

THIS DOCUMENT CONTAINS
PUBLIC NOTICE PAGES

86 FERC ¶ 62,138

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Hydro Development Group, Inc.

Project No. 2695-002

ORDER AMENDING EXEMPTION FROM LICENSING
(5 MW OR LESS)

(Issued August 5, 1986)

On October 22, 1985, Hydro Development Group, Inc. filed an application to amend the exemption from licensing for the Dexter Project as set forth in Part I of the Federal Power Act. ^{1/} The proposed changes to the small hydropower project are described in the attached public notice. The comments of interested agencies and individuals, including the U.S. Fish and Wildlife Service and the state fish and wildlife agency, have been fully considered in determining whether to issue this order.

Article 2 requires compliance with the terms and conditions prepared by federal or state fish and wildlife agencies to protect fish and wildlife resources. These mandatory terms and conditions are contained in the attached letters commenting on the amendment of exemption application. If contested, the Commission will determine whether any mandatory term or condition is outside the scope of article 2.

After considering the mandatory terms and conditions designed to protect fish and wildlife resources, the environmental information in the amendment of exemption application, the staff's independent assessment ^{2/}, and other public comments, the Director finds that issuance of this order is not a major federal action significantly affecting the quality of the human environment.

^{1/} Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less, 19 FERC ¶ 61,229 (1982).

^{2/} Environmental Assessment, Dexter Project, FERC Project No. 2695-002 - New York, Federal Energy Regulatory Commission, July 17, 1986. This document is available in the Commission's public file associated with this proceeding.

8608070323

DC-A-21

FERC - DOCKETED

AUG 5 1986

The Director orders:

(A) The exempted Dexter Project is amended as provided by this order and as described in the attached notice.

(B) The following special article is added to the order issuing exemption:

Article 9. Before commencing any ground-disturbing or spoil-producing activities, the Exemptee, in consultation and cooperation with the appropriate Federal, state, and local agencies (including the Soil Conservation Service and any Federal agency with managerial authority over any part of the project lands), shall prepare a plan to control erosion and dust, stabilize slopes, and minimize the quantity of sediment or other potential water pollutants resulting from construction and operation of the project. The plan shall identify critical areas, include functional design drawings and map locations of control measures, and establish schedules for implementation, monitoring, maintenance, and periodic review.

The Exemptee may commence ground-disturbing or spoil-producing activities 30 days after submitting the final plan to the consulted agencies, or sooner if the plan is approved by the Soil Conservation Service and any Federal agency with managerial authority over any part of project lands. Any consulted agency that objects to the Exemptee's final plan should notify the Commission, specify the objection, and recommend alternative measures. The Commission reserves the right to modify the final plan.

(C) This order is issued under authority delegated to the Director and is final unless appealed to the Commission within 30 days from the date of this order.

APPROVED
Richard T. Hunt
Director, Office of
Hydropower Licensing

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Notice of Application Filed with the Commission
(January 23, 1986)

Take notice that the following hydroelectric application
has been filed with the Federal Energy Regulatory Commission
and is available for public inspection:

- a. Type of Application: Amendment of Exemption from Licensing -
1MW or less
- b. Project No.: ZH95-002
- c. Date Filed: October 22, 1985
- d. Applicant: Hydro Development Group Inc.
- e. Name of Project: Dexter
- f. Location: Black River, Jefferson County, New York
- g. Filed Pursuant to: Section 608 of the Energy Security Act of
1980 (16 U.S.C. §§ 2705 and 2707, as amended)
- h. Contact Person: Mr. John T. Hedard
Hydro Development Group Inc.
Box 58
Dexter, New York 13634 phone (315) 639-6700
- i. Comment Date: MAR 5 1986
- j. Description of Project: The project consists of: (1) three
existing concrete gravity dams, one 12 feet in height and 142
feet in length, one 8 feet in height and 145 feet in length,
and one 12 feet in height and 433 feet in length, each with 30-
inch flashboards; (2) an existing 120 acre reservoir at an
elevation of 262 feet mean sea level; (3) three existing
powerhouses containing six existing turbine generators having
a combined capacity of 2320 kW operating at a hydraulic head
of 14 feet. The proposed improvements consist of: (1)
proposed structural modification to two existing dams; (2)
the proposed retirement of three existing turbine/generator
units with a total capacity of 1600 kW; (3) six proposed
turbine/generator units with a total capacity of 3700 kW,
operating under 14-foot hydraulic head; (4) a proposed 4500
kVA, 2.4kV/24kV electrical substation; (5) three proposed
2.4kV transmission lines, two of 550-foot length and one of
50-foot-length; and (6) appurtenant facilities.
- k. Purpose of Project: Project power will continue to be sold
to Niagara Mohawk Power Corporation.
- l. This notice also consists of the following standard paragraphs:
B, C, D3a.

8. Comments, Protests, or Motions to Intervene - Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 19 C.F.R. §§.85.210, .211, .216. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

9. Filing and Service of Responsive Documents - Any filings must bear in all capital letters the title "COMMENT", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing is in response. Any of the above named documents must be filed by providing the original and the number of copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Mr. Fred E. Springer, Director, Division of Project Management, Federal Energy Regulatory Commission, Room 203-8B, at the above address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

10. Agency Comments - The U.S. Fish and Wildlife Service and the State Fish and Game agency(ies) are requested for the purposes set forth in Section 408 of the Energy Security Act of 1980, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Kenneth F. Plumb
Secretary

THIS DRAWING IS PART OF THE
 APPLICATION FOR AN EXEMPTION
 MADE BY THE UNDERSIGNED
 THIS 27th DAY OF ~~APRIL~~ 1981
 HYDRO DEVELOPMENT GROUP, INC.

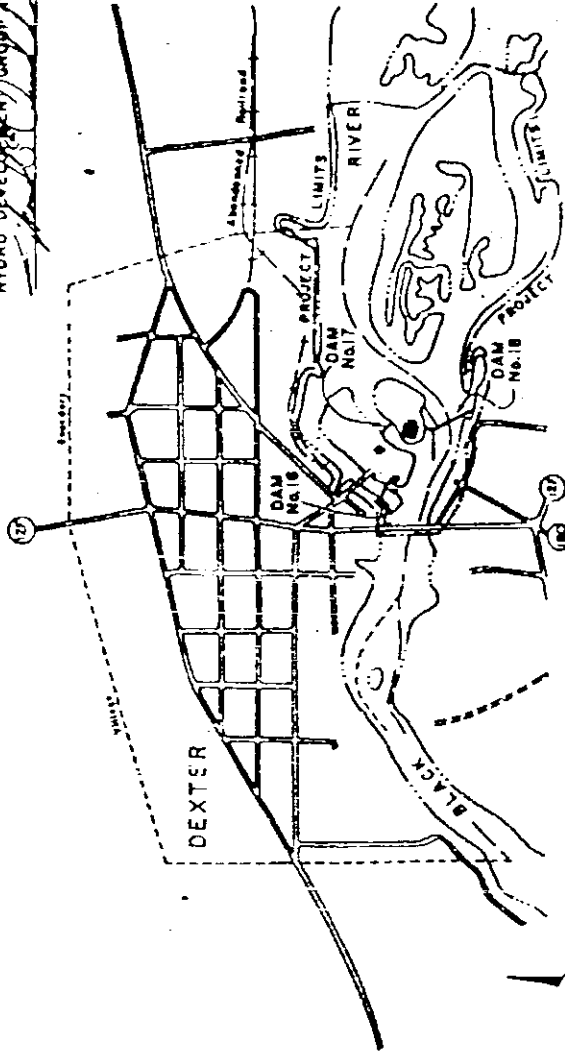


EXHIBIT B

DATE	W.L.D.	REVISED	R.N.F.	SCALE	DATE	NO.
				1"=1000'	MAR. 1981	3117-03

**PROPOSED REDEVELOPMENT OF
DEXTER HYDROELECTRIC STATION**

MIST-ROBT, ASSOCIATES	
CONSULTING ENGINEERS	
NEW YORK	NEW YORK

B1