

APPENDIX B
TO JUNE 27, 2002 ORDER ISSUING ORIGINAL LICENSE
FOR PROJECT NO. 11162

FISHWAY PRESCRIPTION UNDER SECTION 18 OF THE FEDERAL POWER ACT,
SUBMITTED BY THE SECRETARY OF THE INTERIOR ON JULY 29, 2002

For upstream fish passage, the licensee shall develop upstream fish passage facilities at the Prairie du Sac Project that include the following items:

1. Within 12 months of the date of license issuance, the licensee shall provide a detailed engineering and biological evaluation of potential fishway alternatives that would provide safe, timely, and effective fish passage at the PDS Hydro Project, including identification of the fishways that the licensee proposes to implement, to the Wisconsin Department of natural Resources and the U.S. Department of the Interior, Fish and Wildlife Service (Agencies) for review and approval. The evaluation shall include a detailed description of the design, construction, operation, and maintenance of all fishway alternatives considered, a description of construction materials, and estimated costs of constructing, operating, and maintaining the fishways. The licensee shall collaboratively develop the evaluation with the agencies.
2. Within 12 months of the date of license issuance, the licensee shall install Agency-approved fish protective devices in the intake area of the PDS Hydro Project to prevent fish from entering the turbines. The licensee should, in consultation with the Agencies, evaluate the potential for these devices to work in unison with other downstream fishways developed as a requirement of item 1 above.
3. The licensee shall obtain any additional biological information necessary to fully design the Agency-approved fishways, and shall work collaboratively with the Agencies in the development of the studies and evaluation of study results.
4. Within 36 months of license issuance, the licensee shall design, build, test, and refine the fishway developed and approved by the Agencies as defined in items 1 and 3 above. All preliminary and final design plans and specifications must be provided to the Agencies for review and approval. Preliminary study designs for post construction evaluations must be approved by the Agencies in advance of construction and final study plans must be approved by the Agencies prior to initial operation of the fishways. After the post construction evaluations have been completed, and the Agencies agree that sufficient information exists to evaluate fishway operations, any necessary refinements to the fishways determined necessary by the Agencies as a result of the studies shall be completed within 12 months. The licensee shall then develop, in consultation with and for approval by the Agencies, a long-term monitoring plan that will ensure the facilities are achieving their desired goals and objectives throughout the term of the license. The long-term monitoring plan shall be implemented by the licensee.