



Upper Peninsula Power Company

500 N. Washington Street  
P.O. Box 357  
Ishpeming, MI 49848-0357  
www.uppco.com

January 17, 2008

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OFFICE OF THE  
SECRETARY

2008 JAN 23 P 1:04

FERC Project No. 10855

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

FEDERAL ENERGY REGULATORY COMMISSION

Part 4 of 10

Dear Secretary Bose:

Dead River Hydroelectric Project: Environmental Report-Silver Lake Reservoir Rebuild

Upper Peninsula Power Company (UPPCO) is pleased to provide you with the original and eight copies of the Environmental Report addressing the project to rebuild the Silver Lake Reservoir as part of the Dead River Hydroelectric Project (FERC Project No. 10855).

As part of the development of the Environmental Report, UPPCO consulted with resource agencies, government officials and interested members of the public. Consultation documents are enclosed in Appendices E, F, H, and I of the report.

Should you have any questions please do not hesitate to contact Shawn Puzen at (920) 433-1094.

Sincerely,

Terry P. Jensky  
Vice President - Energy Supply Operations  
for Wisconsin Public Service Corporation  
Telephone: (715) 355-2047

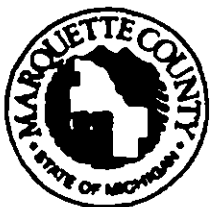
syx

Enc.

- cc: Ms. Patricia Grant, FERC - Chicago (CD Copy)
- Mr. Patrick Fulsher, UPPCO - UISC (No Enc.)
- Mr. Howard Giesler, WPSC - PUL (No Enc.)
- Mr. Gil Snyder, WPSC - D2 (No Enc.)
- Ms. Joan Johaneck, WPSC - D2 (No Enc.)
- Mr. Keith Moyle, UPPCO - UISC (No Enc.)
- Mr. Jeff Krueger, WPSC - REG (No Enc.)
- Ms. Tammy Kircher, WPSC - REG (CD Copy)
- Mr. Doug Clark, Foley & Lardner (CD Copy)

**APPENDIX E**

**COMMENTS FROM THE PUBLIC REGARDING  
THE UPPCO CONSULTATION DOCUMENT**



# County of Marquette BOARD OF COMMISSIONERS

Courthouse Complex  
Marquette, Michigan 49855  
Ph. (906) 225-8151  
Fax: (906) 225-8155  
www.co.marquette.mi.us

Gerald O. Corkin, *Chairman*  
Bob Struck, *Vice-Chairman*  
Paul A. Arseneault  
Charles Bergdahl  
Jim Chak  
Bruce Heikkila  
Nick Joseph  
Debbie Pellow  
Harvey Wallace

February 26, 2007

T. J. LoVullo  
FERC  
888 1<sup>st</sup> Street, N.E.  
Washington, D.C. 20426

Steve Casey  
MDEQ  
42 5<sup>th</sup> Avenue  
Gwinn, MI 49841

Jessica Mistak  
MDNR  
488 Cherry Creek Road  
Marquette, MI 49855

Dear Messrs. LoVullo and Casey and Ms. Mistak:

The Marquette County Board of Commissioners supports the Upper Peninsula Power Company's (UPPCO) requested amendment to several conditions of its existing license for the Dead River Hydroelectric Project (including Silver Lake Reservoir). The amendments are necessary to ensure that rebuilding Silver Lake is more economical than abandoning it. Other amendments to the license are being pursued because, according to current hydrologic modeling, license-minimum water levels at the reservoirs and license-minimum flow requirements cannot be met much of the time with the water available in the Dead River Watershed.

A rebuilt Silver Lake Reservoir would provide recreation, tourism, and renewable energy benefits. The reservoir would release cool temperature water that greatly enhances downstream fish habitat. Public policy is moving in the direction of renewable energy sources. Rebuilding a part of the Dead River hydroelectric system would enhance the Upper Peninsula's power supply, a supply that was found to be inadequate after the Dead River flood.

The board requests objective, balanced, and timely review of the requested amendments.

Sincerely,

Gerald O. Corkin, *Chairman*  
Marquette County Board of Commissioners

- cc: Amy Berglund, U.S. Senator Carl Levin
- Sheri Davie, U.S. Senator Debbie Stabenow
- Tom Baldini, U.S. Representative Bart Stupak
- Mike Prusi, State Senator
- Steve Lindberg, State Representative
- Matt Johnson, Governor's U.P. Director
- Berle LaPin, Champion Township Supervisor
- Wayne Johnson, Negaunee Township Supervisor
- Ray Adamini, Marquette Township Supervisor
- Jim Nankervis, Ishpeming Township Supervisor
- Tom Tourville, City of Marquette Mayor

**Puzen, Shawn C**

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**From:** crsundberg [crsundberg@chartermi.net]  
**Sent:** Tuesday, February 13, 2007 9:50 AM  
**To:** Puzen, Shawn C  
**Subject:** Fw: Silver Lake Rebuild Support1.doc

Your copy of KBIC letter

— Original Message —

**From:** crsundberg  
**To:** Shawn Puzen  
**Sent:** Tuesday, February 13, 2007 10:35 AM  
**Subject:** Silver Lake Rebuild Support1.doc



**DEAD RIVER CAMPERS, INC.**

P.O. Box 323  
Ishpeming, Michigan 49849

Charles R. Sundberg  
President

To: Ms Summer Cohen  
KBIC  
Tribal Historic Preservation OMs  
16429 Beartown Road  
Baraga MI 49908

Dear Ms. Cohen:

Dead River Campers Inc represents 376 property owners and thousands of people who participate in various recreational pursuits on the Dead River Hoist Basin. Many of these people represent families who have had a presence on the Hoist Basin for two to three generations. The catastrophic failure of the Silver Lake Reservoir's fuse plug; on May 14, 2003 has adversely impacted the above properties, their owners and also the publics recreational pursuits.

The loss of the Silver Lake Basin has caused lower water elevations especially during the prime recreational months of June, July and August, for the past four years. The existing release water flow requirements, from the Hoist Basin, have for the past three seasons demonstrated that they are in excess of the incoming flows. This has also caused lower than minimum target water elevations and has left a significant number of property owners "high and dry" by mid-August of each summer. Late summer recreational activities have been severely impacted. The proposed operating condition does not adequately address the minimum elevation of the Hoist Basin per article 402 of the FERC License. DRCI would request that the minimum elevation for the summer months of June July and August be set at 1340.0 feet which will enhance the ability to maintain stable, higher reservoir levels. It is recognized

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that the Hoist Basin provides the majority of recreation opportunities for this Project. The increased minimum target level will provide significant recreation and navigation benefits for the numerous camp owners and the general public who use the reservoir for recreational purposes. This improved condition allows maintenance of a stable environment for shoreline activities such as boat launching, dock facilities, and swimming opportunities. In addition it provides for less hazardous water sports activities due to a deeper water condition that minimizes navigational obstructions.

DRCI strongly supports the rebuilding of the Silver Lake Reservoir. A rebuilt Silver Lake Reservoir will permit a much more manageable water system. It will enhance achievement of the existing Hoist Basin target water elevations in the prime recreational months and will utilize the water resource more efficiently; rather than spilling water needlessly and forgoing its contribution as a renewable energy source.

Respectfully  
*Charles R Sundberg*  
Charles R Sundberg – President  
Dead River Campers

Inc

## Puzen, Shawn C

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**From:** Clayton Johns [cjohns@marisa.k12.mi.us]  
**Sent:** Friday, February 16, 2007 10:23 AM  
**To:** Puzen, Shawn C  
**Subject:** Hoist Basin

Hi Shawn,

My name is Clayton Johns a homeowner on the Hoist Basin

First, I thought you did a good job of updating everyone on the status and need for change in licensing along the Dead River system.

Thanks. I fully support the rebuilding of the Silver Lake Dam along with some licensing changes. It will not only allow you to make more efficient use of your generation facilities but will be a much better recreational resource for the public as well.

Secondly, I do have one comment/concern that is very important to me personally. My home, summer at this time but permanent in a couple years when I retire, is located west of the little dead on what appears as an Island on your maps. In reality it's connected to the mainland. In most years the spring water runoff doesn't rise high enough to cover the access road. When it has in years past it's only for a very short time. My concern: Reducing the required draw down

of high water may block access to my home for a long period of time.

How fast would the maximum of 330 cfs, (if I remember correctly), draw the basin down in comparison to the current as quick as possible rate. I don't know the actual level at which I'm blocked although I'm not worried about 1342 or maybe 1343. While I understand when you were explaining the draw down being slower not the water level being higher than runoff creates, multiple heavy precipitation events occurring in a short time period could very possible lead to higher levels since the water is not being released as fast.

Question: Do you have a high water level above 1341 where you would release water above the 330 cfs rate to ensure access to everyone's property?

I understand the importance of maximizing your ability to generate electricity in return for this large investment and feel you have a good plan with necessary license changes which in addition will improve my home and recreational use. I fully support the building of the dam but hope that your management plan would not block my home access any longer than absolutely necessary.

This additional thought may be way out of the realm of possibility especially with what you've spent on restoration, but if you intend to maintain levels that will block my access possibly you would consider helping improve the short access road to the "island"

Thank you again for informing the public of your plans and providing a means for public input.

Clayton Johns  
145 Cambria Rd.  
Negaunee, MI 49866  
906-475-4093

**Puzen, Shawn C**

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**From:** Jimkinn52@aol.com  
**Sent:** Sunday, February 11, 2007 8:15 PM  
**To:** Puzen, Shawn C  
**Subject:** Silver Lake Rebuild.

Mr. Puzen,

We attended the Feb. 8, 2007 Meeting at the Ramada Inn in Marquette and heard the proposed amendments that UPPCO is requesting in the Operating license. I understand the needed changes and support UPPCO's efforts to gain the revisions and make an economical rebuild of the Silver Lake basin.

Jim and Barb Kinnunen  
93 North Basin Dr.  
Negaunee, Mi. 49866

**Puzen, Shawn C**

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**From:** Jpgmqt@aol.com  
**Sent:** Friday, February 09, 2007 9:17 PM  
**To:** Puzen, Shawn C  
**Cc:** Jpgmqt@aol.com; dshaynes@charter.net; crsundberg@chartermi.net; gjgoodman@cci-cmsc-mi.com; jobillin@aol.com; tom@intdesigns.com; aclickner@marquette.org; jbell@bellfs.com  
**Subject:** Dead River / Silver Lake rebuild support comments

Shawn:

As a shareholder member of the Dead River Campers inc, a person who cares about the Dead River's health, and the environment, I would like to convey my strong support for the proposed rebuilding of the Silver Lake Dam and the subsequent stabilization of the Dead River watershed with regards to water elevation height and your ability to maintain water flow rates that will create hydro electricity and also stabilize fish and wildlife habitat.

Having owned property since before the "flood" and in fact being there that evening and watching the water level rise slowly but surely, the basin has been in my opinion "Uncontrollable Since" with regards to keeping the agreed upon water level even close to normal. My hat is off to your staff, especially Bob Meyer's who more than likely really saved the day (and the downstream area) by initiating the height extension of the earthen part of the Hoist Dam the evening of the flood. The water height stabilization will no doubt allow you to make more electricity on a consistent basis, and who would ever be against that way to create an energy resource without burning any type of fossil fuel.

I see a huge win/win for the land owners, the power company and the environment and we need to do everything in our power to educate the State of Michigan staff involved in the approval process so the rebuild process happens on a timely basis and one that makes it affordable to UPPCO.

If there is anything I can do to help with this effort to rebuild the Silver Lake Dam, please feel very free to contact me at anytime.

Sincerely,

Jim Grundstrom  
Frei Chevrolet inc, Owner and President  
2653 US 41 West, P.O. Box 40  
Marquette, Michigan 49855  
906-226-2577 office  
906-360-8600 cell

I am also a member of the Marquette County Ambassadors and would be very please to bring this issue up at our next meeting if you feel that would be helpful. Although I can not speak for the group at this point, we are also preparing our plans for the annual visit to Lansing and the conferences which we schedule with the state of Michigan governmental staff. This subject is very good for the area and could easily be added to our agenda I believe.

2/26/2007



**Puzen, Shawn C**

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**From:** Lou Chappell [lchappell@chartermi.net]  
**Sent:** Sunday, February 11, 2007 3:08 PM  
**To:** Puzen, Shawn C  
**Subject:** Emailing: 2707UPPCO PUBLIC MEETINGRamada Inn. 2-8-07

**Attachments:** 2707UPPCO PUBLIC MEETINGRamada Inn. 2-8-07.wpd



2707UPPCO PUBLIC  
MEETINGRamada...

Shawn,

Again thank you for all of your efforts last week in informing the public on the rebuilding of the Silver Lake Dam.

Please pass on to those that are determining the fate of so many here in Michigan's Upper Peninsula, that their approval of your modification proposals will positively affect thousands of people for many years to come, and for which, we will be forever grateful.

If any of them want any more information from me personally, my name and address are on the attached statement that I read at the public presentation you made. My phone number is 906-228-8650. I will be happy to talk with anyone on UPPCO's behalf at any time.

Thank you again for all of your efforts.

Sincerely,

Lou W. Chappell  
2021 Woodland Ave.  
Marquette, Michigan 49855

**Puzen, Shawn C**

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**From:** Mmparkkonen@wmconnect.com  
**Sent:** Thursday, February 15, 2007 9:28 PM  
**To:** Puzen, Shawn C  
**Subject:** Comments on Uppco's Amendments

Shawn:

I attended the public meeting at Ramada Inn and heard the discussion of Uppco's proposed amendments to its operating license. The proposed amendments for the Silver Lake Dam construction and operation are vitally important for the retention of the spring runoff and rainfall. We have to conserve as much water as possible. The dam is absolutely necessary for the consistent water flow and generation of electricity by the Hoist and Mc Clure power plants and the future Marquette Light and Power plant. This has to be done as safely and economically as possible. Hydropower is one of the most environmentally safe ways of generating electricity.

The price of electricity has increased everywhere and in Negaunee it has increased 40% and rising. We have to do everything we can to insure the supply environmentally safe energy. The adoption of Uppco's amendments will do this and help to keep electric rates as low as possible.

Miles M. Parkkonen  
Dead River, Hoist Basin property owner.

2/26/2007

**Puzen, Shawn C**

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**From:** Paquetjr@aol.com  
**Sent:** Thursday, February 15, 2007 3:36 PM  
**To:** Puzen, Shawn C; patricia.grant@ferc.gov  
**Cc:** scohen@kbic-nan.gov; JohnH@Michigan.gov; BarbaraM@Michigan.gov; conwaybd@michigan.gov  
**Subject:** FERC Project #10855-Dead River (Silver Lake, Hoist, McClure)  
**Attachments:** 2006 Silver Lake Sites.doc

**To:** Mr. Shawn Puzen  
 Upper Peninsula Power Company  
 PO Box 19002  
 Green Bay, Wisconsin 54307-9002

**cc:** Ms. Patricia Grant  
 Federal Energy Regulatory Commission  
 230 South Dearborn Street  
 Room 3130  
 Chicago, IL 60604

Ms. Magalie Salas, Secretary  
 Federal Energy Regulatory Commission  
 888 1st Street N.E.  
 Washington, D.C., 20426

Greetings Mr. Puzen,

My name is Jim Paquette and I am a consultant for the Tribal Historic Preservation Office of the Keweenaw Bay Indian Community. As you might remember, I introduced myself to you at the public hearing in Marquette on February 8. In this email, I am forwarding comments to the Upper Peninsula Power Company in writing for your consideration.

To begin with, we have concerns that acceptance of the newly proposed amendments (per the Silver Lake Reservoir Rebuild Consultation Documents #GB-1378 and #GB-1385a) to UPPCO's existing license to operate the Dead River Hydroelectric Project will greatly endanger the extensive cultural resources that are present within the Silver Lake project boundaries. One of our primary concerns is that the proposed amendment to rebuild the Silver Lake dam with a.) a spillway crest at elevation 1479.0', and b.) a specified minimum reservoir elevation of 1467.0', will create a new shoreline zone of "massive disturbance" within the basin boundaries that will certainly destroy the many archaeological sites that now lie within the affected elevations and areas.

According to our records, there are fifty (50) cultural sites on the Silver Lake Basin that are currently registered/documented with the state of Michigan. I have attached a listing of those Michigan registered Silver Lake Basin sites, along with a map of their approximate locations for your information. In addition to these fifty already identified archaeological and historic properties, there is absolutely no doubt, Mr. Puzen, that many more cultural sites remain undocumented and undiscovered within the Silver Lake Basin project boundary.

As you know, the Clark A. Dobbs and Kim C. Breakey/Institute for Minnesota Archaeology (IMA) January 1994 Phase I Survey and Phase II Evaluations at the Silver Lake Basin, Marquette County, Michigan Report of Investigations #257 documented that several of these previously identified cultural sites that are located at the uppermost elevations of the reservoir have been destroyed due to the "massive disturbance that has taken place at the Silver Lake Basin since the initial dam construction in the late 1890's." Dobbs and Breakey state in their report that in those upper shoreline areas, "It is not unreasonable to argue that between 2 and 4 feet of sediment has been removed from the lakeshore since that time."

It was, in fact, this massive upper shoreline destruction and the resultant cultural site destruction that had taken place within the surveyed upper reservoir elevations of the Silver Lake Basin that lead them to conclude in their report that the none of the sites that they investigated back in 1993 were eligible for listing in the National Register of Historic Places. They state on pages 11 and 59 of their report, "Because of the massive disturbance that has taken place at the Silver Lake Basin, it is our opinion that none of the sites, either individually or as a group, are eligible for listing on the National Register."

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Although this 1993-1994 IMA study that was submitted to the Federal Energy Regulatory Commission and the Michigan State Historic Preservation Office by UPPCO has now been shown to be seriously flawed by other archaeologist who have since studied the Silver Lake Basin sites, we will agree with Dobbs' and Breakey's conclusion that past dam & project-induced erosional processes in the basin did indeed severely impact and ultimately destroy numerous cultural sites that were exposed to the water/wave/wind/ice action within the upper reservoir elevations.

Obviously, the proposed lowering of the minimum reservoir elevation would create new "normal" sustained water levels that would most certainly cause similar "massive disturbance" to the newly created lower elevation shoreline areas around the entire basin. Our concern is that there are currently numerous cultural sites on the basin, some yet undiscovered and some no doubt with intact archaeological deposits, that lie within the elevations of this newly proposed zone of destructive influence.

As such, the documented presence of so many cultural properties located within the Silver Lake project boundary is a major issue that UPPCO, the State Historic Preservation Office, and the Federal Energy Regulatory Commission need to address prior to UPPCO undertaking any further and future work at the Silver Lake Reservoir.

Above and beyond the above stated immediate concern regarding the absolute certainty that additional destruction of our state's cultural resources will surely take place if the Silver Lake dam and dike system is rebuilt at any elevation, we have an even greater concern that there appears to have been a near total lack of respect for our Native American cultural resources by most, if not all, parties involved in previous Silver Lake Basin projects. The past and ongoing destruction of Silver Lake's ancient cultural sites, and the unwillingness of so many to even recognize them, has been and continues to be a travesty of justice within the federal and state licensing systems.

Worse, it has dishonored the spirits of our Great Grandmothers and our Great Grandfathers who, so very long ago, came to live out their lives along the shores of Silver Lake and on the banks of the Dead River and the Voelkers Creek. All people need to understand, Mr. Puzen, that it was at those very same ancient campsites that are located within the Silver Lake Basin project area that the People who lived there gave birth to their children—and it is there where they undoubtedly buried their dead when their loved ones passed on from this life. It was because of the coming and the passing of life at some of these Silver Lake campsites that many of these outposts were sacred in the hearts of our ancestors. Admittedly, we may never know which of these campsites were marked by such important human events as birth and death, but we do know this. They are all marked—and made sacred in our hearts today—by the past presence of the People who once picked "that spot" to live "that day" so very long ago.

Instead of ignoring and destroying these sites, we need to protect them, and just as importantly, we need to learn from them. Analysis of the cultural materials thus far recovered from the 50 registered Silver Lake sites indicates that most of the documented sites on Silver Lake appear to be older than 9500 years, while some may be as old as 10,500 years. This cluster of ancient prehistoric sites located within the project area has been described by archaeologists Dr. Maria Buckmaster and Dillon Carr as being "one of the densest concentrations" of Late Paleo-Indian/Early Archaic sites "in the state of Michigan, if not the Upper Midwest." Likewise, archaeologist Dr. John Anderson has stated, "The Silver Lake basin contains one of the most extensive suites of ancient North American sites ever found in Michigan."

Mr. Puzen, if we do this right at Silver Lake, we have an incredible opportunity to listen to the voices of the First People who came into this land at the end of the last ice age. We implore UPPCO, SHPO, and FERC to honor not only the spirits of our Great Grandmothers and Great Grandfathers by stopping the ongoing destruction of these ancient sites, but we ask that you also honor our children by doing whatever you can to help us learn from these sites, so that in the future we—you and I both—can teach all of our children about the lifeways of our ancient ancestors, and in the process, we can spread knowledge and pride to our future generations about our common shared history as Human Beings living in this wonderful Great Lakes region.

In closing, we want to document one additional concern. In the past, UPPCO has not given the Tribe the required opportunities to comment on hydroelectric project impacts to Silver Lake and Dead River cultural properties. This concern also needs to be addressed. To your attention, I am listing the following NHPA Legal references:

***Section 101 (d) (6) (B) of the NHPA requires the agency official to consult with any Indian Tribe... that attaches religious and cultural significance to historic properties that may be affected by an undertaking. This requirement applies regardless of the location of the historic property. Such Indian Tribe... shall be a consulting party.***

***Section 800.2 (A)—the agency shall ensure that consultation in the section 106 process provides the***

***Indian Tribe...a reasonable opportunity to identify its concerns about historic properties, advise on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, articulate its views on the undertaking's effects on such properties, and participate in the resolution of adverse effects...***

***Section 800.2 (C) - Consultation with an Indian Tribe must recognize the government-to-government relationship between the Federal Government and Indian tribes. The agency official shall consult with representatives designated or identified by the Tribal government... Consultation with Indian tribes...should be conducted in a manner sensitive to the concerns and needs of the Indian Tribe...***

If you have any questions or any comments regarding these concerns that I have shared with you in this communication, or if you need help from me in the future, please do contact me.

**Mligwechl**

Jim Paquette  
Consultant KBIC THPO  
1022 Cedar Street  
Negaunee, Michigan 49886  
Home phone 906-475-7498  
Office phone 906-475-3781

**Puzen, Shawn C**

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**From:** R Biolo [rbiolo6@charter.net]  
**Sent:** Thursday, February 08, 2007 9:05 PM  
**To:** Puzen, Shawn C  
**Subject:** Silver Lake

Shawn—I totally support the UP Power Co. proposed rebuilding of the Silver Lake Dam as presented on Feb. 8th, 2007 at the Ramada Inn in Marquette, MI. I am a owner of property on the Holst Basin and support all the amendments presented.  
R. Brendan Biolo—337 Blemhuber—Marquette MI  
906-228-6660

2/26/2007

**Puzen, Shawn C**

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**From:** Ray Jarvis [jarvis36@charter.net]  
**Sent:** Wednesday, February 14, 2007 10:18 AM  
**To:** Puzen, Shawn C  
**Subject:** Silver Lake basin

Shawn,

This letter is in support of UPPCO's plan to rebuild the Silver Lake reservoir. I own property and a camp on Wolf Lake south of the basin and use the area recreationally year-round. I feel that restoring the reservoir as a very valuable resource to both UPPCO and the property users needs to be pursued per the parameters outlined in your presentation on Feb. 8 in Marquette. Thank you for your efforts.

Yours truly,

Ray Jarvis  
950 Woodridge Ave.  
Marquette, MI 49855  
906-226-2031

2/26/2007

**Puzen, Shawn C**

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**From:** Robert Steeda [rsteeda@trimediaconsultants.com]  
**Sent:** Monday, February 12, 2007 1:04 PM  
**To:** Puzen, Shawn C  
**Subject:** Dead River

Mr. Puzen

We are owners of property on the McClure Basin of the Dead River. We have read the document justifying the proposed changes to UPPCO's license for the Dead River project. The documentation presents the proposed modifications clearly and concisely. We are in full support of your proposed changes and we would encourage MDNR and FERC to support the changes to your license as presented.

As property owners on the McClure Basin, we understand the importance of the Silver Lake Dam as it pertains to all of the dam structures. This is a vital project and we hope that it can move forward as proposed.

Sincerely,

Robert M. Steede, P.E. and Andrea Steede  
111 McClure Dam Road  
Negaunee, MI 49866  
906-228-5125

2/26/2007



**Puzen, Shawn C**

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**From:** Tom Heiskanen [tom@intdesigns.com]  
**Sent:** Monday, February 12, 2007 11:50 AM  
**To:** Puzen, Shawn C  
**Subject:** Dead Rive /Silver Lake support

Shawn,

As a shareholder member of the Dead River Campers Inc, as well as a person who lives on the Hoist Basin, I would like to convey my strong support for the proposed rebuilding of the Silver Lake Dam and the subsequent stabilization of the Dead River watershed with regards to water elevation height and your ability to maintain water flow rates that will create hydro electricity and also stabilize fish and wildlife habitat. Since the time of the flood (event) at Silver Lake, I have watched the water level rise and fall with a great amount of erosion happening to our property with the changing of water levels and I believe with a more consistant water level soil erosion will be held to a minimum.

We have owned property since before the "event" at Silver Lake and the basin water level has been "Uncontrollable Since" with regards to keeping the agreed upon water level even close to normal. The water height stabilization you have proposed will no doubt allow you to make more electricity on a consistent basis, and who would ever be against the way to create an energy resource without burning any type of fossil fuel, which will help our environment.

It would be huge win for the land owners, the power company, and the environment and we need to do everything in our power to educate the State of Michigan, Federal Government and others involved in the approval process so the rebuild process happens on a timely basis and affordable one.

Thomas Heiskanen  
325 N. Basin dr.  
Negaunee, Michigan 49866

Jack Piirala  
2049 North Granite Street  
Marquette, Michigan 49855

February 13, 2007

Shawn Puzen  
P.O. Box 18002  
Green Bay, Wisconsin 54307-9002

I'd like to begin by saying I am strongly in favor of the restoration of Silver Lake. I am one of the homeowners who lives on the Dead River directly above what used to be the Tourist Park Lake. My family had a significant amount of water in our basement during the flood. When the Tourist Park Beach failed and the lake drained it was at first a relief because the water immediately receded from around our house. Unfortunately the relief lasted only until Silver Lake drained and the water level dropped to its current level, which is approximately 10' below the level it was prior to the flood. My family and I thought we were so fortunate to live along the river and be able to enjoy it daily, whether it was swimming, kayaking, paddling around in our paddle boat, or just enjoying the scenery and waterfowl. What we are left with since the flood is unusable and an eyesore, and that gets us back to Silver Lake.

As you are most likely aware the Marquette Board of Light and Power voted in 2005 to restore the Tourist Park Lake. Their decision was based on engineering studies done under the belief that Silver Lake was to be restored. Since that time the Board has been waiting for the final decision from UPPCO. I believe that the restoration of Silver Lake is a major factor in the BLP's decision on the Tourist Park Lake. I am also aware of the fact that your decision has to be based on economics and that hydroelectric energy is your primary concern. I would hope that the final decision considers not only the short term, but the long term as well. With the uncertainty of not only the cost but the availability of fossil fuels in the future it seems even more important to maintain our hydroelectric facilities. The water in the reservoir will be flowing a hundred years from now and no one will be increasing the price of it.

The way I look at it, the restoration of both Silver Lake and the Tourist Park Lake is a win win situation. They not only enable the generation of clean, economical, and on demand electricity but create recreation and wildlife habitat as well.

Sincerely,



Jack Piirala

February 13, 2007

UPPCO  
c/o Shawn Puzen  
P.O. Box 19002  
Green Bay, WI 54307-9002

Dear Mr. Puzen

I am not a landowner around the Dead River Basin but I have recreated on that water system both above and below for over fifty years.

Very good friends of ours have a home on the north side of the Dead River basin about a half a mile from where the Dead River enters the basin. Matter of fact I was helping my friend the day the Silver Lake earthen dam failed.

I realize a lot of time and effort has been put into reconstruction of the Dead River below the Silver Lake Basin but some work still needs to be done in the basin itself. A lot of tree and stump debris plus silt and clay has collected directly below where the Dead River enters the basin and efforts should be made to remove as much as possible to make this part of the basin more navigable and appealing for land owners and non-land owners using that part of the basin.

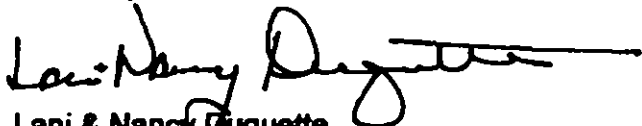
In the past, the Silver Lake dam and basin has kept constant levels of water in all the basins below it of which several generated much needed hydro-electric power when it is needed in the summer months.

The Silver Lake basin and dam system also served as a spring flood protection device for those basins.

Please rebuild the Silver Lake Basin facility. It served the Dead River system well for close to one hundred years and if correctly rebuilt, it will serve another one hundred years plus make the entire system a very attractive area to both live and recreate plus continue providing controlled and safe hydroelectric energy.

Thank you for reading my comments.

Sincerely,



Lani & Nancy Duquette  
193 Sunset Drive  
Negaunee, MI 49886

906 475-7179  
[nolan359@charter.net](mailto:nolan359@charter.net)

Printed by: Phillip DeGabriele


Friday, February 9, 2007 10:37:05 AM

Title: Page 1 of 1




Friday, February 9, 2007 10:18:20 AM

Message

From:  Phillip DeGabrlele


Subject: Silver Lake Reservoir Rebuild Project

To:  scpuzen@wpsr.com

Cc:

I am writing this letter to support UPPCO in all of its efforts to re-build the Silver Lake storage basin on the Dead River system. There are several reasons why I support this project. Being a homeowner on the Hoist Basin I have seen first hand the problems of maintaining the entire system with out a functioning Silver Lake Basin. Also with this country's dependance on oil and other fossil fuels I see this hydro power system already in place as a valuable resource of clean and economical power. I encourage all government agencies invovied from the Michigan Department of Environmental Quality to FERC to work in conjunction with UPPCO to develop a plan that will benefit ail parties concerned. Thank you.

Sincerely,



Phillip DeGabrlele

Negaunee, MI

111 Bridgewood Lane  
Negaunee, MI 49866  
February 9, 2007

Mr. Shawn Puzen  
Environmental Consultant  
Upper Peninsula Power Company  
WPS  
P.O. Box 19001  
Green Bay WI 54307-9001

Dear Mr. Puzen:

On behalf of the McClure Basin Waterfront Owners Association, I am writing to endorse UPPCO's proposed amendments to their current FERC license in order to consider the rebuilding of the Silver Lake Dam. There are now many year-round residences on the McClure basin, and substantial seasonal homes. Each spring since the breach of the Silver Lake Dam, we grow uncomfortable as the Hoist Basin fills to capacity with the melt waters of not only its own watershed, but those of the Silver Lake watershed also. We on the McClure Basin feel it is unwise and potentially catastrophic to allow the Hoist Basin to continue to serve as the primary hydraulic shock absorber for the Dead River system.

We have reviewed the supporting paperwork regarding this issue and feel that you have made a good case for your amendments. We agree with what you propose.

Sincerely,



Bryon Ennis  
President,  
McClure Basin Waterfront Owners Association

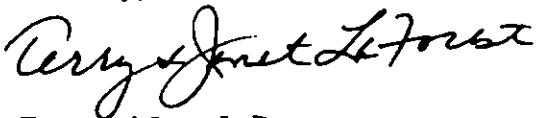
February 9, 2007

Mr. Shawn Puzen  
Upper Peninsula Power Co.  
P. O. Box 19002  
Green Bay, WI 54307

Dear Mr. Puzen:

Thank you for holding the informational meeting last night at the Ramada Inn in Marquette to discuss plans for restoring the Silver Lake Basin, which in turn affects water levels on the Dead River Hoist Basin. In 1974, we leased and have since purchased our property on the Hoist Basin. We've been very concerned about what the future of our riverfront property holds regarding water levels. Where we are located, on the Northwest end, the water level has a tremendous effect on our and our neighboring property owners enjoyment of our properties. When the water level is low, we face a vast expanse of mud in front of our places. In addition, the flood waters deposited a large quantity of a slimy substance in the areas where previously we could swim, fish or access our boats. We realized that it would take time to repair the damage done by the flood, but we have been extremely concerned that there was a question as to whether it would even happen. We appreciate the positive information we received at last night's meeting. We would really like to see our properties restored to something nearing pre-flood status. Thank you, again, for your help.

Sincerely,



Terry and Janet LaForest  
3119 Co. Rd. GGT  
Ishpeming, MI 49849  
(906) 458-4151

116 E. Division Street  
Ishpeming, Michigan 49849  
February 12, 2007

Mr. Shawn Puzen  
UPPCO  
P.O. Box 19001  
Green Bay, WI 54307-9001

Dear Mr. Puzen:

I support the rebuilding of the Silver Lake Reservoir for the following reasons: (1) It will allow better water control in the event of flood conditions, and (2) It will improve hydroelectric power generation, a renewable resource. I do not believe that water levels on the Hoist Basin should be raised so high that soil erosion once again becomes a serious problem for many lot owners. My camp lot, 297 South Camp Road, has been used by my family since the 1930's, so I've seen many ups and downs in the water levels. Whenever the level is so high that there is no beach, the water is undercutting the sand banks that hold up our lots along the Little Dead Basin. In other parts of the country with similar high water problems, they have implemented no wake rules. Please be aware that there are two sides to the water level problem. Not everyone wants or needs high water levels. The Dead River Campers, Inc. may not be telling the whole story.

Sincerely,  
*Evelyn Torreano*  
Mrs. Evelyn Torreano

14335 W. 70<sup>th</sup> Drive  
Arvada, CO 80004  
February 8, 2007

UPPCO  
c/o Shawn Puzen  
P.O. Box 19002  
Green Bay, WI 54307-9002

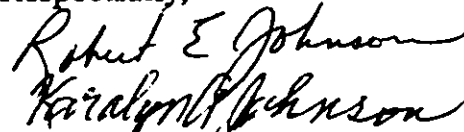
Re: Comments - Dead River Hydroelectric Project

Dear Mr. Puzen,

We are writing in support of UPPCO's proposed amendments to its operating license for the Dead River Project. We are property/camp owners on the Hoist Reservoir and have reviewed the company's Silver Lake DamRebuild Consultation Document (#GB-1378). The proposed modifications to UPPCO's operating license dated 10/4/02, will accomplish several significant objectives important to residents in the area including: 1)generation of less expensive hydroelectric power; 2)stabilization of Hoist reservoir water levels during the summer; and 3)re-establishment of the Silver Lake reservoir and its attendant public recreational values.

We fully support UPPCO's efforts to modify its operating license.

Respectfully,



Robert & Karalyn Johnson



205 Poirier Drive  
Ishpeming, MI 49849  
February 8, 2007

Upper Peninsula Power Company  
C/o Shawn Puzen  
P. O. Box 19002  
Green Bay, WI 54307

Dear Mr. Puzen:

**We are writing our comments regarding the amendments requested prior to the rebuilding of the Silver Lake Dam.**

We have been on the Hoist Basin since 1974 and have seen water levels both high and low. What disturbs us most since the Dam incident is the early low water levels experienced in later July until the end of September. Without Silver Lake, the Hoist Basin is at the mercy of Mother Nature and the amount of water released from the Dam. We need Silver Lake Dam to provide some relief to get us through a dry summer and also allow the Upper Peninsula Power Company to release an adequate amount of water from the Dam. Even if Silver Lake Dam were rebuilt at a lesser height than previously, it would allow this relief.

We were particularly disappointed in your *Mining Journal* article which very plainly said you were only worried about the cost factor to the Upper Peninsula Power Company as to whether to rebuild or not. What about us and other land owners that have lost so much in property values, recreation activities, quality of fishing and peace of mind? The Upper Peninsula Power Company can't arbitrarily walk away from their responsibility; it's just not the ethical and right thing to do.

Sincerely,

David and Janet Laitinen

Dan Hornbogen  
37 Middle Island Point  
Marquette, MI 49855

Mr Shawn Puzen - Upper Peninsula Power Co  
PO Box 14002  
Green Bay, WI

Greetings:

A follow up from the Ramada Inn public hearing. Thank you.

The Dead River is anything but dead — A very wild river seasonally. Following is brief historic background.

In 1890 the first hydro dam was built in Marquette (#1 Dam) 300' x 14' to power the first city electric station. The flow was irregular, not dependable so the City of Marq. in 1896 built a wooden dam at Silver Lake to provide a steady flow. In 1911 this dam was rebuilt with concrete. A Silver Lake dam was necessary even for such a single small power plant.

In an era of negative fossil fuel atmospheric problems we need clean renewable water power. The federal government the Mich. DEQ and DNR should act favorably on your reasonable requests for amendments to this permit process.

Regards,

Dan Hornbogen

2-9-07

2-6-07

Dear UPPCO,

The following comments are regarding the Silver Lake dam debate.

Understandably, this debate appears to be which will be more cost-effective for UPPCO, rebuilding or abandoning the Silver Lake dam.

The issue is also about the tremendous reduction of property values to the nearly 400 home/cottage owners on the Hoist Basin if the dam is not rebuilt. Elaboration is not necessary.

As property owners, we have invested heavily in this property, and many have staked their future in this investment.

Please consider this fact when finalizing your decision.

Sincerely,

Gordon Chian

Gordon Chian  
218 Bussone Dr.  
Ishpeming, Mich. 49849

Feb. 5, 2007

William Haupt  
425 State Hwy M-35  
Negaunee, Mi 49866  
[Billh28870@aol.com](mailto:Billh28870@aol.com)

Dear Mr. Puse,

I would like to comment on the Silver Lake dam project. This body of water had been in place for almost 100 years as a storage basin for the spring run off. A storage basin that supplied a constant flow of water to the Dead River basins for generation of electricity and for the public to enjoy. Now that Silver Lake does not exist, the water level fluctuates dramatically on the Hoist Basin. This is due to all the water in the headwater area to pour into the Hoist Basin during the spring runoff and during periods of high precipitation rather than being retained in the Silver Lake Basin. This causes high water situations on all the water impoundments which is undesirable to all involved. On the other hand during periods of low precipitation, makeup water from Silver Lake is not there so the basins are drawn down to provide a minimum flow below the generation facilities. Now you have a high and low situation depending on weather and no way to regulate anything other than generation. You cannot draw down fast enough in a wet spring to keep the dams from overflowing nor during a dry year do you have enough water to keep a minimum flow through the hydro plants to meet the DNR minimum flow downstream let alone to keep heat in the buildings. Also the high and low levels as per the DNR and FERC on the Hoist basin will be impossible to maintain. These as I see it are the main reasons to continue the Silver Lake rebuilding project going.

As a camp owner on the Hoist Basin, I have enjoyed the water for the past half century. At first CCI owned and operated the dams, then UPPCO and now WPSR. I hope the relationship between the public, property owners and WPSR will continue to be as good as it has in the past. I cannot speak for the other camp owners involved but I FULLY support the rebuilding of the Silver Lake Basin. The dam should be rebuilt to at least the standards of the original dam and dyke system. It worked for a century before the new regulations ie. Fuse plugs, and if brought up to those old specifications it would be good for another century. Our state and federal regulators should rethink the new standards for this dam and allow WPSR to have a well designed impoundment without undue addition placed on them in the design or building of it. The track record speaks for it self.



William Haupt

1/31/2007

UPPCO  
Concerning Silver Lake  
Restoration Project

John W. Treloar  
5951 Harper Rd.  
Holt, MI 48842  
E-Mail [jltreloar@aol.com](mailto:jltreloar@aol.com)

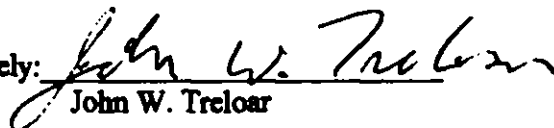
I have learned of a meeting on Feb. 8<sup>th</sup> at the Ramada Inn in Marquette. I believe it is an informational meeting on the progress of the Silver Lake restoration. I am unable to attend this meeting but as a landowner on the Dead River Basin I am very concerned about this matter.

First of all, I DO NOT think UPPCO was at fault when the so called safety fuse plug let go and caused all of the damage. From what I have gathered, FERC should be held accountable for this and should do all they can to help correct the problem and not stand in the way of a reasonable solution.

Silver Lake is an essential part of the Dead River system. It helps to maintain constant water levels in the basins, helps with flooding problems in the Spring and heavy run off periods and is helpful for Dam safety at the Hoist and McClure Dams.

In this age of concerns for clean air and energy production it makes sense to preserve our system of clean hydro-electric energy production. And as well maintain the water levels for the recreation use of the existing waterway. And as a owner on the Dead River Basin I am concerned about the devaluation of my property with the low summer water levels since the failure of the "fuse-plug".

Please keep making every effort to get approval to restore Silver Lake as soon as possible. And let me know what I can do to help with this.

Sincerely:   
John W. Treloar

**MCCLURE BASIN ASSOCIATION, INC**  
114 Parkwood Ln., Negaunee, Michigan 49866



PHONE (906) 475-5687 e-mail [Mcclurebasin114@aol.com](mailto:Mcclurebasin114@aol.com)

February 6, 2007

Mr. Shawn C. Puzen  
Environmental Consultant  
Upper Peninsula Power Company  
WPS  
P. O. Box 19001  
Green Bay, Wi 54307-9001

Mr. Puzen,

I have been directed by the Board of Directors of the McClure Basin Association, Inc (MBA) to inform you that the MBA is in complete agreement with your proposed amendments to the conditions of the existing licenses for the Dead River Hydroelectric Project. We are very interested in seeing the Silver Lake Reservoir being rebuilt.

We have reviewed the supporting paperwork regarding this issue and feel that you have made a very good case for your amendments and we agree with what you are desirous of doing. We will have representatives at the meeting on February 8, 2007 to speak in support of what you are proposing.

Please let us know if there is anything that we can do in support of your proposed amendments.

  
Hank Steede, COO

William Kamppinen  
605 South 178<sup>th</sup> Street  
Omaha, Nebraska 68118  
February 21, 2007

Mr. Shawn Puzen  
UPPCO  
P.O. Box 19001  
Green Bay, Wisconsin 54307-9001

Dear Mr. Puzen,

I am writing in regard to the rebuilding of the Silver Lake Reservoir. I am sure that you are receiving many requests to have the structure rebuilt. My request will not differ from all of my camp neighbors asking for the same action to be taken.

I would like to add a little of history to mine if you don't mind. I am now almost 49 years old and would like to tell you that I have memories of the Dead River for all of those years, but I probably only remember the water from the age of 5 to present day. We are located on the Little Dead above the basin on the South Camp Road and for the most part have always had high water in the spring and 20 to 25 feet of beach in the months of July and August. The past few years we have had 50 feet or more of beach making it difficult to enjoy all the water activities that come with having a cabin on the Dead River. It would be great if we could get back to a normal more regulated and reliable water level through out the year. I know that having the Silver Lake Reservoir rebuilt would do that for us.

Over the years I have now had the opportunity to share the cabin with friends from Minnesota, California and Nebraska. I am very proud to say that everyone who comes to visit falls in love with the UP of Michigan. It is a beautiful place one that I look forward to enjoy with my family and some day grandchildren to enjoy all the activities that I grew up with on the Dead River Basin.

Please rebuild the Silver Lake Reservoir. Thank you for your consideration.

Regards,

  
Bill Kamppinen

**Don Bode**

---

**From:** "Don Bode" <greywolf@miuplink.com>  
**To:** "David Jarvi" <CPBGMC@hotmail.com>  
**Sent:** Wednesday, February 07, 2007 11:02 AM  
**Subject:** Ramada Inn-UPPCO Silver Lake discussion

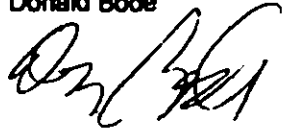
Hi Dave,

Linda and I can't make it to the meeting tomorrow evening. Please let me know what transpired if you happen to attend. If you think it would help, please let the necessary parties understand that Linda and I are in favor of restoring the Silver Lake reservoir. I am in favor of UPPCO getting the amendments approved so that it would be economically feasible to reconstruct the structure to restore the Silver Lake Basin.

c. Shawn Puzen

Thanks.

Donald Bode







**Upper Peninsula Power Company**  
(a subsidiary of WPS Resources Corporation)  
700 North Adams Street  
P.O. Box 19001  
Green Bay, WI 54307-9001

March 21, 2007

Document # GB-1392

Mr. Thomas Polkinghorne  
2586 N. Circuit Dr.  
Merinette, WI 54143

Dear Mr. Polkinghorne:

Response and Comments Regarding your February 12, 2007 Letter

In your letter dated February 12, 2007 (Enclosed in Appendix 1) you ask: "Why was the start of the month target level of 1342 not considered in the plan you are developing?"

A start of month target of 1342 was considered in the development of the Silver Lake Reservoir Rebuild Consultation Document. It was considered because UPPCO was aware of the Dead River Camper's Resolution.

As UPPCO has indicated previously, the decision to rebuild Silver Lake Reservoir would be based upon economics. UPPCO has an obligation to its customers to make a decision on this project that is the most economical. As UPPCO has indicated, the rebuild of Silver Lake with current license and 401 Water Quality Certification conditions is not the most economical option for UPPCO's customers. Therefore, UPPCO is pursuing the amendment option.

As discussed on Page 34 of the consultation document, without Silver Lake Reservoir upstream, additional dam safety improvements or modifications to the normal water elevations at the Hoist Reservoir and Dam may be necessary. Previous studies indicate that the maximum reservoir level at the Hoist Reservoir without Silver Lake Reservoir upstream would need to be reduced permanently to 1339.0' to adequately pass the probable maximum flood (PMF) without over-topping the dam structure. Therefore, the rebuild of Silver Lake Reservoir does provide economic benefits by avoiding additional dam safety upgrades at the Hoist and McClure Dams. However when these economic benefits of avoiding additional dam safety upgrades at the Hoist and McClure Dams are considered, the rebuild of Silver Lake Reservoir is still not the most economic option for UPPCO.

As you may have recognized in the previous paragraph, the starting water level is key to determine if the dam structure can adequately pass the PMF. The higher the water level of the reservoir at the start of the PMF event, the greater the chance of the dam being over-topped during a PMF event.

The 2005 dam safety upgrades at the McClure and Hoist Dams were based upon a water level of 1341.0' because that is what the license lists for the reservoir level. Therefore, if UPPCO proposed to increase the reservoir level to 1342.0', it would need to complete a costly review of additional dam safety improvements at the Hoist and McClure Dams. In addition to the cost of the review, any additional dam safety improvements would off-set some of the savings credited to the rebuild of Silver Lake Reservoir project mentioned earlier and make the rebuild of Silver Lake Reservoir even less economical.

Mr. Thomas Polkinghorne  
Merch 21, 2007  
Page 2 of 2

Document # GB-1392

Lastly, in the opening paragraph of your letter, you state: "With respect to how the pike were allowed into Silver Lake, I appreciate your admission that UPPCO's performance fell far short of your stated goals." This statement is incorrect and neither I nor UPPCO provided any admission to that effect. Although you may believe the identification of pike in Silver Lake after the event, (when the very limited fishery survey data available for the period before the event did not capture any pike) is an indicator of the success of the Dead River Recovery Effort, UPPCO does not believe this to be true and neither do I. At the public meeting on February 8, 2007 you asked if the DNR told UPPCO to put a fish barrier in the Dead River for pike. My response was as follows: "The DNR mentioned it yes".

At the time of the request, it was believed by UPPCO that an adequate pike barrier existed on the river and neither the Michigan Department of Natural Resources nor the Michigan Department of Environmental Quality pursued it further with UPPCO.

One other item you should be aware of is that the MDNR also mentioned immediately after the event in 2003 the whole Silver Lake fishery should receive a treatment of rotenone to eliminate the current population and start over. This recommendation was mentioned in 2003 prior to any documented capture of northern pike in Silver Lake by the fishery studies conducted by UPPCO in 2005. Therefore, the MDNR was not satisfied with the fishery in Silver Lake even before the 2003 event and any documented capture of northern pike in Silver Lake.

Sincerely,



Shawn C. Puzen  
Environmental Consultant  
Telephone: (920) 433-1094

syx

Enc.

cc: Mr. Keith Moyle, UPPCO - UISC  
Ms. Elyse Stackhouse, WPSC - G4  
Mr. Greg Egtvedt, WPSC - D2  
Mr. Mitch Koetje, MDEQ  
Mr. Steve Cesey, MDEQ  
Mr. Gil Snyder, WPSC - D2  
Mr. Conrad Weis, WPSC - D2  
Mr. TJ Lo Vullo, FERC  
Ms. Megelie Salas, FERC  
Ms. Pat Grant, FERC - Chicago  
Mr. George Madison, MDNR - Berage

Appendix 1

2586 N. Circuit Dr.  
Marinette, WI 54143

February 12, 2007

Shawn Puzen  
UPPCO  
P. O. Box 19001  
Green Bay, WI 54307-9001

Dear Mr. Puzen,

You stated UPPCO's goals at the public meeting on February 8<sup>th</sup>, some of which are to enhance the positive environmental impacts and minimize the negative environmental impacts on the resources. With respect to how the pike were allowed into Silver Lake, I appreciate your admission that UPPCO's performance fell far short of your stated goals.

I asked a question about the resolution which was passed by the Dead River Campers Inc. membership on July 8, 2006, to petition FERC and MDEQ to raise the start of the month target elevation to 1342. I could not have been more disappointed by Mr. Meyer's response. It was as if he had not heard of the resolution. I would like to remind him that I called him, along with others in October of 2006 to inquire if he had been informed that the DRCI resolution was passed.

The question I am now asking is: Why was the start of the month target level of 1342 not considered in the plan you are developing?

Let me briefly review the history of the target water level at the Hoist. FERC, MDEQ and the DNR initially proposed 1342 during the license renewal. Then a small but powerful group of DRCI campers, a number of who were then or are now on the DRCI board, persuaded members to support lowering the target to 1340.5. When it was realized what this new level actually looked like the DRCI board asked that the level be raised to 1341 in an effort to appease the vast majority of upset campers, who by that time learned to appreciate the actual historic average water level of 1341.8. Despite that attempt, now the membership has approved a resolution requesting 1342 be the start of the month target level. So I ask again, why is there no consideration of 1342 in your plan?

I am enclosing a copy of the resolution. Notice that the resolution is very clearly written. Contrary to whatever you may have heard from anyone else it is all about restoring the basin to its historic levels. I applaud FERC, MDEQ and the DNR for their original recommendation of 1342 during the re-licensing. They all got it right the first time. I assure you the voting membership of DRCI will be pleased to see the Hoist basin restored to the level of 1342. At the public meeting you must have heard many individual campers plead for higher water levels, and for a longer period of time.

As I read through all the goals listed in your summary document, there appears to be only one that is in conflict with 1342, that being to make only minimal changes in the license and certification, yet be reminded the DRCI membership has voted to request this change. We, the members believe 1342 is in line with the goals of improved water levels in the Hoist basin, enhanced cold water fish habitat, less hazardous conditions for water sport activities and, most importantly to UPPCO, more efficient generation of electricity. This has been a long nightmare of bad events, from the manipulation of the historic water level, to the failure of the dike, to the draw-downs for repairs and the ongoing low water levels. How long must we wait for it to finally be over? With respect to 1342, are you betting the membership of the DRCI will allow you to fall short of your goals as you did with allowing the pike to get into Silver Lake?

I expect your written reply to these questions by February 23<sup>rd</sup>, 2007.

I strongly support restoring Silver Lake. This is also a golden opportunity to restore the Hoist basin.

Sincerely,



Thomas Polkinghorne

C.C. Mitch Koetje, MDEQ  
C.C. T. J. LoVullo, FERC  
C.C. George Madison, DNR

## Water Level Resolution

**WHEREAS:** The “target water elevation” of 1341 in the Hoist Basin of the Dead River has resulted in unintended negative consequences to fish and other aquatic wildlife, fishing, boating and campers, to the point of denying access to the basin to some campers, and

**WHEREAS:** The establishment of a “minimum water flow requirement” in the recent license agreement renders it impossible for UPPCO to maintain even the “minimum target water elevation” of 1339.5 during periods of little rain, and

**WHEREAS:** It is generally accepted that the “target water elevation” of 1341 is significantly below the actual historic water level in the basin.

**BE IT RESOLVED:** The Board Of Directors shall petition MDEQ and FERC to raise the “start of the month target elevation” to 1342.



Mr. John W. Treloar  
3951 Harper Rd  
Bak, MI 48941



LANSING MI 489

01 FEB 2007 PM 2 L



4099813863102



UPPCO  
c/o Shawn Puzen  
P.O. Box 19002  
Green Bay, WI 54307-9002

54307+9002



Mr. Puzen:

I support the rebuilding of Silver Lake Reservoir. In the four years since the fuse plug failure low water levels have adversely affected me. The rebuilding of Silver Lake Reservoir will provide a more manageable water system, improved water levels on the Hoist Basin, and increased electric power generation from this renewable and environmentally friendly energy source. An additional improvement will be the enhanced fish habitat in the Dead River system provided by the cool water discharge from Silver Lake and the Hoist and McClure dams. The improved Hoist Basin water levels, especially in the summer months of June, July and August, will provide less hazardous conditions for water sport activities due to the deeper water conditions.

The above improvements will benefit the general public as the Dead River System provides a significant recreational resource. The rebuilding of Silver Lake Reservoir greatly improves this resource.

Signature:

*Sharon E. Mucka*

Mr. Puzen:

I support the rebuilding of Silver Lake Reservoir. In the four years since the fuse plug failure low water levels have adversely affected me. The rebuilding of Silver Lake Reservoir will provide a more manageable water system, improved water levels on the Hoist Basin, and increased electric power generation from this renewable and environmentally friendly energy source. An additional improvement will be the enhanced fish habitat in the Dead River system provided by the cool water discharge from Silver Lake and the Hoist and McClure dams. The improved Hoist Basin water levels, especially in the summer months of June, July and August, will provide less hazardous conditions for water sport activities due to the deeper water conditions.

The above improvements will benefit the general public as the Dead River System provides a significant recreational resource. The rebuilding of Silver Lake Reservoir greatly improves this resource.

Signature:

*Ronald S. Ekanen*

Mr. Puzen:

I support the rebuilding of Silver Lake Reservoir. In the four years since the fuse plug failure low water levels have adversely affected me. The rebuilding of Silver Lake Reservoir will provide a more manageable water system, improved water levels on the Hoist Basin, and increased electric power generation from this renewable and environmentally friendly energy source. An additional improvement will be the enhanced fish habitat in the Dead River system provided by the cool water discharge from Silver Lake and the Hoist and McClure dams. The improved Hoist Basin water levels, especially in the summer months of June, July and August, will provide less hazardous conditions for water sport activities due to the deeper water conditions.

The above improvements will benefit the general public as the Dead River System provides a significant recreational resource. The rebuilding of Silver Lake Reservoir greatly improves this resource.

Signature:

*Matthew J. Anderson*

Mr. Puzen:

I support the rebuilding of Silver Lake Reservoir. In the four years since the fuse plug failure low water levels have adversely affected me. The rebuilding of Silver Lake Reservoir will provide a more manageable water system, improved water levels on the Hoist Basin, and increased electric power generation from this renewable and environmentally friendly energy source. An additional improvement will be the enhanced fish habitat in the Dead River system provided by the cool water discharge from Silver Lake and the Hoist and McClure dams. The improved Hoist Basin water levels, especially in the summer months of June, July and August, will provide less hazardous conditions for water sport activities due to the deeper water conditions.

The above improvements will benefit the general public as the Dead River System provides a significant recreational resource. The rebuilding of Silver Lake Reservoir greatly improves this resource.

Signature:

*Heidi Hanson*  
*William L. Swanson*



Mr. Puzen:

I support the rebuilding of Silver Lake Reservoir. In the four years since the fuse plug failure low water levels have adversely affected me. The rebuilding of Silver Lake Reservoir will provide a more manageable water system, improved water levels on the Hoist Basin, and increased electric power generation from this renewable and environmentally friendly energy source. An additional improvement will be the enhanced fish habitat in the Dead River system provided by the cool water discharge from Silver Lake and the Hoist and McClure dams. The improved Hoist Basin water levels, especially in the summer months of June, July and August, will provide less hazardous conditions for water sport activities due to the deeper water conditions.

The above improvements will benefit the general public as the Dead River System provides a significant recreational resource. The rebuilding of Silver Lake Reservoir greatly improves this resource.

Signature:



Mr. Puzen:

I support the rebuilding of Silver Lake Reservoir. In the four years since the fuse plug failure low water levels have adversely affected me. The rebuilding of Silver Lake Reservoir will provide a more manageable water system, improved water levels on the Hoist Basin, and increased electric power generation from this renewable and environmentally friendly energy source. An additional improvement will be the enhanced fish habitat in the Dead River system provided by the cool water discharge from Silver Lake and the Hoist and McClure dams. The improved Hoist Basin water levels, especially in the summer months of June, July and August, will provide less hazardous conditions for water sport activities due to the deeper water conditions.

The above improvements will benefit the general public as the Dead River System provides a significant recreational resource. The rebuilding of Silver Lake Reservoir greatly improves this resource.

Signature:

WAYNE R RAURO



Mr. Puzen:

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Art Robare C. Robare



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Signature: *Carol Hazels Robert J. Cole*

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Signature: *Bruce Johnson Tegama*

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Signature: *Randy Duedrich Michelle Duedrich*

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Signature: *James King*

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Signature: *Robert M. [unclear]*

Mr. Puzen: *To enjoy boating more requires less effort moving docks in and out to adjust for water levels.*

I support the rebuilding of Silver Lake Reservoir. *One of the main reasons we bought this there would be also less driftwood hazards!*  
In the four years since the fuse plug failure low water levels have adversely affected me. The rebuilding of Silver Lake Reservoir will provide a more manageable water system, improved water levels on the Hoist Basin, and increased electric power generation from this renewable and environmentally friendly energy source. An additional improvement will be the enhanced fish habitat in the Dead River system provided by the cool water discharge from Silver Lake and the Hoist and McClure dams. The improved Hoist Basin water levels, especially in the summer months of June, July and August, will provide less hazardous conditions for water sport activities due to the deeper water conditions.

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Signature: *Walter L. Larson*

HIS S. CAMP RD

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Signature: *C. Jacobson (Voelker)*

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Signature: *Uelia Stankorb owner 213 N Ocean Ave Reg MI 4806*

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Signature: Timothy J. Saban

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Signature: Mary E. Muen

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Signature: Luigi Valenzio

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Signature: Brendly J. McLaw

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Signature:   
*Shawn Lygell*

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Signature: *Shawn Lygell*

Mr. Puzen:

*Sorry we could not make it to the meeting, we live in Illinois.*

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Signature: *Margaret A. Kaplanes*  
*George A. Kaplanes*

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Signature: *Kurt Coll*

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Signature: Alan Sedage

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Signature: Robert Lapin

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Signature: Keith A. Puzen

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Signature: Ernie Bernick

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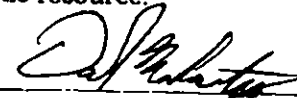

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*Joe and Bessy Ervin*

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*Dennis J. Clobb* 2/1/07

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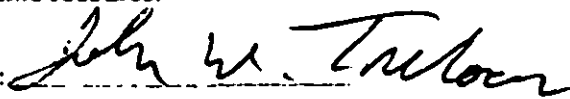
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273 N. BASIN DR.

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Signature: Maria A. Puzen

*Please!!*

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Ishpeming, MI.

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*Howard O. Frank*

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*Armin J. Seppala*  
*Patricia A. Seppala*

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*Joyce O. Saalman*



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*Donald J. Barr* (Received 2/20/07)

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*Lynn French for William Anderson*

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*Tom H. Puzen*

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*[Redacted Signature]*

*We want our waterfront property back for boating & not a mud hole front. Thanks for your consideration*

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*Christal A. Peterson*

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*Jelin Beck*

*728 Mather Ave  
Ishpeming, MI  
49819*

Mr. Puzen: TAMPA FL 336

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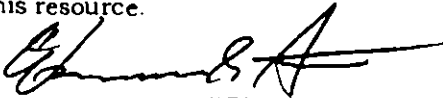
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*467 N BASIN DR*  
*DOUG*  
*LANDEN*

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Signature: *Aene Tremi*

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Signature: *Alon Felix*

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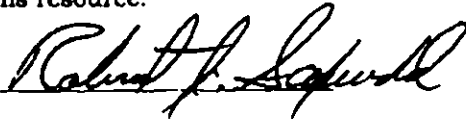
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Signature: *Paul J. Puzen*

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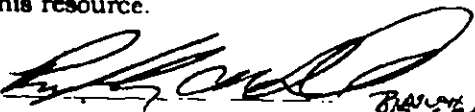
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Signature:   
ROBERT A. SQUISH  
119 S BROWN ST. AND ME

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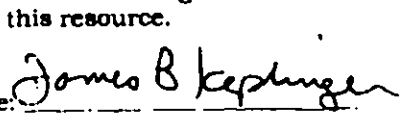
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Signature:  John L. Kussner

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Signature:  James B. Kepfinger  
Dead River Bas. Campers

I'm All for 1341 W...  
June, July, Aug - Please

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Signature: Marita Espinoza / Henry Espinoza

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Signature: Abraham / DeLine Sanders

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Signature: Samuel Fry / Judith Fry

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Signature: Judith Van Kester

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Signature: Robert Hendrickson

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Signature: John E. Anderson

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Signature: Robert W. Ady

#471  
H. Basin

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Signature: Julianne Hunter

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Signature: Mary Loren

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Signature: Elizabeth A. Knight  
Dennis D. Knight

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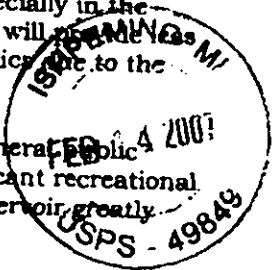
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Signature: Charles R. Lyons C-2608-P-21

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Signature: Paul W. Heino

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Signature: Sandra Hoodman

2/13/07

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*LEONARD Switzer - 222  
Basswood Dr  
Dead River*

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*Steve + Linda Lath*

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*Nichole Hansen*

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*Meresa Argall*

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*Christine Sibley*

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*Amy Stomaway*

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*Steve Armatti*

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*Brad Season*

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Signature:

*Stacy Sibley*

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Signature:

*Beth Hirtala*



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Signature: *Jean Magnuson*  
*widow of William Magnuson*

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Signature: *John S. Festlund*

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Signature: *John C. Molise*

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*Thank You!*  
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Signature: *Donny Larsson*  
*Michael P. Larsson*

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Signature: William E. Puzen

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Signature: James Hume

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Signature: Joseph E. Hays

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Signature: Deane Garrett

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Signature: Jason Cain

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Signature: Max Mr. Gerald J. Anderson

Mr. Puzen:

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Signature: Edward J. Schultz

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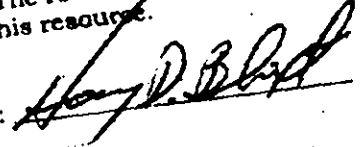
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Signature: Dorson Swanson

Mr. Puz

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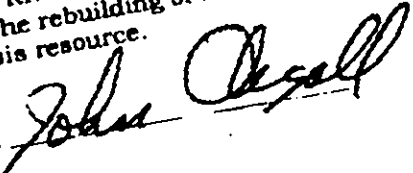
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Signature:  210 BULLOCK DR. NE GAUNAC, MI 49646

Mr. Puzen:

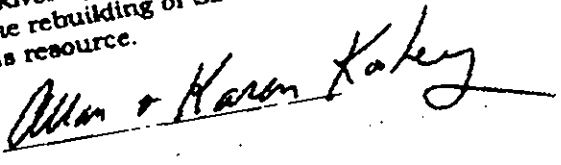
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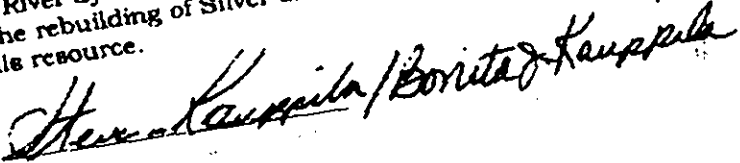
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Mr. Puzen: *Please. Please Don't Let us Down*

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Signature:

*Nancy A. Dietrich*

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Signature:

*William P. ...*

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*John Placco*

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Signature:

*Theodore Kero*

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Signature:

*Amy Anderson 2/13/07*

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Signature:

*Philip M. DeFuria*

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*Julia Hintsala Brian Hintsala*

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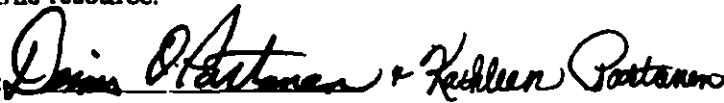
*William L. Garrett III*

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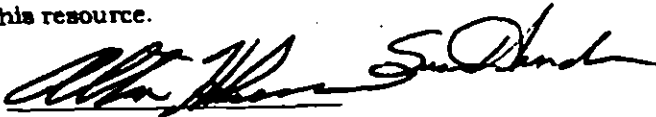


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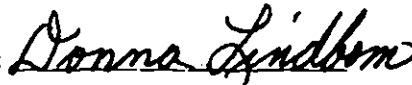


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Signature: Paul Gronedon

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Signature: JIM GRUNDSTAM

Handwritten notes: "LAW", "APPROPRIATE", "YOUR", "FOR", "OW", "OWD", "Schott"

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Signature: Mark Casman (706) 228 8604

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Signature: Michael Wiles



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Signature: Gary J. Kivela

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Signature: Norman S. Lawson

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Signature: Donald W. Case

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Signature: Robert Bonetti

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Signature: Ernie + Judy Harsila

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Signature: David Puzen

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Signature: David C. Hill

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Signature: Mike Puzen

Mr. Puzen:

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Signature:

*Clarence Magnuson*

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Signature:

*Scott*

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Signature:

*Jandra E. Ahl caretaker for  
Dan Oja & Gene Parsons*

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Signature:

*John Carlson*

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Signature:

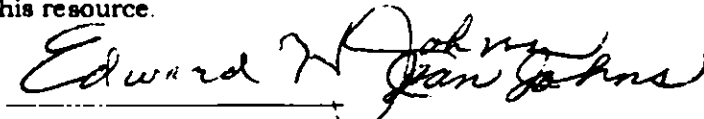
  
DRC

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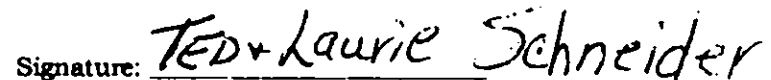


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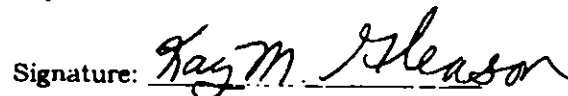


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Signature:

*Andrea E. Cho - caretaker for  
Dan Oja & June Parsons*

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Signature:

*Donald L. Ketchum*

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Signature:

*Dunderberg Dan Jones*

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Signature:

*Robert Jewett*

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Signature: Paul Kari

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Signature: Debbie Bussone

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Signature: Andrea E. Cho *caretaker for Dan Oja & June Parsons*

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Signature: Paul Sweeney *Paul Sweeney*

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*We support UPRCA's plans for rebuilding the Dam Dam hope for DEB - FRC*

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Signature:

*Jim & Martha Hayward Thibault*  
 #07 Hoist Basin

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Signature:

*[Handwritten Signature]*

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Signature:

*Donna Nerler*

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*James R. Johnson*

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Signature:

*Poppy Hasty* *David R. Hasty*

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Signature:

*Paul E. [unclear]*

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Signature:

*[Signature]* *Neg. [unclear], Mi*  
*49866*

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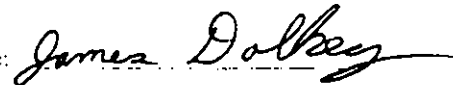
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Signature: 

Mr. Puzen:

ROYAL OAK, MI 48060  
13 FEB 2007 PM 5:1  
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Signature: Richard W. Harvata

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Signature: Shirley D. Smith 2-13-07

*Handwritten note:* Maybank at Silver Lake before the flood. This was one of the few beautiful, tranquil places that should be restored. I hope the northern pipe will be implemented before the rebuilding.

Mr. Puzen:

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Signature: Thomas Butcher

Mr. Puzen:

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Signature: Sandra E. Oho-Cortaker for Dan Ojo + June Parsons

Mr. \_\_\_\_\_:

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Signature: *Perry Ann Basile*

Mr. Puzen:

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Signature: *John Chin*

Mr. Puzen:

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Signature: *Robert L. Guad*

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Signature: *Jim J. Paul 2-12-07*

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Signature:

*Larry A. Nault*

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Signature:

*Arthur C. Mann*

Mr. Puzen:

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*David J. Storge*

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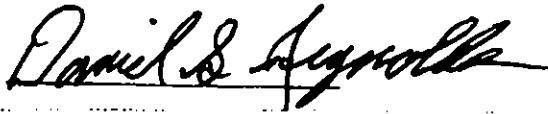
*David J. Storge* 1795 S Rue  
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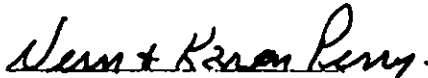
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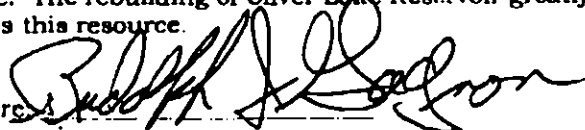


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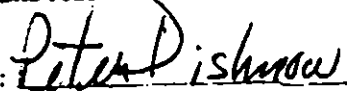


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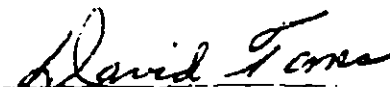


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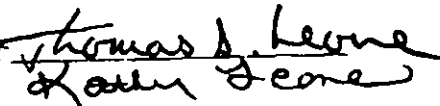


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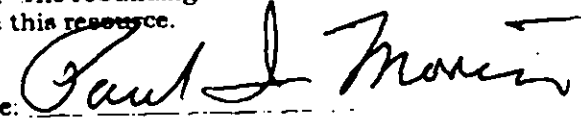


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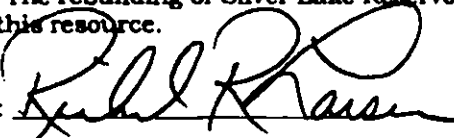


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Signature: Wanda Kungu

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*JAFETY IS ALSO AN INVENTOR  
THOSE WHO DON'T OWN ON THE HOIST ARE NOT FAMILIAR WITH IT*

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Cham M. Drabny

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Signature: Douglas Magnuson



KIRBY D. JUNTILA  
EXECUTIVE DIRECTOR

## BOARD OF LIGHT AND POWER

CITY OF MARQUETTE  
2200 WRIGHT STREET  
MARQUETTE, MI 49855-1398

PHONE 906-228-0313  
FAX 906-228-0329  
PLANT FAX 906-228-0159

March 7, 2007

Upper Peninsula Power Company  
Mr. Keith Moyla, Vice President  
500 N. Washington St.  
PO Box 357  
Ishpeming, MI 49849-0357

Dear Kaith:

At its regular February 27, 2007 meeting, the Marquette Board of Light and Power (MBLP) voted unanimously to provide its support of the Upper Peninsula Power Company's proposal to restore Silver Lake.

Congratulations on your decision to move forward with rebuilding Silver Lake Dam. Repairing the dam will be advantageous to all hydro operations on the Dead River.

The MBLP is acutely aware of the fragile nature of hydroelectric economics. The Silver Lake proposal and operating plan addresses the delicate balance between agency demands and efficient operation of the hydroelectric facilities.

Very truly yours,

Craig Q. Stian,  
Board Chair  
Marquette Board of Light and Power

c: MBLP Board Members

# UPPCO weighs Silver Lake fate

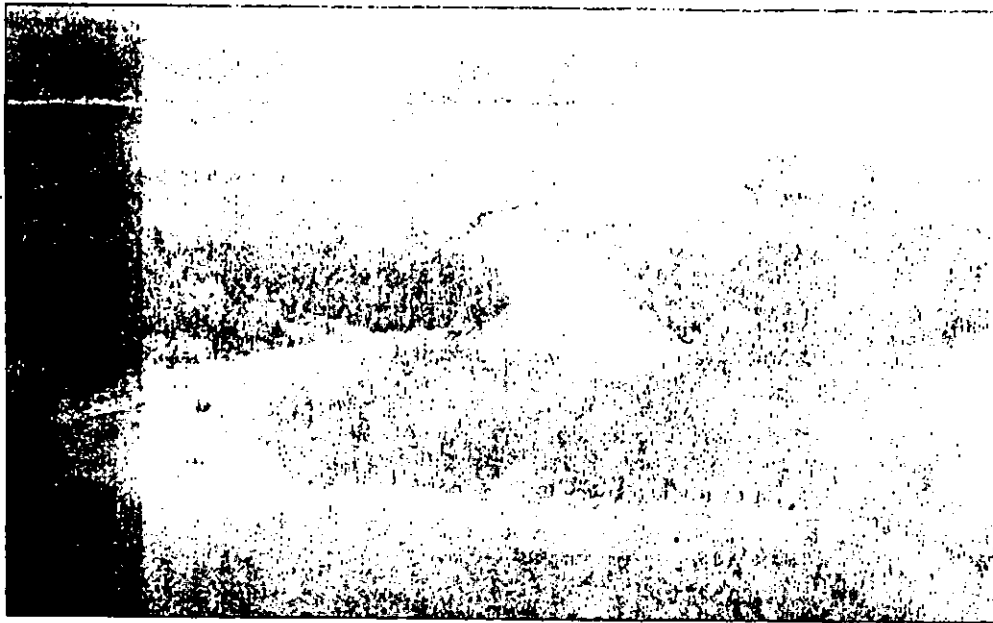
By SAM EGGLESTON

Journal Ishpeming Bureau

**CHAMPION** — The Upper Peninsula Power Co. is weighing the cost of restoring Silver Lake Basin against the benefits of having a dam in place.

In order to ensure that rebuilding the reservoir — which drained when the Silver Lake dam failed in May 2003 — is more economical than abandoning it, UPPCO officials said they will request amendments to several conditions of the company's license to operate hydroelectric dams along the Dead River.

UPPCO plans to ask for changes to the required minimum water flow at the Hoist Reservoir, which is farther downstream and was supplemented by Silver Lake, as well as the minimum water elevations at Silver Lake if



The Dead River is seen where it breached a dike on the Silver Lake Basin in Champion Township in May 2003. (Journal file photo)

**When:** 6:30 p.m. Feb. 8  
**Where:** Ramada Inn, Marquette

a new dam is constructed.

"Having reduced minimum water flow and water elevations reduces construction costs based on what are called probable maximum flood guidelines," said Shawn Puzen, an environmental consultant for UPPCO. "If we can get these amendments passed, we'll be able to reduce the spillway length and height."

After the destruction of the Silver Lake Basin, UPPCO initiated the design process for reconstruction of the dam to previous conditions, according to company documents.

In order to accomplish that, engineers hired by the company determined UPPCO would have to abandon the existing spillway

bedrock, construct a new dam, extend both the height and length of the existing dams and dikes, and construct a new dike. Those components were determined to be necessary because the existing spillway was not founded on bedrock and prolonged flow could erode, and undermine the structure. The existing dikes were deemed insufficient for the current probable maximum flood level.

According to documents, "the cost to rebuild the dam in this configuration far exceeds the economic value that the facility would provide over the remaining term of the license."

If UPPCO is able to get the amendments approved, it would be able to follow a reconstruction proposal that eliminates the new dike, reduces the length and height of the concrete spillway and calls for a smaller configura-

But if the amendments are rejected, Puzen said UPPCO will have to consider the alternatives.

"The way the license is configured now, it's less expensive for UPPCO to abandon the project instead of rebuilding it," Puzen said. "It would be more economical just to abandon the reservoir."

Puzen said UPPCO will wait until the public comment period is over before making requests for amendments.

"Based on the comments we receive, we will develop our formal requests for amendments to the current license," he said.

A public meeting on the amendments will be at 6:30 p.m. Feb. 8 at the Ramada Inn in Marquette. Representatives of UPPCO will discuss the proposed amendments, explain why they believe they are needed and answer questions. Written comments will be accepted through



The McClure Dam and Basin seen from the air during the flooding in May 2003. (Journal file photo)

CO, c/o Shawn Puzen, PO Box 19002, Green Bay, Wis., 54307-