LOW IMPACT HYDROPOWER INSTITUTE

APPENDIX B – QUESTIONNAIRE
April 2014 REVISION

Back**ground Information**	
1) Name of the Facility as used in the FERC license/exemption.	West Branch St. Regis River Project (FERC No. 10461), consisting of the Parishville and Allens Falls developments.
2) Applicant's complete contact information (please use Appendix D, Project Contact Form)	See contact form in Attachment A.
3) Location of Facility including (a) the state in which Facility is located; (b) the river on which Facility is located; (c) the river-mile location of the Facility dam; (d) the river's drainage area in square miles at the Facility intake; (e) the location of other dams on the same river upstream and downstream of the Facility; and (f) the exact latitude and longitude of the Facility dam.	(a) New York (b) West Branch St. Regis River (c) Parishville: RM 21 Allens Falls: RM 19 (d) Parishville: 181 sq. miles Allens Falls: 199 sq. miles (e) See map in Attachment B (f) See map in Attachment B
4) Installed capacity.	Total installed capacity = 6.8 MW (FERC License) By development: Parishville: 2.4 MW Allens Falls: 4.4 MW
5) Average annual generation.	34,730 MWh (FERC license)

<table>
<tr><td></td><td colspan="3">34, 501 MWh (Oct. 1, 2014 through Sept. 30, 2015)</td></tr>
<tr><td>6) Regulatory status.</td><td colspan="3">FERC Project No. 10461
Relicensed via a collaborative Settlement.
The Settlement Offer dated August 9, 2001, was filed with FERC on September 11, 2001.
The Section 401 Water Quality Certificate (WQC) was issued by the New York State Department of Environmental Conservation (NYSDEC) on November 2, 2001 and adopted into the FERC License.
The new FERC license for the Project was issued on September 27, 2002.
The current license expires on August 31, 2042.</td></tr>
<tr><td rowspan="4">7) Reservoir volume and surface area measured at the normal maximum operating level.</td><td rowspan="2">Parishville</td><td>Volume</td><td>289 acre-feet</td></tr>
<tr><td>Area</td><td>70 acres</td></tr>
<tr><td rowspan="2">Allens Falls</td><td>Volume</td><td>1,780 acre-feet</td></tr>
<tr><td>Area</td><td>130 acres</td></tr>
<tr><td>8) Area occupied by non-reservoir facilities (e.g., dam, penstocks, powerhouse).</td><td colspan="3">Parishville: 2.1 acres
Allens Falls: 7 acres</td></tr>
<tr><td>9) Number of acres inundated by the Facility.</td><td colspan="3">Not required.</td></tr>
<tr><td>10) Number of acres contained in a 200-foot zone extending around entire reservoir.</td><td colspan="3">Parishville: 108 acres
Allens Falls: 80 acres</td></tr>
<tr><td>11) Contacts for Resource Agencies and non-governmental organizations</td><td colspan="3">Attached is a list of key resource agencies and NGOs involved with the West Branch St. Regis River Project (Attachment C).</td></tr>
<tr><td>12) Description of the Facility, its mode of operation (i.e., peaking/run of</td><td colspan="3">Project Descriptions and Project Operations excerpts</td></tr>
</table>

river) and photographs, maps and diagrams.	from the License, along with Exhibit G drawings, photos and maps of project facilities are provided in Attachment D.
Questions for "New" Facilities Only: If the Facility you are applying for is "new" (i.e., an existing dam that added or increased power generation capacity after August of 1998) please answer the following questions to determine eligibility for the program.	
13) When was the dam associated with the Facility completed?	NA
14) When did the added or increased generation first generate electricity? If the added or increased generation is not yet operational, please answer question 18 as well.	NA
15) Did the added or increased power generation capacity require or include any new dam or other diversion structure?	NA
16) Did the added or increased capacity include or require a change in water flow through the facility that worsened conditions for fish, wildlife, or water quality (for example, did operations change from run-of-river to peaking)?	NA
17 (a) Was the existing dam recommended for removal or decommissioning by resource agencies, or recommended for removal or decommissioning by a broad representation of interested persons and organizations in the local and/or regional community prior to the added or increased capacity? (b) If you answered "yes" to question 17(a), the Facility is not eligible for certification, unless you can show that the added or increased capacity resulted in specific measures to improve fish, wildlife, or water quality protection at the existing dam. If such measures were a result, please explain.	NA
18 (a) If the added or increased generation is not yet operational, has the increased or added generation received regulatory authorization (e.g., approval	NA

by the Federal Energy Regulatory Commission)? If not, the facility is not eligible for consideration; and (b) Are there any pending appeals or litigation regarding that authorization? If so, the facility is not eligible for consideration.		
A. Flows	PASS	FAIL
1) Is the Facility in Compliance with Resource Agency Recommendations issued after December 31, 1986 regarding flow conditions for fish and wildlife protection, mitigation and enhancement (including in-stream flows, ramping and peaking rate conditions, and seasonal and episodic instream flow variations) for both the reach below the tailrace and all bypassed reaches?	YES = Pass, Go to B N/A = Go to A2 YES. The West Branch St. Regis River Project is in compliance with resource agency recommendations after December 31, 1986 regarding flow conditions. The Settlement Agreement/License Order includes requirements for flow releases recommended by the NYSDEC and the U.S. Fish and Wildlife Service (USFWS). Minimum flows in the bypassed reaches are specified at each development as follows:	NO = Fail

	Parishville:20 cfs year-round Allens Falls: 30 cfs 10/1 - 3/31 50 cfs 4/1 - 8/31 40 cfs 9/1 - 9/30 These flows were implemented in the third quarter of 2004. There have been no flow deviations that have been determined by FERC to be license violations at these developments. The Applicant filed a Streamflow Water Level Monitoring Plan (SFWLMP) with FERC on March 31, 2003 and FERC issued an order approving the SFWLMP on December 4, 2003. On September 7, 2012, a Revised SFWLMP was filed with FERC. The only changes to the Plan were that the minimum	

	flows at the Parishville Development would be provided through the sluice gate located between the spillway section and the tainter gate structure instead of through a pipe that was to be installed in the dam during dam rehabilitation work in 1994 as was originally proposed. Also, the Plan addresses the installation of the monuments for flow verification purposes within each bypassed reach and also includes photographs of the monument(s) installations. Documentation associated with minimum flows at the developments is provided in Attachment E.	
2) If there is no flow condition recommended by any Resource Agency for the Facility, or if the recommendation was issued prior to January 1, 1987, is the Facility in Compliance with a flow release schedule, both below the tailrace	YES = Pass, go to B NO = Go to A3	

and in all bypassed reaches, that at a minimum meets Aquatic Base Flow standards or "good" habitat flow standards calculated using the Montana-Tennant method?	NA	
3) If the Facility is unable to meet the flow standards in A.2., has the Applicant demonstrated, and obtained a letter from the relevant Resource Agency confirming that demonstration, that the flow conditions at the Facility are appropriately protective of fish, wildlife, and water quality?	YES = Pass, go to B NA	NO = Fail
B. Water Quality	PASS	FAIL
1) Is the Facility either: a) In Compliance with all conditions issued pursuant to a Clean Water Act Section 401 water quality certification issued for the Facility after December 31, 1986? Or b) In Compliance with the quantitative water quality standards established by the state that support designated uses pursuant to the federal Clean Water Act in the Facility area and in the downstream reach?	YES = Go to B2 YES. The West Branch St. Regis River Project is in compliance with all conditions issued in the original WQC. The Section 401 WQC is conditioned on compliance with the terms of the Settlement Agreement. The NYSDEC issued the WQC for the West Branch St. Regis River Hydroelectric Project on November 2, 2001 (Attachment F).	NO = Fail

	Generally, any changes to the original WQC are necessitated by significant changes in or to the Project environment affecting the Conditions of the original WQC, which culminates in an amendment of the original WQC. This situation has not occurred for the West Branch St. Regis River Project WQC, and the original WQC, issued on November 2, 2001, is still in effect. Additionally, the Applicant contacted the NYSDEC on November 3, 2015, regarding the current WQC status for the Project (Attachment F). The NYSDEC has yet to provide comments regarding the status of the WQC for the Project. A copy of the response letter will be forwarded	

	to LIHI upon receipt.	
2) Is the Facility area or the downstream reach currently identified by the state as not meeting water quality standards (including narrative and numeric criteria and designated uses) pursuant to Section 303(d) of the Clean Water Act?	YES = Go to B3 NO = Pass NO. According to the final list of impaired waters compiled by the NYSDEC and approved by the U.S. Environmental Protection Agency on January 28, 2004, several areas of the West Branch St. Regis River and associated tributaries were listed. However, in the June 29, 2010 final list, the West Branch St. Regis River was no longer on the Section 303(d) List. In 2010 the Applicant contacted the NYSDEC to confirm the West Branch St. Regis River's removal and the NYSDEC stated that the river should not have been previously listed. A review of the 2014	

	final list shows that no portions of the West Branch St. Regis River or its tributaries are currently listed as impaired waters. A copy of the Final 2014 Section 303 (d) List of Impaired Waters can be viewed online at: http://www.dec.ny.gov/docs/water_pdf/303dlistfinal2014.pdf	
3) If the answer to question B.2 is yes, has there been a determination that the Facility does not cause, or contribute to, the violation?	YES = Pass NA. The West Branch St. Regis River is no longer on the NYS Section 303(d) List.	NO = Fail
C. Fish Passage and Protection	PASS	FAIL
1) Are anadromous and/or catadromous fish present in the Facility area or are they know to have been present historically?	YES = Go to C2 NO = Go to C6 NO.	
2) Is the Facility in Compliance with Mandatory Fish Passage Prescriptions for upstream and downstream passage of anadromous and catadromous fish issued by Resource Agencies after December 31, 1986?	YES = Go to C6 N/A = Go to C2	NO = Fail

	NA - By letters dated July 13, 2001, one for each development, the Department of the Interior requested FERC to include a condition in the license, reserving to the Secretary of the Department of the Interior, the authority under Section 18, to prescribe the construction, operation, and maintenance of fishways as deemed necessary. This reservation included authority to prescribe fishways for any fish species to be managed, enhanced, protected, or restored to the basin during the term of the license. Article 407 of the license reserves this authority. To date no upstream or downstream fish passage facilities have been prescribed for either of	

	the developments.	
3) Are there historic records of anadromous and/or catadromous fish movement through the Facility area, but anadromous and/or catadromous fish do not presently move through the Facility area (e.g., because passage is blocked at a downstream dam or the fish no longer have a migratory run)? a) If the fish are extinct or extirpated from the Facility area or downstream reach, has the Applicant demonstrated that the extinction or extirpation was not due in whole or part to the Facility? b) If a Resource Agency Recommended adoption of upstream and/or downstream fish passage measures at a specific future date, or when a triggering event occurs (such as completion of passage through a downstream obstruction or the completion of a specified process), has the Facility owner/operator made a legally enforceable commitment to provide such passage?	YES = Go to C2a NO = Go to C3 NO. An evaluation of NYSDEC fishery survey data collected in 2002 indicates that no anadromous fish were collected during the NYSDEC surveys performed in the St. Regis River in the vicinity of the downstream Hogansburg Project (Project No. 7518). The Hogansburg Project is located approximately 3 miles upstream of the confluence of the St. Regis River with the St. Lawrence River. Allens Falls and Parishville are located approximately 19 and 21 miles, respectively, from the confluence with the St. Lawrence River, and are located on the West Branch of the St. Regis	NO = Fail NO = Fail

	River. Historically, fish from the St. Lawrence River could travel to Brasher Falls (the first natural barrier along the river), but the dam at Hogansburg (see Project Location Map for Hogansburg Project location) has blocked that access since the early 1930's[1]. American eels (catadromous species) were found in the vicinity of the Hogansburg Project. Dittman (2003)[2] conducted a mark-recapture experiment on August 27-28, 2002, in the lower 1.86 mile (3 kilometers) of the St. Regis River. On the first day, two eels were captured and marked	

[1] Carlson, Doug. 1998. Fishery Survey of the St. Regis River – Data Summary. SLC-32.

[2] Dittman, Dawn. 2003. Evaluation of the Population Status of American Eel (*Anguilla rostrata*): Niagara River and St. Lawrence River Tributaries. USGS Project Completion Report.

	during a 180-minute capture effort using boat electroshocking techniques, measured, and uniquely marked. On the following day, no marked or unmarked eels were seen or captured. Similar efforts were repeated later after 1 to 2 months and no eels were recaptured. The evidence indicates that the local eel populations in these waters are experiencing the general sharp decline observed for this species over the majority of its range. However, the decline in numbers appears to have reached a level at which standard methods (eel pots, electroshocking) cannot provide an accurate quantitative estimation of the local population size without a more extensive and exhaustive sampling effort.	

	YES = Go to C2b N/A = Go to C2b As discussed in (3) above, the catadromous species (American eel) have significantly reduced in numbers, which has become the general trend for this species. The reduction in numbers cannot be contributed to operation of the Allens Falls Development, the most downstream development. The NYSDEC collected no anadromous species in the vicinity of the downstream Hogansburg Project, indicating little or no presence in these waters[3]. Moving upstream from the Hogansburg Project, there is a natural barrier	

[3] Refer to Hogansburg Hydroelectric Project (FERC No. 7320). Pre-Application Document. September 2010.

	preventing upstream movement of anadromous species at Brasher Falls, located on the St. Regis River approximately 21 miles upstream from the confluence with the St. Lawrence River. Further, another natural barrier exists in the lower portion of the Allens Falls bypassed reach, called the Allens Falls waterfalls, which is considered a barrier to upstream fish movement for most fish species inhabiting the West Branch St. Regis River downstream of the Project. Allens Falls waterfalls has an approximately 60-foot-inclined, vertical-elevation drop. YES = Go to C5 N/A = Go to C3 The issues of fish	

	movement and minimum flows were discussed during the Settlement negotiations, which began in August 2000. Instream flow field demonstrations in September and October of 2000, with potential signatories of the Settlement, resulted in agreement on biologically justifiable instream flows within the bypassed reaches of Parishville and Allens Falls. The consensus was that the agreed-upon flows were designed to restore the periodically dewatered bypassed reaches to functional year-round reaches. In combination with spillage periods, the agreed-upon instream flows provided relatively high attainment of management objectives related to all life stages of brook trout, long nose	

	dace, and benthic macroinvertebrate production, which increased the forage base. The instream flows also enhanced fish movement, fishing opportunities, and riparian wildlife. Consequently, with these aforementioned environmental enhancements, the specific need for measures or structures to facilitate downstream fish movement beyond those which existed, or may exist following implementation of instream flows, was not required. However, Article 407 of the License reserves the authority to require the licensee to construct, maintain, and operate or to provide for the construction, maintenance, and	

	operation of such fishways as may be prescribed by the Secretary of the U.S. Department of the Interior under Section 18 of the Federal Power Act.	
4) If, since December 31, 1986: a) Resource Agencies have had the opportunity to issue, and considered issuing, a Mandatory Fish Passage Prescription for upstream and/or downstream passage of anadromous or catadromous fish (including delayed installation as described in C.3.a above), and b) The Resource Agencies declined to issue a Mandatory Fish Passage Prescription, c) Was a reason for the Resource Agencies' declining to issue a Mandatory Fish Passage Prescription one of the following: (1) the technological infeasibility of passage, (2) the absence of habitat upstream of the Facility due at least in part to inundation by the Facility impoundment, or (3) the anadromous or catadromous fish are no longer present in the Facility area and/or downstream reach due in whole or part to the presence of the Facility?	NO = Go to C6 N/A = Go to C4 NO. There are no mandatory prescriptions (Section 18 or similar) for the passage of riverine fish. Several natural water falls in the Project area have created barriers for upward migration of fish species. Further, the Licensee is not required to provide measures or structures to facilitate downstream fish movement at either development, beyond those that already exist as a result of implementing the instream flows.	YES = Fail

	Department of the Interior has reserved Section 18 authority.	
5) If C4 was not applicable: a) Are upstream and downstream fish passage survival rates for anadromous and catadromous fish at the dam each documented at greater than 95% over 80% of the run using a generally accepted monitoring methodology? Or b) If the Facility is unable to meet the fish passage standards in 5.a, has the Applicant either i) demonstrated, and obtained a letter from the U.S. Fish and Wildlife Service or National Marine Fisheries Service confirming that demonstration, that the upstream and downstream fish passage measures (if any) at the Facility are appropriately protective of the fishery resource, or ii) committed to the provision of fish passage measures in the future and obtained a letter from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service indicating that passage measures are not currently warranted?	YES = Go to C6 NA	NO = Fail
6) Is the Facility in Compliance with Mandatory Fish Passage Prescriptions for upstream and/or downstream passage of Riverine fish?	YES = Go to C7 N/A = Go to C7 YES. There are no mandatory prescriptions (Section 18 or similar) for the passage of riverine fish.	NO = Fail
7) Is the Facility in Compliance with Resource Agency Recommendations for Riverine, anadromous and catadromous fish entrainment protection, such as tailrace barriers?	YES = Pass, go to D N/A = Pass, go to D	NO = Fail

	YES. The Settlement requires the installation of 1-inch trash racks at both developments when the existing trash racks need to be replaced. The trashracks at Parishville were last inspected in 1995 when major rehabilitation work was performed on the dam. The trashracks at Allens Falls were replaced during the dam replacement project, which occurred during the 1990-1991 time frames. The trashracks and supporting members at both developments have been found to be in good condition. There have not been any operating problems associated with the existing trashrack installations at either development and the Applicant feels the trashracks are	

	performing as intended. The Applicant concludes that the trashracks do not need to be replaced at this time and will do so when it is necessary from either operational and/or safety perspectives.	
D. Watershed Protection	PASS	FAIL
1) Is there a buffer zone dedicated for conservation purposes (to protect fish and wildlife habitat, water quality, aesthetics and/or low-impact recreation) extending 200 feet from the average annual high water line for at least 50% of the shoreline, including all of the undeveloped shoreline?	YES = Eligible for 3 extra years of certification; Go to D4	NO = Go to D2 NO.
2) Has the Facility owner/operator established an approved watershed enhancement fund that: 1) could achieve within the project's watershed the ecological and recreational equivalent of land protection in D.1,and 2) has the agreement of appropriate stakeholders and state and federal resource agencies?	YES = Eligible for 3 extra years of certification; Go to D4 YES. The Applicant has established a watershed enhancement fund for the purpose of ecosystem enhancement, fish stocking, new recreation measures, and any other matters pertinent to ecosystem and environmental	NO = Go to D3

	improvements. An initial contribution of $5000 was made to the fund in 2005 followed by annual contributions of $750, which will continue for the remainder of the License term. An Advisory Council was assembled in 2005 consisting of various entities involved in the relicensing proceeding, as well as signatories of the Offer of Settlement. The purpose of the enhancement fund, as well as the annual contributions, was described in the Offer of Settlement filed with the Federal Energy Regulatory Commission ("FERC" or "Commission") in September 2001. The enhancement fund was approved by the Advisory Council.	

3) Has the Facility owner/operator established through a settlement agreement with appropriate stakeholders, with state and federal resource agencies agreement, an appropriate shoreland buffer or equivalent watershed land protection plan for conservation purposes (to protect fish and wildlife habitat, water quality, aesthetics and/or low impact recreation)?	YES = Go to D4	NO = Go to D4 NO. The Applicant's License does not require the Applicant to develop a shoreline management plan. Further, the majority of the shorelines surrounding both developments are privately owned. The Applicant regulates the development of piers, docks, boat landings, and other shoreline facilities on Project lands and waters.
4) Is the facility in compliance with both state and federal resource agencies recommendations in a license approved shoreland management plan regarding protection, mitigation or enhancement of shorelands surrounding the project?	YES = Pass, go to E N/A = Pass, go to E NA	No = Fail
E. Threatened and Endangered Species Protection	PASS	FAIL
1) Are threatened or endangered species listed under state or federal Endangered Species Acts present in the Facility area and/or downstream reach?	YES = Go to E2 NO = Pass, go to F YES. The Applicant contacted the NYSDEC and USFWS on November 3, 2015, regarding information on	

	rare, threatened or endangered species in the vicinity of the Project (Attachment G). By letter dated November 17, 2015, the NYSDEC stated that Fernald's Sedge (*Carex merritt-fernaldii)* was known to occur at the Parishville Development as follows: "Plants were observed along the Parishville Aqueduct at the end of 'Powerhouse Road', the dirt road branching off from Old Dugway Road. The plants were growing in an open vegetated area on sand by the aqueduct and power house." The species is state listed, but no recovery plan has been adopted. Additionally, according to NYSDEC, no habitat in the project area is currently designated or proposed for designation	

	as critical habitat for any listed species. According to the report provided by USFWS on December 1, 2015 (Attachment G), Northern long-eared bat (*Myotis septentrionalis*) potentially occurs in the vicinity of the Project. The Northern long-eared bat is not believed to exist in the immediate project area, and no habitat in the project area is currently designated or proposed for designation as critical habitat. Northern long-eared bat is federally listed as threatened throughout its known range as of May 4, 2015. There are no specific requirements for endangered species protection in the FERC license or WQC for the West Branch St. Regis	

	River Project.	
2) If a recovery plan has been adopted for the threatened or endangered species pursuant to Section 4(f) of the Endangered Species Act or similar state provision, is the Facility in Compliance with all recommendations in the plan relevant to the Facility?	YES = Go to E3 N/A = Go to E3 NA. The Fernald's Sedge (*Carex merritt-fernaldii)* is a state-listed species. After consulting with the New York State Natural Heritage Program, it was determined that no recovery plan has been adopted and there are no current known threats to the species in New York. The Northern long-eared bat (*Myotis septentrionalis*) is federally listed as threatened. A Recovery Plan has not yet been developed by USFWS for this species.	NO = Fail
3) If the Facility has received authorization to incidentally Take a listed species through: (i) Having a relevant agency complete consultation pursuant to ESA Section 7 resulting in a biological opinion, a habitat recovery plan, and/or (if needed) an incidental Take statement; (ii) Obtaining an incidental Take permit pursuant to ESA Section 10; or (iii) For species listed by a state	YES = Go to E4 N/A = Go to E5 NA	NO = Fail

and not by the federal government, obtaining authorization pursuant to similar state procedures; is the Facility in Compliance with conditions pursuant to that authorization?		
4) If a biological opinion applicable to the Facility for the threatened or endangered species has been issued, can the Applicant demonstrate that: a) The biological opinion was accompanied by a FERC license or exemption or a habitat conservation plan? Or b) The biological opinion was issued pursuant to or consistent with a recovery plan for the endangered or threatened species? Or c) There is no recovery plan for the threatened or endangered species under active development by the relevant Resource Agency? Or d) The recovery plan under active development will have no material effect on the Facility's operations?	YES = Pass, go to F NA	NO = Fail
5) If E.2 and E.3 are not applicable, has the Applicant demonstrated that the Facility and Facility operations do not negatively affect listed species?	YES = Pass, go to F YES. Operations do not negatively affect the Fernald's Sedge. According to the Natural Heritage Program, the typical habitat for the Fernald's Sedge includes sandy or gravelly roadsides and ditch banks, sand barrens,	NO = Fail

	gravel and sand pits, and rock ledges, always in relatively sterile acidic soils (Rothrock and Reznicek 2001). Dry gravelly or rocky banks, dryish meadows and borders of woods (Fernald 1970). NYSDEC indicated in their November 17, 2015 letter that Fernald's Sedge is present along the Parishville Aqueduct. "Plants were observed along the Parishville Aqueduct at the end of "Powerhouse Road", the dirt road branching off from Old Dugway Road. The plants were growing in an open vegetated area on sand by the aqueduct and power house." Current project operations would not have an effect on this population of Fernald's Sedge.	

	On December 1, 2015, the USFWS indicated in that the Northern long-eared bat could potentially be found in the vicinity of the Project. No Northern long-eared bat hibernacula or roost trees are known to exist in the project area. No anticipated, planned, or ongoing activities by the Licensee would be expected to affect potential Northern long-eared bat habitat.	
F. Cultural Resource Protection	PASS	FAIL
1) If FERC-regulated, is the Facility in Compliance with all requirements regarding Cultural Resource protection, mitigation or enhancement included in the FERC license or exemption?	YES = Pass, go to G N/A = Go to F2 YES. An Order Modifying and Approving Historic Properties Management Plan, pursuant to Article 409, was issued on April 16, 2004 by FERC. The facilities associated with	NO = Fail

	these two developments will not require any ground-breaking activities or disturbance of any known historical properties (Attachment H).	
2) If not FERC-regulated, does the Facility owner/operator have in place (and is in Compliance with) a plan for the protection, mitigation or enhancement of impacts to Cultural Resources approved by the relevant state or federal agency or Native American Tribe, or a letter from a senior officer of the relevant agency or Tribe that no plan is needed because Cultural Resources are not negatively affected by the Facility?	YES = Pass, go to G NA	NO = Fail
G. Recreation	PASS	FAIL
1) If FERC-regulated, is the Facility in Compliance with the recreational access, accommodation (including recreational flow releases) and facilities conditions in its FERC license or exemption?	YES = Go to G3 N/A = Go to G2 YES. In accordance with the Order Issuing Original License (September 27, 2002), Erie filed its final Recreation Plan on January 30, 2004. An Order Modifying and Approving Recreation Plan, pursuant to Article 408, was issued on April	NO = Fail

	8, 2004 by FERC (Attachment I). Erie has successfully implemented the measures outlined in the Recreation Plan and the FERC Form 80 serves as the basis for the consideration of further development of public recreational needs. FERC Form 80s (recreation reports) were filed with the Commission for both Parishville and Allens Falls on March 31, 2015, essentially for Calendar Year 2014. The Commission has had an opportunity to review these Form 80s, as well as the relevant agencies. Neither the Commission nor the relevant agencies have indicated the need for any additional recreational measures at these two developments. The Form 80s are appended to this filing	

	(Attachment I). In August 2006 (in conjunction with another site visit), representatives of the NYSDEC and USFWS had an opportunity to review the recreational measures implemented at Allens Falls. During and following this site visit, neither agency requested any additional recreational measures at Allens Falls. Recreational flow releases are not required by the Applicant's License.	
2) If not FERC-regulated, does the Facility provide recreational access, accommodation (including recreational flow releases) and facilities, as Recommended by Resource Agencies or other agencies responsible for recreation?	YES = Go to G3 NA	NO = Fail
3) Does the Facility allow access to the reservoir and downstream reaches without fees or charges?	YES = Pass, go to H YES. The Applicant does not charge any fees for access to the	NO = Fail

	reservoir or downstream areas. The Applicant allows public access to all lands within the Project boundary, with the exception of those lands and facilities specifically related to hydroelectric generation where public safety and security issues are a concern. Particular areas where public access is denied include, but are not limited to: dams, dikes, gates, intake structures, water conveyance structures, powerhouses, substations, transmission lines, and certain access roads leading to such facilities. The Applicant has installed signage identifying areas where safety concerns are an issue for the general public and feels that providing a map denoting such amenities can jeopardize the	

	security aspects of the sites.	
H. Facilities Recommended for Removal	PASS	FAIL
1) Is there a Resource Agency Recommendation for removal of the dam associated with the Facility?	NO = Pass, Facility is Low Impact NO. No resource agency recommended removal of any of the dams associated with these two developments.	YES = Fail

ATTACHMENT A

QUESTION 2:

PROJECT CONTACT FORM

APPENDIX D – PROJECT CONTACT FORM

Project Name: West Branch St. Regis River Project (FERC No. 10461)

(please provide name used in FERC license if applicable)

Project Owner/Operator:

Name and Title _____

Company Brookfield Renewable Energy Group

Phone _____

Email address _____

Mailing Address 200 Donald Lynch Boulevard, Marlborough, MA 01752

Consulting firm that manages LIHI program participation (if applicable):

Name _____

Company _____

Phone _____

Email address _____

Mailing Address _____

Party responsible for compliance with LIHI program requirements:

Name and Title Ian Borlang, Compliance Manager

Phone 518-743-2093

Email address Ian.Borlang@brookfieldrenewable.com

Mailing Address 399 Big Bay Road, Queensbury, NY 12804

Party responsible for accounts payable:

Name and Title Aric Zhang, Analyst, Ancillary Services and Renewable Energy

Phone 819-561-2722 ext. 6743

Email address Aric.Zhang@brookfieldrenewable.com

Mailing Address 41 Victoria, Gatineau, QC J8X 2A1

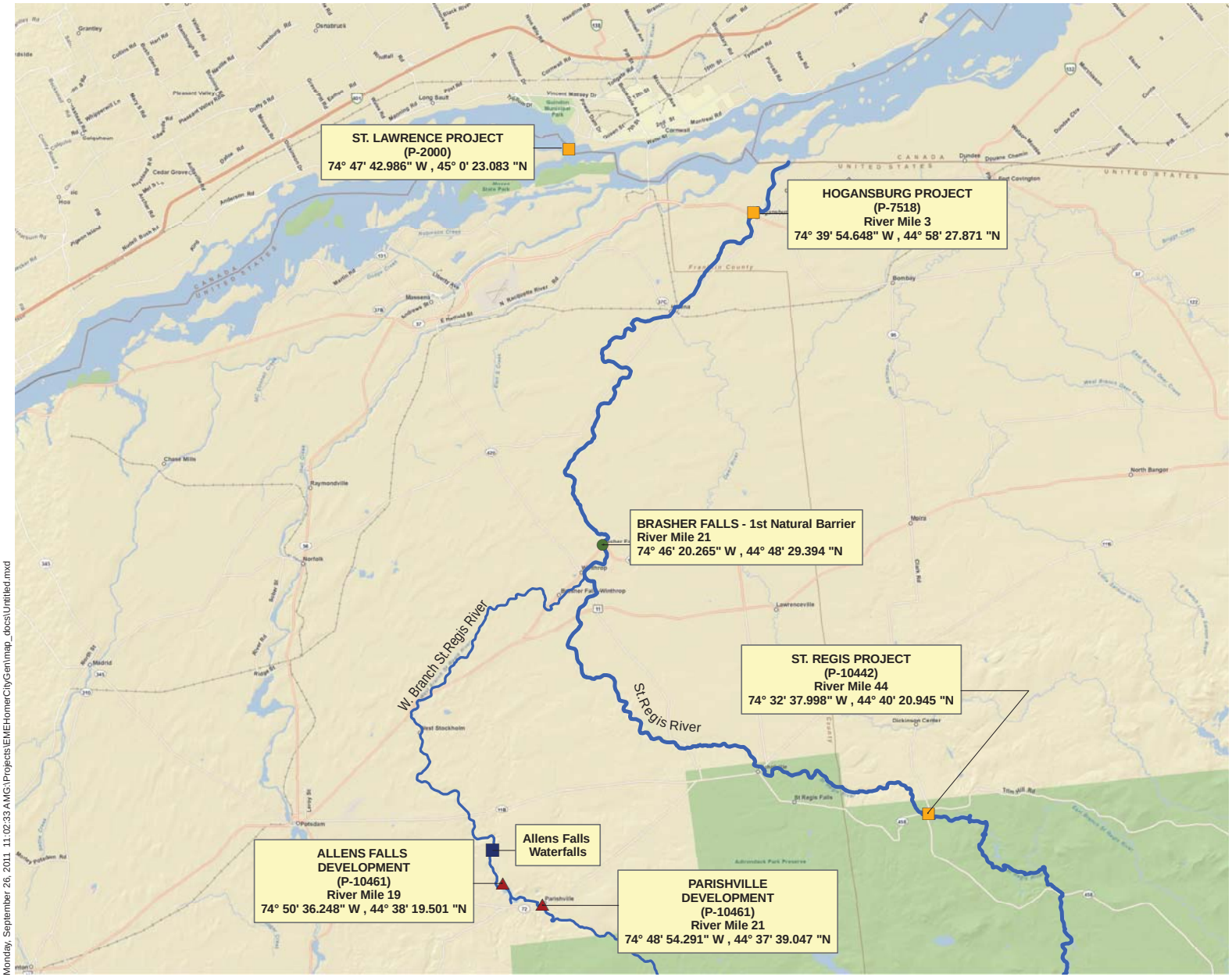
_____ _____

Project Owner/Operator Signature Date

ATTACHMENT B

QUESTION 3:

PROJECT LOCATION MAP



West Branch St. Regis River Project Location Map

Legend

- 1st Natural Barrier
- W. Branch St. Regis River Project
- Allens Falls Waterfalls
- Dam Facility Location
- St. Regis River
- W.Branch St.Regis River

N

0 2 4 6 Miles

Brookfield

HDR

Monday, September 26, 2011 11:02:33 AM G:\Projects\EME\HomerCity\Gen\map_docs\Untitled.mxd

ATTACHMENT C

QUESTION 11:

LIST OF AGENCY CONTACTS

Mr. Chris Balk
New York State Department of Environmental Conservation
317 Washington Street
Watertown, NY 13601
Phone No. (315) 785-2293
Email: cjbalk@gw.dec.state.ny.us

Mr. Steve Patch
U.S. Fish and Wildlife Service
3817 Luker Road
Cortland, NY 13045
Phone No. (607) 753-9334
Email: stephen_patch@fws.gov

Mr. William Wellman
Trout Unlimited
7 Helen Street
Plattsburgh, NY 12901
Email: wellman1985@charter.net

During 2010 the Applicant had discussions with the above individuals from the U.S. Fish and Wildlife Service and Trout Unlimited during the relicensing of the Oswegatchie River Project in St. Lawrence County, New York. Additionally, the Applicant was in contact with Mr. Wellman in the spring of 2010 regarding fish stocking at selected areas along the West Branch St. Regis River, downstream of the Allens Falls Development. The Applicant has continued to work with individuals from these agencies during the recent construction (2014-2015) of fish passage facilities at the Eel Weir Development on the Oswegatchie River, New York and will continue working with them during the construction of fish passage facilities at the Heuvelton Development located upstream of the Eel Weir Development that are expected to be completed by the end of 2017. The Applicant had worked with Alice Richardson at the New York State Department of Environmental Conservation (NYSDEC) in the past and has recently begun working with Mr. Balk on various items such as flow deviation requests for toe inspections. As part of this re-certification application, the Applicant has recently reached out to Mr. Balk to request verification that the project remains in compliance with the 401 Water Quality Certificate issued on November 2, 2001. The Applicant has maintained a cordial working relationship with these individuals.

The West Branch St. Regis River Advisory Council (Advisory Council), created as part of the Offer of Settlement, is comprised of several entities including those identified above. This Advisory Council annually meets to discuss issues in the vicinity of these sites as well as to accommodate suggestions for use of the West Branch St. Regis Fund, solely contributed to by the Applicant, for enhancements/improvements along the river corridor. This annual meeting affords the Applicant an opportunity to interface with these individuals annually.

ATTACHMENT D

QUESTION 12:

PROJECT DESCRIPTION

PROJECT MAPS

PROJECT PHOTOS

20020927-3040 Received by FERC OSEC 09/27/2002 in Docket#: P-10461-000

PROJECT DESCRIPTION

9. The 6.8-MW West Branch St. Regis River Hydroelectric Project provides an average annual generation of 34,730 megawatt-hours. Erie has generally operated the project in a pulsing mode and proposes to continue to do so.

10. The West Branch St. Regis River Project consists of the Parishville development and the Allens Falls development. The Parishville development consists of a dam, a 70-acre reservoir, a 2,561-foot-long penstock, a powerhouse housing a 2.4-MW turbine/generator unit, a 4.8-kV transmission line, and appurtenant facilities. The Allens Falls development consists of a concrete gravity-type dam, a 108-acre reservoir, a 9,344-foot-long pipeline, a surge tank, an 886-foot-long penstock, a powerhouse housing a 4.4-MW turbine/generator unit, a 2.4-mile-long 115-kV transmission line, and appurtenant facilities. A more detailed project description is contained in ordering paragraph (B)(2).

THE SETTLEMENT AGREEMENT

11. The Settlement incorporates agreements reached among the parties to the Settlement (Parties) with regard to the Parishville and Allens Falls developments. The stated goal of the Settlement is to provide for the continued operation of the developments with appropriate long-term environmental and recreational protection and mitigation measures that will meet diverse objectives for maintaining a balance of non-power and power values in the West Branch St. Regis River. Giving careful and equal consideration to non-power and power values, the Parties provide in the Settlement recommended terms and conditions for the resolution of operational, fisheries, wildlife, water quality, and recreational issues raised by and analyzed by the Parties as they are applicable to the issuance of a license and water quality certification (WQC) for the West Branch St. Regis River Hydroelectric Project's Parishville and Allens Falls developments.

20020927-3040 Received by FERC OSEC 09/27/2002 in Docket#: P-10461-000

The Director orders:

(A) This license is issued to Erie Boulevard, L.P. (licensee), for a period of 40 years, effective the first day of the month in which this order is issued, to construct, operate and maintain the West Branch St. Regis River Project. This license is subject to the terms and conditions of the FPA, which is incorporated by reference as part of this license, and subject to the regulations the Commission issues under the provisions of the FPA.

(B) The project consists of:

(1) All lands, to the extent of the licensee's interests in those lands, enclosed by the project boundary as described and shown by Exhibits G included in the applications for original licenses for the former Parishville and Allens Falls Projects (now developments of the West Branch St. Regis River Project) filed by Erie's predecessor, Niagara Mohawk Power Corporation, on May 31, 1990.

Exhibit G:

20020927-3040 Received by FERC OSEC 09/27/2002 in Docket#: P-10461-000

Drawing	FERC No. 10461-	Showing
1	5	Parishville Development - General Location Map
2	6	Parishville Development - Detail Map
3	7	Parishville Development - Detail Map
4	8	Allens Falls Development - General Location Map
5	9	Allens Falls Development - Detail Map
6	10	Allens Falls Development - Detail Map

(2) The following features:

Parishville Development: (1) a dam composed of an earthen dike and various concrete structures; (2) a reservoir with a surface area of 70 acres at crest elevation 844.5 feet NGVD; (3) an intake structure; (4) a penstock, 2,561 feet long and six to 10 feet in diameter; (5) a powerhouse housing a horizontal Francis turbine and a 2,400-kilowatt (kW) generator; (6) a 400-foot long tailrace; (7) a 4.8-kV transmission line; and (8) appurtenant facilities.

Allens Falls Development: (1) a concrete gravity type dam; (2) a reservoir with a surface area of 132 acres at top of flashboard elevation 742.0 feet NGVD: (3) an intake structure; (4) a pipeline, 9,344 feet long and seven feet in diameter; (5) a differential surge tank; (6) a penstock, 886 feet long and seven feet in diameter; (7) a powerhouse housing a vertical Francis turbine and a 4,400-kW generator; (8) a 450-foot-long tailrace; (9) a 2.4-mile-long 115-kV transmission line; and (10) appurtenant facilities.

The project works generally described above are more specifically shown and described by those portions of Exhibits A and F below:

Exhibit A:

Parishville and Allens Falls Developments: Pages A.1-1 through A.2-1 describing the existing mechanical, electrical and transmission equipment, filed May 31, 1990.

Exhibit F:

Parishville Development:

Drawing	FERC No.10461-	Showing
1	1	General Plan- Dam and Spillway Plan, Elevations and Sections
2	2	Intake and Powerhouse Plan, Elevations and Sections

Allens Falls Development:

Drawing	FERC No.10461-	Showing
1	3	General Plan- Dam and Spillway Plan, Elevations and Sections
2	4	General Plan - Intake, Surge Tank, and Powerhouse

(3) All of the structures, fixtures, equipment or facilities used to operate or maintain the project and located within the project boundary, all portable property that may be employed in connection with the project and located within or outside the project boundary, and all riparian or other rights that are necessary or appropriate in the operation or maintenance of the project.

(C) The exhibits A, F, and G as designated in ordering paragraph (B) above are approved and made part of the license.

(D) This license is subject to the water quality certification conditions submitted by the New York State Department of Environmental Conservation pursuant to Section 401(a) of the Clean Water Act, as those conditions are set forth in Appendix A to this order.

(E) This license is subject to the articles set forth in Form L-3 (October 1975), entitled "Terms and Conditions of License for Constructed Major Project Affecting Navigable Waters of the United States," and the following additional articles:

20020927-3040 Received by FERC OSEC 09/27/2002 in Docket#: P-10461-000

37. The preferred alternative includes the following measures:

(1) operate the Parishville impoundment within an 0.5-foot operational range of 884.0 and 884.5 feet National Geodetic Vertical Datum (NGVD) (the permanent crest elevation of the dam) (Article 401);

(2) operate the Allens Falls impoundment between 741.5 and 742.0 feet NGVD (the permanent crest elevation of the dam), from May 16 through October 31; may operate the Allens Falls impoundment between 740.5 and 741.0 feet NGVD from November 1 through May 15 for the protection of private docks on the Allens Falls impoundment from ice damage (Article 402);

(3) limit impoundment water level change rates during construction and/or maintenance activities to not more than one foot per hour during drawdown, and to not more than one foot per hour during refill (Article 403);

(4) discharge an instantaneous year-round minimum flow of 20 +/- 0.2 cubic feet per second (cfs) from a gate in the Parishville dam to the bypassed reach; and discharge a seasonal instantaneous minimum flow, from a gate in the Allen's Falls dam, to the bypassed reach, according to the following schedule: 30 +/- 0.2 cfs

from October 1 through March 31, 50 +/- 0.3 cfs from April 1 through August 31, and 40 +/- 0.3 cfs from September 1 through September 30 (Article 404);

(5) in consultation with the resource agencies, develop and implement a stream flow and water level monitoring plan that includes provisions to determine: required gate settings to release the minimum flow releases of the Parishville and Allen's Falls developments, headpond and tailwater elevations as needed, means of independent verification of water levels by the New York DEC and FWS, and means to ensure that the staff gauges are visible to the general public; and provisions for collecting accurate and sufficient records of: impoundment elevations and project flows, and any uncontrollable station outage that causes a reduction in the required minimum flow at or below the Parishville dam or the Allen Falls dam (Article 405);

(6) replace existing trashracks with 1-inch clear spacing trashracks at such times that the licensee determines that an existing trashrack needs to be replaced (Article 406);

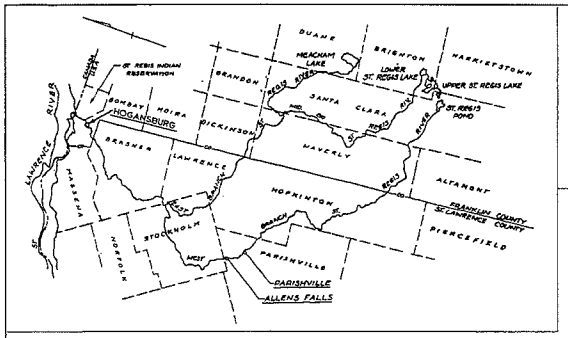
(7) reserve authority for the Secretary of the Interior to prescribe the construction, operation, and maintenance of fishways (Article 407);

(8) in consultation with the New York DEC, develop and implement a recreation plan focusing on: public access to lands within the project boundary of the two developments; informal access to project waters over lands near the Parishville powerhouse, to the bypass reach at the Allens Falls Road Bridge, and at a designated point near the Allens Falls powerhouse; signs designating the extent of parking available at an informal parking area and boat launch at the end of Coon Road and at an informal parking near the surge tank on Covey Road; an unimproved trail in the vicinity of Allens Falls powerhouse and boat barriers in the tailrace of the powerhouse; a flow-notification system that provides the public with information about known spillage events; designing and implementing appropriate erosion and sediment control measures for the unimproved trail and access point near the Allens Falls powerhouse; and consulting with the New York DEC and members of the West Branch St. Regis River Advisory Committee (SRRAC), as described in the "West Branch St. Regis River Project Offer of Settlement," filed with the Commission on September 13, 2001, to examine further development of public access to project lands and waters (Article 408);

(9) in consultation with the New York State Historic Preservation Officer (SHPO), develop a Historic Properties Management Plan focusing on avoiding, or

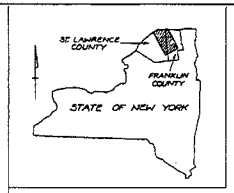
minimizing and appropriately mitigating any adverse effects to the historic mill ruins near the Parishville dam and consulting with the SHPO in case archeological or historic sites are discovered during project operation or future project-related land-clearing or ground-disturbing activities (Article 409); and

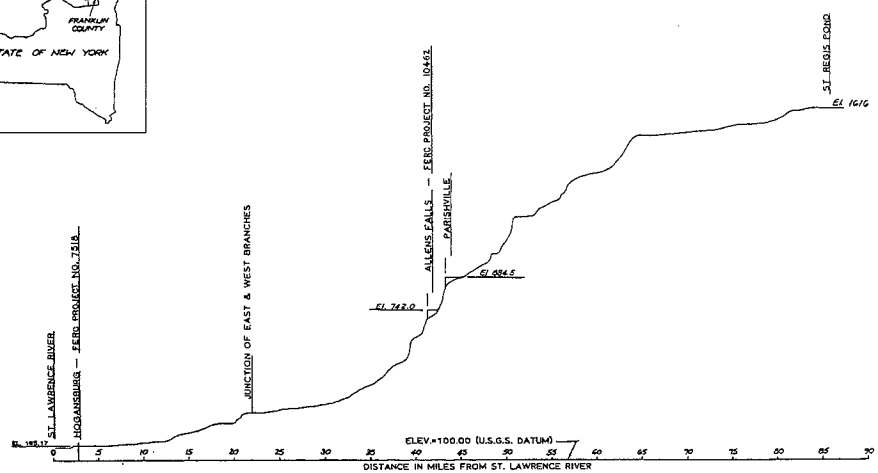
(10) grant the licensee authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for certain types of use and occupancy, without prior Commission approval if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project (Article 410).



LOCATION MAP
SCALE 1"=30,000' (APPROX.)

30,000 0 30,000 60,000 90,000 120,000 150,000

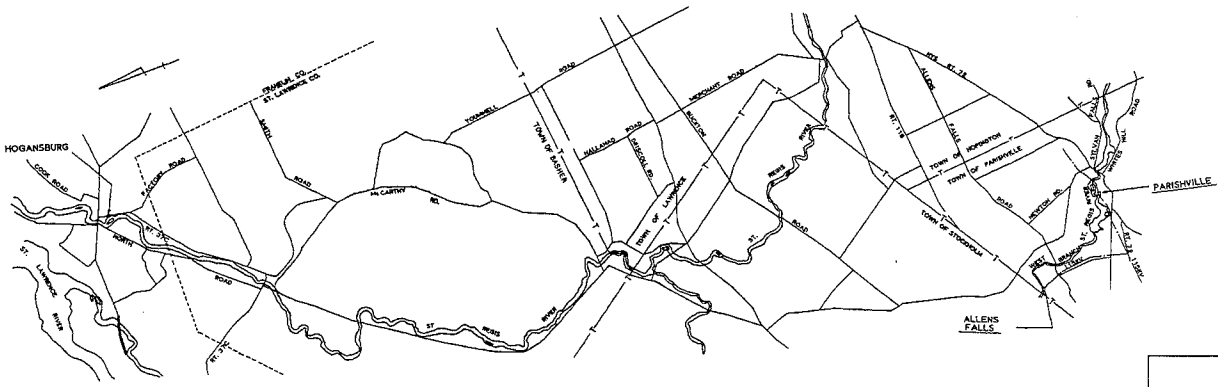




PROFILE

5 0 5 10 15 20 25
MILES

2000 0 2000 4000 6000 8000 10000
FEET



THIS DRAWING IS A PART OF THE APPLICATION FOR LICENSE MADE BY THE UNDERSIGNED THIS 30 DAY OF May, 19 92.

ERIE BOULEVARD HYDROPOWER, LP
LIVERPOOL, N.Y.

PARISHVILLE DEVELOPMENT

GENERAL LOCATION MAP

EXHIBIT G SCALE: 1"=6000' SHEET NO. 1

6000 3000 0 6000 12000 18000 24000 30000

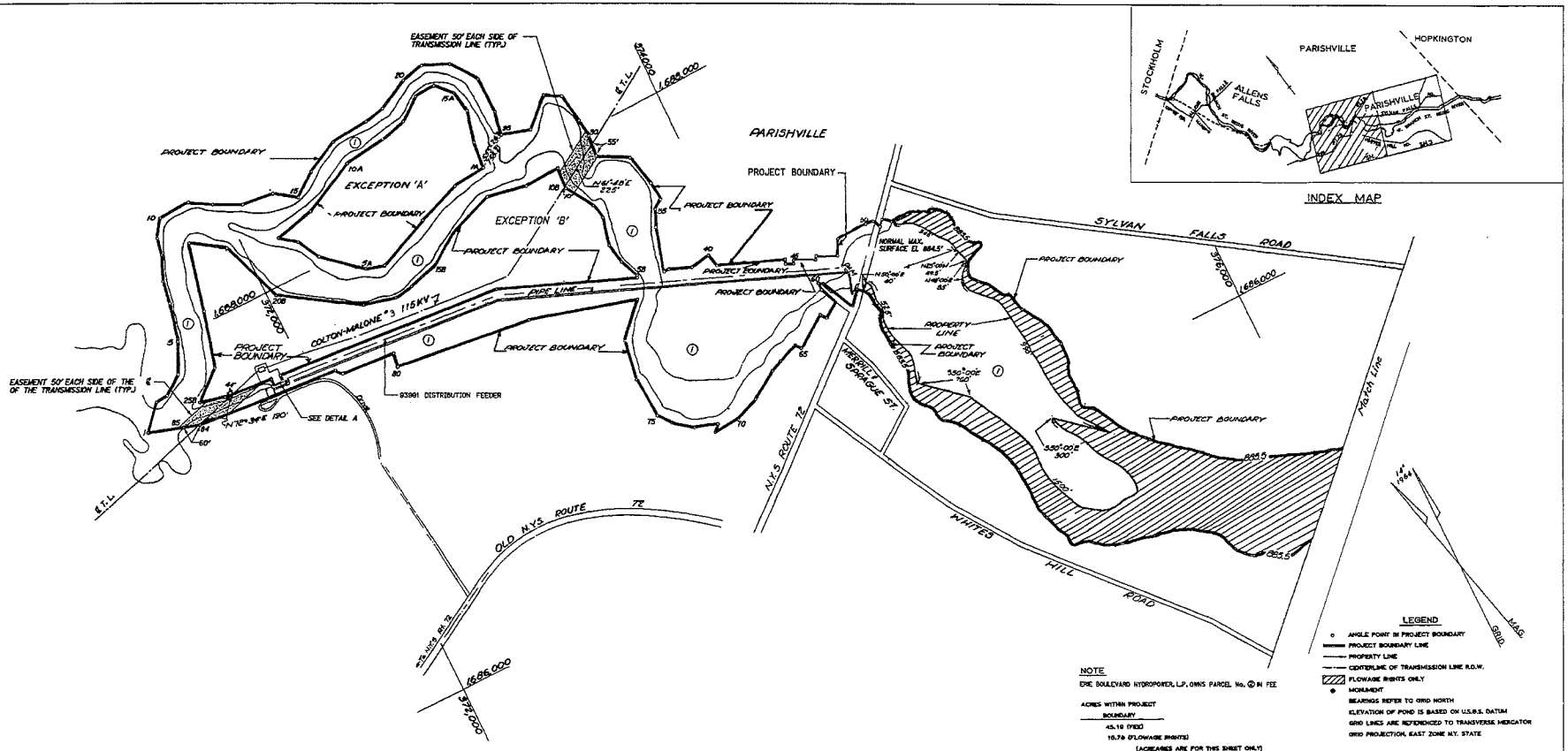
NO.	DATE	DESCRIPTION OF ISSUE OR REVISION	DR.	CK.	APP.
3	9/27/02	ORDER ISSUING ORIGINAL LICENSE	PEA	TMS	TMS
2	12/7/90	APPLICATION ACCEPTED FOR FILING	PRP	DRW	TMS
1	5/2/90	DRAFT LICENSE APPLIC. (2ND STAGE)	JPC	DRW	TMS

ORIGINAL ISSUE DATE

FILE NAME 10461GLDGN 10461GLCIT

FERC NO. 10461-16

FERC NO. 10461-16



INDEX MAP

NOTE

ERIE BOULEVARD HYDROPOWER, L.P. OWNS PARCEL No. ② IN FEE

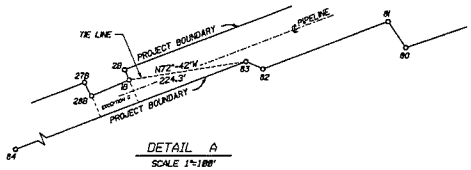
ACRES WITHIN PROJECT BOUNDARY

45.10 (FEE)
10.76 (FLOWAGE RIGHTS)
(ACREAGES ARE FOR THIS SHEET ONLY)

LEGEND

- ANGLE POINT IN PROJECT BOUNDARY
- PROJECT BOUNDARY LINE
- PROPERTY LINE
- CENTERLINE OF TRANSMISSION LINE R.O.W.
- FLOWAGE RIGHTS ONLY
- MONUMENT

BEARINGS REFER TO GRID NORTH
ELEVATION OF POND IS BASED ON U.S.B.S. DATUM
GRID LINES ARE REFERENCED TO TRANSVERSE MERCATOR GRID PROJECTION, EAST ZONE N.Y. STATE



DETAIL A
SCALE 1"=100'

THIS DRAWING IS A PART OF THE APPLICATION FOR LICENSE MADE BY THE UNDERSIGNED THIS 30 DAY OF May, 19 90.

ERIE BOULEVARD HYDROPOWER, L.P.
LIVERPOOL, N.Y.

PARISHVILLE DEVELOPMENT

DETAIL MAP

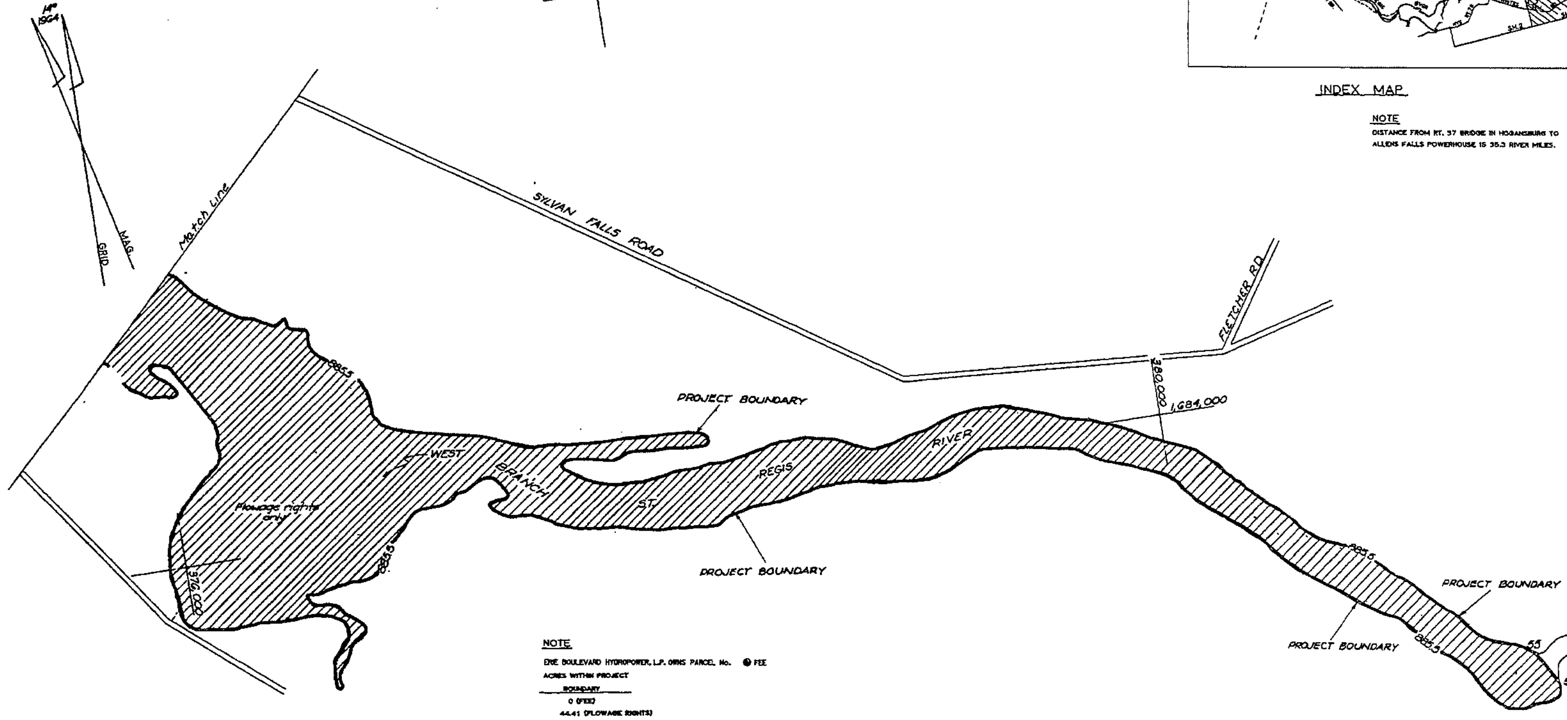
EXHIBIT G SCALE: 1"=200' SHEET NO. 2

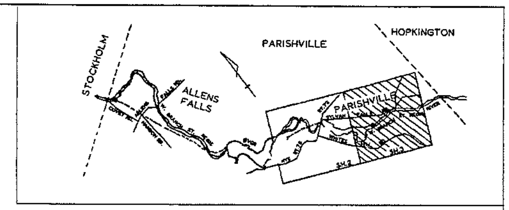
200 100 0 200 400 600 800 1000

NO.	DATE	DESCRIPTION OF ISSUE OR REVISION	DR.	CK.	APP.
181	9/27/02	ORDER ISSUING ORIGINAL LICENSE	PEA	TMS	TMS
198	5/18/01	CHANGED OWNERSHIP TO ERIE BOULEVARD HYDROPOWER, LP	SM		
2	12/1/90	APPLICATION ACCEPTED FOR FILING	PRW	DWW	TMS
1	3/2/90	DRAFT LICENSE APPLIC. (2ND STAGE)	JPC	DWW	TMS

ORIGINAL ISSUE DATE 5/30/90
FILE NAME 10461G2.DGN 10461G2.CIT
FERC NO. 10461-17

FERC No. 10461-17





INDEX MAP

NOTE

DISTANCE FROM RT. 37 BRIDGE IN HOGANSBURG TO ALLENS FALLS POWERHOUSE IS 35.3 RIVER MILES.

NOTE

ERIE BOULEVARD HYDROPOWER, L.P. OWNS PARCEL No. ● FEE

ACRES WITHIN PROJECT BOUNDARY

0 (FEE)

44.41 (FLOWAGE RIGHTS)

ACREAGES ARE FOR THIS SHEET ONLY

LEGEND

- o ANGLE POINT IN PROJECT BOUNDARY
- PROJECT BOUNDARY LINE
- PROPERTY LINE
- CENTERLINE OF TRANSMISSION LINE R.O.W.
- ● MONUMENT
- ELEVATION OF POND IS BASED ON U.S.G.S. DATUM
- BEARINGS REFER TO GRID NORTH
- GRID LINES ARE REFERENCED TO TRANSVERSE MERCATOR GRID PROJECTION, EAST ZONE N.Y. STATE
- FLOWAGE RIGHTS ONLY

THIS DRAWING IS A PART OF THE APPLICATION FOR LICENSE MADE BY THE UNDERSIGNED THIS 30 DAY OF May, 19 90.

[signature]

ERIE BOULEVARD HYDROPOWER, LP
LIVERPOOL, N.Y.

PARISHVILLE DEVELOPMENT

DETAIL MAP

EXHIBIT G SCALE: 1"=200' SHEET NO. 3

200 100 0 200 400 600 800 1000

NO.	DATE	DESCRIPTION OF ISSUE OR REVISION	DR.	CK.	APP.
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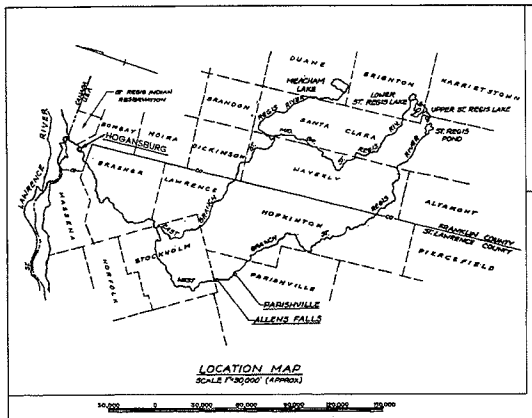
100	5/10/01	CHANGED OWNERSHIP TO ERIE BOULEVARD HYDROPOWER, LP	SM		
2	12/7/90	APPLICATION ACCEPTED FOR FILING	PRW	DWM	TMS
1	3/2/90	DRAFT LICENSE APPLIC. (2ND STAGE)	JPC	DWM	TMS

ORIGINAL ISSUE DATE 5/30/90

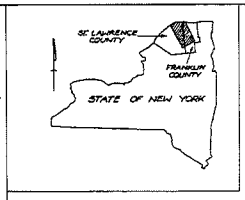
FILE NAME 10461G3.DGN 10461G3.CIT

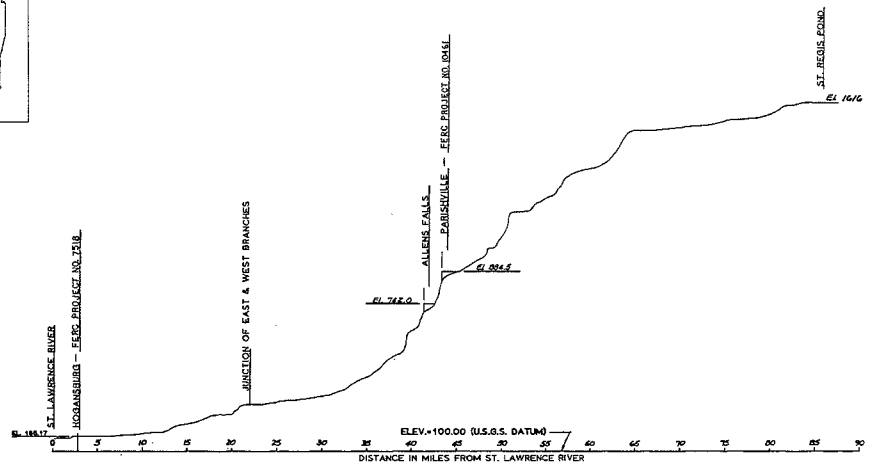
FERC NO. 10461-18

FERC NO. 10461-18

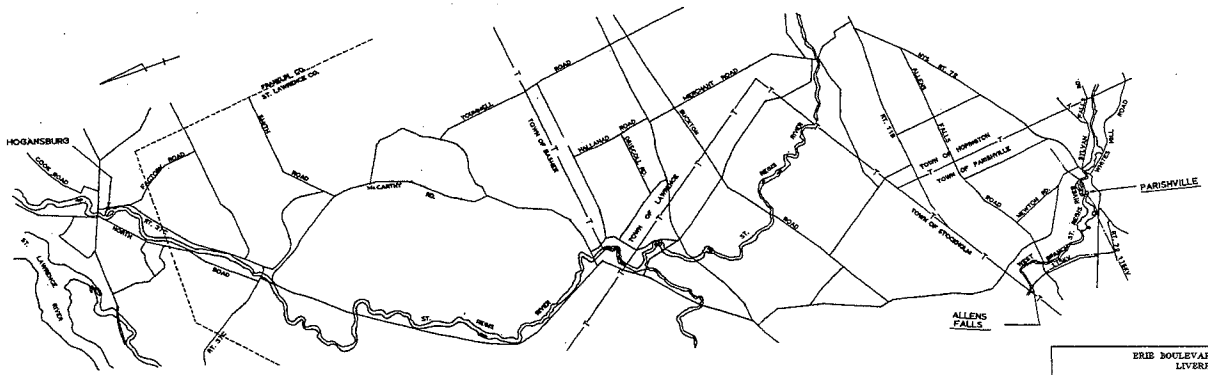


LOCATION MAP
SCALE 1"=30,000' (APPROX.)





PROFILE
MILES
FEET



THIS DRAWING IS A PART OF THE APPLICATION FOR LICENSE MADE BY THE UNDERSIGNED THIS 30 DAY OF May, 19 90.

ERIE BOULEVARD HYDROPOWER, LP
LIVERPOOL, N.Y.

ALLENS FALLS DEVELOPMENT

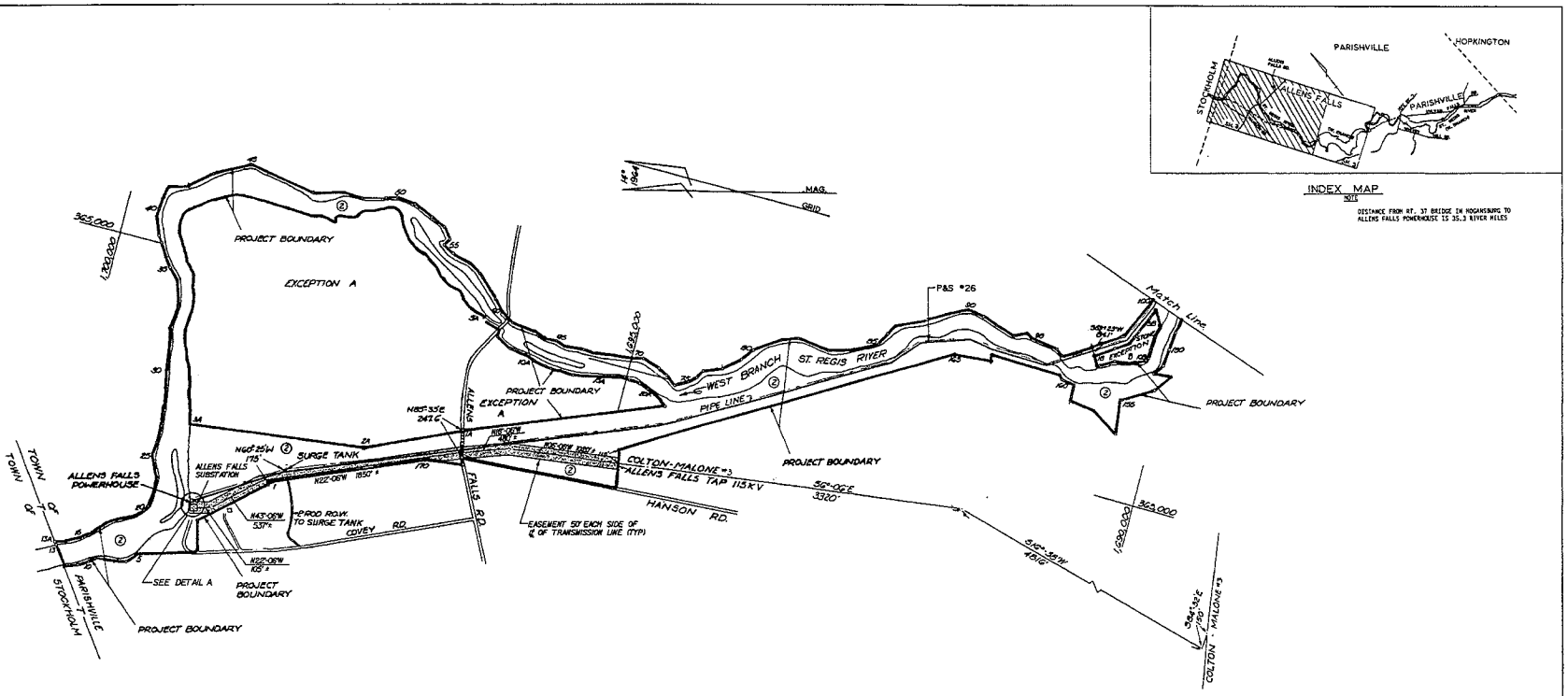
GENERAL LOCATION MAP

EXHIBIT G — SCALE: 1"=6000' — SHEET NO. 4

NO.	DATE	DESCRIPTION OF ISSUE OR REVISION	DR.	CK.	APP.
3	9/27/00	ORDER ISSUING ORIGINAL LICENSE	PCA	TWS	TWS
2	2/15/90	APPLICATION ACCEPTED FOR FERC	PRW	DMW	TWS
1	3/2/90	DRAFT LICENSE APPLC. FIND STAGE	JPC	DMW	TWS

ORIGINAL ISSUE DATE 5/30/90
FILE NAME 10462GLDGN 10462GLCIT
FERC NO. 10461-19

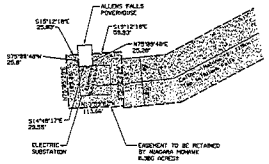
FERC NO. 10461-19



INDEX MAP

NOTE

DISTANCE FROM RT. 37 BRIDGE IN HOGANSBURG TO ALLENS FALLS POWERHOUSE IS 35.3 RIVER MILES



DETAIL A

SCALE 1"=100'

NOTE

ERIE BOULEVARD HYDROPOWER, L.P. OWNS PARCEL No.② IN FEE

ACRES WITHIN PROJECT BOUNDARY

148.45 GFEO

ACREAGES ARE FOR THIS SHEET ONLY

LEGEND

- ANGLE POINT IN PROJECT BOUNDARY
- TOWN LINE
- FLOWAGE RIGHTS ONLY
- PROJECT BOUNDARY LINE
- PROPERTY LINE
- CENTERLINE OF TRANSMISSION LINE R.O.W.
- MONUMENT

BEARINGS REFER TO GRID NORTH

ELEVATION OF POND IS BASED ON U.S.G.S. DATUM

GRID LINES ARE REFERENCED TO TRANSVERSE MERCATOR GRID PROJECTION, EAST ZONE N.Y. STATE

THIS DRAWING IS A PART OF THE APPLICATION FOR LICENSE MADE BY THE UNDERSIGNED THIS 30 DAY OF May, 19 90.

ERIE BOULEVARD HYDROPOWER, LP
LIVERPOOL, N.Y.

ALLENS FALLS DEVELOPMENT

DETAIL MAP

EXHIBIT G SCALE: 1"=400' SHEET NO. 5

400 200 0 400 800 1200 1600 2000

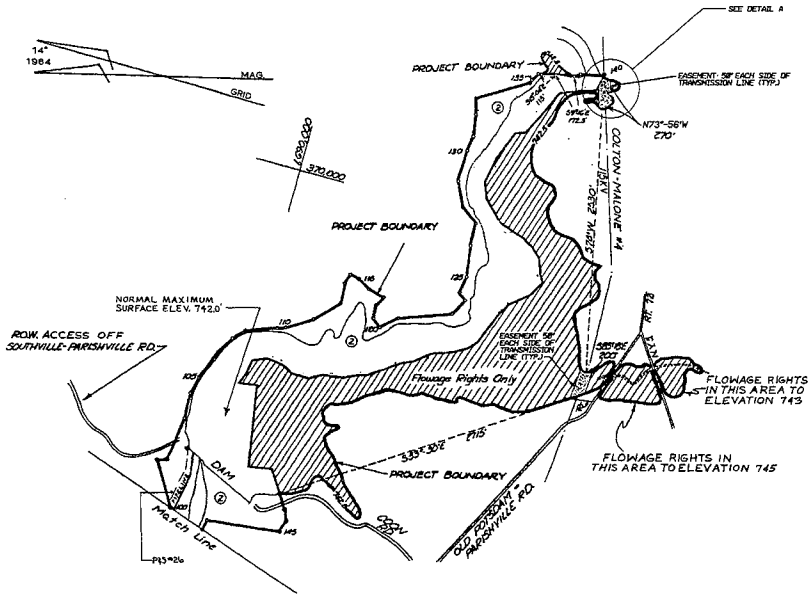
NO.	DATE	DESCRIPTION OF ISSUE OR REVISION	DR.	CK.	APP.
19	5/21/02	ORDER ISSUING ORIGINAL LICENSE	PEA	TWS	TWS
100	5/10/01	CHANGED OWNERSHIP TO ERIE BOULEVARD HYDROPOWER, L.P.	SW		
2	12/12/90	APPLICATION ACCEPTED FOR FILING	PRR	DNM	TWS
1	3/2/90	DRAFT LICENSE APPLICATION STAGE	JPC	DNM	TWS

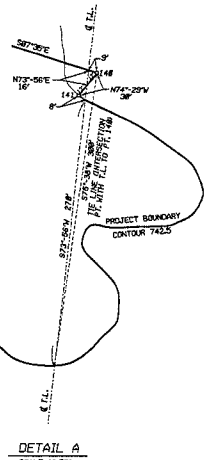
ORIGINAL ISSUE DATE 5/30/90

FILE NAME 1046202.DGN 1046202.DIT

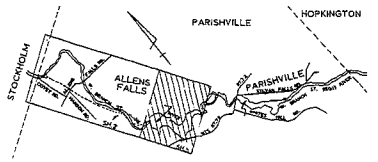
FERC NO. 1046I-20

FERC NO. 1046-20





DETAIL A
SCALE 1"=50'



INDEX MAP

NOTE
DISTANCE FROM ST. 37 BRIDGE IN HOGANSBURG TO ALLENS FALLS POWERHOUSE IS 35.3 RIVER MILES.

NOTE
ERIE BOULEVARD HYDROPOWER, L.P. OWNS PARCEL No.② IN FEE
ACRES WITHIN PROJECT BOUNDARY
64.83 (FEE)
63.16 (FLOWAGE RIGHTS)
ACREAGES ARE FOR THIS SHEET ONLY

LEGEND
- ANGLE POINT IN PROJECT BOUNDARY
- TOWN LINE
- FLOWAGE RIGHTS ONLY
- PROJECT BOUNDARY LINE
- PROPERTY LINE
- CENTERLINE OF TRANSMISSION LINE R.O.W.
- MONUMENT

BEARINGS REFER TO GRID NORTH
ELEVATION OF POND IS BASED ON U.S.G.S. DATUM
GRID LINES ARE REFERENCED TO TRANSVERSE MERCATOR GRID PROJECTION, EAST ZONE N.Y. STATE

THIS DRAWING IS A PART OF THE APPLICATION FOR LICENSE MADE BY THE UNDERSIGNED THIS 26 DAY OF May, 19 92.
[signature]

ERIE BOULEVARD HYDROPOWER, LP
LIVERPOOL, N.Y.

ALLENS FALLS DEVELOPMENT

DETAIL MAP

EXHIBIT G SCALE: 1"=400' SHEET NO. 6

400 200 0 400 800 1200 1600 2000

NO.	DATE	DESCRIPTION OF ISSUE OR REVISION	DR.	CK.	APP.
10	9/27/02	DRSCR ISSUING ORIGINAL LICENSE	PEA	TMS	TMS
100	5/10/01	CHANGED OWNERSHIP TO ERIE BOULEVARD HYDROPOWER, LP	SM		
3	4/17/92	ADDED DAM RECONSTRUCTION AS-BUILT INFORMATION (3A)	PRW	DWN	JV
2	12/12/90	APPLICATION ACCEPTED FOR FILING	PRW	DWN	TMS
1	7/2/90	DRAFT LICENSE APPLIC. (2ND STAGE)	JPC	DWN	TMS

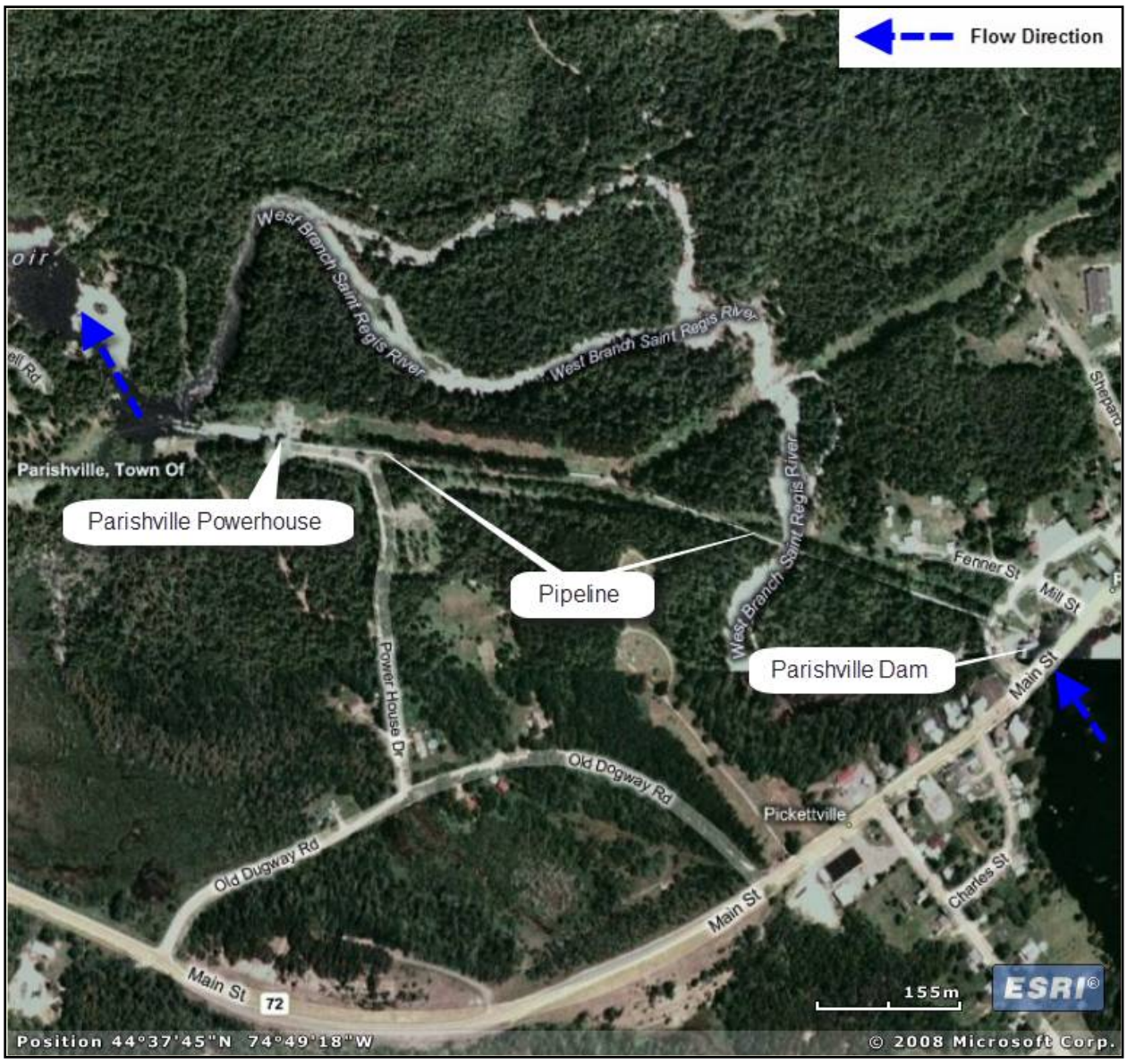
ORIGINAL ISSUE DATE 5/30/90
FILE NAME 10462G3A.DGN 10462G3A.CIT
FERC NO. 10461-21

Photographs of the West Branch St. Regis River Project (FERC No. 10461)
(dam and associated project works)

(Above – Allens Falls Dam)

(Above – Allens Falls Pipeline)

(Above – Allens Falls Powerhouse)


Flow Direction
West Branch Saint Regis River
West Branch Saint Regis River
West Branch Saint Regis River
Parishville, Town Of
Parishville Powerhouse
Pipeline
Parishville Dam
Power House Dr
Old Dogway Rd
Old Dogway Rd
Pickettville
Main St
Main St
Main St
Ferner St
Mill St
Charles St
72
155m
ESRI
Position 44°37'45"N 74°49'18"W
© 2008 Microsoft Corp.

(Above – Parishville Dam)


(Above – Parishville Pipeline)

(Above – Parishville Powerhouse)

ATTACHMENT E

QUESTION A. FLOWS:

SEPTEMBER 7, 2012 REVISED STREAMFLOW WATER LEVEL MONITORING PLAN

MARCH 5, 2013 FERC ORDER AMENDING REVISED STREAMFLOW WATER LEVEL MONITORING PLAN

MINIMUM FLOW DOCUMENTATION

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Brookfield

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VIA FEDEX

August 7, 2012

Honorable Kimberly D. Bose
Secretary
FEDERAL ENERGY REGULATORY COMMISSION
888 First Street, N.E.
Washington, DC 20426

SUBJECT: West Branch St. Regis River Project (FERC No. 10461)
Article 405 – Revised Stream Flow and Water Level Monitoring Plan

Dear Secretary Bose:

The ORDER ISSUING ORIGINAL LICENSE, issued by the Federal Energy Regulatory Commission (Commission) on September 27, 2002, included Article 405, Stream Flow and Water Level Monitoring Plan (PLAN). On March 31, 2003, the Licensee, Erie Boulevard Hydropower, LP (Erie) submitted its final Stream Flow and Water Level Monitoring Plan for the West Branch St. Regis River Project to the Commission. On December 4, 2003, the Commission issued the "ORDER MODIFYING AND APPROVING STREAMFLOW AND WATER LEVEL MONITORING PLAN (ORDER)". Pursuant to issuance of the ORDER, two events have occurred pertinent to the PLAN and Erie feels it is appropriate to revise the previously approved PLAN to include these events.

1) Erie originally proposed at the Parishville Development that the minimum flow would be released through a pipe that was installed in the dam during dam rehabilitation work in 1994. Erie experienced operational problems with this arrangement in early 2004 and proposed an alternative release mechanism to agency personnel in April 2004. The alternate release mechanism was to utilize the sluice gate located between the spillway section and the tainter gate structure. This proposed release mechanism was discussed with agency personnel in April 2004 and was found to be acceptable. A primary consideration for agency acceptance of this alternative was the fact that the 20 cfs was only for minimum flow purposes, and was not intended as a fish movement flow.

2) Erie proposed within the PLAN installation of monuments or markers on permanent formations in the bypassed reaches for visual observations to determine any reduction in the minimum flows that may be caused by blockages in the flow release structures. This

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revision to the PLAN addresses the installation of the monuments for flow verification purposes within each bypassed reach and also includes photographs of the monument(s) installations.

Erie submitted a draft revised PLAN for consultation purposes with New York State Department of Environmental Conservation (DEC) and U.S. Fish and Wildlife Service (Service) on October 7, 2011. The Service provided a response to the draft Plan on October 17, 2011 essentially concurring with the revised Plan. The DEC responded via e-mail on April 11, 2012 noting that changes DEC suggested were primarily clarity edits. Correspondence addressing Article 405 is included herein.

If you have any questions regarding this submittal, please contact the undersigned at (315) 598-6131.

Very truly yours,

Daniel G. Daoust
New York West Operations

Encl.

xc: Gerald Cross, Regional Engineer, FERC-NYRO
D. Stilwell, Service
A. Richardson, DEC
J. Elmer
S. Murphy

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WEST BRANCH ST. REGIS RIVER PROJECT
FERC PROJECT NO. 10461

LICENSE ARTICLE 405
REVISED STREAM FLOW AND WATER LEVEL MONITORING PLAN

August 2012

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Revision: 1
August 7, 2012
Original: March 31, 2003

WEST BRANCH ST. REGIS RIVER PROJECT
FERC PROJECT NUMBER 10461 NY

LICENSE ARTICLE 405
STREAM FLOW AND WATER LEVEL MONITORING PLAN

Introduction

The Federal Energy Regulatory Commission (FERC) issued the Order Issuing Original License on September 27, 2002 for the West Branch St. Regis River Project. Included in the license is Article 405, which requires a stream flow and water level monitoring plan. Article 405 is as follows:

> **Article 405:** The licensee shall file, within six months of the license issuance, a stream flow and water level monitoring plan, for Commission approval, in consultation with the New York State Department of Environmental Conservation (NYSDEC) and the U.S. Fish and Wildlife Service (USFWS). The monitoring plan shall include provisions for all gauges and/or equipment, and methods to determine:
>
> (1) the required gate settings to release the minimum flow release of the Parishville and Allens Falls developments,
> (2) the headpond and tailwater elevations as needed,
> (3) an appropriate means of independent verification of water levels by the NYSDEC and USFWS, and
> (4) means to ensure that the staff gauges are visible to the general public.
>
> The plan shall also include provisions for the collecting of accurate and sufficient records of:
>
> (1) the impoundment elevations and all project flows, and
> (2) any uncontrollable station outage that causes a reduction in the required minimum flow at or below the Parishville dam or the Allens Falls dam.
>
> All gauging and ancillary equipment required by the monitoring plan, including headpond and tailwater gauges, shall be made operational and fully calibrated within 1 year of approval of the plan. The Commission reserves the right to require changes to the plan. Upon Commission approval, the licensee shall implement the plan, including any changes required by the Commission.

<u>Minimum Flows and Reservoir Fluctuation Limits - Monitoring Criteria</u>

The minimum flows (nominal) and reservoir (headpond) fluctuation limits to be monitored as part of Article 405 requirements are as follows:

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Development	Minimum Flow(s) (cfs)	Flow Release Mechanism	Reservoir Fluctuation Limits (feet)
Parishville	20	Sluice Gate	0.5 (884.5 - 884.0)
Allens Falls	30, 40, & 50	Low level gate near intake	0.5 (742.0 - 741.5)* 0.5 (741.0 - 740.5)**

* Normal operation period from May 16 through October 31.

** Winter drawdown period from November 1 through May 15. The winter drawdown is defined as the lowering of the impoundment to a normal elevation of 1.0 foot below crest of dam, or elevation 741.0 feet.

STREAM FLOW AND WATER LEVEL MONITORING PLAN

Required Gate Settings

Parishville

The minimum flow release to be monitored at the Parishville Development is 20[1] cfs. The minimum flow is released via orifice flow beneath the existing 11-foot-wide by 4-foot-high sluice gate. A calibrated gage is set on the lifting mechanism which denotes the gate opening height. See Attachment 1 for the release configuration.

The gate setting for the Parishville minimum flow has been determined based upon a head differential measured from the mid-point of the fluctuation range to the center of the gated opening, or at an impoundment elevation of 884.25 feet.

Allens Falls

The minimum flow releases to be monitored at the Allens Falls Development are 30[2], 40[3], and 50[4] cfs. Minimum flows are released through the existing low level gate located adjacent to the intake to the pipeline (see Attachment 1 for gate configuration). A transparent gate stem housing with a graduated scale has been installed to observe the gate movement and measured gate opening height. The flow releases are seasonal releases in accordance with the following table:

Minimum Flow Release (cfs)	Schedule
30	October 1 through March 31
50	April 1 through August 31
40	September 1 through September 30

The gate settings for the various minimum flows at Allens Falls have been determined based upon a head differential measured from the mid-point of the fluctuation range to the center of the gated opening. From May 16 through October 31, the impoundment elevation used for the minimum flow release is 741.75 feet. From November 1 through May 15, the impoundment elevation used for the minimum flow release is 740.75 feet.

[1] 20 +/-0.2 cubic feet per second (cfs) per License Article 404
[2] 30 +/-0.2 cubic feet per second (cfs) per License Article 404
[3] 40 +/-0.3 cubic feet per second (cfs) per License Article 404
[4] 50 +/-0.3 cubic feet per second (cfs) per License Article 404

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Minimum Flow Release Structures Calculations, Discharge Curves, and Tables

The Licensee has developed discharge curves and tables using orifice discharge equations based upon varying headpond elevations for both Parishville and Allens Falls and these can be found in Attachment 1. The minimum flow release has been determined based upon a head differential measured from the mid-point of the fluctuation range to the center of the gated opening. Consequently, depending on the headpond level within the fluctuation range, varying minimum flows will be released in accordance with the flow requirements of License Article 404. In all cases, the normal operating maximum headwater elevation has been used as the upper limit of the fluctuation range. Following is a listing, for each development, of the orifice opening size, nominal minimum flow required, and the range of flows expected over the varying headpond elevations, which corresponds to these specific orifice openings:

Development	Orifice Opening Size	Nominal Flow Required (cfs)	Range of Flow (cfs)
Parishville	11.0 feet wide by 0.220 feet high	20	20.4 - 22.4
Allens Falls	10.0 feet wide by 0.100 feet high	30	30.1 - 30.4
	10.0 feet wide by 0.135 feet high	40	40.6 - 41.0
	10.0 feet wide by 0.170 feet high	50	51.2 - 51.6
	10.0 feet wide by 0.105 feet high	30*	31.1 - 31.4
	10.0 feet wide by 0.135 feet high	40*	40.0 - 40.3
	10.0 feet wide by 0.170 feet high	50*	50.3 - 50.7

* Winter drawdown period from November 1 through May 15. The winter drawdown is defined as the lowering of the impoundment to a normal elevation of 1.0 foot below crest of dam, or elevation 741.0 feet.

Compliance with the minimum flow requirements is determined by use of the discharge curves and tables enclosed in conjunction with the headpond elevations to determine the minimum flow released at various reservoir elevations within the fluctuation limits.

By knowing headpond elevation, one can determine or approximate, from the tables and graphs, the flow through the release structure. For example, if the Allens Falls Development headpond elevation is 741.75 feet (the mid-point of the fluctuation range), and the gate opening height is 0.100 foot, one can find the gate opening height on the table, and under the *mid-point* column determine the flow release of 30.2 cfs. If the headpond elevation were instead 741.9 feet and the gate opening height is 0.l00 foot, one can approximate the flow release by interpolating between values on the table or by using the graphs.

Headpond and Tailwater Elevations Monitoring

The Licensee has installed remote gaging equipment at the Parishville and Allens Falls Developments. The remote gaging equipment records headpond elevations every minute and an hourly average is stored at the Licensee's National System Control Center (NSCC), located in Marlborough, Massachusetts. The hourly headpond elevation is recorded to the nearest 0.1 foot. This in-place system ensures the Licensee's compliance with the reservoir fluctuation limit requirements. This in-place system for recording headpond elevations includes measures that alert the Licensee's NSCC indicating pond levels are decreasing (or increasing). These alerts

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initiate response measures by the Licensee to make operational adjustments to control the pond level within the required fluctuation limits. These measures include reducing (or increasing) the site discharge, and if necessary, dispatching a traveling operator to the site to investigate the site conditions and propose any changes to the Licensee's operations.

Tailwater elevations, while not required for compliance purposes, are generally read on the tailrace staff gages and recorded daily for operational purposes.

Independent Verification or Water Levels by the NYSDEC and USFWS

The Licensee has placed headwater and tailwater staff gages at both Parishville and Allens Falls, located in areas accessible for NYSDEC, USFWS, and/or their authorized representatives to observe. The staff gages are delineated in 0.1-foot increments and can be used to determine water surface elevations. NYSDEC and USFWS shall have access to them per the terms of the Settlement Agreement.

Means to Ensure that the Staff Gages are Visible to the General Public

The headpond and tailrace staff gages are inspected annually by the Licensee to determine if any repair or replacement is required and to determine the functionality of the gages. The Licensee also ensures the accessibility and visibility of the gages on an annual basis.

Permanent Staff Gages

The Licensee has installed monuments on permanent formations in the Parishville and Allens Falls bypassed reaches for visual observations to determine any reductions in the bypassed reach flows caused by blockages to the flow release structures. The Parishville monument has been installed immediately downstream of the dam in the bedrock on the right side. Three monuments have been installed (one for each minimum flow requirement) downstream of Allens Falls dam in the bedrock on the left side of the bypassed reach approximately 1600 feet downstream of the dam. Photographs of these installations are included in Attachment 2.

Gage Calibration Plan

The Licensee performs an annual field verification of the headpond elevations by comparing the staff gage elevations with the elevations displayed at its NSCC. Both the staff gage accuracy and NSCC display are checked annually and any deviations greater than 0.1 foot are corrected by recalibrating the transducers to the referenced elevation.

The tailwater gages are inspected annually to determine if any repair or replacement is required and to determine functionality of the gages.

Controlled Reservoir Lowering and Refilling

In accordance with License Article 403, whenever construction and/or maintenance activities require the water level of the project developments to be lowered, the impoundment level shall

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not be drawn down more than 1 foot per hour. During the refill period, the water level of the impoundments shall not be allowed to rise more than 1 foot per hour.

PROVISIONS FOR COLLECTING ACCURATE AND SUFFICIENT RECORDS OF THE FOLLOWING:

Impoundment Elevations

The Licensee's NSCC is the keeper of all headpond elevation records and stores the elevation data hourly, to the nearest 0.1 foot. Attachment 3 includes an example of the format used in the recordkeeping process. The headpond elevation data is presented in feet above/below (+ / -) the spillway crest. Headpond elevation data is readily available for 6 months at the Licensee's NSCC. Thereafter, records are stored and can be retrieved for up to 3 years.

At the request of an interested party, the records at the Licensee's NSCC can be inspected in accordance with the five-business-day requirement. The requestor should contact the NSCC in writing, at 200 Donald Lynch Blvd, Suite 300, Marlborough, MA 01752-4707; and state the purpose of their request. The NSCC will contact the interested party and make the necessary arrangements for inspection of the records at the NSCC.

The Licensee has provided NYSDEC a 7-day-per-week contact person to provide immediate responses to questions about abnormal conditions.

Project Flows

The minimum flow release structures were fully operational as of January 7, 2003 at Allens Falls and January 9, 2003 at Parishville. The Licensee now has the capability to determine the flows through these structures as a function of the varying headpond elevations. Additionally, the Licensee has adequate records to determine the flows through each individual turbine and any spillage, thereby having the capability to determine the total flow at each development. This data is also available in an hourly format as noted above.

Uncontrollable Station Outage that causes a Reduction In the required Minimum Flow at or below the Respective Dams and Exceedance of Reservoir Fluctuation Limits

The Licensee has initiated a procedure for reporting any events when the known minimum flows or reservoir fluctuations fall below the requirements of this Stream Flow and Water Level Monitoring Plan.

Pursuant to this procedure, the Licensee will take the following steps:

1) Notify the NYSDEC within 24 hours, if possible, of the nature of the event, duration, and remedial actions undertaken by the Licensee. The NYSDEC will notify the USFWS of the circumstances surrounding the event.

2) File a report with the Commission within 10 days of the date when the data becomes available.

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The report, to the extent possible, will identify the cause, severity, and duration of the event, and any observed or reported adverse environmental impacts resulting from the event. The report will also include, to the extent possible: (1) operational data necessary to determine compliance with the minimum flows and reservoir fluctuations; (2) a description of any corrective measures implemented at the time of occurrence and the measures implemented or proposed to ensure similar events do not recur; and (3) comments or correspondence, if any, received from the NYSDEC and USFWS regarding the event. The NYSDEC and USFWS will be provided a copy of the report at the time of its submission to the Commission.

In the event the outflow from the Parishville Development is less than the required minimum flow at the Allens Falls Development, the Licensee will operate the Allens Falls impoundment between 741.2 and 742 feet NGVD (between 740.2 and 741 feet NGVD during the winter drawdown), to provide for flow continuity downstream. For compliance reporting, the Licensee only reports to the Commission those events when the Allens Falls impoundment is lowered beyond the 0.8-foot limit. The Licensee will notify the NYSDEC whenever the 0.5-foot limit is exceeded.

Procedure for Reporting Mutually Agreed Upon Impoundment Lowering, including Construction and/or Maintenance Activities, and Minimum Flow Modifications

The Licensee has initiated a procedure for reporting any mutually agreed upon impoundment lowering, including construction and/or maintenance activities, and minimum flow modifications between the Licensee and the NYSDEC, when such scheduled events exceed the requirements of License Articles 401, 402, and 404.

The Licensee will do the following:

1) Notify the NYSDEC at least 48 hours in advance, if possible, of the proposed modifications to the impoundment level and/or the minimum flow with reason(s) for the modification. The NYSDEC will notify the USFWS, at their discretion.

2) Files a report with the Commission within 10 days of the date when the mutually agreed upon environmental modification is completed.

   The report will identify the reason and duration of the modification, and any observed or reported adverse environmental impacts. The report will also include to the extent possible: (1) a description of any measures implemented during the environmental modification; and (2) comments or correspondence, if any, received from the NYSDEC.

Implementation Schedule

The following table denotes the specific implementation dates.

Development	Minimum (Nominal) Flow	Impoundment Fluctuations
Parishville	2003	2002
Allens Falls	2003	2002

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The Licensee has provided for assessing the condition of the in-place headpond staff gages to annually determine the need for replacement and verify the headpond staff gage elevations with the elevations displayed at the Licensee's NSCC.

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ATTACHMENT 1

MINIMUM FLOW RELEASE STRUCTURE CONFIGURATIONS AND CALCULATIONS, DISCHARGE CURVES AND TABLES

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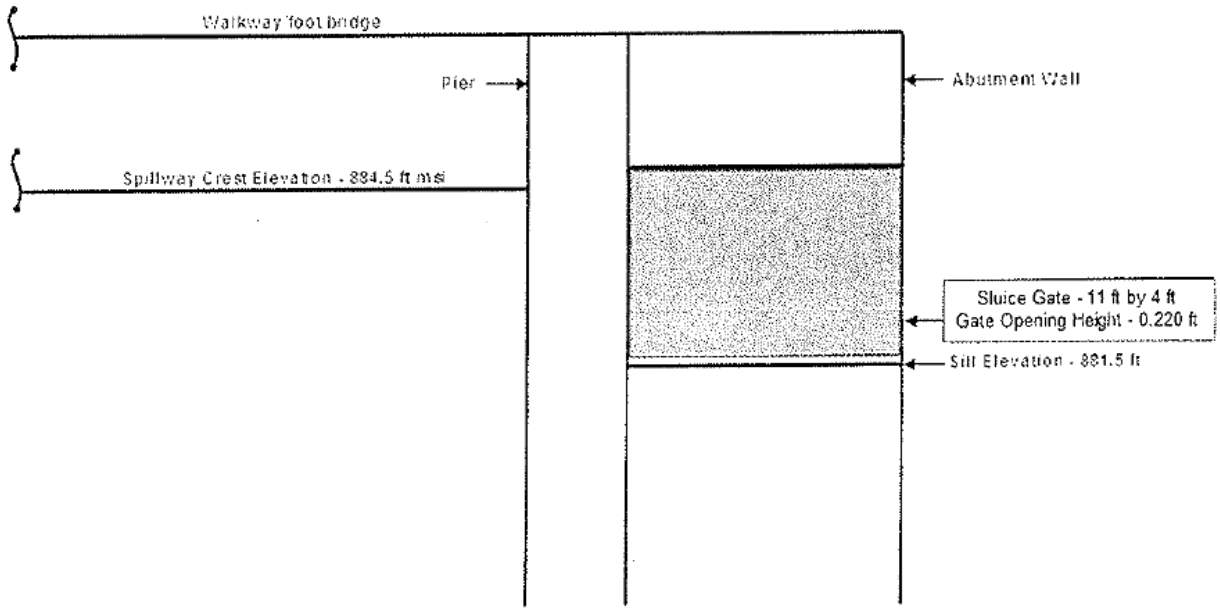
St. Regis River Project
Parishville Development
Created 6/24/2011

Sluice Gate to Pass Minimum Flow
Configuration to Pass Nominal Flow of 20 cfs
(Schematic Drawing - Not to Scale)



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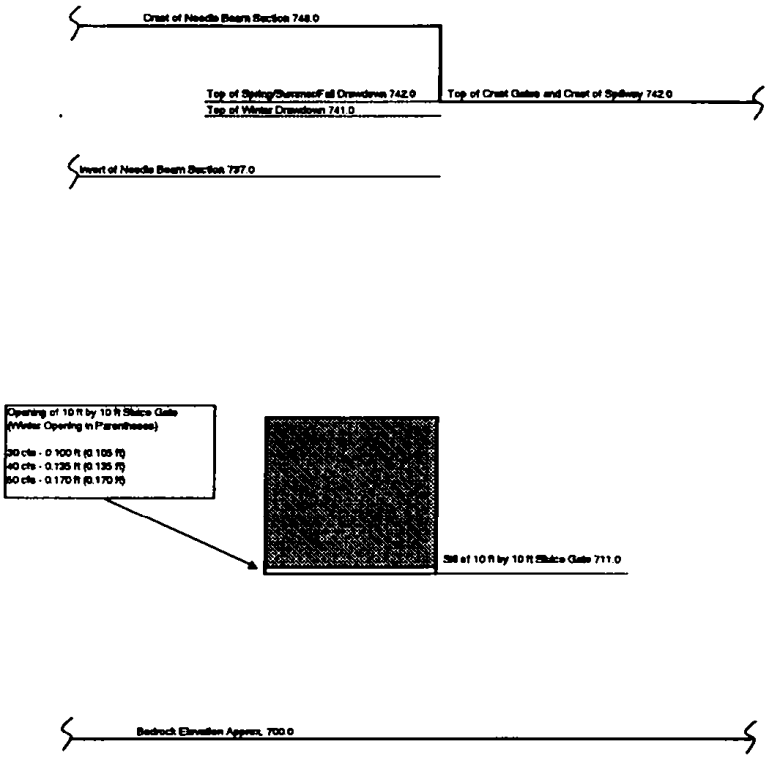
St. Regis River Project
Allens Falls Development
Created: 1/16/2003
Last Revised: 2/13/2003

Slide Gate to Pass Minimum Flow
Configuration to Pass Nominal Flows of 30, 40 and 50 cfs
(Schematic Drawing - Not to Scale)



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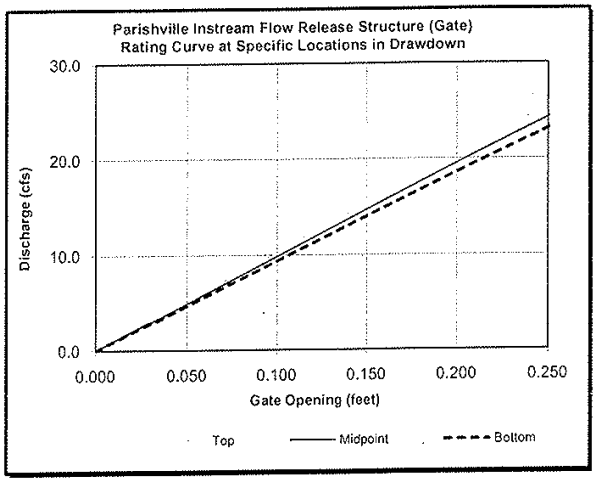
Instream Flow Release Structure Flow Calculations

Project: St. Regis River Project
Development: **Parishville Development - 20 cfs Release**
Date Created: 4/27/2004
Last Revised: 4/27/2004

Crest of Dam:	884.50	ft USGS
Crest of Boards:	none	ft USGS
Height of Boards:	none	ft
Allowable Fluctuation:	0.50	ft
Elev. Fluctuation Measured From:	884.50	ft USGS
Gate Invert:	881.50	ft USGS
Existing Gate Width:	11.00	ft
Discharge Coefficient:	0.680	
Starting Height of Opening:	**0.00**	**ft**
Width of Modified Opening:	**11.00**	**ft**
Gate Opening Increment:	0.01	ft

** The minimum flow release is satisfied at the mid-point of the drawdown. The actual release may be slightly above or below this value.*



Discharge Matrix Based on Orifice Equation

Configuration for 20 cfs Release

Location in Drawdown:	Top	*Midpoint*	Bottom
Elevation:	884.50	884.25	884.00
Height of Gate Opening			
0.000	0.0	*0.0*	0.0
0.010	1.0	*1.0*	0.9
0.020	2.1	*2.0*	1.9
0.030	3.1	*3.0*	2.8
0.040	4.1	*4.0*	3.8
0.050	5.2	*5.0*	4.7
0.060	6.2	*5.9*	5.7
0.070	7.2	*6.9*	6.6
0.080	8.3	*7.9*	7.5
0.090	9.3	*8.9*	8.5
0.100	10.3	*9.9*	9.4
0.110	11.3	*10.8*	10.3
0.120	12.4	*11.8*	11.3
0.130	13.4	*12.8*	12.2
0.140	14.4	*13.8*	13.1
0.150	15.4	*14.7*	14.0
0.160	16.4	*15.7*	14.9
0.170	17.4	*16.7*	15.9
0.180	18.4	*17.6*	16.8
0.190	19.4	*18.6*	17.7
0.200	20.4	*19.5*	18.6
0.210	21.4	*20.5*	19.5
0.220	22.4	*21.5*	20.4
0.230	23.5	*22.4*	21.3
0.240	24.4	*23.4*	22.2
0.250	25.4	*24.3*	23.1
0.260	26.4	*25.3*	24.0
0.270	27.4	*26.2*	24.9
0.280	28.4	*27.2*	25.8
0.290	29.4	*28.1*	26.7
0.300	30.4	*29.0*	27.6
0.310	31.4	*30.0*	28.5
0.320	32.4	*30.9*	29.4
0.330	33.4	*31.8*	30.3
0.340	34.3	*32.8*	31.2

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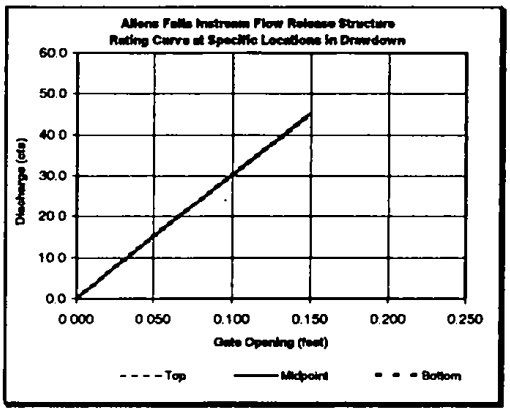
Instream Flow Release Structure Flow Calculations

Project: St. Regis River Project
Development: **Allens Falls Development - 30 to 50 cfs Release (Spring/Summer/Fall)**
Date Created: 1/16/2003
Last Revised: 2/13/2003

Crest of Dam:	742.00 ft USGS
Crest of Boards:	none ft USGS
Height of Boards:	none ft
Allowable Fluctuation:	0.50 ft
Elev. Fluctuation Measured From (Spring/Summer/Fall):	742.00 ft USGS
Gate Invert:	711.00 ft USGS
Existing Gate Width:	10.00 ft
Discharge Coefficient:	0.680
Starting Height of Opening:	0.00 ft
Width of Modified Opening:	10.00 ft
Gate Opening Increment:	0.005 ft



** The minimum flow release is satisfied at the mid-point of the drawdown. The actual release may be slightly above or below this value.*

Discharge Matrix Based on Orifice Equation

Configuration for 30 to 50 cfs Release

Location in Drawdown:	Top	*Midpoint*	Bottom
Elevation:	742.00	741.75	741.50
Height of Gate Opening			
0.000	0.0	*0.0*	0.0
0.005	1.5	*1.5*	1.5
0.010	3.0	*3.0*	3.0
0.015	4.6	*4.5*	4.5
0.020	6.1	*6.1*	6.0
0.025	7.6	*7.6*	7.5
0.030	9.1	*9.1*	9.0
0.035	10.6	*10.6*	10.5
0.040	12.1	*12.1*	12.1
0.045	13.7	*13.6*	13.6
0.050	15.2	*15.1*	15.1
0.055	16.7	*16.6*	16.6
0.060	18.2	*18.1*	18.1
0.065	19.7	*19.7*	19.6
0.070	21.3	*21.2*	21.1
0.075	22.8	*22.7*	22.6
0.080	24.3	*24.2*	24.1
0.085	25.8	*25.7*	25.6
0.090	27.3	*27.2*	27.1
0.095	28.8	*28.7*	28.6
0.100	30.4	*30.2*	30.1
0.105	31.9	*31.7*	31.6
0.110	33.4	*33.3*	33.1
0.115	34.9	*34.8*	34.6
0.120	36.4	*36.3*	36.1
0.125	37.9	*37.8*	37.6
0.130	39.5	*39.3*	39.1
0.135	41.0	*40.8*	40.6
0.140	42.5	*42.3*	42.1
0.145	44.0	*43.8*	43.6
0.150	45.5	*45.3*	45.2
0.155	47.0	*46.8*	46.7
0.160	48.6	*48.4*	48.2
0.165	50.1	*49.9*	49.7
0.170	51.6	*51.4*	51.2

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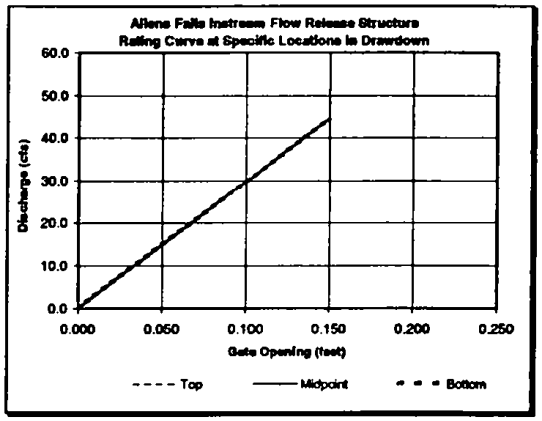
Unofficial FERC-Generated PDF of 20030402-0061 Received by FERC OSEC 04/01/2003 in Docket#: P-10461-013

Instream Flow Release Structure Flow Calculations

Project: St. Regis River Project
Development: **Allens Falls Development - 30 to 50 cfs Release (Winter)**
Date Created: 1/16/2003
Last Revised: 2/13/2003

Crest of Dam:	742.00 ft USGS
Crest of Boards:	none ft USGS
Height of Boards:	none ft
Allowable Fluctuation:	0.50 ft
Elevation Fluctuation Measured From (Winter):	741.00 ft USGS
Gate Invert:	711.00 ft USGS
Existing Gate Width:	10.00 ft
Discharge Coefficient:	0.680
Starting Height of Opening:	**0.00 ft**
Width of Modified Opening:	**10.00 ft**
Gate Opening Increment:	0.005 ft



** The minimum flow release is satisfied at the mid-point of the drawdown. The actual release may be slightly above or below this value.*

Discharge Matrix Based on Orifice Equation

Configuration for 30 to 50 cfs Release

Location in Drawdown:	Top	*Midpoint*	Bottom
Elevation:	741.00	740.75	740.50
Height of Gate Opening			
0.000	0.0	*0.0*	0.0
0.005	1.5	*1.5*	1.5
0.010	3.0	*3.0*	3.0
0.015	4.5	*4.5*	4.4
0.020	6.0	*6.0*	5.9
0.025	7.5	*7.4*	7.4
0.030	9.0	*8.9*	8.9
0.035	10.5	*10.4*	10.4
0.040	12.0	*11.9*	11.9
0.045	13.4	*13.4*	13.3
0.050	14.9	*14.9*	14.8
0.055	16.4	*16.4*	16.3
0.060	17.9	*17.8*	17.8
0.065	19.4	*19.3*	19.3
0.070	20.9	*20.8*	20.7
0.075	22.4	*22.3*	22.2
0.080	23.9	*23.8*	23.7
0.085	25.4	*25.3*	25.2
0.090	26.9	*26.8*	26.7
0.095	28.4	*28.3*	28.1
0.100	29.9	*29.7*	29.6
0.105	31.4	*31.2*	31.1
0.110	32.8	*32.7*	32.6
0.115	34.3	*34.2*	34.1
0.120	35.8	*35.7*	35.5
0.125	37.3	*37.2*	37.0
0.130	38.8	*38.7*	38.5
0.135	40.3	*40.1*	40.0
0.140	41.8	*41.6*	41.4
0.145	43.3	*43.1*	42.9
0.150	44.8	*44.6*	44.4
0.155	46.3	*46.1*	45.9
0.160	47.8	*47.6*	47.4
0.165	49.2	*49.0*	48.8
0.170	50.7	*50.5*	50.3

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ATTACHMENT 2

PHOTOGRAPHS OF INSTALLED MINIMUM FLOW MONITORS AT PARISHVILLE AND ALLENS FALLS DEVELOPMENTS

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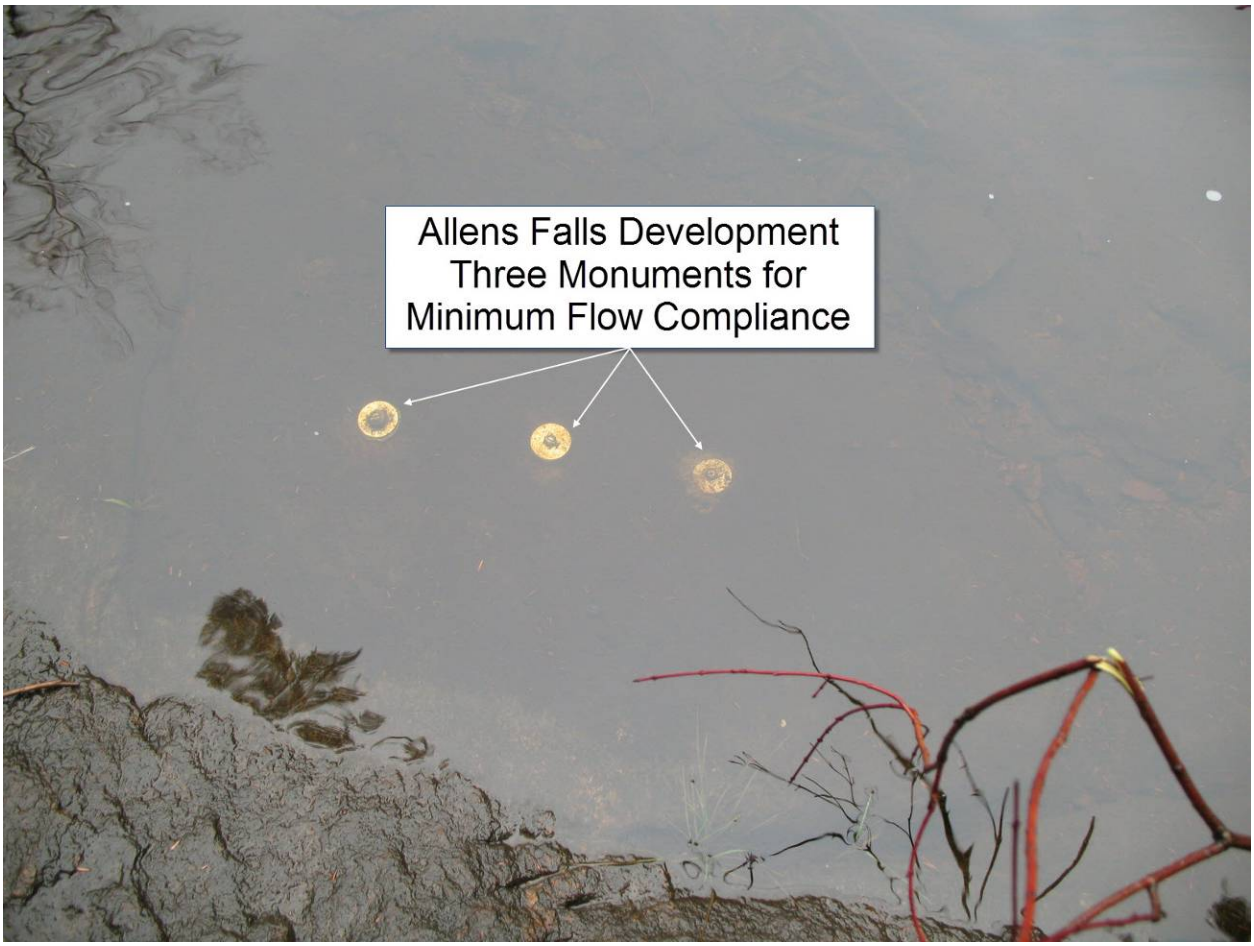

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ATTACHMENT 3

HEADPOND ELEVATIONS SAMPLE FORMAT

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Sample Format

WEST BRANCH ST. REGIS RIVER PROJECT
PROJECT NO. LP 10461 NY

Hour Ending:	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Headpond Level*																								
Parishville	-0.1	0	0	-0.1	-0.1	-0.2	-0.2	-0.3	-0.3	-0.4	-0.4	-0.4	-0.4	-0.1	-0.1	0	0	-0.1	-0.2	-0.2	-0.3	-0.3	-0.4	-0.4
Aliens Falls**																								

*Headpond levels are measured from dam crest.
**Data to be represented in similar format after installation of the remote gaging equipment to record headpond elevations.

L:\Steno\HYDROGEN\Skutnik\Sample Format West Branch St. Regis.doc

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WEST BRANCH ST. REGIS RIVER PROJECT
FERC PROJECT NO. 10461

LICENSE ARTICLE 405

AGENCY CONSULTATION

20120807-5131 FERC PDF (Unofficial) 8/7/2012 3:38:48 PM

Unofficial FERC-Generated PDF of 20030402-0061 Received by FERC OSEC 04/01/2003 in Docket#: P-10461-013

Reliant Energy

225 Greenfield Parkway, Suite 201
Liverpool, NY 13088

February 27, 2003

Mr. Len Ollivett
New York State Department of Environmental Conservation
Division of Fish & Wildlife & Marine Resources
Dulles State Office Building
317 Washington Street
Watertown, New York 13601-3787

Mr. David Stilwell
US Fish & Wildlife Service
3817 Luker Road
Cortland, New York 13045

SUBJECT: West Branch St. Regis River Project LP 10461 NY
Article 405 – Stream Flow and Water Level Monitoring Plan

Gentlemen:

In accordance with the ORDER ISSUING ORIGINAL LICENSE, issued on September 27, 2002, enclosed is Erie Boulevard Hydropower, LP's (Erie) draft plan for the following license article:

Article 405 Stream Flow and Water Level Monitoring Plan (Draft Plan)

Erie would appreciate receiving your comments within 30 days from the date of this letter. Upon receipt of agency comments, Erie will revise as appropriate the above-referenced plan and submit to the Commission.

If you have any questions about this submittal, please feel free to contact the undersigned at (315) 413-2789. Please address any written correspondence to Mr. Sam S. Hirschey, Manager, Licensing, Compliance and Project Properties.

Very truly yours,

Thomas M. Skutnik

Thomas M. Skutnik, PE
Licensing, Compliance and Project Properties
Erie Boulevard Hydropower, LP

xc: S. S. Hirschey
T. L. Smith
C. Orvis, USFWS – Hadley, MA

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20120807-5131 FERC PDF (Unofficial) 8/7/2012 3:38:48 PM

Unofficial FERC-Generated PDF of 20030402-0061 Received by FERC OSEC 04/01/2003 in Docket#: P-10461-013

New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources, Region 6
Dulles State Office Building, 317 Washington Street, Watertown, New York 13601-3787
Phone: (315) 785-2261/62/63 • **FAX:** (315) 785-2242
Website: www.dec.state.ny.us

Erin M. Crotty
Commissioner

March 6, 2003

Mr. Sam Hirschey
Reliant Energy
225 Greenfield Parkway
Suite 201
Liverpool, NY 13088

RE: West Branch St. Regis River Project
LP 10461 NY
Article 405 - Stream Flow and Water Level Monitoring Plan

Dear Mr. Hirschey::

The New York State Department of Environmental Conservation has completed a review of the draft Stream Flow and Water Level Monitoring Plan for the West Branch St. Regis project as requested in your letter of February 27, 2003.

We offer the following comments:

- at Parishville, minimum flow release will be controlled by installation of a "throttled disc" over the existing 30" pipe embedded in the dam. We understand that this device, in effect, reduces the diameter of the release pipe to 1.25'.

- on page 3, we suggest that the statement "Compliance with the minimum flow requirements consists of ..." be modified to read "Compliance with the minimum flow requirements is determined by use of ..." . This would provide a clear connection with the more detailed description of how the graphs and tables are utilized appearing in the next paragraph.

If you have any questions, please do not hesitate to contact me at 315-785-2267.

Sincerely,

Leonard E. Ollivett
Bureau of Habitat
Region 6

cc: USFWS, David Stilwell attn Steve Patch
NYSDEC, Brian Fenlon, Al Schiavone

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Unofficial FERC-Generated PDF of 20030402-0061 Received by FERC OSEC 04/01/2003 in Docket#: P-10461-013
Faxed 3/20/03

United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, NY 13045

March 18, 2003

Mr. Sam Hirschey
Reliant Energy
225 Greenfield Parkway
Suite 201
Liverpool, NY 13088

RE: West Branch St. Regis River Hydroelectric Project (FERC #10461)
Article 405 – Stream Flow and Water Level Monitoring Plan

Dear Mr. Hirschey:

The U.S. Fish and Wildlife Service (Service) has reviewed the February 27, 2003, Stream Flow and Water Level Monitoring Plan for the subject project. The plan is acceptable to the Service.

If you have any questions or need additional information, contact Steve Patch at 607-753-9334.

Sincerely,

David A. Stilwell
Field Supervisor

cc: NYSDEC, Watertown, NY (L. Ollivett)

20120807-5131 FERC PDF (Unofficial) 8/7/2012 3:38:48 PM

From: Daoust, Daniel [Daniel.Daoust@brookfieldrenewable.com]
Sent: Wednesday, April 11, 2012 9:42 AM
To: Kulpa, Sarah; Miner, Amanda; Shantie, Christopher; Skutnik, Thomas
Cc: Murphy, Steven P
Subject: FW: West Branch St. Regis Revised SFWLMP
Attachments: West Branch St. Regis Flow Mon Plan TRACK 082211 DEC comments_4-11-12.doc

---

From: Alice Richardson [mailto:aprichar@gw.dec.state.ny.us]
Sent: Wednesday, April 11, 2012 09:33
To: Daoust, Daniel
Cc: William Little
Subject: West Branch St. Regis Revised SFWLMP

Good Morning Dan,

Attached is the Revised Stream Flow and Water Level Monitoring Plan with DEC's suggested edits. Among other changes, principally for clarity, we have generally restored the word "will" because the text as is would create an infinitive, where the projected event loses its relationship to time, making it harder to understand. We understand that Erie may be concerned about becoming over-obligated, however we don't think there is much risk of that merely by restoring the word. Instead, the grammatical correction will remove a possible ambiguity; especially a favorable thing since we are all here at the table, so to speak, writing for clarity. This may not be the only way to write around the problem and preserve clarity (or avoid ambiguity) but we are really concerned about confusing the people who follow after us and need to understand and interpret this.
If you have any questions, feel free to contact me at (315) 785-2267.

Sincerely,

Alice P.M. Richardson
Sr. Ecologist
NYS DEC Region 6
Bureau of Habitat
317 Washington Street
Watertown, New York 13601-3787
Phone: (315) 785-2267
Fax: (315) 785-2242
email: aprichar@gw.dec.state.ny.us

Please do not print this e-mail unless it is absolutely necessary to do so. Thanks!

1

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Faxed 10/21/11

United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, NY 13045

October 17, 2011

Mr. Daniel Daoust
Brookfield Power
New York West Operations
33 West 1st Street South
Fulton, NY 13069

RE: West Branch St. Regis River Hydroelectric Project (FERC #10461)
Revised Stream Flow and Water Level Monitoring Plan

Dear Mr. Daoust:

The U.S. Fish and Wildlife Service (Service) has reviewed the October 7, 2011, *Article 405 – Revised Stream Flow and Water Level Monitoring Plan* (Plan) for the West Branch St. Regis River Hydroelectric Project located in St. Lawrence County, New York. The Plan has been changed to describe the new release structure at the Parishville development and the completed installation of monuments to be used for visual flow identification. In addition, the new version of the Plan eliminates words such as "proposes" and "will" with words that identify the actions taken or ongoing. The Service believes the new language clarifies the document while still reflecting Brookfield's ongoing license requirements. Therefore, we have no objection to the proposed changes to the Plan.

We appreciate the opportunity to review the Plan. If you have any questions or desire additional information, please contact Steve Patch at 607-753-9334.

Sincerely,

David A. Stilwell
Field Supervisor

cc: NYSDEC, Watertown, NY (A. Richardson)

20130305-3032 FERC PDF (Unofficial) 03/05/2013

142 FERC ¶ 62,184
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Erie Boulevard Hydropower, L.P. Project No. 10461-022

ORDER AMENDING STREAM FLOW AND WATER LEVEL MONITORING PLAN UNDER ARTICLE 405

(Issued March 5, 2013)

1. On August 7, 2012, Erie Boulevard Hydropower, L.P., licensee for the West Branch St. Regis River Project, FERC No. 10461, filed a request to amend the Order Modifying and Approving Stream Flow and Water Level Monitoring Plan Under Article 405,[1] which was approved by the Commission on December 4, 2003, pursuant to the project license.[2] The project is located on the West Branch of the St. Regis River, in St. Lawrence County in northern New York.

Background

2. Article 405 of the project license requires the licensee to file a stream flow and water level monitoring plan, for Commission approval, in consultation with the New York State Department of Environmental Conservation (NYDEC) and the U.S. Fish and Wildlife Service (FWS). The monitoring plan must include provisions for all gauges and/or equipment, and methods to determine:

(1) the required gate settings to release the minimum flow releases of the Parishville and Allen's Falls developments,
(2) the headpond and tailwater elevations as needed,
(3) an appropriate means of independent verification of water levels by the NYDEC and USFWS, and

[1] *Order Modifying and Approving Stream Flow and Water Level Monitoring Plan Under Article 405*, 105 FERC ¶ 62,142 (2003).

[2] *Order Issuing Original License*, 100 FERC ¶ 62,208 (2002).

20130305-3032 FERC PDF (Unofficial) 03/05/2013

(4) means to ensure that the staff gauges are visible to the general public.

The plan must also include provisions for the collecting of accurate and sufficient records of:

(1) the impoundment elevations and all project flows,
(2) any uncontrollable station outage that causes a reduction in the required minimum flow at or below the Parishville dam or the Allen Falls dam.

All gauging and ancillary equipment required by the monitoring plan, including headpond and tailwater gauges, were to be made operational and fully calibrated within one year of approval of the plan.

3. On March 31, 2003, the licensee submitted its Stream Flow and Water Level Monitoring Plan (Original plan) for Commission approval. On December 4, 2003, the Commission issued *Order Modifying and Approving Stream Flow and Water Level Monitoring Plan* (Order) for the West Branch St. Regis River Project.

Proposed Amendments

4. On August 7, 2012, the licensee filed a revised Stream Flow and Water Level Monitoring Plan (Plan). In the Plan, the licensee states that since the issuance of the Order, two pertinent events have occurred and therefore the Original plan should be revised.

5. In the Original plan, the licensee proposed that at the Parishville Development, the minimum flow would be released through a pipe that was installed in the dam during dam rehabilitation work in 1994. The licensee experienced operational problems with this arrangement in early 2004 and proposed an alternative release mechanism to agency personnel in April 2004. The alternate release mechanism was to utilize the sluice gate located between the spillway section and tainter gate structure. This proposed release mechanism was discussed with agency personnel in April 2004 and was found to be acceptable. The licensee stated in their Plan that a primary consideration for agency acceptance of this alternative was the fact that the 20 cubic feet per second (cfs) flow requirement was only for minimum flow purposes, and was not intended as fish movement flow. The Plan includes documentation of the alternative release mechanism for the minimum flow.

6. The Plan also addresses the installation of the monuments for flow verification purposes within the bypassed reach and also includes photographs of the monument installations. In the Original plan, the licensee had proposed to install monuments or markers on permanent formations in the bypassed reaches for visual determination of any reduction in the minimum flows that may be caused by blockages in the flow release structures.

20130305-3032 FERC PDF (Unofficial) 03/05/2013

Consultation

7. The licensee consulted with the NYDEC and the FWS on the Plan on October 7, 2011. The FWS responded on October 17, 2011, stating that it had no objection. The NYDEC responded on April 11, 2012, stating that it only had minor edits for the Plan concerning clarity. The licensee included copies of agency correspondence in the Plan.

Review

8. The proposed revisions in the licensee's Plan are adequate to document the licensee's compliance with license article 405, and should, therefore, be approved.

The Director orders:

(A) Erie Boulevard Hydropower, L.P.'s, request, filed on August 7, 2012, to amend and update the approved December 4, 2003 Stream Flow and Water Level Monitoring Plan Under Article 405, is approved.

(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the FPA, 16 U.S.C. § 825*l* (2006), and the Commission's regulations at 18 C.F.R. § 385.713 (2012). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

William Guey-Lee
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance

Brookfield

Eastern Region - Atlantic Operations
Erie Boulevard Hydropower, LP
33 West 1st Street South
Fulton, NY 13069

Tel. (315) 593-3118
Fax (315) 598-4831
www.brookfieldpower.com

RECEIVED
Jan 22, 2014
JAN 22 2014
Federal Energy Reg. Comm.
New York, New York

January 21, 2014

Mr. Gerald Cross, Regional Engineer
FEDERAL ENERGY REGULATORY COMMISSION
New York Regional Office
19 West 34th Street - Suite 400
New York, New York 10001

Subject: Minimum Flow and Pond Level Compliance for 2013

Project No. 2047 Stewarts Bridge
Project No. 2060 Carry Falls
Project No. 2084 Upper Raquette River
Project No. 2318 E. J. West
Project No. 2320 Middle Raquette River
Project No. 2330 Lower Raquette River
Project No. 2385 Glens Falls
Project No. 2474 Oswego River
Project No. 2482 Hudson River
Project No. 2498 Hewittville
Project No. 2499 Unionville
Project No. 2538 Beebee Island
Project No. 2539 School Street
Project No. 2554 Feeder Dam
Project No. 2569 Black River
Project No. 2616 Hoosic River
Project No. 2645 Beaver River
Project No. 2701 West Canada Creek
Project No. 2713 Oswegatchie River
Project No. 2837 Granby
Project No. 4402 Talcville
Project No. 4472 Franklin Falls
Project No. 5217 Baldwinsville
Project No. 5984 Oswego Falls
Project No. 7000 Newton Falls
Project No. 7320 Chasm
Project No. 7321 Macomb
Project No. 7387 Piercefield
Project No. 7518 Hogansburg
Project No. 8606 Schuylerville
Project No. 9222 Yaleville
Project No. 10461 W. Branch St. Regis River
Project No. 11408 Salmon River

Dear Mr. Cross:

Erie Boulevard Hydropower, L. P. (Erie) submits, for the above referenced projects, that it has complied with minimum flow releases, headpond levels, and special water releases and similar requirements in calendar years 2013, except for those deviations and pre-arranged variances from license requirements previously reported to the Commission per the respective Project license.

Should you have any questions, please contact the undersigned at (315) 598-6130.

Very truly yours,

Steven P. Murphy
Eastern Region - Atlantic Operations

xc: J. Elmer
M. Johnson

20140508-3049 FERC PDF (Unofficial) 05/08/2014

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

2047-054—New York
Stewarts Bridge Project
Erie Boulevard Hydropower, LP.

May 08, 2014

Mr. Steven P. Murphy
Eastern Region - Atlantic Operations
Erie Boulevard Hydropower, LP.
33 West 1st Street South
Fulton, NY 13033

Subject: Minimum Flow and Pond Level Compliance Report for 2013, for the following projects:

Project No.	Name	Project No.	Name
2047	Stewarts Bridge	2701	West Canada Creek
2060	Carry Falls	2713	Oswegatchie River
2084	Upper Raquette River	2837	Granby
2318	E. J. West	4402	Talcville
2320	Middle Raquette River	4472	Franklin Falls
2330	Lower Raquette River	5217	Baldwinsville
2385	Glans Falls	5984	Oswego Falls
2474	Oswego River	7000	Newton Falls
2482	Hudson River	7320	Chasm
2498	Hewittville	7321	Macomb
2499	Unionvi1le	7387	Piercefield
2538	Beebee Island	7518	Hogansburg
2539	School Street	8606	Schuylerville
2554	Feeder Dam	9222	Yaleville
2569	Black River	10461	W. Branch St. Regis River
2616	Hoosic River	11408	Salmon River
2645	Beaver River		

Dear Mr. Murphy:

This acknowledges receipt of your annual 2013 Minimum Flow and Pond Level Compliance Report filed with the Federal Energy Regulatory Commission on January 22, 2014, for the above listed projects. Upon review of the projects' licenses and subsequent Commission orders, we have determined that there is no license requirement for you to

20140508-3049 FERC PDF (Unofficial) 05/08/2014

file these annual statements with us; therefore, you may discontinue that practice. However, you are reminded that each of the above licenses has a requirement to file a report within a specific period of time whenever you deviate from the minimum flow releases, headpond levels, and special water releases and similar requirements. You must continue to file reports, with the Commission, of all deviations that occur throughout the year, within the required reporting time. If we do not receive any such reports from you or from other entities, then we will accept that as your continued compliance with the requirement. Please be aware that you may still be required to file the reports with the resource agencies as per their request or requirement.

Thank you for your cooperation, and if you have any questions regarding this letter, please contact me at (202) 502-8759.

Sincerely,

M. Joseph Fayyad
Project Review Branch
Division of Hydropower Administration
and Compliance

20150910-5134 FERC PDF (Unofficial) 9/10/2015 3:35:17 PM

Brookfield

Brookfield Renewable Energy Group
399 Big Bay Road,
Queensbury, NY 12804

Tel 518.743.2017
Fax 518.745.4292
www.brookfieldrenewable.com

September 10, 2015

Hon. Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street
Washington, D.C. 20426

Subject: West Branch St. Regis River Hydroelectric Project (P-10461); Allens Falls Development – Temporary Minimum Flow Outage

In reference to: License Article 404

Dear Secretary Bose:

In accordance with the September 27, 2002 "Order Issuing Original License", Article 404, Brookfield Renewable Energy Group (Brookfield), on behalf of the above referenced licensee, Erie Boulevard Hydropower LP, is hereby notifying the Commission of a mutually agreed upon temporary modification to the minimum flow requirement at the Allens Falls development. In order to perform an inspection of the spillway toe, the minimum flow was required to be reduced to 0 cfs for a duration of less than one hour. The NYDEC was consulted and found the temporary modification to be acceptable. Documentation supporting the consultation is attached herewith.

Should you have any questions please contact me at (518) 743-2093.

Sincerely,

Ian Borlang
Compliance Manager - Atlantic Operations

cc: M. Johnson (Brookfield)
J. Elmer
J. McVaigh
J. Gamble
D. Daoust
R. Garrett
N. Agnoli (FERC-NYRO)
D. Reyes
Enclosures: 1

20150910-5134 FERC PDF (Unofficial) 9/10/2015 3:35:17 PM

From: Balk, Christopher J (DEC)
To: Borlang, Ian
Cc: Garrett, Robert; Stephen_Patch@fws.gov
Subject: RE: West Branch, St. Regis - Allens Falls Spillway Toe Dive Inspection
Date: Tuesday, September 08, 2015 10:51:25 AM

Hello Ian,

Our Natural resource staff has no issues with this proposal, please proceed.

Best regards,

Christopher J. Balk
Region 6 Habitat Manager
New York State Department of Environmental Conservation
Watertown Headquarters
317 Washington Street
5th Floor
Watertown, NY 13601
P: 315-785-2263 | Christopher.Balk@dec.ny.gov
www.dec.ny.gov | |

From: Borlang, Ian [mailto:Ian.Borlang@brookfieldrenewable.com]
Sent: Tuesday, September 08, 2015 8:17 AM
To: Balk, Christopher J (DEC)
Cc: Garrett, Robert; Stephen_Patch@fws.gov
Subject: West Branch, St. Regis - Allens Falls Spillway Toe Dive Inspection

Good Morning Chris,

Our local operations group would like to conduct a toe inspection for the Allens Falls spillway as part of our Dam Safety program.
The inspection will require a diver to enter at the base of the dam below the minimum flow passage and inspect an area roughly 10 feet wide. In order for the diver to safely access this area the minimum flow would need to be temporarily ceased for approximately 1 hour.
Per Article 404 of the License, Brookfield is requesting the NYDEC agree to a temporary outage of the minimum flow requirement for approximately 1 hour on September 9th so that the diver can safely access the toe.

Please respond and let us know if the NYDEC is agreeable to this temporary modification of Article 404 of the operating license.

Sincerely,

Ian Borlang
Compliance Manager
Brookfield Renewable Power

20150910-5134 FERC PDF (Unofficial) 9/10/2015 3:35:17 PM

399 Big Bay Rd
Queensbury, NY 12804
Telephone: 518/743-2093 Desk
518/526-4449 Cell
Email: ian.borlang@brookfieldrenewable.com
www.brookfieldrenewable.com
Note the email and webpage address change.

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20151014-3000 FERC PDF (Unofficial) 10/14/2015

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 10461-026 – New York
West Branch St. Regis River Project
Erie Boulevard Hydropower, L.P.

Mr. Ian Borlang
Compliance Manager – Atlantic Operations
Brookfield Renewable Energy Group
399 Big Bay Road
Queensbury, NY 12804

October 14, 2015

Subject: Minimum Flow Deviation – Article 404

This letter is in response to the notification you filed on September 10, 2015, on behalf of Erie Boulevard Hydropower, L.P., reporting a September 9, 2015 deviation from the requirements of Article 404 of the license at the Allens Falls Development of the West Branch St. Regis River Project No. 10461.[1] As discussed below, we will not consider the temporary minimum flow modification a violation of Article 404 of the license.

Requirement

Article 404, in part, requires you to discharge a seasonal instantaneous minimum flow, from a gate in the Allens Falls dam, to the bypassed reach, according to the following schedule:

October 1 through March 31	30 +/- 0.2 cfs
April 1 through August 31	50 +/- 0.3 cfs
September 1 through September 30	40 +/- 0.3 cfs

The flow requirements may be temporarily modified if required by operating emergencies beyond your control, and for short periods, upon mutual agreement between you and the New York State Department of Environmental Conservation (New York DEC). If the flow is so modified, you must notify the Commission as soon as possible, but no later than ten days after each such incident.

[1] *Erie Boulevard Hydropower L.P.*, 100 FERC ¶ 62,208 (2002).

20151014-3000 FERC PDF (Unofficial) 10/14/2015

Deviation

According to your September 10 letter, you implemented a temporary minimum flow modification on September 9, 2015, at the Allens Falls Development in order to perform an inspection of the spillway toe. Prior to implementing the temporary modification, you consulted with and received approval from the New York DEC. During the inspection, you ceased passing the minimum flow for less than one hour.

Review

Based on our review of the available information, the temporary modification was necessary to complete an inspection of the dam, you received prior approval from the New York DEC, and you notified the Commission in a timely manner. Therefore, we will not consider the September 9, 2015 temporary minimum flow modification a violation of Article 404 of the license.

Thank you for notifying the Commission of the temporary modification to the minimum flow. If you have any questions regarding this letter, please contact Christopher Chaney at (202) 502-6778.

Sincerely,

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance

ATTACHMENT F

QUESTION B. WATER QUALITY:

NOVEMBER 2, 2001 401 WATER QUALITY CERTIFICATE

AGENCY CONSULTATION

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 6
Dulles State Office Building, 317 Washington Street, Watertown, New York 13601-3787
Phone: (315) 785-2245 • **FAX:** (315) 785-2242
Website: www.dec.state.ny.us

Erin M. Crotty
Commissioner

November 2, 2001

Samuel S. Hirschey, Manager
Hydro Licensing & Regulatory Compliance
Erie Boulevard Hydropower, L.P.
225 Greenfield Parkway, Suite 201
Liverpool, NY 13088

RE: West Branch St. Regis River Project
6-4066-00019/00002
FERC Project #10461 and 10462
Parishville (T), St. Lawrence County

Dear Mr. Hirschey:

Enclosed is the Water Quality Certificate for the West Branch St. Regis River Hydroelectric Project. The Certificate is being issued pursuant to Section 401 of the Federal Water Pollution Control Act (33 USC 1341) and section 608.9 of the New York Department of Environmental Conservation's regulations pertaining to the Use and Protection of Waters (6 NYCRR Part 608).

Should you have any questions regarding the Water Quality Certificate, please contact me.

Sincerely,

Brian D. Fenlon

Brian D. Fenlon
Supervisor of Environmental Permits
Region 6

BDF:dli

cc: Service List
Signatories List
David Boergers, FERC
Thomas DeWitt, FERC
J. Sabattis, Orion
William Little, NYS DEC
L. Kuwik, NYS DEC
Wm. Sarbello, NYS DEC
L. Ollivett, NYS DEC
File

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DEC PERMIT NUMBER	EFFECTIVE DATE
6-4066-00019/00002	November 2, 2001
FACILITY/PROGRAM NUMBER(s)	EXPIRATION DATE
	Coincident with expiration date of the license issued by the Federal Energy Regulatory Commission (FERC) for FERC Project 10461 and 10462

PERMIT

Under the Environmental Conservation Law (ECL)

TYPE OF PERMIT (Check All Applicable Boxes)

☒ New ☐ Renewal ☐ Modification ☐ Permit to Construct ☐ Permit to Operate

☐ Article 15, Title 5: Protection of Water	☐ Article 17, Titles 7, 8: SPDES	☐ Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
☐ Article 15, Title 15: Water Supply	☐ Article 19: Air Pollution Control	☐ Article 34: Coastal Erosion Management
☐ Article 15, Title 15: Water Transport	☐ Article 23, Title 27: Mined Land Reclamation	☐ Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control
☐ Article 15, Title 15: Long Island Wells	☐ Article 24: Freshwater Wetlands	☐ Other: _____
☐ Article 15, Title 27: Wild, Scenic and Recreational Rivers	☐ Article 25: Tidal Wetlands	
X 6NYCRR 608: Water Quality Certification	☐ Article 27, Title 7; 6NYCRR 360: Solid Waste Management	

PERMIT ISSUED TO	TELEPHONE NUMBER
Erie Boulevard Hydropower, L.P.	(315) 413-2790
ADDRESS OF PERMITTEE	
225 Greenfield Parkway, Suite 201, Liverpool, New York 13088	
CONTACT PERSON FOR PERMITTED WORK	TELEPHONE NUMBER
Samuel S. Hirschey, Manager - Hydro Licensing & Regulatory Compliance	(315) 413-2790
NAME AND ADDRESS OF PROJECT/FACILITY	
West Branch St. Regis River Hydroelectric Project	
LOCATION OF PROJECT/FACILITY	
West Branch St. Regis River, approximately 18 miles upstream of its confluence with the St. Regis River at Winthrop, New York	

COUNTY	~~TOWN/CITY/VILLAGE~~	~~WATERCOURSE/WETLAND NO.~~	NYTM COORDINATES
St. Lawrence	Parishville (T)	Allens Falls Reservoir/Parishville Reservoir/W. Branch St. Regis River	E:510.974 N:4 945.294

DESCRIPTION OF AUTHORIZED ACTIVITY

Operation and maintenance of a 6.8 MW hydroelectric facility in accordance with the applicable provisions of the West Branch St. Regis River Offer of Settlement dated August 2001 and the attached conditions.

By acceptance of this certificate, the certificate holder agrees that it will act in strict compliance with the applicable water quality sections of the Environmental Conservation Law (ECL), all applicable water quality regulations, the conditions included as part of this certificate and the applicable provisions of the West Branch St. Regis River "Offer of Settlement" dated August 9, 2001 and filed with the Federal Energy Regulatory Commission (FERC).

PERMIT ADMINISTRATOR	ADDRESS	
Brian D. Fenlon	317 Washington Street, Watertown, New York 13601	
AUTHORIZED SIGNATURE	DATE	
Brian D. Fenlon	November 2, 2001	Page 1 of 7

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-ways that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

GENERAL CONDITIONS

General Condition 1: Facility Inspection by the Department

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

General Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

General Condition 3: Applications for Permit Renewals or Modifications

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

The permittee must submit a renewal application at least:

a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and

b) 30 days before expiration date of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYS DEC Regional Permit Administrator, Region 6

317 Washington Street, Watertown, New York 13601, telephone: 315-785-2245

General Condition 4: Permit Modifications, Suspensions and Revocations by the Department.

The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations if found;

b) the permit was obtained by misrepresentation or failure to disclose relevant facts;

c) new material information is discovered; or

d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

ADDITIONAL GENERAL CONDITIONS FOR ARTICLES 15 (Title 5), 24, 25, 34 and 6 NYCRR Part 608(Protection of Water)
(Water Quality Certification)

9. That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

10. That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

11. Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, consent or approval from the U.S. Army Corps of Engineers, U.S. Coast Guard, New York State Office of General Services or local government which may be required.

12. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

13. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.

14. There shall be no unreasonable interference with navigation by the work herein authorized.

15. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

16. If granted under 6 NYCRR Part 608, the NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.

17. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.

    Such approved plans were prepared by _____

    _____ on_____

SPECIAL CONDITIONS

WATER QUALITY CERTIFICATION

CERTIFICATION

The New York State Department of Environmental Conservation (Department) hereby certifies:

- the Department has reviewed the certificate holder's Application for Federal Hydroelectric License (hereafter referred to as "the Application") and all other available pertinent information, including studies submitted in support of the application and the Offer of Settlement filed with the Federal Energy Regulatory Commission (FERC) in August, 2001.

- the project will comply with Sections 301, 302, 303, 306 and 307 of the Federal Water Pollution Control Act as amended and as implemented by the limitations, standards and criteria of the state statutory and regulatory requirements set forth in 6NYCRR Section 608.9(a); and

- the project will comply with applicable New York State effluent limitations, water quality standards and thermal discharge criteria set forth in 6NYCRR Parts 700-706.

DEC PERMIT NUMBER		
6-4066-00019/00002		
PROGRAM NUMBER/FACILITY NUMBER		Page 3 of 7

SPECIAL CONDITIONS

For Article 15, Title 5 (Protection of Water)
6NYCRR 608 (Water Quality Certification)

This Water Quality Certification is issued solely for the purposes of Section 401 of the Federal Water Pollution Control Act (33 USC 1341).

CONTACTS: Except as otherwise specified, all contact with the Department concerning this certificate shall be addressed to:

New York State Department of Environmental Conservation
Regional Permit Administrator
317 Washington Street
Watertown, NY 13601

Written submissions to the Department must include five (5) complete copies of the submission.

SPECIAL CONDITIONS

A. ADMINISTRATION

1. This certificate includes and incorporates the West Branch St. Regis River "Offer of Settlement" (Settlement) dated August 9, 2001.

2. Inspections: The project, including relevant records, is subject to inspection at reasonable hours and intervals, upon reasonable notice to the certificate holder, by an authorized representative of the Department to determine whether the applicant is complying with this certification. A copy of this certification, including the West Branch St. Regis River **Offer of Settlement** dated August 9, 2001 and the FERC license, including all maps, drawings, and special conditions, must be available for inspection by the Department during such inspections at the project.

3. Emergencies: With the exception of emergency provisions described in the Settlement (see subsection 2.8), the following procedures shall apply to activities conducted at the Project in response to an emergency.

   Prior to commencement of emergency activities, the NYS DEC must be notified and must determine whether to grant approval. If circumstances require that emergency activities be taken immediately such that prior notice to the DEC is not possible, then the DEC must be notified by the certificate holder within 24 hours of commencement of the emergency activities. In either case, notification must be by certified mail, telegram, or other written form of communication, including fax and electronic mail. This notification must be followed within 3 weeks by submission of the following information:

   1) a description of the action;
   2) location map and plan of the proposed action;
   3) reasons why the situation is an emergency

   All notifications, requests for emergency authorizations and information submitted to support such requests shall be sent to the Regional Permit Administrator at the address listed above.

SPECIAL CONDITIONS

6NYCRR 608 (Water Quality Certification)

4. Modifications and Revocations: The DEC reserves the right to modify or revoke this certificate when:

   1) the scope of the certified activity is exceeded or a violation of any condition of this certificate or provisions of the ECL and pertinent regulation is found;
   2) the certificate was obtained by misrepresentation or failure to disclose relevant facts;
   3) new material information is discovered;
   4) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the certificate was issued.

B. OPERATING CONDITIONS

5. Instream Flows: The certificate holder shall maintain instream flows in accordance with the Settlement, in particular, Section 3.2.

6. Flow Monitoring: The certificate holder shall develop a stream flow and water level monitoring plan consistent with the Settlement in particular Section 3.3.

7. Impoundment Fluctuations: The Allens Falls and Parishville Reservoirs (project reservoirs) shall be operated in accordance with the Settlement (see subsection 3.1). Alternate impoundment operating plans must be reviewed and approved by NYS DEC prior to being implemented. Emergencies shall be dealt with in accordance with special conditions #3 of this certificate.

8. Fish Protection and Downstream Fish Movement: Fish protection provisions and downstream fish movement provisions shall be provided in accordance with the Settlement (see section 3.4).

C. PROJECT MAINTENANCE AND CONSTRUCTION

note: All matters pertaining to "Project Maintenance and Construction" shall be addressed to:

Regional Permit Administrator
New York State Department of Environmental Conservation
317 Washington Street
Watertown, NY 13601

9. Maintenance Dredging: The certificate holder shall install and maintain appropriate turbidity control structures while conducting any maintenance dredging activities in the intake/forebay area of the Project.

SPECIAL CONDITIONS

6NYCRR 608 (Water Quality Certification)

10. Sediment Analysis and Disposal: The certificate holder must sample any sediments to be disturbed or removed from the project waters and test them for contaminants. Sampling and testing shall be accomplished according to a protocol submitted to and approved by the Department prior to sampling.

    Prior to dredging or other excavation, the certificate holder must secure Department approval for all disposal or interim holding locations for any sediments to be removed from the project waters.

11. Erosion and Sediment Control: The certificate holder shall ensure that the following erosion and sediment/contaminant control measures, at a minimum, are adhered to during routine maintenance and construction (including maintenance dredging) that may result in sediments/contaminants entering Allens Falls Reservoir, Parishville Reservoir or the West Branch St. Regis River.

    1. Isolate in-stream work from the flow of water and prevent discolored (turbid) discharges and sediments caused by excavation, dewatering and construction activities from entering the waters of the West Branch St. Regis River.

    2. Prohibit heavy construction equipment from operating below the mean high water level of project reservoirs and the West Branch St. Regis River until the work area is protected by a watertight structure and dewatered.

    3. Minimize soil disturbance, grade so as to prevent or minimize erosion and provide temporary and/or permanent stabilization of all disturbed areas and stockpiles to minimize the potential for erosion and subsequent sedimentation within project reservoirs or the West Branch St. Regis River.

    4. Protect all waters from contamination by deleterious materials such as wet concrete, gasoline, solvents, epoxy resins or other materials used in construction, maintenance and operation of the project.

    5. Install and maintain erosion control structures on the down slope of all disturbed areas to prevent eroded material from entering project reservoirs or the West Branch St. Regis River. Erosion control structures must be installed before commencing any activities involving soil disturbance and all erosion control structures must be maintained in a fully functional condition.

    6. Ensure complete removal of all dredged/excavated material and construction debris from the bed and banks of project reservoirs/West Branch St. Regis River in the vicinity of the Project.

    7. Ensure that all temporary fill and other materials placed in the waters of the river are completely removed, immediately upon completion of construction, unless otherwise directed by the Department.

6NYCRR 608 (Water Quality Certification)

12. Placement of cofferdams, construction of temporary access roads or ramps, or other temporary structures which encroach upon the bed or banks of the West Branch St. Regis River or Project Reservoirs: The design of all such structures must be approved by the Department prior to installation.

13. River Flow: During any period of maintenance and/or construction activity, the certificate holder shall continuously maintain adequate flows immediately downstream of work sites consistent with the provisions of this certificate.

14. Construction Drawdowns: Whenever construction and/or maintenance activities require that the water level of project reservoirs be lowered, it shall not be drawn down more than 1 foot per hour. During refill, the water level of the impoundment shall not be allowed to rise more than 1 foot per hour.

15. Turbidity Monitoring: During maintenance or construction-related activities in or near the West Branch St. Regis River or project reservoirs, the certificate holder will monitor the turbidity or project waters at a point immediately upstream of the work area and at a point no more than 100 feet downstream from the work area. The certificate holder specifically agrees that if, at any time, turbidity measurements from the downstream locations exceed the measurements from the upstream locations, all related construction on the project will cease until the source of the turbidity is discovered and the situation is corrected.

16. Notifications: The Regional Permit Administrator must be notified in writing at least two weeks prior to commencing any project maintenance or construction work performed under the authority of this certificate.

D. PUBLIC ACCESS AND RECREATION

17. Public access and recreational opportunities shall be provided in conformance with the Settlement.

cc: Settlement Participants
D. Boergers, FERC
T. DeWitt, FERC
Service List, FERC Project #10461 & 10462

Brookfield

Brookfield Renewable Energy Group
399 Big Bay Road,
Queensbury, NY 12804

Tel 518.743.2017
Fax 518.745.4292
www.brookfieldrenewable.com

November 3, 2015

Mr. Chris Balk
New York State Department of Environmental Conservation
Dulles State Office Building
317 Washington Street, 5th Floor
Watertown, NY 13601

Subject: **West Branch St. Regis Hydroelectric Project (FERC No. 10461)**
Low Impact Hydropower Institute Re-certification
Water Quality Certificate Verification

Dear Mr. Balk:

Erie Boulevard Hydropower, L.P. (Erie) is applying for Low Impact Hydropower Institute (LIHI) re-certification for the West Branch St. Regis River Hydroelectric Project (FERC No. 10461). This project is comprised of two hydroelectric developments (Allens Falls and Parishville) located along the West Branch St. Regis River within St. Lawrence County, New York. LIHI requires that the re-certification application include confirmation that the subject project is in compliance with conditions issued pursuant to a Clean Water Act Section 401 water quality certification issued for the project, and that the previously issued water quality certificate is still valid.

Erie is requesting confirmation from the New York State Department of Environmental Conservation stating that the 401 Water Quality Certificate issued for the operation of the West Branch St. Regis River Project on November 2, 2001 is still valid. Please provide this confirmation by reply to this letter via letter or email.

Erie would appreciate a response within 30 days of the date of this letter. Thank you in advance for your assistance, and if you have any questions, please do not hesitate to contact me at (518) 743-2093 or by email at ian.borlang@brookfieldrenewable.com.

Sincerely,

Ian Borlang
Compliance Manager
Eastern Region, Atlantic Operations

cc: B. Garrett (Erie)
D. Daoust (Erie)

ATTACHMENT G

QUESTION E. THREATENED AND ENDANGERED SPECIES PROTECTION:

AGENCY CONSULTATION REGARDING
THREATENED AND ENDANGERED SPECIES

Brookfield

Brookfield Renewable Energy Group
399 Big Bay Road,
Queensbury, NY 12804

Tel 518.743.2017
Fax 518.745.4292
www.brookfieldrenewable.com

November 3, 2015

Ms. Jean Pietrusiak
New York State Department of Environmental Conservation
New York Natural Heritage Program
625 Broadway, 5th Floor
Albany, NY 12233-4757

Subject: **West Branch St. Regis Hydroelectric Project (FERC No. 10461)**
Threatened and Endangered Species Consultation

Dear Ms. Pietrusiak:

Erie Boulevard Hydropower, L.P. (Erie) is the owner, operator, and licensee of the West Branch St. Regis Hydroelectric Project (FERC No. 10461). This project is comprised of two hydroelectric developments (Allens Falls and Parishville) located along the West Branch St. Regis River within St. Lawrence County, New York.

As a matter of background, a Federal Energy Regulatory (FERC) license for the Project was issued on September 27, 2002.

Project operations and environmental protection measures at these projects have been largely determined by a comprehensive Offer of Settlement Erie developed in conjunction with NYSDEC and other entities in 2001. The licensing processes for these projects included consultation with resource agencies regarding threatened and endangered species.

Erie is presently working with the Low Impact Hydropower Institute (LIHI) to recertify the West Branch St. Regis developments as a low impact project. In preparing the application for Low Impact Hydropower Certification, Erie must update or confirm consultation with resource agencies with respect to the presence of threatened or endangered species within the vicinity of the project.

As such, Erie respectfully requests information on the presence of threatened or endangered species within the vicinity of the above listed Project. The project location and coordinates have been provided below, as well as on the enclosed topographic map.

Allens Falls	Latitude: 44.6365	Longitude: -74.843
Parishville	Latitude: 44.6278	Longitudes: -74.8156

Erie would appreciate a response within 30 days of the date of this letter. Thank you in advance for your assistance, and if you have any questions, please do not hesitate to contact me at (518) 743-2093 or by email at ian.borlang@brookfieldrenewable.com.

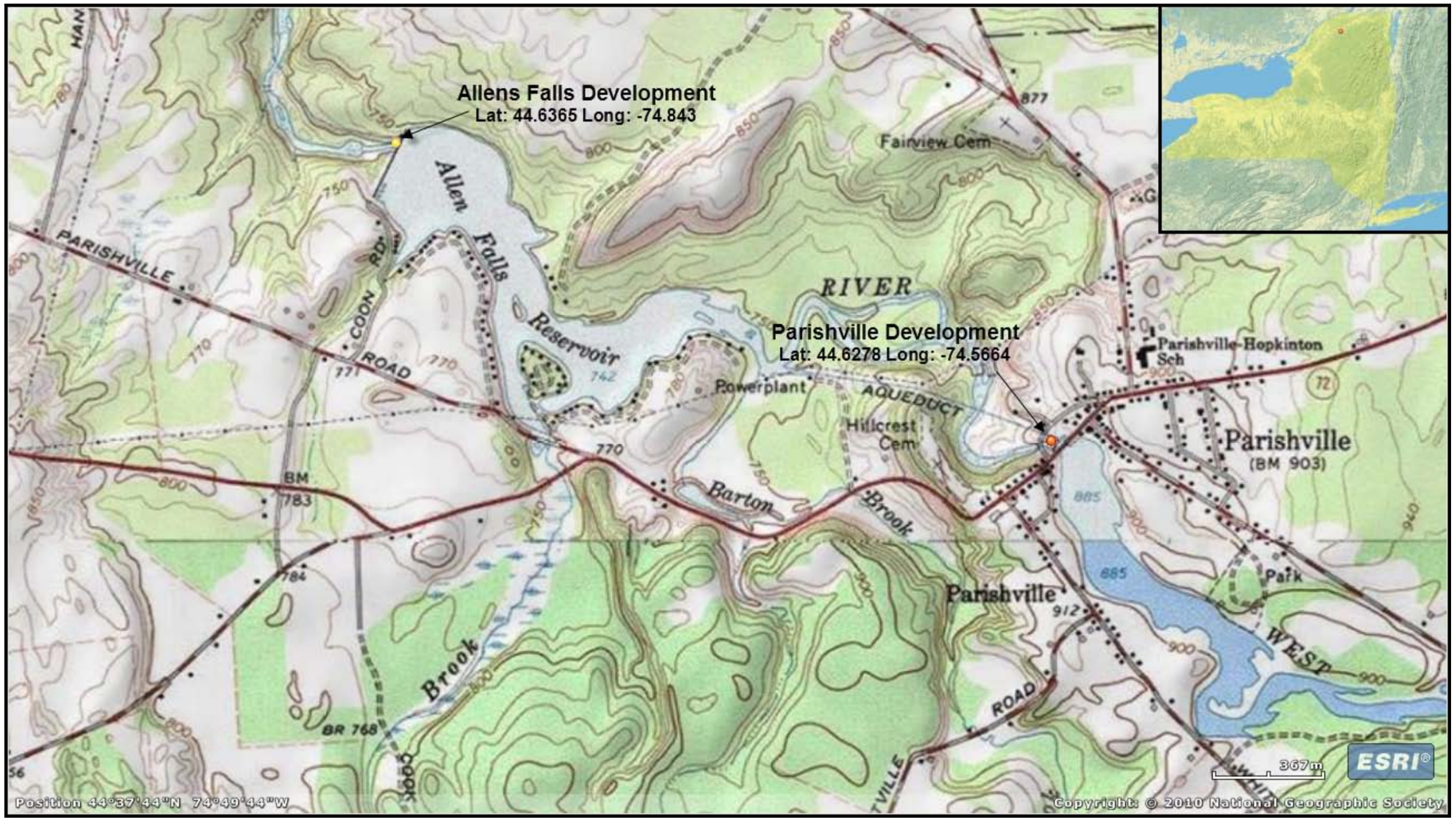
Sincerely,

Ian Borlang
Compliance Manager,
Eastern Region, Atlantic Operations

Attachment

cc: B. Garrett (Erie)
D. Daoust (Erie)

West Branch St. Regis Project
General Location Map



West Branch St. Regis Hydroelectric Project

FERC No. 10461

Located on the West Branch St. Regis River

St. Lawrence County, New York

Brookfield

Brookfield Renewable Energy Group
399 Big Bay Road,
Queensbury, NY 12804

Tel 518.743.2017
Fax 518.745.4292
www.brookfieldrenewable.com

November 3, 2015

Mr. David Stillwell
U.S. Fish & Wildlife Service
3817 Luker Road
Cortland, NY 13045

Subject: **West Branch St. Regis Hydroelectric Project (FERC No. 10461)**
Threatened and Endangered Species Consultation

Dear Mr. Stillwell:

Erie Boulevard Hydropower, L.P. (Erie) is the owner, operator, and licensee of the West Branch St. Regis Hydroelectric Project (FERC No. 10461). This project is comprised of two hydroelectric developments (Allens Falls and Parishville) located along the West Branch St. Regis River within St. Lawrence County, New York.

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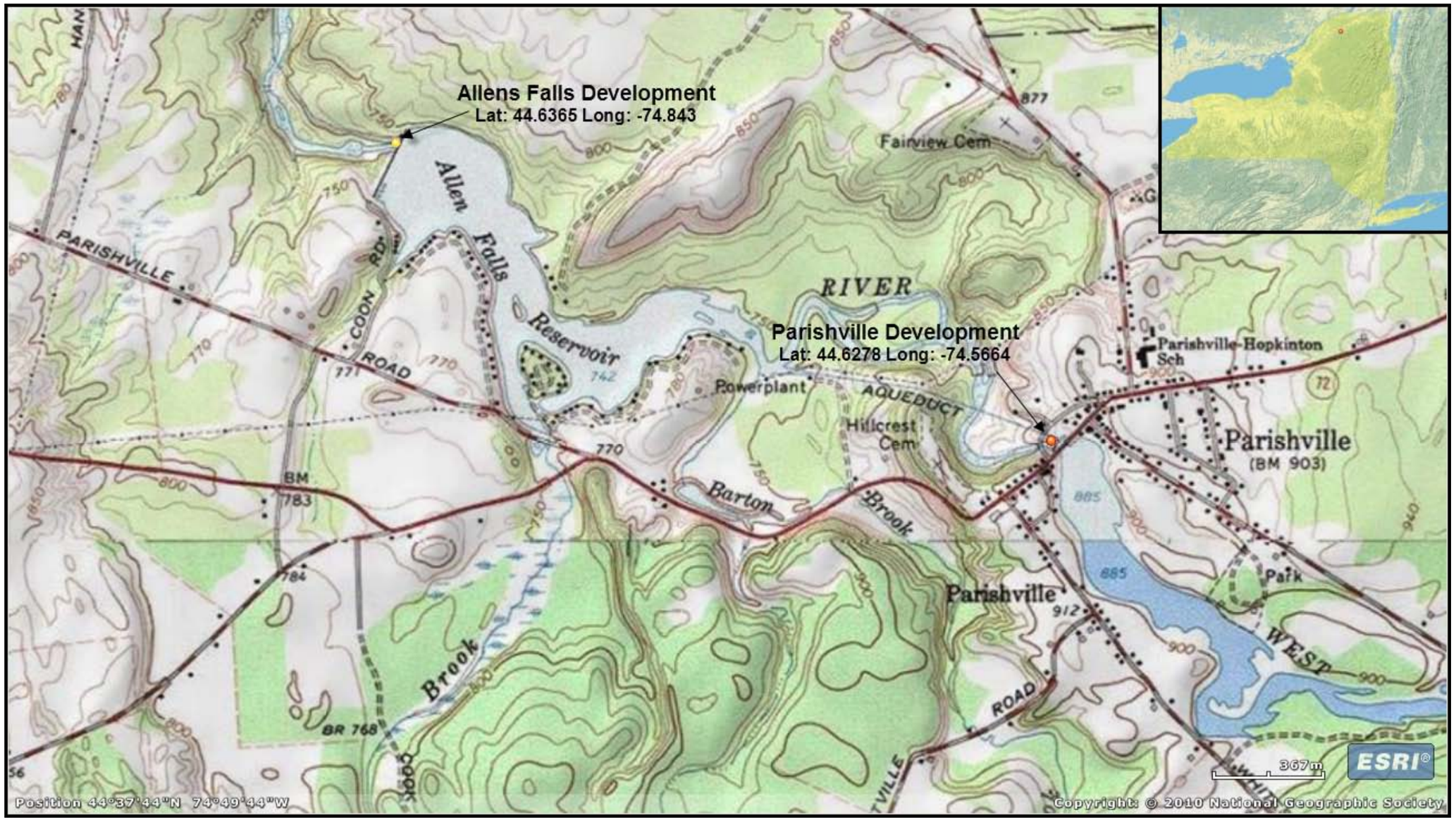
Sincerely,

Ian Borlang
Compliance Manager
Eastern Region, Atlantic Operations

Attachment

cc: B. Garrett (Erie)
D. Daoust (Erie)

West Branch St. Regis Project
General Location Map



West Branch St. Regis Hydroelectric Project

FERC No. 10461

Located on the West Branch St. Regis River

St. Lawrence County, New York

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife and Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • Fax: (518) 402-8925
Website: www.dec.ny.gov

November 17, 2015

Ian Borlang
Brookfield Renewable Energy Group
399 Big Bay Road
Queensbury, NY 12804

Re: Low impact hydropower certification of West Branch St. Regis Hydroelectic Project (FERC No. 10461)
Town/City: Parishville. County: St Lawrence.

Dear Ian Borlang:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur on your site or in the immediate vicinity of your site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program

1249

The following rare plants have been documented at your project site, or in its vicinity.

We recommend that potential onsite and offsite impacts of the proposed project on these speciesbe addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and so are a vulnerable natural resource of conservation concern.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*
Vascular Plants			
Fernald's Sedge	*Carex merritt-fernaldii*	Threatened	Imperiled in NYS

Parishville Aqueduct: Plants were observed along the Parishville Aqueduct at the end of "Powerhouse Road", the dirt road branching off from Old Dugway Road. The plants were growing in an open vegetated area on sand by the aqueduct and power house. 12418

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

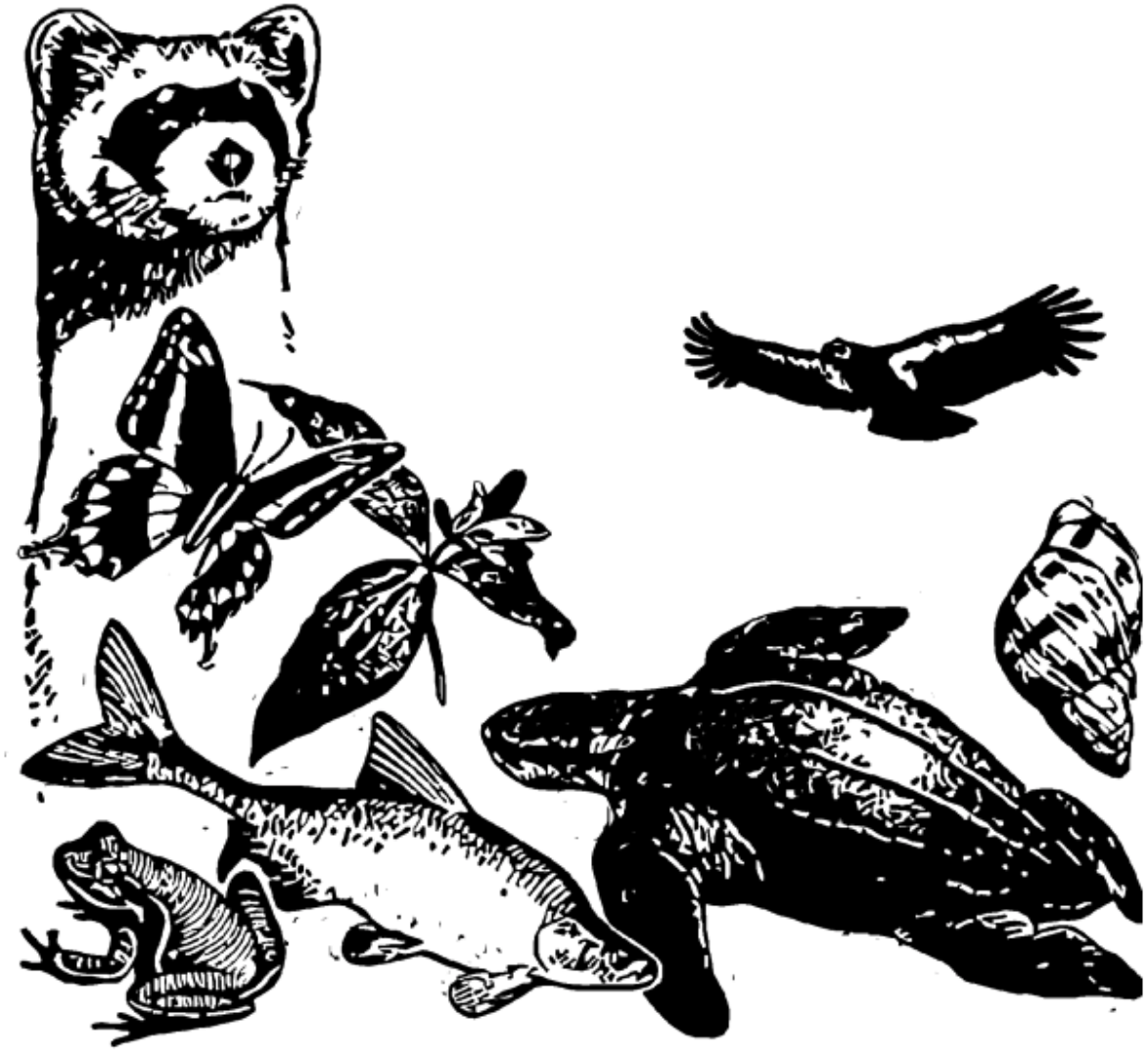
Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

West Branch St. Regis Hydroelectric Project - Allens Falls Development.

IPaC Trust Resource Report

Generated December 01, 2015 08:00 AM MST

This report is for informational purposes only and should not be used for planning or analyzing project-level impacts. For projects that require FWS review, please return to this project on the IPaC website and request an official species list from the Regulatory Documents page.



US Fish & Wildlife Service

IPaC Trust Resource Report

Project Description

NAME

West Branch St. Regis Hydroelectric Project - Allens Falls Development.

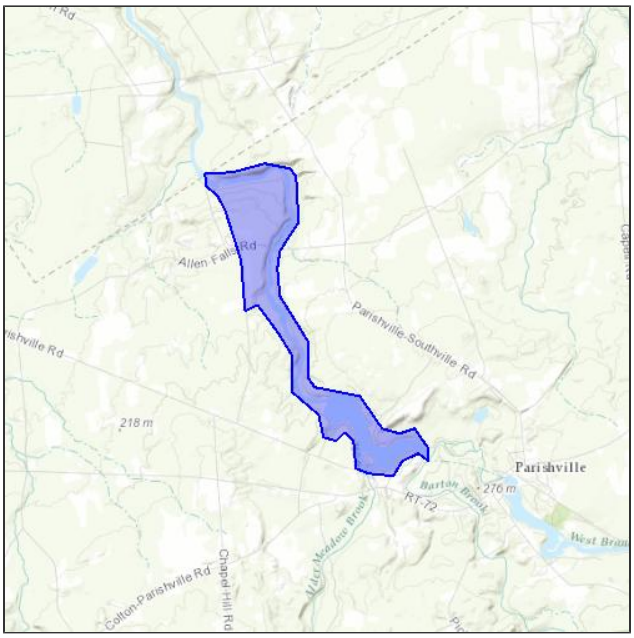
PROJECT CODE

WG762-GJZXF-F23ET-SFCA6-2SAZ4I

LOCATION

St. Lawrence County, New York

DESCRIPTION



The WSBR hydroelectric project is a federally licensed hydroelectric project consisting of the Allens Falls and Parishville developments. The original project was constructed in 1927 and received a renewed operating license in 2002 from the Federal Energy Regulatory Commission.

U.S. Fish & Wildlife Contact Information

Species in this report are managed by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9349
(607) 753-9334

Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the Endangered Species Program and should be considered as part of an effect analysis for this project.

This unofficial species list is for informational purposes only and does not fulfill the requirements under Section 7 of the Endangered Species Act, which states that Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action." This requirement applies to projects which are conducted, permitted or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can be obtained by returning to this project on the IPaC website and requesting an official species list on the Regulatory Documents page.

Mammals

Northern Long-eared Bat Myotis septentrionalis — Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0JE

Critical Habitats

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

There is no critical habitat within this project area

Migratory Birds

Birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

You are responsible for complying with the appropriate regulations for the protection of birds as part of this project. This involves analyzing potential impacts and implementing appropriate conservation measures for all project activities.

American Bittern Botaurus lentiginosus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F3

Bald Eagle Haliaeetus leucocephalus — Bird of conservation concern
Year-round
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B008

Black Tern Chlidonias niger — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B09F

Black-billed Cuckoo Coccyzus erythropthalmus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HI

Black-crowned Night-heron Nycticorax nycticorax — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0EU

Canada Warbler Wilsonia canadensis — Bird of conservation concern
Season: Breeding

Common Tern Sterna hirundo — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B09G

Golden-winged Warbler Vermivora chrysoptera — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0G4

Least Bittern Ixobrychus exilis — Bird of conservation concern
Season: Breeding

Olive-sided Flycatcher Contopus cooperi — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0AN

Peregrine Falcon Falco peregrinus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FU

Pied-billed Grebe Podilymbus podiceps — Bird of conservation concern
Season: Breeding

Red-headed Woodpecker Melanerpes erythrocephalus — Bird of conservation concern
Season: Breeding

Short-eared Owl Asio flammeus — Bird of conservation concern
Season: Wintering
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD

Willow Flycatcher Empidonax traillii — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F6

Wood Thrush Hylocichla mustelina — Bird of conservation concern
Season: Breeding

Yellow Rail Coturnicops noveboracensis — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0JG

Refuges

Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. If your project overlaps or otherwise impacts a Refuge, please contact that Refuge to discuss the authorization process.

There are no refuges within this project area

Wetlands

Impacts to NWI wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

Project proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Wetland data is unavailable at this time.

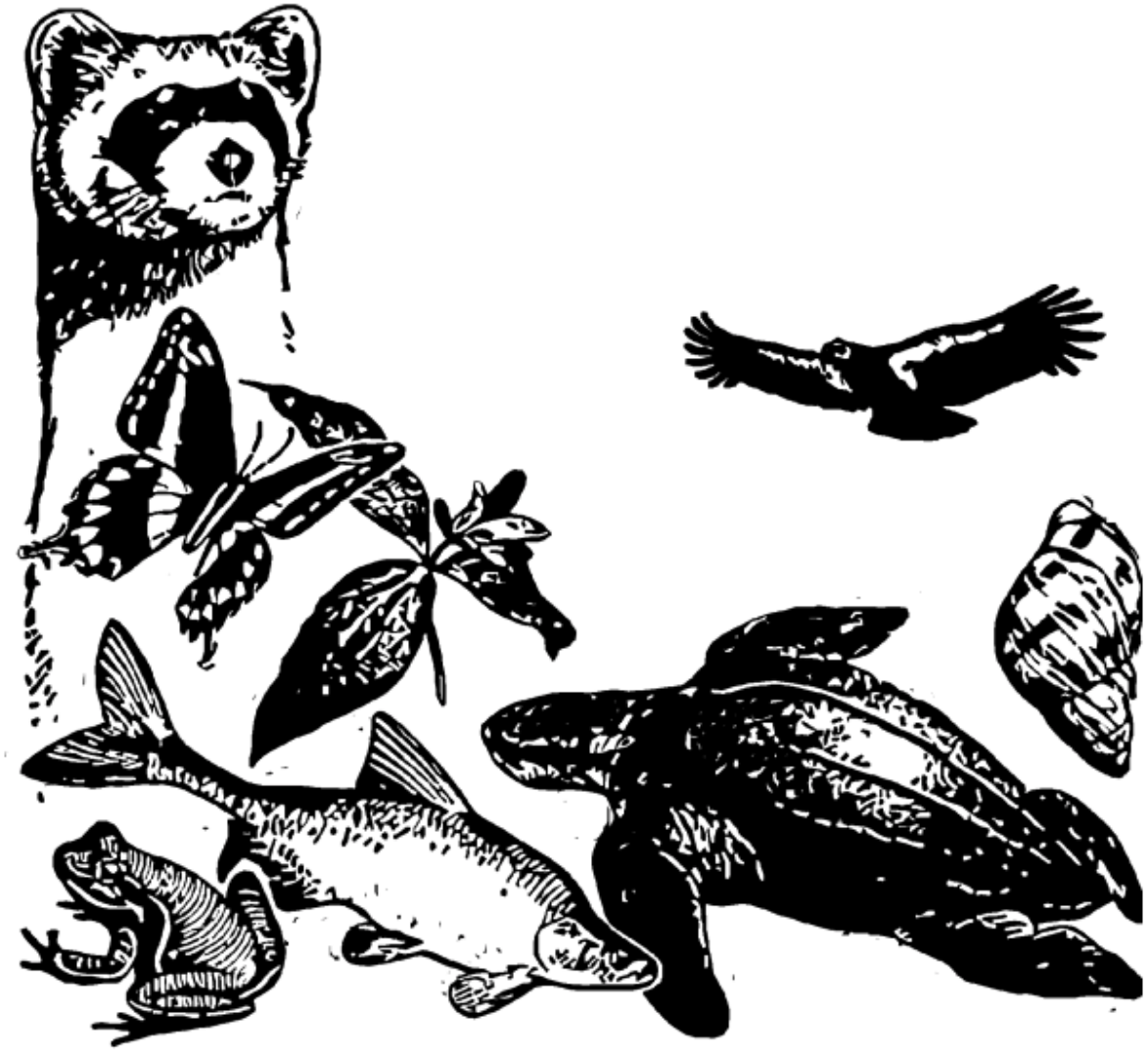
U.S. Fish & Wildlife Service

West Branch - St. Regis River Hydroelectric Project

IPaC Trust Resource Report

Generated December 01, 2015 07:40 AM MST

This report is for informational purposes only and should not be used for planning or analyzing project-level impacts. For projects that require FWS review, please return to this project on the IPaC website and request an official species list from the Regulatory Documents page.



US Fish & Wildlife Service

IPaC Trust Resource Report

Project Description

NAME

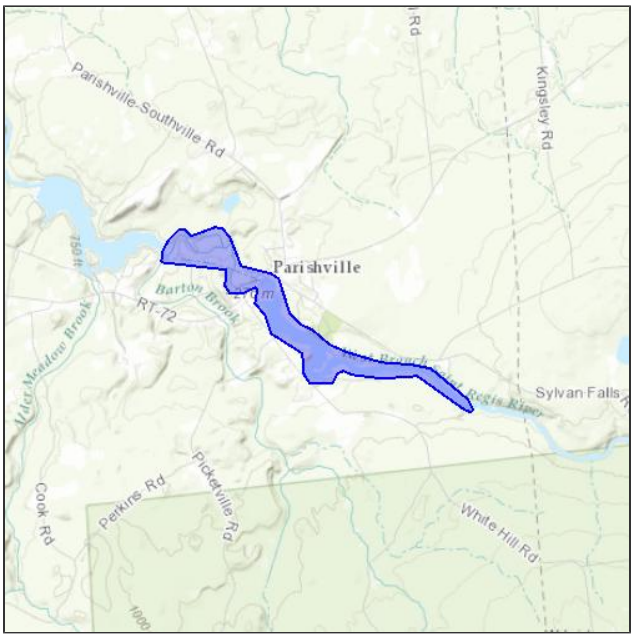
West Branch - St. Regis River Hydroelectric Project

PROJECT CODE

DO74B-4RVHJ-CSJI3-WZGJK-VGN6FA

LOCATION

St. Lawrence County, New York



DESCRIPTION

The WBSR is an operational hydroelectric project originally constructed and placed in service in 1927 and recently relicensed in 2002 by the Federal Energy Regulatory Commission. The licensee is seeking certification from the Low Impact Hydro Institute which requires applicants consult resource agencies for endangered species within the project boundaries.

U.S. Fish & Wildlife Contact Information

Species in this report are managed by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9349
(607) 753-9334

Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the Endangered Species Program and should be considered as part of an effect analysis for this project.

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A letter from the local office and a species list which fulfills this requirement can be obtained by returning to this project on the IPaC website and requesting an official species list on the Regulatory Documents page.

Mammals

Northern Long-eared Bat Myotis septentrionalis — Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0JE

Critical Habitats

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

There is no critical habitat within this project area

Migratory Birds

Birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

You are responsible for complying with the appropriate regulations for the protection of birds as part of this project. This involves analyzing potential impacts and implementing appropriate conservation measures for all project activities.

American Bittern Botaurus lentiginosus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F3

Bald Eagle Haliaeetus leucocephalus — Bird of conservation concern
Year-round
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B008

Black Tern Chlidonias niger — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B09F

Black-billed Cuckoo Coccyzus erythropthalmus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HI

Black-crowned Night-heron Nycticorax nycticorax — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0EU

Canada Warbler Wilsonia canadensis — Bird of conservation concern
Season: Breeding

Common Tern Sterna hirundo — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B09G

Golden-winged Warbler Vermivora chrysoptera — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0G4

Least Bittern Ixobrychus exilis — Bird of conservation concern
Season: Breeding

Olive-sided Flycatcher Contopus cooperi — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0AN

Peregrine Falcon Falco peregrinus — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FU

Pied-billed Grebe Podilymbus podiceps — Bird of conservation concern
Season: Breeding

Red-headed Woodpecker Melanerpes erythrocephalus — Bird of conservation concern
Season: Breeding

Short-eared Owl Asio flammeus — Bird of conservation concern
Season: Wintering
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD

Willow Flycatcher Empidonax traillii — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F6

Wood Thrush Hylocichla mustelina — Bird of conservation concern
Season: Breeding

Yellow Rail Coturnicops noveboracensis — Bird of conservation concern
Season: Breeding
https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0JG

Refuges

Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. If your project overlaps or otherwise impacts a Refuge, please contact that Refuge to discuss the authorization process.

There are no refuges within this project area

Wetlands

Impacts to NWI wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

Project proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

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DATA EXCLUSIONS

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DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Wetland data is unavailable at this time.

ATTACHMENT H

QUESTION F. CULTURAL RESOURCE PROTECTION:

APRIL 16, 2004 ORDER MODIFYING APPROVING HISTORIC PROPERTIES MANAGEMENT PLAN

20040416-3003 Issued by FERC OSEC 04/16/2004 in Docket#: P-10461-015

UNITED STATES OF AMERICA 107 FERC ¶ 62, 045
FEDERAL ENERGY REGULATORY COMMISSION

Erie Boulevard Hydro LP Project No. 10461-015

ORDER MODIFYING AND APPROVING HISTORIC PROPERTIES MANAGEMENT PLAN PURSUANT TO ARTICLE 409

(Issued April 16, 2004)

On January 16, 2004, Erie Boulevard Hydro LP (licensee) filed a Historic Properties Management Plan (HPMP) pursuant to Article 409 of the West Branch St. Regis River Project license[1]. The project is located on the West Branch St. Regis River, in St. Lawrence County, New York.

BACKGROUND

Article 409 requires the licensee to develop a HPMP for the West Branch St. Regis River Project within one year of issuance of the project license. The purpose of the plan is to avoid, or minimize and appropriately mitigate any adverse effects on historic properties including the historic mill ruins near the Parishville dam. Arrangements for the unanticipated discovery of historical properties are to be included. The plan is to be developed in consultation with the New York State Historic Preservation Officer (SHPO). Documentation of consultation and recommendations should be filed with the plan for Commission approval. If a recommendation is not adopted, the licensee should include the reason, based on project-specific information. The Commission reserves the right to require changes to the plan.

DESCRIPTION OF PLAN

The filing includes (1) a description of the archeological surveys conducted within the Area of Potential Effect (APE) of the project; (2) the determinations of eligibility for inclusion in the National Register of Historic Places (NRHP); (3) a description of how unanticipated discoveries will be handled; and (4) documentation of agency consultation.

[1] 100 FERC ¶ 62,208 (2002)

The APE for the West Branch St. Regis Project consists of the project boundaries for each of the project's two developments. Two sites were specifically identified for consideration for the NHRP. The main hydroelectric plants, including the powerhouses for the Allens Falls and Parishville dams, are considered eligible for the NRHP. The two properties are eligible pursuant to criteria C, which says that a property "embodies the distinctive characteristics of a type, period, or method of construction, etc." According to the SHPO the plants are representative of hydroelectric architecture and engineering that reflects the Post World War I standardization of hydro facilities.

Implementing the project's license articles will not require ground breaking activities or disturbance of any known historical properties. If in the future, ground-breaking activities, including recreational developments, are proposed within the project's APE the licensee will first consult with the SHPO. The SHPO will have 30 days to review and comment on the project, and if the activity will not adversely affect historic properties the licensee may proceed in accordance with agreed measures or conditions. If there is a potential for an adverse effect the licensee and SHPO will consult to develop a strategy for avoiding or mitigating adverse effects.

Erie employees will be trained on the principles and procedures of this plan in order to protect known historical properties and unanticipated discoveries. If an unanticipated discovery is made, the licensee will stop work and if necessary, stabilize the area. The SHPO will be notified within 3 days of discovery. After consulting with the SHPO, further analysis and investigations will be conducted if appropriate, and any artifacts that are collected will be managed in accordance with the New York Archaeological Council standards.

AGENCY CONSULTATION AND COMMENTS

The licensee developed the plan with the New York SHPO. A draft plan was also sent for review. On January 6, 2004, The New York SHPO replied that Parishville and Allens Falls Hydroelectric Plants had been found eligible for the NRHP. The licensee was reminded that any work that could visually impair these sites should be reviewed by the SHPO beforehand. Also, the SHPO reminded the licensee to follow the procedures outlined in the document titled A Compendium of Compatible Operation and Maintenance Activities that was entered into by the project's previous licensee. The Compendium is included as Appendix D of the HPMP. This guide to historic properties management was developed by the previous licensee and the SHPO, and was adopted by Erie Boulevard Hydro LP. The guide lists the type of activities that may be carried out without informing the SHPO, such as routine maintenance and upgrades to the electric systems. Ground disturbing activities and those activities that have the potential to disturb identified historical properties must be reported to the SHPO before the activity commences.

DISCUSSION

The filing adequately fulfills Article 409 requirements. The plan provides appropriate protection for the two NRHP eligible sites by outlining procedures for routine maintenance and for activities that may have potential adverse effects. Unanticipated finds will be handled through consultation with the SHPO. The licensee, in consultation with SHPO, should decide if an effort is needed to contact any Native American tribes that may have had a historical presence in the area and would be interested in the unanticipated discovery. If appropriate, the tribes should be included in consultation concerning mitigation or preservation of the finds. Any changes made to this plan as a result of unanticipated discoveries or otherwise must be approved by the Commission after consultation with the SHPO. The Historic Properties Management Plan should be approved.

The Director orders:

(A) The Historic Properties Management Plan, filed on January 16, 2004, pursuant to Article 409 of the project license is approved, as modified by paragraph (B).

(B) The licensee in consultation with the New York State Historic Preservation Officer should decide if consultation with tribes with a historical presence is needed after an unanticipated discovery is made. If appropriate, the tribes should be included in consultation.

(C) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 CFR § 385.713.

John E. Estep
Division of Hydropower Administration
and Compliance

Unofficial FERC-Generated PDF of 20040120-0113 Received by FERC OSEC 01/16/2004 in Docket#: P-10461-000

Reliant Energy

225 Greenfield Parkway, Suite 201
Liverpool, NY 13088

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OFFICE OF THE
SECRETARY

2004 JAN 16 A 10:28

FEDERAL ENERGY
REGULATORY COMMISSION

PUBLIC

ORIGINAL

January 15, 2004

[redacted] PUBLIC Information

Hon. Magalie Roman Salas, Secretary
Federal Energy Regulatory Commission
Mail Code DLC, HL-11.1
888 First Street, NE
Washington, DC 20426

RE: **West Branch St. Regis River Project (FERC Project No. 10461)**
Submittal of Historic Properties Management Plan

Dear Secretary Salas:

Pursuant to License Article 409 of the license for the West Branch St. Regis Project (FERC 10461), Erie Boulevard Hydro Power (Erie) is submitting a Historic Properties Management Plan (HPMP) for the Project. In accordance with the license article, the HPMP was prepared in consultation with the New York State Office of Parks, Recreation and Historic Preservation (NYSHPO). Attachment A of the HPMP provides copies of the correspondence resulting from the consultation process.

Due to the potential sensitive nature of historic properties identified in this report, this submittal has been labeled **NON-PUBLIC Information** and in addition to filing an original and eight (8) copies of this submittal with the Commission Secretary, a conforming copy is being sent to the NYSHPO.

If there are any questions pertaining to this submittal, please call the undersigned at (315) 413-2787 or Tom Skutnik at (315) 413-2789.

Very truly yours,

Jerry L. Sabattis

Jerry L. Sabattis
Hydro Licensing Coordinator

Enclosure:
xc w/Encl: Robert Kuhn, NYSHPO
S. S. Hirschey
W. J. Madden

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ATTACHMENT I

QUESTION G. RECREATION:

APRIL 8, 2004 ORDER MODIFYING AND APPROVING RECREATION PLAN

FERC FORM 80S

20040408-3021 Issued by FERC OSEC 04/08/2004 in Docket#: P-10461-014

UNITED STATES OF AMERICA 107 FERC ¶ 62,014
FEDERAL ENERGY REGULATORY COMMISSION

Reliant Energy Project No. 10461-014

ORDER MODIFYING AND APPROVING RECREATION PLAN UNDER ARTICLE 408

(Issued April 08, 2004)

On February 2, 2004, Reliant Energy (licensee) filed a Recreation Plan (plan) pursuant to article 408 of the Parishville Hydroelectric Project (FERC No. 10461)[1] license. The Parishville Hydroelectric Project (project) is located on the West Branch of the St. Regis River, in St. Lawrence County, New York.

BACKGROUND

Article 408 requires that, within one year of the license issuance, the licensee shall file for Commission approval a comprehensive recreation plan for the aforementioned project. The plan shall be prepared pursuant to the requirements specified in article 408 of the project license and to the West Branch St. Regis River Project Offer of Settlement (settlement).[2]

The licensee shall implement the enhancements outlined in the plan after consultation with the New York Department of Environmental Conservation (NYDEC) and members of the West Branch St. Regis River Advisory Committee (SRRAC). The enhancements shall be shown on as-built drawings filed pursuant to the license.

DESCRIPTION OF PLAN

The plan discusses various recreation enhancements at the project site, including the installation of signage designating the extent of the parking available at an informal parking area and a boat launch located at the end of Coon Road. In addition, the licensee will designate an informal parking area near the surge tank on Convey Road for public access to the project waters. A recreation plan drawing included in the plan indicates the location of the parking areas with signage.

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[1] 100 FERC ¶ 62,208

[2] Filed September 13, 2001.

20040408-3021 Issued by FERC OSEC 04/08/2004 in Docket#: P-10461-014

The licensee will allow public access to all lands within the project boundary, with the exception of those lands and facilities specifically related to hydroelectric generation where public safety and security issues are a concern. Areas where public access will be denied include, but are not limited to: dams, dikes, gates, intake structures, water conveyance structures, powerhouses, substations, transmission lines, and certain access roads leading to such facilities.

Informal access to project waters allowed by the licensee can be found near the Parishville powerhouse to the bypass reach at the Allens Falls Road Bridge. A designated point near the Allens Falls powerhouse will also serve as a public access point. When appropriate, signage will be installed by the licensee directing the public to the lands and waters significant to this plan.

The licensee shall also provide an unimproved trail in the vicinity of the Allens Falls powerhouse, which will serve as an informal access point to project waters near the powerhouse. Boat barriers were installed at the tailrace in 2003 and will continue to be installed annually, on a seasonal basis.

A flow notification system will be maintained by the licensee to provide the public with information regarding known spillage events that may provide recreational opportunities below the project dams. This information will be made available via the internet, through a national electronic publication known as "Waterline."[3] The licensee currently posts flow information on Waterline, and will begin posting known spillage events for the project in 2004.

The licensee consulted with the NYDEC several times concerning the design and implementation of appropriate erosion and sediment control measures for various activities. A drawing titled "Standard Details Erosion Control System" depicting various erosion and sediment control measures was included with the plan. The licensee will formalize its consultation process with the NYDEC for the unimproved trail and access point near the Allens Falls powerhouse before undertaking any field activities. All future activities requiring erosion and sediment control measures will be discussed with the NYDEC prior to implementation.

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[3] Waterline provides water flow forecasts and water level reports over the telephone and on the internet for the safety and convenience of anglers and canoeists. Information pertaining to daily operations at various hydroelectric sites is provided to Waterline and is updated in real time. This information can be retrieved by calling 1-800-452-1742 or on the internet at www.h20line.com.

20040408-3021 Issued by FERC OSEC 04/08/2004 in Docket#: P-10461-014

Five years after Commission approval of the plan, and every six years thereafter, the licensee will consult with the members of the SRRAC and the NYDEC to further examine reasonable opportunities to develop access to project lands and waters. The FERC Form 80 will serve as a basis for the additional development of public access to project lands and waters. FERC's Critical Energy Infrastructure policy, public safety issues, and vandalism concerns will be thoroughly evaluated before the licensee commits to any additional recreation enhancements. The licensee intends to implement this plan by December 31, 2004.

AGENCY CONSULTATION

The licensee consulted with the U.S. Fish and Wildlife Service (USFWS), NYDEC, Adirondack Mountain Club (ADK), and the St. Lawrence County Planning Office (SLCPO).[4]

The USFWS stated that the plan complied fully with the license requirements. They suggested that in lieu of the project license requirement for the licensee to consult with SRRAC, an advisory council that has yet to be established, the licensee should consult with the NYDEC to create the SRRAC as soon as possible. The licensee responded that an initial meeting has been discussed between the licensee and the NYDEC, although the final date(s), location, and agenda for the initial meeting have yet to be determined. Parties to the settlement will be contacted in the first quarter of 2004 regarding availability for the initial meeting.

The NYDEC also received a copy of the draft recreation plan and also advised the licensee to begin consultation with their department (NYDEC) and other parties to the settlement agreement, to form SRRAC. The NYDEC also stated that a SPDES General Permit for Stormwater Discharge may be required, depending upon the amount of area to be disturbed by constructing the trail. The NYDEC noted the plan's lack of a construction schedule, and commented that a schedule should be provided stating that all the requirements of the plan shall be in place by the end of the 2004 construction season. The NYDEC looks forward to further consultation with the licensee when a final plan is developed for the unimproved trail and access points.

The licensee responded that an initial meeting has been discussed between the licensee and the NYDEC, although the final date(s), location, and the agenda for the initial meeting have yet to be determined. Parties to the settlement will be contacted in

[4] The licensee was not required by the project license or by the settlement agreement to consult the SLCPO, but did this in lieu of consulting the SRRAC, which has not been formed yet.

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the first quarter of 2004 regarding availability for the initial meeting. The licensee also emphasized their financial contributions to the St. Regis River Fund, added an implementation schedule to the plan, and has agreed to consult with the NYDEC concerning the possibility of a SPDES General Permit for Stormwater discharge.

One comment from the ADK stated that the first item on the plan concerning public access seems overly vague. The ADK says that they would have expected a proposal for an additional fence, locks on doors, gates on roads, etc. to address security and public safety concerns. They added that the informal access to water near the Parishville powerhouse is barely mentioned in item 2 of the plan, and encouraged the licensee to include the location of this access area on the attached drawing.

The licensee justified the vague language of item 1 by stating that the licensee has a confidential security plan in place which addresses security concerns, issues, and necessary implementation measures. The licensee reiterated that site security is a top priority to them when considering recreational measures and access requirements. Additionally, the licensee reasoned that the Parishville powerhouse was "barely mentioned" in the plan because historically informal access has been provided via lands near the Parishville powerhouse, which is different from other access areas agreed upon in the settlement. The licensee intends to comply with the settlement in not precluding any informal access that may exist near the powerhouse, but it does not intend to advertise access in the vicinity of the powerhouse through signage or notification on the map.

Comments from the SLCPO centered on concerns over the vague language used in the plan, and the licensee's definition of "informal" and "unimproved." The SLCPO also had questions concerning if there was a designated point near the Allens Falls powerhouse, and if there is, why it has not been identified on a separate drawing. The SLCPO also requested clarification on the licensee's definition of "water access" (i.e., whether it involves a boat launch, and if so, which types of boats will be able to utilize this launch. They also questioned whether additional parking spaces will be created. The SLCPO asked the licensee to describe what "Waterline" is and how the public can access this resource.

Concerning the definition of "informal" and "unimproved," the licensee responded that very few, if any, physical improvements will be needed at public access areas or at the trail. The objective of the plan is to recognize access areas by denoting them with signage, where appropriate. The licensee interprets the term "informal" access to mean public access areas that currently exist, and require no physical construction to formalize them. The "unimproved" trail refers to the trail that currently exists, which consists of a worn path created by the public accessing project lands and waters. There will be no improvements to this path and it will be considered an informal access to project waters near the powerhouse. The licensee contended that they have, and will continue to offer,

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access at its boat launch facilities. The licensee has no intention of increasing the number of parking spaces provided on the site at this time, given the current level of recreational usage. The parking situation will be reevaluated every six years when the licensee files their FERC Form 80. Additionally, the licensee acknowledged that some information regarding the flow notification system was omitted, and has since offered an explanation and resources for accessing the "Waterline."

DISCUSSION AND CONCLUSION

The plan appropriately addresses all the requirements of article 408 and the settlement agreement. Additional signage and public access areas will enhance public recreation at the project site. The licensee will allow public access to all lands within the project boundary, except for those lands and facilities related to hydroelectric generation, where public safety and security issues are a concern. Informal access and an unimproved trail have been included in the plan, and will allow the licensee to provide these amenities to the public without requiring construction. Signage will be installed where appropriate to provide directional assistance to pertinent lands and waters, and to designate the extent of parking available at the informal parking lot and boat launch, and at the parking area near the surge tank.

In addition, boat barriers were installed on the tailrace in 2003,[5] and will continue to be installed seasonally. An up-to-date flow notification system will be provided by the licensee via the internet. The licensee has appropriately consulted with the NYDEC, USFWS, and the ADK, as required in the project license. Consultation with the SRRAC was also required; however, this advisory group has not yet been formed. The licensee consulted with the SLCPO in lieu of the SRRAC. Every six years, the licensee, in conjunction with the FERC Form 80, will reevaluate whether the recreation needs of the public are being met at this site. The Form 80 will serve as a basis for the consideration of further development of public recreational needs. The licensee intends to implement the aforementioned recreational enhancements by December 31, 2004.

The recreation plan should be approved. As-built drawings including a map of the facility showing access areas, parking areas, signage, and the trail shall be filed within six months of the completion. The location and text of all signage should be included.

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[5] The licensee's last public safety plan was approved by NYRO on December 3, 2001. This plan does not show any boat barriers at the tailrace, only warning signs on the Taintor gates. The licensee is required to update their public safety plan with NYRO to include the aforementioned boat barriers.

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The Director orders:

(A) The recreation plan filed February 2, 2004, pursuant to article 408 of the project license and the West Branch St. Regis River Project Offer of Settlement, as modified by paragraphs (B) and (C), is approved.

(B) The licensee shall complete all recreation enhancements by December 31, 2004. As-built drawings shall be filed for Commission approval by June 31, 2005. The as-built drawings shall include a map of the facility showing the access areas, parking areas, the trail, and signage in relation to project features and boundaries. The location and text of all signage should be included on the drawings.

(C) The licensee shall file an updated public safety plan with the New York Regional Office within 3 months of the issuance date of this order.

(D) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of this order, pursuant to 18 C.F.R. 385-713.

John E. Estep
Division of Hydropower Administration
and Compliance

Federal Energy Regulatory Commission (FERC)
FERC Form 80

Licensed Hydropower Development Recreation Report

Form Approved
OMB No. 1902-0106
Expires: 09/30/2016
Burden 3.0 hours

General Information:
This form collects data on recreation amenities at projects licensed by FERC under the Federal Power Act (16 USC 791a-825r). This form must be submitted by licensees of all projects except those specifically exempted under 18 CFR 8.11 (c). For regular, periodic filings, submit this form on or before April 1, 2015. Submit subsequent filings of this form on or before April 1, every 6th year thereafter (for example, 2021, 2027, etc.). For initial Form No. 80 filings (18CFR 8.11(b)), each licensee of an unconstructed project shall file an initial Form No. 80 after such project has been in operation for a full calendar year prior to the filing deadline. Each licensee of an existing (constructed) project shall file an initial Form No. 80 after such project has been licensed for a full calendar year prior to the filing deadline. Filing electronically is preferred. (See http://www.ferc.gov for more information.) If you cannot file electronically, submit an original and two copies of the form to the: Federal Energy Regulatory Commission, Office of the Secretary, 888 First St., NE, Washington, DC 20426.

The public burden estimated for this form is three hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the collection of information. Send comments regarding the burden estimate or any aspect of this collection of information, including suggestions for reducing burden, to: FERC via e-mail DataClearance@ferc.gov; or mail to 888 First Street NE, Washington, DC 20426 (Attention: Information Clearance Officer) and Office of Management and Budget (OMB), via e-mail to oira_submission@omb.eop.gov; or mail to OMB, Office of Information and Regulatory Affairs, Attention: Desk Officer for FERC, Washington, DC 20503. Include OMB Control Number 1902-0106 as a point of reference. No person shall be subject to any penalty for failing to comply with a collection of information if the collection of information does not display a valid control number (44 U.S.C. § 3512 (a)).

Instructions:
a. All data reported on this form must represent publicly available recreation amenities and services located within the project boundary.
b. To ensure a common understanding of terms, please refer to the Glossary on page 3.
c. Report actual data for each item. If actual data are unavailable, then please estimate.
d. Submit a completed form for each development at your project.

Schedule 1. General Data

1. Licensee Name: ERIE BOULEVARD HYDROPOWER, L
2. Project Name: WEST BRANCH ST. REGIS RIVER
3. Project Number: 10461
4. Development Name: PARISHVILLE

Complete the following for each development if more than one.

8. Reservoir Surface Area at Normal Pool (acres): 70.00
9. Shoreline Miles at Normal Pool: 1.00
10. Percent of Shoreline Available for Public Use: 10.00

States Development/Project Traverses (List state with largest area within the development/project boundary first):

5. State #1: NY
6. State #2:

7. Type of Project License: (check one) Major [✓] Minor [ ]

11. Data Collection Methods (enter percent for each method used; total must equal 100%):

0.00 traffic count/trail count
0.00 attendance records
5.00 staff observation
0.00 visitor counts or surveys
95.00 estimate (explain)

For 2014, enter only the licensee's annual recreational construction, operation, and maintenance costs for the development (project). Also, enter the annual recreational revenues for that year.

Item	Licensee's Annual Recreation Costs and Revenues (In Whole Dollars)	
	Construction, Operation and Maintenance Costs	Recreation Revenues for Calendar Year
12. Dollar Values	$500.00	$0.00

13. Length of Recreation Season: Summer: From (MM/DD) 5/23 To 9/1 Winter: From (MM/DD) 12/1 To 3/1

Period	Number of visits to all recreational areas at development/project (in Recreation Days)	
	Annual Total	Peak Weekend Average (see Glossary)
14. Daytime	50	4
15. Nighttime	0	0

Respondent Certification: The undersigned certifies that he/she examined this report; and to the best of his/her knowledge, all data provided herein are true, complete, and accurate.

John Gamble	Supervisor	(315) 267-1030
Legal Name	Title	Area Code/Phone No.
		2014
Signature	Date Signed	Reporting Year Ending

Title 18 U.S.C.1001 makes it a crime for any person knowingly and willingly to make to any Agency or department of the United States any false, fictitious or fraudulent statement or misrepresentation as to any matter within its jurisdiction.

Schedule 2. Inventory of Publicly Available Recreation Amenities Within the Project Boundary

16. Enter data for each Recreation Amenity Type (a). For User Free (b) and User Fee (c) enter the number of publicly available recreation amenities, located within the project boundary, regardless of provider. For FERC Approved (d) enter the number of amenities identified under User Free (b) and User Fee (c) for which the licensee has an ongoing responsibility for funding or maintenance (see Glossary for further detail). For Capacity Utilization(f), of the total publicly available amenities (b) + (c), compare the average non-peak weekend use (see Glossary) for each recreation amenity type (during the recreation season, with the highest use, reported on Schedule 1, Item 13) with the total combined capacity of each amenity type and enter a percentage that indicates their overall level of use. For example, if all public boat launches are used to half capacity during the non-peak weekend days, enter 50% (should use exceed capacity for an amenity type, enter the appropriate percentage above 100).

Recreation Amenity Type (a)	Number of Recreation Amenities			Total Units (e)	Capacity Utilization (%) (f)
	User Free (b)	User Fee (c)	FERC Approved (d)		
Boat Launch Areas. Improved areas having one or more boat launch lanes (enter number in column e) and are usually marked with signs, have hardened surfaces, and typically have adjacent parking.				Lanes	
Marinas. Facilities with more than 10 slips on project waters, which include one or more of the following: docking, fueling, repair and storage of boats; boat/equipment rental; or sell bait/food (see Glossary FERC approved).				N/A	
Whitewater Boating. Put-ins/Take-outs specifically designated for whitewater access.				N/A	
Portages. Sites designed for launching and taking out canoes/kayaks and the improved, designated, and maintained trails connecting such sites (enter length of trail in column e).				Feet	
Tailwater Fishing. Platforms, walkways, or similar structures to facilitate below dam fishing.				N/A	
Reservoir Fishing. Platforms, walkways, or similar structures to facilitate fishing in the reservoir pool or feeder streams.				N/A	
Swim Areas. Sites providing swimming facilities (bath houses, designated swim areas, parking and sanitation facilities).				Acres	
Trails. Narrow tracks used for non-automobile recreation travel which are mapped and designated for specific use(s) such as hiking, biking, horseback riding, snowmobiling, or XC skiing (excludes portages, paths or accessible routes; See Glossary).				Miles	
Active Recreation Areas. Playground equipment, game courts/fields, golf/disc golf courses, jogging tracks, etc.				Acres	
Picnic Areas. Locations containing one or more picnic sites (each of which may include tables, grills, trash cans, and parking).				Sites	
Overlooks/Vistas. Sites established to view scenery, wildlife, cultural resources, project features, or landscapes.				Acres	
Visitor Centers. Buildings where the public can gather information about the development/project, its operation, nearby historic, natural, cultural, recreational resources, and other items of interest.				N/A	
Interpretive Displays. Signage/Kiosks/Billboards which provide information about the development/project, its operation, nearby historic, natural, cultural, recreational resources, and other items of interest.				N/A	N/A
Hunting Areas. Lands open to the general public for hunting.				Acres	
Winter Areas. Locations providing opportunities for skiing, sledding, curling, ice skating, or other winter activities.				Acres	
Campgrounds. Hardened areas developed to cluster campers (may include sites for tents, trailers, recreational vehicles [RV], yurts, cabins, or a combination, but excludes group camps).				Acres	N/A
Campsites. Sites for tents, trailers, recreational vehicles [RV], yurts, cabins, or a combination of temporary uses.				N/A	
Cottage Sites. Permanent, all-weather, buildings rented for short-term use, by the public, for recreational purposes.				N/A	
Group Camps. Areas equipped to accommodate large groups of campers that are open to the general public (may be operated by public, private, or non-profit organizations).				Sites	
Dispersed Camping Areas. Places visitors are allowed to camp outside of a developed campground (enter number of sites in clmn. e).				Sites	
Informal Use Areas. Well used locations which typically do not include amenities, but require operation and maintenance and/or public safety responsibilities					
Access Points. Well-used sites (not accounted for elsewhere on this form) for visitors entering project lands or waters, without trespassing, for recreational purposes (may have limited development such as parking, restrooms, signage).	1		1	N/A	25
Other. Amenities that do not fit in the categories identified above. Please specify (if more than one, separate by commas):					

Glossary of FERC Form 80 Terms

Data Collection Methods. (Schedule 1, Item 11) – If a percentage is entered for the estimate alternative, please provide an explanation of the methods used (if submitted on a separate piece of paper, please include licensee name, project number, and development name)

Development. The portion of a project which includes:
(a) a reservoir; or
(b) a generating station and its specifically-related waterways.

Exemption from Filing. Exemption from the filing of this form granted upon Commission approval of an application by a licensee pursuant to the provisions of 18 CFR 8.11(c).

General Public. Those persons who do not have special privileges to use the shoreline for recreational purposes, such as waterfront property ownership, water-privileged community rights, or renters with such privileges.

Licensee. Any person, state, or municipality licensed under the provisions of Section 4 of the Federal Power Act, and any assignee or successor in interest. For the purposes of this form, the terms licensee, owner, and respondent are interchangeable *except where:*
(a) the *owner* or licensee is a subsidiary of a parent company which has been or is required to file this form; or
(b) there is more than one owner or licensee, of whom only one is responsible for filing this form. Enter the name of the entity that is responsible for filing this report in Schedule 1, Item 2.1.

Major License. A license for a project of more than 1,500 kilowatts installed capacity.

Minor License. A license for a project of 1,500 kilowatts or less installed capacity.

Non-Peak Weekend. Any weekend that is not a holiday and thus reflects more typical use during the recreation season.

Number of Recreation Amenities. Quantifies the availability of natural or man-made property or facilities for a given recreation amenity type. This includes all recreation resources available to the public within the development/project boundary. The resources are broken into the following categories:

User Free (Schedule 2, column b) - Those amenities within the development/project that are free to the public;

User Fee (Schedule 2, column c) - Those amenities within the development/project where the licensee/facility operator charges a fee;

FERC Approved (Schedule 2, column d) – Those amenities within the development/project required by the Commission in a license or license amendment document, including an approved recreation plan or report. Recreation amenities that are within the project boundary, but were approved by the licensee through the standard land use article or by the Commission through an application for non-project use of project lands and waters, are typically not counted as FERC approved, unless they are available to the public, but may be counted as either user free or user fee resources. The total FERC approved amenities column does not necessarily have to equal the sum of user free and user fee amenities.

Peak Use Weekend. Weekends when recreational use is at its peak for the season (typically Memorial Day, July 4th & Labor Day). On these weekends, recreational use may exceed the capacity of the area to handle such use. Include use for all three days in the holiday weekends when calculating Peak Weekend Average for items 14 & 15 on Schedule 1.

Recreation Day. Each visit by a person to a development (as defined above) for recreational purposes during any portion of a 24-hour period.

Revenues. Income generated from recreation amenities at a given project/development during the previous calendar year. Includes fees for access or use of area.

Total Units (Schedule 2, column e) – Provide the total length, or area, or number that is appropriate for each amenity type using the metric provided.

Trails. Narrow tracks used for non-automobile recreation travel which are mapped and designated for specific use(s) such as hiking, biking, horseback riding, snowmobiling, or XC skiing. Trails are recreation amenities which provide the opportunity to engage in recreational pursuits, unlike paths (means of egress whose primary purpose is linking recreation amenities at a facility) or accessible routes (means of egress which meets the needs of persons with disability and links accessible recreation amenities and infrastructure at a facility).

Federal Energy Regulatory Commission (FERC)
FERC Form 80

Licensed Hydropower Development Recreation Report

Form Approved
OMB No. 1902-0106
Expires: 09/30/2016
Burden 3.0 hours

General Information:
This form collects data on recreation amenities at projects licensed by FERC under the Federal Power Act (16 USC 791a-825r). This form must be submitted by licensees of all projects except those specifically exempted under 18 CFR 8.11 (c). For regular, periodic filings, submit this form on or before April 1, 2015. Submit subsequent filings of this form on or before April 1, every 6th year thereafter (for example, 2021, 2027, etc.). For initial Form No. 80 filings (18CFR 8.11(b)), each licensee of an unconstructed project shall file an initial Form No. 80 after such project has been in operation for a full calendar year prior to the filing deadline. Each licensee of an existing (constructed) project shall file an initial Form No. 80 after such project has been licensed for a full calendar year prior to the filing deadline. Filing electronically is preferred. (See http://www.ferc.gov for more information.) If you cannot file electronically, submit an original and two copies of the form to the: Federal Energy Regulatory Commission, Office of the Secretary, 888 First St., NE, Washington, DC 20426.

The public burden estimated for this form is three hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the collection of information. Send comments regarding the burden estimate or any aspect of this collection of information, including suggestions for reducing burden, to: FERC via e-mail DataClearance@ferc.gov; or mail to 888 First Street NE, Washington, DC 20426 (Attention: Information Clearance Officer) and Office of Management and Budget (OMB), via e-mail to oira_submission@omb.eop.gov; or mail to OMB, Office of Information and Regulatory Affairs, Attention: Desk Officer for FERC, Washington, DC 20503. Include OMB Control Number 1902-0106 as a point of reference. No person shall be subject to any penalty for failing to comply with a collection of information if the collection of information does not display a valid control number (44 U.S.C. § 3512 (a)).

Instructions:
a. All data reported on this form must represent publicly available recreation amenities and services located within the project boundary.
b. To ensure a common understanding of terms, please refer to the Glossary on page 3.
c. Report actual data for each item. If actual data are unavailable, then please estimate.
d. Submit a completed form for each development at your project.

Schedule 1. General Data

1. Licensee Name: ERIE BOULEVARD HYDROPOWER, L
2. Project Name: WEST BRANCH ST. REGIS RIVER
3. Project Number: 10461
4. Development Name: ALLENS FALLS

Complete the following for each development if more than one.

8. Reservoir Surface Area at Normal Pool (acres): 132.00
9. Shoreline Miles at Normal Pool: 2.00
10. Percent of Shoreline Available for Public Use: 10.00

States Development/Project Traverses (List state with largest area within the development/project boundary first):

5. State #1: NY
6. State #2:

7. Type of Project License: (check one) Major [✓] Minor [ ]

11. Data Collection Methods (enter percent for each method used; total must equal 100%):

0.00 traffic count/trail count
0.00 attendance records
5.00 staff observation
0.00 visitor counts or surveys
95.00 estimate (explain)

For 2014, enter only the licensee's annual recreational construction, operation, and maintenance costs for the development (project). Also, enter the annual recreational revenues for that year.

Item	Licensee's Annual Recreation Costs and Revenues (In Whole Dollars)	
	Construction, Operation and Maintenance Costs	Recreation Revenues for Calendar Year
12. Dollar Values	$500.00	$0.00

13. Length of Recreation Season: Summer: From (MM/DD) 5/23 To 9/1 Winter: From (MM/DD) 12/1 To 3/1

Period	Number of visits to all recreational areas at development/project (in Recreation Days)	
	Annual Total	Peak Weekend Average (see Glossary)
14. Daytime	240	7
15. Nighttime	0	0

Respondent Certification: The undersigned certifies that he/she examined this report; and to the best of his/her knowledge, all data provided herein are true, complete, and accurate.

John Gamble	Supervisor	(315) 267-1030
Legal Name	Title	Area Code/Phone No.
		2014
Signature	Date Signed	Reporting Year Ending

Title 18 U.S.C.1001 makes it a crime for any person knowingly and willingly to make to any Agency or department of the United States any false, fictitious or fraudulent statement or misrepresentation as to any matter within its jurisdiction.

Schedule 2. Inventory of Publicly Available Recreation Amenities Within the Project Boundary

16. Enter data for each Recreation Amenity Type (a). For User Free (b) and User Fee (c) enter the number of publicly available recreation amenities, located within the project boundary, regardless of provider. For FERC Approved (d) enter the number of amenities identified under User Free (b) and User Fee (c) for which the licensee has an ongoing responsibility for funding or maintenance (see Glossary for further detail). For Capacity Utilization(f), of the total publicly available amenities (b) + (c), compare the average non-peak weekend use (see Glossary) for each recreation amenity type (during the recreation season, with the highest use, reported on Schedule 1, Item 13) with the total combined capacity of each amenity type and enter a percentage that indicates their overall level of use. For example, if all public boat launches are used to half capacity during the non-peak weekend days, enter 50% (should use exceed capacity for an amenity type, enter the appropriate percentage above 100).

Recreation Amenity Type (a)	Number of Recreation Amenities			Total Units (e)	Capacity Utilization (%) (f)
	User Free (b)	User Fee (c)	FERC Approved (d)		
Boat Launch Areas. Improved areas having one or more boat launch lanes (enter number in column e) and are usually marked with signs, have hardened surfaces, and typically have adjacent parking.	1		1	1 Lanes	25
Marinas. Facilities with more than 10 slips on project waters, which include one or more of the following: docking, fueling, repair and storage of boats; boat/equipment rental; or sell bait/food (see Glossary FERC approved).				N/A	
Whitewater Boating. Put-ins/Take-outs specifically designated for whitewater access.				N/A	
Portages. Sites designed for launching and taking out canoes/kayaks and the improved, designated, and maintained trails connecting such sites (enter length of trail in column e).				Feet	
Tailwater Fishing. Platforms, walkways, or similar structures to facilitate below dam fishing.				N/A	
Reservoir Fishing. Platforms, walkways, or similar structures to facilitate fishing in the reservoir pool or feeder streams.				N/A	
Swim Areas. Sites providing swimming facilities (bath houses, designated swim areas, parking and sanitation facilities).				Acres	
Trails. Narrow tracks used for non-automobile recreation travel which are mapped and designated for specific use(s) such as hiking, biking, horseback riding, snowmobiling, or XC skiing (excludes portages, paths or accessible routes; See Glossary).	1		1	0 Miles	10
Active Recreation Areas. Playground equipment, game courts/fields, golf/disc golf courses, jogging tracks, etc.				Acres	
Picnic Areas. Locations containing one or more picnic sites (each of which may include tables, grills, trash cans, and parking).				Sites	
Overlooks/Vistas. Sites established to view scenery, wildlife, cultural resources, project features, or landscapes.				Acres	
Visitor Centers. Buildings where the public can gather information about the development/project, its operation, nearby historic, natural, cultural, recreational resources, and other items of interest.				N/A	
Interpretive Displays. Signage/Kiosks/Billboards which provide information about the development/project, its operation, nearby historic, natural, cultural, recreational resources, and other items of interest.				N/A	N/A
Hunting Areas. Lands open to the general public for hunting.				Acres	
Winter Areas. Locations providing opportunities for skiing, sledding, curling, ice skating, or other winter activities.				Acres	
Campgrounds. Hardened areas developed to cluster campers (may include sites for tents, trailers, recreational vehicles [RV], yurts, cabins, or a combination, but excludes group camps).				Acres	N/A
Campsites. Sites for tents, trailers, recreational vehicles [RV], yurts, cabins, or a combination of temporary uses.				N/A	
Cottage Sites. Permanent, all-weather, buildings rented for short-term use, by the public, for recreational purposes.				N/A	
Group Camps. Areas equipped to accommodate large groups of campers that are open to the general public (may be operated by public, private, or non-profit organizations).				Sites	
Dispersed Camping Areas. Places visitors are allowed to camp outside of a developed campground (enter number of sites in clmn. e).				Sites	
Informal Use Areas. Well used locations which typically do not include amenities, but require operation and maintenance and/or public safety responsibilities					
Access Points. Well-used sites (not accounted for elsewhere on this form) for visitors entering project lands or waters, without trespassing, for recreational purposes (may have limited development such as parking, restrooms, signage).	1		1	N/A	10
Other. Amenities that do not fit in the categories identified above. Please specify (if more than one, separate by commas):					

Glossary of FERC Form 80 Terms

Data Collection Methods. (Schedule 1, Item 11) – If a percentage is entered for the estimate alternative, please provide an explanation of the methods used (if submitted on a separate piece of paper, please include licensee name, project number, and development name)

Development. The portion of a project which includes:
(a) a reservoir; or
(b) a generating station and its specifically-related waterways.

Exemption from Filing. Exemption from the filing of this form granted upon Commission approval of an application by a licensee pursuant to the provisions of 18 CFR 8.11(c).

General Public. Those persons who do not have special privileges to use the shoreline for recreational purposes, such as waterfront property ownership, water-privileged community rights, or renters with such privileges.

Licensee. Any person, state, or municipality licensed under the provisions of Section 4 of the Federal Power Act, and any assignee or successor in interest. For the purposes of this form, the terms licensee, owner, and respondent are interchangeable *except where:*
(a) the *owner* or licensee is a subsidiary of a parent company which has been or is required to file this form; or
(b) there is more than one owner or licensee, of whom only one is responsible for filing this form. Enter the name of the entity that is responsible for filing this report in Schedule 1, Item 2.1.

Major License. A license for a project of more than 1,500 kilowatts installed capacity.

Minor License. A license for a project of 1,500 kilowatts or less installed capacity.

Non-Peak Weekend. Any weekend that is not a holiday and thus reflects more typical use during the recreation season.

Number of Recreation Amenities. Quantifies the availability of natural or man-made property or facilities for a given recreation amenity type. This includes all recreation resources available to the public within the development/project boundary. The resources are broken into the following categories:

User Free (Schedule 2, column b) - Those amenities within the development/project that are free to the public;

User Fee (Schedule 2, column c) - Those amenities within the development/project where the licensee/facility operator charges a fee;

FERC Approved (Schedule 2, column d) – Those amenities within the development/project required by the Commission in a license or license amendment document, including an approved recreation plan or report. Recreation amenities that are within the project boundary, but were approved by the licensee through the standard land use article or by the Commission through an application for non-project use of project lands and waters, are typically not counted as FERC approved, unless they are available to the public, but may be counted as either user free or user fee resources. The total FERC approved amenities column does not necessarily have to equal the sum of user free and user fee amenities.

Peak Use Weekend. Weekends when recreational use is at its peak for the season (typically Memorial Day, July 4th & Labor Day). On these weekends, recreational use may exceed the capacity of the area to handle such use. Include use for all three days in the holiday weekends when calculating Peak Weekend Average for items 14 & 15 on Schedule 1.

Recreation Day. Each visit by a person to a development (as defined above) for recreational purposes during any portion of a 24-hour period.

Revenues. Income generated from recreation amenities at a given project/development during the previous calendar year. Includes fees for access or use of area.

Total Units (Schedule 2, column e) – Provide the total length, or area, or number that is appropriate for each amenity type using the metric provided.

Trails. Narrow tracks used for non-automobile recreation travel which are mapped and designated for specific use(s) such as hiking, biking, horseback riding, snowmobiling, or XC skiing. Trails are recreation amenities which provide the opportunity to engage in recreational pursuits, unlike paths (means of egress whose primary purpose is linking recreation amenities at a facility) or accessible routes (means of egress which meets the needs of persons with disability and links accessible recreation amenities and infrastructure at a facility).