

**Before the
Federal Energy Regulatory Commission
Application for an Original License
For a Constructed Major Water Power Project
Less than 10 Megawatts**

Initial Statement as required under 18 CFR §5.16(c)

1. Northern States Power Company, a Wisconsin Corporation (NSPW) *applies to the Federal Energy Regulatory Commission (FERC) for an original license for the Gile Flowage Storage Reservoir Project, as described hereinafter* (FERC Project No. 15055).

2. *The location of the project is:*

State or territory: Wisconsin

County: Iron County, WI

Township or nearby town: Town of Pence and Town of Carey, Iron County, WI

Stream: West Branch Montreal River

Other: Located in northern Iron County, Wisconsin, the Gile Project is a headwater storage reservoir that provides seasonally uniform streamflow for hydroelectric generation at NSPW's downstream Saxon Falls and Superior Falls Projects. The Project is located about 20 miles upstream of the Saxon Falls Project and approximately 3 miles southwest of the neighboring cities of Hurley, Wisconsin and Ironwood, Michigan.

A Project location map is included in Exhibit A, Appendix A-1.

3. *The exact name, address, and telephone number of the applicant is:*

Northern States Power Company, a Wisconsin Corporation
1414 W Hamilton Avenue, PO Box 8
Eau Claire, Wisconsin 54702-0008
715-737-1428

4. *The exact name, address, and telephone number of each person authorized to act as agent for the applicant in this application are:*

Donald Hartinger
Plant Director, Renewable Operations-Hydro
NSPW
414 Nicollet Mall, 2
Minneapolis, MN 55401
651-261-7668

Matthew Miller
Environmental Analyst
NSPW
1414 W Hamilton Avenue, PO Box 8
Eau Claire, Wisconsin 54702-0008
715-737-1353

5. *Applicant is a domestic corporation and is not claiming preference under Section 7(a) of the Federal Power Act.*
6. *The statutory or regulatory requirements of the state(s) in which the project would be located and that affect the project as proposed, with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting, and distributing power and in any other business necessary to accomplish the purposes of the license under the Federal Power Act, and*

- a. The Applicant must be in accordance with the following state requirements:

In accordance with Section 401 of the Federal Water Pollution Control Act, 33 U.S.C. §1341, the applicant must obtain water quality certification, or a waiver thereof, from the State of Wisconsin. In Wisconsin, the Certification Program is administered by the Wisconsin Department of Natural Resources (WDNR).

The Applicant is a corporation duly organized and existing under the laws of the State of Wisconsin and is duly authorized by its Articles of Incorporation to engage in the business of generating, transmitting, and distributing power.

Chapter 31 Wisconsin Statutes Regulation of Dams and Bridges Affecting Navigable Waters.

The Applicant must comply with the provisions of the Coastal Zone Management Act (CZMA) of 1972.

- b. *The steps the applicant has taken or plans to take to comply with each of the laws cited above are outlined below:*

The Applicant will apply to the WDNR for a Section 401 water quality certificate pursuant to Section 401 of the Clean Water Act for continued operation of the Project.

NSPW has complied with all state laws necessary for its corporate existence, for engaging in the business of wholesale power generation and for ownership, operation, and maintenance of the Gile Flowage Storage Reservoir.

Electric utilities are governed by various statutes and regulated by the Public Service Commission of Wisconsin.

The Wisconsin Coastal Resources Management Program (WCMP) is responsible for implementing the State of Wisconsin's coastal zone management program. The State of Wisconsin Coastal Zone Management Program is limited to only the 15 counties that have frontage on Lake Superior or Lake Michigan. Iron County is located within Wisconsin's Lake Superior coastal zone. The Licensee requested a formal written determination of consistency with the WCMP via email on February 23, 2023. No response has been received from WCMP as of the date of this filing.

Northern States Power Company owns or has all the rights necessary for the operation of the Gile Flowage Storage Project.

7. *Brief Project Description*

The Project operates as a storage reservoir, providing water for generation at the downstream Saxon Falls and Superior Falls Hydroelectric Project during periods of low flow. The storage reservoir is operated between reservoir elevations 1,475 and 1,490 feet National Geodetic Vertical Datum 1929 (NGVD) and a minimum flow of 10 cfs, or inflow is released into the West Fork of the Montreal River at all times to protect aquatic resources.

The Project works consist of (1) a 32.5-foot-high and 903-foot long earthen and concrete dam that includes a west earthen embankment, a concrete spillway section, an east earthen embankment; (2) a storage reservoir with a maximum surface area of 3,454 acres and a maximum gross storage capacity of approximately 32,713 acre-feet at an elevation of 1,490.0 National Geodetic Vertical Datum 1929 (NGVD)¹; and (3) appurtenant facilities.

- a. The Project is a water storage facility and does not have any installed generating capacity.
- b. The Project is an existing dam.

8. *Lands of the United States affected (Shown in Exhibit G)*

The Project does not occupy any lands of the United States.

9. *Construction of the Project*

No construction is proposed.

¹ NGVD is assumed to be the same datum as mean sea level.

The information provided below complies with Section 5.18 of 18 CFR.

1. *For a preliminary permit or a license, identify every person, citizen, association of citizens, domestic corporation, municipality, or state that has or intends to obtain and will maintain any proprietary right necessary to construct, operate, or maintain the project.*

NSPW is the sole entity that intends to maintain any proprietary right necessary to construct, operate, or maintain the Project.

2. *For a license, identify (providing names and mailing addresses):*

Every county in which any part of the project and any federal facilities that would be used by the project would be located:

Michael Saari, Clerk
Iron County
300 Taconite St. Suite 101
Hurley, WI 54534

No federal facilities are used by the Project.

Every city, town, or similar local political subdivision in which any part of the project, and any Federal facilities that is used by the project is located:

Lori Genisot, Clerk
Town of Pence
PO Box 242
Montreal, WI 54550

Torey Aschbrock, Clerk
Town of Carey
12005N Hakala Road
Hurley, WI 54534

Every city, town, Indian Tribe, or similar local political subdivision that has a population of 5,000 or more people and is located within 15 miles of the project dam:

The following cities and towns each have a population of 5,000 or more people (2020 U.S. Census data), and are located within 15 miles of the Project dam:

Wendy Hagstrom, City Clerk
City of Ironwood
213 S. Marquette Street
Ironwood, Michigan 49938

Every irrigation district, drainage district, or similar special purpose political subdivision which any part of the project is located, and any federal facility used by the project is located:

Northwest Regional Planning Commission
1400 S. River Street
Spooner, WI 54801-8692

No federal facilities are used by the Project.

Every other political subdivision in the general area of the project that there is reason to believe would be likely to be interested in or affected by the notification:

There is no other political subdivision in the general area of the Project that there is reason to believe would likely be interested in, or affected by, this notification.

All Indian tribes that may be affected by the project:

Ms. Edith Leoso, THPO
Bad River Band of Lake Superior Tribe of Chippewa Indians
P.O. Box 39
Odanah, WI 54862

Ms. Whitney Gravelle, Chairman
Bay Mills Indian Community of Michigan
12140 W. Lakeshore Drive
Brimley, MI 49715-9319

Mr. Kevin DuPuis, Chairman
Fond du Lac Band of Lake Superior Chippewa
1720 Big Lake Road
Cloquet, MN 55720

Mr. Benjamin Rhodd, THPO
Forest County Potawatomi Community of Wisconsin
5320 Wensaut Lane
P.O. Box 340
Crandon, WI 54520

Mr. Michael Blackwolf, THPO
Fort Belknap Indian Community
656 Agency Main Street
Harlem, MT 59526-9455

Ms. Mary Ann Gagnon, THPO
Grand Portage Band of Chippewa Indians
PO Box 428
Grand Portage, MN 55605

Mr. Earl Meshigaud, Cultural Director
Hannahville Potawatomi Indian Community
M-14911 Hannahville B1 Road
Wilson, MI 49896

Mr. William Quackenbush, THPO
Ho-Chunk Nation
Executive Offices
P.O. Box 667
Black River Falls, WI 54615

Cultural Preservation Office
Iowa Tribe of Oklahoma
RR1, Box 721
Perkins, OK 74059

Mr. Warren Swartz, President
Keweenaw Bay Indian Community
16430 Beartown Road
Baraga, MI 44908-9210

Mr. Brian Bisonette, THPO
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin
13394 West Trepania Road Bldg No. 1
Hayward, WI 54843

Ms. Melinda Young, THPO
Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin
P.O. Box 67
Lac du Flambeau, WI 54538

Ms. Alina Shively, THPO
Lac Vieux Desert Band of Lake Superior Chippewa Indians
P.O. Box 249, E23857 Poplar Circle
Watersmeet, MI 49969

Mr. James Williams, Chairman
Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan
E23968 Pow Wow Trail
Watersmeet, MI 49969

Ms. Amy Burnette, THPO
Leech Lake Band of Minnesota
Chippewa Tribe
190 Sailstar Drive NE
Cass Lake, MN 56633

Mr. David Grignon, THPO
Menominee Indian Tribe of WI
W3426 Cty VV
P.O. Box 910
Keshena, WI 54135-0910

Ms. Natalie Weyaus, THPO
Mille Lacs Band of Ojibwe
43408 Oodena Drive
Onamia, MN 56359

Mr. Nicholas Metoxen, THPO
Oneida Nation of Wisconsin
P.O. Box 365
Oneida, WI 54155-0365

Mr. Ryan Howell, THPO
Prairie Island Indian Community
5636 Sturgeon Lake Road
Welch, MN 55089

Mr. Warren Wahweotten Jr., THPO
Prairie Band Potawatomi Nation
162Q Road
Maetta, KS 66509

Mr. Marvin Defoe, THPO
Red Cliff Band of Lake Superior
Chippewa Indians of Wisconsin
88385 Pike Road HWY 13
Bayfield, WI 54814

Mr. Jonathan Buffalo, NAGPRA Rep.
Sac and Fox of the Mississippi in Iowa
349 Meskwaki Road
Tama, IA 52339-9629

Mr. Gary Bahr
Sac and Fox Nation of Missouri in Kansas and Nebraska
305 N. Main
Reserve, KS 66434

Ms. Sandra Massey, NAGPRA Rep.
Sac and Fox Nation of Oklahoma
920883 S. Hwy 99, Bldg. A
Stroud, OK 74079

Mr. Cecil E. Pavlat Sr., Cultural Repatriation Specialist
Sault Ste. Marie Tribe of Chippewa Indians
523 Ashmun Street
Sault Ste. Marie, MI 49783

Mr. Michael LaRonge, THPO
Sokaogon Chippewa Community Mole Lake Band
3051 Sand Lake Road
Crandon, WI 54520

Mr. Lewis Taylor, President
St. Croix Chippewa Indians of WI
24663 Angeline Ave.
Webster, WI 54893

Ms. Sherry White, THPO
Stockbridge Munsee Community of Wisconsin
PO Box 70
Bowler, WI 54416

Ms. Jamie Arsenault, THPO
White Earth Band of the Minnesota Chippewa Tribe
P.O. Box 418
White Earth, MN 56591

As to any facts alleged in the application or other materials filed, be subscribed and verified under oath in the form set forth in paragraph (2)(3)(ii) of Section 9.32 by the person filing, an officer thereof, or other person having knowledge of the matters set forth.

This application is executed in the:

State of Wisconsin

County of Eau Claire

By Donald Hartinger

Being duly sworn, deposes and says the contents of this application are true to the best of his knowledge. The undersigned applicant this _____ day of August, 2023.

Donald Hartinger
Plant Director, Renewable Operations-Hydro
Northern States Power Company, a Wisconsin corporation

Subscribed and sworn before me, a Notary Public, of the State of Wisconsin this _____ day of _____, 2023.

SEAL

Notary Public