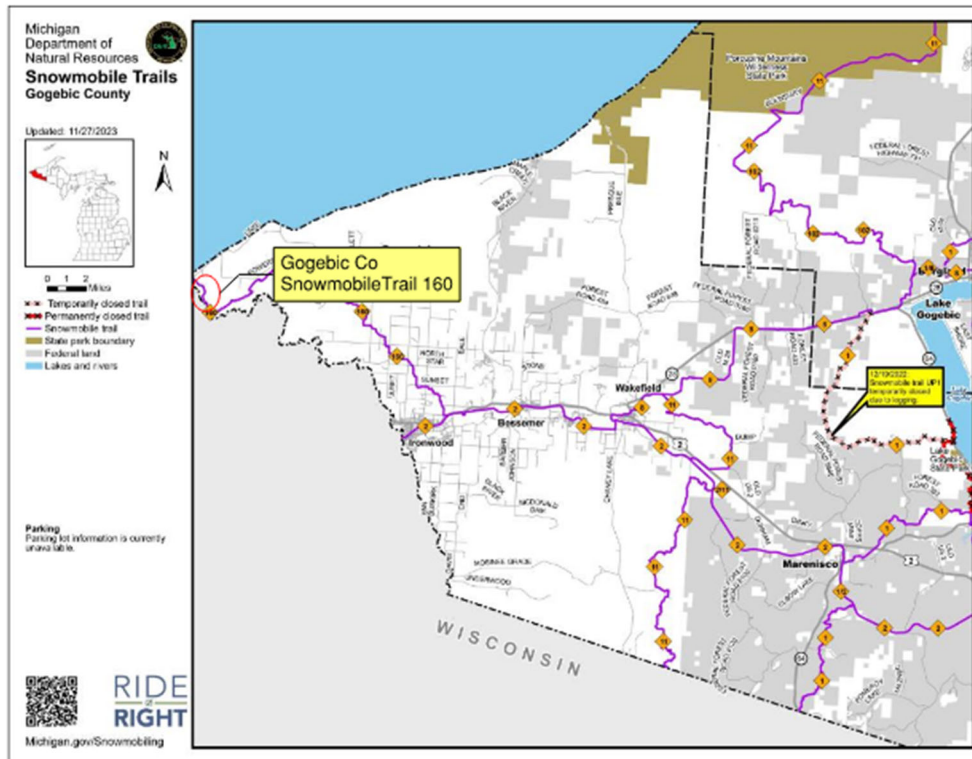
Recreation Use Policies

NSPW's current recreation use policy prohibits the following activities on NSPW-owned lands within the Project boundary: fires, overnight camping, littering, tree removal and mowing by recreationists or shoreline owners, , docks that do not meet WDNR dock specifications, docks that are not maintained for safety, docks that are constructed and maintained by non-shoreline owners, and motorized vehicle use outside of approved ATV/Snowmobile trails or roads/driveways. Pedestrian recreational access for activities such as hunting, bank fishing, hiking, wildlife viewing, site seeing, etc. is allowed on all NSPW-owned lands not fenced for safety or security purposes. No changes to this land use policy are anticipated in the reasonably foreseeable future for any NSPW lands, including those proposed to be removed from the Project boundaries.

Superior Falls Recreation Use Agreements

There are existing agreements allowing the use and maintenance of Gogebic County (Michigan) snowmobile trail 160 on NSPW-owned lands within the current Project boundary. The agreements include a lease to the Gogebic Range Trail Authority, a license agreement with a private landowner, and an outdoor recreation trail use agreement with the Sno-Drifters Club. These agreements are included in **Appendix AIR-2**. No changes to the trail or agreements authorizing its use and maintenance are anticipated in the reasonably foreseeable future as a result of the removal of the underlying lands from the Project boundary. The snowmobile trail is maintained by the Gogebic Range Trail Authority and the Sno-Drifters Club and is shown in **Figure 1**.

Figure 1 Gogebic County Snowmobile Trail Map

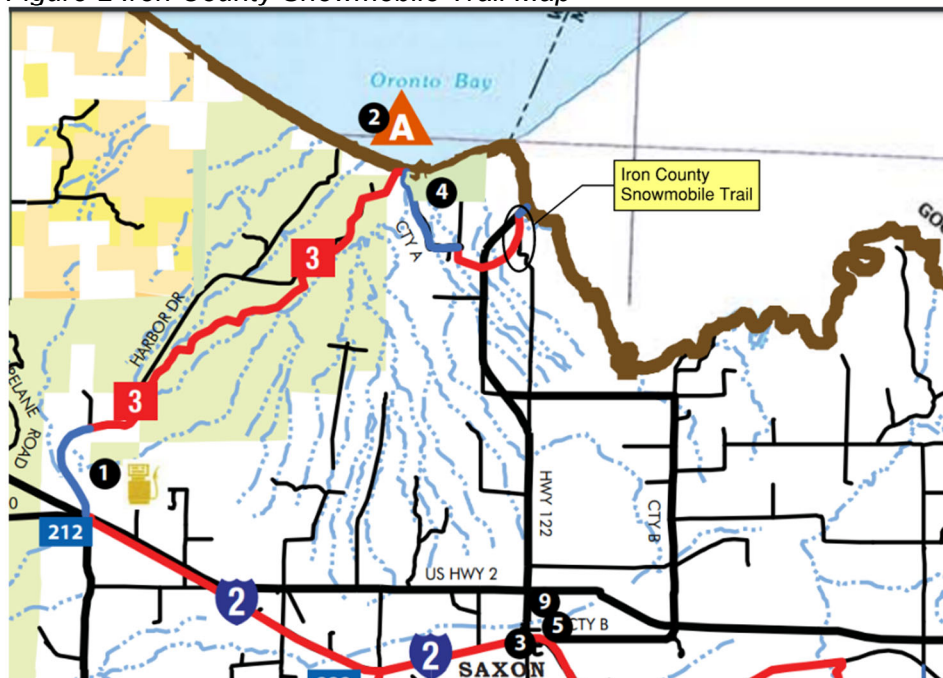


Source: https://www2.dnr.state.mi.us/publications/pdfs/forestslandwater/SnowmobileTrailMaps/countymaps/snowmobile_gogebic.pdf

NSPW also holds a perpetual easement for the purpose of ingress and egress across Gogebic County lands to access the Superior Falls powerhouse. NSPW maintains the road providing ingress and egress on an as-needed basis. A copy of the deed listing the perpetual easement is included in **Appendix-AIR 2**.

A snowmobile trail is located on NSPW lands within the current Project boundary in Iron County, Wisconsin and is maintained by the snowmobile club. A review of NSPW's land records did not identify any specific agreements regarding the trail. While NSPW may pursue the establishment of an agreement to authorize continued use and maintenance of the existing trail, it does not intend to restrict public access to the trail in the reasonably foreseeable future as a result of the removal of the underlying lands from the proposed Project boundary. A map showing the location of the trail is shown in **Figure 2**.

Figure 2 Iron County Snowmobile Trail Map



Source: <https://whitethunderriders.files.wordpress.com/2022/12/trails.pdf>

Saxon Falls Recreation Use Agreements

There are no designated snowmobile or ATV trails within the current or proposed project boundaries for Saxon Falls. As such, there are no public recreation use agreements other than the existing FERC license.

Other Known Recreational Uses

As previously noted, all NSPW lands are open to the public for recreational access other than those fenced for safety or security purposes. Common recreational activities on lands within the current and proposed project boundaries include hunting, bank fishing, hiking, wildlife viewing, and site seeing. **Figures 3** and **4** show the existing trails located within the Superior Falls and Saxon Falls project boundaries, respectively, and were developed as part of the timber harvest prospectus. Motorized vehicle use is only permitted on the public snowmobile trails. The

snowmobile trails are maintained by others on an annual basis. Maintenance activities include vegetation management, maintaining signage, annual mowing, and grooming of the trails throughout the winter season. The remaining trails shown in **Figures 3** and **4** are not regularly maintained. All existing trails are open to the public for recreational access. The proposed removal of lands from the project boundaries is not anticipated to result in any changes to the continued use and maintenance of the existing snowmobile trails, or use of other trails for public access, in the reasonably foreseeable future.

Figure 3 Superior Falls Trails

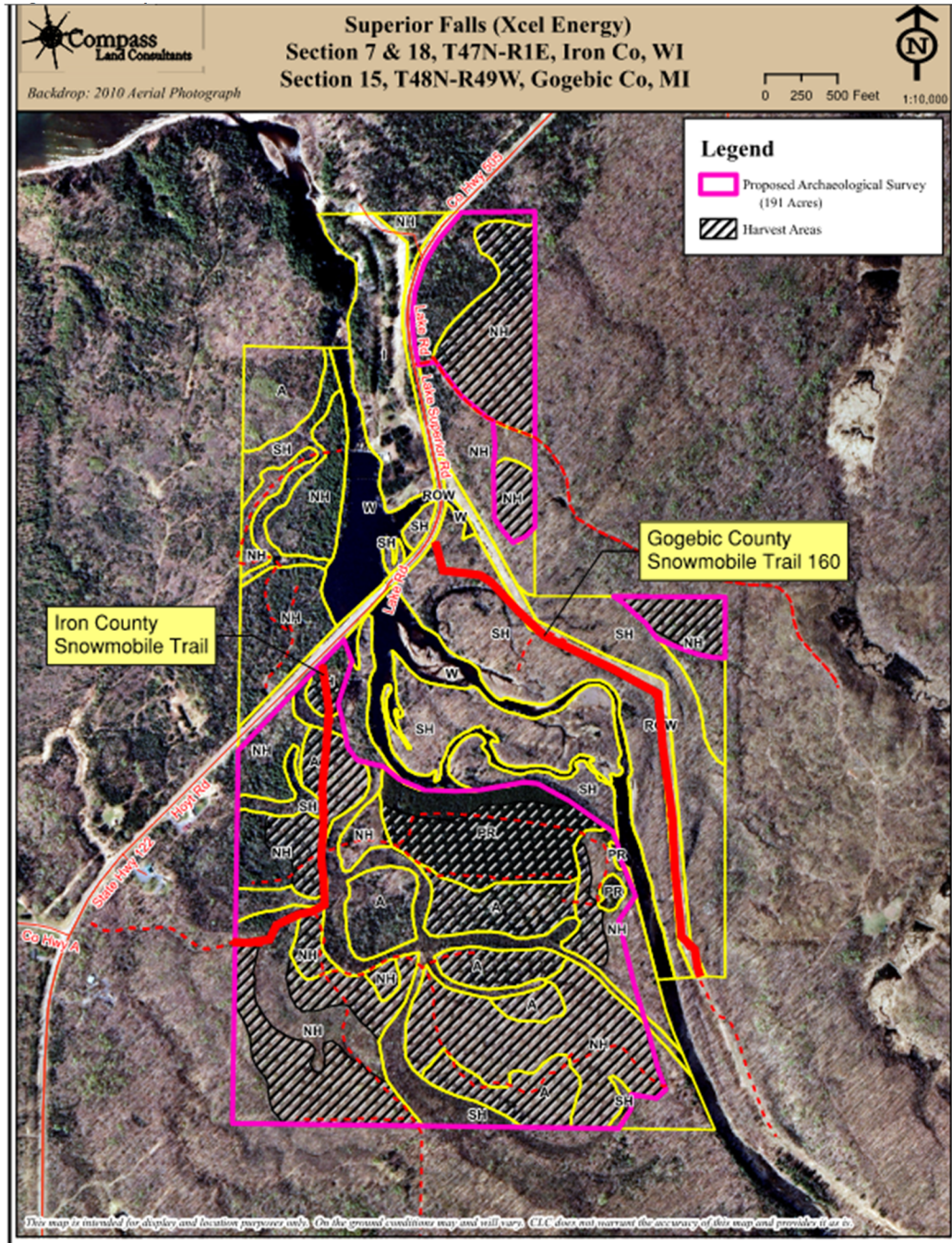
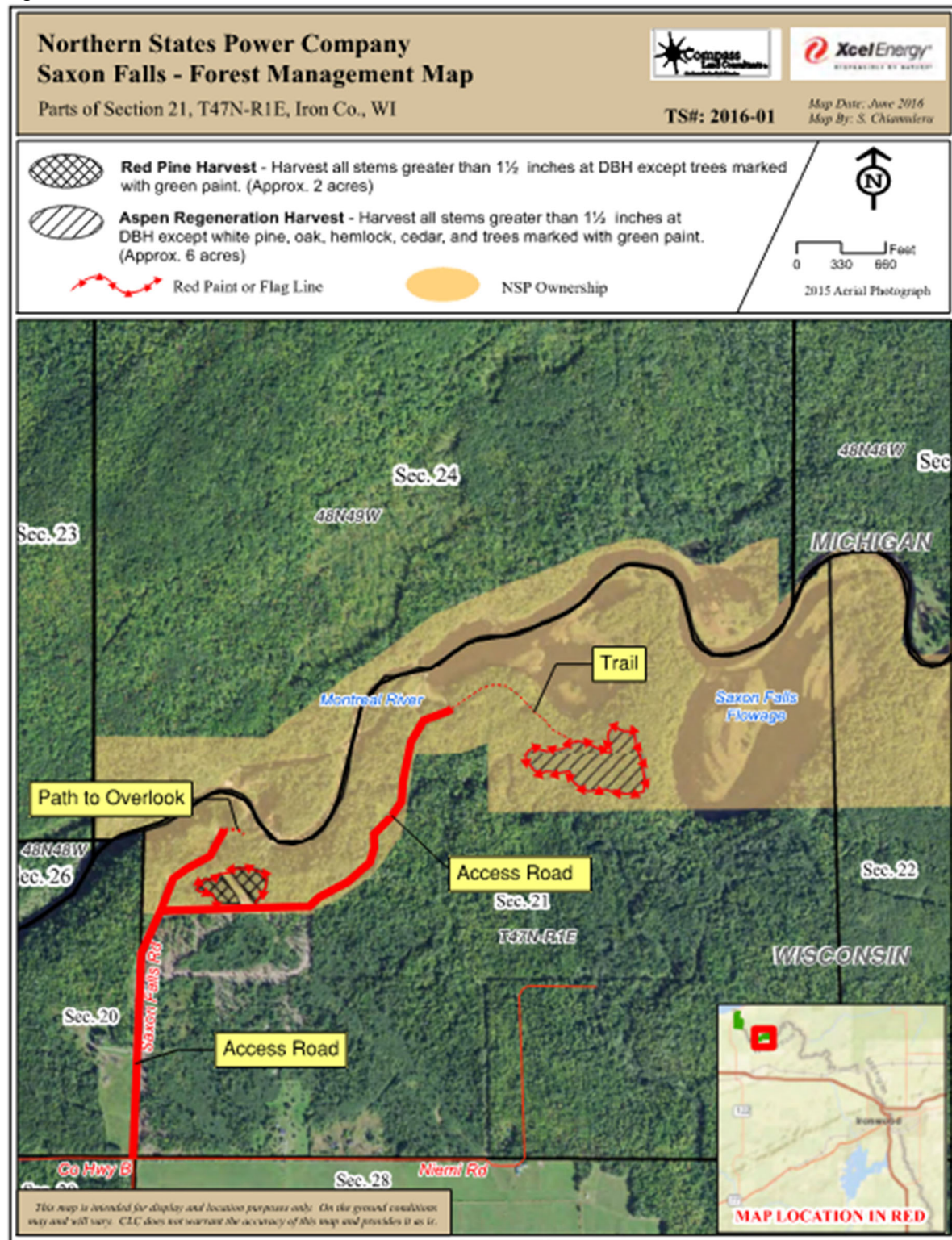


Figure 4 Saxon Falls Trails



FERC Comment 1c

With regard to anticipated future uses of lands proposed to be removed from the project boundaries, please explain how the land would be used during the term of any new licenses, including but not limited to: (1) any planned/expected timber harvests including the location and distance to nearby surface waters and recreation activities; (2) any other continued or new uses anticipated to occur; (3) any potential changes to current environmental conditions including potential effects on aquatic, terrestrial, threatened and endangered species, cultural, aesthetic, and/or recreational resources, and adjacent environmental justice communities; and (4) any off-license, environmental measures that would be implemented by Northern States.

NSPW Response

There are no current plans for timber harvests on the lands proposed to be removed from the project boundaries. The regeneration harvests conducted in the pine and aspen stands will not be ready for harvest during the terms of the new or subsequent licenses once they are issued. However, the northern hardwood stands at Superior Falls, totaling 81 acres, may need to be thinned again in the future. Typically, these stands are thinned on an approximate 15 to 20-year rotation. Any thinning harvests completed in these stands will be selective harvests to remove poor quality trees and improve spacing and vigor for higher quality trees and to create canopy gaps to encourage hardwood regeneration.

Future timber harvests conducted on lands proposed for removal from the project boundaries would still be subject to state and federal endangered species regulations, regardless of the land's status within the FERC Project. NSPW will continue to follow the WDNR forest management guidelines, with specific attention given to the Visual Quality and Riparian Areas and Wetlands chapters, or the Michigan Forestry Best Management Practices for Soil and Water Quality, as applicable. Pre-harvest tasks will include a review of the NHI inventory to address any threatened and endangered species concerns and a review of cultural resources within the harvest areas. Timber harvest plans will include BMPs to avoid impacts to wetland areas, riparian areas, and public recreation areas (including a no-harvest buffer within 200 feet of the river/reservoir). With the implementation of BMPs to address concerns identified in the planning process, no adverse effects on erosion, terrestrial habitats, federally and state-listed species, wetlands or surface waters, recreation, aesthetic resources, or environmental justice communities are anticipated.

EXHIBIT A - Saxon Falls Project

FERC Comment 2

Section 2 of Exhibit A states that the project dam is 40 feet high. However, the Initial Statement states that the project dam is 46 feet high. Please verify the height of the dam and revise Exhibit A, if necessary, to rectify the inconsistency.

NSPW Response

The height of the gated spillway section is 40.0 feet. The height of the concrete non-overflow section is 46.1 feet. Exhibit A has been revised to indicate that the dam is 46.1 feet high at its highest point.² The revised Exhibit A is enclosed in **Appendix AIR-3**.

FERC Comment 3

Section 2.3 of Exhibit A indicates that the intake structure includes a flap gate. However, the dimensions and construction materials of the flap gate are not provided. Please revise Exhibit A to include this information.

² Height of gated spillway from Exhibit F-2 Section BB. Height of concrete non-overflow dam from Exhibit F2-Section CC.

NSPW Response

Section 2.3 of Exhibit A has been revised to include the dimensions and construction materials of the flap gate. The revised Exhibit A is enclosed in **Appendix AIR-3**.

FERC Comment 4

Exhibit A does not provide a description of the powerhouse access bridge. Please revise Exhibit A to include this information.

NSPW Response

Section 5 of Exhibit A has been revised to provide a description of the powerhouse access bridge. The revised Exhibit A is enclosed in **Appendix AIR-3**.

FERC Comment 5

The current license states that the project includes a substation and a 12-mile-long, 34.5-kilovolt (kV) transmission line. Section 7 of Exhibit A indicates that the project's interconnection point with the electric grid is at a step-up transformer located in a non-project substation. Section 7 also indicates that the substation connects to a "non-project, 34.5 kV electrical grid." Please clarify whether the substation and 12-mile transmission line have any non-project uses (e.g., the interconnection of any non-project facilities), and who owns and maintains the substation and 12-mile-long transmission line.

NSPW Response

Section 7 of the Saxon Falls Exhibit A has been updated to clarify, as previously stated in Appendix A-4 of the FLA, that the substation is not used exclusively for the Project. The substation is also part of the looped 34.5 kV grid that also supports a 34.5 kV transmission line that is connected to Ironwood, MI, and Superior Falls. The substation also supports a 12.4 kV distribution feeder to the Village of Saxon. The 2,000 kVA, 2.4/34.5 kV step-up transformer only serves the Project and is the interconnection point with the looped 34.5 kV grid.

NSPW owns and maintains the substation, the 34.5 kV transmission line, and the 12.4 kV distribution feeder. A revised Exhibit A is included in **Appendix AIR-3**.

EXHIBIT A-Superior Falls Project

FERC Comment 6

Exhibit A does not provide: (1) width of the bays and piers of the dam; (2) dimensions (width and length) of the west and east abutment sections; (3) dimensions (width and height) of the timber headgate; (4) dimensions (width and height) of the sluice gates at the east ogee spillway section; and (5) height of the earthen embankment at the east abutment section. Please revise Exhibit A to include this information.

NSPW Response

The Superior Falls Exhibit A has been revised to provide the requested information. The revised Exhibit A is enclosed in **Appendix AIR-4**.

FERC Comment 7

Section 2.2.4 of Exhibit A states that the west spillway section is 41.4 feet long. However, staff's measurements on the Exhibit F drawings indicate that the spillway is 45 feet long. Please verify the length of the west spillway section and revise the relicense application as necessary to accurately describe the length of the spillway section.

NSPW Response

Section 2.2.4 of the Superior Falls Exhibit A has been revised. The revised Exhibit A is enclosed in **Appendix AIR-4**.

FERC Comment 8

The current license states that the project includes a substation. Section 8 of Exhibit A of the current license filed on May 16, 2001, includes the substation as part of the project facilities and indicates that the project includes more than one transformer. Section 7 of Exhibit A of the relicense application states that the project's interconnection point with the electric grid is at a step-up transformer located in a non-project substation. Please verify the number of transformers and clarify whether the transformer(s) and substation have any non-project uses (e.g., the interconnection of any non-project facilities).

NSPW Response

Section 7 of the Superior Falls Exhibit A has been updated to clarify, as previously stated in Appendix A-4 of the FLA, that the substation is not used exclusively for the Project. The substation is also part of the looped 34.5 kV grid that also supports a 34.5 kV transmission line that is connected to Ironwood, MI via the Saxon Falls substation. The substation also has a non-project 500 kVA 34.5 kV/12.4 kV step-down transformer that supports a 12.4 kV distribution feeder to Little Girl's Point. The 2,000 kVA, 2.4/34.5 kV step-up transformer only serves the Project and is the interconnection point with the looped 34.5 kV grid.

NSPW owns and maintains the non-project substation, the non-project 34.5 kV transmission line, and the non-project 12.4 kV distribution feeder. A revised Exhibit A is included in **Appendix AIR-4**.

EXHIBIT E-Aquatic Resources

FERC Comment 9

Table 4.9-1 of Exhibit E provides inflow statistics from data collected by Northern States at each project. So that staff can better understand existing flow conditions at each project, please also include a table of monthly mean, median, minimum, and maximum inflows to each project, and the percentage of time that inflows are above the minimum and maximum hydraulic capacities of each project from January 1986 to December 2021, consistent with the data provided in Appendix A-3 and A-7 of Exhibit A.

NSPW Response

Saxon Falls

Table 1 below includes the monthly minimum, mean, median, and maximum flows for the Saxon Falls Project. The daily inflows to the Project exceed the minimum hydraulic capacity of the powerhouse (i.e., 48 cfs) 98.65% of the time and exceed the maximum hydraulic capacity (i.e., 170 cfs) 55.16% of the time. Section 12 of the Saxon Falls Exhibit A has been revised to include this information. The revised Exhibit A is included in **Appendix AIR-3**.

Table 1. Monthly Minimum, Mean, Median, and Maximum Flows for the Saxon Falls Project

Month	Minimum Flow (cfs)	Mean Flow (cfs)	Median Flow (cfs)	Maximum Flow (cfs)
January	60	162	167	480
February	55	173	167	1,700
March	64	400	205	4,100
April	85	990	628	8,840
May	60	537	260	8,520
June	40	278	200	3,510
July	40	266	170	10,000
August	25	163	120	2,550
September	17	154	100	1,450
October	30	239	154	5,200
November	53	233	189	2,880
December	48	191	167	1,500

Calculated using mean daily flow data

Superior Falls

Table 2 below includes the monthly minimum, mean, median, and maximum flows for the Superior Falls Project. The daily inflows to the Project exceed the minimum hydraulic capacity of 25 cfs 99.98% of the time and exceed the minimum hydraulic capacity of 220 cfs 34.6% of the time. Section 12 of the Superior Falls Exhibit A was also revised to include the requested information. The revised Exhibit A for Superior Falls is included in **Appendix AIR-4**.

Table 2. Monthly Minimum, Mean, Median, and Maximum Flows for the Superior Falls Project

Month	Minimum Flow (cfs)	Mean Flow (cfs)	Median Flow (cfs)	Maximum Flow (cfs)
January	60	164	168	484
February	55	174	168	1,713
March	64	403	207	4,131
April	86	998	633	8,907
May	60	541	262	8,585
June	40	280	202	3,537
July	40	268	171	10,076
August	25	164	121	2,569
September	17	155	101	1,461
October	30	241	155	5,240
November	53	235	190	2,902
December	48	192	168	1,511

Calculated using mean daily flow data

FERC Comment 10

Article 402 of the current license requires Northern States Power to release a minimum flow of 5 cfs or inflow, whichever is less, to the bypassed reach from ice-out through October 31 (ice-free season) each year, to protect aquatic and aesthetic resources. Northern States proposes to continue to release a minimum flow of 5 cfs or inflow, whichever is less, at the Saxon Falls Project from the Saturday before Memorial Day to October 15, except on weekends and holidays, when a minimum aesthetic flow of 10 cfs or inflow, whichever is less, would be released from 8:00 am to 8:00 pm. So that staff can better understand the proposed changes to minimum flows in the bypassed reach and evaluate any potential effects on aquatic and aesthetic resources, please describe:

- (1) when ice-out typically occurs and, under current operations, a downstream minimum flow of 5 cfs is provided to the bypassed reach; and*
- (2) the anticipated effects, if any, of shifting both the timing and quantity of flows to the bypassed reach on aquatic (e.g., water quality, fish stranding, aquatic habitat, etc.) and aesthetic resources.*

NSPW Response

Ice out typically occurs in mid-April each year. Therefore, under the current operation at Saxon Falls, the 5 cfs minimum flow is required between mid-April through October 15th. The maximum hydraulic capacity of the project's powerhouse is 170 cfs. Any flows exceeding 170 cfs are therefore discharged into the bypassed reach. A review of the flow duration table included in Appendix A-3 of the FLA indicates that during the month of April flows exceed 175 cfs (the 170 cfs hydraulic capacity of the powerhouse plus the required 5 cfs minimum flow) at least 90% of the time. May flows exceed 175 cfs at least 85% of the time. Therefore, the proposed change regarding the timing of the start of the minimum flow into the bypassed reach during the spring will have a negligible effect on aesthetic resources.

NSPW is further proposing to change the end date for the minimum flow from October 31 to October 15 to coincide with the timing of the Superior Falls aesthetic flows. A review of the flow duration table indicates that flows exceed 175 cfs at least 40 percent of the time during the month of October. However, the October 15 through October 30 timeframe is outside of the main recreational season when few people typically visit the Project.

Any adverse effects to aesthetic resources at Saxon Falls resulting from the proposed change in the timing of the minimum flow release will be compensated for by increasing the minimum flow requirement to 10 cfs during the prime waterfall viewing season.

As noted in the Study Summary submitted to FERC on September 2, 2020 ([FERC Accession No. 20200902-5080](#)), the fishery potential within the bypassed reach is limited by poor habitat diversity as the stream bottom is 80-90% bedrock and has no aquatic vegetation or other cover. With such poor habitat, the reduced timeframe when flows of at least 5 cfs are released is not expected to adversely impact the fishery or other aquatic resources within the bypassed reach.

The proposed increase in the minimum flow from 5 cfs to 10 cfs is expected to have a slight beneficial impact on the water quality, fisheries, and aquatic resources.

EXHIBIT E-Terrestrial Resources

FERC Comment 11

Exhibit E of the license application does not include a discussion of observed bird and/or wildlife interactions with the project transmission lines and exposed energized components (e.g.,

transformers). So that staff can evaluate the potential effects of continued project operation on wildlife resources, please describe any observed interactions between birds and/or wildlife and electrical components of the project. Also, please describe any bird and/or wildlife protection measures currently implemented at the project transmission lines and exposed energized components.

NSPW Response

Xcel Energy, the parent company of NSPW, has developed avian protection plans to reduce instances of collision or electrocution hazards. The plans were developed in coordination with the USFWS in order to keep birds safe and meet federal wildlife protection standards. Under the plans, Xcel has identified facilities that pose higher risks for bird injuries and retrofitted them with roosting deterrents, flight diverters that make the lines more visible, and other protective equipment. New facilities are designed to meet industry standards that prevent or reduce the likelihood of avian incidents. Reporting and monitoring are ongoing steps in complying with federal avian protection laws and acting responsibly to protect avian species. Employees use a required online form to report injured birds or fatalities. Those locations are monitored and avian controls are added as necessary to reduce future risks.³ Neither Project has been identified as a high-risk site. Therefore, no roosting deterrents or flight diverters are present on substation or Project transmission lines. A review of the online bird injury/fatality reporting forms has not identified avian injuries or fatalities at either Project.

No instances of non-avian wildlife interactions with transmission facilities have been reported.

FERC Comment 12

Section 6.1.11 of Exhibit E identifies and describes several federally listed species that potentially occur in the vicinity of the projects based on an April 7, 2022, query of the U.S. Fish and Wildlife Service's (FWS) Information for Planning and Conservation (IPaC) website. A more recent IPaC species list, filed in the docket for each project on August 11, 2023, includes the federally endangered gray wolf and proposed endangered tri-color bat. Please provide: (1) any records or observations of these species at the projects; and (2) a description of any proposed project maintenance activities (e.g., tree removal) that could affect either species.

NSPW Response

Gray Wolf

The gray wolf is a federally endangered mammal that lives in family groups or packs. The wolf is a habitat generalist. There were an estimated 292 wolf packs in Wisconsin during the winter of 2020-2021 with an average territory size of 63.4 square miles.⁴ Wolves prefer areas which consist primarily of forestland and other wildland areas. They are common in northern Wisconsin and Upper Peninsula of Michigan.

The gray wolf is tracked in Wisconsin's NHI database. No known occurrences of the species were identified within a one-mile buffer of either project boundary as part of the WDNR NHI review (refer to Appendix E-39 of the FLA). The gray wolf is also tracked in the Michigan Rare Features Inventory. The Michigan rare species reviews were included as Appendix E-40 of the FLA. The reviews did not identify any specific gray wolf home or rendezvous areas but did indicate there is suitable habitat for the species within a 1.5-mile buffer of the Projects. Gray wolves may occasionally pass through the Projects but are not expected to be adversely impacted by the

³ https://investors.xcelenergy.com/files/doc_downloads/sustainability/2022/2022-sustainability-report-full-6-20-2023.pdf

⁴ https://widnr.widen.net/s/kpfkd8nr2n/draft_wisconsin_wolf-management_plan_nov2022

continued operation of either Project. Other than removal of individual hazard trees or individual trees blocking recreational access or aesthetic views, no timber management is planned within the proposed Project boundaries. In the unlikely event that gray wolves are temporarily displaced due to Project activities, there are thousands of acres of suitable habitat adjacent to both Projects that may be temporarily utilized by the species. Therefore, the proposed operation of the Projects is not expected to have an adverse impact on the species.

Tricolored Bat

On September 13, 2022, the USFWS, under the Endangered Species Act, proposed to list the tricolored bat as an endangered species on their webpage (<https://fws.gov/species/tricolored-bat-perimyotis-subflavus>). The IPaC list used to develop the Exhibit E (Appendix E-38 of the FLA) was generated on April 7, 2022, before the tricolored bat was proposed for listing. The bat faces extinction due to the impacts of white-nose syndrome, a deadly disease affecting cave-dwelling bats across the country. The tricolored bat is active from spring to fall, primarily roosting among live and dead leaf clusters of live or recently dead hardwood trees. This bat has also been known to roost among pine needles, eastern red cedar, and within artificial roosts like barns, bridges, concrete bunkers, and rarely within caves. Female bats return annually to the same summer roosting locations. Tricolored bats typically hibernate in caves and mines during the winter. Where caves are not common, it often hibernates in road culverts and sometimes in tree cavities and abandoned wells. The tricolored bat typically returns to the same hibernaculum each year.

The tricolored bat is also a state threatened species in Wisconsin and a special concern species in Michigan. The bat is tracked in Wisconsin's NHI database and Michigan's Rare Features Inventory. No known occurrences of the species were identified within a 1-mile buffer of either Project boundary in the WDNR NHI (refer to Appendix E-39 of the FLA). Likewise, no occurrences of the species were identified in the Michigan rare species reviews (refer to Appendix E-40 of the FLA).

Project operations that involve tree removal may impact unknown roost trees. The only vegetation management activities that involve tree removal (> 3-inch diameter) occur near Project recreation sites to ensure public safety and at Project facilities to ensure both public safety and dam safety. Hazard trees, and trees blocking recreational access sites or views from scenic overlooks, are the only trees >3 inches in diameter proposed to be removed. No other timber management activities are planned within the proposed Project boundaries. NSPW proposes to implement the most recent USFWS guidance regarding tricolored bats when removing trees greater than three inches in diameter as a mitigation measure. Therefore, the proposed operation of the Projects is not expected to have an adverse impact upon the species.

FERC Comment 13

Article 410 of the current Superior Falls Project license requires a Wildlife Management Plan, filed on December 23, 1997, that includes measures for wood duck nesting boxes and provisions to protect federal and state-listed species on current project lands including: (1) retain project lands in their "current undeveloped, wilderness-like state" and (2) implement Wisconsin Department Natural Resources' Stand Treatment Methods in Aesthetic Zones along the river corridor and flowage. So that staff can describe current conditions and potential effects of the project on wildlife, please describe any current or proposed environmental measures for: (1) the existing wood duck nesting boxes; and (2) any federal and state-listed species that may occur on project lands.

NSPW Response

NSPW annually maintains and inspects four wood duck boxes at the Superior Falls Project. An annual report is provided to the WDNR and MDNR summarizing the results of the current year's

inspection. Since 2010, nesting activity has been recorded in all but one year. Since the Project shorelines are managed in a “wilderness-like” state, and no timber management occurs within a 200-foot buffer of the reservoir shoreline, there is no lack of dead or snag trees in the Project vicinity which provide suitable nesting sites for wood ducks. Since natural nesting sites are likely present, and wood ducks are already common in the area, the presence of four wood duck boxes at the Project is unlikely to impact the local wood duck population. Therefore, NSPW is proposing to discontinue maintaining and monitoring the structures.

NSPW has maintained lands within the current Superior Falls Project boundary in an undeveloped wilderness-like state and has implemented WDNR stand treatment methods in aesthetic zones along the river corridor and reservoir. NSPW is not proposing any timber management activities within the proposed Project boundary other than individual hazard tree removal or individual tree removal at recreation sites to improve aesthetics or public access.

Proposed environmental measures for state and federally listed species that may occur on project lands are discussed in Section 6.3 of Exhibit E of the FLA and in the response to FERC Comment 12 above.

Please see response to FERC Comment 1c for lands proposed for removal from the Project.

FERC Comment 14

Section 6.2.2.3 of Exhibit E states that trees will likely need to be harvested during the normal course of project operations. Section 6.3.2.3 states that Northern States is proposing to avoid tree removal during the northern long-eared bat pup season, from June 1 through July 31. Please describe any anticipated non-hazardous tree removal activities that could occur during the term of any new license, including the purpose for tree removal (e.g., timber harvest, aesthetics), and the location and extent of any tree removal (in acres).

NSPW Response

The only timber management activities proposed within the Project boundaries are for the removal of individual hazard trees and individual trees blocking access to recreation sites or views from scenic overlooks. Two trees overhanging the proposed alternative Superior Falls Canoe Portage Take-Out will need to be removed during the development of the site to ensure safe access and visibility from the river. The stumps will remain in place and the portion of the trees to be removed are shown in **Figure 5**.

Figure 5 Trees Proposed to be Removed at the New Superior Falls Takeout Site



Trees that obstruct the aesthetic views from the scenic overlook sites may also be removed to enhance visibility of the waterfalls. Two deciduous trees are proposed for removal at the Saxon Falls Scenic Overlook provided the work may be conducted in a safe manner. **Figure 6** shows the trees to be removed. No tree removal is currently necessary at the Superior Falls Scenic Overlook. Hazard trees, trees blocking access to recreation sites, and trees obstructing the view from the scenic overlooks will be removed according to the mitigation measures identified in Section 6.3 of Exhibit E. See also response to FERC Comment 12 above.

Figure 6 Trees Proposed to be Removed at Saxon Falls Scenic Overlook Site



FERC Comment 15

Table A-1 includes a proposed aquatic and terrestrial species plan. Please describe what proposed measures are included in the plan.

NSPW Response

In order to prevent the introduction of new invasive species to the Projects, NSPW has proposed to follow the WDNR early detection and rapid response program. The proposed Rapid Response Invasive Species Plan will limit dispersal of established invasive species populations and identify, manage and control newly emerging invasive species.

Due to the small size of the Project reservoirs, and the limited number of public access sites, NSPW is proposing to conduct biennial monitoring of the recreation access points and regularly maintained project facilities where new rapid response invasive species are most likely to become established. NSPW proposes to develop the Rapid Response Invasive Species Plan within 1 year of license issuance. The monitoring will be conducted biennially beginning in year 2 after the license is issued. The plan will require monitoring at the following locations at each Project:

Saxon Falls

- Boat landing, canoe portage take-out, parking area, and the regularly maintained area near the dam.
- Penstock corridor extending from the dam to the powerhouse.
- Scenic overlook and parking area
- Tailwater access
- Transmission line corridor extending from the powerhouse to the substation.

Superior Falls

- Canoe portage take-out and regularly maintained area near the dam.
- Penstock corridor extending from the dam to the powerhouse.
- Scenic overlook and parking area
- Bank fishing area and the area maintained around the powerhouse.

The plan will include the following provisions:

- A focus on the control of species that are not already prevalent in the area and where early detection and control of said species will have an impact on their prevalence in the area.
- Monitoring will be conducted in late summer (July and/or August).
- Monitoring will be conducted by personnel familiar with the visual characteristics of terrestrial and aquatic invasive species.
- Monitoring will be conducted on foot in terrestrial areas and at the aquatic/terrestrial interface of the shoreline at water access sites to the extent it encompasses the entirety of any contiguous invasive plant community.
- Data sheets will be populated with information for each new occurrence of rapid response invasive species.
- Data concerning the location of each new rapid response invasive species occurrence will be collected via handheld GPS.
- Monitoring and/or control of newly emerging species will continue until such time the species becomes prevalent in the area or limited local control measures within the Project boundaries are no longer be effective in stopping the spread of the species.
- Control measures may include manual removal, mechanical removal, or chemical treatment and will be determined in consultation with MDNR and WDNR.
- NSPW shall be responsible for initiating control for rapid response species identified during the surveys with assistance from WDNR and/or MDNR.
- Newly documented invasive species may be added to the list of rapid response species to be monitored, but only if they are currently not common to the region and where early, limited control and detection may stop the species from spreading.
- Species may be removed from the list if they become so prevalent that limited control measures within the project boundaries are no longer effective in stopping their spread.
- Measures to increase public awareness via the posting of invasive species signage at recreation sites will be implemented if said signage is provided by WDNR and/or MDNR.
- The condition of any invasive species signage provided by WDNR and/or MDNR will be evaluated during each survey and the signs will be replaced as necessary as long as new signs are provided by WDNR and/or MDNR.
- Best management practices will be implemented to prevent the spread of invasive species during transportation of equipment used for the operation and maintenance of the Projects.
- The WDNR and MDNR shall be notified within 5 days of licensee identifying a new rapid response species.

The plan will also include a requirement to provide an annual monitoring report to the agencies by December 31. The report will include the results of the monitoring, copies of any data forms, and a summary of any control activities conducted as a result of the monitoring. WDNR and MDNR will be provided a minimum of 30 days to provide comments on the report. Agency comments will be addressed in a final report to be filed with the Commission no later than March 15 of the following year.

FERC Comment 16

Section 6.3.2 of Exhibit E describes the proposed measures that would be implemented to mitigate effects of ground disturbing activities associated with the proposed recreational improvements at both projects. However, the proposed mitigation measures for bald eagle nests (section 6.3.2.2), northern long-eared bat roosting sites (section 6.3.2.3), and erosion and siltation (6.3.2.5) are not accounted for in Table A-1. Please revise Table A-1 to provide the cost for each of these proposed measures.

NSPW Response

Table A-1 of each Project's Exhibit A has been revised to provide the costs for bald eagle nests, northern long eared bat roosting sites, and erosion and siltation mitigation for ground disturbing activities at recreation sites. The revised Saxon Falls Exhibit A is included in **Appendix AIR-3**. The revised Superior Falls Exhibit A is included in **Appendix AIR-4**.

FERC Comment 17

Sections 6.3.2.4 and 6.3.1.1 of Exhibit E describes Northern States' proposal to develop a rapid response invasive species monitoring plan to monitor and limit the spread of terrestrial and aquatic invasive species for each project. However, no specific details are provided for staff to evaluate the plan. So that staff can evaluate the effects of Northern States' proposal, please specify: (1) the proposed methodology for monitoring and removing invasive species (i.e., manual, mechanical, chemical, etc.); (2) where monitoring and control measures are proposed to be implemented (i.e., riparian areas, bypassed reaches, entire project boundary, etc.); and (3) a schedule for implementing the measures.

NSPW Response

Please see NSPW's response to FERC Comment 15 above.

FERC Comment 18

Please provide tables showing the acreage of upland habitat types within the current and proposed project boundaries.

NSPW Response

WDNR maintains a detailed land cover dataset called WISCLAND 2.0 that describes the land cover across the state. The dataset was used to generate detailed land cover maps for lands in Wisconsin included within the current and proposed Project boundaries. The maps are included in **Appendix AIR-5**. Species level cover types identified within the current and proposed Project boundaries for Saxon Falls and Superior Falls are shown in **Tables 3** and **4**, respectively.

Table 3. Cover types within the Current and Proposed Saxon Falls Project Boundaries (Wisconsin)

WISCLAND Detailed Land Cover Description	Land Cover Current Boundary (acres)	Land Cover Proposed Boundary (acres)
Fir/Spruce	17.5	14.4
Red Pine	7.6	7.6
White Pine	4.2	4.2
Hemlock/Hardwoods	8.7	7.9
Aspen	20.4	6.2
Red Maple	37.1	3.2
Sugar Maple	11.0	3.9
Other Northern Hardwoods	2.7	0.0
Open Water	37.8	33.3
Cattails	6.9	6.3
Black Spruce	2.4	1.1
Silver Maple	2.0	0.2
Black Ash	20.1	3.0
Other Swamp Hardwoods	0.5	0.2
Total	178.8	91.4

Table 4. Cover Types within the Current and Proposed Superior Falls Project Boundaries (Wisconsin)

WISCLAND Detailed Land Cover Description	Land Cover Current Boundary (acres)	Land Cover Proposed Boundary (acres)
Fir/Spruce	8.5	1.3
Red Pine	30.4	2.7
Hemlock/Hardwoods	13.7	1.0
Aspen	62.2	0.0
Red Maple	26.0	0.0

WISCLAND Detailed Land Cover Description	Land Cover Current Boundary (acres)	Land Cover Proposed Boundary (acres)
Mixed Deciduous/ Coniferous Forest	28.3	0.0
Open Water	8.0	7.6
White Cedar	2.9	0.0
Tamarack	3.3	2.1
Other Coniferous Forested Wetland	8.5	0.0
Silver Maple	5.3	0.0
Other Bottomland Hardwood	9.1	0.0
Black Ash	14.2	2.1
Other Swamp Hardwoods	35.3	0.7
Total	255.9	17.3

The state of Michigan does not maintain a detailed land cover dataset. Therefore, NSPW utilized the National Map Land Cover Dataset to generate cover maps for lands in Michigan that are included in the current and proposed Project boundaries. While this data is not as detailed as that for Wisconsin, it does provide information on the vegetation cover for the portions of the Project within Michigan. These maps were included in the **Appendix AIR-5**. Land cover types in Michigan identified within the current and proposed Project boundaries for Saxon Falls and Superior Falls are shown in **Tables 5** and **6**, respectively.

Table 5. Cover types within the Current and Proposed Saxon Falls Project Boundaries (Michigan)

USGS National Map Land Cover Description	Land Cover Current Boundary (acres)	Land Cover Proposed Boundary (acres)
Open Water	7.4	6.7
Developed, Open Space	0.2	0.2
Barren Land	0.7	0.7
Deciduous Forest	16.4	13.4
Evergreen Forest	3.8	3.8
Mixed Forest	21.6	18.5
Grassland/Herbaceous	0.9	0.5
Woody Wetlands	4.6	4.6
Emergent Herbaceous Wetlands	6.4	5.7
Total	61.9	54.2

Table 6. Cover Types within the Current and Proposed Superior Falls Project Boundaries (Michigan)

USGS National Map Land Cover Description	Land Cover Current Boundary (acres)	Land Cover Proposed Boundary (acres)
Open Water	3.2	2.6
Developed, Open Space	8.4	2.3
Developed Low Intensity	3.6	1.6
Developed Medium Intensity	1.5	0.6
Developed High Intensity	1.7	0.4
Barren Land	1.8	1.8
Deciduous Forest	65.5	0.1
Evergreen Forest	4.6	4.6
Mixed Forest	26.6	10.2
Woody Wetlands	14.2	1.6
Emergent Herbaceous Wetlands	3.2	2.9
Total	134.2	28.7

EXHIBIT E-Recreation Resources

FERC Comment 19

Tables 8.1.2-1 and 8.1.2-2 identify recreation sites within the Saxon Falls and Superior Falls Project boundaries, respectively. Both tables identify amenities such as parking, signage, hiking paths, and portable toilets that are not shown in Figures 8.3.2.1-1 and 8.3.2.2-1. Please provide updated recreational facilities maps showing all amenities listed in the tables.

NSPW Response

Updated recreation facilities maps showing all amenities listed in Tables 8.1.2-1 and 8.1.2-2 are provided in **Appendix AIR-6**.

FERC Comment 20

Table 8.1.2-2 lists the North Country National Scenic Trail as being within the Superior Falls Project boundary, but Figure 8.3.2.2-1 shows the North Country Scenic Trail as being outside the proposed project boundary. Please clarify whether any sections of the trail are in the current or proposed project boundary. In addition, please state who is responsible for maintenance of trail.

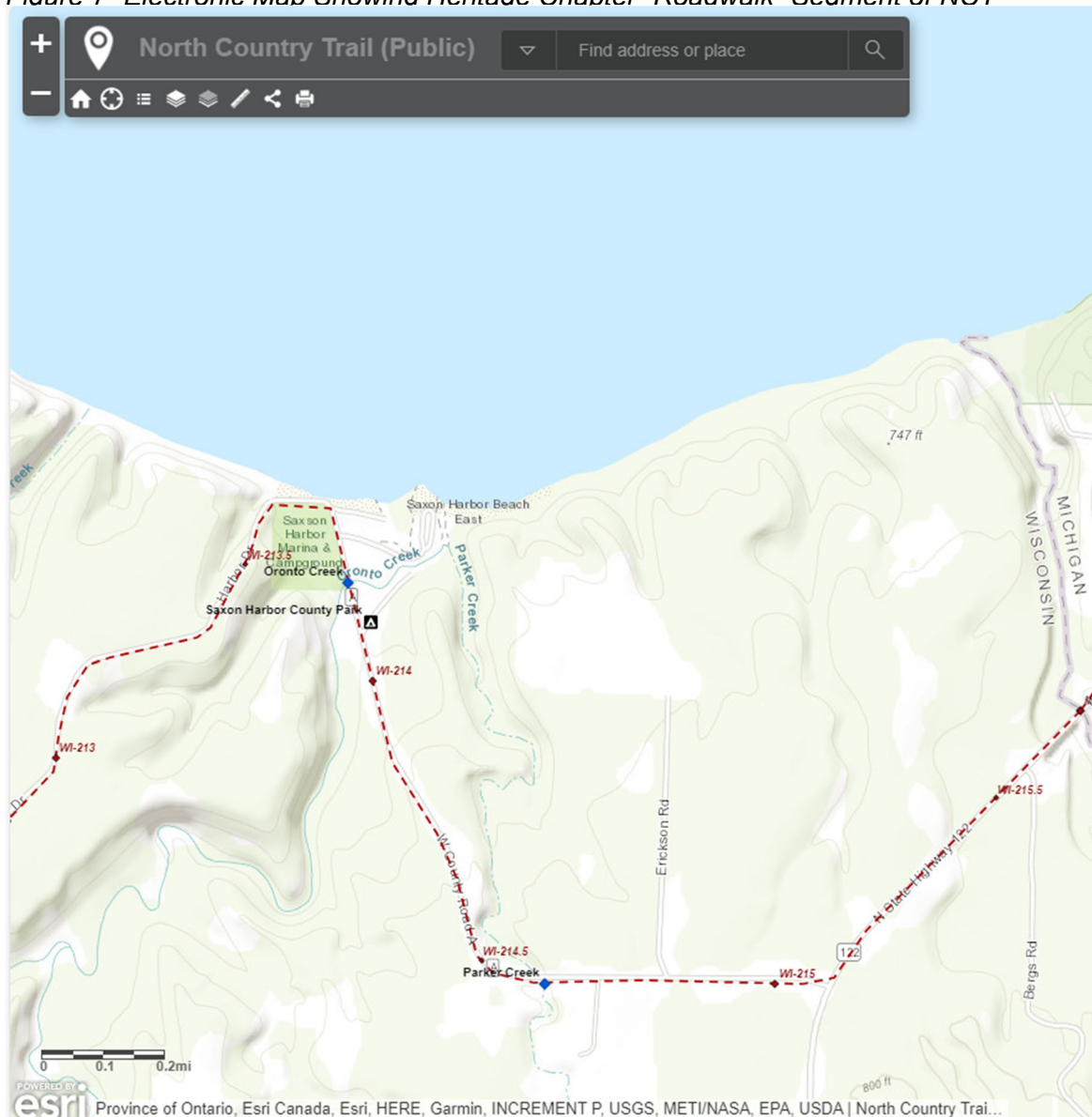
NSPW Response

The North Country Trail (NCT) crosses Superior Falls Flowage along Wisconsin Highway 122/Gogebic County 505 (Lake Road) but is not included in the project boundary. This section of the NCT is managed by the Heritage Chapter of the NCT in Wisconsin and the Ni-Miikanaake (NMK) Chapter of the NCT in Michigan. The Wisconsin portion of the trail is a “roadwalk” from US Highway 2 to the Michigan border. **Figure 7** shows this portion of the trail extending from Saxon Park to the Michigan border. Dotted lines indicate the trail is a “roadwalk.” A description of the Heritage Chapter Segment of the NCT is included in **Appendix AIR-7** and is found at the following web link:

https://northcountrytrail.org/files/chapters/htg/NCTA%20Heritage%20Chapter%20Map%20Set%20and%20Brochure_2021.pdf .

Sections of the NCT designated as a “roadwalk” are literally a walk along an existing road and lack an actual physical trail. These “roadwalk” sections connect completed off road sections of the NCT. Hikers using these connector routes simply walk along the road until they reach the next completed trail segment. NSPW traveled the portion of the trail from the Michigan border to Saxon Harbor Park. No signs identifying the NCT were located anywhere along this section.

Figure 7- Electronic Map Showing Heritage Chapter “Roadwalk” Segment of NCT

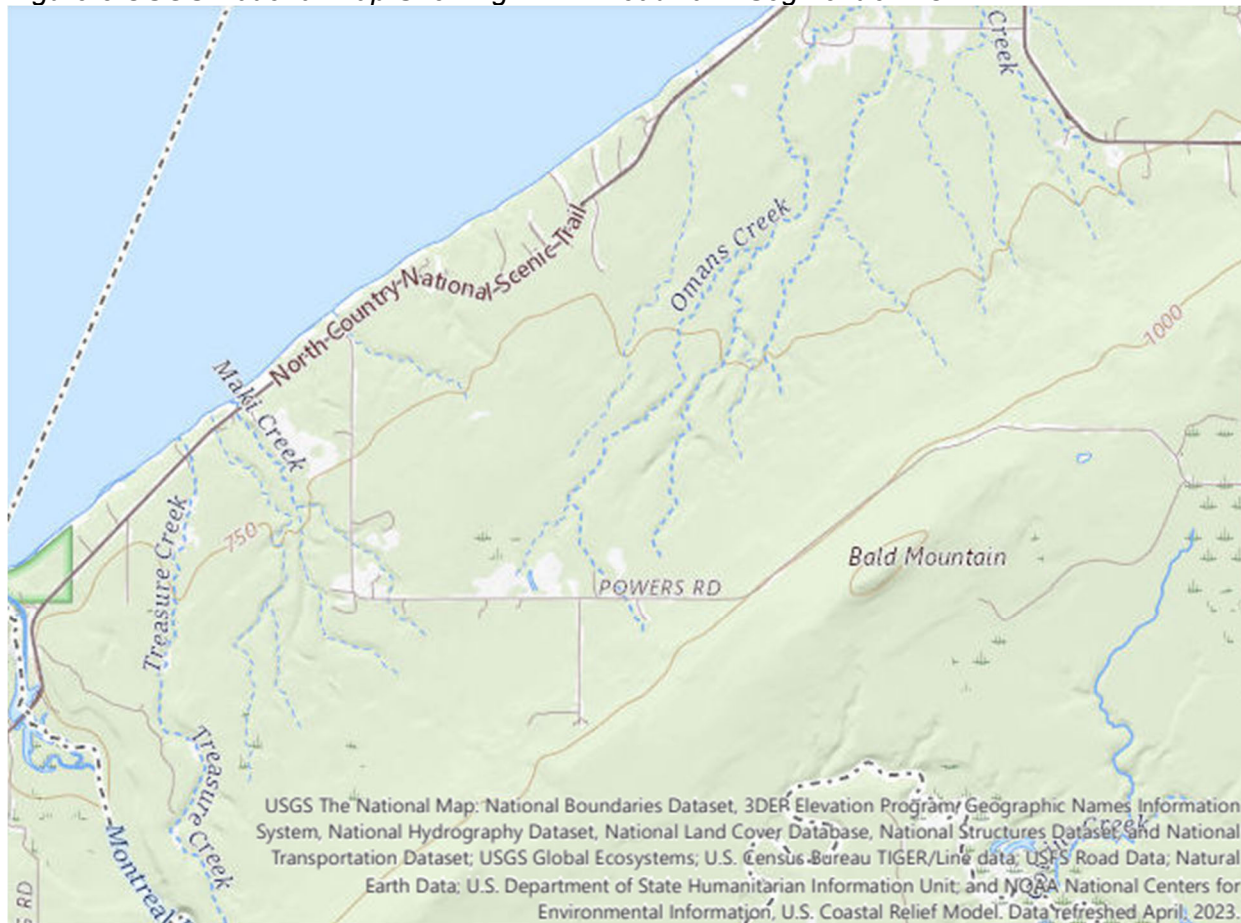


The NMK section of the trail begins at Gogebic County Highway 505, also known as Lake Road, on the east side of the Montreal River as Lake Road. A description of the NMK Chapter segment of the NCT is included in **Appendix AIR-7** and is found at the following web link ([NMK Segment Description.pdf](#) northcountrytrail.org). This description indicates that the western 29 miles of the trail in the NMK segment are a “roadwalk”. The trail description indicates that the segment starts at the Montreal River Bridge on Gogebic County Highway 505 (Lake Road) and follows east along Lake Road to Little Girls Point County Park.

In the initial stages of the relicensing process, the electronic NCT map showed the Michigan portion of the NCT traversing Lake Road from the Montreal River to Little Girls Point County Park entirely as a “roadwalk.” The USGS National Map, reviewed on December 13, 2023, also shows the trail located on Lake Road (see **Figure 8**). Since NSPW does not own or maintain the highway,

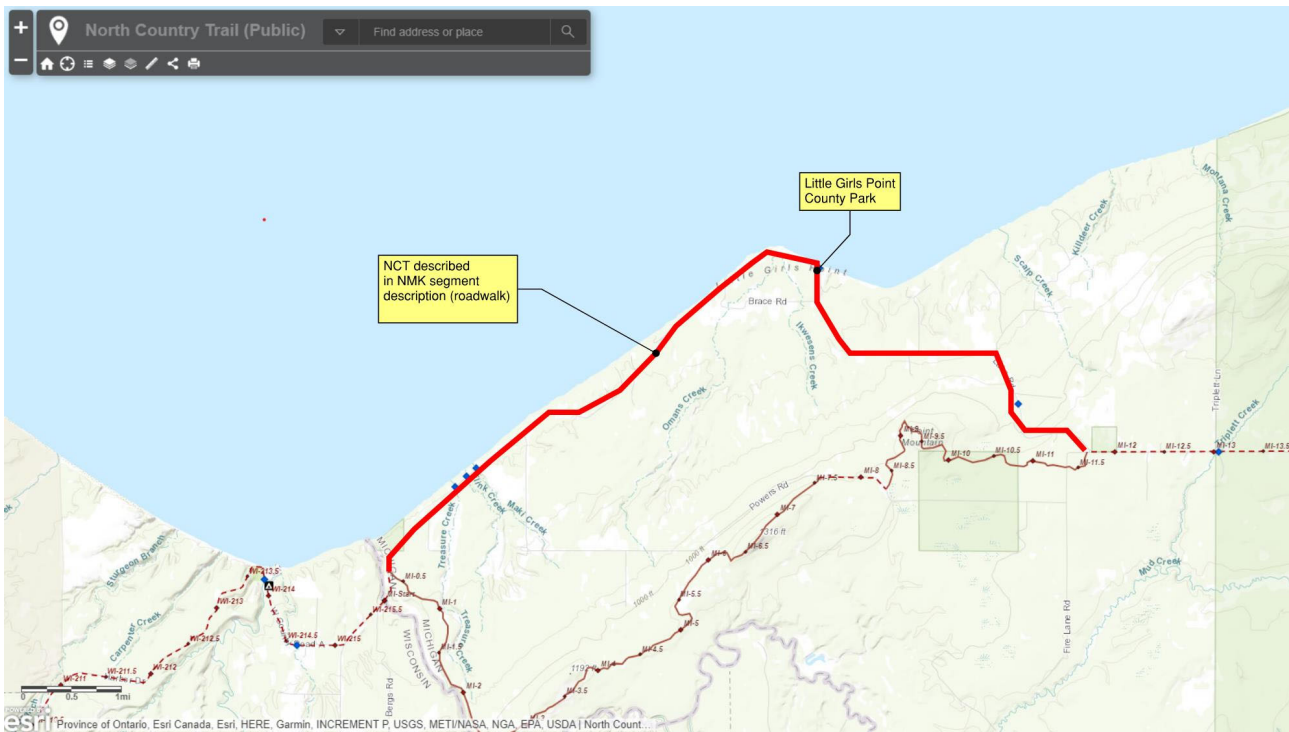
nor does it have control over activities within the highway right-of-way, it was excluded from the Project boundary to avoid the need for FERC approval for road maintenance activities. Therefore, those segments of the NCT designated a “roadwalk” would be excluded from the proposed Project boundary. A reconnaissance along the route along Lake Road did not identify any signage identifying the NCT. Likewise, no NCT signage was located along Gogebic County snowmobile trail 160.

Figure 8 USGS National Map Showing NMK “Roadwalk” Segment of NCT



A review of the current electronic map for the NCT on December 8, 2023, showed the trail following a short distance along Lake Road before turning to follow Gogebic County Snowmobile Trail 160 across NSPW lands within the current Project boundary. The current electronic map for the NCT is shown in **Figure 9**. NSPW completed a review of its license agreements and/or easements within the Superior Falls Project boundary. No license agreement, lease or easement was identified authorizing the NCT to cross NSPW lands. Therefore, there is no federal reservation of Project lands for the North Country Trail.

Figure 9 Electronic Map Showing NMK Segment of NCT



FERC Comment 21

To the extent possible, please estimate the annual number of whitewater boaters using the Montreal River downstream of the Saxon Falls Project, based on operator observations and requests for assistance opening the gate at the tailwater access site.

NSPW Response

Based on operator observations and requests for assistance opening the gate at the tailwater access site, it is estimated that there are 50 to 75 whitewater boaters per year currently using the Montreal River downstream of the Saxon Falls Project.

Property Interests At and Around the Superior Project Powerhouse

In addition to the information requested in the Commission's November 6, 2023 letter, the Commission also requested the following in a follow-up phone call to NSPW on November 28 and subsequent email on November 29, 2023:

FERC Comment 22

As a follow up to our phone call yesterday, I want to clarify our request for information regarding the property interests at and around the Superior Project powerhouse. It has come to staff's attention that some project lands at the powerhouse overlap with the Ottawa National Forest's administrative boundary, and it is unclear if the Forest Service would have any property interest within that boundary. Therefore, please file all property interest records for land parcels that are in and immediately adjacent to the project boundary that also fall within the administrative boundary of the Ottawa National Forest. Property interest records could include ownership in fee, rights-of-way, easements, or leaseholds. Please provide this information with your response to our November 6, 2023 additional information request.

NSPW Response

A review of Gogebic County land parcel data identified two parcels within the Ottawa National Forest Administrative Boundary. Parcel 03-04-503-602 comprises a total of 1.0 acre and Parcel 03-04-503-601 comprises a total of 39.85 acres. Parcel 03-04-503-602 is owned in fee by NSPW and includes the powerhouse, substation, and other Project facilities. Parcel 03-04-503-601 is owned in fee by Gogebic County Forestry and Parks and includes the Lake Superior Overlook. NSPW has a perpetual easement allowing access across the Gogebic County parcel to access the powerhouse and bank fishing area. The US Forest Service does not have any property interests in either parcel. Documentation of ownership of each parcel is included in **Appendix AIR-8**.

Should you wish to access the information provided in this submittal, it is posted at the following website: <https://hydrorelicensing.com>. Should you have any questions, please contact Matthew Miller at 715-737-1353 or matthew.j.miller@xcelenergy.com.

Sincerely,

Donald Hartinger
Plant Director, Renewable Operations-Hydro

Enclosure

CC: Stakeholder List

APPENDIX AIR-1

Timber Harvest Details

This information has been submitted as a separate file.

APPENDIX AIR-2

Recreation Use Agreements

This information has been submitted as a separate file.

APPENDIX AIR-3

Saxon Falls – Revised Exhibit A

This information has been submitted as a separate file.

APPENDIX AIR-4

Superior Falls – Revised Exhibit A

This information has been submitted as a separate file.

APPENDIX AIR-5

Land Cover Types within Current and Proposed Project Boundaries

This information has been submitted as a separate file.

APPENDIX AIR-6

Revised Recreation Facilities Maps

This information has been submitted as a separate file.

APPENDIX AIR-7

Descriptions of Heritage Chapter Segment and NMK Segment of North Country Trail

This information has been submitted as a separate file.

APPENDIX AIR-8

Documentation of Land Ownership

This information has been submitted as a separate file.