

March 26, 2010

Charles Rosenfield  
Pawtucket Hydropower LLC  
87 Senexet Road  
Woodstock, CT 06281

**Subject: Re-Certification of the Pawtucket Project – LIHI Certificate No. 000011**

Dear Charlie:

I am delighted to report that the Institute's Governing Board has determined that the Pawtucket Project, FERC No. 3689, continues to meet the Low Impact Hydropower Certification Criteria. An original Low Impact certificate will be forwarded to you once the Governing Board Chair and Secretary have executed it. In reaching its decision to certify the Pawtucket Project, the Low Impact Hydropower Institute's Governing Board reviewed the application for certification, as well as the Application Reviewer's report. The Board's vote to re-certify the Pawtucket Project as a Low Impact facility was unanimous.

Based on public comments that expressed concerns about or opposing the project's re-certification, the LIHI Board re-certifies the Pawtucket No. 2 Small Hydroelectric Project (project or facility) effective April 23, 2009 with the following non-standard conditions:

- A. The Rhode Island Department of Environmental Management (RIDEM) has implemented a plan for restoring anadromous fish to the Blackstone River. If the Applicant contests a requirement developed under Exemption Standard Article 2 (which incorporates the U.S. Fish and Wildlife Service's May 21, 1981 comment letter), LIHI certification of the Pawtucket Project shall be suspended subject to the project's continuing compliance with other requirements of LIHI certification.
- B. If the resource agencies prevail in the dispute, and the project complies with the resource agencies' orders, LIHI will restore the project's certification.
- C. If the resource agencies prevail in the dispute, and the project refuses to comply with the resource agencies' orders, LIHI will revoke the project's certification.
- D. If the project prevails in the dispute and the resource agencies' recommendations are overturned by a legal proceeding, those recommendations will cease to be valid and LIHI will restore the project's certification subject to the project's continuing compliance with other requirements of LIHI certification

The certification of the Pawtucket Project facility is valid for five years and will expire on April 23, 2014. During the time the Pawtucket Project is certified as low impact, you may market the Pawtucket Project facilities as a certified Low Impact Hydropower facility. Certification by the Institute also makes the power produced from the Pawtucket facility eligible for other “green” power certification programs.

It is your responsibility to maintain compliance with the certification criteria and to notify of us of any changed conditions relevant to the certification. This could include changes in agency recommendations, or changes in operations. You will also be asked to fill out a short form each year to confirm compliance during the preceding year. The Institute may also conduct occasional follow-up checks with you and/or relevant resource agencies to ensure that the Pawtucket facility remains in compliance.

I strongly recommend you review LIHI’s Certification Use Requirements (addressing the language to be used for describing a Low Impact Hydropower Facility for marketing purposes), our Compliance standards and the penalties for non-compliance, as well as current information about renewing your certification. That information, as you know, is available at the LIHI website ([www.lowimpacthydro.org](http://www.lowimpacthydro.org) ). If you have any questions about any of those materials please call.

If the Institute identifies a problem with Pawtucket Project’s compliance with the certification criteria, it will evaluate the situation and take any necessary actions. In the case of non-compliance, possible responses include the suspension or revocation of the certification. Factors to be considered would include the scope, duration, and intensity of any non-compliance, its effects on the environment, whether the violation was intentional or not, and whether or not there was a valid reason (e.g., public safety) for the non-compliance.

Thank you again for your interest in the Low Impact Certification Program, and congratulations on securing Low Impact re-certification for the first Rhode Island low impact hydropower project. Contact me if you have any questions, or if I can be of any assistance.

Sincerely,

Fred Ayer,  
Executive Director

cc: Public files