

Appendix 5
Water Quality

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The entire length of the Nashua River in New Hampshire has been assigned an objective water quality standard of Class C by the New Hampshire Water Quality and Pollution Control Commission (“the NHWSPCC). The water quality “Assessment Units” surrounding the facility are listed as Category 5. Category 5 waters are “Impaired or threatened for one or more designated uses by a pollutant(s), and requires a TMDL. These conditions existed prior to development of the project. As part of its Exemption application submitted to the FERC, the facility received a 401 certification from the NHWSPCC confirming that the “construction, operation and maintenance of the project would not cause a violation of any applicable water standards.”(see Exhibit 1-B)

Due to the fact that the project’s 401 certification was issued almost 28 years ago (see exhibit 1-B), the project has approached Ted Walsh, Surface Water Monitoring Coordinator at the NHDES, Watershed Management Bureau. The project will be conducting a Water Quality monitoring program to confirm the minimal impact of the project on ambient water quality criteria, the impact of pond fluctuations on aquatic habitat, the maintenance of adequate minimum flows to protect downstream aquatic habitat and the existence of adequate upstream and downstream fish passage. All results from the monitoring program will be forwarded to the Low Impact Hydropower Institute and all relevant hydroelectric agencies upon their completion.

There have been no changes in the regulatory status of the project since 1984 nor have there been any agency comments noting deficiencies in the project’s compliance with various conditions contained in the documents related to the FERC exemption and agency review of the project.