November 8, 2010

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

Subject: Final Application Reviewer Report for the School Street Project

Dear Fred:

Attached please find my final reviewer's report on the application by Erie Boulevard Hydro, L.P. for certification of the School Street Hydroelectric Project by the Low Impact Hydropower Institute (LIHI). Please contact me with any questions or concerns.

Sincerely,

Jackie Dingfelder

Attachment: as described.

Review of Low Impact Hydropower Institute Application for Low Impact Hydropower Certification: School Street Hydroelectric Project

Introduction and Overview

This report reviews the application submitted by Erie Boulevard Hydro, L.P. (applicant) to the Low Impact Hydropower Institute (LIHI) for Low Impact Hydropower Certification for the School Street Hydroelectric Project (project or facility) located on the Mohawk River in the City of Cohoes and the Towns of Colonie and Waterford; Albany and Saratoga Counties, New York. The Federal Energy Regulatory Commission (FERC) relicensed the project (FERC 2539) in 2007 for the operation and maintenance of the 38.8 megawatt run-of-river project.[1]

Project and site characteristics. The School Street Project dam, located along the Mohawk River in Cohoes, New York, was constructed in 1831. Electric power generation commenced in 1916, and additional generating units were added in 1922 and 1925. The 16-foot-high dam, located about 4,000 feet above Cohoes Falls, impounds a 100 acre reservoir. Water is diverted at the dam to a power canal, through which it is conveyed to a powerhouse just below Cohoes Falls, and then is returned to the Mohawk River.

The School Street Project includes a 1,280-foot-long, 16-foot-high masonry gravity overflow-type dam that impounds a 100-acre reservoir with a normal maximum water surface elevation of 156.1 feet U.S. Geological Survey (USGS) datum, and an adjacent 375-foot-long, 18-foot-high ice fender. The 206-foot-long upper gatehouse, with nine timber slide gates and three steel Taintor gates, controls flows to a 4,400-foot- long, 150-foot-wide power canal located along the west bank of the river, conveying water to a 152-foot-long lower gatehouse with five steel headgates equipped with 3.1- inch clear bar spaced trashracks, leading to five 190-foot-long penstocks, four 11-foot- diameter, and one 13-foot-diameter, which in turn lead to a powerhouse containing five generating units with a total installed capacity of 38,800 kilowatts (kW). Project power is transmitted to the regional grid by six 350-foot-long transmission lines. The power canal, penstocks, and powerhouse bypass a reach of the Mohawk River that is over 4,500 feet long and includes Cohoes Falls, a 65-foot natural waterfall (see photo below).

The FERC issued an original license for the project to Niagara Mohawk on June 11, 1969, with a term expiring on December 31, 1993. The licensing process for the School Street plant has spanned many years. Niagara Mohawk, one of the previous owners of the plant, originally applied for a new license back in 1991. On March 9, 2005, Erie Boulevard Hydropower, L.P. (Erie Boulevard), Niagra Mohawk's successor, filed a comprehensive Offer of Settlement with FERC. The Settlement includes Provisions for project operation, increased power generation, compliance monitoring, fish passage facilities, aesthetic flows over Cohoes Falls, and recreation and Cultural resource measures. The Settlement was signed Erie Boulevard, USFWS, the

[1] In August, 2009, the U.S. Court of Appeals for the Second Circuit vacated the issuance of this license based on a procedural challenge by a competitive developer, Green Island Power Authority ("GIPA") to the manner that FERC processed the license. FERC reinstated the license on April 15, 2010, and the reinstated license is currently being challenged by Green Island. The license is currently in full force and effect.

National Park Service, NYDEC, NY Power Authority, NY Rivers, NY State Conservation Council, and Rensselaer County Conservation Alliance.

Green Island Power Authority ("GIPA"), which operates a seven-megawatt hydro plant in the Village of Green Island, New York, has been trying for years to build a 100-megawatt hydro plant on the Mohawk River, downstream of Brookfield's School Street facility but just above the historic falls. Those plans were dealt a serious blow two years ago when FERC relicensed the School Street Project for 40 years in 2007. As noted in footnote 1, above, GIPA successfully challenged on procedural grounds the issuance of the 2007 FERC license; it has subsequently been reinstated by FERC, and is again being appealed.

For purposes of reviewing Brookfield's request for certification to LIHI and in regard to this legal dispute between Brookfield and GIPA over the ultimate fate of the School Street FERC license and the dam itself versus GIPA's proposal, this reviewer is taking the position that (1) the review should focus solely on whether the School Street facility, as it is currently operating and licensed, meets or does not meet LIHI's certification criteria and not on an investigation of whether one project might better meet the criteria; and (2) whether Brookfield has obligated itself to meet the operating, construction and testing requirements on which the certification it seeks would be based.

Public comment and agency letters. LIHI received several public comments which are listed on the LIHI website. Comments from GIPA were related to the competing FERC license and concerns about fish passage effectives and river flows.

The City of Cohoes and Mr. Walter Lipka submitted letters in support of the Project certification. They both had positive feedback for the new park and pedestrian facilities constructed by

Brookfield. Finally, the Friends of Falls submitted a comment letter regarding protection of fish and aquatic life and cultural resource protection. In particular, the Friends expressed concern about the long term implications for the fate of historic resources within the district in the School St. facility's site area and consequently the integrity and character of the Harmony Mills National Historic Landmark District. They stated:

> *It seems to us that only those projects for which there is no such uncertainty because the Project owner aggressively promotes and advances historic preservation considerations as well as observing other high environmental standards, should be entitled to a certificate from your organization. The School Street Project does not appear to meet this standard.*

General conclusions.
Based on my review, the project design and operations has resulted in a facility that is consistent with LIHI criteria. The licensee has consulted extensively with agencies and other stakeholders as part of license applications and amendments. The resource agency staff contacted by the Application Reviewer generally agreed that the project meets FERC requirements; however, the question of the effectiveness of safely passing fish downstream of the facility is still a significant issue, as the facility has just installed this passage pursuant to its new license. The fishery agencies have yet to determine whether the downstream fish passage structures are passing fish safely. One agency staff person commented that about 90% of the fish are still going through the turbine. He stated that he couldn't confirm if the passage was effective until the analysis had been completed and results reviewed which is expected to occur next year in early 2011.

Recommendation. Based on my review of information submitted by the applicant, my review of additional documentation, and my consultations with resource agency staff, I believe the School Street Hydroelectric Project MEETS all of the criteria to be certified and I recommend certification for 5 years. However, because LIHI has no record of whether the facility is safely passing fish downstream as required by its settlement agreement and FERC license, and because the results of testing that will make this determination is due early 2011, I also recommend that Brookfield be required to: (1) submit to LIHI the results of the effectiveness testing required under the license and settlement agreement at the same time as such information is being submitted to resource agencies, (2) that any submittal include a statement from Brookfield that discusses how the effectiveness testing results demonstrate that downstream migrating fish are being safely passed, and (3) any comments prepared by resource agencies on their review of this effectiveness testing. I further recommend that LIHI retain the right to suspend the certification or take other appropriate action should this testing and analysis thereof demonstrate that safe downstream passage is not occurring.

Low Impact Certification Criteria

A. Flows

1) Is the Facility in *Compliance* with *Resource Agency Recommendations* 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?

YES. The School Street Project is in compliance with resource agency conditions issued after December 31, 1986 regarding flow conditions. These conditions are listed under FERC LA15, Settlement Agreement Section 3.1, the project is to be operated in a run-of-river mode and limit impoundment fluctuation to 0.5-foot below the permanent dam crest elevation of 156.1 feet USGS datum; however, only draw downs below 1.0 foot for 30 minutes or longer are to be reported to the Commission. The NYDEC and USFWS are to be notified whenever the 0.5-foot limit is exceeded for a duration of 30 minutes or longer. Infrequent deviations have been reported to DEC/FERC appropriately as per these requirements. Under FERC LA 16, and Settlement Agreement Section 3.2.1 and 3.2.2 Erie Boulevard is required to release seasonal aquatic habitat flows as per the Table 3.2.A of the Settlement Agreement.

If YES, go to B.
If NOT APPLICABLE, go to A2.
If NO, project fails.

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?

If YES, go to B
If NO, go to A3.

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?

If YES, go to B
If NO, project fails.

PASS.

B. Water Quality

1) Is the Facility either:
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
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?

YES. The Project is in compliance with all conditions of the Section 401 Water Quality Certification (WQC) issued to the project after December 31, 1986. The reviewer received confirmation from NYDEC that the applicant is in compliance and has met all the conditions of their WQC.

If YES, go to B2.
If NO, project fails.

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?

NO. Reaches of the Mohawk River in the vicinity of the School St Project are not currently identified as not meeting State water quality standards pursuant to CWA Section 303(d).

If YES, go to B3.
If NO, go to C.

3) If the answer to question B.2 is yes, has there been a determination that the Facility is not a cause of that violation?

If YES, go to C.
If NO, project fails.

PASS.

C. Fish Passage and Protection

1) Is the Facility in Compliance with *Mandatory Fish Passage Prescriptions* for upstream and downstream passage of anadromous and catadromous fish issued by Resource Agencies after December 31, 1986?

YES.

Regarding upstream passage of anadromous species, the formidable Cohoes Falls, located just below the facility, constituted an historic barrier to the upstream movement of anadromous fish in the Mohawk River and specifically through the Project area. At the same time, American eel (catadromous) were historically present in the Mohawk River and were able to pass upstream through the project area and over Cohoes Falls, and the species is still present today. The American eel was a primary consideration within the design of the current fish protection measures at the Project. In addition, blueback herring have now become established upstream of the Project as a result of migrating upstream not over Cohoes Falls, but instead through the nearby Erie Canal lock and canal system, and then dropping back downstream on the Mohawk River through the School Street facility. Thus, while blueback herring do not utilize the Project area for upstream passage (and are in fact blocked by a downstream dam from even reaching the base of Cohoes Falls and Project area), appropriate measures for downstream passage of this species past the Project were also a primary consideration within the design of the current fish protection measures and downstream bypass facilities.

The Settlement Agreement (Section 3.5) and FERC License (Section 20) describe the necessary components of the fish passage plan prescribed by the USFWS and NOAA Fisheries which includes provisions for protection of American Eel. The plan requires the applicant to (1) screen the bypass flow release mechanism near the upper gatehouse (south end of dam); (2) install an angled bar rack upstream of the lower gatehouse with no more then 4-inch spacing between bars and a seasonal overlay with no greater than 1-inch spacing between bars for the period from April 15 to November 30 annually; and (3) install downstream fish passage pipe(s) and/or flumes near the angled bar rack. These fish passage measures were further developed subject to review and comment by the resource agencies and FERC approval, and are now complete and operational.

Further, the Settlement Agreement (Section 3.6) and the FERC License (Section 21) provide the applicant with the option to install and operate a new "fish friendly" turbine generator unit and, provided the new unit proves to have equal or improved fish passage protection, would be used as the primary means of fish passage. The applicant is in the process finalizing the design and plan to commence construction in 2011.

Section 3.7 of the Settlement Agreement outlines the timing for the fish passage effectiveness studies and the process to be used by the applicant in designing and implementing those studies and the monitoring program agreed upon by the Parties. Specifically, the plans required:

- A method of evaluating the guidance and attraction of fish after they have entered the head of the canal during power plant operations;

- Specific measures, methods, and schedules to evaluate fish passage efficiency and fishway survival/mortalities for passage through both the fishway bypass and the fishway bypass and the fish friendly turbine as appropriate; and
- Methods that will allow a rigorous statistical comparison of the results between the Phase I fish bypass structure and the Phase II new "fish friendly" turbine.

In 2007, the applicant received approval from the NYDEC and the USFWS for the Phase I Fishway Effectiveness Testing Plan. Due to delays in completing construction of the fish bypass (per the FERC-approved extension), initiation of the effectiveness study was delayed and began in fall of 2009 following additional consultation with the USFWS and NYSDEC on the study plan and methodologies. Final results are expected in early 2011. Assessment of resident fish species survival in passing down through the fish bypass system was also conducted last fall (fish released into the fish bypass system and then collected in the tailrace). The applicant was unable to conduct the anticipated evaluation of American eel survival down through the bypass system as the commercial eel fisherman involved in the study were unable to capture any outmigrating eels in the downstream Hudson River waters (where the permit requires). An "interim" draft report on the results of the resident fish survival evaluation was distributed to the resource agencies earlier in 2010. A subsequent telephone conference was held with the resource agencies to discuss the results of last fall's resident fish evaluations and also to discuss this year's study efforts. The applicant's radio telemetry study of post-spawn adult blueback herring was conducted in fall 2010; development of the report on the results is pending.

If YES, go to C5.
If NOT APPLICABLE, go to C2.
If NO, project fails.

5) Is the Facility in Compliance with Mandatory Fish Passage Prescriptions for upstream and/or downstream passage of *Riverine* fish?

Yes - Required fish passage and protection measures are in place and operating, as per the protection measures prescribed in the Settlement Agreement (Section 3.5) and the FERC License (Section 20), as described in the response to C.1 above.

If YES, go to C6.
If NOT APPLICABLE, go to C6.
If NO, project fails.

6) Is the Facility in Compliance with Resource Agency Recommendations for Riverine, anadromous and catadromous fish entrainment protection, such as tailrace barriers?

Yes - Required fish passage and protection measures are in place and operating, as per the protection measures prescribed in the Settlement Agreement (Section 3.5) and the FERC License (Section 20), as described in the response to C.1 above.

If YES or NOT APPLICABLE, go to D

If NO, project fails.

PASS.

D. Watershed Protection

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 high water mark in an average water year around 50 - 100% of the impoundment, and for all of the undeveloped shoreline

NO.

If YES = Pass, go to E and receive 3 extra years of certification
If NO = go to D2

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?

NO.

If YES = Pass, go to E and receive 3 extra years of certification
If NO = go to D3

3) Has the facility owner/operator established through a settlement agreement with appropriate stakeholders and that has 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)

Resource agencies did not consider a shoreland buffer, or watershed protection plan, as necessary for the School St Project, given the nature and location of the facility. This is reflected in the Settlement Agreement, where Resource Agencies did not advocate for or recommend that a shoreland buffer or equivalent watershed protection plan be required.

If YES = Pass, go to E
If 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.

YES.

If YES = Pass, go to E
If No = Fail

PASS.

E. Threatened and Endangered Species Protection

1) Are threatened or endangered species listed under state or federal Endangered Species Acts present in the Facility area and/or downstream reach?

NO. There are no state or federally-listed species currently known to reside in the Project area or downstream reach (i.e., the reach lying below the School Street Dam and/or powerhouse, and upstream of the next dam (State Dam, which is located upstream of the confluence of the Mohawk River with the Hudson River)). Extensive survey efforts and consultations with resource agencies as part of the relicensing process did not identify the occurrence of listed species "except for occasional transient individuals" (School Street Project Application for New License, E.3(i)A.4, December 1991). Findings and conclusions within the Final Environmental Assessment (FEA) for the Project relicensing (FERC, September 2001) are consistent with this characterization, with the FEA noting that "*Interior (1996) notes that the bald eagle, a federally listed threatened species, has been sighted on the Mohawk River during the winter, and may forage below the existing hydropower projects. During the scoping process, the resource agencies indicated that the project is within the habitat range of the Karner blue butterfly (Lycaeides melissa samuelis), a federal- and state-listed endangered species. The resource agencies indicate that there are no other state or federally listed or proposed threatened or endangered plant or animal species known to occur in the School Street Project area (FWS, 1985; NYSDEC, 1985). In addition, there are no NYSDEC-designated significant habitats within the project area (NYSDEC, 1985).* " and "*The FWS (Interior, 1996) indicates that the proposed project is not likely to adversely affect wintering bald eagles.*" Surveys related to the Karner blue butterfly did not identify any occurrence of suitable habitat (i.e., blue lupine) within the Project area. At present, wintering and transient bald eagle are common in the Project area. As a indicated above, the bald eagle was federally-listed at the time of the relicensing effort and was therefore addressed accordingly and in full compliance with ESA requirements.

If YES, go to E2.
If NO, go to F.

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?

NA

***If YES or NOT APPLICABLE, go to* E3.**
If NO, project fails.

NA

3) If the Facility has received authority to incidentally *Take* 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 authority pursuant to similar state procedures; is the Facility in Compliance with conditions pursuant to that authority?

NA

If YES, go to E4.
If NOT APPLICABLE, go to E5.
If NO, project fails.

4) If a biological opinion applicable to the Facility for the threatened or endangered species has been issued, can the Applicant demonstrate that:

a) The biological opinion was accompanied by a FERC license or exemption or a habitat conservation plan? Or

b) The biological opinion was issued pursuant to or consistent with a recovery plan for the endangered or threatened species? Or

c) There is no recovery plan for the threatened or endangered species under active development by the relevant Resource Agency? Or

d) The recovery plan under active development will have no material effect on the Facility's operations?

NA

If YES, go to F
If NO, project fails.

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?

YES.

If YES, go to F.
If NO, project fails.

PASS.

F. Cultural Resource Protection

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?

YES. Section 3.8 of the Settlement Agreement, and Section 23 of the FERC license stipulate the development by Erie Boulevard of an Historic Properties Management Plan (HPMP) in consultation with the National Park Service, the New York Office of Parks, Recreations and Historic Preservation, and American Indian Nations. The plan is to include consideration of (1) continued tribal access to project land; (2) the placement of low-level diversion structures and minor channel modifications near the dam for the purpose of enhancing fish habitat; (3) preservation and rehabilitation of the contributing elements to the Harmony Mills National Historic Landmark District and preservation of the National Register listed and eligible sites in the project area; and (4) protocols for consultation, monitoring, and treatment of any unidentified historic properties discovered during project construction and operation. The plan was developed, and approved on January 23, 2008. As required in the Order, Brookfield has submitted annual reports to FERC on the HPMP status.

If YES, go to G.
If NOT APPLICABLE, go to F.2

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 *Native American Tribe*, 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?

If YES, go to G.
If NO, project fails.

PASS.

G. Recreation

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. Per Settlement Agreement Section 3.9 and FERC license Section 24, Erie Boulevard was to develop a recreation plan including the following enhancements: (1) a new pedestrian footbridge across the power canal; (2) a new footpath to the base of the falls and to the project tailrace; (3) a new trail system on the island between the power canal and Cohoes Falls; (4) a footpath for fishing access near the project tailrace; (5) access for the disabled, and (6) interpretive signage. The Recreation Plan was filed in November 2007. These recreational facility enhancements are largely complete, and have been opened to the public.

If YES, go to G3.
If NOT APPLICABLE, go to G2.
If NO, project fails.

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?

If YES, go to G3.
If NO, project fails.

3) Does the Facility allow access to the reservoir and downstream reaches without fees or charges?

YES.

If YES, go to H.
If NO, project fails.

PASS.

H. Facilities Recommended for Removal

1) Is there a Resource Agency Recommendation for removal of the dam associated with the Facility?

NO.

If NO, facility is low impact.
If YES, the project fails.

PASS.

FACILITY IS LOW IMPACT. At the same time, I recommend certain conditions be attached to this certification should information that is being gathered and will be presented during the term of this certification determine that downstream fish passage measures that have been installed and are operating pursuant to a settlement agreement and FERC license are not safely passing migrating fish. These recommended conditions are set forth on page 3 of this report.

RECORD OF CONTACTS

Date of Conversation:	9/20/2010
Application Reviewer:	Jackie Dingfelder, Consultant
Person Contacted:	Steve Patch, USFWS New York Field Office (Region 5)
Telephone/email:	(609)753-9334/Stephen_patch@tws.gov
Areas of Expertise:	Senior fish and wildlife biologist

I spoke with Mr. Patch via phone and he confirmed that all the fish passage prescriptions were in place at the School Street Project and that they are currently conducting testing to determine the effectiveness of the passage facilities. He noted that testing was ongoing and that they should have more information in early 2011 when they complete their full analysis.

Date of Conversation:	9/22/2010
Application Reviewer:	Jackie Dingfelder, Consultant
Person Contacted:	Mark Woythal, NYDEC - Div.Fish, Wildlife, & Marine Resources
Telephone/email:	(518) 402-8847/mswoytha@gw.dec.state.ny.us
Areas of Expertise:	Instream Flow & Wind Unit Leader

I spoke with Mr. Woythal who has been very involved with monitoring fish passage at the School Street Project. He stated that the fish passage facilities had been installed at the project but the agency hadn't determined whether the facilities are passing fish safely. He noted that about 90% of the fish are still going through the turbine. He said that he couldn't confirm if the passage was effective until the analysis had been completed.

Follow up email correspondence on 10/20/2010:

Jackie,

I do not have a copy of the WQC in my files. I'm not involved in all aspects of the certificate's conditions. I know that there were issues relating to the excavation of the power canal that were to be addressed. Since that work is complete, I assume that special conditions to ensure the containment of contaminants were covered.

I emphasize the importance of successfully completing the fish passage survival/effectiveness testing to the satisfaction of the resource agencies. NY's water quality standards specifically address fish survival and propagation. If issues related to passage of fish at School Street preclude either of these best uses of Mohawk River waters, they would be in violation of the water quality standard and their operating license.

Thank you for opportunity to provide you additional thoughts on the School Street hydroelectric project.

Regards,
Mark

Mark Woythal
Instream Flow Unit Leader

NY Dept of Environmental Conservation
Div. of Fish Wildlife & Marine Resources
Bureau of Habitat
625 Broadway, Albany, NY 12233-4756
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Date of Conversation:	10/21/2010
Application Reviewer:	Jackie Dingfelder, Consultant
Person Contacted:	Chris Hogan, NYDEC Project Mgr, Div. Environmental Permits
Telephone/email:	(518) 402-9151/cmhogan@gw.des.state.ny.us
Areas of Expertise:	CWA Water Quality Certification

Mr. Hogan confirmed that the School Street Project was in compliance and has met the conditions outlined in their 401 WQC. He confirmed that the Operations and Construction Requirements were submitted, reviewed and approved. He commented that the applicant went above and beyond what was required for the power canal excavation/sediment removal under the Section 15. Construction Requirements.