

June 14, 2023

SENT VIA EMAIL

Hydro.GeneralPermit@epa.gov

Re: **Hitchcock Hydro, LLC
Crescent (Texon) Hydroelectric Project
Russell, Massachusetts
Hydroelectric Generating Facilities General Permit**

Dear Sir or Madam:

Hitchcock Hydro, LLC is seeking coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Hydroelectric Generating Facilities (HYDRO GP) for the Crescent (Texon) Hydroelectric Project in Russell, Massachusetts. This facility currently maintains coverage under the 2009 HYDRO GP. Additionally, the site is certified by the Low Impact Hydropower Institute.

Please find attached the following documents supporting this submittal:

1. Notice of Intent
2. Supplemental Outfall Attachment
3. Site Figures and Flow Diagram
4. Cooling Water Information
5. Endangered Species Review (Response Pending)
6. Historic Places Listing
7. Impaired Waters Listing

Please be advised that an alternative pH limitation for this facility has been requested from MassDEP. The station sump collects infiltration, condensation and leakage that is impacted by leaching and efflorescence from the concrete in the plant. Water typically flows over or out of mineral buildups and into the sump at the bottom level of the plant, elevating the pH of the sump discharge.

If you have any questions regarding this facility or the enclosed application package, please contact me at (413) 875-1607. Thank you for your attention to this matter.

Very truly yours,

TIGHE & BOND, INC.



Timothy Kucab, CHMM
Project Manager

Copy: Jonathan Dollard, Hitchcock Hydro, LLC (via email)



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SECTION 1

Section 1
Notice of Intent

II. Suggested Format for the HYDRO General Permit Notice of Intent (NOI):

Request for General Permit Authorization to Discharge Wastewater Notice of Intent (NOI) to be covered by Hydroelectric Generating Facilities General Permit (HYDROGP) No. MAG360000 or NHG360000

Indicate Applicable General Permit for Discharge(s): MAG360000 NHG360000

A. Facility Information

1. Facility Location	Name: Crescent (Texon) Hydroelectric Project	
	Street: 1190 Huntington Road	
	City: Russell	State: MA
	Zip: 01071	SIC Code: 4911
	Latitude: 42°13'16.85"N	Longitude: 72°51'34.52"W
	Type of Business: Hydroelectric power generation	
2. Facility Mailing Address (if different from Location)	Street: 5 Dartmouth Drive, Suite 104	
	City: Auburn	State: NH
	Zip: 03032	
3. Facility Owner	Name: Hitchcock Hydro LLC	Email: jdollard@gravityrenewables.com
	Street: 5 Dartmouth Drive, Suite 104	Telephone: 720-370-7984

	City: Auburn	State: NH	
	Contact Person: Jon Dollard	Zip: 03032	
4. Facility Operator (if different from above)	Name:	Email:	
	Street:	Telephone:	
	City:	State:	
	Zip:		
5. Current Permit Status	Has prior HYDROGP coverage been granted for the discharge(s) listed in the NOI?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Permit number (if yes): MAG360029		
	Is the facility covered under an Individual Permit?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Is there a pending NPDES application of file with EPA for the discharge(s)?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Date of Submittal (if yes):		Permit Number (if known):
	Attach a topographic map indicating the locations. of the facility and outfall(s) to the receiving water		<input checked="" type="checkbox"/> Map Attached
	Number of turbines: 1		
	Combined turbine discharge (installed capacity) at: 650		Maximum capacity? 650 cfs Minimum capacity? 165 cfs
	Is this facility operated as a pump storage project?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

B. Discharge Information

1. Name of Receiving Water(s): Westfield River		<input checked="" type="checkbox"/> Freshwater <input type="checkbox"/> Marine
2. Waterbody classification: <input type="checkbox"/> Class A <input checked="" type="checkbox"/> Class B <input type="checkbox"/> Class SA <input type="checkbox"/> Class SB		
3. Is the receiving water is listed in the State's Integrated List of Waters (i.e., CWA Section 303(d))?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. If the applicant answered yes to B.3, has the applicant identified the designated uses that are impaired, any pollutants indicated, and whether a final TMDL is available for any of the indicated pollutants in a separate attachment to the NOI?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Attach a line drawing or flow schematic showing water flow through the facility including location of intake(s), operations contributing to effluent flow, treatment units, outfalls, and receiving water(s).		<input checked="" type="checkbox"/> Line Drawing Attached
6. List each outfall (numbered sequentially) discharging effluent from the following categories and provide an estimate of the average monthly flow (in gallons per day) for each discharge type. See Parts 1.1 through 1.5 (for MA) or Parts 2.1 through 2.5 (for NH) for descriptions and permit conditions for each discharge type.		
Equipment-related cooling water	Outfalls:	gpd
Equipment and floor drain water	Outfalls: DSN 001	500 gpd
Maintenance-related water	Outfalls:	gpd
Facility maintenance-related water during flood/high water events	Outfalls:	gpd
Equipment-related backwash strainer water	Outfalls:	gpd

7. For each outfall listed above, provide the following information (attach additional sheets if necessary). Outfalls may be eligible for alternative pH effluent limits. See Parts 1.7.1. and 2.7.1 of the permit for additional information. Contact MassDEP or NHDES to determine the required information and protocol to request alternative pH effluent limits.

Outfall No. DSN 001	Latitude: 42°13'16.21"N	Longitude: 72°51'34.04"W
	Discharge is: <input type="checkbox"/> Continuous <input checked="" type="checkbox"/> Intermittent <input type="checkbox"/> Seasonal	
	Maximum Daily Flow 0.02 MGD	Average Monthly Flow 0.003 MGD
	Maximum Daily Temperature 71.6 °F	Average Monthly Temperature 53.9 °F
	Maximum Daily Oil & Grease 41.7 mg/L	Average Monthly Oil & Grease 3.5 mg/L
	Maximum Monthly pH 9.79 s.u.	Minimum Monthly pH 8.14 s.u.
	Alternative pH limits requested? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	State approval attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No* *Request placed with MassDEP
Outfall No.	Latitude:	Longitude:
	Discharge is: <input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent <input type="checkbox"/> Seasonal	
	Maximum Daily Flow MGD	Average Monthly Flow MGD
	Maximum Daily Temperature °F	Average Monthly Temperature °F
	Maximum Daily Oil & Grease mg/L	Average Monthly Oil & Grease mg/L
	Maximum Monthly pH s.u.	Minimum Monthly pH s.u.
	Alternative pH limits requested? <input type="checkbox"/> Yes <input type="checkbox"/> No	State approval attached? <input type="checkbox"/> Yes <input type="checkbox"/> No

Outfall No.	Latitude:	Longitude:		
	Discharge is: <input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent <input type="checkbox"/> Seasonal			
	Maximum Daily Flow	MGD	Average Monthly Flow	MGD
	Maximum Daily Temperature	°F	Average Monthly Temperature	°F
	Maximum Daily Oil & Grease	mg/L	Average Monthly Oil & Grease	mg/L
	Maximum Monthly pH	s.u.	Minimum Monthly pH	s.u.
	Alternative pH limits requested? <input type="checkbox"/> Yes <input type="checkbox"/> No		State approval attached? <input type="checkbox"/> Yes <input type="checkbox"/> No	

C. Best Technology Available for Cooling Water Intake Structures

Facilities that checked “equipment-related cooling” as one of the discharges in Part B. of this NOI are subject to the following requirements.	
1. Does the facility intake water for cooling purposes subject to the BTA Requirements at Part 4 of the HYDROGP?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, skip to Part D of this NOI.
2. If yes, indicate which technology employed to comply with the general BTA requirements at Part 4.2.b of the HYDROGP:	
<input checked="" type="checkbox"/> An existing technology (e.g., a physical or behavioral barrier, spillway, or guidance device) that directs fish towards a downstream passage that minimizes exposure to the CWIS. Has the applicant attached a narrative description of the barrier to demonstrate that the downstream fish passage effectively transports live fish in a manner that minimizes the likelihood of becoming impinged or entrained at the cooling water intake? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> An effective intake velocity at the point of cooling water withdrawal, or alternatively, at the point where cooling water enters the penstock (for intakes located within the penstock), not to exceed 0.5 fps. Has the applicant attached a demonstration of compliance with this intake velocity through observation of live fish in the intake or calculation based on the maximum intake volume and minimum bypass flow? <input type="checkbox"/> Yes <input type="checkbox"/> No	

<input type="checkbox"/> For cooling water withdrawn directly from the source waterbody (<i>i.e.</i> , not from within the penstock), a physical screen or other barrier technology with a mesh size no greater than ½-inch that minimizes the potential for adult and juvenile fish to become entrapped in the CWIS. Has the applicant attached a description of the technology? <input type="checkbox"/> Yes <input type="checkbox"/> No If the mesh size of the screen is greater than ½-inch has the applicant demonstrated that the calculated intake velocity is less than 0.5 fps based on the screen dimensions, maximum intake volume, and source water 7Q10 low flow? <input type="checkbox"/> Yes <input type="checkbox"/> No	
3. If the answer to question C.1 is yes, in addition to complying with one of the criteria above, the applicant must submit the following information:	
Maximum daily volume of cooling water withdrawn during previous five (5) years:	57,600 gpd
Maximum monthly average volume of cooling water withdrawn during the previous five (5) years:	23,000 gpd
Maximum daily and average monthly volume of water used exclusively for cooling: Max:	57,600 gpd Avg: 23,000 gpd
Maximum daily and average monthly volume of water used for another process before or after being used for cooling:	Max: 0 gpd Avg: 0 gpd
Has the applicant attached a narrative description explaining how cooling water is reused? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Volume of total intake water withdrawn and used in facility as a percentage of:	
Installed turbine capacity	0.014 % Average daily flow through penstock 0.017 %
Minimum flow through penstock	0.054 %
Source water annual mean flow (<i>e.g.</i> , available from USGS, MassDEP, or NHDES):	198 cfs
Source water 7-day mean low flow with 10-year recurrence interval (7Q10):	5.79 cfs
Volume of total intake water withdrawn and used in facility as a percentage of:	
Source water mean annual flow	0.045%
Source water 7Q10 flow	1.54%

D. Chemical Additives

1. Does the facility use or plan to use non-toxic chemicals for pH adjustment?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Does the facility use or plan to use chemicals for anti-freeze purposes?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. If the answer to D.2 is yes, provide the following for EACH chemical additive used for anti-freeze:	
Chemical Name and Manufacturer:	
Maximum Dosage Concentration Used:	Average Dosage Concentration Used:
Maximum Concentration in Discharge: mg/L	Average Concentration in Discharge: mg/L
Material Safety Data Sheet (MSDS) or other toxicity documentation for each chemical attached? <input type="checkbox"/> Yes <input type="checkbox"/> No	

E. Endangered Species Act Certification

Appendix 2 to the HYDROGP explains the certification requirements related to threatened and endangered species and designated critical habitat. Indicate under which criteria the discharge is eligible for coverage under the HYDROGP:	
1. ESA eligibility for species under jurisdiction of USFWS	<input type="checkbox"/> Criterion A: No endangered or threatened species or critical habitat are in proximity to the discharges or related activities or come in contact with the “action area.” See Appendix 2, Part B for documentation requirements. Documentation attached? <input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/> Criterion B: Formal or informal consultation with the USFWS under Section 7 of the ESA resulted in either a no jeopardy opinion (formal consultation) or a written concurrence by USFWS on a finding that the discharges and related activities are “not likely to adversely affect” listed species or critical habitat. Has the operator completed consultation with USFWS and attached documentation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, is consultation underway? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Criterion C: Using the best scientific and commercial data available, the effect of the discharges and related activities on listed species and designated critical habitat have been evaluated. Based on those evaluations, a determination is made by EPA, or by the operator and affirmed by EPA, that the

	discharges and related activities will have “no effect” on any federally threatened or endangered species or designated critical habitat under the jurisdiction of the USFWS. Has the applicant attached documentation of the “no effect” finding? <input type="checkbox"/> Yes <input type="checkbox"/> No
2. ESA eligibility for species under jurisdiction of NMFS	Is the facility located on: the Connecticut River between the Massachusetts/Connecticut state line and Turners Falls, MA; the Taunton River; the Merrimack River between Lawrence, MA and the Atlantic Ocean; the Piscataqua River including the Salmon Falls and Cochecho Rivers; or a marine water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If yes, was the applicant authorized to discharge from the facility under the 2009 HYDROGP? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	If the discharge is to one of the named rivers above or to a marine water <i>and</i> the facility was not previously covered under the 2009 HYDROGP, has there been any previous formal or informal consultation with NMFS? <input type="checkbox"/> Yes <input type="checkbox"/> No Documentation of consultation attached? <input type="checkbox"/> Yes <input type="checkbox"/> No

F. National Historic Properties Act Eligibility

1. Indicate under which criterion the discharge(s) is eligible for covered under the HYDROGP:
<input checked="" type="checkbox"/> Criterion A: No historic properties are present.
<input type="checkbox"/> Criterion B: Historic properties are present. The discharges and related activities do not have the potential to impact historic properties.
<input type="checkbox"/> Criterion C: Historic properties are present. The discharges and related activities have the potential to impact or adversely impact historic properties.
2. Has the applicant attached supporting documentation for NHPA eligibility described in Appendix 3, Part C of the HYDROGP? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

3. Does supporting documentation include a written agreement from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or other tribal representative that outlines measures the operation will carry out to mitigate or prevent any adverse effects on historic properties? Yes No

G. Supplemental Information

Please provide any supplemental information, including antidegradation review information applicable to new or increased discharges. Attach any certifications required by the HYDROGP. Supplemental information attached? Yes No

H. Signature Requirements

1. The NOI must be signed by the operator in accordance with the signatory requirements of 40 C.F.R. § 122.22, including the following certification:

I certify under penalty of law that no chemical additives are used in the discharges to be authorized under this General Permit except for those used for pH adjustment or anti-freeze purposes and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

2. Notification provided to the appropriate State, including a copy of this NOI, if required?

Yes No

Signature:



Date:

6/14/23

Print Name and Title: Jonathan Dollard - Vice President of Engineering

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SECTION 2

Section 2

Supplemental Outfall Information

Additional Outfall Information

Outfall DSN-001

Outfall DSN-001 discharges condensate, infiltration, leakage and floor drains from the facility sump to the Westfield River, below the facility dam.

Sampling is performed at this Outfall.

Note: Cooling and Lubricating Water

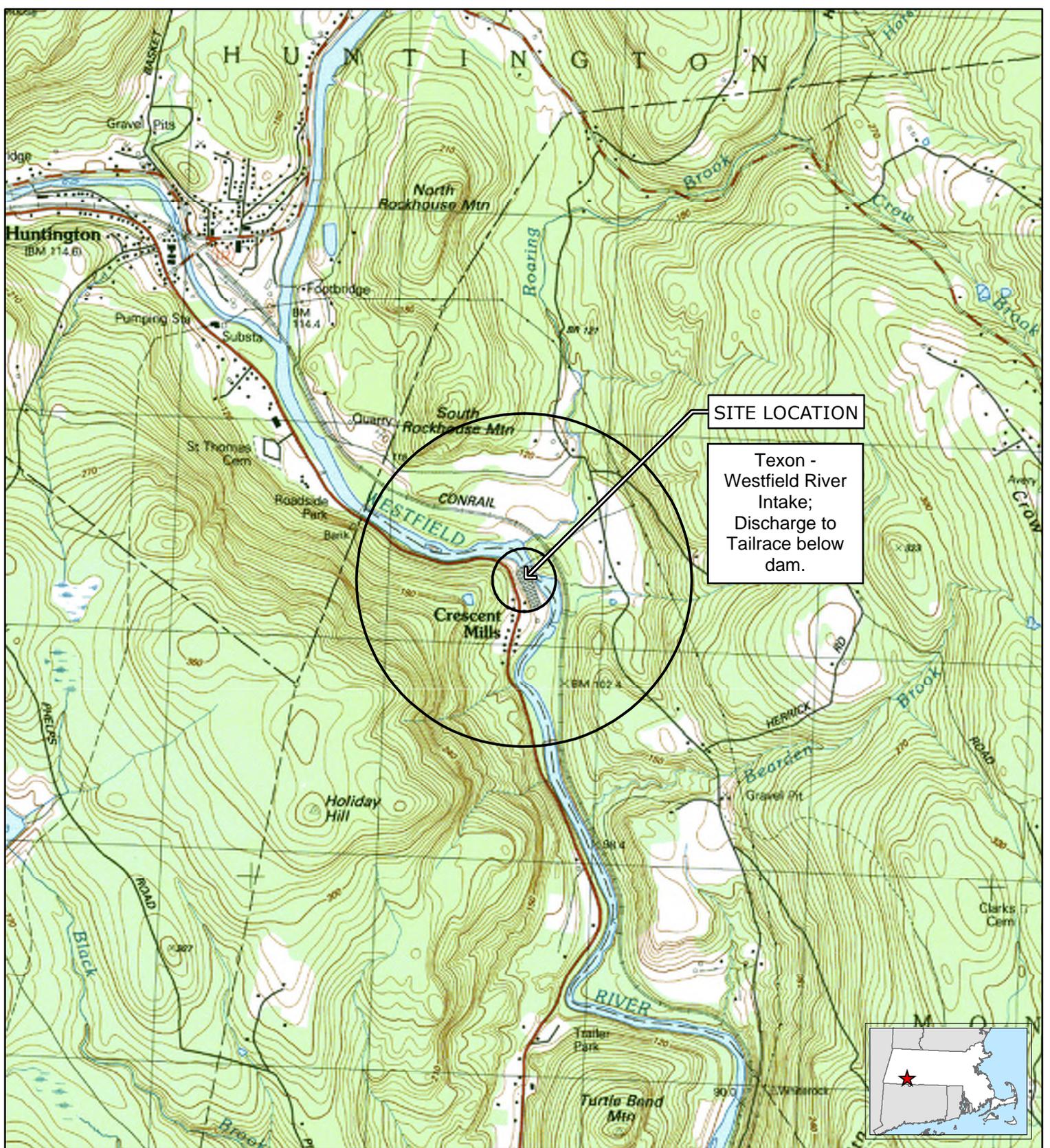
Please be advised that the single turbine at the facility utilizes service water for cooling and lubricating purposes during operation. The design of the site is such that the thrust bearing non-contact cooling water discharges into the facility tailrace but is not accessible for sampling. Additionally, discharges from the marine bearing and stuffing box remains within the turbine housing and discharges with the electricity generating process water directly into the draft tube. Sampling these flows individually is not possible.

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SECTION 3

Section 3

Site Figures and Flow Diagrams



SITE LOCATION

Texon -
Westfield River
Intake;
Discharge to
Tailrace below
dam.

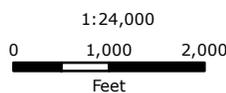


**FIGURE 1
SITE LOCATION**

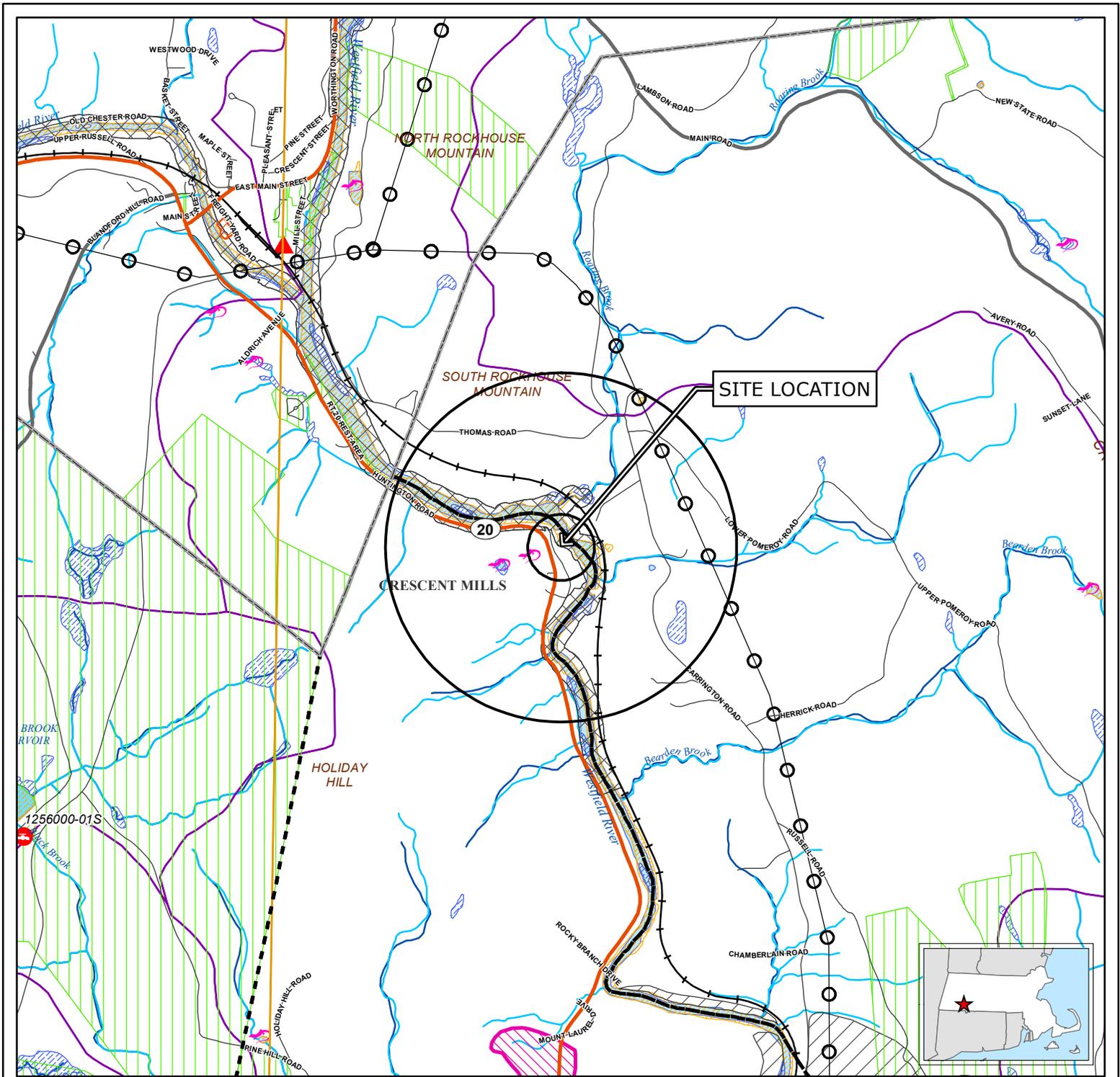
Crescent (Texon) Hydroelectric Project
1190 Huntington Road
Russell, Massachusetts



Based on USGS Topographic Map for
Woronoco, MA Revised 1987. Contour Equals 6-Meters. [Site Quad]
Blandford, MA Revised 1987. Contour Equals 6-Meters
Circles indicate 500-foot and half-mile radii



May 2023



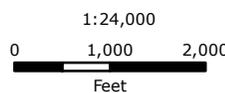
Legend

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> NHESP Certified Vernal Pools NHESP Potential Vernal Pools Non-Landfill Solid Waste Sites Proposed Well Emergency Surface Water Community Public Water Supply - Surface Water Community Public Water Supply - Groundwater Non-Community Non-Transient Public Water Supply Non-Community Transient Public Water Supply Limited Access Highway Multi-Lane Highway, NOT Limited Access Other Numbered Route Major Road - Arterials and Collectors Minor Street or Road | <ul style="list-style-type: none"> Aqueducts Hydrologic Connections Stream/Intermittent Stream Powerline Pipeline Track or Trail Trains Public Surface Water Supply Protection Area (Zone A) DEP Approved Wellhead Protection Area (Zone I) DEP Approved Wellhead Protection Area (Zone II) DEP Interim Wellhead Protection Area (IWPA) Protected and Recreational Open Space Solid Waste Landfill Area of Critical Environmental Concern (ACEC) NHESP Priority Habitats for Rare Species NHESP Estimated Habitats for Rare Wildlife EPA Designated Sole Source Aquifer Major Drainage Basin Sub Drainage Basin | <ul style="list-style-type: none"> MassDEP Open Water MassDEP Inland Wetlands MassDEP Coastal Wetlands MassDEP Not Interpreted Wetlands Public Surface Water Supply (PSWS) Water Bodies Non-Potential Drinking Water Source Area - High Yield Non-Potential Drinking Water Source Area - Medium Yield Potentially Productive Medium Yield Aquifer Potentially Productive High Yield Aquifer County Boundary Municipal Boundary USGS Quadrangle Sheet Boundary |
|---|---|---|

FIGURE 2 PRIORITY RESOURCES

Crescent (Texon) Hydroelectric Project
1190 Huntington Road
Russell, Massachusetts

Data source: Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology
Circles indicate 500-foot and half-mile radii.
Data valid as of May 2023.



May 2023

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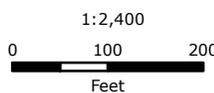


Legend

 Municipal Boundary

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Based on MassGIS Color Orthophotography (2021)

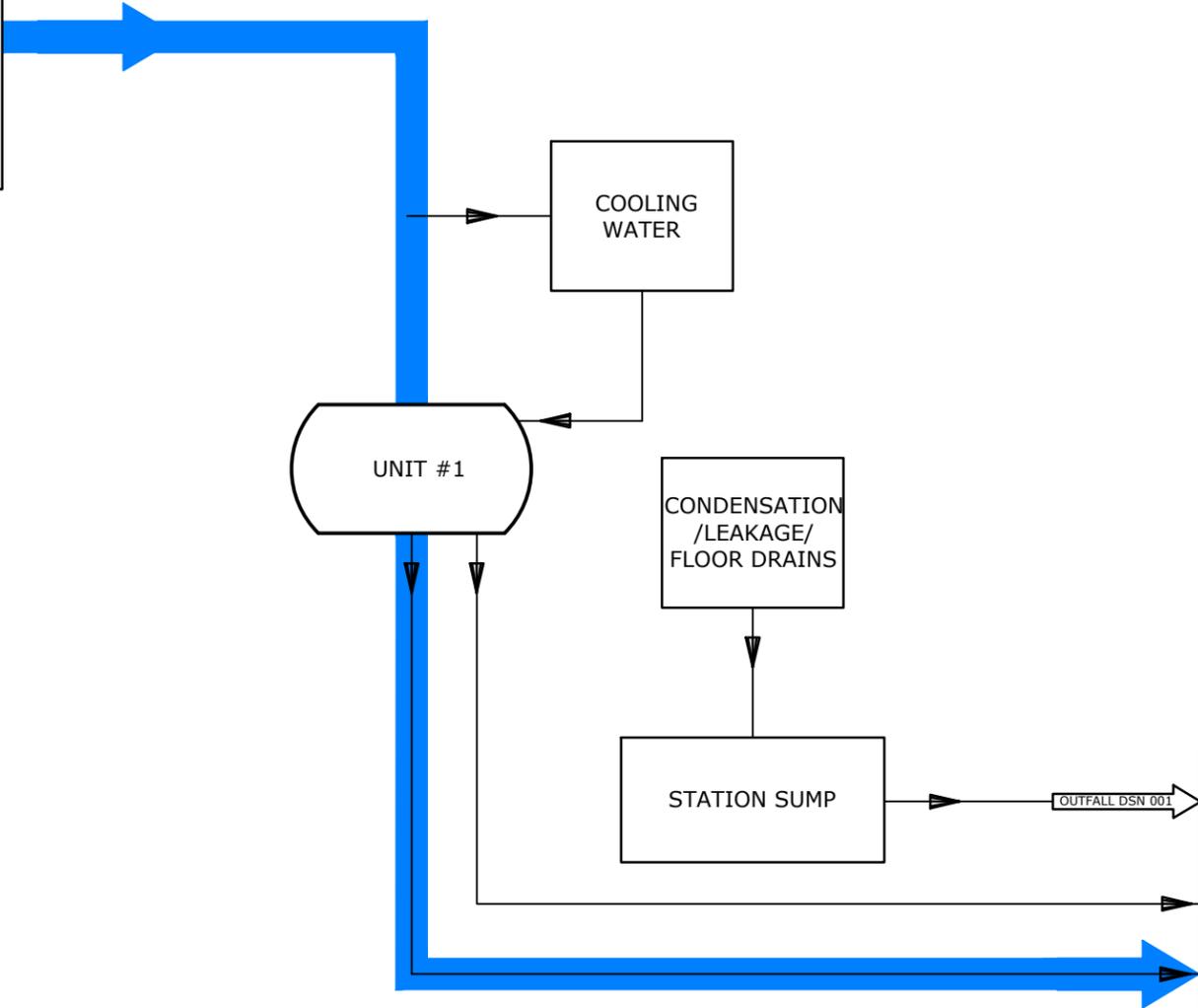


**FIGURE 3
ORTHOGRAPH**

Crescent (Texon) Hydroelectric Project
1190 Huntington Road
Russell, Massachusetts

May 2023

WESTFIELD RIVER



WESTFIELD RIVER

LEGEND

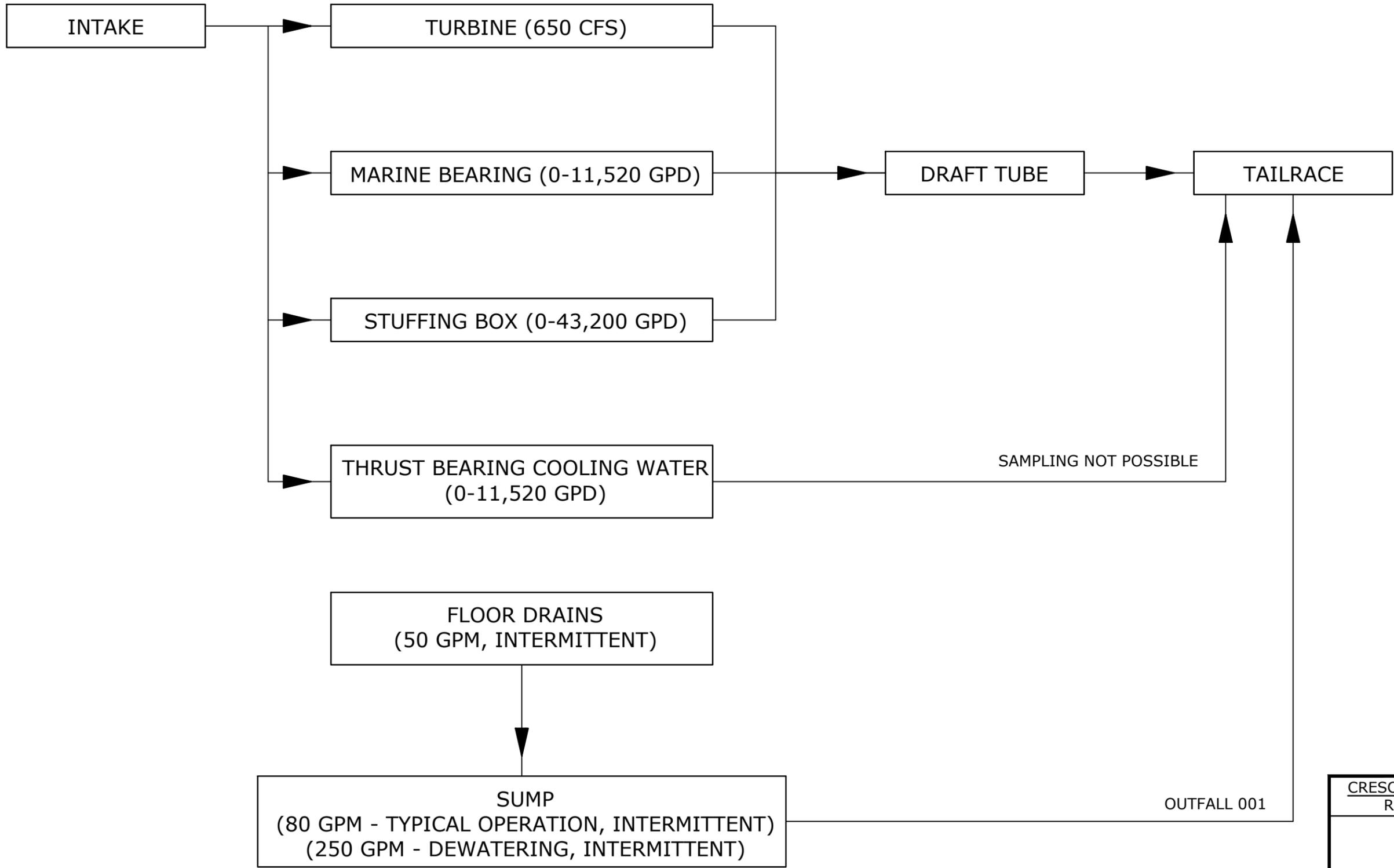
- ← OUTFALL DISCHARGE
- GENERATING WATER FLOW

HITCHCOCK HYDRO LLC
RUSSELL, MASSACHUSETTS

Crescent (Texon)
1190 Huntington Road
Russell, Massachusetts

DATE: 6/12/2023
SCALE: NO SCALE
FIGURE:





Plotted On: Jun 14, 2023 8:21am By: Theller
 Tighe & Bond: H:\TKucab\Gravity\Texon\G-5016-Texon1.dwg

CRESCENT HYDROELECTRIC PROJECT RUSSELL, MASSACHUSETTS	
Crescent (Texon) 1190 Huntington Road Russell, Massachusetts	
DATE:	6/14/2023
SCALE:	NO SCALE
FIGURE:	



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SECTION 4

Section 4
Cooling Water Information

Cooling Water Intake Structure

Best Technology Available

The Crescent (Texon) Hydroelectric Project complies with the Cooling Water Intake Structure (CWIS) Best Technology Available (BTA) requirements of the HYDRO GP, via Section 4.2(b)(i).

i. An existing exclusion, diversion, or guidance device (e.g., a physical or behavioral barrier or spillway) that provides fish downstream passage and minimizes exposure to a CWIS. The permittee must describe any technology or combination of technologies implemented for fish protection in the NOI and provide sufficient information to demonstrate that the downstream fish passage effectively transports live fish in a manner that minimizes the likelihood of becoming impinged at the cooling water intake;

The Project is located on the Westfield River between the towns of Russell and Huntington, MA. The facility includes a 250-foot-wide by 12-foot-high masonry gravity dam comprised of stone blocks and concrete with 3-foot-high wooden flashboards; an angled bar rack intake; a downstream fish passage collection chamber and bypass pipe; a trash sluice; concrete inlet channel and forebay; a single Kaplan unit with an installed capacity of 1.5 MW in the powerhouse; a substation; and appurtenant facilities. The project operates in run-of-river mode and impounds a 3-acre reservoir. Cooling water is pumped into the facility from the penstock.

The project trashrack has 1-inch clear spacing between the bars with an estimated approach velocity at the project trashrack of 1.5 feet per second. The Project is allowed to install larger spaced trash racks seasonally, but maintains the smaller, 1-inch spaced racks all year. Based on burst swim speeds listed in Bell (1991)¹ adult fishes and most juvenile life-stages as well as individuals would be capable of swimming away from the trashrack and avoid impingement. With the one-inch spacing, all but the smallest fishes (minnows and juvenile of carp and game species) would be unable to fit through the trash rack. Regarding smaller fishes that may be entrained, the Project utilizes a vertical Kaplan design turbine, which are considered “fish-friendly” and can be adjusted as needed. This design typically yields passage survival rates of at least 70 percent.

The bypassed reach of the Project is a nearly vertical bedrock reach approximately 50 feet long where water that passes over the dam is mixed immediately with the Project’s tailrace flows. There are no Project-related barriers to further downstream movement. Additionally, the bedrock configuration of the bypassed reach does not create or maintain aquatic habitat. As noted during the 2021 Low Impact Hydropower Institute Certificate Recertification Application review process, the Project continues to satisfy the Downstream Fish Passage and Protection criterion.²

¹ Bell M.C. 1991. *Fisheries handbook of engineering requirements and biological criteria*. Fish Passage Development and Evaluation Program, U.S. Army Corps of Engineers, North Pacific Division, Portland, Oregon

² Review of Application for Recertification by the Low Impact Hydropower Instate of the Texon Project. 2021. <https://lowimpacthydro.org/wp-content/uploads/2021/03/Texon-Stage-II-LIHI-report-2021-03-16.pdf>

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SECTION 5

Section 5
Endangered Species Review (Response Pending)

April 14, 2023

*****SENT VIA EMAIL*****

Melissa Grader
Fish and Wildlife Biologist
Migratory Fish/Hydropower Program
U.S. Fish and Wildlife Service/New England Field Office
103 East Plumtree Road, Sunderland, MA 01375
melissa_grader@fws.gov

Re: **Hitchcock Hydro LLC
Crescent (Texon) Hydroelectric Project
Russell, Massachusetts
Hydroelectric Generating Facilities General Permit**

Dear Ms. Grader:

Hitchcock Hydro LLC is seeking coverage under the NPDES General Permit for Hydroelectric Generating Facilities (HYDRO GP) for the Crescent Hydroelectric Project in Russell, Massachusetts. This facility operates a single Kaplan unit with a capacity of 1.5 megawatts. The facility includes a 250 foot by 12-foot-high gravity dam made up of stone blocks, concrete and 3-foot wooden flashboards along the Westfield River. The facility operates in method such that the outflow matches the inflow to the impoundment on an instantaneous basis, providing a minimum flow of 22 cubic feet per second. A trashrack with 1-inch spacing is provided at the plant intake to prevent fish and debris from entering the penstock. Additionally, a downstream fish passage collection chamber with a bypass pipe is provided at the site to support migrating fish species safe passage. A cooling water intake pump draws from the penstock, ultimately discharging into the station sump where it comingles with condensate, leakage and maintenance related waters (as applicable). This facility has been operating in a substantially identical manner for decades and has quarterly testing data for review upon request.

This site is exempt from FERC licensing.

As part of this process, the USFW IPaC System, as well as the NMFS EFH Mapper were reviewed. A summary of the species in the action area of the facility are presented in the list below:

USFWS

- Northern Long Eared Bat (Endangered)
- Monarch Butterfly (Candidate)

NMFS

- None

In addition to the mapping tools mentioned, attached is a NE Consistency Letter for the Northern Long Eared Bat identifying our No Effect Determination. Furthermore, we don't believe the minimal wastewater discharging directly into the Westfield River will pose a risk to the Monarch Butterfly, with a typical habitat of prairies, meadows, grasslands and along roadsides.

We are reaching out to you in an effort to seek written concurrence on our finding that the discharges and related activities are "not likely to adversely affect" listed species or critical



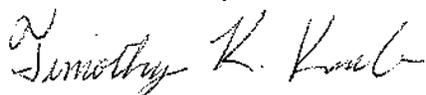
habitat. We have arrived at this conclusion based upon the information provided in this letter.

Lastly, as noted in the HYDRO GP, there is the potential for discharges of oil and grease, slightly elevated temperatures, or pH levels different from ambient associated with the wastewaters authorized by this permit. However, relative to the overall flow of water through this facility, the HYDROGP wastewater flows make up less than 1% of the total flow discharged from the plant. Therefore, there are not expected to be any adverse effects associated with the HYDROGP wastewaters specifically.

If you have any questions regarding this facility or the enclosed report, please contact me at (413) 875-1607. Thank you for your attention in this matter.

Very truly yours,

TIGHE & BOND, INC.



Timothy Kucab, CHMM
Project Manager

Enclosures

- USFW IPaC System Endangered Species Package
- USFW IPaC System NE Consistency Letter
- NMFS EFH Mapper
- FERC Exemption



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To:
Project Code: 2023-0058196
Project Name: Hitchcock Hydro LLC - Crescent (Texon)

April 05, 2023

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 3/8/2023 - 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 ECOS-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

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 3/8/2023) The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule will go into effect on **March 31, 2023**. After that date, the current 4(d) rule for NLEB will be invalid, and the 4(d) determination key will no longer be available. New compliance tools will be available in March 2023, and information will be posted in this section on our website and on the northern long-eared bat species page, so please check this site often for updates.

Depending on the type of effects a project has on NLEB, 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 may result in incidental take of NLEB after the new listing goes into effect, this will need to be addressed in an updated consultation that includes an Incidental Take Statement. Many of these situations will be addressed through the new compliance tools. If your project may require re-initiation of consultation, please wait for information on the new tools to appear on this site or contact our office for additional guidance.

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

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, intentional or unintentional, 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 03301-5094

(603) 223-2541

PROJECT SUMMARY

Project Code: 2023-0058196
Project Name: Hitchcock Hydro LLC - Crescent (Texon)
Project Type: Wastewater Discharge
Project Description: NOI NPDES GP Hydroelectric Generating Facility
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.21083065,-72.85607912441492,14z>



Counties: Hampden and Hampshire counties, Massachusetts

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.

-
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.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

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

IPAC USER CONTACT INFORMATION

Agency: Tighe & Bond, Inc.
Name: Christopher Astephen
Address: 300 West Exchange Street
Address Line 2: Suite 300
City: Providence
State: RI
Zip: 02903
Email: castephen@tighebond.com
Phone: 7748081791

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Environmental Protection Agency



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To:
Project code: 2023-0058196
Project Name: Hitchcock Hydro LLC - Crescent (Texon)

April 05, 2023

Federal Nexus: yes
Federal Action Agency (if applicable): Environmental Protection Agency

Subject: Record of project representative's no effect determination for 'Hitchcock Hydro LLC - Crescent (Texon)'

Dear Christopher Astephen:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on April 05, 2023, for 'Hitchcock Hydro LLC - Crescent (Texon)' (here forward, Project). This project has been assigned Project Code 2023-0058196 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter.

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may

include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of “No Effect” on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the New England Ecological Services Field Office and reference Project Code 2023-0058196 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Hitchcock Hydro LLC - Crescent (Texon)

2. Description

The following description was provided for the project 'Hitchcock Hydro LLC - Crescent (Texon)':

NOI NPDES GP Hydroelectric Generating Facility

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.21083065,-72.85607912441492,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

3. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

4. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

5. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

Yes

6. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

Yes

7. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Tighe & Bond, Inc.
Name: Christopher Astephen
Address: 300 West Exchange Street
Address Line 2: Suite 300
City: Providence
State: RI
Zip: 02903
Email: castephen@tighebond.com
Phone: 7748081791

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Environmental Protection Agency

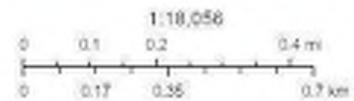
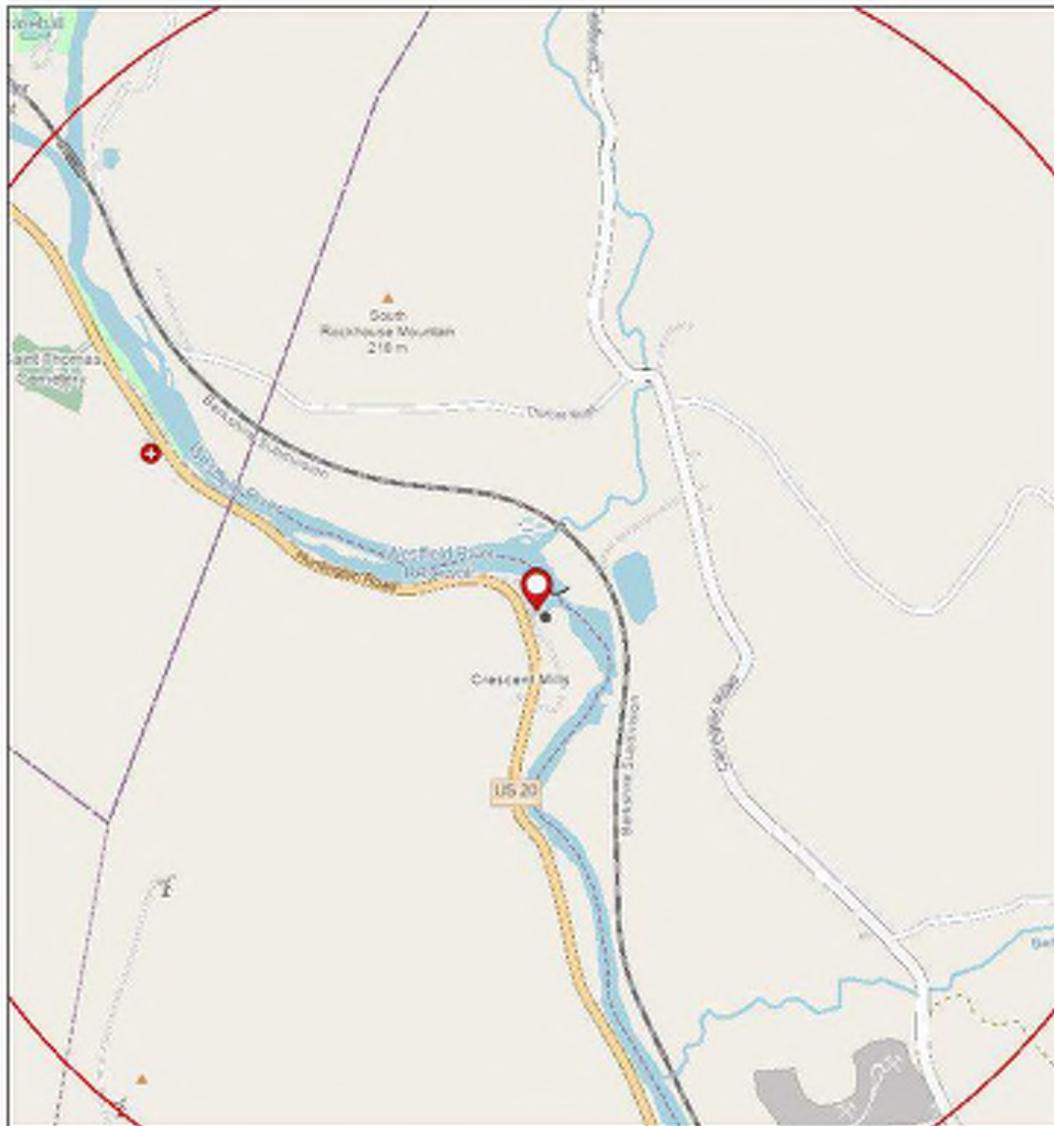


Hitchcock Hydro LLC - Crescent (Texon)

Area of Interest (AOI) Information

Area : 2,009.02 acres

Apr 5 2023 11:15:29 Eastern Daylight Time



Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri, Community Map contributors, Mapbox, Mapbox, National Marine Fisheries Service

Summary

Name	Count	Area(acres)	Length(mi)
All Critical Habitat Polyline	0	N/A	0
All Critical Habitat Polygon	0	0	N/A

19 FERC 962,224

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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Texon, Inc.) Project No. 2986-001

ORDER GRANTING EXEMPTION FROM LICENSING OF A
SMALL HYDROELECTRIC PROJECT OF 5 MEGAWATTS OR LESS

(Issued May 11, 1982)

The Applicant ^{1/} filed an application for exemption from all or part of Part I of the Federal Power Act pursuant to 18 C.F.R. Part 4 SUBPART K (1980) implementing in part Section 408 of the Energy Security Act (Act) of 1980 for a project as described in the attached public notice. ^{2/ 3/}

Notice of the application was published in accordance with Section 408 of the Act and the Commission's regulations and comments were requested from interested Federal and State agencies including the U. S. Fish and Wildlife Service and the State Fish and Wildlife Agency. All comments, protests and petitions to intervene that were filed have been considered. No agency has any objection relevant to issuance of this exemption.

Standard Article 2 included in this exemption, requires compliance with any terms and conditions that Federal or State fish and wildlife agencies have determined appropriate to prevent loss of, or damage to, fish and wildlife resources. The terms and conditions referred to in Article 2 are contained in any letters of comment by these agencies which have been forwarded to the Applicant in conjunction with this exemption.

The Crescent Mills Dam is classified as a significant hazard dam. A failure of the dam could result in property damage and loss of life downstream. Article 6, included in this exemption, requires that an Emergency Action Plan be filed.

- ^{1/} Texon, Inc., Project No. 2986, filed on November 27, 1981.
- ^{2/} Pub. Law 96-294, 94 Stat. 611. Section 408 of the ESA amends inter alia, Sections 405 and 408 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. §§2705 and 2708).
- ^{3/} Authority to act on this matter is delegated to the Deputy Director, Office of Electric Power Regulation under §375.308 of the Commission's regulations 45 Fed. Reg. 21216 (1980), as amended by Order No. 112 in Docket No. RM81-5, issued November 21, 1980, (45 Fed. Reg. 79024).

DC-A-17

Should the Applicant contest any terms or conditions that were proposed by Federal or State agencies in their letters of comment as being outside the scope of Article 2, the Commission shall determine whether the disputed terms or conditions are outside the scope of Article 2.

It is ordered that:

(A) Texon Hydro Project No. 2986 as described and designated in Texon, Inc.'s application filed on November 27, 1981, is exempted from all of the requirements of Part I of the Federal Power Act, including licensing, subject to the standard articles in §4.106 of the Commission's regulations attached hereto as Form E-2, 18 C.F.R. §4.106 45 Fed. Reg. 76115 (November 18, 1980), and the following Special Article.

Article 6. This exemption is subject to the following provisions of 18 C.F.R., Part 12:

(1) Subpart C - Emergency Action Plans

(B) This order is final unless a petition appealing it to the Commission is filed within 30 days from the date of its issuance, as provided in Section 1.7(d) of the Commission's regulations, 18 C.F.R. 1.7(d)(1981), as amended, 44 Fed. Reg. 46449 (1981). The filing of a petition appealing this order to the Commission or an application for rehearing as provided in Section 313(a) of the Act does not operate as a stay of the effective date of this order, except as specifically ordered by the Commission.

Robert E. Cackowski
Robert E. Cackowski
Deputy Director, Office of
Electric Power Regulation

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Texon, Inc.

Project No. 2986-001

NOTICE OF APPLICATION FOR EXEMPTION FOR SMALL
HYDROELECTRIC POWER PROJECT UNDER 5 MW CAPACITY
(January 25, 1982)

Take notice that on November 27, 1981, Texon, Inc. (Applicant) filed an application, under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. §§2705, and 2708 as amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. This application was filed during the term of the Applicant's preliminary permit for Project No. 2986. The proposed small hydroelectric project, Project No. 2986, would be located on the Westfield River in the County of Hampden, Massachusetts. Correspondence with the Applicant should be directed to: Texon, Inc., Canal Street, South Hadley, Massachusetts 01075, Attention: Mr. Irving Quinby, Senior Vice President.

Project Description - The proposed project would be run-of-the-river and would consist of: (1) an existing gravity dam, 250 feet long and 12 feet high, constructed of stone blocks and concrete with a spillway at the right abutment and provision for 3-foot high flashboards; (2) a reservoir having minimal pondage; (3) an existing metal intake structure, forebay and channel leading to (4) a powerhouse to be renovated and equipped with two new turbine-generator units having a total rated capacity of 1,650 kW; (5) a restored tailrace; (6) existing transmission lines and a substation; and (7) appurtenant facilities. The Applicant estimates that the average annual energy output would be 9,500,000 kWh. Project energy would be sold to the Western Massachusetts Electric Company.

Purpose of Exemption - An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments - The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Massachusetts Division of Fisheries and Wildlife are requested, for the purposes set forth in Section 408 of the Act, to submit 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

Project No. 2986-001

- 2 -

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.

Competing Applications - Any qualified licensee applicant desiring to file a competing application must submit to the Commission, on or before **MAR 10 1982**, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 C.F.R. §4.11(b) and (c) (1980). A competing license application must conform with the requirements of 18 C.F.R. §4.11(a) and (d) (1980).

Comments, Protests, or Petitions to Intervene - Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 C.F.R. §1.8 or §1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceedings. Any comments, protests, or petitions to intervene must be received on or before **MAR 10 1982**.

Filing and Service of Responsive Documents - Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 225 North Capitol Street,

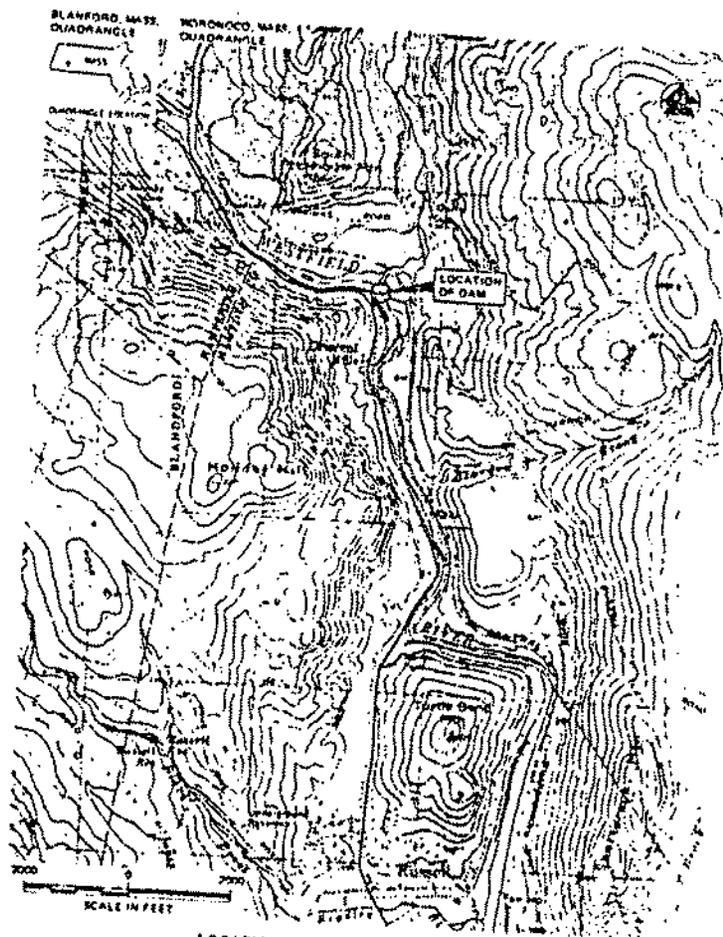
DC-A-5

Project No. 2986-001

- 3 -

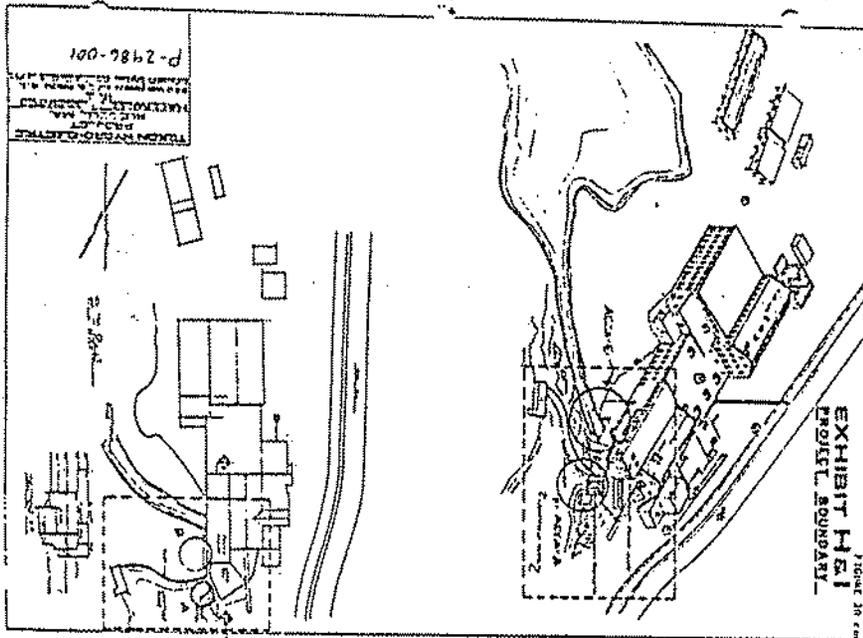
NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RD at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb
Secretary



LOCATION MAP - CRESCENT MILLS DAM

P-2986-001



-1-

Attachment
E-2 Form

§ 4.106 Standard terms and conditions of exemption from licensing.

Any exemption from licensing granted under this subpart for a small hydroelectric power project is subject to the following standard terms and conditions:

(a) Article 1. The Commission reserves the right to conduct investigations under sections 4(g), 306, 307, and 311 of the Federal Power Act with respect to any acts, complaints, facts, conditions, practices, or other matters related to the construction, operation, or maintenance of the exempt project. If any term or condition of the exemption is violated, the Commission may revoke the exemption, issue a suitable order under section 4(g) of the Federal Power Act, or take appropriate action for enforcement, forfeiture, or penalties under Part III of the Federal Power Act.

(b) Article 2. The construction, operation, and maintenance of the exempt project must comply with any terms and conditions that any Federal or state fish and wildlife agencies have determined are appropriate to prevent loss of, or damage to, fish or wildlife resources or otherwise to carry out the purposes of the Fish and Wildlife Coordination Act, as specified in Exhibit E of the application for exemption from licensing or in the comments submitted in response to the notice of the exemption application.

(c) Article 3. The Commission may accept a license application by any qualified license applicant and revoke this exemption if actual construction or development of any proposed generating facilities has not begun within 18 months, or been completed within four years, from the date on which this exemption was granted. If an exemption is revoked, the Commission will not accept a subsequent application for exemption within two years of the revocation.

Attachment
E-2 Form

(d) Article 4. This exemption is subject to the navigation servitude of the United States if the project is located on navigable waters of the United States.

(e) Article 5. This exemption does not confer any right to use or occupy any Federal lands that may be necessary for the development or operation of the project. Any right to use or occupy any Federal lands for those purposes must be obtained from the administering Federal land agencies. The Commission may accept a license application by any qualified license applicant and revoke this exemption, if any necessary right to use or occupy Federal lands for those purposes has not been obtained within one year from the date on which this exemption was granted.

Tighe&Bond

SECTION 6

Section 6

Historic Places Listings

National Register of Historic Places
(01.19.2023)

Reference n	Property Name	Status	Request Ty	Restricted	Category	o State	County	City	Street & Number
_96001524	Russell Center Historic District	Listed	Single	FALSE	DISTRICT	MASSACHUSETTS	Hampden	Russell	Jct. of Main and Lincoln Ave.

National Register of Historic Places
(01.19.2023)

External Link	Level of Sig	Listed Date	NHL Designate	Other Names	Status Date	Area of Significance				
https://catalog.archives.gov/id/63795329	False	True	False	False	False	12/27/1996			12/27/1996	ARCHITECTURE; TRANSPORTATION; INDUSTRY

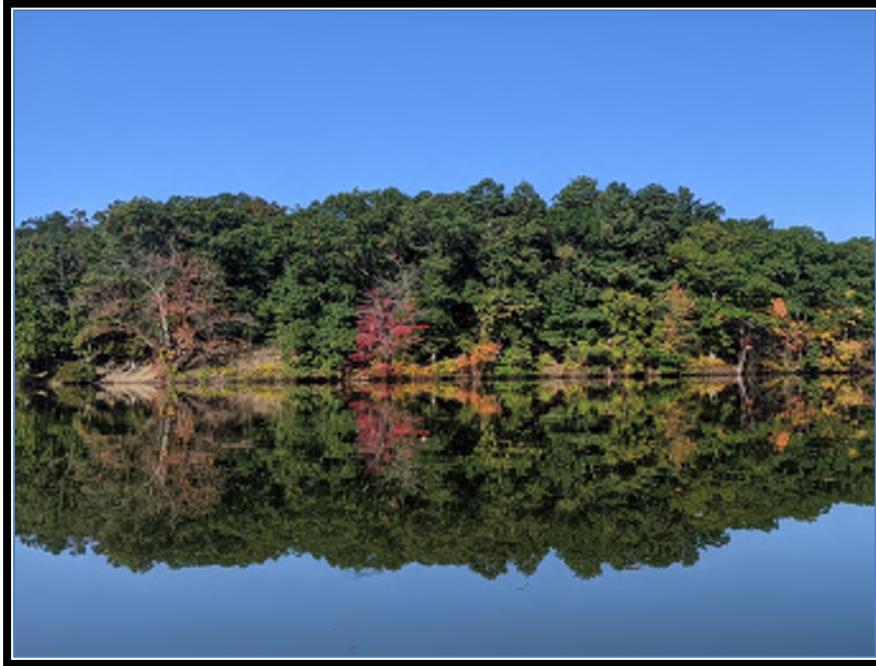
Tighe&Bond

SECTION 7

Section 7

Impaired Waters Listing

Final Massachusetts Integrated List of Waters for the Clean Water Act 2018/2020 Reporting Cycle



MASSACHUSETTS
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION

CN 505.1

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Kathleen A. Theoharides, Secretary
Massachusetts Department of Environmental Protection
Martin Suuberg, Commissioner
Bureau of Water Resources
Kathleen Baskin, Assistant Commissioner

**Category 2 waters listed alphabetically by major watershed
 "Attaining some uses; other uses not assessed"
 (Attained uses denoted by "X")**

Waterbody	AU ID	Description	Size	Units	Uses Attained					
					Aesthetic	Fish Consumption	Fish, other Aquatic Life and Wildlife	Primary Contact Recreation	Secondary Contact Recreation	Shellfish Harvesting
Walker Brook	MA32-20	Headwaters, outlet Center Pond (north of YMCA Road), Becket to mouth at confluence with West Branch Westfield River, Chester.	7.10	Miles	X		X	X	X	
Wards Stream	MA32-15	Headwaters, south of Cold Street, Worthington to mouth at confluence with Watts Stream (forming headwaters Little River), Ringville (locality in Worthington).	5.10	Miles	X		X	X	X	
Watts Stream	MA32-14	Headwaters, north of Buffington Hill Road, Worthington to mouth at confluence with Wards Stream (forming headwaters Little River), Ringville (locality in Worthington).	5.20	Miles	X		X	X	X	
West Branch Westfield River	MA32-01	Headwaters, confluence of Depot Brook and Yokum Brook, Becket to mouth at confluence with Westfield River, Huntington (HQW qualifier applies to portion of river upstream of Chester Center).	17.20	Miles	X		X	X	X	
Westfield Brook	MA32-51	Headwaters, outlet wetland north of Hill Cemetery Road, Windsor to mouth at confluence with Westfield River, Cummington.	8.60	Miles			X			
Westfield River	MA32-05	Confluence with Middle Branch Westfield River, Huntington to Route 20 bridge, Westfield.	17.70	Miles	X		X	X	X	
Westfield River	MA32-06	Route 20 bridge, Westfield to Westfield city boundary with West Springfield and Agawam.	1.90	Miles	X		X	X	X	
Westfield River	MA32-07	Westfield/West Springfield/Agawam city line to mouth at confluence with Connecticut River, Agawam.	8.50	Miles	X		X	X	X	
Yokum Brook	MA32-19	Headwaters, outlet Buckley-Dunton Lake, south of County Road, Becket to mouth at confluence with Depot Brook (forming headwaters of West Branch Westfield River), Becket.	4.00	Miles	X		X	X	X	

