

July 12, 2019

Ms. Kathy Urffer
Connecticut River Conservancy
River Steward
15 Bank Row
Greenfield, MA 01301

**RE: Response to CT River Conservancy comments on the Canaan Hydroelectric Project
LIHI Certification Application**

Dear Ms. Urffer:

Thank you for providing comments on Central Rivers Power New Hampshire's, LLC (CRP) Low Impact Hydropower Institute (LIHI) Certification application for our Canaan Hydroelectric Project (FERC No. 7528). CRPNH offers the following responses:

Comment 3.2.1 Criterion A – Ecological Flow Regimes

An instream flow study was conducted to evaluate three study flows (130 cfs, 165 cfs and 213 cfs). The target species for the habitat suitability curves were brook trout, rainbow trout, longnose dace and macroinvertebrates. Study results available at <https://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=11414740> suggested that the second study flow (165 cfs) provided significant improvement in habitat relative to the baseline condition and the first study flow (130 cfs). The current bypass flow of 165 cfs is an increase over previous conditions where 50 cfs was typically released into the bypass. The water quality certification (WQC) also notes that with adequate flows the bypass reach can provide habitat for salmonids and macroinvertebrates but has limited spawning suitability due to the lack of gravel substrates (WQC, page 7), which is the basis for the resource agencies to recommend the bypass flow of 165 cfs and for the state to include this flow in the WQC.

Comment 3.2.2 Criterion B – Water Quality

The current WQC condition (G) Dissolved Oxygen Sampling Study requires CRP to collect data during *critical river flow and water temperature conditions*. Each year since issuance of the 401, CRP has monitored river flows; however, the river flow at the Pittsburg gage has not reached the study trigger flow of 133 cfs, stipulated by the State.

In addition, the Vermont Department of Environmental Conservation (VTDEC) was contacted for their input on water quality at the project as part of the LIHI application review. The

VTDEC responded they had reviewed its list of impaired and stressed waters of the state and that no waters within the vicinity of the project are listed on the State's 303(d) list, nor on the State's list of priority waters outside the scope of the 303(d). They confirmed that the continued operation of the project does not contribute to impairment of waters of the State.

Comment 3.2.3 Criterion C – Upstream Fish Passage and Criterion D – Downstream Fish Passage

The current WQC condition (I) Upstream Fish Passage states “*within two years of a request by the Department, the licensee shall institute upstream fish passage, subject to plan approval by the Department. Said request shall only occur after the N.H. Department of Fish and Game adopts a management plan emphasizing self-sustaining wild trout populations and provides the Department with a plan for reducing or eliminating stocking and/or harvest in the towns of Stewartstown, Colebrook, and Columbia after implementation of passage. Any request shall be made based on a written evaluation by the Vermont Department of Fish and Wildlife of the need for upstream fish passage, said evaluation to be done in consultation with the N.H. Department of Environmental Services, the N.H. Department of Fish and Game, the U.S. Fish and Wildlife Service, the Connecticut River Watershed Council, CRJC, Trout Unlimited, and PSNH*”. There has not been a request from the Department and the N.H. Department of Fish and Game has not adopted a management plan for reducing or eliminating stocking and/or harvest.

The FERC EA (footnote 10 in the LIHI application), which did not recommend fish passage facilities, noted that while naturally reproducing trout populations were currently sustaining themselves at that time (2008), the stocking program serves to supplement the populations in order to meet the high level of angling pressure in the Project vicinity; and that the stocking program has been in existence since the 1930's with no expectation that it would be discontinued (EA pages 27-28).

CRC cites several stakeholder comments from study scoping and preliminary licensing proposal phases of the licensing process, making no acknowledgement that the terms of the new license and WQC, which do not include fish passage for resident species, are based upon final recommendations from state and federal resource agencies.

Electrofishing surveys of tributaries both upstream and downstream of the Canaan dam revealed the presence of wild brook trout, yet CRC presumes that fish passage at the project is necessary to help “recovery” of riverine species. CRC also presumes that with all other factors remaining the same (stocking rates, fishing pressure, habitat availability) upstream and downstream passage for resident species would directly result in an increase in fish populations. The purpose of the stocking program is not to “recover” a resident species, but rather to supplement wild populations to support a popular recreational fishery.

Comment 3.2.5 Criterion E – Shoreline and Watershed Protection

CRPNH acknowledges that The Riparian Zone Management Plan is not as extensive as some shoreline management plans with robust permitting programs. The plan is a requirement of a federally issued license to operate issued by and enforced by FERC.

Comment 3.2.6 Criterion F – Threatened and Endangered Species Protection

While federally listed species Northern long-eared bat and Canada lynx might be transient at the project, the relatively limited footprint of the project and operational effects, including the requirement of the riparian plan, are not expected to adversely affect those species. No such concerns have been raised by the USFWS which has jurisdiction over activities that may affect threatened and endangered species.

We appreciate the CRC taking the time to review and comment on our LIHI application for Canaan. We strongly believe the historic Canaan project is a low impact facility that produces 1.1 MW of clean, renewable electricity to power homes in New England. The project also provides significant areas of well-maintained recreational access for anglers and a portage route for paddlers, as well as a protected riparian corridor for both wildlife and botanical species to prosper.

Sincerely,

A handwritten signature in black ink that reads "Curt Mooney". The signature is written in a cursive style with a long, sweeping tail that extends to the right.

Curt Mooney, M.S.

Manager, Regulatory Affairs

Cc: Maryalice Fischer (via email)