

**REVIEW OF APPLICATION FOR RE-CERTIFICATION
OF THE COLLINS PROJECT
FOR THE LOW IMPACT HYDROPOWER INSTITUTE**



Prepared by:
Patricia McIlvaine
July 6, 2017

I. Background

This report reviews the application submitted by the Ampersand Collins Hydro LLC (Ampersand), or applicant, to the Low Impact Hydropower Institute (LIHI) for re-certification of the Collins Hydroelectric Project (P-6544) (Collins or Project). The Collins project was previously owned by Swift River Company when initially certified but has been owned by Ampersand since June 9, 2014. Initial LIHI certification (Certificate 88) of the Collins Project became effective March 3, 2012 for a five-year term, expiring March 3, 2017. The term has been extended to August 3, 2017 to allow for review of the re-certification application. The original certification review, prepared by Jeffrey Cueto in July 2012, can be found here:

<http://lowimpacthydro.org/wpcontent/uploads/2012/07/CollinsCertificationFinalReport16July2012.pdf>

Three conditions were associated with the original certification. These are listed below, taken directly from the 2012 Report. To date, Condition #2, has not been fully satisfied, as only the noted interim method of providing passage has been implemented.

- *“Condition No. 1. Within 60 days of LIHI’s grant of certification, Swift River shall bring the Facility into compliance with USFWS Condition 6 of the January 23, 1984, Department of Interior terms letter. The flow monitoring and record-keeping plan shall be developed in consultation with the USFWS and MassWildlife. The USFWS-approved plan and USFWS approval letter shall be filed with LIHI within 7 days of USFWS approval.*
- *Condition No. 2. By October 1, 2012, Swift River shall enter into, and provide LIHI with a copy of, an agreement reached between the USFWS, MassWildlife, and Swift River for providing both interim and permanent safe, timely, and effective downstream passage for American eel, including a description of the planned passage and protection measures and the implementation schedule for design, installation, and operations. Said permanent facilities shall be in place and operational by August 1, 2015, and Swift River shall notify LIHI within two weeks of completion. In the interim, effective August 15, 2013, Swift River shall institute interim downstream passage, which shall consist of nightly shutdowns (dusk to dawn) during rainy nights from August 15 to November 15. Swift River shall keep a log during this period, showing precipitation and generation information, and provide it to the USFWS and MassWildlife by December 31 annually until permanent measures are in place. This interim passage provision shall be included in the aforementioned agreement. In the event that the USFWS and MassWildlife determine prior to the installation of permanent downstream passage that the above-described interim downstream passage measure is not providing safe, timely and effective interim passage for outmigrating eels, Swift River shall implement other reasonable interim measures as requested by these agencies. LIHI will waive the requirements for interim and/or permanent downstream eel passage measures if Swift River presents written documentation of concurrence from the Resource Agencies that eel can pass through the bulb turbines with acceptable levels of turbine mortality and injury.*
- *Condition No. 3. Within 6 months of LIHI’s grant of certification, SwiftRiver shall complete a recreational needs assessment consistent with the recommendations of the National Park Service as described in the Department of Interior terms and conditions letter of January 23, 1984. At a minimum, a portage shall be constructed to provide a safe route around the Project dam. The assessment report, which shall include proposals and an implementation schedule for recreational improvements as appropriate, shall be provided to the National Park Service and the consulted agencies/groups immediately upon completion, and filed with FERC. Swift River shall file the report and an implementation schedule for recreational improvements as appropriate, shall be provided to the National Park Service and the consulted agencies/groups immediately upon completion, and filed with FERC. Swift River shall file the report and*

copies of the agencies/groups transmittal letters with LIHI by February 1, 2013”.

The Collins Hydroelectric Project dam, located at river mile 12.6 is one of six dams associated with power generation located on the Chicopee River, several of which also have LIHI certification (denoted in bold). These other projects include the upstream **Red Bridge** (River Mile 15.2; LIHI #96) and downstream **Putts Bridge** (River Mile 9.2, LIHI # 102), **Indian Orchard** (River Mile 7.8, LIHI # 112), Chicopee Falls Station (River Mile 3.0) and Dwight (River Mile 1.2). Collins is located between **Red Bridge** and **Putts Bridge**. Consistent with LIHI’s policy to address basin-wide issues where appropriate, this recertification review took these other LIHI project conditions into consideration.

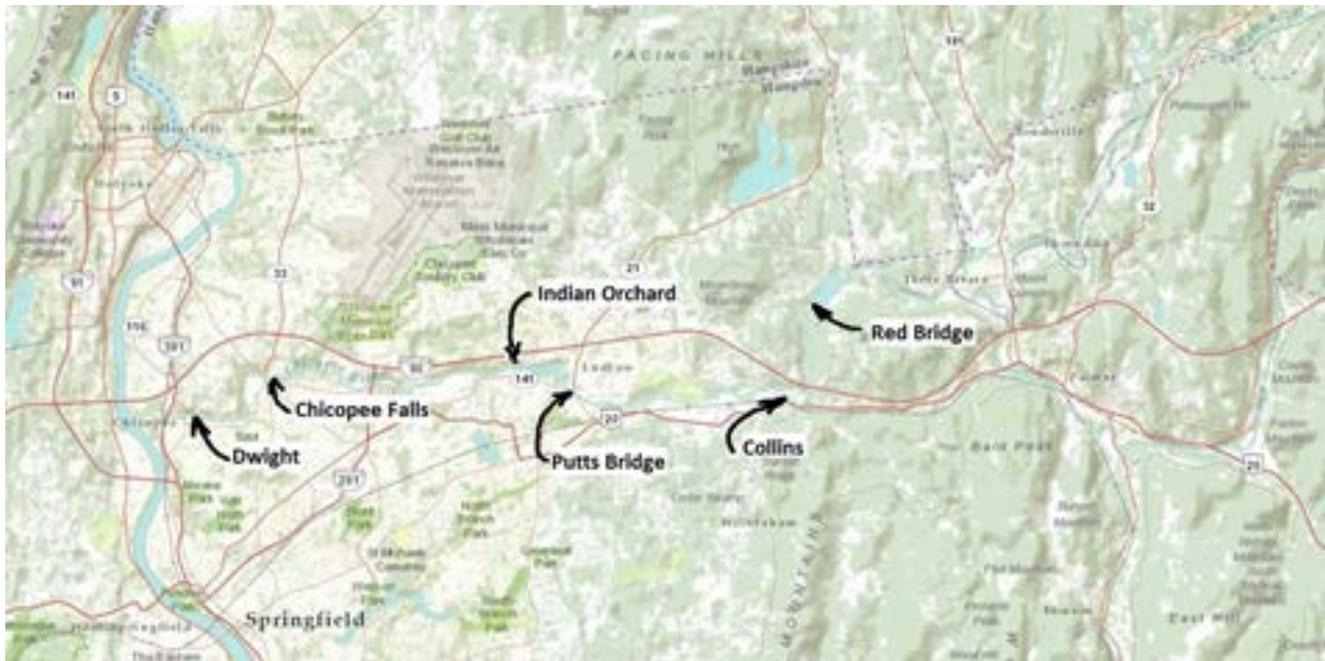


Figure 1 – Locations of Dams on the Chicopee River

The Collins Hydroelectric Project was developed at a partially breached dam site after receipt of a FERC license exemption in 1984. The exemption order describes the project as consisting of a 300-foot-long, 11-foot high dam to be fitted with 3.0-foot flashboards; an impoundment with a gross volume of approximately 378 ac-ft, and about 72 acres in size; an existing power canal 1,100 feet long varying in width from 40 to 90 feet, and flanked by a 270-foot-long spillway section; a new 320-foot-long tailrace; and a power station set in the breached section of the dam and housing two 650 kW turbine/generator units with a total capacity of 1.3 MW. Maximum hydraulic capacity at the site is 555 cfs and the minimum is 111 cfs. The annual output was reported to be 5,265 MWh (1997-2016). The area within the FERC boundary is only 1.1 acres. An aerial of the Project follows; more details including photographs of the Project can be found in the original certification report. The Project operates as run-of-river. Operation is in tandem with releases from the upstream Red Bridge Hydroelectric Project (FERC No. 10676), which operates in a peaking mode, as previously identified during the initial certification process. Red Bridge is owned by Essential Power.

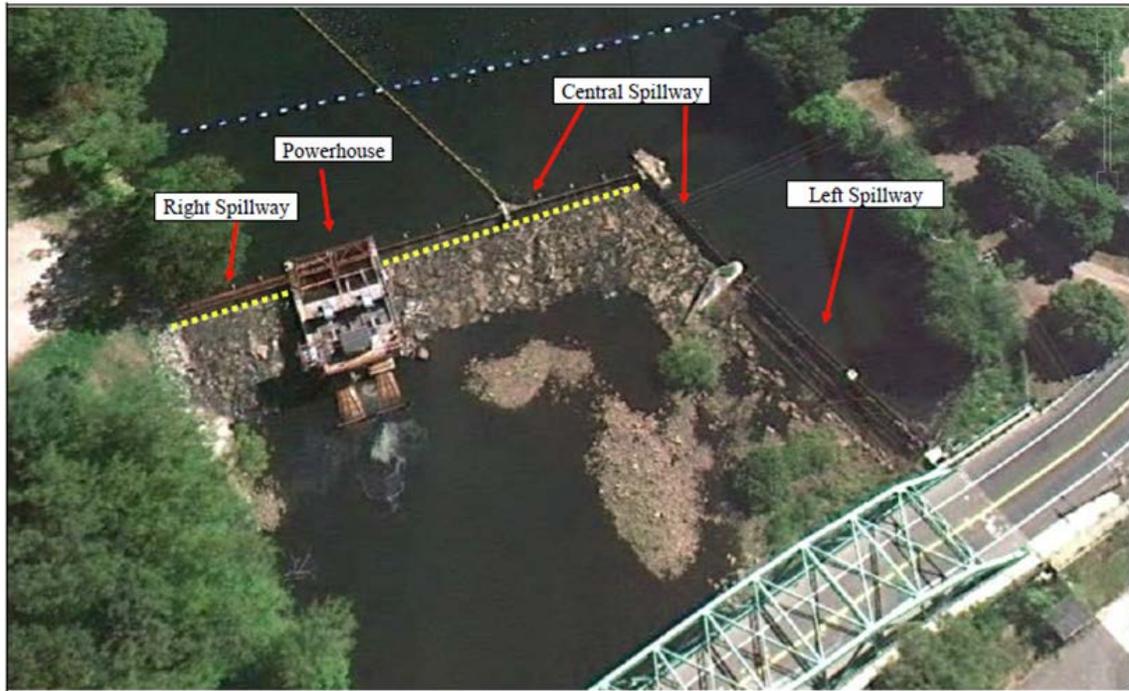


Figure 2- Site Plan Showing Key Project Features

On September 21, 2016, LIHI notified the applicant of upcoming expiration of the Low Impact Hydropower Institute certification for the Collins Hydroelectric Facility. The letter included an explanation of procedures to apply for an additional term of certification under the 2nd Edition LIHI Handbook, including the new two-phase process starting with a limited review of a completed LIHI application, focused on two questions:

- (1) Has there been a material change in the operation of the certified facility or the affected environment since the previous certificate term?
- (2) Has there been a change in LIHI criteria since the certificate was issued?

If the answer to either question is “Yes,” the Application must proceed through a second phase, which consists of a more thorough review of the application using the LIHI criteria in effect at the time of the recertification application. The letter noted that “because the new Handbook involves new criteria and a new process, the answer to question two for all projects scheduled to renew in 2017 will be an automatic ‘YES.’ Therefore, all certificates applying for renewal in 2017 will be required to proceed through both phase one and phase two of the recertification application reviews.” The Phase I Review was completed on April 12, 2017, noting several deficiencies and areas to resolve in an updated Phase II Application. The updated application was submitted on April 24, 2017 and the fee on May, 31, 2017. This report results from the Phase II review.

II. Adequacy of the Recertification Package

On April 24, 2017, the Owner provided supplemental information via an updated application based on the deficiencies identified during the Phase I Review. The recertification review was conducted using the new LIHI Handbook, 2nd Edition, dated March 10, 2016. This Stage II assessment included review of

the application package, public records in FERC's eLibrary since the most recent LIHI recertification in July 2012 and annual compliance statements received by LIHI during the past term of certification. Seven comment letters/emails were received as a result of application posting on LIHI's website, which included three individuals and the four organizations listed below. All supported the development of portage around the dam. The comment period closed June 24, 2017. They are addressed under **Criterion H-Recreation**.

- Chicopee 4 Rivers Watershed Council
- Berkshire Chapter of AMC Paddlers
- Appalachian Mountain Club (AMC)
- Connecticut River Conservancy

Contact was made with the following stakeholders as part of this review. Their discussions are incorporated into the applicable criterion sections.

- Melissa Grader of the US Fish and Wildlife Service (USFWS) (413-548-8002 ext 8124; melissa_grader@fws.gov) to seek their thoughts on fish passage issues at the Project.
- Robert Kubit of Massachusetts Department of Environmental Protection (MADEP), Water Quality Division (508-767-2854; Robert.Kubit@state.ma.us) Inquired if any water quality concerns exist.
- Caleb Slator, PhD, Anadromous Fish Project Leader with Massachusetts Division of Fish and Wildlife (MADFW), caleb.slater@state.ma.us Follow-up on approach to fish passage.
- Doug Stefancik, Town Planner, Town of Ludlow, MA; 413-583-5624 ext. 1280; dstefancik@ludlow.ma.us Discussed canoe portage needs.
- Keith Davies, Coordinator for the Chicopee 4 Rivers Watershed Council; chicopeewatershed@gmail.com Discussed comment letter on canoe portage comments.
- Charles Murray; Chair of Berkshire Chapter of AMC Paddlers; charlesedgarmurray@gmail.com Discussed canoe portage comments.

No other agency contacts were believed to be needed. I communicated with Ian Chow from Amperand on operational data requests and recreational issues. In my opinion, the materials provided and referenced above are sufficient to conduct this Stage II review.

III. There have been no "material changes" at the facility that would affect recertification

In accordance with the Recertification Standards, "material changes" mean non-compliance and/or new or renewed issues of concern that are relevant to LIHI's criteria. My Stage II review confirmed that no material changes in the facility design or operation have occurred since previous LIHI review, no changes in environmental conditions or new or continuing issues have occurred and that there are no areas of noncompliance.

IV. LIHI certification criteria are satisfied in all zones

The Owner appropriately selected two Zones of Effect for this project, including an impoundment zone, and downstream regulated reach zone. There is no bypassed reach at Collins. Standard 1 was selected for all criteria for both Zones of Effect, except for Criterion H-Recreational Resources for the Impoundment ZOE, where they selected Standard H-2, Agency Recommendation. Based on this Stage II review, I am recommending that Standard H-2 is also appropriate for the Riverine Reach. This is

explained under the criterion discussion.

- A. ***Ecological Flows*** – The Facility continues to operate in a strict run-of-river mode. Operation is in tandem with releases from the upstream Red Bridge Hydroelectric Project (FERC No. 10676), which operates in a peaking mode, as previously identified. Under exemption terms set by the USFWS, the Project maintains a minimum flow of 332 cfs, or the summer Aquatic Base Flow per the USFWS New England Flow Policy (1981). The applicant reported that in the past five years, there were no non-compliance events; my review of FERC eLibrary for the same period found no reported incidences of non-compliance. In the previous review, LIHI requested a flow monitoring and record keeping plan which was filed with FERC and is being utilized. The plan requires Collins to “notify FERC within ten days of any violation of its 4 inch impoundment fluctuation limit or its minimum flow discharge requirements”, however no reports have been required. In a letter dated October 3, 2016, Dr. Caleb Slator of the Massachusetts Division of Fisheries and Wildlife stated “the Division believes that the current operation of the Project meets the river flow requirements in the FERC exemption.” This criterion has been met for Standard A-1 for both ZOE. However, to ensure a basin-wide approach is addressed since this Project as well as others are all affected by river flows, a condition has been established to continue operational coordination among all the hydropower projects in the lower Chicopee River.
- B. ***Water Quality*** – Because this project was granted an exemption by FERC, there is no state water quality certification. In 2010 this segment (MA 36-23) of the Chicopee River which was listed as Category 5, “Waters requiring a TMDL” was reclassified as Category 2. Given the generally good water quality conditions, low bacteria counts and general lack of objectionable conditions, the Aquatic Life Use, Aesthetics Use and both Primary and Secondary Recreation are assessed as support. However, due to the potential impacts of hydropower operations this segment is identified with an “Alert Status.” It should be noted that Collins is a run-of-river project, while the Red Bridge Project, also located in this river segment, operates in a peaking mode.

In an email dated June 26, 2017, R. Kubit of MADEP confirmed he has no water quality concerns associated with the project. Thus, this criterion has been met for Standard B-1 for both ZOE.

- C. ***Upstream Fish Passage*** – As noted in the original Certification Report, the USFWS through the Department of Interior (letter of January 23, 1984) reserved authority to prescribe fish passage during the exemption proceeding; however, no prescriptions have been issued to date for migratory or riverine fish. Thus, no such facilities exist at the Collins project. Upstream passage of anadromous species is blocked by the downstream Dwight Project, as well as Indian Orchard and Putts Bridge, all owned/operated by Nautilus Hydro LLC (formerly owned by Essential Power). Per communications with Kim Marsili, there are no current plans for installation of any up or downstream passage at any of these facilities (See Appendix A). Despite this lack of upstream passage, American eels have been reported as occurring upstream of Collins. The lack of need for upstream passage measures are noted by the MADFW in their letter dated October 3, 2016. An email dated June 15, 2017 from M. Grader of USFWS supports this position. (See Appendix A.). A follow-up email and discussion on June 26, 2017 with C. Slator of MADFW, confirmed that while upstream passage is not required now, it may be in the future. Thus, this criterion has been met for Standard C-1 for both ZOE.
- D. ***Downstream Fish Passage*** – There are no downstream fish or permanent eel passage facilities at the Facility, and to date, none has been required by MADFW nor USEPA. In compliance with Condition #2 established by LIHI for the original certification, the Owner has certified that they have been

implementing nightly shutdowns (dusk to dawn) during rainy nights from August 15 to November 15 for the safe passage of American eel. For example, in 2015 and 2016, they shut down for a total of 45 hours over four dates and 25 hours over three dates hours, respectively. Both were noted to be dry years. Neither the past nor current Collins Owner however has installed permanent downstream eel passage, which was also required by this LIHI Certification Condition. As part of the recertification application, Ampersand contacted the MADFW regarding the need for such passage. The above referenced MADFW October 3, 2016 letter and USFWS email suggest no measures are necessary. In the June 26, 2017 discussion with C. Slator, he also confirmed that while downstream passage is not required now, it may be in the future. No downstream passage measures are currently employed at the upstream Red Bridge.

The applicant selected Standard D-1, Not Applicable/De Minimis. The application materials did not specifically describe how the facility “does not impose a barrier to downstream fish passage in the designated zone, considering both physical obstruction and increased mortality relative to natural downstream” as defined in this Standard. However, given the position from both MADFW and USFWS that passage is not needed at this time, and since it is expected that only limited numbers of eel are making it upstream, and no downstream passage measures are used at Red Bridge, I believe this Standard nonetheless applies and has been met.

- E. ***Watershed and Shoreline Protection*** – The area within the FERC boundary for the Collins Project available to Ampersand is limited. This property is owned by I-MaxMat Corporation and Ampersand has a lease agreement in place to allow required access for Project operation and maintenance and other FERC Exemption obligations. Only flowage rights exist within the impoundment. There are no Shoreline Management Plan or similar requirements. The Owner appropriately selected and has met Standard E1 – Not Applicable/De Minimis for this criterion for both ZOE's.
- F. ***Threatened and Endangered Species Protection*** – There is no record of state or federally listed T&E species in the Facility area presently. The Triangle Floater is present, and was previously a state-listed species of Special Concern, based on the past application materials. However, this species was delisted in 2012. The Owner appropriately selected and has met Standard F1 – Not Applicable/De Minimis for this criterion for both ZOE's..
- G. ***Cultural and Historic Resources Protection*** – For the initial LIHI Certification, the Applicant provided a copy of a June 13, 1983, letter from the Massachusetts Historical Commission stating that a review of its files did “not indicate the presence of any significant historic or archaeological properties within the proposed project areas.” No special protection is afforded cultural resources under the exemption as issued. In the current application, the Applicant stated this this applies to the Project. I did not find any information in FERC’s eLibrary to suggest otherwise. The Owner appropriately selected and met Standard G1 – Not Applicable/De Minimis for this criterion.
- H. ***Recreational Resources*** – As previously noted, based on this Stage II review, I am recommending that Standard H-2, Agency Recommendations, is appropriate for both the Impoundment and Riverine Reach ZOE's. There are agency recommendations, albeit they are general in nature rather than being comprehensive. There is also a “recreational plan”, prepared as “action items” or commitments made by the previous Project Owner as part of an agency required Recreational Needs Assessment Study. Nonetheless, I believe this is more appropriate than Standard H-1 for the riverine reach. It could also be possible to consider Standard H-3 as being appropriate for both reaches which means:

STANDARD H-3. Assured Accessibility and Use: If agency recommendations and an enforceable recreation plan are not in effect, the facility demonstrates that it has been and will continue to be responsive to reasonable public interest group requests for adequate public access to land associated with the facility, to the reservoir and downstream reaches, and to appropriate recreational water flows and levels, without fees or charges.

The following assessment applies regardless of the Standard selected.

Compliance with the 3rd Condition issued by LIHI for a Recreational Needs Assessment report was completed and issued to LIHI and FERC. The Applicant reports it provides free, but informal public access to the tailrace for fishing and an informal path that allows portage of hand-carried boats around the dam, although the only dam hazard/safety signs apparently are provided. Some improvements, such as some tree removal, to this portage were made to address the Condition requirement to develop this portage. No parking facilities are provided. A 1984 letter issued by the US Department of Interior on behalf of the National Park Service and US Fish and Wildlife Service during project licensing required the development of a “recreational needs study” and required that “access be provided wherever possible” including “access for anglers to project waters” (that letter was included in the original certification application from 2012). The License Exemption incorporates the “terms and conditions” of any agency comments submitted during the course of the licensing process, such as this 1984 letter, as a condition of Article 2.

The relatively new issue for this project is that a number of stakeholders have suggested that more formal portage should be provided at the Project. The Applicant prefers that such portage is not formalized due to security concerns raised by an adjacent property owner.

It appears the informal portage is within the FERC Project boundary identified to LIHI. Figure 1 in Appendix A shows the FERC boundary. This passage essentially follows the path indicated on Figure 2 in Appendix A. As required by FERC regulations, an Exemptee must either own all lands, or have “rights” from the owner, necessary for Project operation, maintenance and to fulfill other FERC Exemption requirements. Ampersand reported they lease the project lands from I-MaxMat. Thus, it would appear that the rights would exist to develop this portage trail.

The Applicant reported that the adjacent property owner, Columbia Gas, has confirmed that “Columbia Gas must maintain the highest security standards and restrict access as much as possible due to the sensitive nature of the materials and equipment on site”. Review of Goggle Earth has shown that security gates exist at the entrance to the Columbia Gas facility and that perimeter fencing and security cameras were noted in Ampersand’s LIHI application. Ampersand has expressed concern over formalization of a portage trail, as identification of it on materials promoted by various paddling groups will encourage use of the stretch of river between Red Bridge and Collins which fronts the Columbia Gas property on the west (right) side. They also feel the upstream river access has steep banks and is concerned about safety of the users. They do not prohibit use of the current unimproved portage. Ampersand stated that access options on the east (left) side are limited due property ownership. In the 2013 Inspection Report, FERC noted “the left bank is generally in private hands although there may be an area near the left abutment available for access.”

It is important to note that while this security concern was expressed by the former Owner in the Recreational Needs Assessment Report, commitments were nonetheless made by them in the Report:

“Accordingly Collins will undertake the following site improvements to enhance recreation.

- *Locate and evaluate areas that could be used for canoe put-in/take-out areas above and below the project site*
- *Improve the pathway of the informal portage around the dam that runs between the upstream end of the safety buoys that connects to the tailrace where fishermen love to angle.*
- *Set out a picnic table at the near the area used by fishermen where they go down to the river.*
- *Create storage and a fenced area used for storage of boat buoys, their river chains, hydro equipment in the public parking lot beside the entrance to the hydro site.*
- *Install signage (summer 2013) to direct people on a safe route around the project dam.*
- *Continue consulting with local groups to determine if there are other potential recreational opportunities.*
- *Consult with Columbia Gas regarding their on-going plans for security upgrades in the area.”*

Seven stakeholders interested in formal development of a hand-carried boat portage around the dam submitted such comments to LIHI (these are posted on the LIHI website). I also spoke with the first two (Charles Murray and Keith Davies) to ensure I understood their issues. Mr. Davies, Coordinator for the Chicopee 4 Rivers Watershed Council, expressed strong desire to partner with Ampersand in the development of a portage trail and stated he had previously met with them to discuss his ideas. He stated he does not believe that such development would result in significant increase in use of Collins impoundment but that it could provide for safer use of the river segment rather than using the unimproved trail or paddling back upstream. He stressed he does not see the need for parking facilities. He stated he is familiar with the area and has communicated with individuals who have used the current portage. Mr. Davies shared several communications he has had with Ampersand regarding formalization of this portage, although Ampersand’s final response that they were not willing to move forward with the project. Mr. Murray was not familiar with paddling the area but said he feels in general that use of a river by paddlers results in better understanding of such resources. When I spoke with Doug Stefancik, Town Planner for the Town of Ludlow, he said the Town was contacted by the Chicopee 4 Rivers Watershed Council but told me the Town would not likely get involved since they do not own the property where the proposed portage is located.

I am recommending that this criterion would be met provided some additional development is made to either the existing informal portage trail or a new one be located on the east side of the river. I believe this is appropriate because 1) the License Exemption required that “access be provided” and 2) the previous Owner made a commitment to do so in the agency required “needs study” and to comply with the original LIHI Condition. To address the concern about significant increase in use of the area, especially adjacent to the Columbia Gas property, I recommend that Ampersand coordinate with the Chicopee 4 Rivers Watershed Council to develop this portage and an approach to minimize significant advertisement of the portage.¹ Not developing any parking facilities or picnic areas would help minimize public use of the area. Coordination with Columbia Gas representatives in this planning could help alleviate their concerns. A condition has been recommended to address this issue.

¹ It should be noted that *Massachusetts Paddlers* currently lists the Collins Dam (noted as Cottage Avenue Dam) as an access point to the river. <http://www.massachusettspaddler.com/chicopee-river-access>

V. Conclusion

In conclusion, I recommend recertification of the Collins Hydroelectric Facility to a new, five-year term with the following conditions:

Condition 1. The Owner of the Collins Project shall participate in the annual workshop organized by the Owner of the Red Bridge Project on Chicopee River Hydropower Operations designed to promote better understanding of regulated flows and impoundment fluctuations on the river, and to identify operational flow enhancements that can benefit the dual goals of clean, renewable energy and environmental protection. This workshop will be a forum for sharing annual operational data from all the projects on the river. The workshop shall be scheduled at a time when all the Chicopee hydropower owners and the applicable resource agencies can attend (i.e., USFWS, MADFW and MADEP). The workshops will be repeated annually. If the owners jointly agree that these meetings are considered less than successful or no longer needed, Owners of hydropower facilities on the Chicopee River may petition LIHI to discontinue it. The Owner of Collins shall confirm their attendance at the workshop in each annual compliance statement submitted to LIHI. The date of the workshop and Owner's attendees shall be noted.

Condition 2. Within 30 days of issuance of LIHI re-certification, the Owner shall convene a meeting(s) with interested stakeholders to discuss an approach that would result in formalization of a portage route around the Collins Dam, while also addressing measures to help minimize over-use of the area adjacent to the Columbia Gas property by members of the boating public. Minutes of the meeting(s) shall be issued to meeting participants and LIHI. If a formal agreement, including an implementation schedule of not later than the spring of 2018, for the improvement to and maintenance of such a portage cannot be reached by November 30, 2017, LIHI shall be provided a detailed explanation why an agreement is not possible. That LIHI notification shall be provided within 30 days of when that decision is reached. LIHI at that time may find that the certification can nonetheless continue, or must be rescinded due to not meeting the requirements of this Criterion. Should an agreement be reached, the Owner shall notify LIHI within 30 days of when the portage and signage identifying the portage is complete.

Condition 3. Should the Owner receive notification during the term of this LIHI certification from either the USFWS or MADFW that upstream and/or downstream passage for anadromous or catadromous fish is required, the Owner shall forward a copy of that notification and its response to LIHI within 45 days of receipt of the notification.

I am also recommending that consideration be given to granting an extra three years of certification if the Owner implements a study that provides data regarding the presence and possible abundance of American Eel in the waters immediately upstream of the Collins Project, as it appears such data is not readily available. The study should be developed in coordination with MADFW to ensure its proper collection, assessment and reporting. The Owner would provide a copy of the report to MADFW, USFWS and LIHI by December 31 of each year the study is conducted. This study would take the place of the previous Condition 2 that concerned eel passage.

Appendix A

Key Agency and Other Stakeholders Communications and Project Figures

Email from MADEP dated June 26, 2017

6/26/2017

<https://webmail.roadrunner.com/do/mail/message/preview?msgid=INBOXDELIM2823>

[Print](#)

Date: Monday, June 26, 2017 12:07 PM
From: Kubit, Robert (DEP) <robert.kubit@state.ma.us>
To: pbmwork@maine.rr.com <pbmwork@maine.rr.com>
Subject: RE: Seeking your thoughts

Hi Pat,

The MassDEP does not have water quality related concerns associated with the Collins Project (FERC #6544).

Bob

Robert Kubit, P.E.
MassDEP
Division of Watershed Management
8 New Bond Street
Worcester MA 01606
Telephone: (508) 767-2854
Email: robert.kubit@state.ma.us
Fax: (508) 791-4131

-----Original Message-----

From: pbmwork@maine.rr.com [pbmwork@maine.rr.com]
Sent: Monday, June 26, 2017 8:41 AM
To: Kubit, Robert (DEP)
Subject: Fwd: Seeking your thoughts

Good morning

I wanted to check back with you again to see if you are aware of any water quality concerns associated with the Collins Project. I know that you are being copied on several letters issued to LIHI regarding canoe portage. Please be assured those issues will be appropriately assessed under our recreational resources criterion. Your feedback on water quality concerns would not affect the assessment of these recreational features.

I hope to issue my report later this week.

Thanks
Pat

<https://webmail.roadrunner.com/do/mail/message/preview?msgid=INBOXDELIM2823>

MADFW Letter dated October 3, 2016



DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581
p: (508) 389-6300 | f: (508) 389-7890
MASS.GOV/MASSWILDLIFE

Jack Buckley, Director

October 3, 2016

Ian Chow *Asset Manager*
Ampersand Collins Hydro
717 Atlantic Avenue, Suite 1A
Boston, MA 02111
USA
ian@ampersandenergy.com

Re: Collins Hydroelectric Project FERC No. 6544

Dear Ian Chow,

The Massachusetts Division of Fisheries and Wildlife (Division) is the agency responsible for the protection and management of the fish and wildlife resources of the Commonwealth. As such we monitor operations at hydroelectric projects within the Commonwealth. The Division has the following response to your email requesting information about the Collins project for an application for Low Impact Hydro Institute re-certification.

Requests from the Low Impact Hydro Institute and Division responses:

1. Confirmation from Resource Agencies that there were no Agency recommendations regarding shore land management in the Collins FERC Exemption.
 - The Division has no recommendations regarding shore land management at this Project.
2. Confirmation that the current river flows meet the FERC exemption requirements.
 - The Division believes that the current operation of the Project meets the river flow requirements in the FERC exemption.
3. Confirmation that the current upstream and/or downstream passage prescriptions are still valid and that no fish passage facilities have been requested at the Collins Hydroelectric project to date.
 - The Division can confirm that the current upstream and/or downstream passage prescriptions are still valid and that no fish passage facilities have been requested at the Collins Hydroelectric project to date.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Caleb Slater".

Caleb Slater, Ph.D.
Anadromous Fish Project Leader

MASSWILDLIFE

Email from USFWS Dated June 15, 2017

6/16/2017

<https://webmail.roadrunner.com/do/mail/message/preview?msgId=INBOXDELIM2772>

[Print](#)

Date: Thursday, June 15, 2017 5:34 PM
From: Grader, Melissa <melissa_grader@fws.gov>
To: pbmwork@maine.rr.com
Cc: Caleb Slater <caleb.slater@state.ma.us>
Subject: Re: Seeking your thoughts

Hello Pat,

I've reviewed the MA DFW letter and the Service is in agreement with DFW's comments.

Regards,

Melissa Grader
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service - New England Field Office
103 East Plumtree Road
Sunderland, MA 01375
413-548-8002 x8124
melissa_grader@fws.gov

On Thu, Jun 15, 2017 at 10:37 AM, <pbmwork@maine.rr.com> wrote:

Hi Melissa

I am reviewing the application made by Ampersand Collins Hydro LLC to the Low Impact Hydropower Institute for recertification of the Collins Project (P-6544). It is located on the Chicopee River between the upstream Red Bridge Project and downstream Putts Bridge. The attached letter was provided to LIHI in the application made by Ampersand which they received from MA DFW. I was wondering if the USFWS is in general, in agreement with the opinion expressed in this letter or if you have conflicting information or thoughts. Any other insight you would like to offer to me is also more than welcome.

You can either respond by email or give me a call at 207-688-4236. Please note that the LIHI public comment period for this project closes on June 24th so your feedback by then would be greatly appreciated.

Thank you for your time.

Pat

Acknowledgement from Essential Power LLC (now Nautilus Hydro LLC)

Ian Chow

From: Marsili, Kim <KimMarsili@cogentrix.com>
Sent: Friday, April 21, 2017 4:13 PM
To: Ian Chow
Cc: Hollister, Nicholas
Subject: Re: Essential Power LIHI statement

Ian. The statements are true. At this time we do not have and at this time we do not have a commitment to install.

Sent from my iPhone

On Apr 21, 2017, at 3:43 PM, Ian Chow <ian@londoneconomics.com> wrote:

Nick, can you confirm the following two statements?

- ACH has confirmed with Essential Power that their downstream projects have not installed and do not have commitments to install upstream fish or eel passage
- ACH has confirmed with Essential Power that Red Bridge has not installed downstream fish or eel passage since 2012

Thanks,

Ian Chow
Direct: (416) 643-6616

Figure 1 – FERC Project Boundary (provided by Ampersand Collins Hydro LLC)

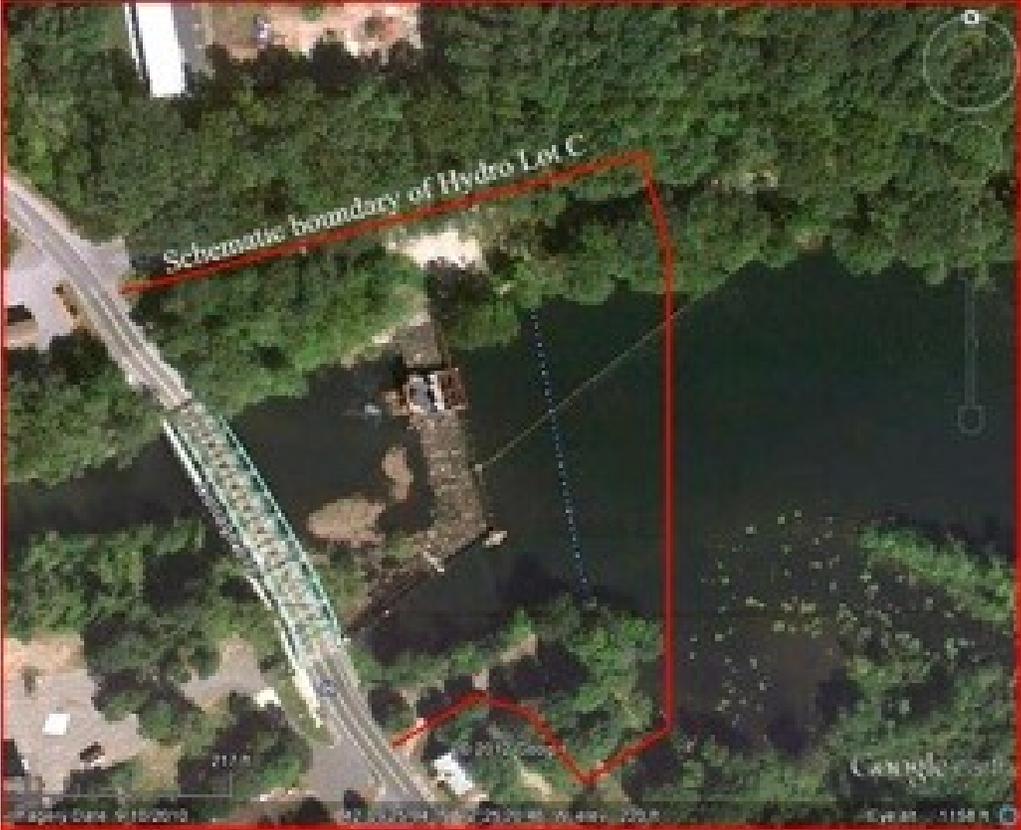


Figure 2 - Proposed Portage Trail (provided by Chicopee 4 Rivers Watershed Council)

Proposed Collins Dam Portage c/o C4RWC

Area where benched trail would be made.

