

Attachment B

Massachusetts Fish and Wildlife Service

And

US Department of the Interior; Fish and Wildlife Service



The Commonwealth of Massachusetts
FILED SECRETARY
DIVISION OF Fisheries and Wildlife
FEDERAL ENERGY
COMMISSION
REGULATORY
Field Headquarters, Westboro 01581

31 December 1980

Mr. Michael Doyle
Mayor's Office
City Hall
Chicopee, Massachusetts 01013

Dear Mr. Doyle:

In response to our recent telephone conversation and my review of the proposed hydroelectric facility on the Chicopee River which I received from the Executive Office of Environmental Affairs, I have the following comments:

1. We are concerned about flow rates in the river channel below the dam and believe that some fisheries survey work must be done within the impacted area in order to determine what optimum flows should be.
2. There are presently no plans to embark upon anadromous fish restoration within the river system; however, passage of anadromous species may be of concern at a future date. With this in mind, it would be advisable to at least functionally design a fishway that could easily be incorporated with the project at a future date. Should anadromous fish become a consideration, planning now would eliminate a great deal of retrofitting costs.
3. I believe your project can be compatible with fish and wildlife considerations and look forward to working with you in resolving potential environmental problems associated with the project.

Sincerely yours,

Peter H. Oatis
Chief Aquatic Biologist

FHO:mb



The Commonwealth of Massachusetts
Division of Fisheries and Wildlife
Field Headquarters, Westboro 01581

30 July 1982

Mr. Kenneth A. Plumb
Federal Energy Regulatory Commission
825 North Capitol Street, N. E.
Washington, D. C. 20426

Dear Mr. Plumb:

We have reviewed the Chicopee Hydroelectric Project-Application for Exemption: FERC Project No. 6522-000. Based on discussions with U. S. Fish and Wildlife biologists, we find no objections to this project.

We do request the following terms and conditions, pursuant to Article 4.105 of the Energy Security Act of 1980, be incorporated into the Exhibit B of their application for exemption:

- (1) The Exemptee shall provide an aquatic base flow of 357 cfs below the project, outflows shall be no less than inflows.
- (2) The Exemptee shall provide fish passage facilities at the project at such time as when this Division initiates an anadromous fish restoration program in the Chicopee River Basin. There are currently no plans by this Division to initiate such a program during the next 25 years.
- (3) When a restoration program is initiated, fish passage designs and minimum flow releases will be re-negotiated with the Exemptee and fisheries personnel.
- (4) The Exemptee shall provide access for sportsmen to project waters except where such access would risk personnel safety.

Attached are previous correspondence with project representatives.

Sincerely,

Stephen M. Henry

Stephen M. Henry
Assistant Aquatic Biologist

SMH:dd

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for FERC - DOCKETED
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The Commonwealth of Massachusetts
Division of Fisheries and Wildlife
Field Headquarters, Westboro (1581)

January 2, 1986

Mr. Marc A. Auth
Swift River/Hafslund Company
10 Harbor Street
Danvers, MA 01923

RE: Chicopee Hydroelectric Project #6522
Amendment to 23 December letter

Dear Mr. Auth:

As stated in our 23 December letter to you the Massachusetts Division of Fisheries and Wildlife has reviewed the design change on the above referenced project. We stated that if the following three prescribed conditions would still be met the Division had no objection to the design changes:

- (1) the operating mode is to be run-of-the-river,
- (2) an Aquatic Base Flow of 357 cubic feet per second (cfs) shall be provided below the tailrace,
- (3) a minimum instantaneous flow equal to or exceeding the 7-day 10 year low flow (7Q10) of 127 cfs shall be released at the dam during operation of the hydroelectric facility.

We were in error in listing condition number three (maintenance of the 7Q10 flow in the by-passed reach) as a condition prescribed for the protection of fisheries. That condition was set by the Department of Environmental Quality Engineering, Division of Water Pollution Control in an effort to mitigate existing pollution discharges so that water quality standards could be met.

We further understand that with correction of the pollution problem this condition could be amended. Inspection of the by-passed reach by Division fisheries staff revealed the area has little fisheries habitat, being composed primarily of bedrock. Accordingly, we foresee no problem should the 7Q10 IMF condition be amended once the pollution problem is corrected.

As long as the first two conditions will be met the Division of Fisheries and Wildlife will not object to the proposed design change.

We apologize if our error has caused you any inconvenience.

RECEIVED

JAN 06 1986

SWIFT RIVER/
HAFSLUND

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If you have any questions regarding this matter please call me at (617) 366-4470/4479.

Sincerely,

Robert P. Madore

Robert P. Madore
Aquatic Biologist

cc. Bob Scheirer, USFWS
Chicopee Conservation Com.
D.E.Q.E., Western Region



The Commonwealth of Massachusetts
Division of Fisheries and Wildlife

Field Headquarters, Western 01581

December 23, 1985

Mr. Marc A. Auth
Swift River/Hafslund Company
10 Harbor Street
Danvers, MA 01923

RE: Chicopee Hydroelectric Project #6522
Project Design Change

Dear Mr. Auth:

The Massachusetts Division of Fisheries and Wildlife has reviewed the design change on the above referenced project. The specific change involves locating the powerhouse structure approximately 300 feet further downstream than the original proposal length. In effect, this will result in a shortening of the tailrace parallel to the river by the same distance.

It is our understanding that the proposed design change will not prevent the proponent from meeting the following prescribed conditions:

- (1) the operating mode is to be run-of-the-river,
- (2) an Aquatic Base Flow of 357 cubic feet per second (cfs) shall be provided below the tailrace,
- (3) a minimum instantaneous flow equal to or exceeding the 7-day 10 year low flow (7Q10) of 127 cfs shall be released at the dam during operation of the hydroelectric facility.

As long as these conditions will be met the Division of Fisheries and Wildlife will not object to the proposed design change.

If you have any questions regarding this matter please call me at (617) 366-4470/4479.

Sincerely,

Robert P. Madore

Robert P. Madore
Aquatic Biologist

cc. Bob Scheirer, USFWS
Chicopee Conservation Com.
D.E.Q.E., Western Region

RECEIVED

12/26/85

SWIFT RIVER/
HAFSLUND



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 3301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104



In Reply Refer To:
Project Code: 2025-0147012
Project Name: Chicopee Hydroelectric

09/09/2025 18:56:19 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Updated 4/12/2023 - Please review this letter each time you request an Official Species List, we will continue to update it with additional information and links to websites may change.

About Official Species Lists

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Federal and non-Federal project proponents have responsibilities under the Act to consider effects on listed species.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested by returning to an existing project's page in IPaC.

Endangered Species Act Project Review

Please visit the “**New England Field Office Endangered Species Project Review and Consultation**” website for step-by-step instructions on how to consider effects on listed

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species and prepare and submit a project review package if necessary:

<https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review>

NOTE Please do not use the **Consultation Package Builder** tool in IPaC except in specific situations following coordination with our office. Please follow the project review guidance on our website instead and reference your **Project Code** in all correspondence.

Northern Long-eared Bat - (Updated 4/12/2023) The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule went into effect on March 31, 2023. You may utilize the **Northern Long-eared Bat Rangewide Determination Key** available in IPaC. More information about this Determination Key and the Interim Consultation Framework are available on the northern long-eared bat species page:

<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>

For projects that previously utilized the 4(d) Determination Key, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective. If your project was not completed by March 31, 2023, and may result in incidental take of NLEB, please reach out to our office at newengland@fws.gov to see if reinitiation is necessary.

Additional Info About Section 7 of the Act

Under section 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether projects may affect threatened and endangered species and/or designated critical habitat. If a Federal agency, or its non-Federal representative, determines that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Federal agency also may need to consider proposed species and proposed critical habitat in the consultation. 50 CFR 402.14(c)(1) specifies the information required for consultation under the Act regardless of the format of the evaluation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/service/section-7-consultations>

In addition to consultation requirements under Section 7(a)(2) of the ESA, please note that under sections 7(a)(1) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Please contact NEFO if you would like more information.

Candidate species that appear on the enclosed species list have no current protections under the ESA. The species' occurrence on an official species list does not convey a requirement to

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consider impacts to this species as you would a proposed, threatened, or endangered species. The ESA does not provide for interagency consultations on candidate species under section 7, however, the Service recommends that all project proponents incorporate measures into projects to benefit candidate species and their habitats wherever possible.

Migratory Birds

In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see:

<https://www.fws.gov/program/migratory-bird-permit>

<https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

Please feel free to contact us at **newengland@fws.gov** with your **Project Code** in the subject line if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat.

Attachment(s): Official Species List

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 3301-5094

(603) 223-2541

Project code: 2025-0147012

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PROJECT SUMMARY

Project Code: 2025-0147012

Project Name: Chicopee Hydroelectric

Project Type: Dam - Maintenance/Modification

Project Description: Fish and wildlife designations for Chicopee Hydroelectric Project.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.15982635,-72.58128031514656,14z>



Counties: Hampden County, Massachusetts

Project code: 2025-0147012

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ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

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MAMMALS

NAME

STATUS

Tricolored Bat *Perimyotis subflavus*

Proposed

No critical habitat has been designated for this species.

Endangered

Species profile: <https://ecos.fws.gov/ecp/species/10515>**INSECTS**

NAME

STATUS

Monarch Butterfly *Danaus plexippus*

Proposed

There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat.

Threatened

Species profile: <https://ecos.fws.gov/ecp/species/9743>**CRITICAL HABITATS**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.