



Brookfield Renewable
West Delaware Hydropower Associates LP
1324 Route 55A
Grahamsville, NY 12740

January 30, 2019

Ms. Maryalice Fischer
Certification Program Director
Low Impact Hydropower Institute
PO Box 424
Strafford, NH 03384

**RE: WEST DELAWARE TUNNEL (P-9159-NY)
LOW IMPACT HYDROPOWER INSTITUTE CERTIFICATION APPLICATION**

Dear Ms. Fischer:

West Delaware Hydropower Associates LP, a subsidiary of Brookfield Renewable (Brookfield) and owner and operator of the West Delaware Tunnel Hydro Station (P-9159-NY) hereby submits an application for consideration of Low Impact Hydropower Institute (LIHI) certification.

As background, the West Delaware Tunnel Hydro Station is located in Sullivan County, New York, on land owned by the New York City Department of Environmental Protection as part of their West Delaware Aqueduct, which supplies drinking water to New York City. Brookfield has an easement for the use of the property, which includes a powerhouse with one generator, as well as a 60 foot section of penstock. The station is located within a fenced property with an area of approximately 4,000 square yards. Please see enclosed application for more detail.

Should any additional information be required, please contact me by phone at 570-226-1371, by e-mail at kathleen.lester@brookfieldrenewable.com, or by mail at Brookfield Renewable, 126 Lamberton Lane, Hawley, PA 18428.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen E. Lester".

Kathleen E. Lester
Compliance Manager

Enclosure

West Delaware Tunnel Outlet Project

B-1 Facility Description Attachment

Table B-1. Facility Description Information for West Delaware Tunnel Outlet Project

| Information Type | Variable Description | Response(and reference to further details) |
|------------------------------------|--|---|
| Name of the Facility | Facility name (use FERC project name if possible) | West Delaware Tunnel Outlet Project |
| Location | River name (USGS proper name) | West Delaware Aqueduct |
| | River basin name | Delaware |
| | Nearest town, county, and state | Grahamsville, Sullivan County, NY |
| | River mile of dam above next major river | Not applicable as this is a conduit facility. |
| | Geographic latitude | 41°51'13.0"N |
| | Geographic longitude | 74°30'49.9"W |
| Facility Owner | Application contact names (IMPORTANT: you must also complete the Facilities Contact Form): | Sandeep Mascarenhas |
| | - Facility owner (individual and company names) | West Delaware Hydropower Associates |
| | - Operating affiliate (if different from owner) | Brookfield Renewable |
| | - Representative in LIHI certification | Sandeep Mascarenhas |
| Regulatory Status | FERC Project Number (e.g., P-xxxxx), issuance and expiration dates | FERC Project No. P-9159. A license exemption was issued by FERC on December 18, 1986 |
| | FERC license type or special classification (e.g., "qualified conduit") | Qualified Conduit Exemption |
| | Water Quality Certificate identifier and issuance date, plus source agency name | Not applicable, exempt from needing a Water Quality Certificate. |
| | Hyperlinks to key electronic records on FERC e-library website (e.g., most recent Commission Orders, WQC, ESA documents, etc.) | FERC Exemption enclosed in attachments |
| Power Plant Characteristics | Date of initial operation (past or future for operational applications) | 1987 |
| | Total name-plate capacity (MW) | 7.5 MW |
| | Average annual generation (MWh) | 26,400 MWh |
| | Number, type, and size of turbines, including maximum and minimum hydraulic capacity of each unit | There is one unit, a vertical Francis turbine with a nameplate capacity of 7.5 MW. |
| | Modes of operation (run-of-river, peaking, pulsing, seasonal storage, etc.) | On a weekly basis, the NYCDEP sends Brookfield our weekly water allotment based upon NY City's water supply needs. NYCDEP's system determines the weekly water allotment based upon a number of factors including reservoir levels, inflow forecasts, climatology, and water quality. If there is a given allotment from the NYCDEP, Brookfield |

| | | |
|--|---|--|
| | | will then determine the flow rate and timing schedule to deliver the requested allotment over the period specified. Typically, Brookfield will run its turbine at best efficiency to maximize power for a peaking schedule. |
| | Dates and types of major equipment upgrades | The facility was built circa 1987 and there have been no major equipment upgrades. |
| | Dates, purpose, and type of any recent operational changes | There have been no recent operational changes. West Delaware is dispatched by the NYC DEP based on their need to transfer water from the Cannonsville to the Rondout Reservoir and provide water to New York City. |
| | Plans, authorization, and regulatory activities for any facility upgrades | There are no plans for facility upgrades. |
| Character- istics of Dam, Diversion, or Conduit | Date of construction | The powerhouse was constructed circa 1987. The NYC DEP website indicates that the Rondout Reservoir was constructed in 1950 and the Cannonsville Reservoir was constructed in 1964. |
| | Dam height | Not applicable as this is a conduit facility. |
| | Spillway elevation and hydraulic capacity | Not applicable as this is a conduit facility. |
| | Tailwater elevation | Not applicable as this is a conduit facility. |
| | Length and type of all penstocks and water conveyance structures between reservoir and powerhouse | The West Delaware powerhouse is situated on the West Delaware Aqueduct, a water conveyance tunnel that connects the Cannonsville (upper) and Rondout (lower) Reservoirs. The Aqueduct is estimated at 45 miles in length and is managed by the New York City Department of Environmental Protection. |
| | Dates and types of major, generation-related infrastructure improvements | Not applicable as this is a conduit facility. |
| | Designated facility purposes (e.g., power, navigation, flood control, water supply, etc.) | The Delaware Aqueduct system was constructed for the purpose of supplying New York City with a reliable supply of drinking water. The West Delaware Tunnel Outlet Project was installed in the 1980's for the purpose of power production. |
| | Water source | Water that passes through the West Delaware Tunnel Outlet Project originates at the Cannonsville Reservoir and passes to the Rondout Reservoir via the West Delaware Aqueduct. |
| | Water discharge location or facility | Water is discharged from the West Delaware Aqueduct into the Rondout Reservoir. |
| | Gross volume and surface area at full pool | Not applicable as this is a conduit facility. |

| | | |
|---|--|---|
| Characteristics of Reservoir and Watershed | Maximum water surface elevation (ft. MSL) | Not applicable as this is a conduit facility. |
| | Maximum and minimum volume and water surface elevations for designated power pool, if available | Not applicable as this is a conduit facility. |
| | Upstream dam(s) by name, ownership, FERC number (if applicable), and river mile | Not applicable as this is a conduit facility. |
| | Downstream dam(s) by name, ownership, FERC number (if applicable), and river mile | Not applicable as this is a conduit facility. |
| | Operating agreements with upstream or downstream reservoirs that affect water availability, if any, and facility operation | Entered into agreement with NYC DEP in 1986 that provides an easement for the use of the land and stipulates flows. The NYC DEP shall at all times have complete control of the water flowing through the tunnel so that it doesn't disrupt the supply of drinking water. The city agreed to use good-faith effort to (1) maintain the flow of water through the tunnel in an amount not less than 39,579 million gallons per year, (2) give WDTO advance notice of the City's required volumes to be delivered through the tunnel on a weekly basis (3) allows as much as is reasonably practicable of each required weekly water volume to be delivered through the tunnel during on-peak hours at the rate of approximately 450 cfs with the balance of such required volume being delivered during off-peak hours at the rate requested by WDTO and (4) maintain hydraulic head losses in the tunnel at a level not materially greater than that with existed on October 1, 1985. |
| | Area inside FERC project boundary, where appropriate | Area is less than 1,000 square meters |
| Hydrologic Setting | Average annual flow at the dam | Not applicable as this is a conduit facility. |
| | Average monthly flows | Not applicable as this is a conduit facility. |
| | Location and name of relevant stream gauging stations above and below the facility | Not applicable as this is a conduit facility. |
| | Watershed area at the dam | Not applicable as this is a conduit facility. |
| Designated Zones of Effect | Number of zones of effect | There are no zones of effect. |
| | Upstream and downstream locations by river miles | Not applicable as this is a conduit facility. |
| | Type of waterbody (river, impoundment, bypassed reach, etc.) | Not applicable as this is a conduit facility. |
| | Delimiting structures | Not applicable as this is a conduit facility. |
| | Designated uses by state water quality agency | Not applicable as this is a conduit facility. |

| | | |
|--|---|---|
| <i>Additional Contact Information</i> | Names, addresses, phone numbers, and e-mail for local state and federal resource agencies | See enclosed Contacts Form |
| | Names, addresses, phone numbers, and e-mail for local non-governmental stakeholders | During the FERC process for a qualifying facility, no non-governmental stakeholders commented on the project. |
| <i>Photographs and Maps</i> | Photographs of key features of the facility and each of the designated zones of effect | See enclosed photos, maps and drawings |
| | Maps, aerial photos, and/or plan view diagrams of facility area and river basin | See enclosed maps and aerial photos |

Matrix of Alternative Standards Template:

(Please duplicate this table for each Zone of Effect)

Facility Name: West Delaware Outlet Tunnel Project

Zone of Effect: Conduit

| Criterion | | Alternative Standards | | | | |
|-----------|--|-----------------------|---|---|---|------|
| | | 1 | 2 | 3 | 4 | Plus |
| A | Ecological Flow Regimes | X | | | | |
| B | Water Quality | X | | | | |
| C | Upstream Fish Passage | X | | | | |
| D | Downstream Fish Passage | X | | | | |
| E | Watershed and Shoreline Protection | X | | | | |
| F | Threatened and Endangered Species Protection | X | | | | |
| G | Cultural and Historic Resources Protection | X | | | | |
| H | Recreational Resources | X | | | | |

Applicants must complete a Standards Matrix for each designated zone of effect; shaded cells indicate no such standard is available for that criterion.

FACILITY CONTACTS FORM

1. All applications for LIHI Certification must include complete contact information to be reviewed.

| | |
|--|--|
| Project Owner: | |
| Name and Title | Sandeep Mascarenhas, Senior Analyst, Capacity & Ancillary Services Management |
| Company | West Delaware Hydropower Associates LP, a subsidiary of Brookfield Renewable |
| Phone | 819-561-2722 ext. 6743 |
| Email Address | Sandeep.Mascarenhas@brookfieldrenewable.com |
| Mailing Address | 1324 Route 55A, Grahamsville NY 12740 |
| Project Operator (if different from Owner): | |
| Name and Title | |
| Company | |
| Phone | |
| Email Address | |
| Mailing Address | |
| Consulting Firm / Agent for LIHI Program (if different from above): | |
| Name and Title | |
| Company | |
| Phone | |
| Email Address | |
| Mailing Address | |
| Compliance Contact (responsible for LIHI Program requirements): | |
| Name and Title | Katie Lester, Compliance Manager |
| Company | Brookfield Renewable |
| Phone | 857-205-1695 |
| Email Address | Kathleen.lester@brookfieldrenewable.com |
| Mailing Address | 126 Lamberton Lane, Hawley PA 18428 |
| Party responsible for accounts payable: | |
| Name and Title | |
| Company | Brookfield Renewable |
| Phone | |
| Email Address | AP@brookfieldrenewable.com |
| Mailing Address | 41 Victoria, Gatineau, QC J8X 2A1 |

2. Applicant must identify the most current and relevant state, federal, provincial, and tribal resource agency contacts (copy and repeat the following table as needed).

| | |
|---|--|
| Agency Contact (Check area of responsibility: Flows __, Water Quality __, Fish/Wildlife Resources X, Watersheds __, T/E Spp. __, Cultural/Historic Resources __, Recreation __): | |
| Agency Name | US Fish and Wildlife Service |
| Name and Title | |
| Phone | 413-253-8200 |
| Email address | Northeast@fws.gov |
| Mailing Address | 300 Westgate Center Drive, Hadley, MA 01035 |

| | |
|---|--|
| Agency Contact (Check area of responsibility: Flows___, Water Quality __, Fish/Wildlife Resources X, Watersheds __, T/E Spp. __, Cultural/Historic Resources __, Recreation __): | |
| Agency Name | NYS Dept. of Environmental Conservation – Region 3 |
| Name and Title | |
| Phone | 845-256-3000 |
| Email address | r3admin@dec.ny.gov |
| Mailing Address | 21 South Putt Corners Road, New Paltz, NY 12561 |

| | |
|---|--|
| Agency Contact (Check area of responsibility: Flows X, Water Quality __, Fish/Wildlife Resources __, Watersheds __, T/E Spp. __, Cultural/Historic Resources __, Recreation __): | |
| Agency Name | US Army Corps of Engineers |
| Name and Title | |
| Phone | 917-790-8411 |
| Email address | Cenan-pa@usace.army.mil |
| Mailing Address | 26 Federal Plaza, Room 2109, New York, NY 10278-0090 |

| | |
|---|---|
| Agency Contact (Check area of responsibility: Flows___, Water Quality __, Fish/Wildlife Resources __, Watersheds __, T/E Spp. __, Cultural/Historic Resources X, Recreation __): | |
| Agency Name | NY State Division for Historic Preservation |
| Name and Title | Weston Davey |
| Phone | 518-237-8643 |
| Email address | |
| Mailing Address | Peebles Island State Park, PO Box 189, Waterford, NY 12188-0189 |

| | |
|--|--|
| Agency Contact (Check area of responsibility: Flows___, Water Quality __, Fish/Wildlife Resources __, Watersheds __, T/E Spp. __, Cultural/Historic Resources __, Recreation __): | |
| Agency Name | |
| Name and Title | |
| Phone | |
| Email address | |
| Mailing Address | |

| | |
|--|--|
| Agency Contact (Check area of responsibility: Flows___, Water Quality __, Fish/Wildlife Resources __, Watersheds __, T/E Spp. __, Cultural/Historic Resources __, Recreation __): | |
| Agency Name | |
| Name and Title | |
| Phone | |
| Email address | |
| Mailing Address | |

Repeat agency contact tables as needed.

West Delaware Tunnel Outlet Project

Tables B-2 to B-9

Tables B-2 through B-9 (Appendix B-2)

Table B-1. Information Required to Support Ecological Flows Standards.

| <i>Criterion</i> | <i>Standard</i> | <i>Instructions</i> |
|-------------------------|------------------------|---|
| A | 1 | <p><u>Not Applicable / De Minimis Effect:</u></p> <ul style="list-style-type: none"> • In a conduit project, identify the water source and discharge points for the conduit system within which the hydropower plant is located. <p>The West Delaware Tunnel Outlet (WDTO) Project is a conduit facility that is tapped into the West Delaware Aqueduct which is used for supplying New York City with drinking water. The West Delaware Aqueduct connects the Cannonsville Reservoir to the Rondout Reservoir; Cannonsville is the upper reservoir and Rondout is the lower reservoir. The WDTO is located approximately 500 feet upstream of the Aqueduct discharge into the Rondout Reservoir. From the Rondout Reservoir water is conveyed via the Delaware Aqueduct to the West Branch Reservoir of the Croton Reservoir complex. The Aqueduct and Reservoirs are owned and operated by the New York City Department of Environmental Protection (NYC DEP).</p> |

B.2.2 Water Quality Standards

The instructions in Table B-3 identify information needed to meet the Water Quality criterion and to satisfy its goal. The applicant should provide only the information associated with the standard selected for a designated zone of effect. If the PLUS standard is also selected for this criterion, the information associate with that standard must also be provided. If more than one ZoE is designated for an application, this process should be repeated for other zones.

Table B-2. Information Required to Support Water Quality Standards.

| Criterion | Standard | Instructions |
|------------------|-----------------|--|
| B | 1 | <p><u>Not Applicable / De Minimis Effect:</u></p> <ul style="list-style-type: none">• If facility is located on a Water Quality Limited river reach, provide an agency letter stating that the facility is not a cause of such limitation. <p>WDTO is not located on a Water Quality Limited river reach, rather is a conduit facility on an aqueduct of the New York City drinking water supply transmission system.</p> <ul style="list-style-type: none">• Explain rationale for why facility does not alter water quality characteristics below, around, and above the facility. <p>The WDTO is a conduit facility and does not affect the water quality characteristics below, around, and above the facility. The water that flows from the Cannonsville reservoir, passes through the WDTO, and then discharges to the Rondout reservoir. It is Class AA drinking supply water.</p> |

B.2.3 Upstream Fish Passage Standards

The instructions in Table B-4 identify information needed to meet the Upstream Fish Passage criterion and to satisfy its goal. The applicant should provide only the information associated with the standard selected for a designated zone of effect. If the PLUS standard is also selected for this criterion, the information associated with that standard must also be provided. If more than one ZoE is designated for an application, this process should be repeated for other zones.

In all cases, the applicant shall list all migratory fish species (for example, anadromous, catadromous, and potamodromous species) that occur now or have occurred historically at the Facility.

Table B-3. Information Required to Support Upstream Fish Passage Standards.

| Criterion | Standard | Instructions |
|------------------|-----------------|--|
| C | 1 | <p><u>Not Applicable / De Minimis Effect:</u></p> <ul style="list-style-type: none">• Explain why the facility does not impose a barrier to upstream fish passage in the designated zone. <p>The WDTO is a conduit hydropower facility located on the West Delaware Aqueduct. Brookfield does not own or operate the tunnel between the two reservoirs. NYCDEP indicates that there are racks that prevent debris and such from entering the tunnel on either end. The spacing is a few inches apart. They are not specifically for fish deterrence.</p> |

B.2.4 Downstream Fish Passage and Protection Standards

The instructions in Table B-4 identify information needed to meet the Downstream Fish Passage and Protection criterion and to satisfy its goal. The applicant should provide only the information associated with the standard selected for a designated zone of effect. If the PLUS standard is also selected for this criterion, the information associated with that standard must also be provided. If more than one ZoE is designated for an application, this process should be repeated for other zones.

In all cases, the applicant shall list all fish species (for example, riverine, *anadromous*, *catadromous*, and *potamodromous*) that occur now or have occurred historically in the area affected by the Facility.

Table B-4. Information Required to Support Downstream Fish Passage Standards.

| Criterion | Standard | Instructions |
|------------------|-----------------|--|
| D | 1 | <p><u>Not Applicable / De Minimis Effect:</u></p> <ul style="list-style-type: none">• Explain why the facility does not impose a barrier to downstream fish passage in the designated zone, considering both physical obstruction and increased mortality relative to natural downstream movement (e.g., entrainment into hydropower turbines). <p>The WDTO is a conduit hydropower facility located on the West Delaware Aqueduct. Brookfield does not own or operate the tunnel between the two reservoirs. NYCDEP indicates that there are racks that prevent debris and such from entering the tunnel on either end. The spacing is a few inches apart. They are not specifically for fish deterrence.</p> <p>NYC DEP’s website cites the following fish located in Cannonsville Reservoir: Alewife, Brown Trout, Brook Trout, Chain Pickerel, Common Carp, Golden Shiner, Emerald Shiner, Fallfish, Longnose Sucker, White Sucker, Yellow Bullhead, Brown Bullhead, Margined Madtom, Rock Bass, Pumpkinseed, Smallmouth Bass, Largemouth Bass, Black Crappie, Yellow Perch, and Slimy Sculpin.</p> <p>NYC DEP’s website cites the following fish located in Rondout Reservoir: Brown Trout, Lake Trout, Smallmouth Bass, Chain Pickerel, and panfish.</p> |

B.2.5 Shoreline and Watershed Protection Standards

The instructions in Table B-6 identify information needed to meet the Shoreline and Watershed Protection criterion and to satisfy its goal. The applicant should provide only the information associated with the standard selected for a designated zone of effect. If the PLUS standard is also selected for this criterion, the information associated with that standard must also be provided. If more than one ZoE is designated for an application, this process should be repeated for other zones.

Table B-5. Information Required to Support Shoreline and Watershed Protection Standards.

| <i>Criterion</i> | <i>Standard</i> | <i>Instructions</i> |
|-------------------------|------------------------|--|
| E | 1 | <p><u>Not Applicable / De Minimis Effect:</u></p> <ul style="list-style-type: none">• If there are no lands with significant ecological value associated with the facility, document and justify this (e.g., describe the land use and land cover within the project boundary). <p>The site consists of a powerhouse and a ½ mile long transmission line. The property is fenced with the inside cleared and landscaped. The property is owned and operated by NYC DEP and leased through an easement.</p> |

B.2.6 Threatened and Endangered Species Standards

The instructions in Table B-7 identify information needed to meet the Threatened and Endangered Species criterion and to satisfy its goal. The applicant should provide only the information associated with the standard selected for a designated zone of effect. If the PLUS standard is also selected for this criterion, the information associated with that standard must also be provided. If more than one ZoE is designated for an application, this process should be repeated for other zones.

In all cases, the applicant shall identify all listed species in the facility area based on current data from the appropriate state and federal natural resource management agencies.

Table B-6. Information Required to Support Threatened and Endangered Species Standards.

| Criterion | Standard | Instructions |
|------------------|-----------------|--|
| F | 1 | <p><u>Not Applicable / De Minimis Effect:</u></p> <ul style="list-style-type: none">• Document that there are no listed species in the facility area or affected riverine zones downstream of the facility.• If listed species are known to have existed in the facility area in the past but are not currently present, explain why the facility was not the cause of the extirpation of such species. <p>The WDTO is a conduit hydropower facility located on the West Delaware Aqueduct. The project site is on NYC DEP property and used through an easement. There are no threatened and endangered species within the fenced project site. However, there is a bald eagle nest located approximately 500 feet from the property line, on NYC DEP property. No species are affected by the conduit facility.</p> <p>During review of the Application for Exemption, USFWS submitted a letter dated February 22, 1985 acknowledging the presence of wintering bald eagles in the vicinity of the project. They requested that the transmission lines be designed to minimize the possibility of electrocution. However, the demarcation point for WDTO is at the disconnect in the switchyard. WDTO does not own any transmission poles or lines.</p> |

B.2.7 Cultural and Historic Resources Standards

The instructions in Table B-8 identify information needed to meet the Cultural and Historic Resources criterion and to satisfy its goal. The applicant should provide only the information associated with the standard selected for a designated zone of effect. If the PLUS standard is also selected for this criterion, the information associated with that standard must also be provided. If more than one ZoE is designated for an application, this process should be repeated for other zones.

In all cases, the applicant shall identify all cultural and historic resources that are on facility owned property or that may be affected by facility operations.

Table B-7. Information Required to Support Cultural and Historic Resources Standards.

| Criterion | Standard | Instructions |
|------------------|-----------------|--|
| G | 1 | <p><u>Not Applicable / De Minimis Effect:</u></p> <ul style="list-style-type: none">• Document that there are no cultural or historic resources located on facility lands that can be affected by construction or operations of the facility.• Document that the facility construction and operation have not in the past adversely affected any cultural or historic resources that are present on facility lands. <p>The WDTO is a conduit hydropower facility located on the West Delaware Aqueduct. Brookfield does not own the property. The small project site is located on NYC DEP property and used through an easement. There are no known cultural or historic resources located on the property. Brookfield does not intend to dig on the property. If the need ever arose in the future, we would consult with the property owner who would notify the SHPO.</p> <p>To confirm, Brookfield sent a letter of consultation to the NY State Division for Historic Preservation (SHPO) on December 19, 2018. The NY SHPO responded by letter dated January 28, 2019 indicating that there are no historic properties affected. Correspondence is enclosed.</p> |

B.2.8 Recreational Resources Standards

The instructions in Table B-9 identify information needed to meet the Recreational Resources criterion and to satisfy its goal. The applicant should provide only the information associated with the standard selected for a designated zone of effect. If the PLUS standard is also selected for this criterion, the information associated with that standard must also be provided. If more than one ZoE is designated for an application, this process should be repeated for other zones.

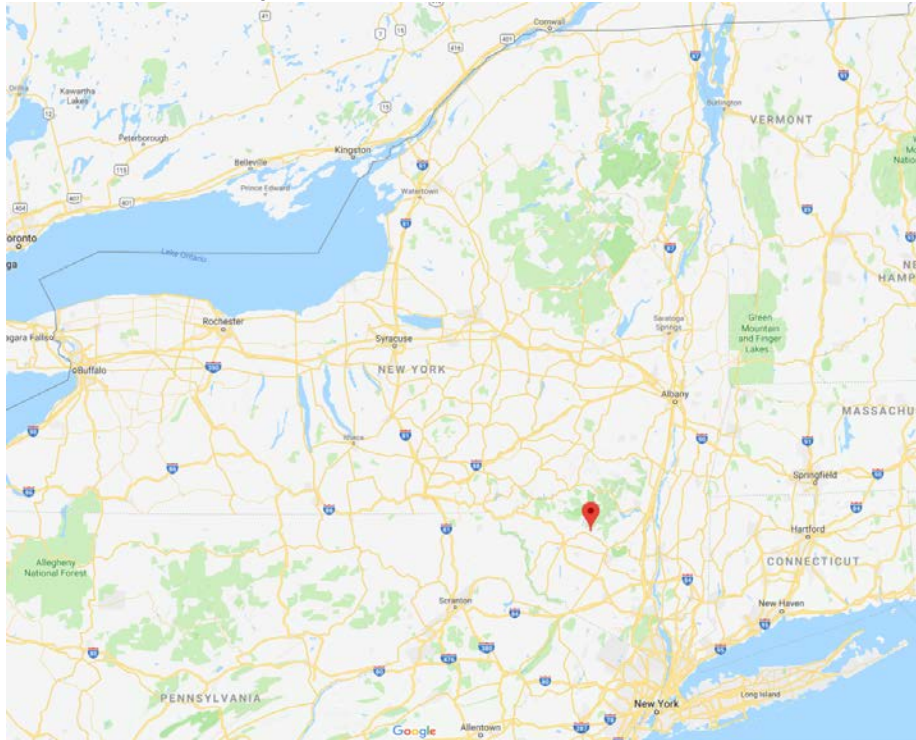
Table B-8. Information Required to Support Recreational Resources Standards.

| <i>Criterion</i> | <i>Standard</i> | <i>Instructions</i> |
|-------------------------|------------------------|---|
| H | 1 | <p><u>Not Applicable / De Minimis Effect:</u></p> <ul style="list-style-type: none">• Document that the facility does not occupy lands or waters to which public access can be granted and that the facility does not otherwise impact recreational opportunities in the facility area. <p>The powerhouse facility is a secure, fenced area, with no opportunities for public access. Recreation on the nearby Rondout Reservoir is very strictly controlled as it is used for drinking water supply.</p> |

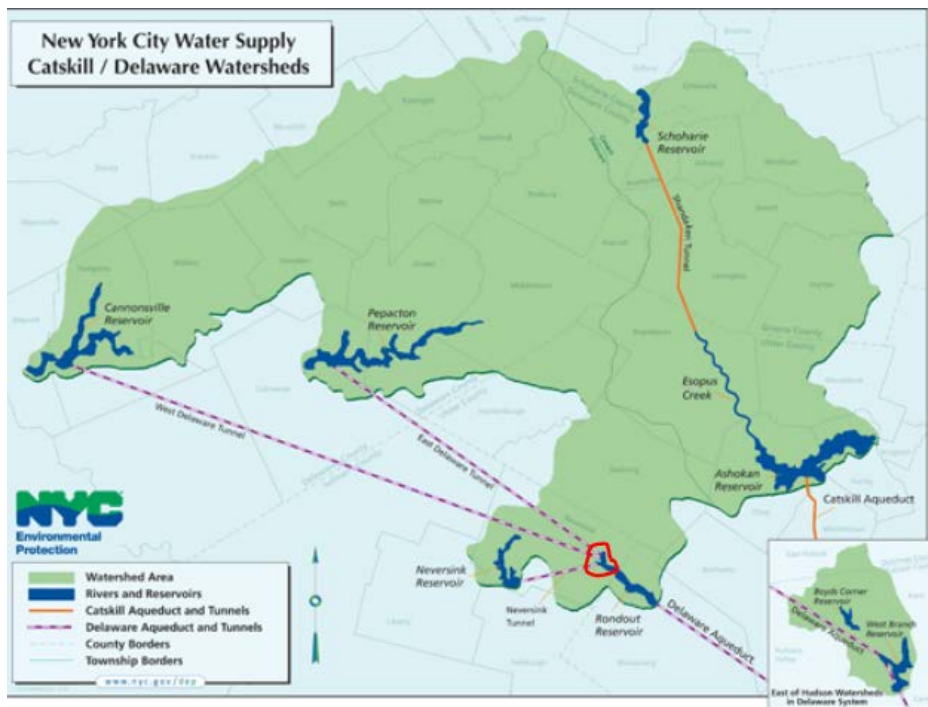
West Delaware Tunnel Outlet Project

Enclosures: Maps, Photos and Correspondence

General Location Map



Map of NYCDEP water supply system with West Delaware Hydro Station circled in red



Aerial photo with hydro station marked in red

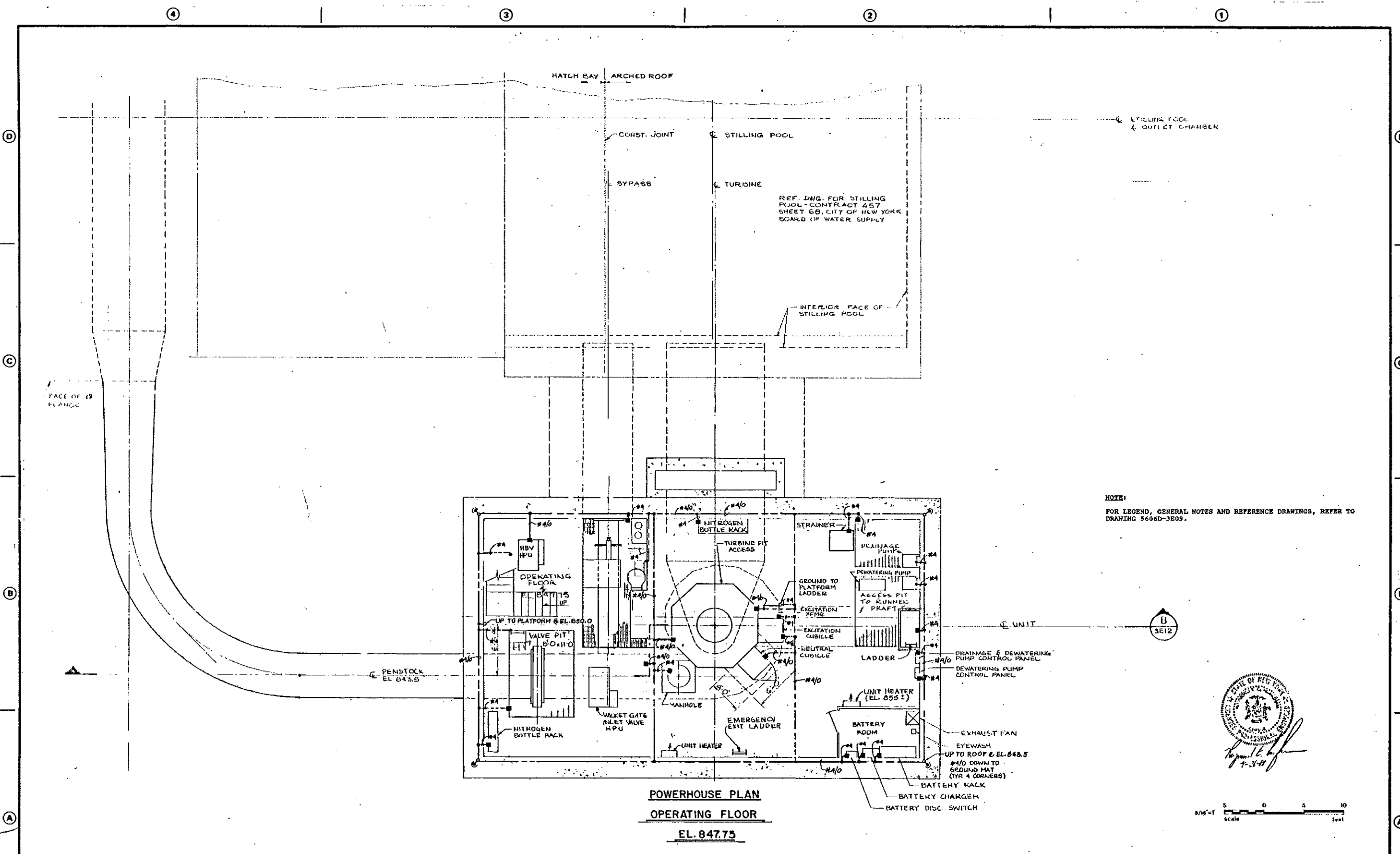


Photo of hydro station on the left



Generator in Powerhouse





NOTE:
FOR LEGEND, GENERAL NOTES AND REFERENCE DRAWINGS, REFER TO
DRAWING 5606D-3E09.

POWERHOUSE PLAN
OPERATING FLOOR
EL. 847.75

| | | | |
|-----------------------------------|---------|-------------------------|------------|
| 2 6/21/88 RECORD DRAWING | | END | JCA |
| 1 4/10/88 GENERAL REVISIONS | | ECY | JCA |
| 0 2/24/88 ISSUED FOR CONSTRUCTION | | ECY | JCA |
| NO. | DATE | REVISIONS | BY |
| 2 | 6/21/88 | RECORD DRAWING | END |
| 1 | 4/10/88 | GENERAL REVISIONS | ECY |
| 0 | 2/24/88 | ISSUED FOR CONSTRUCTION | ECY |
| DESIGNED BY | | DRAWN BY | CHECKED BY |
| DATE FEBRUARY 29, 1988 | | APPROVED | DATE |

MORRISON-KNUDSEN ENGINEERS, INC.
A MORRISON-KNUDSEN COMPANY
50 WASHINGTON STREET, NORWALK, CONNECTICUT 06854

WEST DELAWARE
HYDRO ASSOCIATES

WEST DELAWARE TUNNEL HYDRO PROJECT
POWERHOUSE
GROUNDING
OPERATING FLOOR PLAN

| | |
|---------|------------|
| WKS NO. | 5606D-3E10 |
| SHEET | OF |
| 2 | 2 |



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

January 28, 2019

Mrs. Kathleen Lester
Compliance Manager
Brookfield Renewable
126 Lamberton Lane
Hawley, PA 18428

Re: FERC
West Delaware Tunnel Hydro Station
1324 Route 55A, Town of Neversink, Sullivan County, NY
19PR00495

Dear Mrs. Lester:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, the New York SHPO has determined that no historic properties will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Michael F. Lynch, P.E., AIA
Director, Division for Historic Preservation

37 PERC 162 234

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

UAH-CENCOGEN Group

Project No. 9159-000

ORDER GRANTING EXEMPTION FROM LICENSING
(CONDUIT)
(Issued December 18, 1986)

On May 2, 1985, UAH-CENCOGEN Group filed an application to exempt the West Delaware Tunnel Outlet Project from the licensing requirements set forth in Part I of the Federal Power Act. The proposed small hydropower project is described in the attached public notice. The comments of interested agencies and individuals, including the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and the state fish and wildlife agency, have been fully considered in determining whether to issue this exemption from licensing.

Article 2 of this exemption requires compliance with the terms and conditions prepared by federal or state fish and wildlife agencies to protect fish and wildlife resources. These mandatory terms and conditions are contained in the attached letters commenting on the exemption application. If contested, the Commission will determine whether any mandatory term or condition is outside the scope of article 2.

After considering the mandatory terms and conditions designed to protect fish and wildlife resources, the environmental information in the exemption application, the staff's independent assessment, 1/ and other public comments, the Director finds that issuance of this order is not a major federal action significantly affecting the quality of the human environment.

1/ Environmental Assessment, West Delaware Tunnel Outlet, PERC Project No. 9159-000, Federal Energy Regulatory Commission, April 25, 1986. This document is available in the Commission's public file associated with this proceeding.

DC-A-4

FEDERAL ENERGY REGULATORY COMMISSION
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DEC 29 1986

NEW YORK, N. Y.


-2-

The Director orders:

(A) The West Delaware Tunnel Outlet Project is exempted from the licensing requirements of Part I of the Federal Power Act, subject to the attached standard articles. See section 4.94 of the Commission's regulations.

(B) The Commission reserves the right to assess the exemptee fees pursuant to section 30(e) of the Federal Power Act.

(C) This order is issued under authority delegated to the Director and is final unless appealed to the Commission within 30 days from the date of this order.


Richard T. Hunt
Director, Office of
Hydropower Licensing

ATTACHMENT
E-1 Form

§ 4.94 Standard terms and conditions of exemption

Any exemption granted under §4.93 for a small conduit hydroelectric facility is subject to the following standard terms and conditions:

(a) Article 1. The Commission reserves the right to conduct investigations under sections 4(g), 306, 307, and 311 of the Federal Power Act with respect to any acts, complaints, facts, conditions, practices, or other matters related to the construction, operation, or maintenance of the exempt facility. If any term or condition of the exemption is violated, the Commission may revoke the exemption, issue a suitable order under section 4(g) of the Federal Power Act, or take appropriate action for enforcement, forfeiture, or penalties under Part III of the Federal Power Act.

(b) Article 2. The construction, operation, and maintenance of the exempt project must comply with any terms and conditions that the United States Fish and Wildlife Service and any state fish and wildlife agencies have determined are appropriate to prevent loss of, or damage to, fish or wildlife resources or otherwise to carry out the purposes of the Fish and Wildlife Coordination Act, as specified in Exhibit E of the application for exemption from licensing or in the comments submitted in response to the notice of the exemption application.

(c) Article 3. The Commission may revoke this exemption if actual construction of any proposed generating facilities has not begun within two years or has not been completed within four years from the effective date of this exemption. If an exemption is revoked under this article, the Commission will not accept from the prior exemption holder a subsequent application for exemption from licensing or a notice of exemption from licensing for the same project within two years of the revocation.

(d) Article 4. In order to best develop, conserve, and utilize in the public interest the water resources of the region, the Commission may require that the exempt facilities be modified in structure or operation or may revoke this exemption.

(e) Article 5. The Commission may revoke this exemption if, in the application process, material discrepancies, inaccuracies, or falsehoods were made by or on behalf of the applicant.

(f) Article 6. Before transferring any property interests in the exempt project, the exemption holder must inform the transferee of the terms and conditions of the exemption. Within 30 days of transferring the property interests, the exemption holder must inform the Commission of the identity and address of the transferee.

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Notice of Application Filed with the Commission
(July 24, 1985)

Take notice that the following hydroelectric application has been filed with the Federal Energy Regulatory Commission and is available for public inspection:

- a. Type of Application: Conduit Exemption
- b. Project No: 9159-000
- c. Date Filed: May 2, 1985
- d. Applicant: UAH-CENCOGEN Group
- e. Name of Project: West Delaware Tunnel Outlet
- f. Location: West Delaware Tunnel Outlet in Sullivan County, New York
- g. Filed Pursuant to: Section 30 of the Federal Power Act, [16 U.S.C. §§ 825(a)]
- h. Contact Person: Mr. David Goodman
UAH-CENCOGEN Group
80 Eighth Avenue, Suite 711
New York, NY 10011
- i. Comment Date: SEP 3 1985
- j. Competing Application: Project No. 8821
Date Filed: December 24, 1984
Notice Expired: May 6, 1985
- k. Description of Project: The proposed project would utilize the existing City of New York's West Delaware Tunnel and would consist of the following: (1) a new power station connected to the outlet works of the existing tunnel containing a generating unit with a rated capacity of 7,500-kW at elevation 846 feet msl; (2) a new 0.5-mile-long transmission line tying into the existing Central Hudson Gas and Electric Corporation System; and (3) appurtenant facilities. The Applicant estimates a 19,989,332 kWh average annual energy production.
- l. Purpose of Exemption: An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.
- m. This notice also consists of the following standard paragraphs: A4, B, C, and D3b.

C. Filing and Service of Responsive Documents - Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing is in response. Any of the above named documents must be filed by providing the original and the number of copies required by the Commission's regulations to: Kenneth P. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Mr. Fred E. Springer, Director, Division of Project Management, Federal Energy Regulatory Commission, Room 203-RR, at the above address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

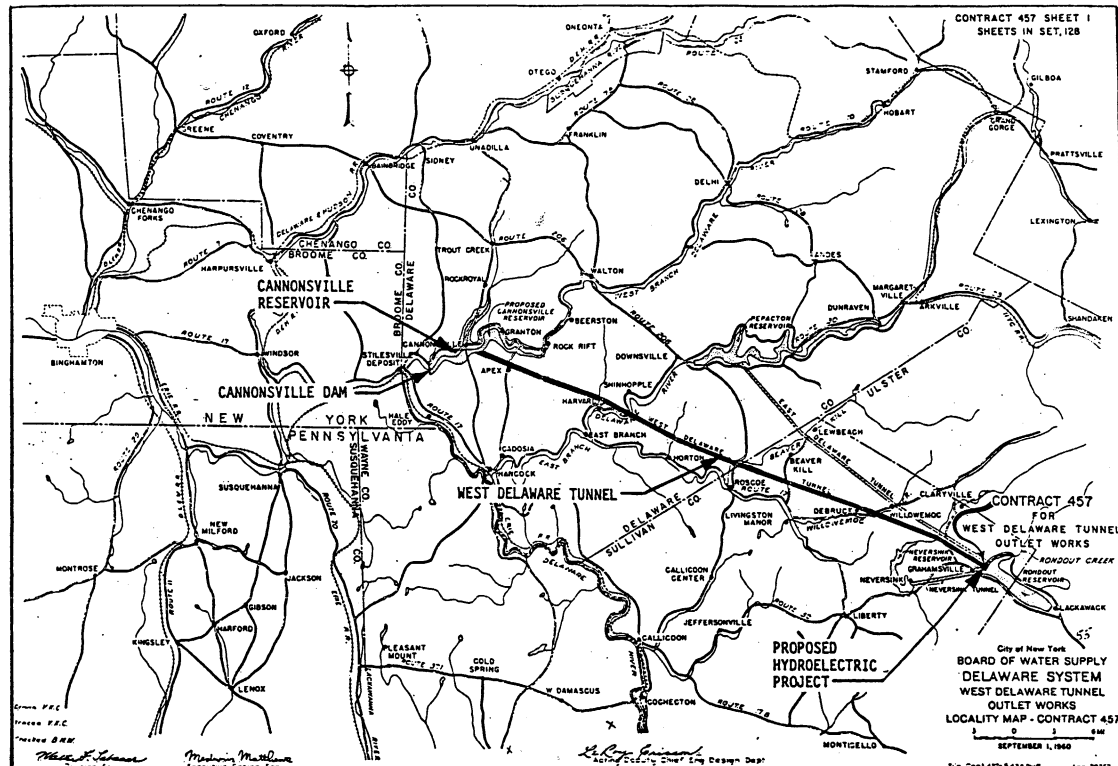
D3b. Agency Comments - The U.S. Fish and Wildlife Service and the State Fish and Game agency(ies) are requested, for the purposes set forth in Section 30 of the Federal Power Act, to file within 45 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 45 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

A4. Development Application -- Public notice of the filing of the initial development application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, any competing development applications or notices of intent to file competing development applications, must be filed in response to and in compliance with the public notice of the initial development application. No competing applications or notices of intent may be filed in response to this notice.

B. Comments, Protests, or Motions to Intervene - Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 C.F.R. §§385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

Kenneth F. Plumb
Secretary

RECEIVED
MAY 1 1984



THIS DRAWING IS EXCERPTED FROM THE
West Delaware Tunnel Outlet Works
Construction Drawings supplied to
the Applicant by the City of New York,
Bureau of Water Supply on May 1, 1984.

This drawing is a part of
the application for exemption
from licensing made by the
undersigned on this day
of May 1984
BY: [Signature]
DAVID GOODRICH, PRESIDENT
MANAGING PARTNER

EXHIBIT B-1
GENERAL LOCATION MAP
WEST DELAWARE TUNNEL OUTLET
HYDROELECTRIC PROJECT
UAH-Cencogen Group

P-9159-000

Sworn Statement and Waiver Form

All applications for LIHI Certification must include the following sworn statement before they can be reviewed by LIHI:

SWORN STATEMENT

As an Authorized Representative of West Delaware Hydropower Associates LP, the Undersigned attests that the material presented in the application is true and complete.

The Undersigned acknowledges that the primary goal of the Low Impact Hydropower Institute's Certification Program is public benefit, and that the LIHI Governing Board and its agents are not responsible for financial or other private consequences of its certification decisions.

The undersigned further acknowledges that if certification of the applying facility is issued, the LIHI Certification Mark License Agreement must be executed prior to marketing the electricity product as LIHI Certified.

The undersigned Applicant further agrees to hold the Low Impact Hydropower Institute, the Governing Board and its agents harmless for any decision rendered on this or other applications, from any consequences of disclosing or publishing any submitted certification application materials to the public, or on any other action pursuant to the Low Impact Hydropower Institute's Certification Program.

PLEASE INSERT ONLY FOR PRE-OPERATIONAL CERTIFICATIONS (See Section 4.5.3):

For applications for pre-operational certification of a "new" facility the applicant must also acknowledge that the Institute may suspend or revoke the certification should the impacts of the project, once operational, fail to comply with the certification criteria.

Company Name: West Delaware Hydropower Associates LP

Authorize Representative Name: Kathleen Lester

Title: Compliance Manager

Authorized Signature: _____

Date: 1/30/2019