

Mr. Fred Ayer, Executive Director
Low Impact Hydropower Institute
34 Providence Street
Portland ME 04103

April 19, 2011

Re: Comments to the Gardners Falls Project (FERC #2334)
LIHI Certification

Dear Mr. Ayer,

The Massachusetts Department of Environmental Protection (the Department) is the state agency responsible for issuing the 401 Water Quality Certificate and offers the following comments in response to the Low Impact Hydropower Institute's request for comment on the North American Energy Alliance, LLC application for certification of the Gardners Falls Project, located on the Deerfield River.

The Department acknowledges the Gardners Falls Project has met FERC license and state Water Quality Certification requirements since they were issued. We believe however, that the Gardners Falls Project does not qualify as a Low Impact Hydroelectric Facility.

According to the MassDEP Deerfield River Watershed 2000 Water Quality Assessment Report (WQAR), in Massachusetts there are eight licensed hydroelectric stations that effectively control the flow of the river. The WQAR *Aquatic Life Use* in segment MA33-03 is assessed as support based on the good survival of test organisms and water quality data. This use, however, is identified with an Alert Status because of concerns regarding hydromodification resulting from the peaking operations of the hydroelectric stations. Since the Gardners Falls Project operates in a peaking mode, we believe the Gardners Falls Project contributes to hydromodification impacts to the Deerfield River.

Thank you for the opportunity to comment on this project. If you have any questions, please call me at 508-767-2854.

Sincerely,



Robert Kubit, P.E.