



SUBJECT - Low Impact Hydropower Institute (LIHI) Recertification Review for the Hoosic River Project (FERC 2616)

BACKGROUND

Erie Boulevard Hydropower (EBH) is a wholly owned subsidiary of Brookfield Renewable Energy Group (BREG). EBH's Hoosic River LIHI Project (Project) consists of two hydroelectric developments along the Hoosic River in the towns of Johnsonville and Schaghticoke, Rensselaer County, New York (NY). The prior recertification of the Project was issued on July 9, 2009 and terminated on July 9, 2014. EBH submitted an application for recertification of the Project on March 31, 2014.

The Hoosic River watershed is formed from tributaries originating in the Berkshire Hills of Massachusetts and the Green and Taconic Mountains of Vermont. The Hoosic River main stem is approximately 76.3-mile-long and drains an area of 714¹ square miles. The river initially flows north, west, and northwest, through the towns of Cheshire and Adams, the city of North Adams, and the town of Williamstown in Massachusetts. The river then travels through Pownal in the southwest corner of Vermont, after which it enters Rensselaer County, New York and then flows through the towns of Petersburg and Hoosick, where it passes over a dam in the village of Hoosick Falls². The river then flows into the most upstream development of the Project, the Johnsonville Development at River Mile (RM) 13.3. River flow continues downstream to the James Thompson

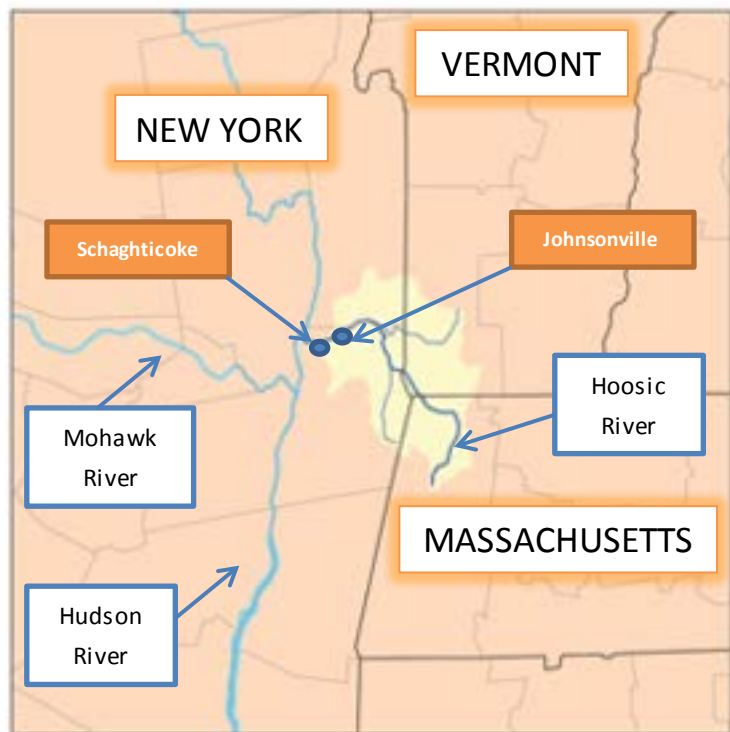


Figure 1 – Hoosic Project Location Map

¹ On June 28, 2011, EBH submitted a June 23, 2011 report entitled, "Supplement to the Revised Probable Maximum Flood (PMF) For the Hoosic River's Johnsonville Development", to FERC as a privileged document. Franc Logic conducted this study. This report documented refined estimates of drainage areas using GIS basin coordinates. The total drainage area above the confluence with the Hudson River was found to be 714 square miles. Contributing drainage area above Schaghticoke and Johnsonville was 619 and 606 square miles, respectively.

² FERC project P-2487, licensed by the Village of Hoosick Falls, NY.



Dam³ in the village of Valley Falls, NY where its outflows immediately enters the head pond of the Schaghticoke Development (RM 7.1), the other development of the Project. Flow below Schaghticoke is to the east towards its confluence with the Hudson River some fourteen miles north and upstream of Troy, NY. Below Troy, NY, near Green Island, NY, the Mohawk River combines with the Hudson River. The Hudson River continues to flow to the south and eventually into the Atlantic Ocean below New York, NY.

The Johnsonville and Schaghticoke developments are licensed with the Federal Energy Regulatory Commission (FERC) as the Hoosic River Project (FERC No. 2616). The Hoosic River Project was previously owned by the Niagara Mohawk Power Corporation (NMPC), and was originally licensed in 1969. In 1992, the New York State Department of Environmental Conservation (NYSDEC) denied without prejudice NMPC's application for a Section 401 Water Quality Certification. NMPC appealed the certification and initiated settlement negotiations with relicensing interveners in an effort to reach agreement about recommended license conditions and obtain water quality certification from the NYSDEC.

The original FERC license expired in 1993 and the project operated under an annual license in the interim period until the settlement negotiations were completed and the new license was issued. FERC issued a draft environmental assessment (EA) on October 25, 1996⁴, and following comments by several parties, a final EA was issued on June 30, 2000⁵, noting that the water quality certification appeal was ongoing. In 1999, the Hoosic River Project was transferred to EBH⁶.

A Hoosic River Project Settlement Offer (HRPSO) was signed in June 2002 by EBH, the Adirondack Mountain Club (ADK), American Rivers (AR), American Whitewater (AW), New York Rivers United (NYRU), New York State Conservation Council (NYSCC), NYSDEC, Rensselaer County Conservation Alliance (RCCA), Town of Schaghticoke (TOS), Trout Unlimited (TU), US Fish & Wildlife Service (USWFS), US National Park Service (USNPS) and the Village of Schaghticoke (VOC).

The HRPSO was collaboratively designed to provide for the continued operation of these projects with appropriate long-term environmental protection measures to meet diverse objectives for maintaining a balance of non-power and power values in the Hoosic River Basin. This HRPSO was filed with FERC on August 16, 2002⁷. A new 40 year FERC license was issued for the Hoosic River Project on November 6, 2002⁸. This license terminates on October 31, 2042.

³ FERC project P-6411, licensed by Valley Falls Associates, Mercer Construction, and LLC. Small hydro dam with 2.5 MW capacity installed 1992.

⁴ October 25, 1996, FERC draft environmental assessment - <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=10759309>

⁵ June 30, 2000, FERC final environmental assessment - <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=3194954>

⁶ The projects were transferred to Erie Boulevard Hydropower, L.P. in 1999 (*Niagara Mohawk Power Corporation et al.*, Order Approving Transfers of Licenses, Partial Transfer of License, and Substitution of Applicants (88 FERC ¶62,082)). <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=126466>

⁷ August 16, 2002, EBH Offer of Settlement - <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=10701472>

⁸ November 6, 2002, FERC issue of license - <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=9589353>



Hoosic River Project

The LIHI Project consists of two developments licensed as FERC Project 2616. In the most recent recertification application on March 31, 2014, EBH states that the total project has an installed capacity of 18.5 MW and produces an average annual generation (AAE) of 83.00 GWh (Plant factor of 51.2%). Both developments operate in a peaking mode.

Project operations follow the flow requirements and reservoir target elevations as defined in the FERC License which requires a continuous year-round base flow below Schaghticoke and base flows below both developments while operating within daily reservoir fluctuation limits.

Johnsonville Development

The Johnsonville Development (Latitude: 42° 55' 11.0414" - Longitude: -73° 30' 28.5049") has a total catchment of 606 square miles and consists of:

- a 39-foot-high, 529-foot-long concrete gravity dam topped with 2.5-foot-high wooden flashboards;
- a reservoir with a 450-acre surface area and gross storage of 6,430 acre-feet;
- a sluice gate;
- a forebay structure;
- an intake structure equipped with 1-inch clear-spaced vertical trashracks; and
- A powerhouse immediately adjacent to the dam containing two turbine generators with a total installed capacity of 2.1 megawatts (MW).



Figure 2 - Johnsonville Dam and Powerhouse

Schaghticoke Development

The Schaghticoke Development (Latitude: 42° 53' - Longitude: -73° 35' 17.4249") has a total catchment of 619 square miles and consists of:



- a 28-foot-high, 700-foot-long concrete gravity dam topped with 2.5 foot-high wooden flashboards and a pneumatic gate section⁹;
- a reservoir with a 150-acre surface area and gross storage of 1,150 acre-feet;
- a 2,300 foot-long open canal;
- a set of forebay intake gates;
- a forebay;
- a pipeline intake equipped with 1.0-inch clear-spaced vertical trashracks;
- An 820 foot-long, 12.5-foot-diameter steel pipeline. This pipeline directs water from the forebay downward to the bypassed reach. It passes over the bypassed reach by the means of a support bridge, then heads up the other side of the river overbank to a surge tank;
- a surge tank;
- five penstocks directing water from the surge tank to the powerhouse;
- A powerhouse containing four turbine generators with a total installed capacity of 16.4 MW. The canal, forebay, pipeline, and penstocks create a two-mile bypassed reach between the dam and the powerhouse.



Figure 3 - Schaghticoke Spillway and Canal



Figure 4 - Schaghticoke Powerhouse

⁹ Pursuant to Article 305 of the FERC license, in 2005, EBH installed pneumatic flashboards, a minimum flow orifice, and eel ladder and 1-inch fish protection at the Schaghticoke Development.

- <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=10216416>



LIHI RE-CERTIFICATION PROCESS

Recertification review focuses solely on determining the answers to the following two questions:

- 1) Has there been a material change in circumstances since the original certification was issued?

For purposes of recertification review, a “material change in circumstances” will mean one or both of the following:

(a) Non-compliance: Since receiving its last certification from LIHI, the certificate holder/applicant has not implemented, or has delayed implementing, or has done an inadequate job of implementing obligations at or near the facility that are of relevance to LIHI’s criteria. These obligations could be in the form of terms and conditions of license(s), settlement agreements, resource agency recommendations or agreements, LIHI conditions of certification including annual notifications, agreements with local municipalities or other third parties or similar relevant obligations; or

(b) New or renewed issues of concern that are relevant to LIHI’s criteria: Since receiving its last certification from LIHI, either new issues of concern and relevance to LIHI’s criteria have emerged that did not exist or were not made known to LIHI at the time of certification, or there continues to be ongoing problems with previously known issues that appeared to LIHI to be resolved or on the road to resolution at the time of certification but in fact are not resolved, and are ongoing at the time of the re-certification application.

If a new license, settlement agreement, prescription, biological opinion or other similar regulatory decision has been made since the original recertification, these documents will be evaluated to determine if new or renewed issues have been raised.

- 2) Have any of LIHI’s criteria, or the Board’s interpretation of one or more criterion, changed in meaningful ways since original certification that are applicable to the circumstances of the facility seeking re-certification?

The Project’s Recertification Application (Application) was received by LIHI on March 31, 2014 and reviewed to assess adherence to the LIHI certification criteria with the above in mind. A FERC e-library search was conducted to verify claims in the Application. The docket search contains documents from as far back as July 9, 2004. My review concentrated on the period from the start of the previous LIHI certification, approximately July 9, 2009 through August of 2014, for FERC docket number P-2616. Appendix A contains a reversed chronological list of docket items pertaining to this recertification. No major issues were found in the docket search.

LIHI published the Application on its website and requested public comment. To be considered, all comments were required to be received at the Institute on or before 5 pm Eastern time on June 17, 2014. No public comments were received.



However, on April 21, 2104 LIHI received a letter from the USFWS stating, “*To the best of our knowledge, BREG is still in compliance with all aspects of the Offer of Settlement and the subsequent license issued by the FERC. Therefore, we have no objections to this re-certification*”.

On July 15, 2014, this reviewer emailed the two agencies listed in the Project’s Recertification application (USFWS¹⁰ and the NYSDEC¹¹). In my email I stated, “... *I am the LIHI reviewer tasked with determining whether EBH’s Beaver, Salmon, Raquette and Hoosic River Projects should be LIHI recertified. I am emailing you today because you have been identified in the application by the owner as resource agency and non-governmental organization contacts familiar with the project. I would appreciate your perspective regarding the project’s operation with regard to satisfying its licensed environmental obligations (FERC articles). Any other views or concerns on the operation of the Projects are welcome. If you have already commented to LIHI, this as an opportunity to add any last minute observations. Without your input my review can only be based on the documents found in the FERC docket. Thank you for your time in this matter.*”

Agency responses follow:

- USFWS - On July 28, 2014, in a letter email from David Stilwell, Field Supervisor of the Cortland, NY field office, he stated, “*The application for the Hoosic River Project adequately describes the project and its license requirements. To the best of our knowledge, Erie is in full compliance with all license and settlement requirements for this project. The Service has no objections to recertification of the Hoosic River Project.*”
- NYSDEC - On July 22, 2014, in a phone conversation with Erik Latremore, he stated the NYSDEC believes EBH has performed satisfactorily throughout the Project’s last LIHI certification term.

RE-CERTIFICATION REVIEW

This section contains my review of the Project with regard to LIHI’s certification criteria focusing solely on determining if there has been a material change in circumstances since the original certification was issued.

IHI Criterion-Flows

The Hoosic River Project is in compliance with resource agency recommendation issued after December 31, 1986 regarding flow requirements. The FERC license, HRPSO, and Section 401 Water Quality Certificate (WQC), issued on September 19, 2002¹², include the requirements for flow releases and water level control recommended by the NYSDEC, the USFWS and the other signatories to the HRPSO. In accordance with the FERC license, the flow and level requirements and method of release

¹⁰ USFWS, 3817 Luker Road, Cortland, NY 13045: Stephen Patch - (607)753-9334 - Stephen_patch@fws.gov

¹¹ NYSDEC, Dulles State Office Building, 317 Washington Street, Watertown, NY 13601: Erik Latremore - (315)785-2293 - ejlatrem@gw.dec.state.ny.us. Mr. Erik Latremore has taken over Alice’s hydro operations responsibilities.

¹² Notice from NYSDEC on issuance of WQC - <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=10684751>



were implemented in February 2004. EBH uses back-calculated turbine flows based on metered power output and power head estimates in conjunction with downstream staff gages to ensure flows in the river are consistent with flows agreed to in the HRPSO. Each year EBH files documentation with the FERC attesting to compliance with flow and level conditions.

For construction and maintenance activities that require lowering the level of an impoundment below the normal operating limits, EBH's Hydro Operating Procedure (HOP 202) requires notification of NYSDEC and compliance with drawdown rates specified in the WQC.

A continuous year round minimum flow of 60-cfs in the Schaghticoke bypassed reach is required, while no minimum flow release is needed at Johnsonville due to the shortness of its bypassed reach. Base flows of 220-cfs and 240-cfs are required below Johnsonville and Schaghticoke, respectively.

Annual whitewater releases, initiated in 2004 (the first annual release on April 21, 2004) are in accordance with the FERC license and HRPSO. These releases will be discussed in more detail in the section pertaining to recreation.

Under normal flow conditions, the maximum daily reservoir fluctuation at Schaghticoke is 0.5 feet below the top of flashboards year round. At Johnsonville the maximum daily reservoir fluctuation varies seasonally. From June 1 through September 30, the limit is 0.25 feet below top of flashboards or spillway crest. The remainder of the year the limit increase to 0.50 feet. During low-flow periods, base flows take precedence over reservoir elevations.

Whenever excursions occur, EBH notifies the FERC, the NYSDEC and the USFWS as soon as possible, but no later than 10 days after each such incident.

Throughout the prior LIHI certification period, two incidents occurred where the Schaghticoke minimum water level limit was violated¹³. In each case, EBH reported the violation and gave a reason for its occurrence. In both of these situations, the FERC accepted EBH's explanation.

The first was a July 3-5, 2012 incident where the Schaghticoke station was being operated according to a site specific drawdown plan to allow for work on a low-level outlet gate. Problems arose during the refilling of the Schaghticoke pond causing the minimum pond limit excursion to be extended about 38 hours longer than anticipated. It was discovered that the turbine cycling operation at the upstream Valley Falls Hydro Project was significantly reducing inflows into the Schaghticoke head pond making refilling impossible.

This is a classic example of non-communication. EBH has implemented corrective measures to ensure all parties including the Valley Falls Hydro immediately upstream, EBH's local personnel

¹³ A July 20, 2012 letter to FERC concerning a July 3 -5, 2012 incident at the Schaghticoke station - <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=13031775>. A January 10, 2014 letter to FERC concerning a January 5, 2012 incident at the Schaghticoke station - <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=13435586>. FERC's May 28, 2014 response to the January 5, 2014 incident - <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=13555470>.



and BREG System Control Operating personnel, remotely located in Marlborough, Massachusetts are aware of similar refill plans in the future to avoid a reoccurrence.

On January 5, 2014 a second incident occurred where the Schaghticoke minimum pond level was violated due a false pond level transducer reading. Further investigation determined this false reading was caused by ice in the stilling well. The false reading was discovered during a scheduled inspection of the site where a visual inspection of the spillway alerted EBH of the problem. Had this inspection not been scheduled, the violation period could have been much longer.

The pond level transducer probe was removed and the stilling well de-iced. The probe was re-calibrated and the generators were adjusted to allow the pond level to rise to normal limits while maintaining minimum flow requirement.

This ice buildup incident raises concern that similar variances have a reasonable possibility of reoccurring not only to the stilling well but with the hydraulic operation of the pneumatic gate on a portion of the Schaghticoke spillway. LIHI believes winter conditions similar to the winter of 2013-2014 will become more prevalent in upcoming years due to climate change.

Therefore, a condition of LIHI certification will be for EBH to develop a proactive plan/procedure to follow during the winter season to help in preventing ice buildup problems and/or ensure that the pneumatic systems are functional before their required need in providing downstream flow requirements. For example, means to prevent freeze or installing cameras in the System Control Room to allow for visual inspection of the spillway might be proposed. A draft plan should to provide to the USFWS and the NYSDEC for their comment. A final report documenting the procedure will be provided to LIHI no later than in EBH's first annual LIHI certification letter.

It is my view that during the prior LIHI certification period, the Project has been shown to be in compliance regarding reservoir fluctuation and minimum and base flow requirements.

LIHI Criterion-Water Quality

The Project is in compliance with all conditions of its WQC issued for the Project on September 19, 2002. The WQC for the Project includes and incorporates the HRPSO and is conditioned on compliance with the terms of the settlement. It also contains standard provisions related to erosion and sediment control for project maintenance and construction activities.

According to the New York State (NYS) 2012 Section 303(d) List of Impaired Waters, the Hoosic River is classified as not meeting water quality standards¹⁴. The NYSDEC classifies waters of the Hoosic River as Class C; best suited for fishing and all other uses except as a source of water supply for drinking, culinary or food processing purposes, and primary contact recreation. The NYSDEC has made a determination that the impairment is not caused by the Hoosic River Project but is caused by contaminated sediments from PCBs.

¹⁴ <http://www.dec.ny.gov/chemical/31290.html>



Throughout the prior LIHI certification period, no new areas of concern have occurred.

LIHI Criterion-Fish Passage and Protection

By letter dated August 28, 2002, the US Department of the Interior (USDOI) indicated that the HRPSO superseded the terms and conditions prescribed in their May 24, 1996 letter, and stated that their 1996 Section 18 prescription should be considered modified to conform to specifications contained in the HRPSO. The FERC license and HRPSO required the phased installation of upstream eel conveyance and downstream fish movement systems at both Johnsonville and Schaghticoke.

On September, 14, 2006, FERC issued an order approving with modifications the Eel Conveyance downstream fish conveyance system under Article 405 of the FERC license.¹⁵ The licensee's plan for the Johnsonville dam was modified to:

- Use two types of media, enkamat and akwadrain, to line the eel ladder.
- Install a hinged cover over the eel ladder.
- Determine the appropriate operation flow by October 31, 2007.

On December 11, 2007¹⁶, EBH requested an extension of time until October 31, 2008 to establish the appropriate operation flow due to ongoing difficulties with the ram pump feature of the eel ladder. Both the USFWS and the NYSDEC filed letters in January of 2008 in support of EBH's request. On January 29, 2008, FERC approved the time extension.¹⁷

Continued problems with the ram pump, resulted in further delays ultimately requiring the ram pump to be replaced in 2009 with a solar-power pump. An actual demonstration of the system with the agencies was performed on October, 28, 2009. A summary report on the eel conveyance system was submitted to FERC on March 12, 2010¹⁸. On May 6, 2010, FERC accepted and approved the eel conveyance system and suggested operation flow¹⁹.

The FERC license and HRPSO require provision of an alternate route of downstream fish movement. At Schaghticoke, this alternate route is presently afforded via the agreed upon 60 cfs bypass flow implemented in February 2004 through a notch in the wooden flashboard system. The fish protection measures have also been implemented at Johnsonville whereby the agreed upon 20 cfs release is provided via small gate within the sluice gate.

In addition, installation of fish protection measures at the facility trashracks require one inch clear spaced trash racks which have been installed at both facilities.

¹⁵ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=11133808>

¹⁶ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=11525257>

¹⁷ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=11572189>

¹⁸ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=12291015>

¹⁹ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=12344062>



Since final approval in 2010, EBH has been in compliance with mandatory fish passage prescriptions for upstream and downstream passage of riverine, anadromous and catadromous fish. No new areas of concern have occurred.

LIHI Criterion-Watershed Protection

The Hoosic River Project is in compliance with FERC license requirements regarding protection, mitigation and enhancement of project lands and watershed protection. These include limited impoundment fluctuations and the installation of pneumatic flashboards for shoreline erosion control, an erosion/sediment control plan for any new construction and management of project lands, through permits, used by the public, municipalities, utilities, etc.

A review of the FERC docket indicates that during the prior LIHI certification period, the Project is in compliance with the SRPSO and the FERC license.

LIHI Criterion-Threatened and Endangered Species

Except for occasional transient species, there are no state or federal threatened or endangered fish, wildlife or plant species present in the Hoosic River Project area or downstream reaches.

Additionally, EBH has complied with Article 409 of the FERC license pertaining to threatened and endangered species. EBH prepared an Endangered Species Management Plan (ESMP) in consultation with the USFWS which assesses the presence or absence of the Karner Blue butterfly (a federally listed endangered species) within the project area²⁰. The USFWS concurs with the finding that the Hoosic River Project is not likely to adversely affect the Karner blue butterfly. The plan was submitted to FERC on January 20, 2004. On February 12, 2004, FERC approved the EBH plan and ordered that the filed reports satisfy the requirements of for Article 409.²¹

A review of the FERC docket indicates that during the prior LIHI certification period, the Project is in compliance with both state and federal resource agencies concerns pertaining to threatened and endangered species and that no new areas of concern have occurred.

LIHI Criterion-Cultural Resource Protection

The FERC license incorporates a Programmatic Agreement (PA) and Cultural Resource Management Plan (CRMP) prepared in consultation with the New York State Office of Parks, Recreation, and Historic Preservation (SHPO) for addressing the historic character of this Project. The CRMP was submitted to FERC on October 1, 2004²². FERC approved the CRMP on January 31, 2006²³.

²⁰ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=10076058>

²¹ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=10068736>

²² <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=10266131>

²³ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=10940921>



There are no known historic resources within the Hoosic River Project boundaries. However, a component of the CRMP, known as the Historic Properties Management Plan (HPMP) requires EBH to file and annual report on activities conducted at the Hoosic River Project each year.

The latest annual filing of the historical properties Manage Plan (HPMP) was submitted by EBH on November 6, 2013.²⁴

A review of the FERC docket indicates that during the prior LIHI certification period, the Project is in compliance with both state and federal resource agencies concerns pertaining to protection of cultural resources and that no new areas of concern have occurred.

LIHI Criterion-Recreation

EBH submitted its final recreation plan on May, 10, 2004²⁵. The FERC issued an “Order Amending Recreation Plan” on April 7, 2005²⁶. The recreation plan includes the following items:

- At Johnsonville:
 - Parking and access to the Johnsonville impoundment;
 - Parking, car-top boat launch, access and canoe portage near the Johnsonville Dam; and
 - Allow informal access to area downstream of tailrace.
- At Schaghticoke:
 - Access to an area of the impoundment known as Electric Lake;
 - Parking and access near the Schaghticoke Powerhouse; and
 - Scheduled whitewater releases and access. A detailed description of required release at contained in the recreation. In summary, every five years, EBH and AWA will reevaluate, at a minimum, the following aspects of the scheduled whitewater release events to determine whether to modify annual releases and the release schedule for the succeeding five year period: 1) Amount of whitewater usage and trends; 2) Timing/schedule of releases; 3) Boater conduct; 4) Types of craft used; 5) Put-in used.

The facilities of the Hoosic River Project are in compliance with access, accommodation and facilities conditions in its FERC license. All enhancements in these recreation plans have been implemented by the EBH. The Project allows access to the reservoir and downstream reaches without fees or charges.

Throughout the prior LIHI certification period, the Project has been in compliance with all requirements regarding recreation protection, mitigation and/or enhancements included in the FERC license. The Project allows access to the reservoir and downstream reaches without fees or charges. Additionally, no new areas of concern were found.

²⁴ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=13389644>

²⁵ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=10159726>

²⁶ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=10485148>



LIHI Criterion-Facilities Recommended for Removal

A review of the FERC docket indicates that during the prior LIHI certification period, EBH does not have any facility that has been recommended for removal by a natural resource agency.

RECOMMENDATION

A review of the recertification application and a FERC docket search from the start of the previous LIHI certification, July 9, 2009 to the end of the certification on July 9, 2014 and through August of 2014, exemplifies that EBH has been proactive regarding environmental issues associated with the Project.

Most required filings were on time without the need of time extension requests. The docket search review resulted in no major non-compliance issues surfacing in the record. The project continues to satisfy the entire LIHI criteria.

One issue of concern is the potential for ice buildup in the head pond stilling well and the hydraulic controls of the pneumatic gate on the Schaghticoke spillway. Therefore, a condition of LIHI certification will be for EBH to develop a proactive plan/procedure to follow during the winter season to help in preventing ice buildup problems and/or ensure that the pneumatic systems are functional before their required need in providing downstream flow requirements. A draft plan should be provided to the USFWS and the NYSDEC for their comment. A final report documenting the procedure will be provided to LIHI no later than in EBH's first annual LIHI certification letter.

Based on my review, I recommend that EBH be issued a LIHI recertification for an additional five years for the Hoosic River Project, FERC Dockets P-2616.

Gary M. Franc



FRANC LOGIC

Licensing & Compliance

Hydropower Consulting & Modeling



FRANC LOGIC

September 3, 2013

APPENDIX A

SUMMARY OF E-LIBRARY SEARCH (FERC 2616) (REVERSE CHRONOLOGICAL ORDER)