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September 7, 2017

Via E-Mail Only

Low Impact Hydropower Institute
c/o Mr. Michael J. Sale
329 Massachusetts Avenue, Suite 2
Lexington, Massachusetts 02420

Re: Application of Gardners Falls Project for Re-Certification by the Low Impact Hydropower Institute

Dear Mr. Sale:

During the course of the public comment portion of the re-certification process of the Gardners Falls Project (the "Project"), the Low Impact Hydropower Institute ("LIHI") received one comment letter. That letter was from the Connecticut River Conservancy ("CRC"), dated August 10, ~~2016~~2017. Essentially, this letter asserted that the Project is not low impact hydroelectric generation since the Project "has not been operational since the last certification." Then, the CRC recommends that LIHI suspend certification and review or re-certification until the project becomes [re-]operational. Furthermore, the CRC contends that "the facility is not able to balance power generation with impacts to natural resources, historical resources, and recreation on the Deerfield River when it is not even generating power." Finally CRC also asserts that "the facility should not garner renewable energy credits when it is also not generating renewable energy."

While Nautilus can understand the desire by the CRC for an ideal environmental, operational and recreational record to support a diverse community of both resident and migratory fish in the Deerfield River and well-maintained and always open recreational facilities, the observations of the CRC are not accurate and its conclusions are not supported by the facts. Nautilus believes that the Project is low impact within the criteria of LIHI. In response to the CRC's specific arguments:

- 1) Its operations did not contribute to the termination of the Atlantic salmon restoration program within the Massachusetts portion of the Connecticut River watershed. On the requirement that fish passage would be mandated, if a FERC license were issued today, is pure speculation by the CRC with no facts presented to support its argument.

At this time, upstream fish and eel passage at the Project makes no sense unless all downstream dams first cooperate. On the peaking flows on the Deerfield River, the Project plays no part in creating any peaking flows on the Deerfield River.

- 2) On the condition of the road down to Wilcox Hollow, Wilcox Hollow is owned, operated and maintained by the Parks Department of the Commonwealth of Massachusetts. Why the CRC mentions this area in its letter is unclear since even the CRC knows that Wilcox Hollow is Commonwealth property and a Commonwealth responsibility.
- 3) On the condition of and access to the Project's recreational areas on the Buckland side of the Deerfield River, the entire site is temporarily closed due to construction at the powerhouse. The tailrace for Units 1 and 2 is being re-constructed this summer and fall. The signs are meant to keep the general public out of an active construction site as a safety precaution. Once construction is completed, the signs will be removed and the gate opened and placed in a locked-open position.
- 4) On the broken seat to one of the two picnic tables, it will be replaced when the construction to the tailrace is completed. The sign at the entrance is maintained but is regularly vandalized. Nautilus and the prior owners of the Project know no reasonable means to control this situation.
- 5) The CRC recommendation contains many inaccurate or misleading statements. First, the Project is in operation. Second, since 2011 the Project operated, generating renewable electricity, for 45 out of the last 81 months and, most important, the last four months. The Project was shut down for safety reasons for most of the other 36 months while addressing a seepage issue. As the CRC should know, without the generation of electricity, there is no renewable energy or, therefore, are there any renewable energy credits earned by the facility. When not generating, the Project spilled all of its flow over its spillway and/or through its downstream fish passage facility, essentially operating in a run-of-river mode of operation.

Last year's FERC Environmental Inspection Report gave the Project a complete approval on all of its inspection criteria, including fish and wildlife resources, recreation resources, cultural resources, public safety and other environmental resources.¹ During the time of the inspection, the Project was not operating. This report is a stark comparison to the CRC letter that intimates that the Project is operated in complete disregard to environmental policy, its FERC license and the conditions imposed by United States Fish & Wildlife Service, United States National Park Service, Massachusetts Division of Fisheries & Wildlife, Massachusetts Department of Environmental Protection, Massachusetts Historical Commission, among others.

For the aforementioned reasons, Nautilus believes that the reasons cited by the CRC for LIHI to deny its application for re-certification of the Gardners Falls Project are not supported by the facts or the LIHI criteria. Accordingly, these comments should be dismissed and Nautilus reiterates that its LIHI application for re-certification of the Project should be approved.

¹ A copy of this Environmental Inspection Report, dated August 18, 2016, is attached to this e-mail.

If you have any questions or concerns about Nautilus's answer, please do not hesitate to contact me.

Sincerely yours,

William P. Short III

enclosure

cc: Sarah Wright (via e-mail only)
Matthew Willis (via e-mail only)
Kevin Telford (via e-mail only)
Kim Marsili (via e-mail only)
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