



Certification Comments <comments@lowimpacthydro.org>

Dexter project comments

1 message

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Greetings,

The following are comments compiled by the New York State Department of Environmental Conservation (NYSDEC) for the Low Impact Hydropower Institute Application for the Dexter hydroelectric project (FERC NO. 2695).

3.3 Upstream Fish Passage, page 28

The NYSDEC is unaware of any operational plan or agreement to solely operate the upstream fish passage facility. If there is such they agreement it should be shared amongst the agencies. The NYSDEC uses this facility for special projects such as collecting biological data and/or collecting eggs during the months of October and November with the ladder remaining open for the remainder of the year. The NYSDEC also asserts that the exemptee is responsible to comply with reasonable modifications to the operation of this facility (of which the fish ladder is a part of) to assure the conservation and development of fish and wildlife resources.

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The NYSDEC doesn't believe this fish ladder effectively passes walleye or other non-salmonid species, however it was not the ladder's original intent to pass non-salmonid species.

3.3.4 Compliance**Page 32**

The NYSDEC is unaware of a "minimum operating period is March 30 to May 31 annually" being documented anywhere.

The NYSDEC is unaware of any repairs that have been made. As of the fall 2022 the top gate was being held open by ratchet straps (not as designed). the NYSDEC is not aware of any concrete repairs either.

3.4.4 Downstream Fish Passage Conclusion**Page 35**

There is no metric agreed upon that constitutes what a significant number is for downstream migrating fish species. NYSDEC can provide American eel data for occurrences found upstream of Dexter. Other documents contained herein, identify issues concerned with downstream passage of juvenile steelhead. Steelhead are repeat spawners therefore downstream migrating adults would also be of concern. Additionally, the NYSDEC also manages the Black River for more than just migratory species and doing something to facilitate safe, timely, and effective downstream

fish passage will help to further reduce the impacts of this hydroelectric facilities' operations.

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