



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

August 03, 2020

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

RE: RESERVOIR DRAWDOWN CONSULTATION FOR AU TRAIN P-10856.

Dear Secretary Bose,

The Michigan Department of Natural Resources (MDNR) reviewed the Revised Au Train Plan for Stranded Aquatic Organisms and 20-07-14 BRK ATRN August 2020 Drawdown Plans submitted by Renewable World Energies (RWE) on July 14 and July 16, 2020. MDNR is concerned that RWE will not undertake necessary measures to minimize harm to natural resources and the public relating to the safety, operation, and disposition of the Au Train Hydroelectric Project without action from FERC. MDNR's July 29, 2020 correspondence in response to the request for consultation was followed by RWE withdrawing its request for a drawdown. Between July 30 and the morning of August 3, the reservoir elevation appears to have begun dropping (from 778.28 to 778.04' according to the automated Sutron reporter). Whether that trend continues or not, RWE should be required to provide information, and must coordinate with Michigan Department of Environment, Great Lakes & Energy (EGLE) to obtain permits for its proposed activities. MDNR requests that the Commission assist in ensuring the questions MDNR, EGLE, and others have asked are answered, and that issues are resolved satisfactorily prior to Surrender being accepted.

Thank you for the opportunity to comment. If you have any questions or feel additional clarification would help, please feel free to contact me at Gulotty@michigan.gov, or via work cell phone (906-282-8300) until the Norway Field Office reopens.

NORWAY FIELD OFFICE
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
520 WEST US HWY 2
NORWAY, MI 49870

Sincerely,

Elle Gulotty
Resource Analyst
Habitat Management Unit
FISHERIES DIVISION

Enclosed: copy of email correspondence.

cc: (via email)

Jason Kreuzscher, RWE

Brian Kreuzscher, RWE

Scott Hicks, USFWS

Bob Stuber, Michigan Hydro Relicensing Coalition

Dan DeVaun, Michigan EGLE

Ryan McCone, Michigan EGLE

Amira Oun, Michigan EGLE

Jessica Mistak, Michigan DNR

Gulotty, Elle (DNR)

From: Gulotty, Elle (DNR)
Sent: Wednesday, July 29, 2020 4:15 PM
To: Brian Kreuzscher; Oun, Amira (EGLE); Scott Hicks
Cc: Jason Kreuzscher
Subject: RE: Au Train (p-10856) Reservoir Drawdown Consultation

Hi Brian,

In order to adequately minimize stress and mortality to aquatic resources the stranding survey and relocation effort should:

- Rescue organisms exposed as water drops below typical full pool, and prior to exposure whenever possible between typical full pool elevation and the 'final' elevation.
- Attempt to find and relocate as many organisms which have been or will be exposed as possible, with efforts continuing as the drawdown progresses, and potentially increasing if many organisms are found.
- Include effort on foot or similarly close proximity to the dewatered habitats, using viewing buckets, snorkeling, or other close and/or comparatively high resolution options, with effort scaled to cover the area of exposed bottomlands as quickly and efficiently as possible.
- To increase efficiency and ability to target areas of likely high-densities, include scoping surveys in advance of the drawdown to identify high density sites, allow for development of staging areas, and identification of potential relocation areas. These may also reveal navigational hazards or other potential obstacles, allowing for greater preparedness.
- Be scalable. Preparations should be made for finding more mussels and other organisms than expected.
- Rescue can include survey by boat, however surveys by boat should be focused on:
 - o identifying potentially suitable/high abundance habitats,
 - o transporting staff to areas which are harder to access (e.g. bottomlands near islands, isolated bays) especially those with high abundance and/or diversity, and/or
 - o collecting mussels in a contour interval occurring within arm's reach before it is dewatered.
- Include progress updates on survey efforts to resource agencies, including detailed daily information about organisms rescued (conservation status, condition, species richness and abundance).

A commitment should be made detailing minimum numbers of person hours and resources to be deployed, along with the qualifications of persons involved in species ID. The level of effort per day/ overall must be appropriate to minimize stress and mortality. In advance, please specify how many staff will be working, for how long per day and per area to be exposed, and how sites will be prioritized. The area to be covered is potentially large, and almost certainly spread over many miles, and coordination and advance planning will drastically reduce stress and mortality. Please explain if/how efforts will be redistributed and/or expanded if large numbers of mussels or other stranded creatures are found.

If recent data are not available to be provided to MDNR and EGLE describing the community including freshwater mussels, a survey should occur prior to the dewatering event to identify higher priority search areas, which could be targeted and prioritized during the survey effort.

As a reminder, consultation with EGLE will be necessary to ensure necessary permits are obtained.

Please provide a detailed map showing the areas to be exposed (to scale, and of 1' or finer contour intervals), with areas to be exposed highlighted. Please also provide estimated drawdown time/date based on acre feet of water or similar measure of storage compared to powerhouse flows.

Please describe how the schedule proposed is consistent with the Operation and Compliance plan requirement that consultation with MDNR and FWS occurs at least 60 days in advance of a planned drawdown.

Further, please provide any information from FERC/EGLE clarifying the licensee is or will be authorized to conduct the construction (proposed reason for the drawdown). We are concerned that the proposed construction activity will eliminate your ability to restore full pool thereby eliminating the functionality of the existing license.

Thank you,

Elle

Elle Gulotty
Resource Analyst
Habitat Management Unit
DNR Fisheries Division

Norway Field Office
520 West US Hwy 2
Norway, MI 49870
Cell: 906-282-8300

From: Brian Kreuscher <bkreuscher@rwehydro.com>
Sent: Thursday, July 16, 2020 2:38 PM
To: Gulotty, Elle (DNR) <GulottyE@michigan.gov>; Oun, Amira (EGLE) <OunA@michigan.gov>; Scott Hicks <scott_hicks@fws.gov>
Cc: Jason Kreuscher <jason@rwehydro.com>
Subject: Re: Au Train (p-10856) Reservoir Drawdown Consultation

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

All,

Please see the attached "Au Train Plan for Stranded Aquatic Organisms-rev" for the correct plan and disregard the previous that referenced the wrong lake.

If you can, please let us know any comments as soon as possible so we can move this process along.

Thanks

Brian Kreuscher

Renewable World Energies
Regulatory & Compliance
855-994-9376 x230

From: Brian Kreuscher
Sent: Tuesday, July 14, 2020 4:02 PM
To: Elle Gulotty <gulotty@michigan.gov>; Oun, Amira (DEQ) <ouna@michigan.gov>; Scott Hicks <scott_hicks@fws.gov>
Cc: Jason Kreuscher <jason@rwehydro.com>
Subject: Au Train (p-10856) Reservoir Drawdown Consultation

All,

Attached is our drawdown plan for the work to cut the spillway at Au Train per FERC order.

The work will only require us to draw the reservoir down by 2" past the compliance limits, for a duration of about 4 weeks on the safe side. We hope to be able to start this work on August 14th, pending approval.

Please have any comments you have on the plan to me within 30 days. The licensee is currently working on required permits.

Thanks

Brian Kreuscher

Renewable World Energies
Regulatory & Compliance
855-994-9376 x230