



**REVIEW OF APPLICATION FOR LIHI CERTIFICATION  
OF THE  
CHICOPEE FALLS HYDROELECTRIC PROJECT**

**FERC No. P-6522, exempt  
Chicopee River, Massachusetts**



**May 20, 2026  
Maryalice Fischer, Certification Program Director**

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## REVIEW OF APPLICATION FOR LIHI CERTIFICATION OF THE CHICOPEE FALLS HYDROELECTRIC PROJECT

### 1. INTRODUCTION

This report provides review findings and recommendations related to the [certification application](#) submitted to the Low Impact Hydropower Institute (LIHI) by Ware River Power Inc. (operator and “Applicant”) on behalf of the City of Chicopee, Massachusetts (owner) for certification of the 2.5-MW Chicopee Falls Hydroelectric Project (“Project”). The complete application package was submitted on February 12, 2026 and is subject to review under the 2<sup>nd</sup> edition LIHI Handbook (Revision 2.06).

### 2. PROJECT’S GEOGRAPHIC LOCATION

The Chicopee Falls Project is located in the City of Chicopee Massachusetts and is the second dam on the Chicopee River above its confluence with the Connecticut River. Although the Chicopee River is only 18 miles long, its watershed is 724 square miles, the largest in Massachusetts, and is the largest tributary watershed to the Connecticut River. It is formed by the confluence of three tributaries – the Ware, Quaboag and Swift rivers. The Swift River’s three branches were impounded in 1938 to form the Quabbin Reservoir used as a major water supply reservoir for the metropolitan Boston area. The upper section of the Ware River is also seasonally diverted into the Quabbin Reservoir.

During the Industrial Revolution, the Chicopee River became a particularly sought-after destination for hydropower, largely because it drops 260 feet over its short course. There are six hydropower facilities on the river (Figure 1) including the first on the river, [Dwight \(LIHI #170\)](#) located 1.7 river miles downstream of Chicopee Falls. Moving upstream from Chicopee Falls are [Indian Orchard \(LIHI #112\)](#), [Putts Bridge \(LIHI #102\)](#), [Collins \(LIHI #88\)](#), and [Red Bridge \(LIHI #96\)](#).



**Figure 1. Project Location**

### 3. PROJECT AND IMMEDIATE SITE CHARACTERISTICS

The dam was originally constructed in 1898 and hydro operations began in 1985. The dam creates a reservoir approximately 0.9 miles long with 310 acre-feet of storage capacity. The dam also creates a bypassed reach approximately 500 feet long. The project operates in a run-of-river mode and generates approximately 8,850 MWh annually.

The Project (Figures 2 - 6) consists of:

- a 10-foot-tall, 256-foot-long granite block masonry dam with 1.4-foot-high wooden hydraulic flashboards<sup>1</sup>;
- a gatehouse structure, non-overflow sluice gate structure, and retaining walls;
- a canal intake with two headgates;
- two penstocks consisting of 24-foot-wide concrete box and exposed steel sections, each approximately 90 feet long; intakes with steel trash racks with 1-3/4" spacing;
- a below grade powerhouse containing two ESAC bulb turbines, each with 1.25 MW capacity;<sup>2</sup> and
- appurtenant facilities including a control room and small substation.

On October 1, 2025, FERC approved the Project's proposal to replace the existing steel penstocks in-kind with new welded steel pipe, scheduled to be completed later this year, along with rebuilding of both turbines.

<sup>1</sup> Some parts of the LIHI application mis-state the flashboard height as 1.5 ft, and the dam length as 314 ft (which includes the non-spillway portions).

<sup>2</sup> The LIHI application incorrectly listed the turbines as a 1,700-kW unit and an 800-kW unit.

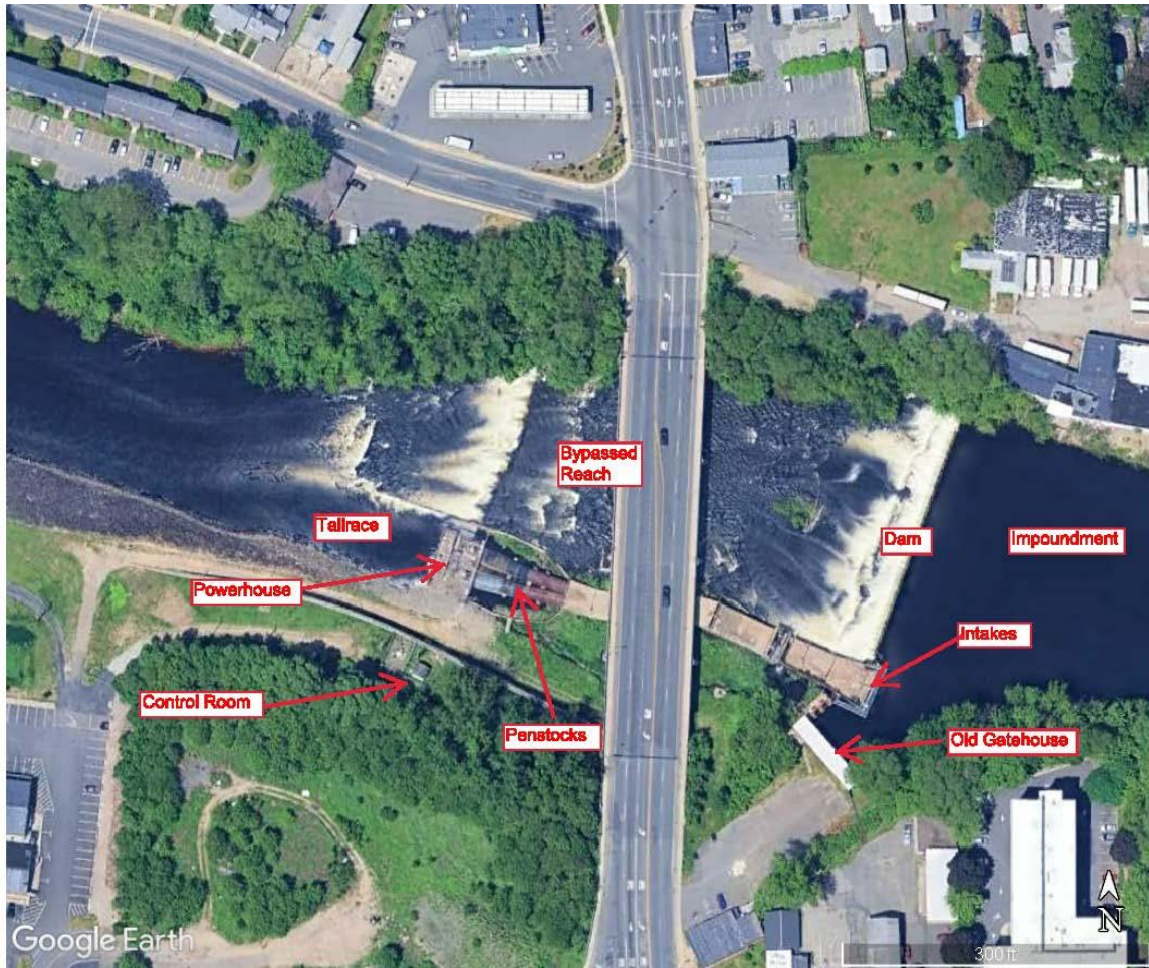


Figure 2. Key Project Features

Figure 3. Dam Spillway



Figure 4. Powerhouse and Penstocks



**Figure 5. Bypassed Reach****Figure 6. Tailrace/Bypass Confluence**

#### **4. REGULATORY AND COMPLIANCE STATUS**

The project was granted an exemption from licensing by the Federal Energy Regulatory Commission (FERC) on December 8, 1982 with [FERC No. 6522](#). The exemption includes Standard Article 2 which requires compliance with any terms and conditions that Federal or State fish and wildlife agencies have determined are appropriate to prevent loss or damage to fish and wildlife resources. There is no water quality certification associated with the Project.

According to the Applicant, and based on a review of the FERC elibrary, there have been no operational deviations or compliance issues, and the Applicant states that all FERC inspections since construction have determined that the Project facilities remain in good condition. A [2001 FERC environmental inspection report](#) found the Project to be in compliance with the exemption.

#### **5. PUBLIC COMMENTS RECEIVED OR SOLICITED BY LIHI**

The application was publicly noticed on February 18, 2026 and notice of the application was forwarded to resource agencies, tribes, and stakeholders listed in the application. The 60-day comment period ended on April 19, 2026 and comments were received from US Fish and Wildlife Service (USFWS) and Massachusetts Division of Fisheries and Wildlife (MDFW). Both letters were similar and are discussed in Sections 7.C and 7.D below.<sup>3</sup>

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<sup>3</sup> See [USFWS](#) and [MDFW](#) comment letters on the LIHI project webpage.

## 6. ZONES OF EFFECT

The Applicant delineated the Project into three Zones of Effect (ZoEs).

- Zone 1: Impoundment extending from the dam upstream approximately 0.9 miles to a backwatered area of the river.
- Zone 2: Bypassed Reach extending approximately 500 ft from the dam to the tailrace.
- Zone 3: Tailrace/Downstream Reach extending approximately 1.3 miles downstream from the dam to the confluence of Abbey Brook.

The Applicant selected the standards shown in the table below. The reviewer agrees with the selected Standards. Note that the application incorrectly listed Standard F-1 in Section 2.1 for the impoundment but correctly used Standard F-2 in the Section 3.7 discussion.

<b>CRITERION</b>		<b>ZoE 1. Impoundment</b>	<b>ZoE 2. Bypassed Reach</b>	<b>ZoE 3. Tailrace/ Downstream Reach</b>
<b>A</b>	<b>Flow Regimes</b>	1	2	2
<b>B</b>	<b>Water Quality</b>	1	1	1
<b>C</b>	<b>Upstream Fish Passage</b>	1	1	1
<b>D</b>	<b>Downstream Fish Passage</b>	1	1	1
<b>E</b>	<b>Shorelines and Watershed</b>	1	1	1
<b>F</b>	<b>Threatened and Endangered Species</b>	2	2	2
<b>G</b>	<b>Cultural and Historic Resources</b>	1	1	1
<b>H</b>	<b>Recreational, Public and Traditional Cultural Access</b>	1	1	1

## 7. DETAILED CRITERIA REVIEW

### A: Flow Regimes

**Goal:** *The flow regimes in riverine reaches affected by the facility support habitat and other conditions suitable for healthy fish and wildlife resources.*

**Assessment of Criterion:** The Applicant selected Standard A-1 for the Impoundment ZoE and Standard A-2, Resource Agency and Tribal Government Recommendations for the Bypassed

Reach and Tailrace/Downstream Reach ZoEs. Impoundments can typically qualify for A-1 since this criterion is focused primarily on riverine reaches. The reviewer agrees with the selections.

**Discussion:** The Project operates in an instantaneous run-of-river mode with the impoundment elevation set at 108.1 ft above mean sea level (msl) when the flashboards are in place and at elevation 106.7 ft msl when the flashboards are removed. The flashboards are raised and lowered to control ice hazards in the winter. The hydraulic cylinders are actuated from a control panel located on the gatehouse deck. Water levels can be temporarily modified if there are emergencies beyond the operator's control or for short periods upon mutual agreement between the operator and the U.S. Fish and Wildlife Service (USFWS) and the Massachusetts Division of Fisheries and Wildlife (MDFW).

Run-of-river operation is maintained and monitored with automatic controls for pond leveling to maintain stable impoundment levels and minimize fluctuations utilizing a PLC and SCADA system. Headwater/tailwater elevations, percent gate opening, and generation is recorded and a pressure transducer in the headpond monitors headpond level. Average annual inflow at the dam is 1,072 cfs based on the [USGS gage #01177000](#) located about 4 river miles upstream. Average monthly inflow ranges from 483 cfs in August to 1,830 cfs in April.

In a January 2, 1986 letter ([Attachment B of the LIHI application](#)), MDFW required an aquatic base flow of 357 cfs or inflow if less, below the tailrace for the protection of aquatic resources<sup>4</sup>, and a minimum flow of at least 127 cfs (the 7Q10 flow)<sup>5</sup> released at the dam through the flashboards into the bypassed reach (Figure 3) when the Project is operating, for the protection of water quality and to ameliorate existing water pollution in the river. MDFW also stated that inspection of the bypassed reach by MDFW staff at that time indicated that "the area has little fisheries habitat, being composed primarily of bedrock." (Figure 5).

Based on the application and supporting documentation, this review finds that the Project's flow regime adequately protects water quality and aquatic habitat downstream of the dam. Therefore, the Project satisfies the Flow Regimes criterion.

## **B: Water Quality**

**Goal:** *Water Quality is protected in waterbodies directly affected by the facility, including downstream reaches, bypassed reaches, and impoundments above dams and diversions.*

**Assessment of Criterion:** The Applicant selected Standard B-1, Not Applicable/De Minimis Effect for all ZoEs. The reviewer agrees with this selection.

**Discussion:** As a FERC exempt project, Chicopee Falls is not subject to water quality

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<sup>4</sup> 357 cfs is equal to the USFWS New England Flow Policy default aquatic base flow of 0.5 cfs/square mile of watershed.

<sup>5</sup> The 7Q10 flow is the lowest 7-day average flow that occurs on average once every 10 years.

certification. The Chicopee River is classified as Class B warm-water that received combined sewer overflows (CSOs). Under the Massachusetts' Clean Water Act Section 303(d) program, multiple assessment units (AUs) along the river are listed as impaired (Category 5) in the state's most recent EPA-approved Integrated List of Waters for the 2022 reporting cycle. The primary impairments include bacteria (e.g., E. coli and fecal coliform), which affect the designated uses of primary and secondary contact recreation. A [Total Maximum Daily Load](#) (TMDL) for bacteria has been developed for the Chicopee River watershed. AU's relevant to the Project are MA36-24 extending from 8.8 miles upstream of the Project to the dam, and MA36-25 extending 3 miles from the dam to the confluence with the Connecticut River.

In the state's [2024/2026 draft assessment for the Chicopee River watershed](#), segment MA36-24 including the impoundment is also listed as non-supporting for aquatic life use. An impairment for fish consumption due to the presence of PFAS<sup>6</sup> in fish tissue and the non-native aquatic macrophyte species *Trapa natans* (water chestnut) have been added. The downstream segment MA36-25 is also listed as impaired for e coli and PFAS and thus non-supporting for fish consumption and recreation.

None of these impairments are due to Project operations and run-of-river operations along with the mandated minimum flows help to maintain or potentially improve water quality in the river. Water quality monitoring was conducted in 2025 at the upstream Indian Orchard Project (LIHI #112) and the downstream Dwight Project (LIHI #170). The report, submitted for LIHI compliance purposes, confirmed that water temperature and dissolved oxygen both upstream and downstream of Chicopee Falls were within state standards (minimum dissolved oxygen concentration of 5 mg/L and water temperatures below 28.3°C).

Based on the application and supporting documentation, this review finds that the Project does not negatively affect ambient water quality and therefore satisfies the Water Quality criterion.

### **C: Upstream Fish Passage**

**Goal:** *The facility allows for the safe, timely, and effective upstream passage of migratory fish to ensure that migratory species can successfully complete their life cycles and maintain healthy populations in areas affected by the facility.*

**Assessment of Criterion:** The Applicant selected Standard C-1, Not Applicable/De Minimis Effect in all ZoEs. The reviewer agrees with this selection.

**Discussion:** Standard C-1 is applicable to the Impoundment ZoE since once above the dam there is no further Project-related barrier to continued upstream movement of fish. There are no recommendations or requirements for fish passage, although the Project, like all other hydro projects on the river, is required under its FERC exemption to comply with any terms and

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<sup>6</sup> Per- and polyfluoroalkyl substances are a group of synthetic organo-fluorine chemical compounds that are widely used, long lasting chemicals, components of which break down very slowly over time.

conditions that Federal or State fish and wildlife agencies have determined are appropriate to prevent loss or damage to fish and wildlife resources. To date, there have been no terms or conditions issued by resource agencies.

The Chicopee River watershed is not currently the subject of migratory fish management or restoration efforts. The [Connecticut River Watershed Habitat Access Restoration Plan for Anadromous Fishes](#) indicates that the Chicopee River has a low priority for restoration. Anadromous species including American shad, sea lamprey, shortnose sturgeon, and river herring are blocked from access to the Chicopee Falls Project by the downstream Dwight dam, which was constructed in 1860, prior to Chicopee Falls, and which does not have upstream passage facilities.

The only migratory species currently present is the catadromous American eel, a state Species of Greatest Conservation Need.<sup>7</sup> They are able to naturally ascend dams on the mainstem and tributaries as evidenced by eels having been observed throughout the Chicopee River Basin upstream of the Project. The Chicopee Falls dam rests on several natural small cascading benches (Figures 2, 3, 5) which provides an upstream route of passage for eels which can climb up wetted margins (Figure 7, extracted from the MDFW comment letter).



**Figure 7. Observations of American Eel in the Chicopee River Basin (MA), based on electrofishing samples from 1984 to 2024.**

<sup>7</sup> <https://www.mass.gov/info-details/american-eel>

Neither USFWS nor MDFW provided estimates of the size of the eel population in response to the LIHI reviewer inquiry. However, they did reference the [2023 CRASC Connecticut River American Eel Management Plan](#) and some of its goals, objectives, and strategies which are broadly applicable to the entire Connecticut River Basin. Appendix D of that plan includes a draft framework for prioritization of potential American eel restoration areas and fish passage targets, which remains a work in progress according to USFWS (personal communication, April 6, 2026).

At this time, neither USFWS nor MDFW are requesting upstream passage for any migratory species in the Chicopee River via their authority under the FERC exemptions, a stance that the agencies have consistently held since the first LIHI certification on the river in 2012. However, MDFW stated in various comment letters and USFWS indicated in various email communications for LIHI applications for the other projects on the river, that they anticipate requiring both upstream and downstream passage at the projects on the Chicopee River at some point in the future.

There is no upstream fish passage at any of the hydropower projects on the Chicopee River. The LIHI Certificate for the Dwight Project (LIHI #170) includes a condition that would be triggered by resource agency recommendations to install American eel passage at that project. It is likely that if upstream fish passage is determined to be needed at Dwight, it would also be needed at Chicopee Falls and the other upstream projects.

At this time, the Chicopee Falls Project does not adversely impact upstream passage of migratory fish since American eels are able to pass upstream based on the distribution map provided by the resource agencies (Figure 7). Therefore, this review finds that the Project satisfies the Upstream Fish Passage criterion, with a condition recommended to ensure that upstream passage is implemented if formally requested by resource agencies, or if upstream passage is installed at the Dwight Project (see Section 8).

#### **D: Downstream Fish Passage**

**Goal:** *The facility allows for the safe, timely, and effective downstream passage of migratory fish. For riverine (resident) fish, including resident potamodromous fish, the facility minimizes loss of fish from impoundments and upstream river reaches affected by facility operations. Migratory species can successfully complete their life cycles and maintain healthy populations in the areas affected by the facility.*

**Assessment of Criterion:** The Applicant selected Standard D-1, Not Applicable/De Minimis Effect in all ZoEs. The reviewer agrees with this selection.

**Discussion:** There are no formal recommendations or requirements for downstream fish passage or protection measures. As noted above, the Project, like all the hydro projects on the river, must comply with any terms and conditions issued by Federal or State fish and wildlife agencies relative to fish and wildlife resources.

According to the LIHI application, resident fish species in the Chicopee River include black bullhead, bluegill, brown trout, rainbow trout, chain pickerel, channel catfish, carp, shiners, sunfish, and bass. MDFW stocks trout throughout the Chicopee River watershed.<sup>8</sup> In its comment letter, MDFW indicated that white sucker, walleye, smallmouth bass, and northern pike may also be present. These species typically do not require passage to complete their lifecycles. MDFW indicated that both migratory and resident species require in-river movement within the Chicopee River and there are about 5 river miles between the Project and the next upstream dam at Indian Orchard and three intervening tributaries that collectively are likely to provide reasonable and accessible habitat for resident species above the dam.

The only migratory species currently present is the American eel which can spend over a decade in freshwater before migrating downstream to the ocean. As noted above, the 2023 CRASC Connecticut River American Eel Management Plan includes a draft framework including a strategy that seeks to prioritize barriers for upstream and/or downstream passage implementation throughout the Connecticut River Basin. As noted above in Section 7.C, this prioritization has not occurred yet.

As with upstream passage, the resource agencies are not requiring downstream passage for any migratory species in the Chicopee River via their authority under the FERC exemptions, but they may do so in the future. Both agencies suggested that any projects undergoing LIHI certification in the New England region should adhere to the [USFWS Fish Passage Engineering Design Criteria, Region 5, \(2019\)](#) which includes recommendations for various aspects such as trash rack spacing, approach velocity, low level gates or guidance mechanisms to direct eels to surface gates, bypass facilities, or turbine shutdowns during rainy fall nights when eels tend to migrate downstream. This is a general recommendation and not associated with any specific project.

It is also important to place the Chicopee Falls Project within the context of the other hydro projects on the river, and their provisions for downstream passage. The Red Bridge, Putts Bridge, Indian Orchard and Dwight projects all have surface gates that pass minimum flows into the projects' bypassed reaches. Bypass minimum flows at these projects were reduced during part or all of the year in the 2023 FERC exemption amendment process for these projects (except for Putts Bridge's minimum flow which did not change). The amendments changed operations from limited store-and-release to run-of-river in accordance with instream flow studies and agency negotiations which resulted in a 2021 settlement agreement with USFWS and MDFW. Neither resource agency raised issues around upstream or downstream fish passage at that time, nor did they request installation of specific downstream passage and/or protection measures at those projects.<sup>9</sup>

All of those projects except for Red Bridge, the farthest upstream project, have a LIHI

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<sup>8</sup> <https://www.mass.gov/info-details/massachusetts-trout-stocked-waters-list>

<sup>9</sup> These projects underwent LIHI mid-term reviews in 2023 as a result of the exemption amendments.

certification condition related to requests by agencies to provide upstream or downstream passage. The Collins Project, located between Red Bridge and Putts Bridge, does not have a bypassed reach. It releases minimum flows over the spillways and also has a LIHI condition related to requests by agencies to provide upstream or downstream passage.

The Chicopee Falls Project impoundment is shallow, and its minimum flow passes under the flashboards and into the series of cascading benches approximately 11 feet in elevation from top to bottom. According to the Applicant, it appears that there was a natural falls of 15 feet or so prior to the 10-foot tall dam. These elements seem to provide adequate downstream passage. The trash racks have 1-3/4 inch clear spacing which would allow some fish to become entrained in the turbines if they cannot outswim the canal intake water velocity. By comparison, the other projects on the river have trash rack spacing from 2 inches (Dwight) to 3.25 inches (Indian Orchard).

The run-of-river operation and minimum bypass flows should ensure that eels can safely pass and there is no evidence that this is not the case for this project. Given the low priority for river restoration, the fact that agencies did not take the opportunity to pursue passage requirements during the recent FERC amendments at other projects on the river, and the lack of data on the eel population in the river, there does not appear to be a science-based reason to modify project facilities or operations for theoretically enhanced downstream passage.

Therefore, based on the application and supporting documentation, this review finds that the Project is unlikely to adversely affect the American eel and resident fish species in a way that could adversely impact their populations. Given the position from both MDFW and USFWS that passage is not required at this time, and the expected limited numbers of eels found upstream; along with the fact that no downstream passage measures have been implemented at any of the upstream projects (other than bypass minimum flows which also occur at this Project), this criterion has been met, with a condition recommended to ensure that downstream passage is installed if formally requested or if downstream passage is installed at any of the upstream projects (see Section 8).

#### **E: Shorelines and Watershed**

**Goal:** *The facility has demonstrated that sufficient action has been taken to protect, mitigate or enhance the condition of soils, vegetation, and ecosystem functions on shoreline and watershed lands associated with the facility.*

**Assessment of Criterion:** The Applicant selected Standard E-1, Not Applicable/De Minimis Effect in all ZoEs. The reviewer agrees with this selection.

**Discussion:** The Project is located in the City of Chicopee, a highly developed area although there are some vegetated shoreline buffers and undeveloped parcels along the north and west

sides of the river around the Project. According to the Massachusetts Biomap mapping tool<sup>10</sup>, there are no lands of ecological significance in or adjacent to the Project which has a very small footprint. No shoreline management plan is required, nor does the Project have one. The run-of-river operations with stable impoundment levels minimize erosion and other potential impacts on the shorelines.

Based on the application, supporting documentation, and publicly available documents, this review finds that the Project has a de minimis effect on its shorelines and watershed, and therefore satisfies the Shorelines and Watershed criterion.

## **F: Threatened and Endangered Species**

**Goal:** *The facility does not negatively impact federal or state listed species, or tribal trust species.*

**Assessment of Criterion Passage:** The Applicant selected Standard F-2, Finding of No Negative Effect in all ZoEs. The reviewer agrees with this selection.

**Discussion:** The Applicant provided a report from the USFWS IPaC online program which indicates that the endangered northern long-eared bat is not present in the Project area, but tricolored bat, a species proposed for listing as endangered, and the proposed threatened monarch butterfly may be present.

The reviewer checked the Massachusetts Rare Species Viewer<sup>11</sup> for the City of Chicopee which indicates that the following state-listed species have been observed in the City over the last 20 years:

- Eastern spadefoot, threatened amphibian
- Yellow lampmussel, endangered mussel
- Peregrine falcon, threatened bird
- Shortnose sturgeon, endangered fish
- Grasshopper sparrow, threatened bird
- Upland sandpiper, endangered bird
- Vesper sparrow, threatened bird
- Phyllira tiger moth, endangered moth
- Riverine clubtail, endangered dragonfly

However, the state's priority and estimated habitat online map<sup>12</sup> indicates no suitable priority

<sup>10</sup> <https://biomap-mass-eoeaa.hub.arcgis.com/>

<sup>11</sup> <https://www.mass.gov/info-details/rare-species-viewer>

<sup>12</sup>

[https://maps.massgis.digital.mass.gov/MassMapper/MassMapper.html?bl=2019%20Aerial%20Imagery\\_100&l=massgis:GISDATA.ESTHAB\\_POLY\\_GISDATA.ESTHAB\\_POLY::Default\\_ON\\_100,massgis:GISDATA.PRIHAB\\_POLY\\_GISDATA.PRIHAB\\_POLY::Default\\_ON\\_100,Basemaps\\_MapFeaturesforImagery\\_ON\\_100&b=-72.78997618033765,41.80714914168836,-70.81243711783766,42.8699254870066](https://maps.massgis.digital.mass.gov/MassMapper/MassMapper.html?bl=2019%20Aerial%20Imagery_100&l=massgis:GISDATA.ESTHAB_POLY_GISDATA.ESTHAB_POLY::Default_ON_100,massgis:GISDATA.PRIHAB_POLY_GISDATA.PRIHAB_POLY::Default_ON_100,Basemaps_MapFeaturesforImagery_ON_100&b=-72.78997618033765,41.80714914168836,-70.81243711783766,42.8699254870066)

or estimated habitat for any species in the immediate Project area. Even if any of these species were present at the Project, they are unlikely to be affected by the Project's operations.

With little land to maintain, a lack of trees that might need cutting, run-of-river operations and minimum flows, the Project is unlikely to adversely affect any federal or state listed species. This review did not identify any specific tribal trust species at the Project. It appears that only the state-recognized Nipmuc Tribe, and the extirpated Pocumtuc Tribe historically inhabited the Chicopee area.<sup>13</sup> A recently state-recognized tribe, the Herring Pond Wampanoag Tribe, occupied the area of Plymouth and Barnstable counties in Massachusetts.<sup>14</sup> For the two federally recognized tribes - Mashpee Wampanoag Tribe and Wampanoag Tribe of Gay Head (Aquinnah) of Massachusetts, occupied areas of Eastern Massachusetts, primarily on the Cape and Islands according to the Bureau of Indian Affairs map of Indian lands.<sup>15</sup>

Based on the application, supporting documentation, and publicly available documents, this review finds that the Project has a de minimis effect on threatened, endangered and (if present) tribal trust species and therefore satisfies the Threatened and Endangered Species criterion.

### **G: Cultural and Historic Resources**

**Goal:** *The facility does not adversely impact cultural or historic resources associated with the facility's lands and waters, including archaeological sites, historic era sites, traditional cultural landscapes, traditional cultural properties, and other tribal trust resources.*

**Assessment of Criterion:** The Applicant selected Standard G-1, Not Applicable/De Minimis Effect in all ZoEs. The reviewer agrees with this selection.

**Discussion:** There are no identified archaeological sites in the area of the Project. The Deady Memorial Bridge over the Chicopee River adjacent to the dam near the gate house is listed on the Massachusetts Historical Commission online inventory, as is the former Chicopee Manufacturing Company site located just downstream of the project's tailrace, outside of the Project boundary.

As noted above it appears that only the state-recognized Nipmuc Tribe, and the extirpated Pocumtuc Tribe historically inhabited the Chicopee area, although not in large numbers.<sup>16</sup> In 1641, William Pynchon, an early settler in the region, purchased the land that is currently the City of Chicopee from the Nipmuc Tribe.<sup>17,18</sup> The LIHI application announcement was sent to the Nipmuc Tribal Chairperson, but no comments or other communication was received.

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<sup>13</sup> <https://www.nipmucnation.org/history>

<sup>14</sup> <https://www.herringpondtribe.org/our-history/>

<sup>15</sup> <https://www.bia.gov/sites/default/files/dup/assets/bia/ots/webteam/pdf/idc1-028635.pdf>

<sup>16</sup> <http://www.chicopeepubliclibrary.org/archives/files/original/c1935339b9b4f7bd1170b6ad0a9de4ab.pdf>

<sup>17</sup> <https://pioneervalleyhistorynetwork.org/2019/07/15/the-springfield-indian-deed/>

<sup>18</sup> <http://www.chicopeepubliclibrary.org/archives/files/original/8e56ddd6afa85ef771abea47c96cc00f.pdf>

The Project has not conducted nor is it required to conduct archaeological investigations. Given the small Project footprint and previously highly developed nature of the project lands, it is unlikely that the Project adversely affects cultural or historic resources. This review finds that the Project has a de minimis effect on cultural and historic resources and therefore satisfies the Cultural and Historic Resources criterion.

#### **H: Recreational, Public and Traditional Cultural Access**

**Goal:** *The facility accommodates recreational activities on lands and waters controlled by the facility; and provides recreational, public, and traditional cultural access to its associated lands and waters without fee or charge.*

**Assessment of Criterion Passage:** The Applicant selected Standard H-1, Not Applicable/De Minimis Effect in all ZoEs. The reviewer agrees with this selection.

**Discussion:** There is no formal or informal recreation at the Project. Lands surrounding the small Project footprint are privately owned. Non-project access is available for paddling upstream with a hand-carry put-in and take-out above the Project and another downstream around Dwight Dam.<sup>19</sup> The 2001 FERC environmental inspection report noted that “*public access to the project is restricted due to the rocky and steep terrain and the industrial nature of the area...The occasional fisherman can access the riverbanks only on foot.*”<sup>20</sup>

Based on the application and supporting documentation, this review finds that the Project does not have the ability to safely provide public access due to its limited footprint and surrounding privately-owned lands. Therefore, the Project therefore satisfies the Recreational, Public, and Traditional Cultural Access criterion.

### **8. CERTIFICATION RECOMMENDATION**

This review included an evaluation of the application and supplemental information provided by the Applicant, a review of the FERC eLibrary, a review of other publicly available information, and inquiries to USFWS and MDFW. Based on this evaluation, the reviewer recommends that the Project be certified for a ten-year term with the following condition:

**Condition 1:** In annual compliance submittals to LIHI, the facility owner/operator shall provide a summary of any agency consultation that has occurred regarding upstream or downstream fish passage. If an agency requests passage studies or passage facilities during the LIHI term, a plan and schedule for implementation will also be provided in the applicable compliance submittal(s).

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<sup>19</sup> <https://massachusettspaddler.com/chicopeer4-putts-dam-to-dwight-dam> Note that this site mis-identifies Chicopee Falls Dam as Dwight Dam and vice versa.

<sup>20</sup> [https://elibrary.ferc.gov/eLibrary/filelist?accession\\_number=20011218-9004&optimized=false&sid=51c10586-2081-4f93-ba5c-13dc80bcbf1e](https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20011218-9004&optimized=false&sid=51c10586-2081-4f93-ba5c-13dc80bcbf1e)