

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
August 1, 2022

OFFICE OF ENERGY PROJECTS

Project No. 4678-053 – New York
Crescent Hydroelectric Project

Project No. 4679-050 – New York
Vischer Ferry Hydroelectric Project

New York Power Authority

VIA Electronic Mail

Mr. Robert Daly
Director of Licensing
New York Power Authority
Robert.Daly@nypa.gov

Reference: Request for Additional Information

Dear Mr. Daly:

Commission staff has reviewed the applications for new licenses for the Crescent Hydroelectric Project No. 4678 and Vischer Ferry Hydroelectric Project No. 4679 filed on May 25, 2022 and determined that additional information (enclosed as Schedule A) is necessary to make an informed decision on the license applications. Please provide the information requested in Schedule A within 90 days from the date of this letter.

If the requested information causes any other parts of the applications to be inaccurate, those parts must also be revised and re-filed by the due date. Also, please be aware that further requests for additional information may be sent to the applicant at any time before the Commission takes final action on the license applications.

The Commission strongly encourages electronic filing. Please file the requested information using the Commission's eFiling system at <https://ferconline.ferc.gov/Login.aspx>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via

the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, D.C. 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing for the Crescent Project should include docket number 4678-053 and for the Vischer Ferry Project, docket number 4679-050.

Please contact Jody Callihan at (202) 502-8278 or jody.callihan@ferc.gov if you have any questions.

Sincerely,

John B. Smith, Chief
Mid-Atlantic Branch
Division of Hydropower Licensing

Enclosure: Schedule A

ADDITIONAL INFORMATION

Exhibit A

1. The final license applications (FLAs) do not specify the continuous-load capacity rating, in kilovolt-amperes (kVA), of any of the projects' generators. This information is necessary to determine the authorized installed capacity of the projects as defined in section 11.1(i) of the Commission's regulations. Therefore, please provide the continuous-load capacity rating (in kVA) for each of the eight generators currently installed at the projects.

2. Page 6 of each Exhibit A states that the navigation season on the Erie Canal in the vicinity of the projects starts in April and extends through November.¹ Yet, all references to the navigation season elsewhere in the FLAs indicate the navigation season is shorter and typically occurs from mid-May through mid-October. Therefore, please clarify this discrepancy and indicate the expected start and end dates of the navigation season for the portion of the Erie Canal in the vicinity of the projects. Also, please report, for the last three years (2019 through 2021), the start and end dates of the navigation season as well as the dates the flashboards were installed and removed at each project during these years.² This information will aid Commission staff's analysis of the fish passage routes (navigation locks, notches in the flashboards, etc.) that are available to diadromous fish, namely blueback herring, during their upstream and downstream seasonal migrations in the Mohawk River.

Exhibit B

3. Each Exhibit B states that, during the navigation season, the currently required minimum flows at each project are provided through notches in the flashboards. However, neither Exhibit B specifies the current release location(s) for the minimum flows that are required during the non-navigation season—100 cubic feet per second (cfs) at the Crescent Project and 200 cfs at the Vischer Ferry Project. Therefore, please describe how and where the minimum flows are provided at each project during the non-navigation season, as this information will allow Commission staff to more fully understand how the projects operate and assess potential project effects on environmental resources.

¹ A unique Exhibit A, B, C, D, and F were filed in each FLA, but the same Exhibit E and Exhibit H were included in each FLA.

² Data from prior years on the duration of the navigation season and dates of flashboard installation and removal were provided in the Proposed Study Plan filed on September 24, 2019.

Exhibit E

4. Tables 4-10 and 4-11 of Exhibit E report the monthly number of lockages at each project over the last six years (2016 through 2021). Some lockages appear to occur well outside the typical navigation season (e.g., in December). It is staff's understanding that the navigation locks associated with each project only operate (i.e., are only opened and closed) during the designated navigation season each year. Therefore, please explain the purpose(s) of these lockages that occur outside the typical navigation season and describe the expected frequency of occurrence of such lockages in the foreseeable future. This information will aid staff's analysis of project effects on the upstream and downstream migration (and available passage routes) of diadromous fish that occur in the vicinity of the projects, such as blueback herring and American eel.

5. Page 79 of Exhibit E states that the downstream face of the Vischer Ferry dam (below the fish passage notches) is covered by a synthetic, rubberized material to provide a smooth substrate for fish, such as blueback herring, to pass over. However, it is unclear if this same feature is present at the Crescent dam. Therefore, please indicate if this feature is also present at the Crescent dam as this information will aid staff's analysis of the downstream passage survival of blueback herring and other fish species at the projects.

6. The FLAs contain contradictory information regarding New York Power Authority's (NYPA) proposed operation of the acoustic deterrent systems that are currently used to guide downstream-migrating blueback herring towards non-turbine routes of passage. In section 3.2 of Exhibit E, NYPA states that it proposes to continue implementing the existing environmental measures, including the continued operation of the acoustic deterrent system, as described in section 3.1 of Exhibit E. Yet, in section 4.5.2 of Exhibit E, NYPA notes that the acoustic deterrent systems are approaching the end of their serviceable life, and that it has found the systems to be increasingly difficult to maintain and to keep in good operating condition. NYPA further states that it is currently exploring, with the resource agencies, potential alternatives for providing safe downstream passage for blueback herring at each project. Please clarify these discrepancies and specify what measures, if any, NYPA is proposing to implement to protect downstream-migrating blueback herring at the projects; to the extent applicable, include the capital and annual costs of any new measures.³ This information is necessary so that Commission staff can analyze the effects of NYPA's proposed operation of the projects on aquatic resources at the projects such as blueback herring and evaluate the need for any additional protection, mitigation, or enhancement measures.

³ Cost information is only needed if NYPA proposes measures that differ from the continued operation of the acoustic deterrent systems, the costs of which are provided in Table 5-2 of each Exhibit D.

Schedule A

Project Nos. 4678-053 and 4679-050

7. Section 4.9.3.1 of Exhibit E proposes to develop a recreation management plan (RMP), in consultation with the agencies, that would identify potential changes and enhancements to be made at project recreation sites to address issues raised by survey respondents during the 2021 Recreation Study. While the FLAs generally describe the issues raised by survey respondents, they do not state the specific issues that will be addressed in the RMP or provide examples of the types of enhancements that might be proposed to mitigate the issues. Without any details about the contents of the RMP or the potential changes/enhancement measures that are being contemplated, staff cannot analyze how the proposed RMP will affect recreation opportunities at the projects. So that staff can adequately analyze the proposal, please provide more detail, including which agencies will be consulted, potential enhancement measures to be included, a cost for each proposed enhancement measure, and a proposed schedule for developing the RMP.

Exhibit F

8. Section 4.41(g) of the Commission's regulations requires that Exhibit F drawings show all major project structures in sufficient detail to provide a full understanding of the project. The Exhibit F drawings filed for the Crescent Project do not contain front elevation and section views of Guard Gates 1 and 2 or plan and centerline profile views of Lock 6. In addition, the Exhibit F drawings for the Vischer Ferry Project do not contain plan and centerline profile views of Lock 7. Therefore, please file revised Exhibit F drawings for each project that contain these missing views and sections.

9. According to 4.41(g) of the Commission's regulations, Exhibit F drawings must show all major project structures in sufficient detail to provide a full understanding of the project. Sheet F-4 of the Crescent Project shows the cross-sectional view of a dam in "Section C;" however, the outline for "Section C" is not shown in Sheet F-3 or any other drawings. In addition, Sheet F-4 shows plan and elevation views of "Abutment D;" however, "Abutment D" is not shown in Sheet F-3 or any other drawings. Please ensure the revised Exhibit F drawings that are filed for the Crescent Project correct these errors.

Exhibit G

10. Section 4.41(h) of the Commission's regulations requires Exhibit G maps to show the location and physical interrelationships of the principal project works. The Exhibit G maps filed with the FLAs do not show the switchyard that is associated with each project. Therefore, please file revised Exhibit G maps for each FLA that show each project's switchyard and label the grid interconnection points.

11. Section 4.39 of the Commission's regulations requires a title block for each map that contains a title, scale, and other pertinent information. The Exhibit G maps filed

Schedule A

Project Nos. 4678-053 and 4679-050

with the projects include an incorrect name for the applicant (i.e., New York Power Association) in the title blocks of the maps. Therefore, please ensure the revised Exhibit G maps include the correct name of the applicant (i.e., New York Power Authority) in the title blocks of all Exhibit G maps.