



34 Providence Street
 Portland, ME 04103
 Tel. (207) 773-8190 • Fax (206) 984-3086
 www.lowimpacthydro.org

LOW IMPACT HYDROPOWER QUESTIONNAIRE

Excerpted from Part VI, Section E of the Low Impact Hydropower Certification Program. This Questionnaire must be completed based upon the Line-By-Line instructions available in Chapter VI, Section D of the program, available on-line in Word format at <http://www.lowimpacthydro.org>. PLEASE SUBMIT THIS QUESTIONNAIRE IN WORD FORMAT.

E. LOW IMPACT HYDROPOWER QUESTIONNAIRE

| Background Information | |
|--|---|
| 1) Name of the Facility as used in the FERC license/exemption. | Passumpsic River Projects: <ul style="list-style-type: none"> • Pierce Mills (P-2396) • Arnold Falls (P-2399) • Gage (P-2397) • Passumpsic (P-2400) |
| 2) Applicant's name, contact information and relationship to the Facility. If the Applicant is not the Facility owner/operator, also provide the name and contact information for the Facility owner and operator. | Central Vermont Public Service Corporation 77 Grove Street Rutland, VT 05701 Attn: Michael Scarzello, P.E. |

| <p>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 Facility's location relative to other dams on the river upstream and downstream of the Facility, and (e) the exact longitude and latitude of the Facility dam.</p> | <p>Passumpic River facilities are located on the Passumpic River (a tributary of the Connecticut River) in and near St. Johnsbury Vermont. Additional facility information is provided in Attachment C.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|----------------------|------------------------------|----------------------|--------------|--------------|-------------------|--------------|---------|-------------------|---------|------|-------------------|-----------|------|-------------------|--|---------|----------|--------------|--------|--------------|--------|------|--------|-----------|--------|--|
| <p>4) Installed capacity.</p> | <table border="1"> <thead> <tr> <th>Project</th> <th>River Mile</th> <th>Lat/Long</th> </tr> </thead> <tbody> <tr> <td>Pierce Mills</td> <td>15.2</td> <td>44.4861, -72.0081</td> </tr> <tr> <td>Arnold Falls</td> <td>9.7</td> <td>44.4245, -72.0136</td> </tr> <tr> <td>Gage</td> <td>7.2</td> <td>44.3979, -72.0235</td> </tr> <tr> <td>Passumpic</td> <td>5.5</td> <td>44.3748, -72.0261</td> </tr> </tbody> </table> | Project | River Mile | Lat/Long | Pierce Mills | 15.2 | 44.4861, -72.0081 | Arnold Falls | 9.7 | 44.4245, -72.0136 | Gage | 7.2 | 44.3979, -72.0235 | Passumpic | 5.5 | 44.3748, -72.0261 | <table border="1"> <thead> <tr> <th>Project</th> <th>Capacity</th> </tr> </thead> <tbody> <tr> <td>Pierce Mills</td> <td>250 kW</td> </tr> <tr> <td>Arnold Falls</td> <td>350 kW</td> </tr> <tr> <td>Gage</td> <td>700 kW</td> </tr> <tr> <td>Passumpic</td> <td>700 kW</td> </tr> </tbody> </table> | Project | Capacity | Pierce Mills | 250 kW | Arnold Falls | 350 kW | Gage | 700 kW | Passumpic | 700 kW | |
| Project | River Mile | Lat/Long | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pierce Mills | 15.2 | 44.4861, -72.0081 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Arnold Falls | 9.7 | 44.4245, -72.0136 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gage | 7.2 | 44.3979, -72.0235 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Passumpic | 5.5 | 44.3748, -72.0261 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Project | Capacity | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pierce Mills | 250 kW | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Arnold Falls | 350 kW | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gage | 700 kW | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Passumpic | 700 kW | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>5) Average annual generation.</p> | <table border="1"> <thead> <tr> <th>Project</th> <th>Average Annual Generation</th> </tr> </thead> <tbody> <tr> <td>Pierce Mills</td> <td>1.3 GWH</td> </tr> <tr> <td>Arnold Falls</td> <td>1.3 GWH</td> </tr> <tr> <td>Gage</td> <td>3.0 GWH</td> </tr> <tr> <td>Passumpic</td> <td>2.3 GWH</td> </tr> </tbody> </table> | Project | Average Annual Generation | Pierce Mills | 1.3 GWH | Arnold Falls | 1.3 GWH | Gage | 3.0 GWH | Passumpic | 2.3 GWH | | | | | | | | | | | | | | | | | |
| Project | Average Annual Generation | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pierce Mills | 1.3 GWH | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Arnold Falls | 1.3 GWH | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gage | 3.0 GWH | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Passumpic | 2.3 GWH | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>6) Regulatory status.</p> | <p>All Facility FERC licenses were issued on December 8, 1994 for a term of 40 years. See Attachment A.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>7) Reservoir volume and surface area measured at the normal maximum operating level.</p> | <table border="1"> <thead> <tr> <th>Project</th> <th>Reservoir Volume (acre-feet)</th> <th>Surface Area (acres)</th> </tr> </thead> <tbody> <tr> <td>Pierce Mills</td> <td>24.7</td> <td>24.7</td> </tr> <tr> <td>Arnold Falls</td> <td>10.8</td> <td>7.2</td> </tr> <tr> <td>Gage</td> <td>13.8</td> <td>15.2</td> </tr> <tr> <td>Passumpic</td> <td>18.4</td> <td>18.3</td> </tr> </tbody> </table> | Project | Reservoir Volume (acre-feet) | Surface Area (acres) | Pierce Mills | 24.7 | 24.7 | Arnold Falls | 10.8 | 7.2 | Gage | 13.8 | 15.2 | Passumpic | 18.4 | 18.3 | | | | | | | | | | | | |
| Project | Reservoir Volume (acre-feet) | Surface Area (acres) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pierce Mills | 24.7 | 24.7 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Arnold Falls | 10.8 | 7.2 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gage | 13.8 | 15.2 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Passumpic | 18.4 | 18.3 | | | | | | | | | | | | | | | | | | | | | | | | | | |

| 8) Area occupied by non-reservoir facilities (<i>e.g.</i> , dam, penstocks, powerhouse). | <table border="1"> <thead> <tr> <th data-bbox="1215 246 1415 272">Project</th> <th data-bbox="1423 246 1696 272">Plant Area</th> </tr> </thead> <tbody> <tr> <td data-bbox="1215 279 1415 334">Pierce Mills</td> <td data-bbox="1423 279 1696 334">4754 sq. ft. and 54,722 sq. ft. for recreation</td> </tr> <tr> <td data-bbox="1215 341 1415 367">Arnold Falls</td> <td data-bbox="1423 341 1696 367">4063 sq. ft.</td> </tr> <tr> <td data-bbox="1215 373 1415 457">Gage</td> <td data-bbox="1423 373 1696 457">11,477 sq. ft. and 24,000 sq. ft. for recreation</td> </tr> <tr> <td data-bbox="1215 464 1415 490">Passumpsic</td> <td data-bbox="1423 464 1696 490">7585 sq. ft.</td> </tr> </tbody> </table> | Project | Plant Area | Pierce Mills | 4754 sq. ft. and 54,722 sq. ft. for recreation | Arnold Falls | 4063 sq. ft. | Gage | 11,477 sq. ft. and 24,000 sq. ft. for recreation | Passumpsic | 7585 sq. ft. |
|---|--|---------|--------------------------------|--------------|--|--------------|--------------|------|--|------------|--------------|
| Project | Plant Area | | | | | | | | | | |
| Pierce Mills | 4754 sq. ft. and 54,722 sq. ft. for recreation | | | | | | | | | | |
| Arnold Falls | 4063 sq. ft. | | | | | | | | | | |
| Gage | 11,477 sq. ft. and 24,000 sq. ft. for recreation | | | | | | | | | | |
| Passumpsic | 7585 sq. ft. | | | | | | | | | | |
| 9) Number of acres inundated by the Facility. | <table border="1"> <thead> <tr> <th data-bbox="1215 505 1415 531">Project</th> <th data-bbox="1423 505 1696 531">Acres Inundated</th> </tr> </thead> <tbody> <tr> <td data-bbox="1215 537 1415 563">Pierce Mills</td> <td data-bbox="1423 537 1696 563">n/a</td> </tr> <tr> <td data-bbox="1215 570 1415 596">Arnold Falls</td> <td data-bbox="1423 570 1696 596">n/a</td> </tr> <tr> <td data-bbox="1215 602 1415 628">Gage</td> <td data-bbox="1423 602 1696 628">n/a</td> </tr> <tr> <td data-bbox="1215 634 1415 660">Passumpsic</td> <td data-bbox="1423 634 1696 660">n/a</td> </tr> </tbody> </table> <p data-bbox="1234 662 1801 688" style="text-align: center;">DATA IS REQUESTED, BUT NOT REQUIRED</p> | Project | Acres Inundated | Pierce Mills | n/a | Arnold Falls | n/a | Gage | n/a | Passumpsic | n/a |
| Project | Acres Inundated | | | | | | | | | | |
| Pierce Mills | n/a | | | | | | | | | | |
| Arnold Falls | n/a | | | | | | | | | | |
| Gage | n/a | | | | | | | | | | |
| Passumpsic | n/a | | | | | | | | | | |
| 10) Number of acres contained in a 200-foot zone extending around entire reservoir. | <table border="1"> <thead> <tr> <th data-bbox="1215 735 1415 790">Project</th> <th data-bbox="1423 735 1696 790">Acres within 200' of Reservoir</th> </tr> </thead> <tbody> <tr> <td data-bbox="1215 797 1415 823">Pierce Mills</td> <td data-bbox="1423 797 1696 823">n/a</td> </tr> <tr> <td data-bbox="1215 829 1415 855">Arnold Falls</td> <td data-bbox="1423 829 1696 855">n/a</td> </tr> <tr> <td data-bbox="1215 862 1415 888">Gage</td> <td data-bbox="1423 862 1696 888">n/a</td> </tr> <tr> <td data-bbox="1215 894 1415 920">Passumpsic</td> <td data-bbox="1423 894 1696 920">n/a</td> </tr> </tbody> </table> | Project | Acres within 200' of Reservoir | Pierce Mills | n/a | Arnold Falls | n/a | Gage | n/a | Passumpsic | n/a |
| Project | Acres within 200' of Reservoir | | | | | | | | | | |
| Pierce Mills | n/a | | | | | | | | | | |
| Arnold Falls | n/a | | | | | | | | | | |
| Gage | n/a | | | | | | | | | | |
| Passumpsic | n/a | | | | | | | | | | |
| 11) Contacts for Resource Agencies and non-governmental organizations | See Attachment B. | | | | | | | | | | |
| 12) Description of the Facility, its mode of operation (<i>i.e.</i> , peaking/run of river) and photographs, maps and diagrams. | <p data-bbox="1215 1053 1738 1079">All Projects are operated as run-of-river facilities.</p> <p data-bbox="1215 1112 1787 1170">Summary of facilities, photos, and maps/diagrams are included in Attachment C.</p> | | | | | | | | | | |
| <p data-bbox="170 1183 590 1209">Questions for “New” Facilities Only:</p> <p data-bbox="218 1242 1171 1326">If the Facility you are applying for is “new” (<i>i.e.</i>, 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</p> | N/A | | | | | | | | | | |

| | |
|--|------|
| 13) When was the dam associated with the Facility completed? | |
| 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. | |
| 15) Did the added or increased power generation capacity require or include any new dam or other diversion structure? | |
| 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)? | |
| 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. | |
| 18 (a) If the added or increased generation is not yet operational, has the increased or added generation received regulatory authorization (e.g., approval 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 |

| | | |
|--|---|------------------|
| <p>1) Is the Facility in <i>Compliance with Resource Agency Recommendations</i> 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?</p> | <p>YES – A variety of flow and reservoir conditions were included in the Licenses and Water Quality Certifications for these facilities. See Attachment D.</p> <p>YES = Pass, Go to B N/A = Go to A2</p> | <p>NO = Fail</p> |
| <p>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 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?</p> | <p>YES = Pass, go to B NO = Go to A3</p> | |
| <p>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?</p> | <p>YES = Pass, go to B</p> | <p>NO = Fail</p> |
| <p>B. Water Quality</p> | <p>PASS</p> | <p>FAIL</p> |
| <p>1) Is the Facility either:</p> <p>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</p> <p>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?</p> | <p>a) YES – The Projects are in compliance with all conditions of the Clean Water Act Section 401 water quality certifications (included in Attachment A). See Attachment D.</p> <p>YES = Go to B2</p> | <p>NO = Fail</p> |
| <p>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?</p> | <p>YES - See Attachment D.</p> <p>NO = Pass</p> | |

| | | |
|--|---|-----------------------------------|
| <p>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?</p> | <p>YES – See Attachment D. YES = Pass</p> | <p>NO = Fail</p> |
| | | |
| <p>C. Fish Passage and Protection</p> | <p>PASS</p> | <p>FAIL</p> |
| <p>1) Is the Facility in Compliance with <i>Mandatory Fish Passage Prescriptions</i> for upstream and downstream passage of anadromous and catadromous fish issued by Resource Agencies after December 31, 1986?</p> | <p>YES – The Projects are in compliance with applicable anadromous fish passage requirements. See Attachment D. YES = Go to C5 N/A = Go to C2</p> | <p>NO = Fail</p> |
| <p>2) 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 (<i>e.g.</i>, because passage is blocked at a downstream dam or the fish no longer have a migratory run)?</p> <p>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?</p> <p>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?</p> | <p>YES = Go to C2a NO = Go to C3</p> <p>YES = Go to C2b N/A = Go to C2b</p> <p>YES = Go to C5 N/A = Go to C3</p> | <p>NO = Fail</p> <p>NO = Fail</p> |

| | | |
|---|---|-------------------|
| <p>3) If, since December 31, 1986:</p> <p>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 C2a above), and</p> <p>b) The Resource Agencies declined to issue a Mandatory Fish Passage Prescription,</p> <p>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?</p> | <p>NO = Go to C5 N/A = Go to C4</p> | <p>YES = Fail</p> |
| <p>4) If C3 was not applicable:</p> <p>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</p> <p>b) If the Facility is unable to meet the fish passage standards in 4.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?</p> | <p>YES = Go to C5</p> | <p>NO = Fail</p> |

| | | |
|---|--|-----------------------------|
| <p>5) Is the Facility in Compliance with Mandatory Fish Passage Prescriptions for upstream and/or downstream passage of <i>Riverine</i> fish?</p> | <p>N/A - There is no federal mandatory prescription for the passage of riverine fish within any of the Projects, however License Articles for each Project reserve future FERC authority to order such fishways as prescribed by the US Department of Interior.</p> <p>YES = Go to C6 N/A = Go to C6</p> | <p>NO = Fail</p> |
| <p>6) Is the Facility in Compliance with Resource Agency Recommendations for Riverine, anadromous and catadromous fish entrainment protection, such as tailrace barriers?</p> | <p>YES – As part of downstream passage requirements, trashracks with 1-inch clear spacing and forebay guidance systems were installed at the Projects to protect Atlantic salmon smolts from entrainment</p> <p>Pierce Mills, Arnold Falls and Gage have 1-inch racks that are permanent. Passumpsic has 1-inch racks that are lowered for fish passage season (April 1 – June 15, and September 15 – November 15) and pulled back up in other times.</p> <p>YES = Pass, go to D N/A = Pass, go to D</p> | <p>NO = Fail</p> |
| <p>D. Watershed Protection</p> | <p>PASS</p> | <p>FAIL</p> |
| <p>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 normal maximum reservoir level of the reservoir for at least 50% of the shoreline, including all of the undeveloped shoreline?</p> | <p>YES = Pass, go to E and receive 3 extra years of certification</p> | <p>NO = go to D2</p> |

| 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 = Pass, go to E and receive 3 extra years of certification | NO = go to D3 | | | | | | | | | | |
|--|--|----------------------|---------------------------------|--------------|----|--------------|----|------|-----|------------|----|--|
| 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 = Pass, go to E | NO = go to D4 | | | | | | | | | | |
| 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? | N/A YES = Pass, go to E N/A = Pass go to E | 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? | <table border="1" data-bbox="1115 743 1562 933"> <thead> <tr> <th data-bbox="1115 743 1325 805">Project</th> <th data-bbox="1325 743 1562 805">T&E Species Present?</th> </tr> </thead> <tbody> <tr> <td data-bbox="1115 805 1325 834">Pierce Mills</td> <td data-bbox="1325 805 1562 834">No</td> </tr> <tr> <td data-bbox="1115 834 1325 863">Arnold Falls</td> <td data-bbox="1325 834 1562 863">No</td> </tr> <tr> <td data-bbox="1115 863 1325 893">Gage</td> <td data-bbox="1325 863 1562 893">Yes</td> </tr> <tr> <td data-bbox="1115 893 1325 933">Passumpsic</td> <td data-bbox="1325 893 1562 933">No</td> </tr> </tbody> </table> <p data-bbox="1115 967 1388 997">YES - See Attachment D.</p> <p data-bbox="1115 1029 1304 1058">YES = Go to E2</p> <p data-bbox="1115 1058 1318 1088">NO = Pass, go to F</p> | Project | T&E Species Present? | Pierce Mills | No | Arnold Falls | No | Gage | Yes | Passumpsic | No | |
| Project | T&E Species Present? | | | | | | | | | | | |
| Pierce Mills | No | | | | | | | | | | | |
| Arnold Falls | No | | | | | | | | | | | |
| Gage | Yes | | | | | | | | | | | |
| Passumpsic | No | | | | | | | | | | | |
| 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 - See Attachment D. YES = Go to E3 N/A = Go to E3 | NO = Fail | | | | | | | | | | |

| | | |
|---|--|------------------|
| <p>3) If the Facility has received authorization to incidentally <i>Take</i> 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 and not by the federal government, obtaining authorization pursuant to similar state procedures; is the Facility in Compliance with conditions pursuant to that authorization?</p> | <p>N/A</p> <p>YES = Go to E4 N/A = Go to E5</p> | <p>NO = Fail</p> |
| <p>4) If a biological opinion applicable to the Facility for the threatened or endangered species has been issued, can the Applicant demonstrate that:</p> <p>a) The biological opinion was accompanied by a FERC license or exemption or a habitat conservation plan? Or</p> <p>b) The biological opinion was issued pursuant to or consistent with a recovery plan for the endangered or threatened species? Or</p> <p>c) There is no recovery plan for the threatened or endangered species under active development by the relevant Resource Agency? Or</p> <p>d) The recovery plan under active development will have no material effect on the Facility's operations?</p> | <p>YES = Pass, go to F</p> | <p>NO = Fail</p> |
| <p>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?</p> | <p>YES – See Attachment D, Section E.1</p> <p>YES = Pass, go to F</p> | <p>NO = Fail</p> |
| | | |
| <p>F. Cultural Resource Protection</p> | <p>PASS</p> | <p>FAIL</p> |
| <p>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?</p> | <p>YES - See Attachment D.</p> <p>YES = Pass, go to G N/A = Go to F2</p> | <p>NO = Fail</p> |

| 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 <i>Native American Tribe</i> , 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 | 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 - See Attachment D. YES = Go to G3 N/A = Go to G2 | NO = Fail | | | | | | | | | | |
| 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 | NO = Fail | | | | | | | | | | |
| 3) Does the Facility allow access to the reservoir and downstream reaches without fees or charges? | YES – All Projects allow free public access to appropriate areas, in accordance with Project public safety provisions. YES = Pass, go to H | NO = Fail | | | | | | | | | | |
| H. Facilities Recommended for Removal | PASS | FAIL | | | | | | | | | | |
| 1) Is there a Resource Agency Recommendation for removal of the dam associated with the Facility? | <table border="1" data-bbox="1115 1076 1562 1268"> <thead> <tr> <th data-bbox="1115 1076 1329 1141">Project</th> <th data-bbox="1329 1076 1562 1141">Recommended for Removal?</th> </tr> </thead> <tbody> <tr> <td data-bbox="1115 1141 1329 1170">Pierce Mills</td> <td data-bbox="1329 1141 1562 1170">No</td> </tr> <tr> <td data-bbox="1115 1170 1329 1200">Arnold Falls</td> <td data-bbox="1329 1170 1562 1200">No</td> </tr> <tr> <td data-bbox="1115 1200 1329 1229">Gage</td> <td data-bbox="1329 1200 1562 1229">No</td> </tr> <tr> <td data-bbox="1115 1229 1329 1268">Passumpsic</td> <td data-bbox="1329 1229 1562 1268">No</td> </tr> </tbody> </table> NO = Pass, Facility is Low Impact | Project | Recommended for Removal? | Pierce Mills | No | Arnold Falls | No | Gage | No | Passumpsic | No | YES = Fail |
| Project | Recommended for Removal? | | | | | | | | | | | |
| Pierce Mills | No | | | | | | | | | | | |
| Arnold Falls | No | | | | | | | | | | | |
| Gage | No | | | | | | | | | | | |
| Passumpsic | No | | | | | | | | | | | |

