



**APPLICATION FOR WATER QUALITY
CERTIFICATION**
Water Division
Water Quality Certification Program



RSA: 485-A:12

Date of Request October 8, 2021

Date Request Received by NHDES October 11, 2021

I. Applicant Information

Principal Place of Business of the Applicant Mad River Power Associates LP	
Mailing Address [Street, PO Box, RR, etc.] 10 Roberts Lane, Suite 201	
City/Town and Zip Code Ridgefield, CT 06877	
Telephone No. 518-657-9012	Email Address jd@dichotomycapital.com
Name and Title of Signatory Official Responsible for the Activity for which Certification is Sought (e.g., President, Administrator) Ian Clark, Manager	

II. Project Information

Name of Project Campton Hydro Project
Name of Town and County that contains the Project Campton, Grafton County
Name of Receiving Waterbody and Drainage Basin Mad River
Summary of Activity (e.g., construction, operation, or other practice or action) Mad River Power Associates are seeking a subsequent hydropower license from FERC to continue operating the Campton Hydro Project with 4 minor modifications to current operations that will have no negative impact on water quality. These include: a turbine replacement, closure of the smolt bypass, increase of the penstock vent, and increased minimum flow through the bypass reach.

III. Additional Submittal Information

PLEASE SUBMIT AS MUCH INFORMATION AS POSSIBLE IN ELECTRONIC FORMAT

phone (603) 271-2457
fax (603) 271-7894
PO Box 95, Concord, NH 03302-0095
www.des.nh.gov

Please provide an individual response to each bullet, below. If applicable information is contained in the application materials, please provide a reference to the specific section in the application materials that will represent the response to the individual bullets below.

- Type of activity (e.g., construction, operation, other action such as water withdrawal) and the start and end dates of the activity.
- The characteristics of the activity: Whether the activity is associated with a discharge and/or water withdrawal and whether the discharge and/or withdrawal is proposed or occurring.
- The characteristics of the discharge and/or withdrawal
 - Flow rate (cfs)
 - Potential chemical, physical, biological constituents
 - Frequency (e.g., daily, hourly,)
 - Duration
 - Temperature (Celsius)
 - Latitude and longitude (dd:mm:ss)
- The existing and designated use(s) that are potentially affected by the proposed activities. (Designated Uses are listed in the NHDES Consolidated Assessment and Listing Methodology).
- The provision(s) of surface water quality standards (Env-Wq 1700) that are applicable to the designated uses affected by the proposed activities.
- A pollutant loading analysis to show the difference between predevelopment and post-development pollutant loads for a typical year. The objective of the loading analysis is to show post-development pollutant loads do not exceed pre-development pollutant loads. Loading analysis guidance and a simple spreadsheet model will be provided by NHDES. The loading analysis will be used to determine appropriate stormwater management measures, which must be effectively designed, installed, and maintained to ensure compliance with surface water quality standards.
- A description of any other aspect of associated with construction and operation of the activity that would affect the chemical composition, temperature, flow, or physical aquatic habitat of the surface water.
- An original or color copy/reproduction of a United States Geological Survey Quadrangle Map that clearly shows the location of the activity and all potential discharge points.
- A copy of the final complete federal permit application or federal license application, including the federal permit, license, or project number.
- A copy of the NHDES wetlands permit (RSA 482-A:3), if necessary.
- A copy of the NHDES alteration of terrain permit (RSA 485-A:17), if necessary.
- The name(s) and address(es) of adjoining riparian or littoral abutters.
- A plan showing the proposed activities to scale including:
 - The location(s) and boundaries of the activities;
 - The location(s), dimension(s), and type(s) of any existing and/or proposed structures; and
 - The location(s), name(s), identification number(s), and extent of all potentially affected surface water bodies, including wetlands.
- For projects that involve a new surface water withdrawal, provide the following:

phone (603) 271-2457

fax (603) 271-7894

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- a copy of the water conservation plan (WCP) submitted to the NHDES Water Conservation Program and the status of NHDES approval, or
- a copy of a waiver approved by the NHDES Water Conservation Program that waives the requirement to submit a WCP prior to or in conjunction with the application for water quality certification.

[Pursuant to Env-Wq 2101, and unless a waiver is applied for and granted by NHDES, all applicants for water quality certification are required to submit a water conservation plan (WCP) for projects that involve a new withdrawal from a surface water prior to or in conjunction with this application. Contact the NHDES Water Conservation Program for guidance related to drafting a WCP and the review and approval process. Information regarding the WCP, including contact information, may be found at [NHDES' Water Conservation website](#).

- If the project is located within ¼ (one quarter) mile of a designated river, as defined under RSA 483 (the Rivers Management and Protection Act), provide documentation showing that the Local River Management Advisory Committee (LAC) has been provided with a copy of this complete application. A list and map of the designated rivers, as well as contact information, may be found at [NHDES' Designated Rivers website](#).

Signature – MUST BE SIGNED AND DATED BY APPLICANT

To the best of my knowledge, the data and information described above, which I have submitted to the New Hampshire Department of Environmental Services, is true and correct. I understand that an approval of the requested water quality certification based upon incorrect data may be subject to revocation of the certification. I have complied with all local regulations or ordinances relative to the proposed activity and have obtained or will obtain, prior to the commencement of any work, all other approvals that may be required.

Signed: *Jan Clark*

Date: October 8, 2021

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REQUEST FOR 401 WATER QUALITY CERTIFICATION

SECTION III. ADDITIONAL SUBMITTAL INFORMATION

Campton Hydro Project
P-3253-NH
FERC Relicensing

Mad River Power Associates LP
10 Roberts Lane, Suite 201
Ridgefield, CT 06877
info@dichotomycapital.com

1. Type of activity (e.g., construction, operation, other action such as water withdrawal) and the start and end dates of the activity.

The Campton Hydro Project (Project) is owned and operated by the Mad River Power Associates LP (MRPA), who has proposed an installed generation capacity of 0.743 MW. It currently consists of an intake structure, penstock, and three-turbine powerhouse with a total nameplate capacity of 0.639 MW. The Project operates as an automated run-of-river facility. A shallow 37-acre impoundment (Campton Pond) is created by Campton Dam.

The dam and the land under the intake structure are owned by the U.S. Forest Service. The land for the intake structure is leased to Mad River Power Associates (MRPA, Applicant) under a Special Use Permit. The intake structure is located on the southeastern side of the impoundment a short distance upstream from the Dam.

A 78-inch steel penstock runs 600 feet downstream to the powerhouse, where it trifurcates to feed each turbine. A 20-inch smolt bypass facility empties into a plunge pool on the eastern ledge just below the dam. The Applicant proposes to increase the bypass flow to 29cfs, upgrade Turbine Unit 1 from 236 kW to 340 kW, increase the size of the penstock vent from 12 inches to 18 inches, and close the smolt bypass system. The increased bypass flow was determined through agency consultation. The Unit 1 upgrade has the same diameter of the current unit and therefore will require minimal site modification.

The increased penstock vent is recommended by Gomez and Sullivan's October 2020 Hydraulic Calculation Memo (See Supporting Design Report, License Application: Exhibit F) and requires minimal site modification. The smolt bypass structure is a holdover from when the Mad River was being considered as part of an Atlantic salmon recovery program for the Merrimack River watershed, managed by the U.S. Fish and Wildlife Service (USFWS). The USFWS, however, ended the 30-year recovery program and stopped stocking Atlantic salmon in the Merrimack River watershed in 2013 due to budgetary concerns and low salmon returns¹. The smolt bypass structure is no longer needed and its closure will allow the MRPA to adhere to the bypass requirements requested by New Hampshire Department of Environmental Services more closely.

2. The characteristics of the activity: Whether the activity is associated with a discharge and/or water withdrawal and whether the discharge and/or withdrawal is proposed or occurring.

After consultation with the numerous agencies, including the New Hampshire Department of Environmental Services, the Applicant proposes to spill 29 cfs, or instantaneous inflow if flows are less than 29 cfs, through the bypass reach at all times. During July 2020, additional data was collected in the bypass reach to monitor DO, pH, and temperature, while also monitoring real

¹ https://www.fws.gov/northeast/feature_archive/Feature.cfm?id=794592331

time flow through the bypass reach to confirm that the bypass reach adheres to NH State water quality standards.

The complete License Application is being filed in conjunction with this application. This includes an Exhibit A that describes the project works, flow data, extent of modifications, dates of construction and Exhibit E that describes the water quantity and quality. A plan showing the project location and lands involved is shown in Exhibit G.

3. The characteristics of the discharge and/or withdrawal (flow rate (cfs); potential chemical, physical, biological constituents; frequency (e.g., daily, hourly); duration; temperature (Celsius); latitude and longitude (dd:mm:ss)

Note: Exhibit, section, figure, and appendix references refer to those areas in the FERC License Application.

Water Quality and Quantity

There will not be any chemical, physical, or biological constituents discharged to the river from the project. The discharge will change as turbines turn on and off based on the level of water in the reservoir to maintain run of river. Flow rates will range from 23 cfs to 276 cfs under the proposed regime. The water will be withdrawn through the intake structure at 43°51'44.4"N 71°37'54.4"W and discharged from the turbine draft tubes at 43°51'37.8"N 71°37'55.7"W. As the penstock is buried underground and the residence time is not significant, ambient water temperature should not be drastically impacted.

As stated in the FERC License Application New Hampshire's Mad River is an 18-mile-long tributary to the Pemigewasset River, which is part of the larger Merrimack River watershed. The river begins at the Greeley Ponds in Mad River Notch and descends southward to Waterville Valley, where it is joined by the West Branch. Downstream of Waterville Valley, the Mad River flows southwest before entering Campton Pond, which is formed by the Campton Dam. The Mad River drains a watershed of approximately 58 sq. mi.

The river is not protected under the New Hampshire Rivers Management and Protection Program because it is not considered a "Designated River" according to New Hampshire legislature. Much of the Mad River corridor is undeveloped and the lack of anthropogenic impacts has helped to maintain water quality in the river. The Mad River is classified as a Class B River and generally meets the New Hampshire Class B standards according to the water quality study MRPA published in 2018. Water quality is of paramount importance to the aquatic resources and is a primary factor influencing the character of the biological assemblage that inhabits the river.

Stream Flow Statistics

The river is primarily free flowing until it reaches the impoundment area behind the Campton Dam. Downstream of the dam it returns to free flowing with minor restrictions from bridges. As discussed in Exhibit A of the License Application, MRPA commissioned Gomez and Sullivan Engineers to develop a set of flow duration curve based on the Average of prorated data from USGS Gage Nos. 01074520 and 01075000 on the East Branch of the Pemigewasset River.

The raw data for Figure 8: Annual Flow Duration Curve for the Campton Hydro Project is included in Appendix 5: Flow Duration Curves—Raw Data. A summary of the 2002 Stream Stats report is provided in Table 18 of Exhibit E. Additional monthly flow duration curves and a peak flow stats table is included in Exhibit A: Mad River Flow Data.

Mad River Power Associates recently upgraded the Campton Hydro Project with a pond level transducer that will allow the pond level to be measured and made available to the Environmental Agencies.

4. The existing and designated use(s) that are potentially affected by the proposed activities. (Designated Uses are listed in the NHDES Consolidated Assessment and Listing Methodology).

Note: Exhibit, section, figure, and appendix references refer to those areas in the FERC License Application.

New Hampshire has had a water classification system since 1991. This classification system establishes water quality goals for the State. The system is used to direct the State in the management of its surface waters, protect the quality of those waters for their intended management purposes, and where standards are not achieved, direct the State to enhance the quality to achieve those purposes. The classification standards establish designated uses, related characteristics of those uses, criteria necessary to protect the uses, and establishes specific conditions for certain activities such as the discharge of wastewater.

For Assessment Units the main designated Use Factor is whether a New Hampshire surface water is Class A or Class B.

- 1) Class A—The highest classification with waters suitable for the designated use of drinking water after adequate treatment. Sewage discharges are prohibited in these water bodies.
- 2) Class B—The lowest classification with waters suitable for the designated use of fishing, swimming, and other recreational purposes, and for use as water supplies after adequate treatment has been applied.

The Mad River is classified as a Class B waterway. As a Class B waterway, the river is to be held to the following standards as seen in Table 19 of Exhibit E along with specific conductance, E.

coli, total phosphorus, total nitrogen, chloride, and metals. The proposed activities by the hydro project will maintain these standards as proven in the water quality study included "Appendix 4: Agency Requested Studies" of the License Application. Therefore, no existing or designated uses will be affected by the proposed activities.

5. The provision(s) of surface water quality standards (Env-Wq 1700) that are applicable to the designated uses affected by the proposed activities.

Note: Exhibit, section, figure, and appendix references refer to those areas in the FERC License Application.

The Applicant is proposing to operate the plant as run-of-river and increase the minimum flow through the bypass reach to 29 cfs or instantaneous inflow. Twenty-nine cfs is equivalent to 1.73 inches of spill over the Campton Dam. Proposed plant operation is more thoroughly detailed in "Power Plant Operation."

After review of Mad River's Pre-Application Document and the Draft Flow Study circulated in January of 2020, the U.S. Fish and Wildlife service agreed that a flow through the bypass reach of a minimum of 29 cfs or instantaneous inflow would be appropriate to maintain aquatic life. MRPA expects this operational change to provide either no impact or a positive impact on water quality.

The following is an excerpt from Exhibit E of the FERC License Application:

At the request of the agencies after review of MRPA's Pre-Application Document (PAD), a water quality study was conducted by ASA Analysis and Communication Inc. A summary of the study results directly follows and the complete study is included in the License Application's "Appendix 4: Agency Requested Studies."

TEMPERATURE, DISSOLVED OXYGEN, AND PH

Average water temperatures measured at each of the three sampling locations during the study using HOBO loggers were within 1 °C of one another (Exhibit E, Table 20). Minimum temperatures measured at each location were similar, ranging from 14.04 to 14.54 °C. The maximum temperature recorded at the impoundment sampling location (28.14 °C) was warmer than those recorded at the upstream (24.40 °C) and downstream (25.52 °C) sampling locations. Over 3,000 temperatures were recorded at each location. Temperatures measured weekly at each location using a YSI probe confirmed the accuracy of the HOBO logger measurements (Exhibit E, Table 21). There is currently no numeric standard for temperature by NHDES for rivers and streams. However, the NHDES standard states any stream temperature increase associated with the discharge of treated sewage, waste or cooling water, water diversions, or releases shall not be such as to appreciably interfere with the uses assigned to this class (RSA485-A:8, II).

DO concentrations were greater than the state water quality standard for Class B surface waters throughout the duration of the study period for all three sample locations as measured by the HOBO loggers (Exhibit E, Table 20) and YSI meter (Exhibit E, Table 21). NHDES DO Standard: At least 75 percent saturation based on a daily average and an instantaneous minimum of at least 5 mg/L [Env-WQ=Q 1703.07 (b)] unless there are areas identified by the New Hampshire Fish and Game Department (NHFGD) as cold-water fish spawning areas whose early life stages are buried in the gravel on the bed of the surface water in which case more stringent dissolved oxygen criteria may apply. Env-WQ1703.07(d) addresses the depth where the 75 percent saturation and 5 mg/L criteria apply in stratified and unstratified lakes, ponds, reservoirs, and impoundments. Average, minimum, and maximum dissolved oxygen concentrations were similar among the three sampling locations, although minimum values were lowest at the impoundment sampling location (Exhibit E, Table 20, Table 21). Over 3,000 DO measurements were recorded at each sampling location by the HOBO loggers. DO and temperature measurements made weekly using a YSI probe confirmed the accuracy of HOBO logger measurements (Table 20, Table 21). Temperature and DO vertical profiles in the impoundment showed no stratification four of the five days sampled as DO and temperature varied minimally with depth. When stratification was present on September 9, DO increased with depth in the water column, whereas temperature decreased with depth in the water column.

NUTRIENTS AND TURBIDITY

Total phosphorus levels measured at the impoundment varied from <0.002 to 0.018 mg/L during the study. Nitrate/Nitrite concentrations were between 0.079 and 0.94 mg/L, whereas TKN ranged from 0.58 to 0.91 mg/L. Chlorophyll a varied from <0.5 to 3.3 µg/L. NHDES currently has no numeric standard for Total Phosphorus, Nitrate/Nitrite-N, TKN, or Chlorophyll a. Nutrient criteria: Class B waters shall contain no phosphorus or nitrogen in such concentrations that would impair any existing or designated uses, unless naturally occurring [ENVWQ1703.14(b)]. A chlorophyll-a threshold of 15 µg/L is one of the parameters used to determine if a surface water meets the swimming designated use.

The Secchi disk was visible at the bottom depth at each sampling location throughout the duration of the study. All transparency readings were entered into NHDES EMD as greater than the recorded sampling site depth, following EMD format.

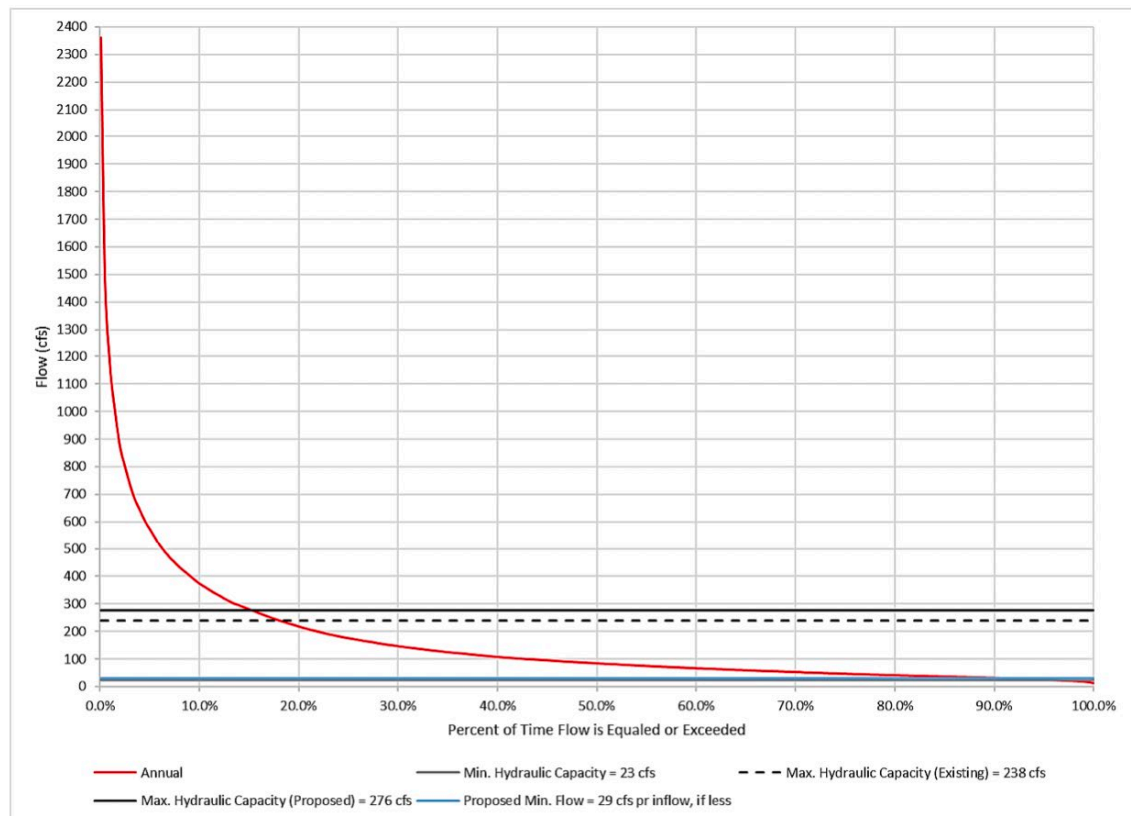
Gradient of Downstream Reaches

The normal water surface elevation of Mad River starting at the dam is 644 feet. The Mad River continues 2.5 miles southwest to the Pemigewasset River north of Plymouth, New Hampshire. The channel invert elevation at the Connecticut River confluence is

approximately 600 feet. This would provide a gradient of 17.6 feet per mile. Existing Data or Studies. The Applicant is aware of a 2002 Stream Stats Report (Flynn and Tasker 2002). The results of this study (Table 7) were the best available flow data for the Campton Project, so MRPA commissioned a flow duration curve from Gomez and Sullivan Engineers.

This flow duration curve as presented in Figure 8 of Exhibit E of the FERC License Application is presented below.

Figure 8: Annual Flow Duration Curve for the Campton Hydro Project



Source: Average of prorated data from USGS Gage Nos. 01074520 and 01075000; Drainage Area =58.0 mi²; Period of Record: Mean Daily Flow from 1939 – 1977 and 1993 - 2021.

Additionally, the Applicant is aware of the New Hampshire Volunteer River Assessment Program (VRAP) which prepares and distributes a water quality report for ongoing surface water quality data monitoring on local rivers. The nearest water quality monitoring station is located 5 miles upstream the Project on Livermore Trail Road, Waterville Valley. MRPA believes the information collected for the site-specific water quality study by ASA Analysis and Communication, Inc. for MRPA is more relevant and

therefore the results of that study are published above and attached in the License Application's "Appendix 4: Agency Requested Studies."

7. A description of any other aspect associated with construction and operation of the activity that would affect the chemical composition, temperature, flow, or physical aquatic habitat of the surface water.

The following is an excerpt from Exhibit E of the FERC License Application:

Potential Adverse Impacts

The Applicant proposes no changes to operations that would cause any adverse impacts (See Exhibit E's section entitled "Resource Protection").

- 1) Mad River Power is proposing to replace Unit 1. The new unit will have the same footprint as the current unit. The conversion will only require minor modifications to the support flange and the addition of a bottom cone to provide a smooth interface with the draft tube.
- 2) Mad River Power is proposing to close the Smolt Bypass Facility and redirect that water over the dam. The Atlantic salmon stocking program for the Merrimack River watershed ended in 2013 and therefore this facility is no longer of use. Redirecting water over the dam will allow for a less complex and more accurate measurement of flow through the bypass reach.
- 3) Mad River Power is proposing to increase the size of the penstock vent from 12 inches to 18 inches as recommended by Gomez and Sullivan's October 2020 Hydraulic Calculation Memo (See Supporting Design Report). No significant adverse impacts are expected from these minor modifications.

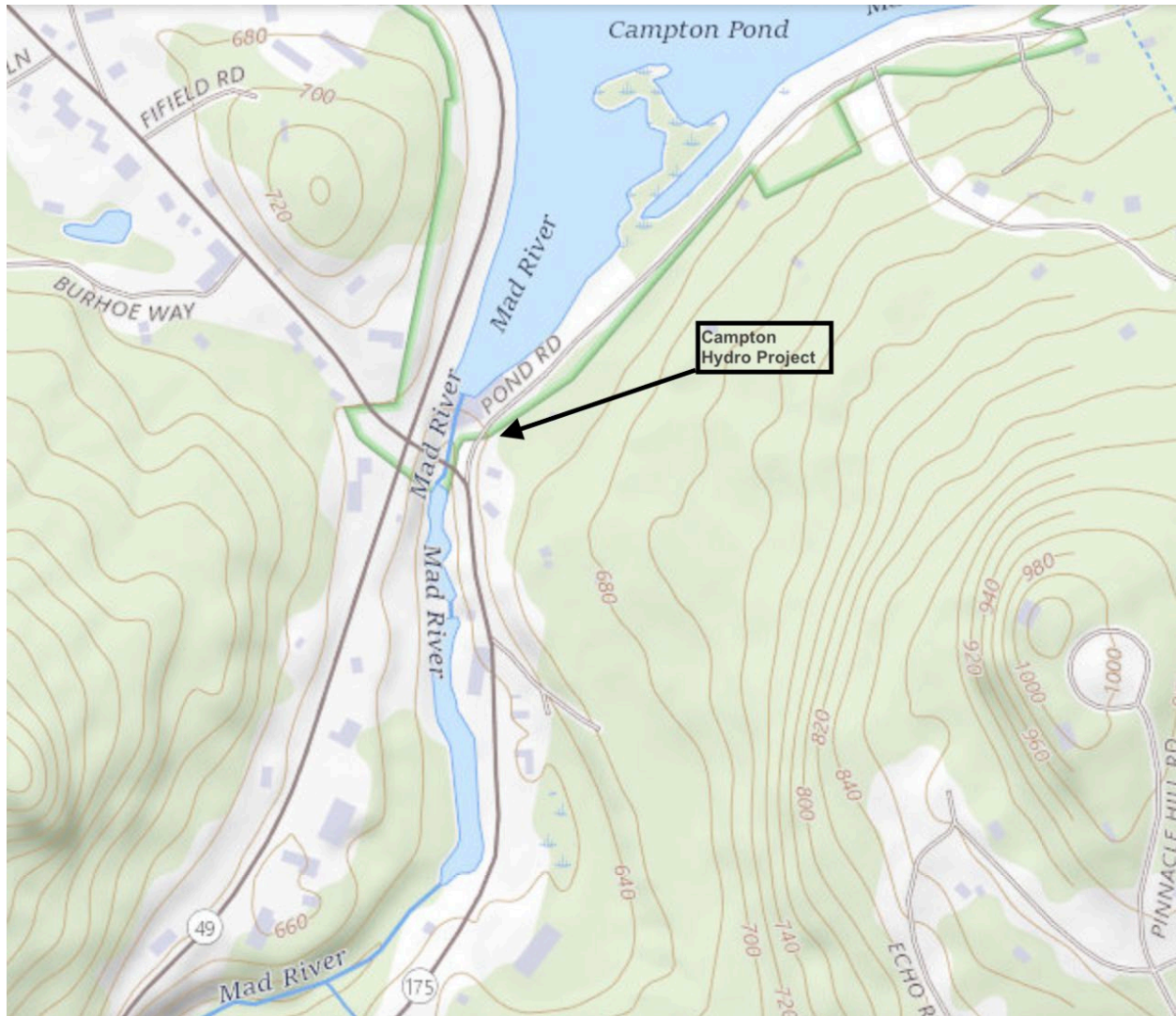
The following is an excerpt from Exhibit E of the FERC License Application:

Resource Protection

The Applicant is proposing to operate the plant as run-of-river and increase the minimum flow through the bypass reach to 29 cfs or instantaneous inflow. Twenty-nine cfs is equivalent to 1.73 inches of spill over the Campton Dam. Proposed plant operation is more thoroughly detailed in "Power Plant Operation."

After review of Mad River's Pre -Application Document and the draft Flow Study circulated in January of 2020, the U.S. Fish and Wildlife service agreed that a flow through the bypass reach of a minimum of 29 cfs or instantaneous inflow would be appropriate to maintain aquatic life.

8. An original or color copy/reproduction of a United States Geological Survey Quadrangle Map that clearly shows the location of the activity and all potential discharge points.



Source: <https://apps.nationalmap.gov/viewer/>

9. A copy of the final complete federal permit application or federal license application, including the federal permit, license, or project number.

Please see the Updated License Application sent in conjunction with this application and filed on the FERC eLibrary under Docket No. P-3253.

10. Adjoining riparian or littoral abutters.

Information of adjacent landowners abutting the riparian and littoral area of the Project:

Owner	Tax Plot	Tax Address/Contact
White Mountain National Forest	WMNF	71 White Mountain Drive Campton, NH 03223
Parker & Nelson Holdings LLC	4-8-4	14 Clover Dr Thornton, NH 03285
Northway Bank	4-7-3	9 Main St Berlin, NH 03570

11. Certification

The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief.

The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Ian Clark

Managing Partner
Mad River Power Associates LP
10 Roberts Lane, Suite 201
Ridgefield, CT 06877
(p) 914-297-7645

Addendum: Additional information required by 40 CFR Ch.1 §121.5

Information required by 40 CFR Ch.1 §121.5 not covered earlier in the application has been included here:

(5) Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge;

The discharge through the turbines will be controlled by the headgate at the top of the penstock and the wicket gate or butterfly valve located just upstream from each turbine.

(6) Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received;

As this is a relicensing project there are no additional authorizations required for this project other than the new license from the FERC.

(7) Include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request;

Please see the attached email chain:

Request for 401 Pre-filing meeting

4 messages

Jonathan Dicesare <jd@dichotomycapital.com> Tue, Sep 7, 2021 at 8:16 AM
To: "Comstock, Gregg" <Gregg.comstock@des.nh.gov>, william.g.comstock@des.nh.gov
Cc: Ian Clark <ianc@dichotomycapital.com>, K Young <kyoung@youngenergyservices.com>, JAdrian@thompsoncoburn.com

Hi Gregg,

Mad River Power Associates LP would like to formally request a Pre-Filing meeting in anticipation of filing an application for a § 401 Water Quality Certification for the FERC Relicensing Application currently in process for the Campton Hydro Project (FERC No. P-3253).

Due to your consistent involvement with this application process so far we are also open to skipping or shortening the 30 Pre-Filing period in the interest of time.

Thank you,
Jonathan DiCesare

Associate
Dichotomy Power LLC
256 Marginal Street
Boston, MA 02215
(p) 518-657-9012

Comstock, Gregg Tue, Sep 7, 2021 at 4:40 PM
<WILLIAM.G.COMSTOCK@des.nh.gov>
To: Jonathan Dicesare <jd@dichotomycapital.com>
Cc: Ian Clark <ianc@dichotomycapital.com>, K Young <kyoung@youngenergyservices.com>, "JAdrian@thompsoncoburn.com"

<JAdrian@thompsoncoburn.com>, "Diers, Ted"
<THEODORE.E.DIERS@des.nh.gov>

Thank you for the pre-filing meeting request Jonathan.

So that you comply with federal 401 regulations ([40 CFR 121.4](#)), I recommend that you wait at least 30 days (from today) to submit a 401 certification request.

I agree that because of our involvement in the relicensing process for this Project, that there is no need to hold a pre-filing meeting.

When you submit a certification request next month, please fill out and submit the NHDES water quality certification application, which is [here](#). In addition to the information in the NHDES application, the new federal regulations ([40 CFR 121](#)) require the following, which we recommend be submitted as an addendum to the NHDES application.

§ 121.5 Certification request.

(a) A certification request shall be submitted to the certifying authority and to the Federal agency concurrently.

(b) A certification request for an individual license or permit shall:

(1) Identify the project proponent(s) and a point of contact;

(2) Identify the proposed project;

(3) Identify the applicable federal license or permit;

- (4) Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters;
- (5) Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge;
- (6) Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received;
- (7) Include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request;
- (8) Contain the following statement: ‘The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief’; and
- (9) Contain the following statement: ‘The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.’

Definitions are provided on page in [40 CFR 121.1](#).

If documents are referenced in the certification request, please provide links and the pages where the information can be found.

401 certification requests should be sent by email to Gregg Comstock at william.g.comstock@des.nh.gov.

Please include the following in the subject line of the request: “Request for 401 WQC”.

When submitting the certification request, please mail a hard copy of the signature pages (for the both the NHDES application and the addendum mentioned above) that includes wet signatures and dates to:

NH Department of Environmental Services

29 Hazen Drive, P.O. Box 95

Concord, New Hampshire 03302-0095

Attention: Gregg Comstock, P.E.

Watershed Management Bureau

401 Certification Program

We will let you know if we need hard copies of any other parts of the certification request.

Let me know if you have any questions Jonathan.

Regards,

Gregg

Gregg Comstock, P.E.

Supervisor, Water Quality Planning Section

Watershed Management Bureau

Water Division, NH Department of Environmental Services

29 Hazen Drive, P.O. Box 95

Concord, NH 03302-0095

Email: gregg.comstock@des.nh.gov

Phone: (603) 271-2983 (it is best to contact me by email)

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Please consider the environment before printing this email.



From: Jonathan Dicesare <jd@dichotomycapital.com>

Sent: Tuesday, September 7, 2021 8:16 AM

To: Comstock, Gregg <Gregg.comstock@des.nh.gov>; Comstock, Gregg <william.g.comstock@des.nh.gov>
Cc: Ian Clark <ianc@dichotomycapital.com>; K Young <kyoung@youngenergyservices.com>; JAdrian@thompsoncoburn.com
Subject: Request for 401 Pre-filing meeting

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

[Quoted text hidden]

Jonathan Dicesare <jd@dichotomycapital.com> Fri, Sep 24, 2021 at 1:15 PM
To: "Comstock, Gregg" <WILLIAM.G.COMSTOCK@des.nh.gov>

Hi Gregg,

Is a NHDES wetlands permit or a NHDES alteration of terrain permit required because we are seeking hydro relicensing? Are the names and addresses of adjoining riparian or littoral abutters is required for the same reason?

Thanks,
Jonathan DiCesare

Associate
Dichotomy Power LLC
256 Marginal Street
Boston, MA 02215
(p) 518-657-9012

[Quoted text hidden]

Comstock, Gregg
<WILLIAM.G.COMSTOCK@des.nh.gov>
To: Jonathan Dicesare <jd@dichotomycapital.com>

Fri, Sep 24, 2021 at 3:02 PM

Hi Jonathan,

Our responses are below.

Is a NHDES wetlands permit or a NHDES alteration of terrain permit required because we are seeking hydro relicensing?

NHDES RESPONSE: It depends. Is any construction proposed? If so, will it involve work in the river or wetlands? Will it involve work on the land and if so, how much land (in square feet) will be disturbed?

Are the names and addresses of adjoining riparian or littoral abutters is required for the same reason?

NHDES RESPONSE: Please provide the abutters adjacent to the project boundary.

[Quoted text hidden]