

Raystown Hydroelectric Project

Renewal Application

May 21, 2014

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF DAUPHIN :

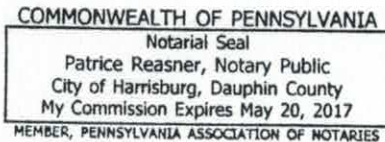
Todd A. Sallade, Vice President – Power Supply & Engineering, of Allegheny Electric Cooperative, Inc., being duly sworn/affirmed according to law, deposes and says that:

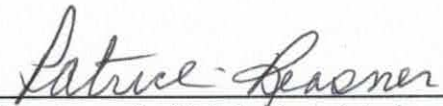
1. The material presented in the Re-Certification Application Package is true and complete; and
2. The primary goal of the Low Impact Hydropower Institute's Certification Program is public benefit. The Governing Board and its agents are not responsible for financial or other private consequences of its certification decisions. The undersigned Applicant agrees to hold the Low Hydropower Institute, the Governing Board and its agents harmless for any decision rendered on this or other applications or on any other action pursuant to the Low Impact Hydropower Institute's Certification Program.



Todd A. Sallade

Sworn and subscribed before me
this 21st day of May, 2014.





Signature of official administering oath

My Commission expires: 5/20/2017



A Touchstone Energy® Cooperative



212 LOCUST ST. • P.O. BOX 1266 • HARRISBURG, PA 17108-1266 • PHONE 717/233-5704 • FAX 717/234-1309

May 21, 2014

Dana Hall, Deputy Director
Low Impact Hydro Institute
131 Martha Rd.
Harrington Park, NJ 07640

Dear Ms. Hall:

I am writing to initiate the process of renewing the Low Impact Hydro Institute (LIHI) Certificate No. 23 for our Raystown Hydroelectric Project. Please find enclosed the re-certification application package consisting of the questionnaire and related documents, the sworn statement of our Vice President of Power Supply and Engineering attesting the information contained in the application package is true and complete, a waiver of liability and a check for the renewal fee.

Since the original LIHI certification of the Raystown plant, no material or operational changes in circumstances have occurred, and I believe you will find the plant meets any new criteria to maintaining its LIHI certification for another five years.

Should you have questions or concerns regarding the renewal material, please contact me at 814-643-4931.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Shearn'.

William H. Shearn
Superintendent-Raystown Operations

WHS:par
Enclosure

cc: Todd A. Sallade
David J. Dulick



Pennsylvania Fish & Boat Commission

BUREAU OF FISHERIES
450 ROBINSON LANE
BELLEFONTE, PA 16823
814-359-5177 - 814-359-5153 (FAX)
E-MAIL: LJYOUNG@PA.GOV

April 25, 2014

Raystown Hydroelectric Project
13797 Point Rd., P.O. Box 395
Huntingdon, PA 16652

Re: Low Impact Hydropower Institute (LIHI) annual compliance update
Raystown Hydroelectric Project, Allegheny Electric Cooperative, Inc.
Raystown Dam, Huntingdon County, PA (FERC Project No. 2769-PA)
Low Impact Hydropower Institute Certificate No. 23

Dear Mr. Shearn,

I am writing in response to your March 10, 2014 letter requesting an update on the status of fishery restoration programs or initiatives that affect the Raystown Hydroelectric Project. We have reviewed our current and anticipated fishery management objectives for Lake Raystown, the Raystown Branch of the Juniata River, and the Juniata River in the vicinity of the Raystown project. We have no outstanding issues that we believe Allegheny Energy Cooperative should address at this time. We have provided some comments below based on LIHI's December 2013 on-line questionnaire to substantiate this position.

Flows

The Operating Agreement between the U.S. Army Corps of Engineers and Allegheny Electric Cooperative, Inc. requires that Allegheny Electric pass flows required by the Corps at all times. It also specifies that recreational enhancement is one of the authorized purposes of the dam and that the Corps may make directives in response to an emergency situation. PFBC is not aware of any operation contrary to the Operating Agreement and flows that are released support habitat downstream of the dam.

Water Quality

Operation is consistent with Commonwealth of Pennsylvania Fishing and Boating Regulations, Title 58, Pennsylvania Code §57.24, which states that "Water quality must not be adversely affected by the hydrodevelopment."

Fish Passage and Protection

Anadromous and catadromous fish passage was not required in the hydropower licensing process at Raystown Dam and is not being considered currently.

Our Mission:

www.fishandboat.com

To protect, conserve and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities.

LOW IMPACT HYDROPOWER INSTITUTE **CERTIFICATION QUESTIONNAIRE**

APRIL, 2014 REVISION

Background Information	
1) Name of the Facility as used in the FERC license/exemption.	Raystown Hydroelectric Project (FERC no.2769) (William F. Matson Generating Station)
2) Applicant's name, contact information and relationship to the Facility. Please use the Project Contact Form in Appendix D.	Allegheny Electric Cooperative, Inc. 13797 Point Road PO Box 395 Huntingdon, PA 16652 814-643-4931
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 river's drainage area in square miles at the Facility intake; (e) the location of other dams on the same river upstream and downstream of the Facility; and (f) the exact latitude and longitude of the Facility dam.	a) South Central PA, Huntingdon County near Huntingdon. b) On the Raystown Branch of the Juniata River, at the base of the U.S. Army Corps of Engineers Raystown Dam. c) Corps of Engineers, mile marker 0; 5.5 miles upstream from the confluence with the Juniata River. d) Watershed of 960 square miles for Raystown Lake. e) No other dams. f) N 40° 25.975' W 78° 00.181.
4) Installed capacity.	21 MW
5) Average annual generation.	86,177,600 KWh (2006-2013)
6) Regulatory status.	FERC Licensed Project No. 2769. Issued November 10, 1982, expires October 31, 2032. See Attachment A.
7) Reservoir volume and surface area measured at the normal maximum operating level.	US Army Corps of Engineers Raystown Dam; Raystown Lake, 514,000 acre-feet of storage at 786.00 ft. above MSL; 8,300 acres surface area.
8) Area occupied by non-reservoir facilities (e.g., dam, penstocks,	Raystown Dam is managed by the U.S. Army Corps of

powerhouse).	<p>Engineers. The Raystown Hydroelectric Project (William F. Matson Generating Station) is located at the base of Raystown Dam, which encompasses approximately 150 acres. The FERC Project boundaries for this Hydroelectric facility occupy approximately 11.5 acres.</p>
9) Number of acres inundated by the Facility.	<p>The existing U.S. Army Corps of Engineers Raystown Dam was constructed for flood control, recreation, fish, and wildlife management purposes. Construction of the dam began in October 1968 and was completed in October 1973. The flood storage elevation of Raystown Lake is 812 ft. above MSL. At this elevation the surface area of the lake is 10,800 acres. The Raystown Hydroelectric Project (William F. Matson Generating Station), which was completed in 1988, inundated no land.</p>
10) Number of acres contained in a 200-foot zone extending around entire reservoir.	<p>The impoundment (Raystown Lake), which includes approximately 188 miles of shoreline, is managed by the U.S. Army Corps of Engineers. The number of acres contained in a 200-foot zone extending around the entire impoundment is approximately 2,500. The guide taking line for fee acquisition was all land within a line 300 feet horizontal from elevation 812 ft. above MSL.</p>
11) Contacts for Resource Agencies and non-governmental organizations	<p>See Attachment B - Resource Agency Contact Information. The Pennsylvania Fish and Boat Commission has issued an updated letter on the status of fishery restoration programs that affect Raystown Hydroelectric Project. There are no outstanding issues (see Attachment D).</p>
12) Description of the Facility, its mode of operation (i.e., peaking/run of river) and photographs, maps and diagrams.	<p>21-MW hydroelectric plant located at the base of the 225-foot high Raystown Dam in Huntingdon County, Pennsylvania. Raystown Dam is managed by the U.S. Army Corps of Engineers. The hydroelectric facility is operated in close cooperation with the U.S. Army Corps of Engineers. Constant</p>

	<p>flow discharges from the Facility are adjusted on a daily basis to minimize fluctuations downstream. See Attachment E – Description of the Facility – for additional information. A map of Raystown Lake and hydroelectric facility is included as Attachment F and photographs are included as Attachment G.</p>
<p>Questions for “New” Facilities Only:</p> <p>If the Facility you are applying for is “new” (i.e., 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>	
<p>13) When was the dam associated with the Facility completed?</p>	
<p>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.</p>	
<p>15) Did the added or increased power generation capacity require or include any new dam or other diversion structure?</p>	
<p>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)?</p>	
<p>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?</p> <p>(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.</p>	

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

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?

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?

PASS	FAIL
<p>YES = Pass, Go to B N/A = Go to A2 N/A. Facility is in compliance with Resource Agency Recommendations included in the FERC operating license issued November 11, 1982, and the Operating Agreement between the U.S. Army Corps of Engineers and Allegheny Electric Cooperative (relevant portions included in Attachment H).</p>	<p>NO = Fail</p>
<p>YES = Pass, go to B NO = Go to A3 No. Facility is in compliance with minimum flows contained the Operating Agreement between the U.S. Army Corps of Engineers and Allegheny Electric Cooperative: 200 cfs minimum flow May – November, 480 cfs minimum flow December – April (See Attachment H). These flows are categorized by the Montana –Tennant method as "outstanding" to "optimum" from</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>March, "excellent" to "outstanding" in April, "good" to "excellent" in October and November, and "poor" to "fair" from May through September.</p> <p>YES = Pass, go to B</p> <p>Yes. The hydroelectric facility is operated in close cooperation with the U.S. Army Corps of Engineers. As shown in Attachment D, the Corps and Pennsylvania Fish & Boat Commission have stated that flows are appropriately protective of fish, wildlife, and water quality.</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>YES = Go to B2</p> <p>a) N/A. The Pennsylvania Department of Environmental Resources, Bureau of Water Quality Management, issued a Clean Water Act Section 401 water quality certification for the facility on June 24, 1980 (Attachment J).</p> <p>b) Yes. The facility is in compliance with the following Raystown Branch Juniata River protected water uses: water supply, recreation, aquatic life, trout stocking, and warm water fisheries. The facility is also in compliance with Article 34 of its FERC operating license, Water Temperature Monitoring Plan.</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 = Go to B3 NO = Pass No. However, approximately 6.6 miles (river mile 38.8 to 45.4) of the Raystown Branch Juniata River (State Water Plan: 11D) at the upstream end (28 miles upstream of the facility) of Raystown Lake (Assessment ID 20020111-1234-FTT) were listed as 303(d) impaired for Human Health Uses in the 2004 Pennsylvania Integrated Water Quality Monitoring and Assessment Report. The cause of impairment is Mercury. The source of the impairment is unknown.</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 = Pass</p>	<p>NO = Fail</p>
<p>C. Fish Passage and Protection</p>	<p>PASS</p>	<p>FAIL</p>
<p>1) Are anadromous and/or catadromous fish present in the Facility area or are they known to have been present historically?</p>	<p>YES = Go to C2 NO = Go to C6 Yes.</p>	
<p>2) 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?</p>	<p>YES = Go to C6 N/A = Go to C2 N/A.</p>	<p>NO = Fail</p>

<p>3) 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 (e.g., 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>YES = Go to C2a NO = Go to C3 Yes. American shad and American eel were once numerous in the Juniata River.</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 C2b N/A = Go to C2b a) Yes. In the early 1900's, four large hydroelectric dams were built on the Susquehanna River, blocking shad and eel passage. An earlier Raystown dam, constructed about three miles upstream of the existing dam in 1904, also blocked shad and eel passage. The existing U.S. Army Corps of Engineers Raystown Dam, which inundated the earlier dam, was completed and operational in 1973. The Raystown Hydroelectric Project (William F. Matson Generating Station), located at the base of Raystown Dam, was completed and operational in 1988.</p>	<p>NO = Fail</p>
	<p>YES = Go to C5 N/A = Go to C3 b) N/A Article 15 of the FERC operating license allows for the implementation of such measures if ordered by FERC or upon recommendation of resource agencies. No such order or recommendations have been made.</p>	<p>NO = Fail</p>

<p>4) 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 C.3.a 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>YES = Fail</p>
<p>5) If C4 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 5.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</p>	<p>YES = Go to C6</p>	<p>NO = Fail</p>

letter from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service indicating that passage measures are not currently warranted?				
6)	Is the Facility in Compliance with Mandatory Fish Passage Prescriptions for upstream and/or downstream passage of Riverine fish?	YES = Go to C7 N/A = Go to C7 N/A. No mandatory fish passage prescriptions have been made.	NO = Fail	
7)	Is the Facility in Compliance with Resource Agency Recommendations for Riverine, anadromous and catadromous fish entrainment protection, such as tailrace barriers?	YES = Pass, go to D N/A = Pass, go to D N/A. No such recommendations have been made.	NO = Fail	
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 average annual high water line for at least 50% of the shoreline, including all of the undeveloped shoreline?	PASS YES = Eligible for 3 extra years of certification; Go to D4 Yes. The U.S. Army Corps of Engineers, which manages the Raystown Lake shoreline and adjacent lands, owns and has dedicated for conservation purposes all undeveloped land within 300 feet horizontal from elevation 812 ft. above MSL.	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?	YES = Eligible for 3 extra years of certification; Go to D4	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 = Go to D4	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 = Pass, go to E N/A = Pass, go to E N/A. As in D1, this is the responsibility of the U.S. Army Corps of Engineers.	No = Fail
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?	YES = Go to E2 NO = Pass, go to F Yes. Bald eagles (removed from endangered and threatened species list on 28 June 2007) are known to nest in the vicinity of Raystown Dam. Virginia mallow (state endangered) is also known to occur in the vicinity of the facility.	FAIL
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 = Go to E3 N/A = Go to E3 N/A. The Bald Eagle is no longer listed.	NO = Fail
3) If the Facility has received authorization 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	YES = Go to E4 N/A = Go to E5 N/A.	NO = Fail

<p>by the federal government, obtaining authorization pursuant to similar state procedures; is the Facility in Compliance with conditions pursuant to that authorization?</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 = Pass, go to F Yes. See response to E2.</p>	<p>NO = Fail</p>
<p>F. Cultural Resource Protection</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>PASS</p> <p>YES = Pass, go to G N/A = Go to F2 Yes. The facility is in compliance which Article 33 of the FERC license, which requires consultation with the State</p>	<p>FAIL</p> <p>NO = Fail</p>

<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 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?</p>	<p>Historic Preservation Office prior to the commencement of any construction or alteration.</p>	
<p>G. Recreation</p>	<p>PASS</p>	<p>FAIL</p>
<p>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?</p>	<p>YES = Go to G3 N/A = Go to G2 Yes. The facility is in compliance with Article 35 of the FERC license, which required finalizing recreation plan in consultation with the U.S. Army Corps of Engineers and filing of as-built recreation drawings. The approved recreation plan required installation of an ADA-accessible fishing pier in the facility tailrace area. Photographs of the pier are included in Attachment G.</p>	<p>NO = Fail</p>
<p>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?</p>	<p>YES = Go to G3</p>	<p>NO = Fail</p>
<p>3) Does the Facility allow access to the reservoir and downstream reaches</p>		

without fees or charges?	YES = Pass, go to H Yes. The facility described in response to G1 is accessible without fees or charges. In addition, the U.S. Army Corps of Engineers provides a variety of day-use and overnight recreational facilities around the 118-mile reservoir shoreline, along with recreational facilities on the downstream reach. These facilities are accessible without fee or at a nominal fee.	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?	NO = Pass, Facility is Low Impact No.	YES = Fail