

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 10855-373 – Michigan
Dead River Hydroelectric Project
Upper Peninsula Power Company

June 1, 2023

VIA Electronic Mail

Jim Grundstrom
Dead River Campers, Inc.
drcicampers@gmail.com

Subject: Comment on project operations

Dear Jim Grundstrom:

Thank you for the comment that you filed on May 24, 2023, regarding the Dead River Hydroelectric Project No. 10855.¹ You provide support for the Silver Lake Storage Basin (SLSB) water surface levels being maintained higher than the requirements of the license and similar to in recent years. You state that spilling water over the dam is an ineffective use of water given the abundance of water in the basin after a large amount of snowfall this winter.

In previous years, the licensee has requested, and Commission staff has approved, temporary variances from the license requirements of Article 402 of the license that has allowed the licensee to modify the target water surface levels at the SLSB.² The licensee has not filed a temporary variance request for this year and the licensee would not be in compliance with its license if it was to operate in the manner explained in your letter. Article 402 of the license, in part and pertinent to your letter, requires the licensee to operate the project to maintain minimum storage basin water surface elevations at each of the project developments, for the protection and enhancement of water quality, recreation, aesthetics, and fishery resources in the Dead River. The license requires the licensee to always act to maintain the storage basin water surface elevations, as measured

¹ *Upper Peninsula Power Company*, 101 FERC ¶ 62,013 (2002).

² The most recent order was the December 3, 2021 Order Modifying and Approving Request for Temporary Variances from License Requirements of Article 402. *Upper Peninsula Power Company*, 177 FERC ¶ 62,160 (2021).

immediately upstream of each development's dam. The licensee must maintain the SLSB water surface levels at all times above the minimum seasonal target elevations and strive to operate the existing project facilities to achieve the start-of-month target elevations, as described in the license article.

We appreciate you expressing your support on the record of the licensee operating the SLSB with the modified target levels. If you have any questions concerning this letter, please contact Jeremy Jessup at (202) 502-6779 or Jeremy.Jessup@ferc.gov.

Sincerely,

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower Administration and
Compliance

CC: VIA FERC Service

Virgil E. Schlorke
Upper Peninsula Power Company
800 Greenwood Street
Ishpeming, MI 49849