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Friday, December 04, 2015

Dr. Michael J. Sale  
Executive Director  
Low Impact Hydropower Institute (LIHI)

Subject: Recertification Recommendation for the Loring Road Hydroelectric Project (FERC #13400)

Dr. Sale:

This letter contains my recommendation for recertification of the Loring Road Hydroelectric Facility (the “Facility”). The Facility is located at a valve chamber at the Loring Road Covered Storage Facility in Weston, MA, and generates power from fully treated potable water as it is transferred via a pipeline from one water supply storage tank in a water distribution system (Norumbega) to another storage tank (Loring Road.) The Facility is owned and operated by the Massachusetts Water Resources Authority, a public authority that supplies wholesale water to local water departments in 50 communities. The Facility received a FERC Conduit Exemption issued August 2009, and was originally certified as “Low Impact” on April 14, 2010. The 200 KW facility generates approximately 1,300 MWh/year and is used on site as well as exported to local utility.

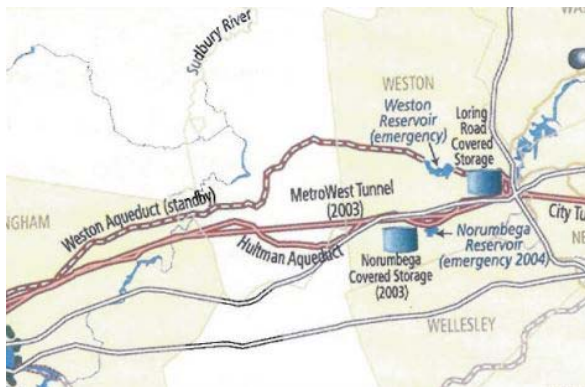


Figure 1 - Loring Road Covered Storage Facility

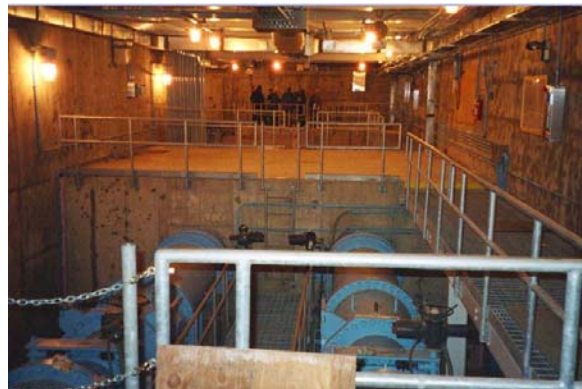


Figure 2 - Loring Road (inside powerhouse)

## I. Recertification Standards

On April 17, 2015, LIHI notified the applicant of upcoming expiration of the Low Impact Hydropower Institute certification for the Loring Road Hydroelectric Facility. The letter included an explanatory statement from LIHI governing the re-certification process for facilities during 2015 due to the transition year while new criteria are implemented. The Explanatory Statement contained Intake Review instructions requiring the Application Reviewer to conduct an Intake Review of the application focused solely on determining the answer to the following questions:

- (1) Has there been a material change in circumstances (defined as areas of non-compliance and/or new or renewed issues of concern that are relevant to LIHI's criteria) since the original certification was issued?
- (2) Does the complexity of the application require an additional fee to cover the cost of the review?

The Recertification review criteria also provide that "If the Application Reviewer can definitively determine from the submitted application materials, a review of the LIHI file containing the past certification decision(s), any public comments received during the application process, and any limited reviewer-initiated questioning by LIHI of the applicant and/or third parties, that the answer to both questions above is "no," the Application Reviewer will recommend re-certification approval to LIHI's Executive Director, and there will be no further application review."

### **III. There have been no "material changes" at the facility that would affect the certification.**

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. Based on my review of materials provided, review of FERC's public records, and consultation with the noted individuals, I found that there are [no/ instances] of noncompliance or new or renewed issues of concern. In addition, Dr. Caleb Slater from Massachusetts Division of Fisheries and Wildlife provided a comment for the Loring Road Hydroelectric Project which concluded "there have been no issues with this project since it was LIHI certified in 2010, therefore the DFG has no objection to re-certification of the Loring Road Conduit Hydroelectric Project as a "Low Impact" facility.

In the Recertification questionnaire, the applicant noted that MWRA has a partnership with the Department of Conservation and Recreation (DCR) Division of Watershed Management, whereby revenues from MWRA are used to offset costs associated with the DCR for watershed protection activities. As a result, they checked "Yes" for the Watershed Protection program questions that would provide them the extra three years of certification. I reached out to the applicant to further diligence this program, and was provided a detailed description of the mechanism whereby revenues from MWRA fund watershed protection activities entirely, which consists of a \$30M annual budget. The working relationship between DCR and MWRA was established via a Memorandum of Understanding (MOU) between the two agencies, taking effect in 2004. Furthermore, the applicant provided documentation demonstrating proof of hydropower revenue going directly to the account of the Watershed Management program.

The Watershed Management Program publishes an Annual Workplan and Budget, which can be found at the following link: <http://www.mass.gov/eea/docs/dcr/watersupply/watershed/fy16watershedworkplan.pdf> Activities are clearly dedicated to protecting and preserving the watersheds affected by MWRA operations and contain specific land management activities, including critical parcel acquisition, forestry operations, managing wildlife in the watershed, maintaining Ranger presence, and many other activities.

### **III. No further application review is recommended.**

The application was public noticed and received one comment from Dr. Caleb Slater from MDFW (Attachment 1.) In my opinion, the materials provided and referenced above are sufficient to make a recertification recommendation, and no further application review is needed.

### **IV. Conclusion**

In conclusion, I recommend Recertification of the Loring Road Hydroelectric Facility to one new, eight-year term, which includes the three bonus years for fulfillment of Watershed Protection Criteria requirement for the

fund described in (II) above.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter R. Drown", with a stylized flourish at the end.

Peter R. Drown, Principal  
Cleantech Analytics LLC

**Attachment 1**  
**Agency and Applicant Communications**

**Date:** October 22, 2015

**Contact Person:** Dr. Caleb Slater, PhD, Anadromous Fish Project Leader



Commonwealth of Massachusetts

# Division of Fisheries & Wildlife

Jack Buckley, *Director*

October 22, 2015

Dana Hall, Director  
Low Impact Hydropower Institute  
34 Providence Street  
Portland, ME  
04103

RE: Cosgrove Hydroelectric Project (FERC #10688)

Dear Ms. Hall:

The Department of Fish and Game ("DFG") hereby submits the following comments on the Low Impact Hydropower Institute's ("LIHI") Pending Application for the proposed LIHI re-certification of the Cosgrove Hydroelectric Project located in Clinton, Massachusetts.

DFG is submitting these comments to LIHI in order to fulfill the requirements of the Massachusetts Department of Energy Resources ("DOER") Renewable Energy Portfolio Standard Regulations (225 CMR 14.00; "RPS I" and 225 CMR 15.00; "RPS II"). The RPS I and RPS II regulations were promulgated by DOER on January 1, 2009 and require that any hydroelectric project wishing to qualify as either a RPS I or RPS II generator first obtain LIHI certification. These regulations also require all relevant regulatory agencies to comment on the pending LIHI application.

#### **PROJECT**

The Cosgrove Hydroelectric Project is located at the intake to the Cosgrove Aqueduct which transfers water from the Wachusett Reservoir to the Boston Metro area.  
The project has an installed capacity of 1,200kW and average annual generation of 3GWH.

#### **COMMENTS**

There have been no issues with this project since it was LIHI certified in 2010, therefore the DFG has no objection to re-certification of the Cosgrove Hydroelectric Project as a "Low Impact" facility.

Thank you for this opportunity to comment.

Sincerely,

Caleb Slater, Ph.D.  
Anadromous Fish Project Leader

[www.mass.gov/masswildlife](http://www.mass.gov/masswildlife)

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