



Via Electronic Submittal

March 24, 2026

Honorable Debbie-Anne A. Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Subject: Elkhart Hydroelectric Project (FERC No. 2651)
Proposed Study Plan**

Dear Secretary Reese:

Indiana Michigan Power Company (I&M or Licensee), a unit of American Electric Power, is the Licensee, owner, and operator of the 3.44-megawatt Elkhart Hydroelectric Project (Project) (Project No. 2651), located in the City of Elkhart, Elkhart County, Indiana on the St. Joseph River. The Project is approximately 77 river miles upstream of the City of St. Joseph, Michigan, where the St. Joseph River empties into Lake Michigan.

The existing license for the Project was issued by the Federal Energy Regulatory Commission (FERC or Commission) with an effective date of January 11, 2001 and expires December 31, 2030. Accordingly, I&M is pursuing a new license for the Project pursuant to the Commission's Integrated Licensing Process (ILP), as described at 18 Code of Federal Regulations (CFR) Part 5.

I&M filed a Pre-Application Document (PAD) and associated Notice of Intent (NOI) with the Commission on October 10, 2025, to initiate the ILP. The Commission issued Scoping Document 1 (SD1) for the Project on December 9, 2025. SD1 was intended to advise resource agencies, Indian tribes, non-governmental organizations, and other stakeholders as to the proposed scope of FERC's Environmental Assessment (EA) for the Project and to seek additional information pertinent to the Commission's analysis.

On January 8, 2026, the Commission held daytime and evening scoping meetings in Elkhart, Indiana. During these meetings, FERC staff solicited comments regarding the scope of issues and analyses for the EA. Pursuant to 18 CFR §5.8(d), I&M hosted a public site visit of the Project also on January 8, 2026.

Resource agencies, Indian tribes, and other interested parties were afforded a 60-day period to request studies and provide comments on the PAD and SD1. The comment period was initiated with the Commission's SD1 and concluded on February 7, 2026. During the comment period,

three stakeholders filed letters with the Commission providing general comments and comments regarding the PAD. No formal study requests were received during the comment period.

FERC issued a letter on March 3, 2026 stating that it did not receive any comments in response to SD1 that affect the scope of environmental issues to be addressed in the National Environmental Policy Act of 1969 (NEPA) document. Therefore, FERC will use SD1 to prepare the NEPA document and not issue a second scoping document (i.e., SD2).

In accordance with 18 CFR §5.11, I&M is filing the Proposed Study Plan (PSP) describing the study proposed by the Licensee to carry out in support of relicensing the Project. At this time, I&M is proposing to conduct a Water Quality Study, as indicated in the PAD. The PSP provides FERC, regulatory agencies, Indian tribes, and other stakeholders with details of I&M's proposed study. I&M has evaluated and responded to PAD review comments submitted by stakeholders in Section 3.0 of the PSP.

Pursuant to 18 CFR §5.11(e), I&M is hosting a virtual PSP meeting on April 16, 2026 for the purpose of clarifying the intent and contents of the Water Quality Study Plan, explaining information gathering needs, and resolving outstanding issues associated with the proposed study. Additional details can be found in Section 4.0 of the PSP. Please RSVP to the virtual PSP meeting by contacting the undersigned.

I&M is filing the PSP with the Commission electronically and is distributing this letter to the parties listed on the attached distribution list. For stakeholders who have provided an e-mail address, the Applicant is distributing this letter via e-mail; otherwise, the Applicant is distributing this letter via U.S. mail. Stakeholders interested in the relicensing process may obtain a copy of the PSP electronically through FERC's eLibrary at <https://elibrary.ferc.gov/idmws/search/fercgensearch.asp> under docket number P-2651 or on the Applicant's website <https://www.aephydro.com/HydroPlant/Elkhart>.

We look forward to working with the Commission's staff, resource agencies, Indian Tribes, local governments, non-governmental organizations, and members of the public toward developing a license application for this renewable energy facility. If there are any questions regarding this letter or the PSP, please do not hesitate to contact me at (614) 716-2240 or jmmagalski@aep.com.

Sincerely,



Jonathan M. Magalski
Environmental Manager
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cc: Justine Penix (AEP)
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PROPOSED STUDY PLAN

Elkhart Hydroelectric Project
FERC No. 2651

Indiana Michigan Power Company

March 24, 2026

Prepared by:



A unit of American Electric Power

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Appendices

Appendix A: Correspondence

List of Acronyms

°C	degrees Celsius
°F	degrees Fahrenheit
AEP	American Electric Power
CFR	Code of Federal Regulations
DHPA	Division of Historic Preservation & Archaeology
DFWNP	Division of Fish, Wildlife, and Nature Preserves
DLA	Draft License Application
DO	Dissolved Oxygen
EA	Environmental Assessment
FERC or Commission	Federal Energy Regulatory Commission
FLA	Final License Application
I&M or Licensee	Indiana Michigan Power Company
IDEM	Indiana Department of Environmental Management
IDNR	Indiana Department of Natural Resources
ILP	Integrated Licensing Process
ISR	Initial Study Report
NEPA	National Environmental Policy Act of 1969
NOI	Notice of Intent
mg/L	milligrams per liter
PAD	Pre-Application Document
PSP	Proposed Study Plan
Project	Elkhart Hydroelectric Project
RSP	Revised Study Plan
SD	Scoping Document

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1 Introduction and Background

Indiana Michigan Power Company (I&M or Licensee), a unit of American Electric Power (AEP), is the Licensee, owner, and operator of the 3.44-megawatt Elkhart Hydroelectric Project (Project) (Project No. 2651), located in the City of Elkhart, Elkhart County, Indiana on the St. Joseph River. The Project is approximately 77 river miles upstream of the City of St. Joseph, Michigan, where the St. Joseph River empties into Lake Michigan.

The Project is currently licensed by the Federal Energy Regulatory Commission (FERC or Commission) under the authority granted to FERC by Congress by the Federal Power Act, 16 United States Code §791(a), et seq., to license and oversee the operation of non-federal hydroelectric projects on jurisdictional waters and/or federal lands. The current operating license for the Project was issued on January 11, 2001, and expires December 31, 2030. In support of preparing an application for a new license, the Licensee has elected to use FERC's Integrated Licensing Process (ILP) as described at 18 Code of Federal Regulations (CFR) Part 5.

In accordance with 18 CFR §5.11 of the Commission's regulations, the Licensee is filing this Proposed Study Plan (PSP), which describes the studies the Licensee is proposing to conduct in support of Project relicensing. The purpose of this PSP is to present the study that is being proposed by I&M and to address comments submitted by resource agencies and other stakeholders. This PSP also provides FERC, regulatory agencies, Indian Tribes, and other stakeholders with the methodology and details of the proposed study. After the PSP comment period closes, the Licensee will prepare a Revised Study Plan (RSP), if necessary, that will address interested parties' comments to the extent practicable. Pursuant to the 18 CFR §5.13(a), I&M will file the RSP with the Commission on or before July 22, 2026, and the Commission will issue a final Study Plan Determination within 30 days, by August 21, 2026.

1.1 Study Plan Overview

The Licensee filed a Pre-Application Document (PAD) and associated Notice of Intent (NOI) with the Commission on October 10, 2025, to initiate the ILP. The purpose of the PAD is to provide a description of the existing Project facilities and operations, and to also provide existing, relevant, and reasonably available information related to the Project. Further, the PAD is intended to assist the Commission, resource agencies, Indian Tribes, non-governmental organizations, and other interested parties with identifying potential resource areas of interest and informational needs, developing study requests, and establishing the information necessary to analyze the license application [18 CFR §5.6(b)].

The National Environmental Policy Act of 1969 (NEPA), the Commission's regulations, and other applicable statutes require the Commission to independently evaluate the environmental effects of issuing a subsequent license for the Project and to consider reasonable alternatives to relicensing. At this time, the Commission has expressed its intent to prepare an Environmental Assessment (EA) that describes and evaluates the site-specific and cumulative potential effects (if any) of issuing a subsequent license, as well as potential alternatives to relicensing. The EA is supported by a scoping process to identify issues, concerns, and opportunities for resource enhancement associated with the proposed action. Accordingly, the Commission issued Scoping Document (SD) 1

for the Project on December 9, 2025. SD1 was intended to advise resource agencies, Indian Tribes, non-governmental organizations, and other stakeholders as to the proposed scope of the EA and to seek additional information pertinent to the Commission's analysis. As provided in 18 CFR §5.8(a) and §5.18(b), the Commission issued a notice of commencement of the relicensing proceeding concomitant with SD1.

On January 8, 2026, the Commission held daytime and evening scoping meetings in Elkhart, Indiana. During these meetings, FERC staff solicited comments regarding the scope of issues and analyses for the EA. Pursuant to 18 CFR §5.8(d), I&M hosted a public site visit of the Project on January 8, 2026 (Appendix A).

Resource agencies, Indian Tribes, and other interested parties were afforded a 60-day period to request studies and provide comments on the PAD and SD1. The comment period was initiated with the Commission's SD1 and concluded on February 7, 2026. In accordance with 18 CFR §5.11(a), I&M will file this PSP within 45 days from the close comment period (i.e., on or before March 24, 2026).

FERC issued a letter on March 3, 2026 stating that no comments were received in response to SD1 that affect the scope of environmental issues to be addressed in the NEPA document (see Appendix A). Therefore, FERC will use SD1 to prepare the NEPA document and not issue a second scoping document (i.e., SD2).

FERC's ILP regulations require that stakeholders who provide study requests include specific information to allow the Licensee, as well as Commission staff, to determine a requested study's appropriateness and relevancy to the Project and proposed action. As described in 18 CFR §5.9(b) of the Commission's ILP regulations, the required information to be included in a study request is as follows:

(1) Describe the goals and objectives of each study and the information to be obtained (§5.9(b) (1));

This section describes why the study is being requested and what the study is intended to accomplish, including the goals, objectives, and specific information to be obtained. The goals of the study must clearly relate to the need to evaluate the effects of the Project on a particular resource. The objectives are the specific information that needs to be gathered to allow achievement of the study goals.

(2) If applicable, explain the relevant resource management goals of the agencies or Indian Tribes with jurisdiction over the resource to be studied (§5.9(b) (2));

This section must clearly establish the connection between the study request and management goals or resource of interest. A statement by an agency connecting its study request to a legal, regulatory, or policy mandate needs to be included that thoroughly explains how the mandate relates to the study request, as well as the Project's potential impacts.

(3) If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study (§5.9(b) (3));

This section is for non-agency or Indian Tribes to establish the relationship between the study request and the relevant public or tribal interest considerations.

(4) Describe existing information concerning the subject of the study proposal and the need for additional information (§5.9(b) (4));

This section must discuss any gaps in existing data by reviewing the available information presented in the PAD or information relative to the Project that is known from other sources. This section must explain the need for additional information and why the existing information is inadequate.

(5) Explain any nexus between project operation and effects (direct, indirect, and/or cumulative) on the resource to be studied and how the study results would inform the development of license requirements (§5.9(b) (5));

This section must clearly connect Project operations and Project effects on the applicable resource. This section can also explain how the study results would be used to develop protection, mitigation, and enhancement (PM&E) measures that could be implemented under a new FERC license. The PM&E measures can include those related to any mandatory conditioning authority under Section 401 of the Clean Water Act¹ or Sections 4(e) and 18 of the Federal Power Act, as applicable.

(6) Explain how any proposed study methodology is consistent with generally accepted practices in the scientific community or, as appropriate, considers relevant tribal values and knowledge. This includes any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration (§5.9(b) (6));

This section must provide a detailed explanation of the study methodology. The methodology may be described by outlining specific methods to be implemented or by referencing an approved and established study protocol and methodology.

(7) Describe considerations of level of effort and cost, as applicable, and why any proposed alternative studies would not be sufficient to meet the stated information needs (§5.9(b) (7));

This section must describe the expected level of cost and effort to conduct the study. If there are proposed alternative studies, this section can address why the alternatives would not meet the stated information needs.

The Indiana Department of Natural Resources (IDNR) Division of Historic Preservation & Archaeology (DHPA), the Division of Fish, Wildlife, and Nature Preserves (DFWNP), and RJL Solutions filed letters with the Commission providing general comments, and comments regarding the PAD and SD1 (see Section 3). Note, however, that no formal study requests were received

¹ 33 U.S.C. §1251 et seq.

during the comment period. Copies of letters filed with the Commission are provided in Appendix A of this document.

1.2 Development of the Proposed Study Plan

The Commission's December 9, 2026, SD1 identified the following environmental resource issues to be analyzed in the EA for the Project relicensing.

- Effects of project operation on water quality in the project impoundment and St. Joseph River downstream of the Project.

In Section 6.3 of the PAD, I&M proposed to conduct a Water Quality Study within the Project area in support of issuing a new license for the Project. Again, no formal study requests were received during the PAD and SD1 review period.

Information regarding the Water Quality Study is provided in Section 4 of this PSP including:

1. The goals and objectives of the study;
2. The defined study area;
3. A summary of background and existing information pertaining to the study;
4. The nexus between Project operations and potential effects on the resources to be studied;
5. The proposed study methodology; and
6. Level of effort, cost, and schedules for conducting the study.

1.2.1 Comments on the Proposed Study Plan

Comments on this PSP, including additional or revised study requests, must be filed within 90 days of the filing date of this PSP (i.e., no later than July 22, 2026). Comments must include an explanation of study plan concerns and accommodations reached with the Licensee regarding those concerns (18 CFR §5.12). Proposed modifications to this PSP must address the Commission's criteria as presented in 18 CFR §5.9(b).

1.2.2 Proposed Study Plan Meeting

In accordance with 18 CFR §5.11(e), I&M will host a virtual PSP Meeting on April 16, 2026. The purpose of the PSP Meeting will be to clarify the intent and contents of this PSP, explain information gathering needs, and resolve outstanding issues associated with the proposed study. The Commission's regulations and the approved Process Plan and Schedule require I&M to conduct the PSP Meeting within 30 days of the filing of this PSP.

Additional details regarding the meeting are presented below.

- Date: April 16, 2026
- Time: 2:00-3:00 PM Eastern Daylight Time
- Format: Web meeting

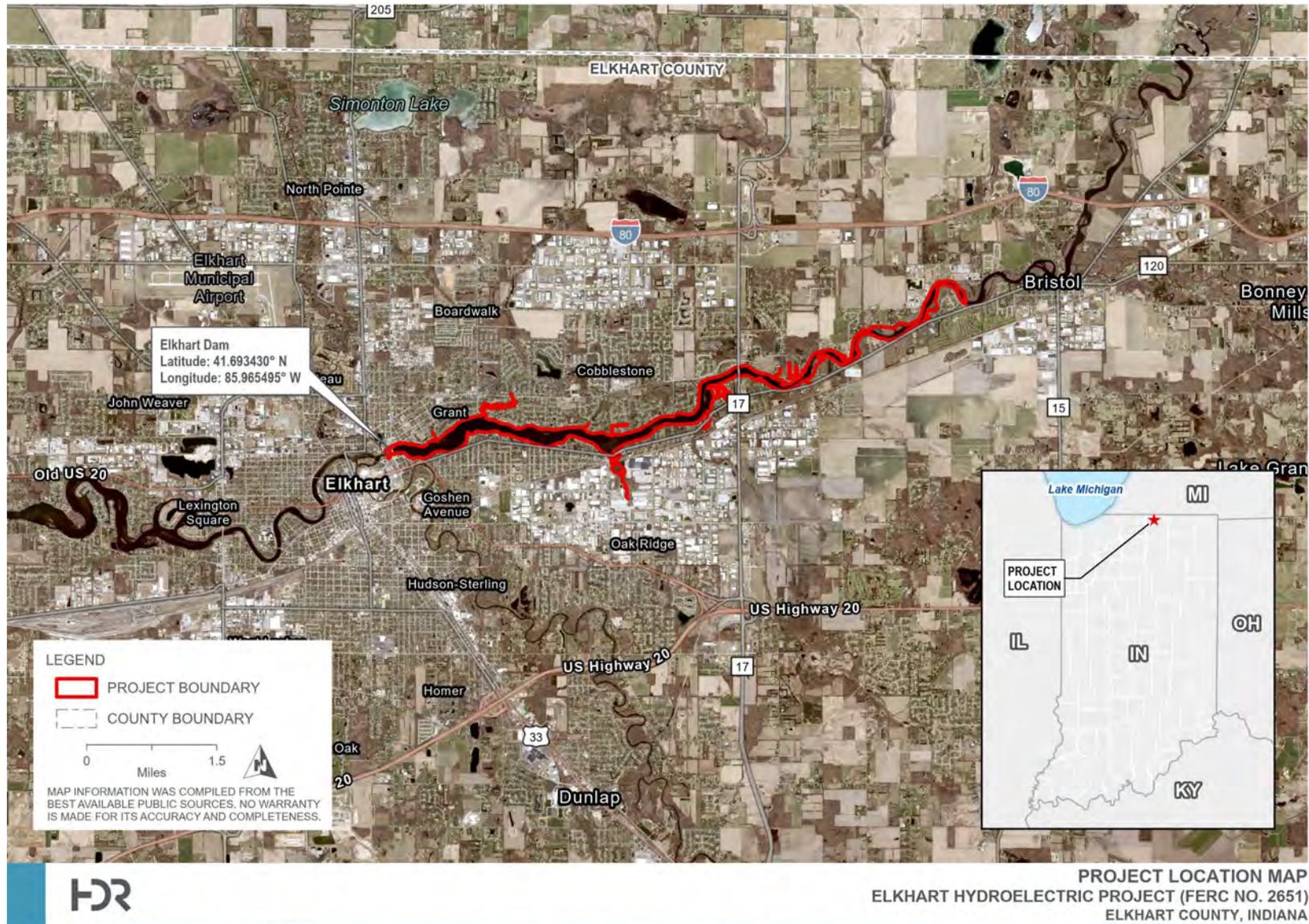
To receive the link to attend the web meeting, please RSVP by contacting Jonathan Magalski at jmmagalski@aep.com or (614) 716-2240.

1.3 Project Description, Location, and Study Area

The Project is located in the City of Elkhart, Elkhart County, Indiana on the St. Joseph River at river mile 77. The powerhouse and spillway are approximately 100 ft upstream of the Johnson Street Bridge, which crosses over the St Joseph River. The reservoir is approximately 512 acres in surface area and 7.5 miles long and the surrounding area is heavily developed for residential and business use. The upstream boundary of the reservoir is about half a mile downstream from the city limits of Bristol, Indiana. The Indiana/Michigan state line is about 14 miles upstream from the dam (5 miles north of the dam). Approximately 0.1 mile downstream of the dam, the Christiana Creek tributary flows in from the right-descending bank and the Elkhart River joins from the left-descending bank approximately 0.45 miles downstream.

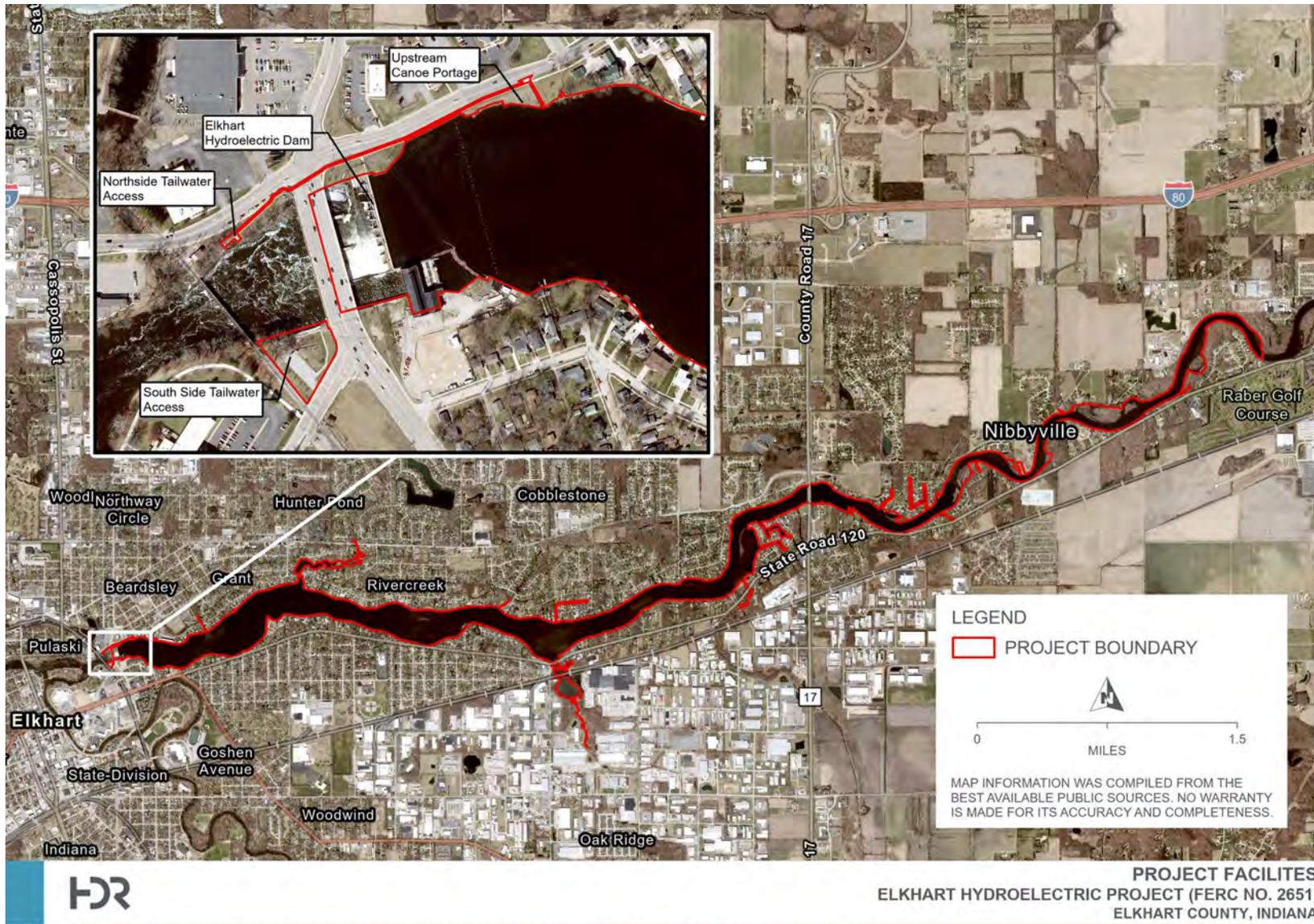
Figure 1-1 provides an overview of the Project location and setting as well as the FERC Project boundary, and Figure 1-2 provides an overview of the Project facilities. The Project Boundary encompasses approximately 610.3 acres. There are no federal lands within the Project Boundary.

Land use near the Project is dominated by agricultural, residential, commercial, industrial, and recreational uses. Elkhart County is part of a five-county population center in Indiana which has a strong economic base in agriculture, manufacturing, and retail and the City of Elkhart is a key center in the Great Lakes industrial belt; a well-established infrastructure of railroads and highways exists (AEP 1998). As reported in 2024, the population of Elkhart County was 207,436 and the population of the City of Elkhart was 53,690 (StatsIndiana 2025).



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Figure 1-1. Elkhart Hydroelectric Project Location Map



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Figure 1-2. Elkhart Project Facilities

2 Execution of the Study Plan

As required by Section 5.15 of FERC’s ILP regulations, I&M will file an Initial Study Report (ISR), hold an ISR Meeting with stakeholders and FERC staff to discuss the initial study results, prepare and file an Updated Study Report, and convene an associated Updated Study Report Meeting as appropriate. I&M will submit documents that must be filed with the Commission via FERC’s eFiling system.

2.1 Process Plan and Schedule

The Process Plan and Schedule, as appended to FERC’s SD1, is presented in Table 2-1. Gray shaded milestones are unnecessary if there are no study disputes. If the due date falls on a weekend or holiday, the due date is the following business day. Early filings or issuances will not result in changes to these deadlines.

Table 2-1. Process Plan and Schedule

Milestone	Responsible Party	Time Frame	Date / Deadline
File NOI and PAD (18 CFR §5.5, 5.6)	I&M	As early as 5.5 years but no later than 5 years prior to license expiration	10/10/2025
Initial Tribal Consultation Meeting (18 CFR §5.7)	FERC	No later than 30 days of filing NOI and PAD	11/9/2025
Issue Notice of PAD/NOI and SD1 (18 CFR §5.8(a))	FERC	Within 60 days of filing NOI and PAD	12/9/2025
Conduct Scoping Meetings and Site Visit (18 CFR §5.8(b) (viii))	FERC	Within 30 days of NOI/PAD notice and SD1 issuance	1/8/2026
Comments on PAD, SD1, and Study Requests (18 CFR §5.9)	Stakeholders	Within 60 days of NOI/PAD notice and issuance of SD1	2/7/2026
Issuance of Scoping Document 2 (SD2) (18 CFR §5.10) (if necessary)	FERC	Within 45 days of deadline for filing comments on SD1	3/24/2026
File PSP (18 CFR §5.11(a))	I&M	Within 45 days of deadline for filing comments on PAD	3/24/2026
Study Plan Meeting(s) (18 CFR §5.11(e))	I&M	Meeting to be held within 30 days of filing PSP	4/23/2026 (deadline)
Comments on PSP (18 CFR §5.12)	Stakeholders	Within 90 days of filing PSP	6/22/2026
File RSP (18 CFR §5.13(a))	I&M	Within 30 days of deadline for comments on PSP	7/22/2026

Milestone	Responsible Party	Time Frame	Date / Deadline
Comments on RSP (18 CFR §5.13(b))	Stakeholders	Within 15 days following RSP	8/6/2026
Issuance of Study Plan Determination (18 CFR §5.13(c))	FERC	Within 30 days of RSP	8/21/2026
Formal Study Dispute Resolution Process (18 CFR §5.14(a)) (if necessary)	Agencies and Tribes with mandatory conditioning authority	Within 20 days of study plan determination	9/10/26
Third Dispute Resolution Panel Member Selection (18 CFR §5.14(d)) (if necessary)	Dispute Resolution Panel	Within 15 days of a notice of study dispute	9/25/26
Convene Dispute Resolution Panel (18 CFR §5.14(d)(3)) (if necessary)	Dispute Resolution Panel	Within 20 days of a notice of study dispute	9/30/26
Comments on Study Plan Disputes (18 CFR §5.14(i)) (if necessary)	I&M	Within 25 days of notice of study dispute	10/5/26
Dispute Resolution Panel Technical Conference (18 CFR §5.14(j)) (if necessary)	Dispute Resolution Panel, I&M, Stakeholders	Prior to engaging in deliberative meetings	10/10/26
Dispute Resolution Panel Findings and Recommendations (18 CFR §5.14(k)) (if necessary)	Dispute Resolution Panel	No later than 50 days after notice of dispute	10/30/26
Study Dispute Determination (18 CFR §5.14(l)) (if necessary)	FERC	No later than 70 days after notice of dispute	11/19/26
Conduct First Season of Studies (18 CFR §5.15(a))	I&M	NA	July-August 2027
ISR (18 CFR §5.15(c)(1))	I&M	Pursuant to the Commission-approved study plan or no later than 1 year after Commission approval of the study plan, whichever comes first	8/21/2027
Initial Study Report Meeting (18 CFR §5.15(c)(2))	I&M and Stakeholders	Within 15 days of filing the Initial Study Report	9/5/2027

Milestone	Responsible Party	Time Frame	Date / Deadline
File Initial Study Report Meeting Summary (18 CFR §5.15(c)(3))	I&M	Within 15 days of Initial Study Report meeting	9/20/2027
File Meeting Summary Disagreements (18 CFR §5.15(c)(4)) (if necessary)	Stakeholders	Within 30 days of study results meeting summary	10/20/27
File Responses to Meeting Summary Disagreements (18 CFR §5.15(c)(5)) (if necessary)	I&M	Within 30 days of filing meeting summary disagreements	11/19/27
Resolution of Disagreements (18 CFR §5.15(c)(6)) (if necessary)	FERC Director	Within 30 days of filing responses to disagreements	12/19/27
Progress Study Report	I&M	NA	Q1 2028
File Draft License Application (DLA) (18 CFR §5.16(a))	I&M	No later than 150 days prior to the deadline for filing the Final License Application (FLA)	8/3/2028
File Updated Study Report (18 CFR §5.15(f)) (if necessary)	I&M	Pursuant to the Commission approved study plan and schedule provided in §5.13 or no later than two years after Commission approval	8/20/2028
Updated Study Report Meeting (18 CFR §5.15(f)) (if necessary)	I&M and Stakeholders	Within 15 days of updated study report	9/4/2028
File Updated Study Report Meeting Summary (18 CFR §5.15(f)) (if necessary)	I&M	Within 15 days of study report meeting	9/19/2028
Comments on Preliminary Licensing Proposal or DLA Due (18 CFR §5.16(e))	Stakeholders	Within 90 days of filing Preliminary Licensing Proposal or DLA	11/1/2028
File Meeting Summary Disagreements (18 CFR §5.15(c)(4)) (if necessary)	Stakeholders	Within 30 days of study results meeting summary	10/19/28
File Responses to Meeting Summary Disagreements (18 CFR §5.15(f)(5)) (if necessary)	I&M	Within 30 days of filing meeting summary disagreements	11/18/28

Milestone	Responsible Party	Time Frame	Date / Deadline
Issue Director's Determination on Disagreements/Amendments	FERC	Within 30 days	12/18/28
File FLA (18 CFR §5.17)	I&M	No later than 24 months before the existing license expires	12/31/28
Issue Public Notice of FLA Filing (18 CFR §5.17(d)(2))	I&M	Within 14 days of filing FLA	1/14/29
Resolution of Disagreements (18 CFR §5.15(f)) (if necessary)	FERC Director	Within 30 days of filing responses to disagreements	

3 Responses to Stakeholder PAD Review Comments

FERC received comment letters on the PAD from the following:

- RJL Solutions (October 14, 2025)
- IDNR DHPA (Jan 12, 2026)
- IDNR DFNWP (January 20, 2026)

The Licensee has reviewed stakeholder comments on the PAD (provided in Appendix A) and provided a summary of the review comments and I&M responses in Table 3-1.

3.1 Study Requests Deemed Appropriate or Not Appropriate for Study

No formal study requests were received during the PAD and SD1 comment period.

As indicated in the PAD, I&M proposes a Water Quality Study, which is detailed in Section 4 of this PSP, to collect and provide water quality data to demonstrate conformance with state water quality standards for temperature and dissolved oxygen (DO) in the Project reservoir and tailrace.

Table 3-1. Summary of PAD Review Comments

Summary of Comment	Stakeholder	Study/Response
Fish and Aquatic Resources		
<p>Section 5.4.5.1, Eastern Lampmussel (<i>Lampsilis radiata luteola</i>) should be Fatmucket (<i>Lampsilis siliquoidea</i>). Clarify what is meant by “clams, and mussels” since those common terms can have ambiguous meaning. Include additional information such as where the mussels were found in relation to the dam, how many of each, whether there were other mussels found in the same locations, sampling efforts and techniques, whether mussels or live or dead/shell material, native/non-native status, and whether host fish have been identified during surveys.</p>	<p>IDNR DFWNP</p>	<p>Details will be incorporated into the license application to the extent such information is provided in the City of Elkhart Aquatic Community Monitoring survey reports.</p>
<p>Section 5.4.1.1 mentions the 2007 installation of fish attractors. Brush and woody structures usually do not last longer than 10 years, sometimes as few as 3 years. Since it has been almost 20 years since the last permitted fish attractors were installed, the DFWNP is willing to discuss new fish attractor installations, especially if there are planned drawdowns for dam repairs.</p>	<p>IDNR DFWNP</p>	<p>Comment noted.</p>
<p>Additional details should be added to Section 5.4.2 and 5.4.4 regarding the summarized fisheries surveys, such as specifics regarding sampling gear, level of effort for each survey, time of year, etc.</p>	<p>IDNR DFWNP</p>	<p>Specific details, as are available to I&M, will be included in the license application.</p>
<p>The summary of fisheries data in Section 5.4 should not make assumptions between fish communities downstream vs. upstream of the dam based on the City of Elkhart’s recent fish data. The City’s fish data needs to be reviewed and data presented that better supports the statements made about the fish community within the project area. Tables that show fish composition downstream of the dam, within the impoundment, and upstream outside the influence of the impoundment would greatly explain the fish community in and around the project area, and whether the dam is influencing fish populations.</p>	<p>IDNR DFWNP</p>	<p>Specific details, as are available to I&M, will be included in the license application.</p>
<p>Table 5.4-4 mentions the walleye stockings within the Elkhart impoundment dating back to the year 2000. The DNR also stocks walleye below the impoundment using funds provided by AEP annually as part of a mitigation agreement... Typically, the DNR does not stock above the Elkhart impoundment but there were fish surpluses from our Fawn River State Fish Hatchery in 2022 and 2024 that went into the impoundment.</p>	<p>IDNR DFWNP</p>	<p>This will be clarified in the license application.</p>
<p>Section 5.4.2 asserts that tolerant species (specifically mentioning Common Carp) have become less abundant and cites Table 5.4.2. That table only shows species presence/absence and does not support statements about abundance, so the conclusion is not justified by the presented data. A more detailed explanation is needed.</p>	<p>IDNR DFWNP</p>	<p>Clarification will be provided in the license application regarding the fisheries data referenced.</p>

Summary of Comment	Stakeholder	Study/Response
Sections 5.4.2.1 through 5.4.4.8 cite species X represent Y% of the top 90% of species. Why is this metric used? Its meaning is confusing and possibly lessens the value of uncommon species... Ultimately, it may be more beneficial to have a discussion that includes the entire fish population, not just the top 90%.	IDNR DFWNP	Discussion will be expanded to include all species.
Section 5.4.2 includes a discussion of the fish IBI. To better interpret the IBI data, there should be a table showing the fish IBI for each sampling site by year. Also, it appears the IBI data are from the Nibbyville area of the impoundment. This portion of the impoundment is more riverine than other sections, such as downstream of the Six-Span bridge. The IBI data collected in Nibbyville is not likely to be an accurate reflection of the fish community in other portions of the project area.	IDNR DFWNP	Details will be incorporated into the license application to the extent possible as provided in the City of Elkhart Aquatic Community Monitoring survey reports.
The DNR requested several updates to scientific and common names of fish species in Table 5.4-2.	IDNR DFWNP	Noted for the license application.
Additional information should be provided including number of benthic macroinvertebrate species collected in each Order; a description of the Invertebrate Community Index; why AEP thinks there is an improvement in site conditions based on this index, and whether changes over time are significant or possibly just based on annual variability. Have macroinvertebrates been collected prior to 2020, whether by the City of Elkhart, IDEM, or some other group?	IDNR DFWNP	Details will be incorporated into the license application to the extent such information is provided in the City of Elkhart Aquatic Community Monitoring survey reports.
Wetlands, Riparian, and Littoral Habitat		
The DNR requests additional detail regarding Article 403 be incorporated into Section 5.6.3 (from Section 5.8.7).	IDNR DFWNP	Noted for the license application.
The DNR supports the work AEP has done to describe shoreline protection and hopes that work can be maintained moving forward as it provides not only protection for shorelines in the impoundment but also helps support DNR decisions for shoreline protection, particularly in the more natural areas. Some enhancements the DNR would support include improving recreational access, and establishing grants to incentivize homeowners to install low-impact shoreline solutions like bioengineering or stone rather than bulkheads (Habitat Enhancement Grants/Dedicated Funds).	IDNR DFWNP	Comment noted.
Wetland enhancement or creation, and additional emergent vegetation in the impoundment where AEP has jurisdiction and oversight, would further improve water quality in the impoundment.	IDNR DFWNP	Comment noted.

Summary of Comment	Stakeholder	Study/Response
<p>The document states aquatic macrophytes are sparse but does not give possible reasons. Low amounts of vegetation could be caused by high sedimentation/turbidity, water level fluctuations, human intervention such as removal or boating, etc. None of these factors are good for healthy, diverse fish populations either. Increasing the amount of in-channel vegetation would likely help and there should be a discussion about the lack of vegetation within the project area.</p>	<p>IDNR DFWNP</p>	<p>Comment noted.</p>
Geology and Soils		
<p>Section 5.2.6 states “there are no known areas of stream bank erosion along the reservoir shoreline.” The IDNR continues to receive permit applications for constructing and repairing seawalls in the impoundment. Since AEP owns or has an easement on the majority of the shoreline, they should also be reviewing these projects under their own review process (See Section 5.8.7). Given the continued request for seawalls, it is unclear how the determination of no erosion was made.</p>	<p>IDNR DFWNP</p>	<p>Comment noted.</p>
<p>Section 5.2.6 states seawalls are common downstream of the Six-Span bridge and riprap is more common upstream ... The reasons for the different shoreline stabilization materials are likely varied and could include icing or residential development preferences, or actions taken by AEP under Article 403. There could be socio-economic factors as well.</p>	<p>IDNR DFWNP</p>	<p>Comment noted.</p>
Threatened and Endangered		
<p>The DNR provided clarifications on the state's threatened and endangered species classifications and definitions. Corrections regarding the Common Mudpuppy and Rainbow and Spike were also requested.</p>	<p>IDNR DFWNP</p>	<p>This will be incorporated in the license application.</p>
Cultural Resources		
<p>The Indiana State Historic Preservation Officer did not identify historic buildings, structures, districts, or objects listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects.</p>	<p>IDNR DHPA</p>	<p>Noted for the license application.</p>
General		
<p>Section 4.4.2 includes the first reference to the Six-Span Bridge, but the document does not describe or provide a figure of where this bridge is.</p>	<p>IDNR DFWNP</p>	<p>Figure 5.8-1 shows the location of Six-Span Bridge. Noted for the license application.</p>

Summary of Comment	Stakeholder	Study/Response
<p>Section 5.1.3 and Figure 5.1-3 do not mention the South Bend Hydro FERC project, P-7569, located on the St. Joseph River downstream of the Elkhart Hydroelectric Project.</p>	<p>IDNR DFWNP</p>	<p>The South Bend Hydroelectric Dam, often referred to as the Notre Dame Hydro Project, located on the St. Joseph River at Seitz Park in downtown South Bend, transferred its federal license (P-7569) to the university of Notre Dame. The hydro project is a 2.5 MW facility (built by the University) and produces enough electricity to power roughly 7% of the university's needs. The project dates to 2016, when Notre Dame entered into a lease agreement with the city to develop a hydro facility along the river using an existing exemption from FERC. The term of the lease is 50 years. The facility, which has 10 turbines, has been in operation since May 2022. Because the facility is no longer operated under a FERC license (i.e., operates under FERC exemption permit) it was not included in the table of FERC-licensed facilities on the St. Joseph River. For consistency regarding non-licensed dams on the mainstem river, text will be provided in the license application, as applicable.</p>
<p>Section 5.1.4 discusses tributaries to the St. Joseph River. Though most tributaries lie outside of the regulated project boundaries, investigations into sediment loading, habitat, and other parameters could be explored throughout project and non-project tributaries to minimize impacts to impoundment habitat and water quality. Working with landowners on these tributaries could help improve QHEI and reduce sediment loading.</p>	<p>IDNR DFWNP</p>	<p>Comment noted.</p>
<p>Overall, the PAD gives the impression that the project is doing fine and the project area is improving in some areas. However, there is a lack of data in various areas as commented above. In many instances, it is difficult to determine how and why AEP is coming up with various conclusions.</p>	<p>IDNR DFWNP</p>	<p>I&M appreciates IDNR DFWNP's comments and will incorporate comments as applicable into the license application.</p>
<p>I support Indiana Michigan Power's continued operation of the Elkhart Hydroelectric Project. The Johnson Street Dam plays a critical role in maintaining consistent water levels along the St. Joseph River, which supports recreational access, aesthetic quality, and long-standing community uses. I&M has operated this facility responsibly and is best positioned to continue its management while ensuring safety, environmental compliance, and reliability. Preserving this infrastructure is vital to maintaining the ecological balance and community benefits the river provides.</p>	<p>K. Walker, RJL Solutions</p>	<p>Comment noted.</p>

4 Water Quality Study

4.1 Study Requests

The Commission's December 9, 2026, SD1 identified the following environmental resource issues to be analyzed in the EA for the Project relicensing.

- Effects of project operation on water quality in the project impoundment and St. Joseph River downstream of the Project.

In Section 6.3 of the PAD, I&M proposed to conduct a Water Quality Study within the Project area to document seasonal temperature and DO parameters and demonstrate conformance with state water quality standards for temperature and DO in the Project reservoir and tailrace.

No formal study requests or comments regarding water quality were received from stakeholders during the PAD and SD1 review period. Comments and/or recommendations received following review of this PSP will be addressed by I&M in the RSP.

4.2 Goals and Objectives

I&M's proposed Water Quality Study employs standard methodologies that are consistent with water quality monitoring conducted at hydropower projects in the region. I&M believes this study will provide sufficient information to support an assessment of the potential Project-related effects on water quality, if any. The goals and objectives of this study are to:

- Gather baseline water quality data sufficient to determine conformance of existing Project operations with applicable Indiana state water quality standards and designated uses at Indiana Administrative Code Title 327, Article 2 Water Quality Standards.²
- Collect and provide data (continuous temperature and DO concentration) in the forebay and tailwater areas from July – August 2027 to evaluate compliance with state water quality standards for these parameters.
- Provide data to support an Indiana Water Protection Permit application (Clean Water Act Section 401 Certification).
- Provide information to support evaluation of whether additional or modified protection, mitigation, and enhancement measures may be appropriate for the protection of water quality at the Project.

4.3 Study Area

The Study Area for the Water Quality Study includes the Elkhart River upstream of the Elkhart Dam within the FERC Project Boundary and the tailrace area immediately downstream of the Elkhart

² <https://iar.iga.in.gov/code/2026/327/2#327-2-1-1>

Dam. Figure 4-1 shows the extent of the study area as well as approximate locations for water quality monitoring in the reservoir and downstream of the powerhouse.

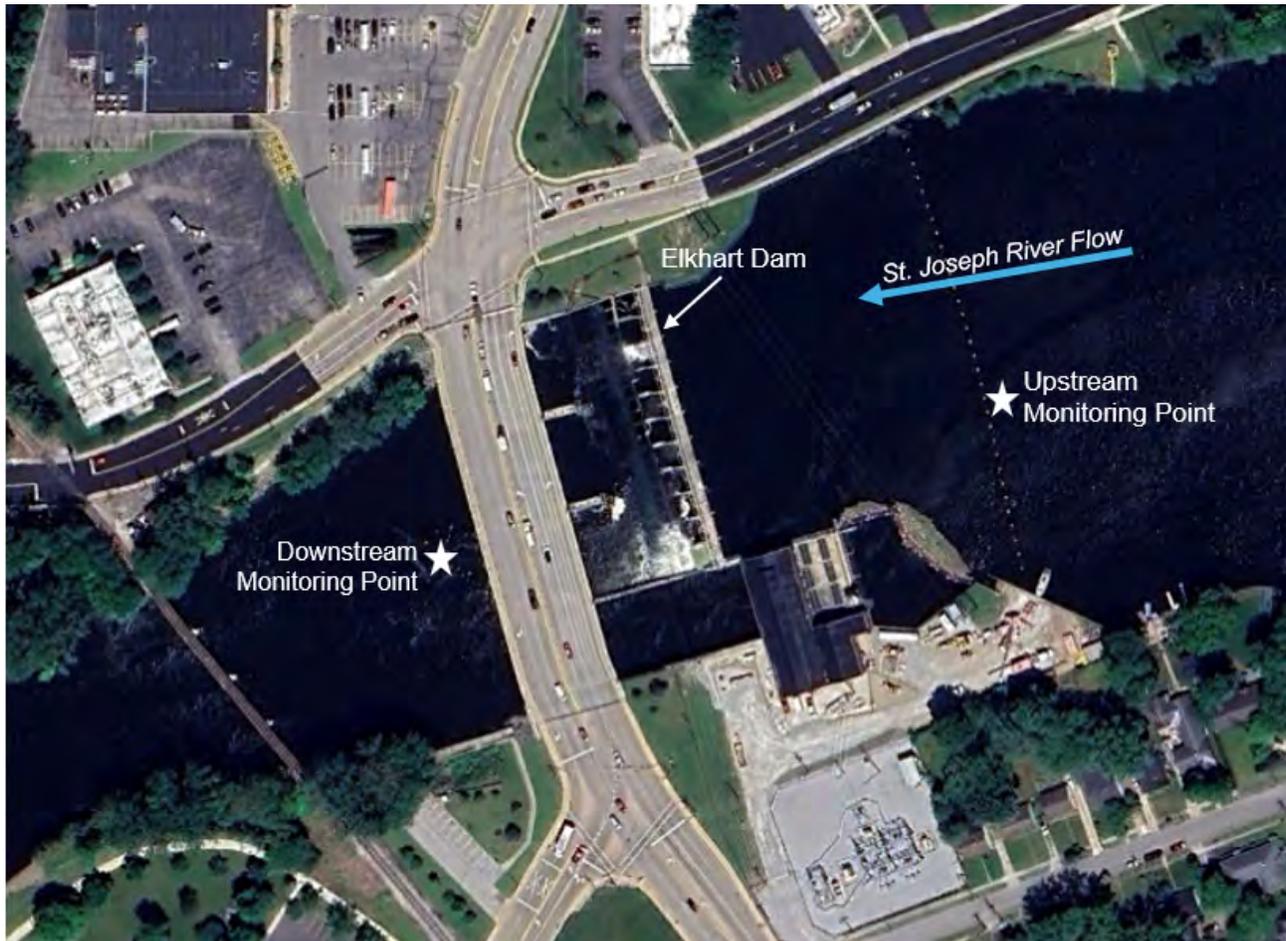


Figure 4-1. Water Quality Study Area with Proposed Monitoring Locations

4.4 Background and Existing Information

Existing relevant and reasonably available information regarding water resources in the Project vicinity was presented in Section 5.3 of the PAD (I&M 2025). The PAD included historical water flow data from 1985-2024 and discrete water quality data for the Project as well as a list of water quality standards for dissolved oxygen (DO) and water temperature in the St. Joseph River, which is also included in Table 4-1. Indiana Department of Environmental Management (IDEM) water quality standards are provided in Indiana Administrative Code Title 327, Article 2 Water Quality Standards (Rule 1.5).³ Project waters are considered state waters within the Great Lakes System.

As described in the PAD, the Licensee sent a pre-PAD questionnaire to stakeholders requesting information regarding Project resource conditions. Those responses indicate long-term monitoring of fish communities in the St. Joseph River within the Project Boundary has shown the Project does not

³ [Indiana Administrative Rules and Policies Title 327, Article 2 Water Quality Standards](#)

cause adverse effects on aquatic life. The City of Elkhart and the City of South Bend’s Aquatic Biology Program⁴ have carried out assessments in the reservoir and determined these sites are consistently among the highest scoring in the region, indicating “excellent” fish community structure. Good health and biodiversity of aquatic resources in a waterbody are typically indicators of good water quality. Available historical discrete water quality data at or near the Project are in compliance with state standards supporting designated uses (see below). However, due to lack of available continuous water quality data at the Project during mid-summer months (corresponding to the time of year when low DO concentrations may be expected in the Project reservoir), continuous water quality monitoring from July 1st through August 30th is proposed in this Water Quality Study.

During the 1995 fish population study (EA 1998), water quality monitoring was carried out across the width of the reservoir upstream of the Elkhart Dam at the surface, mid-depth, and bottom (i.e., vertical profile) in May, July, and September. Results indicate temperature stratification was virtually absent, with surface to bottom water temperature differences of less than 1.0 degree Celsius (°C) for all locations. This uniformity in vertical temperatures across the study period indicates little to no stratification in the reservoir. Similarly, surface to bottom DO differences were within 0.3 milligrams per liter (mg/L) for all locations and sampling trips, except for one reservoir location in both July and September, where top to bottom differences were within 1.0 mg/L. Consistency in top to bottom DO concentrations further indicates the reservoir does not display stratification patterns and is well-mixed due to run-of-river operations, short retention time, and relatively shallow depths in the reservoir. All DO measurements across all locations and months met Indiana water quality standards of 5.0 mg/L per calendar day and 4.0 mg/L instantaneous (see Table 4-1). Due to the existing and proposed run-of-river operations and the lack of thermal stratification of the reservoir, the Project likely has little to no adverse effect on water quality with respect to temperature or DO.

Table 4-1. Minimum Dissolved Oxygen and Maximum Instream Water Temperature Standards for St. Joseph River upstream of the Twin Branch Dam

Parameter	Standard	
DO	A minimum of 5.0 mg/L of DO shall be maintained per calendar day; may not be less than 4.0 mg/L at any time.	
Water Temperature	January	50 °F
	February	50 °F
	March	55 °F
	April	65 °F
	May	75 °F
	June	85 °F
	July	85 °F
	August	85 °F
	September	84 °F
	October	70 °F

⁴ [Elkhart - South Bend Aquatic Biology Program](#).

Parameter	Standard	
	November	60 °F
	December	50 °F

Source: [Indiana Administrative Rules and Policies Title 327, Article 2 Water Quality Standards](#) (Table 8-5)

The entire St. Joseph River watershed and several inland lakes in the watershed have fish consumption advisories due to mercury and polychlorinated biphenyl (PCB) levels in fish tissue; these exceedances are addressed by existing mercury and PCB reduction plans in the watershed and are notably not attributed to Project operations. The St. Joseph River is impaired for the entire length of river in the Project Boundary and five locations in the reservoir are reported as impaired due to PCBs in fish tissue or biological integrity and included on IDEM’s 2024 Section 303(d) List of Impaired Waters.⁵ The source of impairment is not associated with the Project and it is expected that continued operation of the facility will have no effect on impairment of these reaches.

Since the Project does not contribute to or exacerbate water quality conditions of the St. Joseph River upstream or downstream of the Project and no changes are proposed to the equipment or operation of the Project that would create new effects, no future water quality impacts are expected associated with the Project.

4.5 Methodology

4.5.1 Continuous Water Temperature and DO Monitoring

I&M proposes to monitor temperature and DO using multiparameter water quality instrumentation (i.e., sondes) at the following locations:

- One location in the reservoir upstream of the Elkhart Dam (i.e., in the forebay)
- One location in the tailrace below the powerhouse, upstream of the confluence with Cristiana Creek

The approximate monitoring locations are depicted on Figure 4-1. I&M expects to verify these locations prior to the initial field deployment and will timely communicate any substantive changes to IDEM and other interested relicensing participants. Water quality monitoring locations will be geo-referenced using a global positioning system (GPS). Locations will be included in a GIS database layer to support the documentation and reporting of collected data and to facilitate comparisons with future monitoring efforts.

Water temperature and DO concentrations will be documented in the forebay and tailrace areas using paired water quality data sondes deployed for a single study season from July 1 through August 30, 2027. The paired sondes will provide for primary and backup data collection to reduce the potential for data gaps during the monitoring period. As necessary, protective measures may be employed, such as weighting the data sondes or attaching them to permanent structures (where feasible) to maintain position during high flow events. Water temperature and DO data will be

⁵ [IDEM: Nonpoint Source: Section 303\(d\) List of Impaired Waters](#) (2025).

collected continuously (e.g., 15-minute intervals) at the monitoring locations. Each of the data sondes will be cleaned and calibrated prior to deployment. Sondes will be deployed at least one week prior to the beginning of the study season and downloaded to verify instrumentation is working properly and to assess biofouling potential. Data will be downloaded every 7-10 days during the study period.

For monitoring upstream (in the reservoir) and downstream (tailrace), water temperature and DO measurements will be collected in the first meter below the water surface at depths necessary to avoid thin layer surface warming⁶, therefore, instrumentation will be deployed at sufficient water depth to account for this as well as water level fluctuations in the reservoir.

In the reservoir (only), an additional data sonde will be deployed at depth (near the bottom of the reservoir) to confirm previous findings (EA 1998) that indicate there is little to no thermal stratification in the water column.

4.6 Analysis and Reporting

Data analysis will be performed after all data have been collected and processed. Results of this Water Quality Study will be summarized in a final study report and raw data will be provided in appendices to the study report. I&M anticipates the Water Quality Study report will include Project information and background, a description of the study area, methodology, results, analysis, and discussion. In addition, stakeholder correspondence and/or consultation will be included, as well as literature cited.

4.7 General Understandings

The following general understandings, concepts, and practices will apply to the execution of this study:

- Personal safety is the most important consideration of field personnel.
- I&M will obtain permission to access city-maintained property, if necessary.
- Field crews may make minor adjustments to the FERC-approved study plan in the field to accommodate actual field conditions and unforeseen problems. When minor adjustments are made, the Project's field crew will follow the protocols in the FERC-approved study and variances will be subsequently communicated to relicensing participants.

4.8 Schedule and Level of Effort

The preliminary schedule for this study is outlined in Table 4-2. The estimated level of effort for this study is approximately 300 hours. I&M estimates that the Water Quality Study will cost approximately \$50,000 to complete.

⁶ [Indiana Administrative Code. Article 2. Water Quality Standards](#)

Table 4-2. Proposed Water Quality Study Schedule

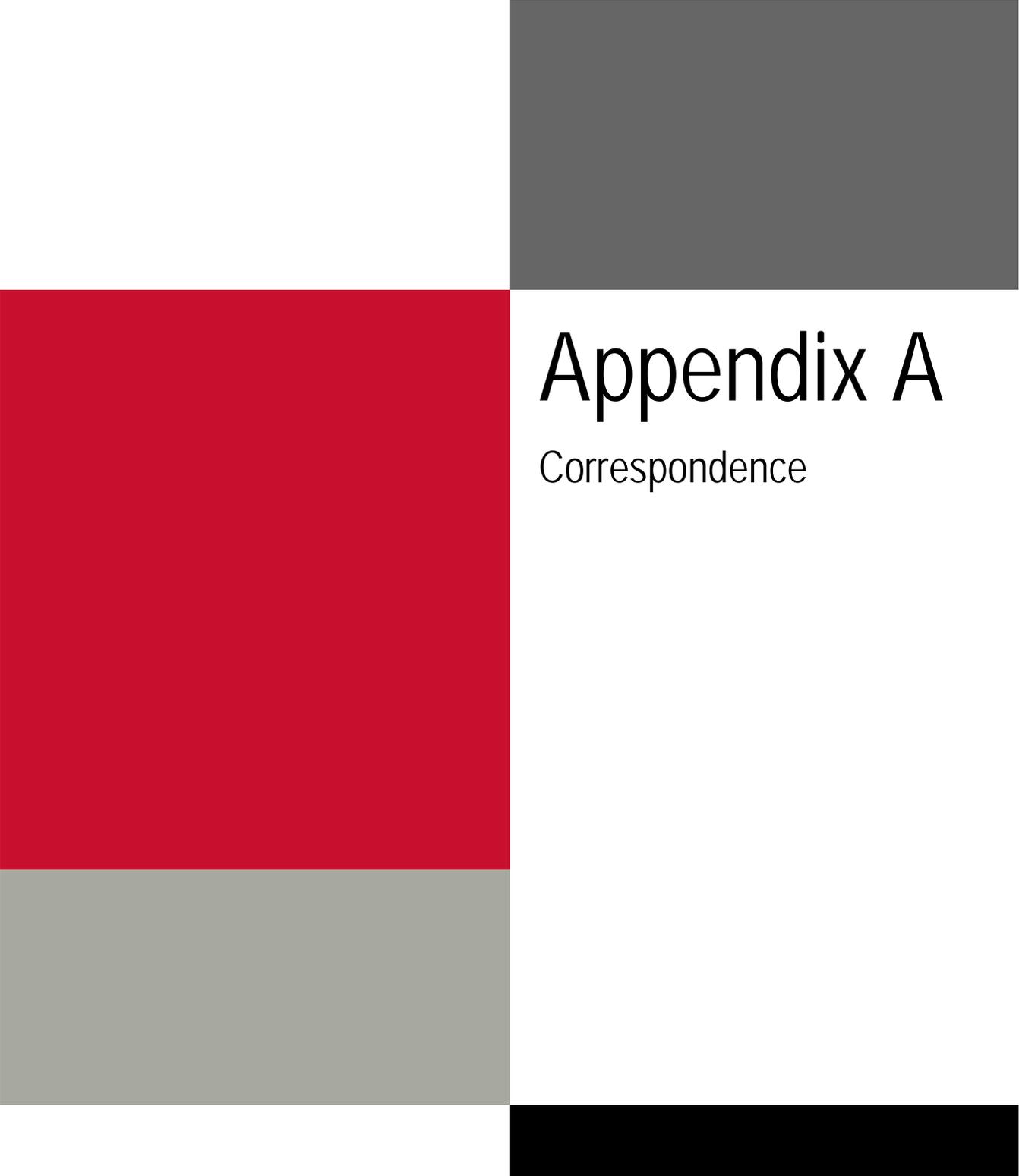
Task	Proposed Timeframe for Completion
Study Planning and Existing Data Review	March – June 2027
Continuous Quality Monitoring (DO and temperature)	July – August 2027
File the ISR	August 21, 2027
Distribute Draft Water Quality Study Report for stakeholder review	January 31, 2028
Study Progress Report	Q1 2028

5 Literature Cited

EA Engineering, Science, and Technology. 1998. Assessment of Fish Habitat, Populations, Entrainment, and Mortality for FERC Relicensing of the Elkhart Hydroelectric Project No. 2651. April 1998.

StatsIndiana 2025. Elkhart County, Indiana. Indiana’s Public Data Utility. Accessed July 2025. [URL]: [InDepth Profile: STATS Indiana](#).

Indiana Michigan Power Company. 2025. Pre-Application Document. Elkhart Hydroelectric Project FERC No. 2651. October 2025.



Appendix A

Correspondence

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American Electric Power
1 Riverside Plaza
Columbus, OH 43215
aep.com

Via Electronic Submittal

October 10, 2025

Honorable Debbie-Anne A. Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Subject: Elkhart Hydroelectric Project (FERC No. 2651)
Notice of Intent and Pre-Application Document**

Dear Secretary Reese:

Indiana Michigan Power Company (I&M or Applicant), a unit of American Electric Power (AEP), is submitting to the Federal Energy Regulatory Commission (FERC or Commission) the Notice of Intent (NOI) to file an application for a subsequent license and Pre-Application Document (PAD) for the Elkhart Hydroelectric Project (Project) (Project No. 2651), located in the City of Elkhart, Elkhart County, Indiana on the St. Joseph River.

In accordance with 18 Code of Federal Regulations (CFR) § 5.5(e) of the Commission's regulations, the Applicant requests that the Commission designate I&M as the Commission's non-federal representative for purposes of consultation under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f and the NHPA implementing regulations at 36 CFR Part 800. The Applicant also requests that FERC designate I&M as the non-federal representative for the Project for the purpose of consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act (ESA) and the joint agency ESA implementing regulations at 50 CFR Part 402.

The Applicant is distributing this letter to the stakeholders listed on the attached distribution list. For stakeholders who have provided an email address, the Applicant is distributing this letter via e-mail; otherwise, the Applicant is distributing this letter via U.S. mail. Stakeholders interested in the relicensing process may obtain a copy of the NOI and PAD electronically through FERC's eLibrary at <https://elibrary.ferc.gov/idmws/search/fercensearch.asp> under docket number P-2651 or on the Applicant's website <https://www.aephydro.com/HydroPlant/Elkhart>. If any stakeholder would like to request a CD containing an electronic copy of the NOI and PAD, please contact the undersigned at the information listed below.

Appendix B of the PAD includes a single-line electrical diagram of the Project, as required by 18 CFR § 5.6(d)(2)(iii)(D). The information contained in these drawings are deemed as Critical Energy Infrastructure Information (CEII) under 18 CFR § 388.113, thus Appendix B of the PAD will be eFiled as CEII and is not being distributed to the public.

We look forward to working with the Commission's staff, resource agencies, Indian Tribes, local governments, non-governmental organizations, and members of the public, toward developing a license application for this renewable energy facility. If there are any questions regarding this letter or the NOI or PAD, please do not hesitate to contact me at (614) 716-2240 or jmmagalski@aep.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan M. Magalski". The signature is written in a cursive style with a horizontal line underneath.

Jonathan M. Magalski
Environmental Manager, Renewables
American Electric Power Service Corporation

cc: Justine Penix (AEP)
Jen Huff (HDR)
Distribution List

Elkhart Hydroelectric Project (FERC No. 2651) Relicensing Distribution List

Federal Agencies

Debbie-Anne A. Reese Secretary, Office of the
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Elkhart Hydroelectric Project (FERC No. 2651) Relicensing Distribution List

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Relicensing Distribution List**

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Elkhart Hydroelectric Project (FERC No. 2651) Relicensing Distribution List

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From: Jonathan M Magalski <jmmagalski@aep.com>

Sent: Friday, October 10, 2025 4:43 PM

Subject: P-2651 Elkhart Project Relicensing - Pre-Application Document and Notice of Intent Filing

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Project Stakeholders:

Indiana Michigan Power Company (I&M or Applicant), a unit of American Electric Power (AEP), has filed with the Federal Energy Regulatory Commission (FERC or Commission) the Notice of Intent (NOI) for a subsequent license and Pre-Application Document (PAD) for the Elkhart Hydroelectric Project (Project) (Project No. 2651), located in the City of Elkhart, Elkhart County, Indiana on the St. Joseph River. Stakeholders interested in the relicensing process may obtain a copy of the NOI and PAD electronically through FERC's eLibrary at <https://elibrary.ferc.gov/idmws/search/fercgensearch.asp> under docket number P-2651 or on the Applicant's website <https://www.aephydro.com/HydroPlant/Elkhart>. Please see the attached transmittal letter for additional information.

We look forward to working with the Commission's staff, resource agencies, Indian Tribes, local governments, non-governmental organizations, and members of the public, to develop a license application for this renewable energy facility. Please do not hesitate to contact me with questions regarding this facility or the relicensing process.

Jon



JONATHAN M MAGALSKI | ENVIRONMENTAL MGR
JMMAGALSKI@AEP.COM | D:614.716.2240
1 RIVERSIDE PLAZA, COLUMBUS, OH 43215

Kelly Walker, Terre Haute, IN.

Comment in Support of I&M's Operation of the Elkhart Hydroelectric Project (P-2651)

I support Indiana Michigan Power's continued operation of the Elkhart Hydroelectric Project. The Johnson Street Dam plays a critical role in maintaining consistent water levels along the St. Joseph River, which supports recreational access, aesthetic quality, and long-standing community uses. I&M has operated this facility responsibly and is best positioned to continue its management while ensuring safety, environmental compliance, and reliability. Preserving this infrastructure is vital to maintaining the ecological balance and community benefits the river provides.

FEDERAL ENERGY REGULATORY COMMISSION

MEMORANDUM TO: Public Files for the Elkhart Hydroelectric Project
(FERC Project No. 2651-059)

FROM: Joshua Dub, Fish Biologist, Great Lakes Branch,
Division of Hydropower Licensing, Office of Energy
Projects

SUBJECT: Endangered Species Act List
(FWS Project Code: 2026-0022767)

DATE: December 4, 2025

On December 4, 2025, Commission staff accessed the U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) system (<https://ipac.ecosphere.fws.gov/>) to request a list of threatened and endangered species for the proposed relicensing of the Elkhart Hydroelectric Project No. 2651. According to IPaC, the endangered Indiana bat, threatened copperbelly water snake, proposed threatened monarch butterfly, and experimental, non-essential population of whooping crane may occur within the project boundary or be affected by the project. No critical habitat is located within the proposed project boundary.

A copy of the IPaC List is attached.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Indiana Ecological Services Field Office
620 South Walker Street
Bloomington, IN 47403-2121
Phone: (812) 334-4261 Fax: (812) 334-4273

In Reply Refer To:

12/04/2025 15:05:00 UTC

Project Code: 2026-0022767

Project Name: Elkhart Hydroelectric Project (P-2651)

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

To Whom It May Concern:

The purpose of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.), is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Act.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. You can complete this verification formally or informally or request an updated list by visiting the IPaC website at regular intervals during project planning and implementation.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at [Midwest Section 7 Technical Assistance | U.S. Fish & Wildlife Service](#). This website contains step-by-step instructions to help you determine if your project will have an adverse effect on listed species and to lead you through the Section 7 process.?

We appreciate your concern for threatened and endangered species. Federal agencies should include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Other Trust Resources and Activities?

Bald and Golden Eagles?- Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. It is the responsibility of the project proponent to survey the area for any migratory bird nests. If there is an eagle nest on-site while work is on-going, eagles may be disturbed. We recommend avoiding and minimizing disturbance to eagles whenever practicable. If you cannot avoid eagle disturbance, you may seek a [permit](#). A [nest take permit](#) is always required for removal, relocation, or obstruction of an eagle nest. For communication and wind energy projects, please refer to additional guidelines below.?

Migratory Birds?- The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.?

Communication Towers?- Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).?

Transmission Lines?- Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.?

Wind Energy?- To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

Attachment(s):

- Official Species List
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

(812) 334-4261

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

REPTILES

NAME	STATUS
Copperbelly Water Snake <i>Nerodia erythrogaster neglecta</i> Population: Indiana north of 40 degrees north latitude, Michigan, Ohio No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7253	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project

activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

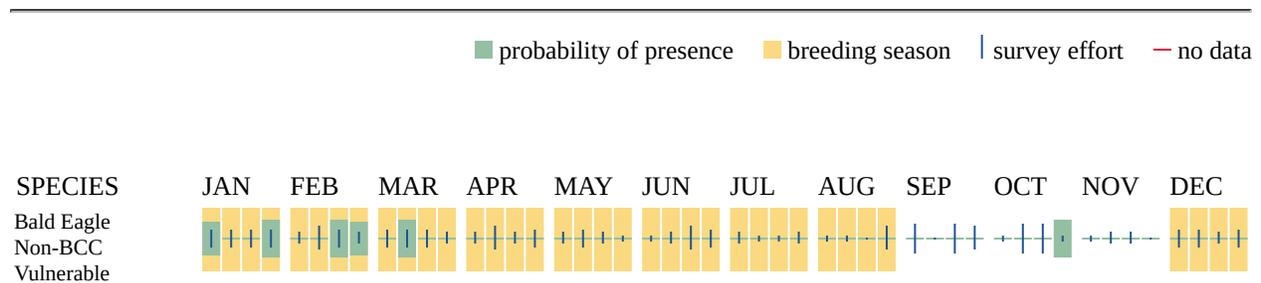
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9643	Breeds May 20 to Aug 10
Cerulean Warbler <i>Setophaga cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974	Breeds Apr 22 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8329	Breeds Jun 1 to Aug 20
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere

NAME	BREEDING SEASON
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

IPAC USER CONTACT INFORMATION

Agency: Federal Energy Regulatory Commission

Name: Joshua Dub

Address: 888 First St. NE

City: Washington

State: DC

Zip: 20426

Email: joshua.dub@ferc.gov

Phone: 2025028138

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Indiana Michigan Power Company

Project No. 2651-059

NOTICE OF INTENT TO FILE LICENSE APPLICATION, FILING OF PRE-APPLICATION DOCUMENT (PAD), COMMENCEMENT OF PRE-FILING PROCESS AND SCOPING, REQUEST FOR COMMENTS ON THE PAD AND SCOPING DOCUMENT, AND IDENTIFICATION OF ISSUES AND ASSOCIATED STUDY REQUESTS

(December 9, 2025)

- a. Type of Filing: Notice of Intent to File License Application for a New License and Commencing Pre-filing Licensing Process
- b. Project No.: 2651-059
- c. Dated Filed: October 10, 2025
- d. Submitted By: Indiana Michigan Power Company (I&M)
- e. Name of Project: Elkhart Hydroelectric Project
- f. Location: The project is located on the St. Joseph River in the City of Elkhart, Elkhart County, Indiana.
- g. Filed Pursuant to: 18 C.F.R. Part 5 of the Commission's regulations
- h. Potential Applicant Contact: Mr. Dave Lucas, VP Generation Transformation, Strategy, and Growth, Indiana Michigan Power Company, 1 Riverside Plaza, Columbus, OH, 43215; (614) 716-2240 or email at jmmagalski@aep.com.
- i. FERC Contact: Joshua Dub, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502-8138; email at Joshua.Dub@FERC.gov.
- j. Cooperating agencies: Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that

cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

- k. With this notice, we are initiating informal consultation with: (a) the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration – Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 C.F.R., Part 402; and (b) the Indiana State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 C.F.R. § 800.2.
- l. With this notice, we are designating I&M as the Commission’s non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.
- m. I&M filed with the Commission a Pre-Application Document (PAD), including a proposed process plan and schedule, pursuant to 18 C.F.R. § 5.6 of the Commission’s regulations.
- n. A copy of the PAD is available for review on the Commission’s website (<http://www.ferc.gov>), using the “eLibrary” link. Enter the docket number, excluding the last three digits of the sub-docket in the docket number field to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). A copy is also available via the contact in paragraph h.

You may register online at <https://ferconline.ferc.gov/FERCOOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov.

- o. With this notice, we are soliciting comments on the PAD and Commission staff’s Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file documents using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOOnline.aspx>. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: **Elkhart Hydroelectric Project (P-2651-059)**.

All filings with the Commission must bear the appropriate heading: "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by **5:00 p.m. Eastern Daylight Time, February 9, 2026**.

p. Scoping Process

In accordance with the National Environmental Policy Act (NEPA), Commission staff will prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the "NEPA document"). The NEPA document will consider both site-specific and cumulative environmental effects, if any, of the proposed action and reasonable alternatives to the proposed action. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission prepares an EA or EIS.

Scoping Meetings

Commission staff will hold two scoping meetings for the project to receive input on the scope of the NEPA document. A daytime meeting will focus on concerns of resource agencies, Tribes, and non-governmental organizations (NGO); and an evening meeting will focus on input from the public. We invite all interested agencies, Tribes, NGOs, and the public to attend one or both meetings to assist staff in identifying the scope of environmental issues that

should be analyzed in the NEPA document. The dates and times of the scoping meetings are listed below.

Daytime Scoping Meeting

Date: Thursday, January 8, 2026
Time: 1:00 p.m. to 3:00 p.m.
Location: Matterhorn Conference Center
2041 Cassopolis Street
Elkhart, IN 46514

Evening Scoping Meeting

Date: Thursday, January 8, 2026
Time: 5:30 p.m. to 7:30 p.m.
Location: Matterhorn Conference Center
2041 Cassopolis Street
Elkhart, IN 46514

Copies of SD1, outlining the subject areas to be addressed in the environmental document, were mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 may be viewed on the web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Site Visit

A site visit of the project will be conducted at 330 Johnson Street, Elkhart, IN 46516, on Thursday, January 8, 2026, from 8:30 a.m. to 10:30 a.m.

All interested individuals, agencies, Tribes, and NGOs are invited to attend. Participants should meet at 8:30 a.m. at 330 Johnson Street, Elkhart, IN 46516. Please contact Justine Penix at (574) 236-1682 or via email at jpenix@aep.com on or before **December 22, 2025**, if you plan to attend and indicate how many participants will be attending with you.

Meeting Procedures

Agencies, Tribes, NGOs, and individuals with environmental expertise and concerns are encouraged to attend the meetings and to assist the staff in defining and clarifying the issues to be addressed in the NEPA document. At the start of each meeting, Commission staff will provide a brief overview of

the meeting format and objectives. Individual oral comments will be taken on a one-on-one basis with a court reporter (with Commission staff present). This format is designed to receive the maximum number of oral comments in a convenient way during the timeframe allotted. If you wish to speak, Commission staff will hand out numbers in the order of your arrival. If all individuals who wish to provide comments have had an opportunity to do so, Commission staff may conclude the meeting a half hour earlier than the scheduled time. Please see appendix C of the SD1 for additional information on the session format and conduct.

Scoping comments will be recorded by the court reporter and become part of the public record for this proceeding. Transcripts will be publicly available on FERC's eLibrary system. If a significant number of people are interested in providing oral comments in the one-on-one settings, a time limit may be implemented for each commentor.

It is important to note that the Commission provides equal consideration to all comments received, whether filed in writing or provided orally at a scoping session. Although there will not be a formal presentation, Commission staff will be available throughout the scoping meeting(s) to answer your questions about the environmental review process. Representatives from I&M will also be present to answer project-specific questions.

(Authority: 18 CFR 2.1)

Carlos D. Clay,
Deputy Secretary.

FEDERAL ENERGY REGULATORY COMMISSION
Washington, DC 20426
December 9, 2025

OFFICE OF ENERGY PROJECTS

Project No. 2651-059 – Indiana
Elkhart Hydroelectric Project
Indiana Michigan Power Company

**Subject: Scoping Document 1 for the Elkhart Hydroelectric Project,
P-2651-059**

To the Parties Addressed:

The Federal Energy Regulatory Commission (Commission or FERC) is reviewing the Pre-Application Document filed on October 10, 2025, by Indiana Michigan Power Company (I&M) for relicensing the Elkhart Hydroelectric Project No. 2651. The project is located on the St. Joseph River in the City of Elkhart in Elkhart County, Indiana.

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, Commission staff will prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the “NEPA document”), which will be used by the Commission to determine whether, and under what conditions, to issue a new license for the project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed, and that the NEPA document is thorough and balanced. The Commission’s scoping process will satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

We invite your participation in the scoping process and are circulating the attached Scoping Document 1 (SD1) to provide you with information on the project. We are also soliciting your comments and suggestions on our preliminary list of issues and alternatives to be addressed in the NEPA document. Additionally, we are requesting that you identify any studies that would help provide a framework for collecting pertinent information on the resource areas necessary for the Commission to prepare the NEPA document for the project.

We will hold two scoping meetings for the project to receive input on the scope of the NEPA document. A daytime scoping meeting will be held on Thursday, January 8, 2026, from 1:00 p.m. to 3:00 p.m. at the Matterhorn Conference Center, 2041 Cassopolis

Project No. 2651-059

Street, Elkhart, IN 46514. An evening scoping meeting will be held on Thursday, January 8, 2026, from 5:30 p.m. to 7:30 p.m., at the same location. We will also visit the project facilities on Thursday, January 8, 2026, starting at 8:30 a.m.

We invite all interested agencies, Tribes, non-governmental organizations, and individuals to attend one or both of these meetings and participate in the site visit. Further information on the scoping meetings and site visit is available in the enclosed SD1.

SD1 is being distributed to both I&M's distribution list and the Commission's official mailing list (see section 9.0, *Mailing List*), of the attached SD1). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to FERCOnlineSupport@ferc.gov or via the U.S. Postal Service addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All written or emailed requests must specify your wish to be added to, or removed from, the mailing list, and must clearly identify the following on the first page: **Elkhart Hydroelectric Project No. 2651-059.**

Please review the SD1 and, if you wish to provide comments, follow the instructions in section 6.0, *Request for Information and Studies*. If you have any questions about SD1, the scoping process, or how Commission staff will develop the NEPA document for this project, please contact Joshua Dub by telephone at (202) 502-8138 or by email at Joshua.Dub@FERC.gov. Additional information about the Commission's licensing process and the project may be obtained from our website, www.ferc.gov. The deadline for filing comments is **5:00 p.m. Eastern Daylight Time, February 9, 2026**. The Commission strongly encourages electronic filings.

Enclosure: Scoping Document 1

SCOPING DOCUMENT 1

ELKHART HYDROELECTRIC PROJECT NO. 2651-059

INDIANA



Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

December 2025

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SCOPING DOCUMENT 1

Elkhart Hydroelectric Project No. 2651-059

1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),¹ may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On October 10, 2025, Indiana Michigan Power Company (I&M) filed a Pre-Application Document (PAD) and Notice of Intent (NOI) for the relicensing of the Elkhart Hydroelectric Project No. 2651 (Elkhart Project or project).²

The Elkhart Project is located on the St. Joseph River in the City of Elkhart in Elkhart County, Indiana (Figure 1). The total installed capacity of the project is 3.44 megawatts (MW), and the average annual energy production was 12,473 megawatt-hours from 2022 through 2024. A detailed description of the project is provided in section 3.0, *Proposed Action and Alternatives*.

The National Environmental Policy Act (NEPA) of 1969,³ the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the project as proposed and consider reasonable alternatives to the proposed action. We will prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the "NEPA document") that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

¹ 16 U.S.C. § 791(a)-825(r).

² The current license for the Elkhart Project expires on December 31, 2030. *See Indiana Michigan Power Company*, 94 FERC ¶ 62,035 (2001).

³ National Environmental Policy Act of 1969, amended (Pub. L. 91-190, 42 U.S.C. §§ 4321–4347, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, Pub. L. 97-258, §4(b), September 13, 1982, Pub. L. 118-5, June 3, 2023).

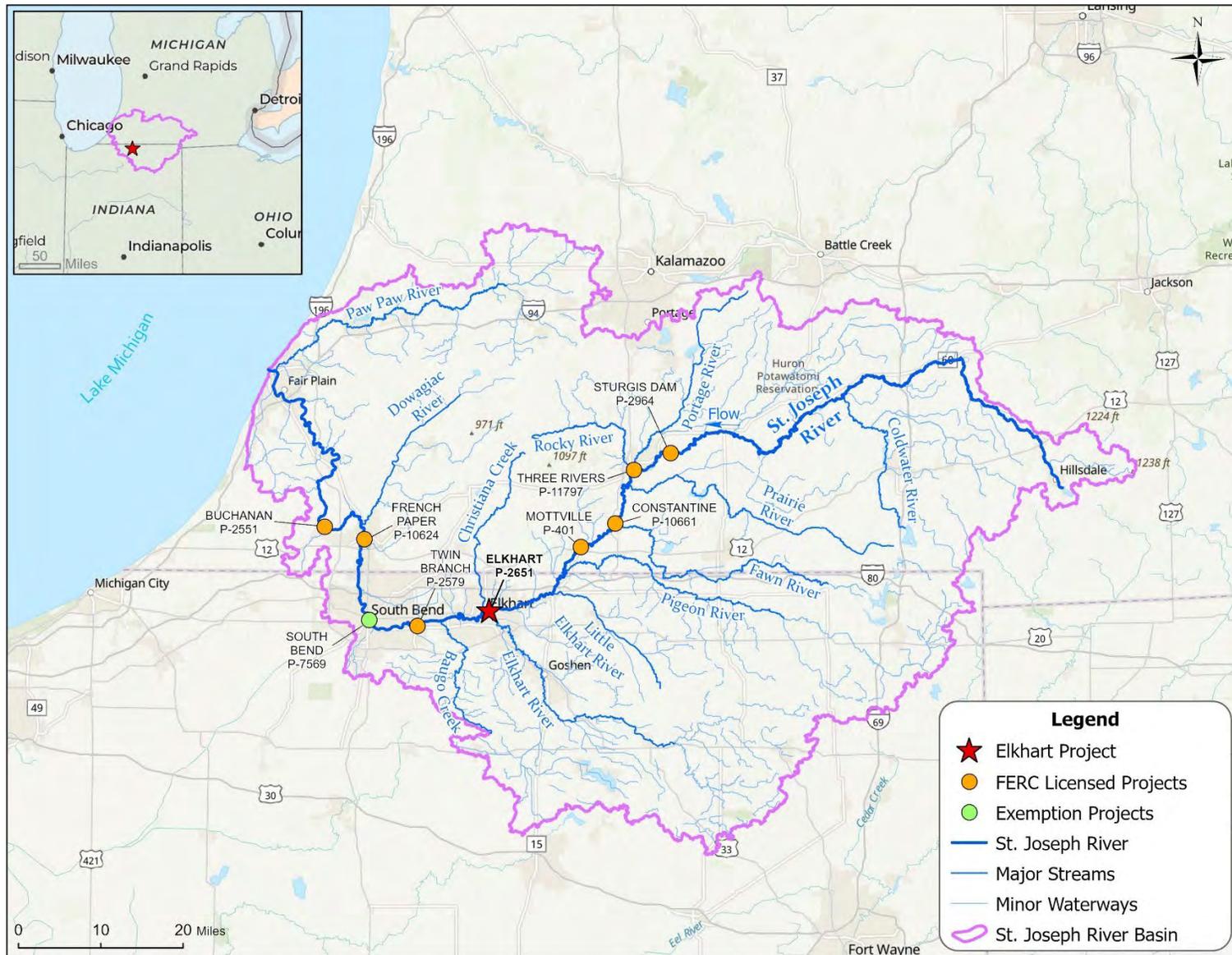


Figure 1. Location of the Elkhart Project and other FERC-licensed hydroelectric projects and exemptions in the St. Joseph River Basin (Source: Staff).

2.0 SCOPING

This Scoping Document 1 (SD1) is intended to advise all participants as to the proposed scope of the NEPA document and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and development of the license application; (2) a description of the proposed action and alternatives to the proposed action; (3) a preliminary identification of environmental issues; (4) a request for comments and information; and (5) a preliminary list of comprehensive plans that are applicable to the project.

2.1 PURPOSES OF SCOPING

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. In general, scoping should be conducted early in the planning stages of a project. The purposes of the scoping process are as follows:

- invite participation of federal, state and local resource agencies, Tribes, non-governmental organizations (NGOs), and the public to identify significant environmental and socioeconomic issues related to the proposed project;
- determine the resource issues, depth of analysis, and significance of issues to be addressed in the NEPA document;
- identify how the project would or would not contribute to cumulative effects in the project area;
- identify reasonable alternatives to the proposed action that should be evaluated in the NEPA document;
- solicit, from participants, available information on the resources at issue, including existing information and study needs; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

2.2 COMMENTS, SCOPING MEETINGS, AND SITE VISIT

During preparation of the NEPA document, there will be several opportunities for the resource agencies, Tribes, NGOs, and the public to provide input. These opportunities will occur:

Project No. 2651-059

- during the public scoping process and study plan meetings, when we solicit oral and written comments regarding the scope of issues and analysis for the NEPA document;
- in response to the Commission’s notice that the project is ready for environmental analysis; and
- after issuance of the NEPA document when we solicit written comments on the document.

In addition to written comments solicited by this SD1, we will hold two public scoping meetings near the project and a site visit at the project. A daytime meeting will focus on concerns of the resource agencies, Tribes, and NGOs; an evening meeting will focus on receiving input from the public. We invite all interested agencies, Tribes, NGOs, and individuals to attend one or both of the meetings to assist us in identifying the scope of environmental issues that should be analyzed in the NEPA document. All interested parties are also invited to participate in the site visit. The times and locations of the meetings and site visit are as follows:

<p>Daytime Scoping Meeting</p> <p>Date: Thursday, January 8, 2026 Time: 1:00 p.m. to 3:00 p.m. Location: Matterhorn Conference Center, 2041 Cassopolis St., Elkhart, IN 46514</p>
<p>Evening Scoping Meeting</p> <p>Date: Thursday, January 8, 2026 Time: 5:30 p.m. to 7:30 p.m. Location: Matterhorn Conference Center, 2041 Cassopolis St., Elkhart, IN 46514</p>
<p>Site Visit</p> <p>Date: Thursday, January 8, 2026 Time: 8:30 a.m. to 10:30 a.m. Location: 330 Johnson Street, Elkhart, IN 46516</p> <p>Please contact Justine Penix at (574) 236-1682 or via email at jpenix@aep.com on or before December 22, 2025, if you plan to attend the site visit and indicate how many participants will be attending with you.</p>

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At the start of each scoping meeting, Commission staff will provide a brief overview of the meeting format and objectives. Individual oral comments will be taken on a one-on-one basis with a court reporter (with Commission staff present). This format is designed to receive the maximum number of oral comments in a convenient way during the timeframe allotted. If you wish to speak, Commission staff will hand out numbers in the order of your arrival. If all individuals who wish to provide comments have had an opportunity to do so, Commission staff may conclude the meeting a half hour earlier than the scheduled time. Please see Appendix C for additional information on the session format and conduct.

Scoping comments will be recorded by the court reporter and become part of the public record for this proceeding. Transcripts will be publicly available on FERC's eLibrary system. If a significant number of people are interested in providing comments in the one-on-one settings, a time limit of 5 minutes may be implemented for each commentor.

It is important to note that the Commission provides equal consideration to all comments received, whether filed in writing or provided orally at a scoping session. Although there will not be a formal presentation, Commission staff will be available throughout the scoping session to answer your questions about the environmental review process. Representatives from I&M will also be present to answer project-specific questions.

Interested parties who choose not to speak or who are unable to attend the scoping meetings may provide written comments and information to the Commission as described in section 6.0, *Request for Information and Studies*. These meetings, along with other related information, are posted on the Commission's calendar located at <https://www.ferc.gov/news-events/events>. Select "Scoping Meeting" from the dropdown menu near the center of the page.

It is advised that participants review the PAD to prepare for the scoping meetings. Copies of the PAD may be viewed on the Commission's website (www.ferc.gov), using the "eLibrary" link on the right side of the page. Enter the docket number, P-2651, to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, (202) 502-8659.

Following the scoping meetings and comment period, all issues raised will be reviewed and decisions made as to the level of analysis needed. If preliminary analysis

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indicates that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the NEPA document.

If we do not receive any substantive comments on SD1, then we will not prepare a Scoping Document 2 (SD2). Otherwise, we will issue SD2 to address any substantive comments received. The SD2 will be issued for informational purposes only; no response will be required. The NEPA document will address recommendations and input received during the scoping process.

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA, the environmental analysis will consider the following alternatives, at a minimum: (1) the no-action alternative, (2) the applicant's proposed action, and (3) alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

Under the no-action alternative, the project would continue to operate as required by the current project license (i.e., there would be no change to the existing environment). No new environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

3.1.1 Project Area

The Elkhart Project is located at river mile 77 on the St. Joseph River, in the City of Elkhart, Elkhart County, Indiana. The St. Joseph River is approximately 210 miles long from its headwaters near Hillsdale, Michigan, to its confluence with Lake Michigan in St. Joseph, Michigan. The St. Joseph River Basin is approximately 4,685 square miles and is located within the states of Michigan and Indiana. The drainage area at the project is approximately 2,542 square miles. Figure 1 shows the location of the Elkhart Project and other hydroelectric projects and exemptions in the St. Joseph River Basin.

3.1.2 Project Facilities

The project includes a dam that includes: (1) a powerhouse integral with the dam that includes a 1.44-MW horizontal Francis turbine-generator unit (Unit 1) and two 1-MW horizontal Francis turbine-generator units (Units 2 and 3), for a total installed

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capacity of 3.44 MW;⁴ and (2) an approximately 300-foot-long spillway with eleven 25-foot-long Tainter gates.

The dam creates an impoundment that has a surface area of 512 acres at a normal water surface elevation of 741.5 feet National Geodetic Vertical Datum of 1929 (NGVD 29). From the impoundment, water flows through the powerhouse to a 75-foot-long tailrace.

The project generators are connected to the regional electric grid by 4-kilovolt generator lead lines.

Project recreation facilities include: (1) a tailwater fishing and hand-carry boat access site immediately downstream of the spillway on the north bank of the St. Joseph River (North Side Tailwater Access Area); (2) a tailwater fishing access site, including a fishing platform, three picnic tables, parking area, portable restrooms, and trash receptacles, immediately downstream of the spillway on the south bank of the St. Joseph River (South Side Tailwater Access Area); (3) a fishing and hand-carry boat access site on the north shoreline of the impoundment, approximately 575 feet upstream of the spillway (Impoundment Access Area); (4) an approximately 1,100-foot-long concrete portage route that extends from the Impoundment Access Area to the North Side Tailwater Access Area; and (5) associated informational and directional signage.

The project facilities are shown in Figure 2.

3.1.3 Project Boundary

The current project boundary encloses approximately 610.3 acres (Figure 2), including the 512-acre impoundment, 3.3 acres of land underlying project facilities, and 95 acres of land and water adjacent to project facilities.

⁴ I&M states that Unit 2 has been non-operational since May 2020. Each turbine-generator units includes four turbine runners.

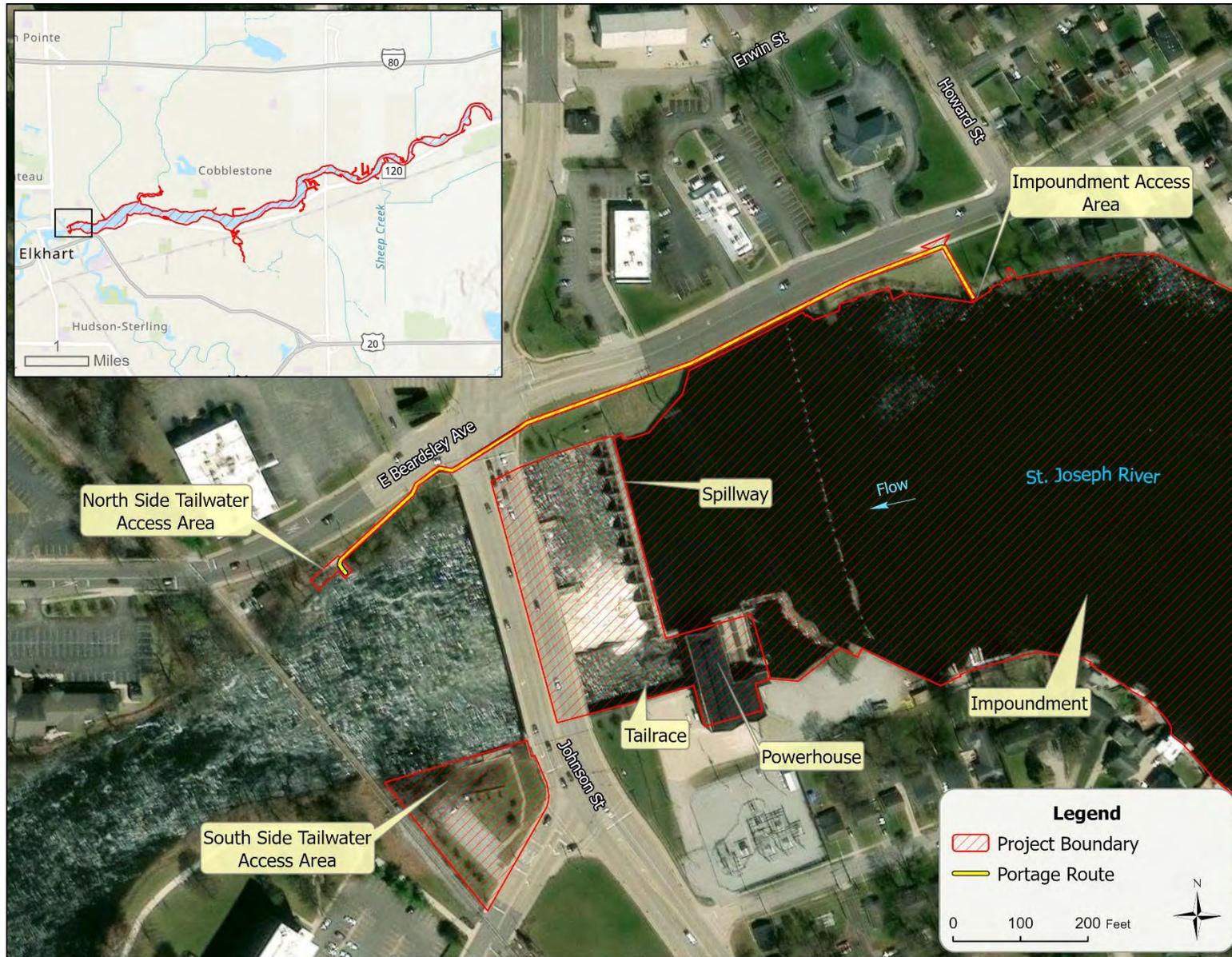


Figure 2. Elkhart Project boundary and facilities (Source: Staff).

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3.1.4 Project Operation and Environmental Measures

Article 401 of the current license requires I&M to operate the project in a run-of-river mode such that at any point in time, project outflow approximates inflow to the project. The license requires I&M to maintain the surface elevation of the impoundment within 0.5 foot of the normal water surface elevation of 741.5 feet NGVD 29 from April 1 through November 30. To manage ice, the license requires I&M to maintain the surface elevation of the impoundment within 0.5 foot of 739.5 NGVD 29 from December 1 through March 31. The current license also requires implementation of an Operation Compliance Monitoring Plan (Article 402); Aquatic and Riparian Habitat Enhancement and Protection Plan (Article 403); and Recreation Management Plan (Article 404).

3.2 APPLICANT'S PROPOSAL

3.2.1 Proposed Project Facilities and Project Boundary

I&M does not propose to add any new project facilities or make any changes to the project boundary.

3.2.2 Proposed Operation and Environmental Measures

I&M proposes to continue operating the project in a run-of-river mode and to maintain the surface elevation of the impoundment within 0.5 foot of 741.5 feet from April 1 through November 30 and 0.5 foot of 739.5 feet from December 1 through March 31. At this time, I&M is not proposing any new protection, mitigation, or enhancement measures for the Elkhart Project.

3.3 PROJECT SAFETY

Project safety constraints may exist and should be taken into consideration in the development of proposals and alternatives considered in the pending proceeding. As the proposal and alternatives are developed, the applicant must evaluate the effects and ensure that the project would meet the Commission's project safety criteria found in Part 12 of the Commission's regulations and the Engineering Guidelines (<http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp>).

3.4 ALTERNATIVES TO THE PROPOSED ACTION

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement measures identified by Commission staff, agencies, Tribes, NGOs, and the public.

3.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

At present, we propose to eliminate the following alternatives from detailed study in the NEPA document.

3.5.1 Federal Government Takeover

In accordance with § 16.14 of the Commission's regulations, a federal department or agency may file a recommendation that the United States exercise its right to take over a hydroelectric power project with a license that is subject to sections 14 and 15 of the FPA.⁵ We do not consider federal takeover to be a reasonable alternative. Federal takeover of the project would require congressional approval. While that fact alone would not preclude further consideration of this alternative, there is currently no evidence showing that federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate, and no federal agency has expressed interest in operating the project.

3.5.2 Non-power License

A non-power license is a temporary license the Commission would terminate whenever it determines that another governmental agency is authorized and willing to assume regulatory authority and supervision over the lands and facilities covered by the non-power license. At this time, no governmental agency has suggested a willingness or ability to take over the project. No party has sought a non-power license, and we have no basis for concluding that the project should no longer be used to produce power. Thus, we do not consider a non-power license a reasonable alternative to relicensing the project.

3.5.3 Project Decommissioning

As the Commission has previously held, decommissioning is not a reasonable

⁵ 16 U.S.C. §§ 791(a)-825(r).

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alternative to relicensing in most cases.⁶ Decommissioning can be accomplished in different ways depending on the project, its environment, and the particular resource needs.⁷ For these reasons, the Commission does not speculate about possible decommissioning measures at the time of relicensing, but rather waits until an applicant actually proposes to decommission a project, or a participant in a relicensing proceeding demonstrates that there are serious resource concerns that cannot be addressed with appropriate license measures and that make decommissioning a reasonable alternative.⁸

I&M does not propose decommissioning, nor does the record to date demonstrate there are serious resource concerns that cannot be mitigated if the project is relicensed. As such, there is no reason, at this time, to include decommissioning as a reasonable alternative to be evaluated and studied as part of staff's NEPA analysis.

⁶ See, e.g., *Eagle Crest Energy Co.*, 153 FERC ¶ 61,058, at P 67 (2015); *Public Utility District No. 1 of Pend Oreille County*, 112 FERC ¶ 61,055, at P 82 (2005); *Midwest Hydro, Inc.*, 111 FERC ¶ 61,327, at PP 35-38 (2005).

⁷ In the unlikely event that the Commission denies relicensing a project or a licensee decides to surrender an existing license, the Commission must approve a surrender "upon such conditions with respect to the disposition of such works as may be determined by the Commission." 18 C.F.R. § 6.2. This can include simply shutting down the power operations, removing all or parts of the project (including the dam), or restoring the site to its pre-project condition.

⁸ See generally *Project Decommissioning at Relicensing*; Policy Statement, FERC Stats. & Regs., Regulations Preambles (1991-1996), ¶ 31,011 (1994); see also *City of Tacoma, Washington*, 110 FERC ¶ 61,140 (2005) (finding that unless and until the Commission has a specific decommissioning proposal, any further environmental analysis of the effects of project decommissioning would be both premature and speculative).

4.0 SCOPE OF CUMULATIVE EFFECTS AND SITE-SPECIFIC RESOURCE ISSUES

4.1 CUMULATIVE EFFECTS

A cumulative effect is the effect on the environment that results from the incremental effect of the action when added to other past, present and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

4.1.1 Resources that Could be Cumulatively Affected

Based on our review of the PAD and preliminary staff analysis, we have not identified any resources that could be cumulatively affected by the proposed continued operation and maintenance of the project.

4.2 RESOURCE ISSUES

In this section, we present a preliminary list of environmental issues to be addressed in the NEPA document. We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's record for the project. This list is not intended to be exhaustive or final, but contains the issues raised to date that could have substantial effects. After the scoping process is complete, we will review the list and determine the appropriate level of analysis needed to address each issue in the NEPA document. We have not identified issues relating to geology and soils or socioeconomics at this time.

4.2.1 Aquatic Resources

- Effects of project operation on water quantity in the project impoundment and St. Joseph River downstream of the project.
- Effects of project operation on water quality in the project impoundment and St. Joseph River downstream of the project.
- Effects of project operation on aquatic habitat, fishery resources, and other aquatic resources (including macroinvertebrates) in the project impoundment and St. Joseph River downstream of the project.

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- Effects of project operation on fish impingement and turbine entrainment.

4.2.2 Terrestrial Resources

- Effects of project operation on upland, riparian, littoral, and wetland habitat and associated wildlife.

4.2.3 Threatened and Endangered Species

- Effects of project operation on federally listed species and their habitat, including the endangered Indiana bat and threatened copperbelly water snake.
- Effects of project operation on the whooping crane, which is listed as a non-essential experimental population under the Endangered Species Act.
- Effects of project operation on the proposed threatened monarch butterfly.

4.2.4 Recreation Resources

- Effects of project operation on recreation use at the project.

4.2.5 Cultural and Tribal Resources

- Effects of project operation on historic resources, archaeological resources, and traditional cultural properties that are included or may be eligible for inclusion in the National Register of Historic Places.
- Effects of project operation on areas of cultural interest to Tribes.

4.2.6 Developmental Resources

- Effects of any changes to project operation and environmental measures on the project's economics.

5.0 PROPOSED STUDIES

I&M's initial study proposal is described below and in the PAD. Further studies may need to be added based on comments provided to the Commission and I&M from resource agencies, Tribes, and interested parties during the study planning process.

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I&M proposes to conduct a water quality study to determine whether water temperature and dissolved oxygen concentrations meet state water quality standards.

6.0 REQUEST FOR INFORMATION AND STUDIES

We are asking federal, state, and local resource agencies, Tribes, NGOs, and the public to file with the Commission any information that will assist us in conducting an accurate and thorough analysis of the project-specific and cumulative effects associated with relicensing the project. The types of information requested include, but are not limited to:

- information, quantitative data, or professional opinions that may help define the geographic and temporal scope of the analysis (both site-specific and cumulative effects), and that helps identify significant environmental issues;
- identification of, and information from, any other EA, EIS, or similar environmental study (previous, on-going, or planned) relevant to the proposed relicensing of the project;
- existing information and any data that would help to describe the past and present actions and effects of the project and other developmental activities on environmental and socioeconomic resources;
- information that would help characterize the existing environmental conditions and habitats;
- the identification of any federal, state, or local resource plans, and any future project proposals in the affected resource area (e.g., proposals to construct or operate water treatment facilities, recreation areas, water diversions, timber harvest activities, or fish management programs), along with any implementation schedules;
- documentation that the proposed project would or would not contribute to cumulative adverse or beneficial effects on any resources. Documentation can include, but need not be limited to, how the project would interact with other projects in the area and other developmental activities; study results; resource management policies; and reports from federal and state agencies, local agencies, Tribes, NGOs, and the public;
- documentation showing why any resources should be excluded from further study or consideration; and

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- study requests by federal and state agencies, local agencies, Tribes, NGOs, and the public that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the NEPA document for the project.

All requests for studies filed with the Commission must meet the criteria found in Appendix A, *Study Plan Criteria*.

The requested information, comments, and study requests should be submitted to the Commission no later than **5:00 p.m. Eastern Daylight Time, February 9, 2026**. All filings must clearly identify the following on the first page: **Elkhart Hydroelectric Project (P-2651-059)**. Scoping comments may be filed electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website <https://ferconline.ferc.gov/FERCOOnline.aspx>. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, (202) 502-8659. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Register online at <https://ferconline.ferc.gov/FERCOOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support.

Any questions concerning the scoping meetings, site visit, or how to file written comments with the Commission should be directed to Joshua Dub at Joshua.Dub@FERC.gov. Additional information about the Commission's licensing process and the project may be obtained from the Commission's website, www.ferc.gov.

7.0 CURRENT PROCESSING SCHEDULE

The decision on whether to prepare an EA or an EIS will be made after the license application is filed and we determine the scope of effects and measures under consideration. The NEPA document will be distributed to all persons and entities on the Commission's service and mailing lists for the project. The NEPA document will include

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our recommendations for operating procedures, as well as environmental protection and enhancement measures that should be part of any license issued by the Commission. The comment period will be specified in the notice of availability of the NEPA document.

A process plan, with a complete list of licensing milestones for the Elkhart Project is attached as Appendix B to this SD1.

8.0 COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. section 803(a)(2)(A), requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by a project. Commission staff has preliminarily identified and reviewed the plans listed below that may be relevant to the project. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 C.F.R. § 2.19. Please follow the instructions for filing a plan at <https://cms.ferc.gov/media/comprehensive-plans>.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the Elkhart Project:

Indiana Department of Natural Resources. Indiana Statewide Outdoor Recreation Plan (SCORP): 2006-2010. Indianapolis, Indiana. January 2007.

Indiana Department of Natural Resources. Michigan Department of Natural Resources. 1989. St. Joseph River trout and salmon plan. Indianapolis, Indiana. Lansing, Michigan. June 7, 1989.

Indiana Department of Natural Resources. Michigan Department of Natural Resources. n.d. Environmental impact statement for a cooperative Indiana-Michigan anadromous fisheries program for the St. Joseph River. Indianapolis, Indiana. Lansing, Michigan.

National Park Service. The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993.

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Upper Mississippi River & Great Lakes Region Joint Venture. 1993. Upper Mississippi River & Great Lakes Region joint venture implementation plan: A component of the North American waterfowl management plan. March 1993.

U.S. Fish and Wildlife Service. n.d. Fisheries USA: the recreational fisheries policy of the U.S. Fish and Wildlife Service. Washington, D.C.

9.0 MAILING LIST

The list below is the Commission's official mailing list for the project. If you want to receive future mailings for the project and are not included in the list below, please send your request by email to FERCOnlineSupport@ferc.gov. In lieu of an email request, you may submit a paper request. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All written and emailed requests to be added to the mailing list must clearly identify the following on the first page: **Elkhart Hydroelectric Project (P-2651-059)**. You may use the same method if requesting removal from the mailing list below.

Register online at <https://ferconline.ferc.gov/FERCOOnline.aspx> to be notified via email of new filings and issuances related to this project or other pending projects. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, (202) 502-8659.

Official Mailing List for the Elkhart Project.

Indiana Department of Environmental Management Office of Water Quality 100 North Senate Avenue Indianapolis, IN 46204	Bill James Director Indiana Department of Natural Resources 402 W Washington St. Rm W160 Indianapolis, IN 46204-2739
Anne Eckhart Associate General Counsel American Electric Power Company 1 Riverside Plaza 29 th Floor Columbus, OH 43215	Robert A. Beller Plant Manager Rockport Indiana Michigan Power Company 2791 North U.S. Hwy 231 Rockport, IN 47632

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Jonathan M. Magalski Enviro. Manager, Renewables Indiana Michigan Power Company 1 Riverside Plaza, 17 th Floor American Electric Power Service Columbus, OH 43215	Yun Gao Energy Production Superintendent Indiana Michigan Power Company 1 Riverside Plaza Columbus OH 43215
Edward S. Brennan Plant Environ. Coord Principal Appalachian Power Company P.O. Box 2021 Roanoke, VA 24022-2121	Regional Office Kentucky Department for Environmental Protection #1 Sportsmans Lane Frankfort, KY 40601
Attorney General Indiana Office of the Atty Gen 200 W Washington St Ste 219 Indianapolis, IN 46204-2731	Director Indiana Stream Pollution Control Board 100 N Senate Ave, Rm N1255 Indianapolis, IN 46204
Secretary Indiana Utility Regulatory Commission 101 W Washington St, Ste 1500 East Indianapolis, IN 46204	Justine Penix Indiana Michigan Power Company 13840 Jefferson BLVD Mishawaka, IN 46545
Cabinet for Economic Development Kentucky Department for Environmental Protection 500 Metro Street, 2100 CAP'L Plaza Tower Frankfort, KY 40601	County Clerk County of Switzerland 212 West Maine St. Vevay, IN 47043-1180
Laura Ragan U.S. Fish and Wildlife Service Bloomington, MN 55437-1458	Bloomington Field Office U.S. Fish and Wildlife Service 620 S Walker St. Bloomington, IN 47403-2101
Nick Chevance Regional Environmental Coord U.S. National Park Service 601 Riverfront Drive Omaha, NE 68128	Hon Jim Banks U.S. Senate Washington, DC 20510
Scott Blazey Upper Patoka Conservancy District 418 Main Street Jasper, IN 47546-3041	

APPENDIX A
STUDY PLAN CRITERIA
18 C.F.R. Section 5.9(b)

Any information or study request must contain the following:

1. Describe the goals and objectives of each study proposal and the information to be obtained;
2. If applicable, explain the relevant resource management goals of the agencies or Tribes with jurisdiction over the resource to be studied;
3. If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study;
4. Describe existing information concerning the subject of the study proposal, and the need for additional information;
5. Explain any nexus between project operation and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements;
6. Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge; and
7. Describe considerations of level of effort and cost, as applicable, and why proposed alternative studies would not be sufficient to meet the stated information needs.

**APPENDIX B
PROCESS PLAN AND SCHEDULE**

Shaded milestones are unnecessary if there are no study disputes. If the due date falls on a weekend or holiday (*), the due date is the following business day. **Early filings or issuances will not result in changes to these deadlines.** As appropriate, the process plan and schedule may be revised in the future.

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Applicant	NOI/PAD filed	10/10/25	5.5, 5.6
FERC	Issue Notice of Commencement of Proceeding and Scoping Document 1	12/9/25	5.8
FERC	Scoping Meetings and Project Site Visit	1/8/26	5.8(b)(viii)
All Stakeholders	File Comments on PAD/Scoping Document 1 and Study Requests	2/7/26*	5.9
FERC	Issue Scoping Document 2 (if necessary)	3/24/26	5.10
Applicant	File Proposed Study Plan	3/24/26	5.11(a)
All Stakeholders	Proposed Study Plan Meeting	4/23/26	5.11(e)
All Stakeholders	File Comments on Proposed Study Plan	6/22/26	5.12
Applicant	File Revised Study Plan	7/22/26	5.13(a)
All Stakeholders	File Comments on Revised Study Plan	8/6/26	5.13(b)
FERC	Issue Director's Study Plan Determination	8/21/26	5.13(c)
Mandatory Conditioning Agencies	File Any Study Disputes	9/10/26	5.14(a)

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Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Dispute Panel	Select Third Dispute Resolution Panel Member	9/25/26	5.14(d)
Dispute Panel	Convene Dispute Resolution Panel	9/30/26	5.14(d)(3)
Applicant	File Comments on Study Disputes	10/5/26	5.14(i)
Dispute Panel	Dispute Resolution Panel Technical Conference	10/10/26*	5.14(j)
Dispute Panel	Issue Dispute Resolution Panel Findings	10/30/26	5.14(k)
FERC	Issue Director's Study Dispute Determination	11/19/26	5.14(l)
Applicant	First Study Season	Spring/Summer/Fall 2027	5.15(a)
Applicant	File Initial Study Report	8/21/27*	5.15(c)(1)
All Stakeholders	Initial Study Report Meeting	9/5/27*	5.15(c)(2)
Applicant	File Initial Study Report Meeting Summary	9/20/27	5.15(c)(3)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	10/20/27	5.15(c)(4)
All Stakeholders	File Responses to Disagreements/Amendment Requests	11/19/27	5.15(c)(5)
FERC	Issue Director's Determination on Disagreements/Amendments	12/19/27*	5.15(c)(6)
Applicant	Second Study Season (if needed)	Spring/Summer/Fall 2028	5.15(a)
Applicant	File Updated Study Report	8/20/28	5.15(f)
All Stakeholders	Updated Study Report Meeting	9/4/28*	5.15(f)

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Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Applicant	File Updated Study Report Meeting Summary	9/19/28	5.15(f)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	10/19/28	5.15(f)
All Stakeholders	File Responses to Disagreements/Amendment Requests	11/18/28*	5.15(f)
FERC	Issue Director's Determination on Disagreements/Amendments	12/18/28	5.15(f)
Applicant	File Preliminary Licensing Proposal (or Draft License Application)	8/3/28	5.16(a)-(c)
All Stakeholders	File Comments on Preliminary Licensing Proposal (or Draft License Application)	11/1/28	5.16(e)
Applicant	File Final License Application	12/31/28*	5.17
Applicant	Issue Public Notice of Final License Application Filing	1/14/29*	5.17(d)(2)

APPENDIX C FERC SCOPING SESSION FORMAT AND CONDUCT

Session Format

FERC is conducting the session to solicit your scoping comments. There will not be a formal presentation by Commission staff; however, FERC staff will be available to answer questions about the environmental review process. The session format is as follows:

- Tickets are handed out on a “first come, first serve” basis starting at the time listed in the Notice.
- Individuals are called in ticket number order to provide oral comments to be transcribed by a court reporter for the public record.
- Time limits on oral comments may be enforced to ensure that all those wishing to comment have the opportunity to do so within the designated session time.
- Additional materials about FERC and the environmental review process are available at information stations at the session.

Session Conduct

Proper conduct will help the sessions maintain a respectful atmosphere for attendees to learn about the FERC Environmental Review Process and to be able to provide comments effectively.

- Loudspeakers, lighting, oversized visual aids, or other visual or audible disturbances are not permitted.
- Disruptive video and photographic equipment may not be used.
- Conversations should be kept to a reasonable volume. Attendees should be respectful of those providing oral comments to the court reporters.
- Recorded interviews are not permitted within the session space.
- FERC reserves the right end the session if disruptions interfere with the opportunity for individuals to provide oral comments or if there is a safety or security risk.

From: Padgett, Kim Marie <KPadgett@dnr.IN.gov>
Sent: Monday, January 12, 2026 4:38:09 PM
To: joshua.dub@FERC.gov <joshua.dub@FERC.gov>; Jonathan M Magalski <jmmagalski@aep.com>
Cc: Draeger-Williams, Cathy <CDraeger-Williams@dnr.in.gov>
Subject: [EXTERNAL] Indiana DHPA response letter

Good afternoon. A hard copy of this letter will not be mailed unless requested. Thank you.

Kim Marie Padgett

Historic Structures Reviewer
Indiana Department of Natural Resources
Division of Historic Preservation and Archaeology
402 W. Washington St., Rm W274
Indianapolis, IN 46204
Phone: (317) 234-6705
Email: KPadgett@dnr.IN.gov
dnr.IN.gov

** Please let us know about the quality of our service by taking this brief [customer survey](#).*

Division of Historic Preservation & Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2739
Phone 317-232-1646 Fax 317-232-0693 dhpa@dnr.IN.gov

January 12, 2026

Joshua Dub
FERC
888 First Street, N.E., Room 1A
Washington, DC 20426

Federal Agency: Federal Energy Regulatory Commission

Re: Notice of intent to file license application for a new license and commencing pre-filing licensing process
for the Elkhart Hydroelectric Project P-2651 (DHPA #34630)

Dear Mr. Dub:

Pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated December 9, 2025 and received on December 15, 2025, for the above indicated project in Elkhart, Elkhart County, Indiana.

Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any historic buildings, structures, districts, or objects listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects.

*The 36 C.F.R. Part 800 regulations governing the Section 106 review process may be found at www.achp.gov. If you have questions about archaeological issues please contact ** at (317) 23*-**** or **@dnr.IN.gov. If you have questions regarding building and structures please contact Kim Marie Padgett at (317) 234-6705 or kpadgett@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #34630.*

Very truly yours,

Beth K. McCord
Deputy State Historic Preservation Officer

BKM:KMP:CDW:kmp

cc: Debbie-Anne Reese, Secretary, Federal Energy Regulatory Commission
emc: Joshua Dub, FERC
Jon Magalski, AEP



Mike Braun, Governor
Alan Morrison, Director

January 20, 2026

Environmental Unit
Division of Fish and Wildlife
402 W. Washington Street
Room W273
Indianapolis, IN 46204
Phone (317) 232-4080
Fax (317) 232-8150
www.in.gov/dnr/fishwild/

Honorable Debbie-Anne A. Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: Elkhart Hydro Project, Elkhart County, Indiana; FERC Project P-2651

Dear Secretary Reese:

Below are comments from the Indiana Department of Natural Resources, Division of Fish, Wildlife, and Nature Preserves (DFWNP) regarding the Pre-Application Document (PAD) submitted by American Electric Power (AEP) for the Elkhart Hydroelectric Project, P-2651, dated October 10, 2025. This project is located in Elkhart County, Indiana on the St. Joseph River. The DFWNP has worked closely with AEP over the years on a variety of issues and looks forward to maintaining that relationship.

General:

Section 4.4.2 includes the first reference to the Six-Span Bridge. Nowhere in the document is there a description or figure of where this bridge is. Unless you are familiar with the area, it is not clear where this bridge is.

Section 5.1.3 and Figure 5.1-3 do not mention the South Bend Hydro FERC project, P-7569, located on the St. Joseph River downstream of the Elkhart Hydroelectric Project.

Included with these comments are two reports that discuss the fishery in the Elkhart impoundment, and it is assumed AEP has reviewed these in the past. The reports discuss how the aquatic community within the impoundment is not as strong as within the riverine sections, which is the case with most impoundments.

Erosion:

Section 5.2.6 states "there are no known areas of stream bank erosion along the reservoir shoreline." The Indiana Department of Natural Resources continues to receive permit applications for constructing and repairing seawalls in the impoundment. Since AEP owns or has an easement on the majority of the shoreline, they should also be reviewing these projects under their own review process (See Section 5.8.7). Given the continued request for seawalls, it is unclear how the determination of no erosion was made.

Section 5.2.6 also states seawalls are common downstream of the Six-Span bridge and riprap is more common upstream. A few distinctions are necessary. First, riprap can be used as a seawall material. A better distinction might be that bulkhead seawalls composed of concrete, steel, or vinyl are more common downstream of the bridge as compared to other materials. Upstream of the Six-Span bridge, seawall materials seem more variable.

The reasons for the different shoreline stabilization materials are likely varied. Because the river begins to revert to a more riverine system upstream of the Six-Span bridge, there may be less ice in the waterway upstream of the bridge compared to the impounded section. Other possible factors include the reduced development upstream of the bridge which means there are fewer residents that desire seawalls. This could reflect actions taken by AEP under Article 403. There could be socio-economic factors as well.

Mussels:

Section 5.4.5.1, Eastern Lampmussel (*Lampsilis radiata luteola*) should be Fatmucket (*Lampsilis siliquoidea*). Rainbow and Spike are mentioned here but are not mentioned in the Endangered Species section (see comment below). Clarify what is meant by “clams, and mussels” since those common terms can have ambiguous meaning. Including additional information such as where the mussels were found in relation to the dam, how many of each, whether there were other mussels found in the same locations, and sampling efforts and techniques would provide a much clearer picture of mollusk use of the project area. Clarify if “upstream of the dam” means just the project area, or areas upstream of the project area that includes long reaches of free-flowing river where mussels are more likely to be found.

In Table 5.4-6, indicate whether the mussels recorded by the City of Elkhart were live or just shell material. Also indicate what species are native versus non-native. The greater snail diversity and decrease in mussel diversity could indicate that eutrophication is occurring. In addition, if a mussel species that has been found in the project area before and requires certain fish species as a host to complete its life cycle, has that fish species been collected in recent surveys?

DNR biologists have sampled mussels in the project boundaries, though mostly in the upper reaches and less in the more impounded areas. Over the years, they have collected 15 freshwater mussel species (including 2 non-native bivalves) within or just upstream of the project boundaries. Winter drawdowns and the impounded nature of the waterway likely limit mussel presence in most of the project area.

Endangered Species:

Section 5.7 discusses Rare, Threatened, and Endangered species at the federal and State level. The State of Indiana has a general definition for endangered species but also some specific language for plants versus animals. Section 5.7 seems to mix the specific language of plants and animals together. According to IC 14-22-34-1, an endangered animal is defined as:

Sec. 1. (a) As used in this chapter, "endangered species" means any species or subspecies of wildlife whose prospects of survival or recruitment within Indiana are in jeopardy or are likely within the foreseeable future to become so due to any of the following factors:

- (1) The destruction, drastic modification, or severe curtailment of the habitat of the wildlife.
- (2) The overutilization of the wildlife for scientific, commercial, or sporting purposes.
- (3) The effect on the wildlife of disease, pollution, or predation.
- (4) Other natural or manmade factors affecting the prospects of survival or recruitment within Indiana.
- (5) Any combination of the factors described in subdivisions (1) through (4).

(b) The term includes any species or subspecies of fish and wildlife appearing on the United States list of endangered and threatened wildlife (50 CFR 17.11).

More simply, “endangered species are any animal species whose prospects for survival or recruitment within the state are in immediate jeopardy and are in danger of disappearing from the state.”

(<https://www.in.gov/dnr/fish-and-wildlife/nongame-and-endangered-wildlife/>)

The definition for endangered plants has similar wording about extinction, but has some additional wording. An endangered plant is “a plant species believed to be native to Indiana with five or fewer occurrences in Indiana or that is otherwise currently at the brink of extinction.” (<https://www.in.gov/dnr/nature-preserves/heritage-data-center/endangered-plant-and-animal-species/>)

Plants do have a “threatened” category in Indiana but animals do not, though there is a category called “species of greatest conservation need” and another category of “special concern.” (<https://www.in.gov/dnr/fish-and-wildlife/nongame-and-endangered-wildlife/>)

Table 5.7-2, State-Protected Species Listed for Elkhart County, is not particularly useful to identify listed species near or within the project boundaries. A better dataset would be obtained by requesting a Heritage Data search for the project boundaries. See <https://www.in.gov/dnr/nature-preserves/heritage-data-center/about-inhdc/> for details.

Table 5.7-2 needs a couple corrections:

- Common Mudpuppy is listed under fish but it is an amphibian.
- Rainbow and Spike need to be added in a Mollusks section as they are both are State Special Concern and found in the county (even though the output from <https://www.in.gov/dnr/nature-preserves/heritage-data-center/endangered-plant-and-animal-species/county/> aligns with what is in the document).

Shoreline Protection:

Section 5.6.3 discusses License Article 403 but it lacks some important shoreline protection information. Some of this information seems to be mentioned in Section 5.8.7, but including it or at least acknowledging it in 5.6.3 seems appropriate. The DNR supports the work AEP has done to describe shoreline protection and hopes that work can be maintained moving forward as it provides not only protection for shorelines in the impoundment but also helps support DNR decisions for shoreline protection, particularly in the more natural areas. Some enhancements the DNR would support include improving recreational access, and establishing grants to incentivize homeowners to install low-impact shoreline solutions like bioengineering or stone rather than bulkheads (Habitat Enhancement Grants/Dedicated Funds). This has been done in other states for impoundment management (e.g., Duke Energy and North Carolina).

Wetlands, Emergent Vegetation, Other Cover:

Section 5.6 provides a very brief discussion of wetlands in and around the project area, with maps making up most of the section. Most of the wetland complexes associated with this project are outside the impoundment and area of influence for the license. Wetland enhancement or creation, and additional emergent vegetation in the impoundment where AEP has jurisdiction and oversight, would further improve water quality in the impoundment. For example, there are areas within Kokomo Reservoir where DNR Fisheries Biologists have helped reestablish emergent vegetation in some areas. The seasonal drawdowns may pose a challenge, but evaluating the option is still recommended.

The document states aquatic macrophytes are sparse but does not give possible reasons. Low amounts of vegetation could be caused by high sedimentation/turbidity, water level fluctuations, human intervention such as removal or boating, etc. None of these factors are good for healthy, diverse fish populations either. Increasing the amount of in-channel vegetation would likely help and there should be a discussion about the lack of vegetation within the project area.

Tributaries:

Section 5.1.4 discusses tributaries to the St. Joseph River. Though most tributaries lie outside of the regulated project boundaries, investigations into sediment loading, habitat, and other parameters could be explored throughout project and non-project tributaries to minimize impacts to impoundment habitat and water quality. Working with landowners on these tributaries could help improve QHEI and reduce sediment loading.

Fisheries:

Section 5.4.1.1 mentions the 2007 installation of fish attractors. Brush and woody structures usually do not last longer than 10 years, sometimes as few as 3 years. Since it has been almost 20 years since the last permitted fish attractors were installed, the DFWNP is willing to discuss new fish attractor installations, especially if there

are planned drawdowns for dam repairs. There are a wide variety of materials that can be used for fish attractors and there are differing opinions even within DFWNP on the appropriate materials, so discussions with DFWNP staff are encouraged. Partnering with local stakeholders or fishing groups to assist with building and installing attractors has been done elsewhere. DFWNP staff receive public inquiries about the desire for structures and habitat installations, so there is an interest. Decisions about fish attractors need to consider whether there were any challenges with the previous attractors such as any coming loose. It is important to note that fish attractors do not influence fish populations within a system, though they do tend to congregate fish. The number of structures that would need to be added into the project area to impact fish populations is not realistic. Other habitat features to consider would be constructed gravel or cobble shallow areas for spawning, and the possibility of boating/ecozones established to protect shallow spawning habitat.

Sections 5.4.2 and 5.4.4 include the majority of the discussion on fish populations, surveys, etc. In reading the document, there were a lot of gaps in understanding the data and it appears numerous assumptions were made. Additional fish data and/or elaboration of the data used to support those conclusions is needed. Important info to add would be a table that specifies what sampling gear was used and the level of effort for each survey. For example, the document states boat electrofishing was added at some point as a sampling method after other monitoring had already been done. All sampling methods have bias toward certain species and sizes of fish. Boat electrofishing is biased toward larger bodied species and could have influenced their detection. The detection of these larger bodied species could have been influenced by not maintaining consistent sampling equipment from year to year. Because sampling times influence what species are collected, the document should specify what time of year sampling occurred for each survey. Sampling times should be done during the same timeframe every year to reduce temporal bias. In addition, there should be a table that includes the number of each species caught each year.

Section 5.4 (especially 5.4.2 and 5.4.4) does not appear to provide a clear picture of the fishery within and near the impoundment. Table 5.4-2 lists species collected upstream of the Elkhart Dam, but Section 5.4.4 states an assumption that fish communities upstream of the dam within the project area are the same as the whole river in Elkhart County as reported by City of Elkhart 2024. This could mean that fish data downstream of the dam are being used to make assumptions of the fish community upstream of the dam and specifically within the impoundment. To DNR's knowledge, the City of Elkhart has a wealth of recent fish data from both sides of the dam throughout the river. There is no need to make assumptions. The City's fish data needs to be reviewed and data presented that better supports the statements made about the fish community within the project area. Tables that show fish composition downstream of the dam, within the impoundment, and upstream outside the influence of the impoundment would greatly explain the fish community in and around the project area, and whether the dam is influencing fish populations.

Table 5.4-4 mentions the walleye stockings within the Elkhart impoundment dating back to the year 2000. The DNR also stocks walleye below the impoundment using funds provided by AEP annually as part of a mitigation agreement. Stockings below the impoundment help contribute to the tailwater fishery in the spring. Typically, the DNR does not stock above the Elkhart impoundment but there were fish surpluses from our Fawn River State Fish Hatchery in 2022 and 2024 that went into the impoundment.

Section 5.4.2 asserts that tolerant species (specifically mentioning Common Carp) have become less abundant and cites Table 5.4.2. That table only shows species presence/absence and does not support statements about abundance, so the conclusion is not justified by the presented data. A more detailed explanation is needed. Reductions in tolerant species could be caused by a variety of factors. For example, a decrease in Common Carp could be due to their population reaching equilibrium within the system; a response to Bluegill predation on their eggs due to the impounded environment; or the Carp population adjusting to the impoundment aging.

The presence/absence of a species will vary from year to year. Stating that the number of sensitive species is increasing is not an accurate statement to make when comparing 5 recent surveys to 1 historical survey.

Depending on the sampling effort and equipment, these differences could just be variance. Have other surveys been completed that could be included to help support the comments?

Sections 5.4.2.1 through 5.4.4.8 cite species X represent Y% of the top 90% of species. Why is this metric used? Its meaning is confusing and possibly lessens the value of uncommon species. Please explain why the top 90% was chosen, the benefit of using this instead of looking at the entire population, and why the remaining 10% were excluded. If this “top 90%” category is maintained, provide a detailed explanation of what these values are explaining. Also, please clarify whether these percentages refer to number of individuals or total biomass. There should be a breakdown of the “top 90%” into a table which might help with the discussion. The table should break the information down by species for each survey. Ultimately, it may be more beneficial to have a discussion that includes the entire fish population, not just the top 90%.

Section 5.4.2 includes a discussion of the fish IBI. To better interpret the IBI data, there should be a table showing the fish IBI for each sampling site by year. This will allow a better assessment of whether the fish community has changed over time. Table 5.4-3 only presents IBI data for one year, while the City of Elkhart indicated in their response (Margaret M. Marnocha, Esq., Asst. City Attorney) that IBI data have been collected since 1998. Also, it appears the IBI data are from the Nibbyville area of the impoundment. This portion of the impoundment is more riverine than other sections, such as downstream of the Six-Span bridge. The IBI data collected in Nibbyville is not likely to be an accurate reflection of the fish community in other portions of the project area.

In Table 5.4-2, some of the scientific names could be updated to reflect recent changes, and there are a couple typos:

- *Letheneron* should be *Lethenteron*
- *diaphanous* should be *diaphanus*

Section 5.4.4.7, “Northern Hogsucker” should be “Northern Hog Sucker.”

Macroinvertebrates:

Section 5.4.5 discusses macroinvertebrates. To better understand the benthic macroinvertebrate data, additional information should be provided. The document should include sampling effort and add a table that indicates the number of species collected in each Order. There should be a brief description of the Invertebrate Community Index to help understand what the values are possibly indicating. There needs to be a better explanation of why AEP thinks there is an improvement in site conditions based on this index, and whether the changes over time are significant or possibly just based on annual variability. Table 5.4-5 shows a downward trend in Intolerant taxa and overall the numbers seem to be fluctuating annually. Have macroinvertebrates been collected prior to 2020, whether by the City of Elkhart, IDEM, or some other group?

General:

Overall, the PAD gives the impression that the project is doing fine and the project area is improving in some areas. However, there is a lack of data in various areas as commented above. In many instances, it is difficult to determine how and why AEP is coming up with various conclusions. Looking at what data were presented, the increase in eutrophic characteristics suggests the impoundment is aging and showing signs of a more lentic, still system. That is not uncommon. Such a shift can result in conditions that don't match what the system looked like years ago. Such changes should be acknowledged, and if necessary there should be explanations of potential corrections. It is important to highlight the good things and bad things with the project. Just because something is not aligning with desired outcomes does not mean it should not be discussed.

Overall, the Department's partnership with AEP has been worthwhile with respect to fish populations, stocking, and shoreline management. Maintaining or even enhancing these efforts would be beneficial.

Please contact me at (317) 233-4666 or muffington@dnr.in.gov if we can be of further assistance.

Document Content(s)

INDNR DFWNP comments PAD 2026 submitted.pdf.....1

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects

- - - - - x
Elkhart Hydroelectric Project : Project No. 2651-059
- - - - - x

Matterhorn Conference Center
2041 Cassopolis Street
Elkhart, IN
Thursday, January 8, 2026

A public scoping meeting was held, pursuant to notice.
starting at 1:00 p.m.

P R O C E E D I N G S

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No one from the public showed up to make any comments. The meeting was closed at 3:00 p.m.

(Whereupon, at 3:00 p.m., the scoping meeting was closed.)

1 CERTIFICATE OF OFFICIAL REPORTER

2

3 This is to certify that the attached proceeding

4 before the FEDERAL ENERGY REGULATORY COMMISSION in the

5 Matter of:

6 Name of Proceeding:

7 Elkhart Hydroelectric Project

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16 Project No. 2651-059

17 Place: Elkhart, IN

18 Date: Thursday, January 8, 2026

19 were held as herein appears, and that this is the original

20 transcript thereof for the file of the Federal Energy

21 Regulatory Commission, and is a full correct transcription

22 of the proceedings.

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Larry Flowers

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Official Reporter

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects

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P R O C E E D I N G S

MR. OTTO: My name is Alex Otto, A-L-E-X,
O-T-T-O. I live at 1017 Middlebury Street, Elkhart, Indiana
and I am here to speak in favor of the continuation of the
Johnson Street Dam. The dam, while it does generate power,
it's become much more of a -- it's driven the whole growth
of the city. It's been there for over 100 years and the
Upper St. John and the Lower St. Joe have built very
distinctive neighborhoods and really growing into what the
dam made possible because of the way it cause the river to
be laid out, so I think many members of our community feel
the same, but I certainly would like to see that dam
continue to produce energy and continue to stay there and do
not want to see the river changed in any way going forward
into the future.

SPEAKER: Thank you.

(Whereupon, at 3:00 p.m., the scoping meeting was
concluded.)

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Elkhart Hydroelectric Project

Project No. 2651-059
Place: Elkhart, IN
Date: Thursday, January 8, 2026

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Bala Chandran
Official Reporter

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects

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Elkhart Hydroelectric Project : Project No. 2651-059
- - - - - x

Matterhorn Conference Center
2041 Cassopolis Street
Elkhart, IN
Thursday, January 8, 2026

A public scoping meeting was held, pursuant to notice.
starting at 5:30 p.m.

1 P R O C E E D I N G S

2 COURT REPORTER: Okay, if you can start by
3 stating and spelling your name for the record.

4 MR. AMT: It is Eric, E-R-I-C, Amt, A-M-T.

5 COURT REPORTER: You can begin.

6 MR. AMT: Okay. Well, I'm a property owner
7 along the Upper St. Joe River and I'm also a member of the
8 St. Joe River Association's Subcommittee on Elkhart Gives a
9 Dam and I'm just here to comment that we support or I
10 support the recommissioning of the Johnston Street Dam. We
11 know the importance of the river as far as a recreation and
12 property value to the city and county and property taxes.

13 The aesthetics of it, it's a wonderful assets
14 for the community to have and I think that because the
15 reservoir has been there for over 150 years, it's an
16 ecological stable area and if the dam were to be
17 decommissioned and removed than it would be a true disaster
18 for that section of the St. Joe River. That's all.

19 COURT REPORTER: Okay.

20 (Whereupon, at 7:30 p.m., the scoping meeting was
21 concluded.)

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1 CERTIFICATE OF OFFICIAL REPORTER

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16 Project No. 2651-059

17 Place: Elkhart, IN

18 Date: Thursday, January 8, 2026

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Larry Flowers

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Official Reporter

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects

- - - - - x
Elkhart Hydroelectric Project : Project No. 2651-059
- - - - - x

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Thursday, January 8, 2026

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P R O C E E D I N G S

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comments. The meeting was closed at 7:30 p.m.

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was closed.)

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CERTIFICATE OF OFFICIAL REPORTER

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Matter of:

Name of Proceeding:
Elkhart Hydroelectric Project

Project No. 2651-059
Place: Elkhart, IN
Date: Thursday, January 8, 2026

were held as herein appears, and that this is the original
transcript thereof for the file of the Federal Energy
Regulatory Commission, and is a full correct transcription
of the proceedings.

Bala Chandran
Official Reporter

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
March 3, 2026

OFFICE OF ENERGY PROJECTS

Project No. 2651-059 – Indiana
Elkhart Hydroelectric Project
Indiana Michigan Power Company

VIA FERC SERVICE

Reference: Scoping Document 2 Not Warranted

To the Parties Addressed:

On December 9, 2025, Commission staff issued Scoping Document 1 (SD1) for the relicensing process for the Elkhart Hydroelectric Project No. 2651, which was initiated on October 10, 2025, by Indiana Michigan Power Company (I&M), when it filed a Pre-Application Document (PAD) and Notice of Intent to relicense the project. SD1 provided interested agencies, Indian Tribes, non-governmental organizations, and the public with the opportunity to provide input to the relicensing process and to help identify the scope of issues to be addressed in the National Environmental Policy Act (NEPA) document. We stated that we would incorporate any substantive comments filed in response to SD1 into a second scoping document (SD2), if warranted.

We did not receive any comments in response to SD1 that affect the scope of environmental issues to be addressed in the NEPA document. Therefore, we will use SD1 to prepare the NEPA document and not issue an SD2. If you have any questions, please contact Joshua Dub via telephone at (202) 502-8138 or via email at Joshua.Dub@ferc.gov.

Sincerely,

Nicholas Tackett
Great Lakes Branch Chief
Division of Hydropower Licensing