

APPENDIX C-1  
Comments from U.S. Fish & Wildlife  
dated April 6, 2011

**Subject:** Re: Franklin Falls Hydro, Winnepesaukee River, Franklin, New Hampshire potential LIHI hydroelectric site for your review  
**From:** John\_Warner@fws.gov  
**Date:** Wed, 6 Apr 2011 09:18:03 -0400  
**To:** Stephen Hickey <sjh@essexhydro.com>

Hi Stephen -- I pulled the file and found that in 1994 we requested DS passage, started developing a requirement and then I believe the agencies suspended herring stocking in Winnisquam/Silver Lake. There does not appear to be any actions taken therefore at that time. I am checking with NHFGD on the stocking status for herring this year and in the future -- If the pan is to stock there, we will need to pursue the passage requirements we formulated but apparently never required in 1994. I will update when I get more clarity on management plans -- JW

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John P. Warner, Energy/Hydropower Coordinator  
New England Field Office, U.S. Fish and Wildlife Service  
70 Commercial Street, Suite 300  
Concord, NH 03301  
(603) 223-2541 - ext.15  
(603) 223-0104 - FAX

[www.fws.gov.northeast/newenglandfieldoffice](http://www.fws.gov.northeast/newenglandfieldoffice)  
▼ Stephen Hickey <sjh@essexhydro.com>

**Stephen Hickey**  
<sjh@essexhydro.com>

04/05/2011 02:27 PM

To: John\_Warner@fws.gov  
cc

Subject: Re: Franklin Falls Hydro, Winnepesaukee River,  
Franklin, New Hampshire potential LIHI  
hydroelectric site for your review

Dear John,

I wanted to follow up with you regarding any comments you might have regarding the Franklin Falls Hydroelectric Project. We would like to submit this project to the Low Impact Hydropower Institute as soon as possible but we are waiting on confirmation from you that the project is meeting the fish passage requirements of its FERC Exemption issued in January of 1983. Thank you again for taking the time to review this project and please contact me with any thoughts or concerns.

Sincerely,  
Stephen Hickey  
Essex Power Services, Inc.  
on behalf of Hydro Realty  
55 Union Street, 4th Floor  
Boston, MA 02108  
tel: 617-367-0032  
fax: 617-367-3796

On 3/9/2011 3:52 PM, Stephen Hickey wrote:  
> Dear John,

>  
> Essex Power Services, Inc. (EPSI) has been hired by Mr. Alan Larter of  
> Hydro Realty, the owner, operator and exemptee of the Franklin Falls  
> Hydroelectric Project (the Project) located on the Winnepesaukee River  
> in the City of Franklin, County of Merrimack, NH to write an  
> application to the Low Impact Hydropower Institute ("LIHI") for the  
> low impact certification of the Project. As a requirement of the LIHI  
> application, applicants are required to seek comment from the relevant  
> hydroelectric agencies regarding the Project's compliance with the  
> requirements of its FERC license or exemption. As such, EPSI, would  
> appreciate any comments you have regarding the Project's compliance  
> with the upstream and downstream fish passage requirements of its  
> exemption (FERC Project No.6950 ). At the time the exemption was  
> issued in January of 1983, the U.S. Fish and Wildlife Service  
> (USFWS)certified that there was not a significant existing population  
> of migratory fish at the project dam. However, USFWS did prescribe  
> migratory fish restoration measures as a condition of the exemption,  
> in the event that migratory fish are ever restored to the subject area  
> of the Winnepesaukee River in the near future. No state or federal  
> agency has recommended fish passage be installed at the Project to date.  
>  
> I have attached a copy of the Franklin Falls exemption for your  
> reference. Included with the notice of exemption are comments from the  
> U.S. Fish and Wildlife Service.  
>  
> Thank you in advance for your comments.  
>  
> Sincerely,  
>  
> Stephen Hickey  
> Essex Power Services, Inc.  
> on behalf of Hydro Realty  
> 55 Union Street, 4th Floor  
> Boston, MA 02108  
> tel: 617-367-0032  
> fax: 617-367-3796

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