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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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Bethel Mills, Inc.

Project No. 9826-000

ORDER GRANTING EXEMPTION FROM LICENSING
(5 MW OR LESS)

(Issued September 17, 1986)

On December 31, 1985, Bethel Mills, Inc. filed an application to exempt the Bethel Mills Project from the licensing requirements set forth in Part I of the Federal Power Act. The proposed small hydropower project is described in the attached public notice. The comments of interested agencies and individuals, including the U.S. Fish and Wildlife Service and the state fish and wildlife agency, have been fully considered in determining whether to issue this exemption from licensing.

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

After considering the mandatory terms and conditions designed to protect fish and wildlife resources, the environmental information in the exemption application, the staff's independent assessment ^{1/}, and other public comments, the Director finds that issuance of this order is not a major federal action significantly affecting the quality of the human environment.

^{1/} Environmental Assessment, Bethel Mills Project, FERC Project No. 9826-000 - Vermont, Federal Energy Regulatory Commission, dated August 29, 1986. This document is available in the Commission's public file associated with this proceeding.

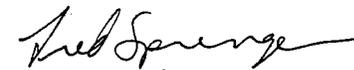
The Director orders:

(A) The Bethel Mills Project is exempted from the licensing requirements of Part I of the Federal Power Act, subject to the attached standard articles, and the following special article. See section 4.106 of the Commission's regulations.

Article 10. Before commencing any ground-disturbing or spoil-producing activities, the Exemptee, in consultation and cooperation with the appropriate Federal, state, and local agencies (including the Soil Conservation Service and any Federal agency with managerial authority over any part of the project lands), shall prepare a plan to control erosion and dust, stabilize slopes, and minimize the quantity of sediment or other potential water pollutants resulting from construction and operation of the project. The plan shall identify critical areas, include functional design drawings and map locations of control measures, and establish schedules for implementation, monitoring, maintenance, and periodic review.

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

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


Fred E. Springer
Director, Division of
Project Management

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Notice of Approval Filed with the Commission
July 21, 1986

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

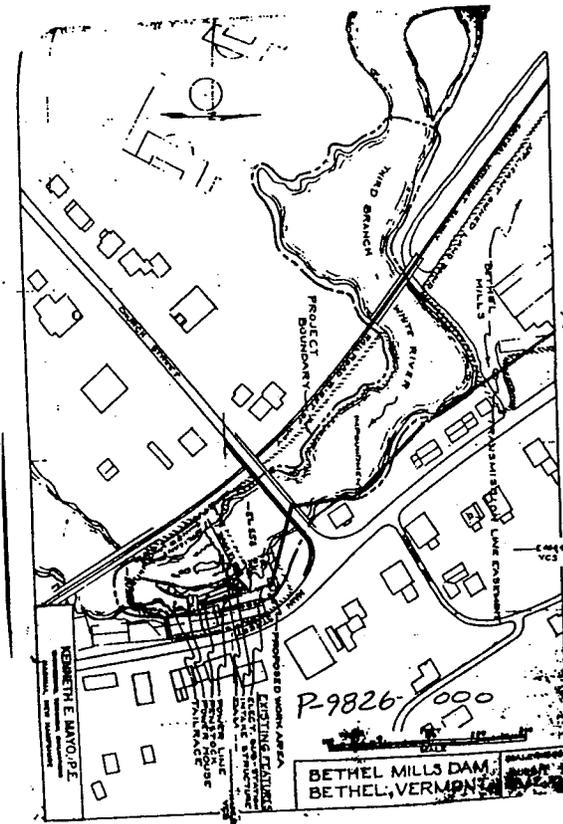
- a. Title of Application: 5 MW Exemption
- b. Project No: 9826-000
- c. Date Filed: December 31, 1985
- d. Applicant: Bethel Mills, Inc.
- e. Name of Project: Bethel Mills
- f. Location: On the third branch of the White River in the Town of Bethel, Windsor County, Vermont
- g. Filed Pursuant to: Section 408 of the Energy Security Act of 1980, 16 U.S.C. §§ 2705 and 2708 as amended.
- h. Contact Person: Mr. Michael A. Walker
Brown, Olson & Wilson
21 Green Street
Concord, NH 03301
(603) 225-9714

- i. Comment Date: JUL 2 1986
- j. Description of Project: The proposed project would consist of: (1) the existing 15-foot-high, 150-foot-long Bethel Mills Dam; (2) an existing 10-acre reservoir with a surface elevation raised by 2.5-foot-high flashboards to a surface elevation of 555 feet NGVD, thereby impounding 50 acre-feet of gross storage capacity; (3) the replacement of the seven-foot-diameter, 78-foot-long wood stave penstock; (4) the replacement of the two generating units in powerhouse with two new units with an installed generating capacity of 525 kW; (5) an existing 200-foot-long, 2.7 kV transmission line; and (6) appurtenant facilities.

The Applicant estimates the average annual energy generation to be 2 GWh. The Applicant anticipates that the power generated by the project will be used by Bethel Mills with excess power sold to the Central Vermont Public Service Company.

- k. 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.
- 1. This notice also consists of the following standard paragraphs: A3, A9, B, C, and D3a.

DC-1-40



§ 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 the United States Fish and Wildlife Service and any state fish and wildlife agencies have determined are appropriate to prevent loss of, or damage to, fish or wildlife resources or to otherwise 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 revoke this exemption if actual construction of any proposed generating facilities has not begun within two years, or has not been completed within four years from the date on which this exemption was granted. If an exemption is revoked under this article, the Commission will not accept from the prior exemption holder a subsequent application for exemption from licensing or a notice of exemption from licensing for the same project within two years of the revocation.

(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.

(f) Article 6. In order to best develop, conserve, and utilize in the public interest the water resources of the region, the Commission may require that the exempt facilities be modified in structure or operation or may revoke this exemption.

(g) Article 7. The Commission may revoke this exemption if, in the application process, material discrepancies, inaccuracies, or falsehoods were made by or on behalf of the applicant.

(h) Article 8. Any exempted small hydroelectric power project that utilizes a dam that is more than 33 feet in height above streambed, as defined in 18 CFR 12.31(c) of this chapter, impounds more than 2,000 acre-feet of water, or has a significant or high hazard potential, as defined in 33 CFR Part 222, is subject to the following provisions of 18 CFR Part 12, as it may be amended:

- (1) Section 12.4(b)(1)(i) and (ii), (b)(2)(i) and (iii), (b)(iv), and (b)(v);
- (2) Section 12.4(c);
- (3) Section 12.5;
- (4) Subpart C; and
- (5) Subpart D.

For the purposes of applying these provisions of 18 CFR Part 12, the exempted project is deemed to be a licensed project development and the owner of the exempted project is deemed to be a licensee.

(i) Article 9. Before transferring any property interests in the exempt project, the exemption holder must inform the transferee of the terms and conditions of the exemption. Within 30 days of transferring the property interests, the exemption holder must inform the Commission of the identity and address of the transferee.


 State of Vermont

AGENCY OF ENVIRONMENTAL CONSERVATION

1986 JUN -1 PM 4: 27

Montpelier, Vermont 05602

OFFICE OF THE SECRETARY

June 26, 1986

Department of Fish and Wildlife
 Department of Forests, Parks, and Recreation
 Department of Water Resources & Environmental Engineering
 State Geologist
 Natural Resources Conservation Council

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

RE: Application for Exemption from Licensing (5MW)
 Bethel Mills Project
 FERC Project No. 9826-000

COMMENTS

Dear Mr. Plumb:

This letter is the Vermont Agency of Environmental Conservation's response to the above captioned subject matter.

This project will require a Water Quality Certificate pursuant to Section 401 of P.L. 92-500. When issued, a Water Quality Certificate will ensure that operation of the project will satisfy Vermont Water Quality Standards and further protect fishery and environmental resources. The applicant has applied for a Water Quality Certificate. A draft copy is enclosed. A final copy will be sent to you upon completion.

Site Analysis by the Agency of Environmental Conservation

Water Quality. The Third Branch of the White River at the project site is designated Class B by the State of Vermont Water Resources Board. Dissolved oxygen content of these waters, by the Vermont Water Quality Standards, cannot be less than 7 mg/l or 75% saturation at all times, nor less than 95% saturation during late egg maturation and larval development of salmonids in areas which the Secretary determines are salmonid spawning or nursery areas important to the establishment or maintenance of the fishery resource. The standard is not less than 6 mg/l or 70% saturation at all times in all other waters designated as a cold water fish habitat.

A minimum flow, to be spilled over the dam, will be required to satisfy Water Quality Standards, especially dissolved oxygen below the project, to protect aquatic habitat and to preserve aesthetics in the bypassed section.

Mr. Kenneth F. Plumb
 June 26, 1986
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Fisheries. The Vermont Department of Fish and Wildlife manages the project area, including the bypassed reach, as a cold water fishery.

The Connecticut River Atlantic Salmon Commission has identified the White River as a key element in the Connecticut River Atlantic Salmon Restoration Plan. Facilities to provide passage for upstream migrating salmon and to prevent entrainment and turbine mortality of out-migrating salmon juveniles and kelts will be required at the Bethel Mills site. This will include racks, screens or other devices adequate to prevent downstream migrating fishes from passing through the project's turbines. Adequate flows to operate these facilities will be required. In addition, as we noted earlier, a minimum flow through the bypassed reach will be required to protect fish habitat for both resident and anadromous fish populations. In summary, the existence of migratory fish at this site, together with the plan to further restore anadromous species, may endanger the ability of this site to qualify for exemption or license.

Project Operation. Appropriate conditions to ensure satisfactory operation will be included in the Water Quality Certificate.

Aesthetics. A minimum flow over the dam and through the bypassed reach will be required to satisfy aesthetics. In addition, construction, operation, and maintenance of the project and the site should be accomplished in a manner that leaves the area as aesthetically pleasing as is reasonably possible.

Recreation. While recreational issues are not significant, the project should provide angler access to the stream within the limits of safety.

Conditions of Exemption. The Agency of Environmental Conservation concludes that the following conditions are necessary to prevent loss or damage to fish and wildlife resources; to protect the quality of the water supply; to avoid or mitigate adverse environmental impact; and to better conserve and develop the water resources of the region to serve the public good:

1. A minimum instantaneous flow of 19 cfs or inflow to the project when inflow is less than 19 cfs shall be maintained in the bypassed reach at all times. If the instantaneous inflow falls below this minimum, all flows shall be spilled at the dam. Before the start of construction, the applicant shall furnish a description, hydraulic design calculations, and plans for the measures to be used to pass this minimum flow. These plans will be submitted to the Agency of Environmental

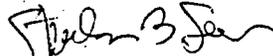
Mr. Kenneth F. Plumb
June 26, 1986
Page 3

- Conservation for review by the Department of Water Resources and Environmental Engineering.
2. The facility shall be operated in a strict run-of-the-river mode where instantaneous inflow to the site shall equal outflow below the tailrace at all times. The impoundment shall not be drawn down without prior written approval by the Vermont Department of Water Resources and Environmental Engineering.
 3. The applicant shall construct fish passage facilities to provide for upstream migrating salmon and to prevent entrainment and turbine mortality of out-migrating salmon juveniles and kelts at the Bethel Mills site. This will include racks, screens or other devices adequate to prevent downstream migrating fishes from passing through the turbine. Adequate flows to operate these facilities will be required. In addition, as earlier noted, a minimum flow through the bypassed reach will be required to protect fish habitat for both resident and anadromous fish populations.
 4. The applicant shall file for review and approval by the Vermont Department of Water Resources and Environmental Engineering, prior to start of construction, an erosion control and water management plan to cover construction activities. This plan shall address the maintenance of stream flow and measures taken to prevent the discharge of sediment, wet concrete, and other debris into state waters.
 5. The applicant shall file for review and written approval by the Agency of Environmental Conservation, prior to start of construction, a final design and landscape plan of the project and site completed by an architect, a landscape architect or similarly qualified person. In addition, construction, operation and maintenance activities should be accomplished in as aesthetically pleasing a manner as is reasonably possible.
 6. The Department of Water Resources and Environmental Engineering shall be contacted prior to any desilting activity. Any desilting of the dam and impoundment shall be accomplished in accordance with the Agency of Environmental Conservation Desilting Policy.
 7. Debris associated with project construction shall be disposed of properly.
 8. Any significant changes to the project must be submitted to the Department of Water Resources and Environmental Engineering for prior review and written approval.

Mr. Kenneth F. Plumb
June 26, 1986
Page 4

9. The applicant shall provide the Department of Water Resources and Environmental Engineering with an as-built set of plans for the record.
10. No construction shall commence until after the Department of Water Resources and Environmental Engineering issues written approval regarding measures taken to pass minimum flows and has approved the erosion control and water management plans.
11. The applicant shall provide recreational access to the site to maintain the fishing opportunity.

Yours very truly,


Stephen B. Sease
Director of Planning

SBS/epm/tc
Original and 14 Copies

cc: Bethel Mills, Inc.
c/o John B. Durfee
Kenneth E. Mayo, P.E.
Michael A. Walker, Esq.
Fred E. Springer
Elizabeth Higgins
William P. Patterson
Gordon E. Beckett
Robert Scheirer
Andrew Raddant
Vermont Power Exchange
Town of Bethel
Two Rivers-Ottawaquechee
Regional Commission



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Project Review
1500 Custom House
165 State Street
Boston Massachusetts 02109

ATTACHMENT B

JUL 14 1986

July 10, 1986

ER 86/725
FERC No. 9826

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

Dear Mr. Plumb:

This responds to your public notice dated May 21, 1986, regarding the application for exemption for the Bethel Mills Project, located on the Third Branch of the White River in Windsor County, Vermont.

Fish and Wildlife Resources

The Applicant has consulted with the Fish and Wildlife Service (FWS) on the project. In letters to the Applicant dated December 23, 1985 and March 21, 1986 (copies inclosed), the FWS prescribed terms and conditions to prevent loss of, or damage to, fish and wildlife resources at this project, should it be exempted from licensing by the Commission. Based on the requirements of Section 30 (c) of the Federal Power Act and Section 408 of the Energy Security Act, these terms and conditions will be part of the exemption and should adequately protect fish and wildlife resources.

National Park Service Review

Cultural Resources

The proposed project is located within the Bethel Mills Historic District, which is listed in the National Register of Historic Places. Review of the proposal by the State Historic Preservation Officer has determined that, provided certain conditions are met as requested in their comments of December 24, 1985, the project will not adversely impact this historic resource. To insure that the project will be compatible with the Historic District and to insure the preservation of any other cultural resources as defined by the National Historic Preservation Act of 1966, we request that the following condition be included in the exemption:

Exemptee shall fully document the existing penstock and headgates prior to their removal, if replaced. Documentation shall be acceptable to the State Historic Preservation Officer (SHPO) and shall include: (1) 8x10 archivaly processed, scaled black and white photographs including overviews and close-up details of structural parts and engineering

details; and (2) a brief narrative description including historic information, date of construction, construction methods, description of fabrication materials, dimensional information, and construction drawings or plans, if they exist. Copies of this documentation, with original photographs, should be submitted to both the SHPO and the Federal Energy Regulatory Commission for final approval prior to removal. If any previously unrecorded archeological or historical sites are discovered during the course of construction or development of any project works or other facilities at the project, construction activity in the vicinity shall be halted and the SHPO shall be notified to determine the significance of the sites and measures needed to recover important scientific, prehistoric, historic or archeological data that otherwise would be damaged or destroyed. If an agreement cannot be reached on the amount of money to be expended on archeological or historical work related to the project, the Commission reserves the right to require the exemptee to conduct, at its own expense, any such work found necessary.

Potential National Wild and Scenic River

A 37-mile segment of the White River from South Royalton to the headwaters, including the First Branch, Second Branch, and Third Branch or White River tributaries from their confluence with the White River to their respective headwaters, has been identified as a potential National Wild and Scenic River and is included in the Nationwide Rivers Inventory, which was conducted under the authority of the National Wild and Scenic Rivers Act (Public Law 90-542, as amended). The Inventory, which was published in January 1982, is an evaluation and identification of rivers and river segments that meet the minimum criteria for further study and/or potential inclusion into the National Wild and Scenic Rivers System. This segment of the White River and tributaries has been documented to possess unique scenic, historic, and fishery resources. All segments were historically Atlantic salmon rivers or are currently being restored as such.

The proposed Bethel Mills hydroelectric project is located within the identified 24-mile segment of the Third Branch of the White River. Although we do not object to the redevelopment of this project, the unique natural values of the river corridor should be taken into consideration so as to minimize impacts from construction and operation activities. We recommend that any exemption issued provide for the protection of these natural values by requiring the exemptee to use techniques such as screening with native vegetation, siting, and design to lessen the project's visual impacts.

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FERC - DOCKETED

JUL 14 1986

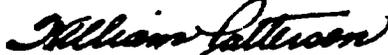
Recreational Resources

The information reviewed did not reveal any significant or outstanding opportunities for the development of public outdoor recreational facilities within project boundaries. However, the National Park Service does request that the following condition be made a part of the exemption:

The exemption shall allow public access to the project area for utilization of the resources for recreation purposes, subject to reasonable safety and liability limitations. Such access should be permanently and prominently posted so that its availability for recreation is made known to the public.

We appreciate the opportunity to comment on this application.

Sincerely yours,



William Patterson
Regional Environmental Officer

SCHERER 12-23

REF: Bethel Mills Project

DEC 23 1985

Mr. Michael A. Walker
Brown, Olson & Wilson
Attorneys at Law
21 Green Street
Concord, New Hampshire 03301

Dear Mr. Walker:

This responds to your letter of December 5, 1985, which inclosed for our review and comment draft Exhibits A, B, E, and G, supporting an application for exemption for the Bethel Mills Project, located on the Third Branch, White River, in Windsor County, Vermont. These comments are submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Please direct copies of any future correspondence concerning this project to this office to avoid delays. In your November 22 letter to the Regional Director, you stated your client's position that this project may not be subject to FERC jurisdiction. We note on page A-2 that in 1940, many years after the enactment of the Federal Power Act, the dam was rebuilt and equipped for electric power generation. The proposed plans calls for increasing capacity to 500 kw and selling excess power to Central Vermont Public Service Corporation. For these reasons it is our opinion that this project is subject to FERC jurisdiction, and that an exemption from licensing is appropriate.

On November 24, 1982, we prescribed terms and conditions to prevent loss of, or damage to, fish and wildlife resources resulting from operation of this project. On June 29, 1983, conceptual upstream and downstream fish passage plans were presented to Mr. John Durfee, the applicant. At this point, the Vermont Department of Fisheries and Wildlife (VT DFW) has not made a final determination as to whether Atlantic salmon will be restored to the Third Branch. A decision is expected in 1986. However, we understand that restoration of Atlantic salmon is the goal of the VT DFW. Provision of upstream fish passage facilities will also hinge on occurrence of Atlantic salmon at the site. By 1987, 10% of Atlantic salmon returning to the Connecticut River must be released at the Holyoke Dam to continue their upstream migration. Thus, by 1987 or '88, adult salmon are expected to be present in sufficient numbers in the White River to trigger fish passage construction. It may be desirable from the applicant's viewpoint to construct upstream fish passage facilities during upgrading of the existing facility, rather than waiting until later. Downstream migrant bypass facilities should be provided concurrently with project upgrading, as described in the conceptual plans.

Section 30(c) of the Federal Power Act and Section 408 of the Energy Security Act require inclusion in the exemption of all terms and conditions that are prescribed by State and Federal fish and wildlife agencies to prevent loss of, or damage to, fish and wildlife resources, and to otherwise carry out the purposes of the Fish and Wildlife Coordination Act. Consistent with our responsibilities, the following terms and conditions are provided, which supersede any previous conditions:

1. The Exemptee shall provide upstream fish-passage facilities at this project when prescribed by the Fish and Wildlife Service and/or the Vermont Department of Fisheries and Wildlife or by 1988, whichever occurs sooner. Design, construction, and operation of fish-passage facilities will be the responsibility of the Exemptee; however, approval of the design by the Fish and Wildlife Service will be necessary. Any additional instantaneous flows for operation of these facilities will also be provided by the Exemptee, as prescribed by the Fish and Wildlife Service.
2. The Exemptee shall install downstream migrant by-pass facilities when turbine capacity is increased and other repairs accomplished. Prior to installation a design shall be submitted to the Fish and Wildlife Service for approval.
3. The Exemptee shall provide an instantaneous minimum release below the project of at least 68 cfs (0.5 cfs/m) or inflow to the project, whichever is less, to protect downstream aquatic habitat.
4. The Exemptee shall provide an instantaneous discharge of 22 cfs at the dam, or inflow if less, to conserve aquatic habitat in the bypassed reach and to operate the downstream bypass facility.
5. The Exemptee shall notify the Fish and Wildlife Service in writing when the project commences operation. Such notice shall be sent within 30 days of start-up to Supervisor, Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 1518, Concord, New Hampshire 03301. A set of as-built plans shall be furnished with the notification.
6. The Exemptee shall allow public access to the project area for utilization of public resources, subject to reasonable safety and liability limitations.
7. The Exemptee shall, within six months of the date of issuance of an exemption from licensing, present to the Fish and Wildlife Service for approval a plan for monitoring instantaneous flow releases at this project. Following approval of the plan, the Exemptee shall then measure

instantaneous flows and provide records of discharge at the project on a regular basis as per specifications of the Fish and Wildlife Service. Upon receiving a written request from the Exemptee, the U. S. Fish and Wildlife Service may waive the requirement for flow monitoring at this project provided the Exemptee satisfactorily demonstrates that the required flow will be discharged at all times.

8. The Exemptee shall allow the Fish and Wildlife Service to inspect the project area at any time while the project operates under an exemption from licensing to monitor compliance with their terms and conditions.
9. The Fish and Wildlife Service is reserved the right to add and alter terms and conditions as appropriate to carry out its responsibilities during the life of the project with respect to fish and wildlife resources. The Exemptee shall, within thirty (30) days of receipt, file with the Commission any additional terms and conditions imposed by the above agency.
10. The Exemptee shall incorporate the aforementioned fish and wildlife conditions in any conveyance -- by lease, sale or otherwise -- of his interests so as to legally assure compliance with said conditions for as long as the project operates under an exemption from licensing.

If you have any questions about the contents of this letter, please call Mr. Bob Scheirer of my staff, at (603) 224-2585.

In order to acknowledge receipt of this letter, please sign the enclosed copy and return as soon as possible.

Sincerely yours,

(BS)

Enclosure
As Stated

Gordon E. Beckett
Supervisor
New England Area

I have received, understand, and accept the terms and conditions identified in this letter.

(signed)

(date)

SCHERER 3-21

MAR 21 1986

REF: Bethel Mills Project

Mr. Michael A. Walker, Esq.
Brown, Olson & Wilson
21 Green St.
Concord, New Hampshire 03301

Dear Mr. Walker:

This responds to your letter of March 11, 1986, regarding minimum flow requirements at the proposed Bethel Mills Hydro Project, located on the Third Branch White River in Windsor County, Vermont.

We accept the revised minimum flow release of 19 cfs or inflow if less at the project dam. Accordingly, condition no. 4 of our terms and conditions prescribed on December 23, 1985, is changed to read:

- 4. The Exemptee shall provide an instantaneous discharge of 19 cfs at the dam, or inflow if less, to conserve aquatic habitat in the bypassed reach and to operate the downstream bypass facility.

No further studies need to be conducted prior to the issuance of an exemption by the FERC. Should you desire to perform site specific flow studies later we will of course cooperate on this.

Please contact Mr. Bob Scheirer of my staff at (603)225-1411 if you have further questions.

Sincerely yours,

Gordon E. Beckett
Supervisor
New England Area