

United States Department of the Interior



FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
<http://www.fws.gov/newengland>

REF: Collins-FERC No. 6544

November 4, 2016

Mr. Ian Chow, Asset Manager
Ampersand Energy Partners
390 Bay Street, Suite 1702
Toronto, ON M5H 2Y2

Dear Mr. Chow:

This responds to your requests for information necessary for Ampersand Collins Hydro, LLC (Ampersand) to complete its application for Low Impact Hydropower Institute (LIHI) recertification of the Collins Project (Project), located on the Chicopee River in Hampden County, Massachusetts. The U.S. Fish and Wildlife Service (Service) has reviewed the project file and LIHI's original March 3, 2012 hydropower certification and offers the following comments.

Background

The Project was originally exempted from licensing by the Federal Energy Regulatory Commission (FERC), as FERC Project No. 6544, on February 9, 1984. The Exemption from Licensing was transferred from Collins Hydro Electric Project, LLP (referred to as Swift River) to Ampersand on July 8, 2014. Before the Exemption from Licensing was transferred, the Project was granted LIHI Hydropower Certification for a 5-year period, pending three conditions be completed (Attachment A). Condition 1 was completed when Swift River submitted a Minimum Flow Monitoring Plan on September 26, 2012, and Condition 3 was completed when Swift River submitted a Recreational Needs Assessment Consultation Report on May 7, 2013.

Swift River began to work on satisfying Condition No. 2, which requires providing interim and permanent safe, timely, and effective downstream passage for American eel (*Anguilla rostrata*), via consultation with the Service and the Massachusetts Department of Fish and Wildlife in e-mails dated August 25, 2012 and February 13, 2013 (Attachment B). However, no further progress was made while Swift River owned the Project and no correspondence has been received from Ampersand to continue consultation or implement eel passage.

On August 18, 2016, Ampersand contacted the Service to request a statement regarding Collins LIHI recertification. We informed Ampersand that they did not appear to be in compliance with

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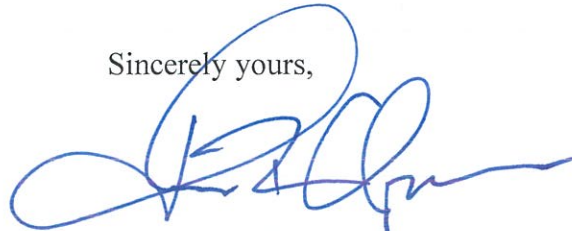
Condition No. 2 of their original 2012 certification. This issue was further discussed via a phone call on September 21, 2016. During that call, Ampersand pointed out that the Service had not raised eel passage concerns during the original certification process. However, our records indicate that we provided comments in support of eel passage and protection measures at Collins on July 13, 2012 (Attachment C).

Conclusions

The Service supports the conditions stipulated in the original LIHI certificate and the efforts made by the previous owner to comply with those conditions. Therefore, we recommend that any LIHI recertification issued for the Collins Project require Ampersand to fulfill the terms of Condition No. 2, from the original certification, including continuing the consultation regarding downstream eel passage initiated by Swift River. We are happy to facilitate this effort and meet to discuss possible passage alternatives.

We appreciate the opportunity to provide information relative to fish and wildlife issues in the LIHI certification process and thank you for your interest in these resources. If you have any questions, please contact Julianne Rosset at 603-227-6436 or Melissa Grader at 413-548-8002, extension 8124.

Sincerely yours,



Thomas R. Chapman
Supervisor
New England Field Office

Attachments