APPENDIX E-3 REQUEST TO NEW HAMPSHIRE FISH AND GAME FOR CONFIRMATION OF PROJECT'S IMPACT ON LISTED SPECIES

Subject: Fwd: Briar Hydro Rolf Canal NHB review: NHB12-1172

From: Stephen Hickey <sjh@essexhydro.com>

Date: 5/31/2012 2:32 PM

To: Kim.Tuttle@wildlife.nh.gov

Dear Ms. Tuttle,

Briar Hydro Associates is in the process of submitting its FERC licensed Rolf Canal hydroelectric project to the Low Impact Hydropower Institute ("LIHI") (http://www.lowimpacthydro.org/) for certification as a low impact facility. As part of its application, Briar Hydro is required to provide LIHI with a list of any threatened or endangered species which are found to reside within the project boundary. As such, a request for a list of all such species was submitted to the NH Natural Heritage Bureau. Their response is attached for your review. The long-leaved pondweed was found in historical records only. The wood turtle was determined to reside within the project boundary. Has 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. If it is, can you comment on the Facilities Compliance with all recommendations in the plan relevant to the Facility? Rolfe Canal is a run of river hydroelectric plant and does not cause any appreciable change to the streamflow of the Contoocook. For the purposes of its application to LIHI, can you confirm that the Facility and Facility operations do not negatively affect listed species?

Thank you and please contact me with any questions.

Stephen Hickey Briar Hydro Associates c/o Essex Hydro Associates, L.L.C. 55 Union Street, 4th Floor Boston, MA 02108 tel: 617-367-0032

fax: 617-367-0032

----- Original Message -----

Subject:NHB review: NHB12-1172 Resent-From:<sjhickey@suffolk.edu>

Date:Wed, 23 May 2012 19:45:44 +0000

From:Melissa L. Coppola Melissa L. Coppola Melissa L. Coppola Melissa Coppola@dred.state.nh.us

To:Stephen J. Hickey <sihickey@suffolk.edu>

Attached, please find the review we have completed. If your review memo includes potential impacts to plants or natural communities please contact me for further information. If your project had potential impacts to wildlife, please contact NH Fish and Game at the phone number listed on the review.

Best.

Fwd: Briar Hydro Rolf Canal NHB review: NHB12-1172

NHB12-1172_Hickey.pdf

| Melissa |
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| - Attachments: |

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