



**MassWildlife**

Commonwealth of Massachusetts

# Division of Fisheries & Wildlife

Jack Buckley, *Director*

October 1, 2015

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

RE: Crocker Dam Project  
FERC No. P-13237

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 Crocker Dam Project FERC No P-13237 located on the Whitman River, in Westminister, 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 proposed project will consist of : (1) the existing 520-foot-long, 38.5-foot-high earthen embankment and masonry Crocker Pond dam with a 120-foot-long arched spillway section currently topped with 26-inch-high wooden flashboards; (2) an existing 102.9-acre impoundment with normal water surface elevation of 752.66 feet above mean sea level (msl); an existing 8-foot-wide, 12-foot-high floodgate; (3) an existing 3-foot-wide, 3-foot-high mud gate; (4) an existing gate house equipped with an existing 47-foot-long, 42-inch-diameter penstock and a new 18-foot-wide, 6.5-foot-high metal trashrack with 1-inch-wide bar spacing; (5) a 42-inch-diameter penstock extension; (6) a new powerhouse containing one 145-kW turbine generating unit; (7) a new 20-foot-wide, 6-foot-deep, 35-foot-long tailrace; (8) a new 240-foot-long, 480-volt (V) transmission line; and (9) appurtenant facilities.

## **FISH AND WILDLIFE RESOURCES**

The Whitman River supports fish and aquatic resources, including a number of resident fish species, and freshwater mussels. Restoration of anadromous fish populations are ongoing in the greater Nashua River watershed.

## **IMPACTS AND MITIGATION**

### Run-of-river Operation

As long as the project operates in a true run-of-river mode, with inflow equal to outflow on an instantaneous basis. Maintaining natural flow through the project protects the existing habitat which

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benefits fish and wildlife species. Downstream habitats also benefit from run-of-river operation. The resulting stable flow regime supports the riverine assemblage in the free-flowing sections of river below the project.

#### Bypass Flows

The project will have a very short bypass reach as the powerhouse is located at the base of the dam, and a small continuous flow through the flashboards and down the spillway will be provided for aesthetic purposes.

#### Migratory fish

No migratory fish have been documented at the project site, however the US Fish and Wildlife Service has a river herring restoration program in place on the Nashua River and passage for river herring may be required in the future.

#### Endangered Species

A review by the Division's Natural Heritage and Endangered Species Program (NHESP) found that operation of the project within the terms and conditions set out in the FERC license will not result in "adverse effects" to the actual Resource Area habitat or a "take" of rare species and thus will not require a Conservation and Management permit pursuant to 321 CMR 10.23.

### **COMMENTS**

The project has not yet been constructed, but if it is built and operated as specified in the FERC's "ORDER ISSUING ORIGINAL MINOR LICENSE", issued September 5, 2012, the Division has no objection to its certification as a "low Impact" facility.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Caleb Slater". The signature is fluid and cursive, with a long horizontal stroke at the end.

Caleb Slater, Ph.D.  
Anadromous Fish Project Leader