

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

New York Power Authority

Project No. 4678-052

Project No. 4679-049

NOTICE OF INTENT TO FILE LICENSE APPLICATION, FILING OF PRE-APPLICATION DOCUMENT (PAD), COMMENCEMENT OF PRE-FILING PROCESS, AND SCOPING; REQUEST FOR COMMENTS ON THE PAD AND SCOPING DOCUMENT, AND IDENTIFICATION OF ISSUES AND ASSOCIATED STUDY REQUESTS

(June 10, 2019)

- a. Type of Filing: Notices of Intent to File License Applications for New Licenses and Commencing Pre-filing Process
- b. Project Nos.: 4678-052 and 4679-049
- c. Dated Filed: May 3, 2019
- d. Submitted By: New York Power Authority
- e. Name of Project: Crescent Hydroelectric Project (P-4678-052) and Vischer Ferry Hydroelectric Project (P-4679-049).
- f. Location: Both projects are located on the lower Mohawk River. The Crescent Project is located at river mile 4 of the Mohawk River in Saratoga, Albany, and Schenectady Counties, New York. The Vischer Ferry Project is located at river mile 10 of the Mohawk River, in Albany and Schenectady Counties, New York. The projects do not occupy federal lands.
- g. Filed Pursuant to: 18 CFR Part 5 of the Commission's Regulations
- h. Potential Applicant Contact: Tara Groom, New York Power Authority, 30 South Pearl Street, Albany, NY 12207. Phone: (518) 433-6748 or email at [CVF.Relicensing@nypa.gov](mailto:CVF.Relicensing@nypa.gov).
- i. FERC Contact: Jody Callihan at (202) 502-8278 or e-mail at [jody.callihan@ferc.gov](mailto:jody.callihan@ferc.gov).

- j. Cooperating agencies: Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).
- k. With this notice, we are initiating informal consultation with: (a) the U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402 and (b) the State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.
- l. With this notice, we are designating New York Power Authority as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.
- m. New York Power Authority filed with the Commission a Pre-Application Document (PAD; including a proposed process plan and schedule), pursuant to 18 CFR 5.6 of the Commission's regulations.
- n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCONlineSupport@ferc.gov](mailto:FERCONlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

- o. With this notice, we are soliciting comments on the PAD and Commission's staff Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all

communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file all documents using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. The first page of any filing should include docket number P-4678-052 (for the Crescent Hydroelectric Project) and/or P-4679-049 (for the Vischer Ferry Hydroelectric Project).

All filings with the Commission must bear the appropriate heading: "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by **August 9, 2019**.

- p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

#### Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the projects at the times and places noted below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

Evening Scoping Meeting

Date: Wednesday, July 10, 2019

Time: 7:00 p.m.

Location: Hilton Garden Inn (Whitney/Travers Room)

30 Clifton Country Road

Clifton Park, New York, 12065

Phone: (518) 371-7777

Daytime Scoping Meeting

Date: Thursday, July 11, 2019

Time: 9:00 a.m.

Location: Hilton Garden Inn (Whitney/Travers Room)

30 Clifton Country Road

Clifton Park, New York, 12065

Phone: (518) 371-7777

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Environmental Site Review

The potential applicant and Commission staff will conduct site visits of the projects on Wednesday, July 10, 2019, starting at 9:30 a.m. All participants should meet in the parking lot of the Crescent Hydroelectric Project, located at 60 Cohoes Crescent Rd, Cohoes, NY 12047 (Latitude 42.8056/Longitude-73.7227. We will conduct the site visit for the Vischer Ferry Hydroelectric Project after the Crescent Project site visit. All participants are responsible for their own transportation. Anyone with questions about the site visits should contact Tara Groom of the New York State Power Authority at (518) 433-6748.

Meeting Objectives

At the scoping meetings, staff will: (1) initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify

preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this document.

#### Meeting Procedures

The meetings will be recorded by a stenographer and will be placed in the public records of the projects.

Kimberly D. Bose,  
Secretary.

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

June 10, 2019

OFFICE OF ENERGY PROJECTS

Project No. 4678-052–New York  
Crescent Hydroelectric Project

Project No. 4679-049–New York  
Vischer Ferry Hydroelectric Project

New York Power Authority

**Subject: Scoping Document 1 for the Crescent Hydroelectric Project, P-4678 and  
Vischer Ferry Hydroelectric Project, P-4679**

To the Party Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document submitted by the Power Authority of the State of New York (New York Power Authority or NYPA) for relicensing the Crescent Hydroelectric Project (Crescent Project) (FERC No. 4678), and the Vischer Ferry Hydroelectric Project (Vischer Ferry Project) (FERC No. 4679). The projects are located on the Mohawk River in Saratoga, Albany, and Schenectady Counties, New York.

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, Commission staff intends to prepare an environmental assessment (EA), which will be used by the Commission to determine whether, and under what conditions, to issue a new license for the project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed, and that the EA is thorough and balanced.

We invite your participation in the scoping process, and are circulating the attached Scoping Document 1 (SD1) to provide you with information on the Crescent and Vischer Ferry projects. We are also soliciting your comments and suggestions on our preliminary list of issues and alternatives to be addressed in the EA. We are also requesting that you identify any studies that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA for the projects.

Project Nos. 4768-052 and 4679-049

We will hold two scoping meetings for the Crescent and Vischer Ferry projects to receive input on the scope of the EA. An evening meeting will be held at 7:00 p.m. on July 10, 2019, at the Hilton Garden Inn in Clifton Park, New York. A daytime meeting will be held at 9:00 a.m. on July 11, 2019, at the same location. We will also visit the project facilities on July 10, 2019, starting at 9:30 a.m.

We invite all interested agencies, Indian tribes, non-governmental organizations, and individuals to attend one or both of these meetings and participate in the site visit. Further information on the scoping meetings and site visit is available in the enclosed SD1.

The SD1 is being distributed to both NYPA's distribution list and the Commission's official mailing list (see section 10.0 of the attached SD1). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to [efiling@ferc.gov](mailto:efiling@ferc.gov) or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Room 1A, Washington, DC 20426. All written or emailed requests must specify your wish to be removed from or added to the mailing list and must clearly identify the following on the first page: **Crescent Hydroelectric Project No. 4678-052 and/or Vischer Ferry Hydroelectric Project No. 4679-049.**

Please review the SD1 and, if you wish to provide comments, follow the instructions in section 6.0, *Request for Information and Studies*. If you have any questions about SD1, the scoping process, or how Commission staff will develop the EA for this project, please contact Jody Callihan at (202) 502-8278 or [jody.callihan@ferc.gov](mailto:jody.callihan@ferc.gov). Additional information about the Commission's licensing process and the Crescent and Vischer Ferry projects may be obtained from our website, [www.ferc.gov](http://www.ferc.gov). The deadline for filing comments is **August 9, 2019**. The Commission strongly encourages electronic filings.

Enclosure: Scoping Document 1

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SCOPING DOCUMENT 1

CRESCENT HYDROELECTRIC PROJECT

PROJECT NO. 4678-052

AND

VISCHER FERRY HYDROELECTRIC PROJECT

PROJECT NO. 4679-049

NEW YORK



Federal Energy Regulatory Commission  
Office of Energy Projects  
Division of Hydropower Licensing  
Washington, DC

June 2019

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# SCOPING DOCUMENT 1

## **Crescent Hydroelectric Project, No. 4678-052 Vischer Ferry Hydroelectric Project, No. 4679-049**

### **1.0 INTRODUCTION**

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),<sup>1</sup> may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On May 3, 2019, the Power Authority of the State of New York (New York Power Authority, or NYPA) filed a Pre-Application Document (PAD) and Notices of Intent to seek new licenses for the Crescent Hydroelectric Project (Crescent Project) (FERC Project No. 4678) and Vischer Ferry Hydroelectric Project (Vischer Ferry Project) (FERC Project No. 4679).<sup>2</sup>

Both projects are located on the lower Mohawk River (a major tributary to the Hudson River) at state-owned lock and dams on the Erie Canal portion of the New York State Canal System. The Crescent Project (associated with Lock E-6) is located at river mile 4 of the Mohawk River in Saratoga, Albany, and Schenectady Counties, near the town of Halfmoon, New York (figure 1). The Vischer Ferry Project is located at river mile 14 of the Mohawk River, 10 miles upstream of the Crescent Project, at Lock E-7, near the town of Niskayuna, New York (figure 1). Neither project occupies federal lands.

Both projects are operated as run-of-river (ROR) hydroelectric facilities. Each project has four turbine-generating units and a total authorized installed capacity of 11.8 megawatts (MW).<sup>3</sup> The average annual generation of the Crescent Project and the Vischer Ferry Project from 2009 through 2018 was 58,456 megawatt-hours (MWh) and 50,601 MWh, respectively. Detailed descriptions of each project are provided in section 3.0.

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<sup>1</sup> 16 U.S.C. § 791(a)-825(r) (2012).

<sup>2</sup> Each license, for the Crescent and Vischer Ferry projects, was issued on June 26, 1984 with a back-dated effective date of June 1, 1974. Both licenses expire on May 31, 2024.

<sup>3</sup> 55 FERC ¶ 62,015. Order Amending License and Revising Annual Charges, issued April 8, 1991 for P-4678. 55 FERC ¶ 62,014. Order Amending License and Revising Annual Charges, issued April 8, 1991 for P-4679.

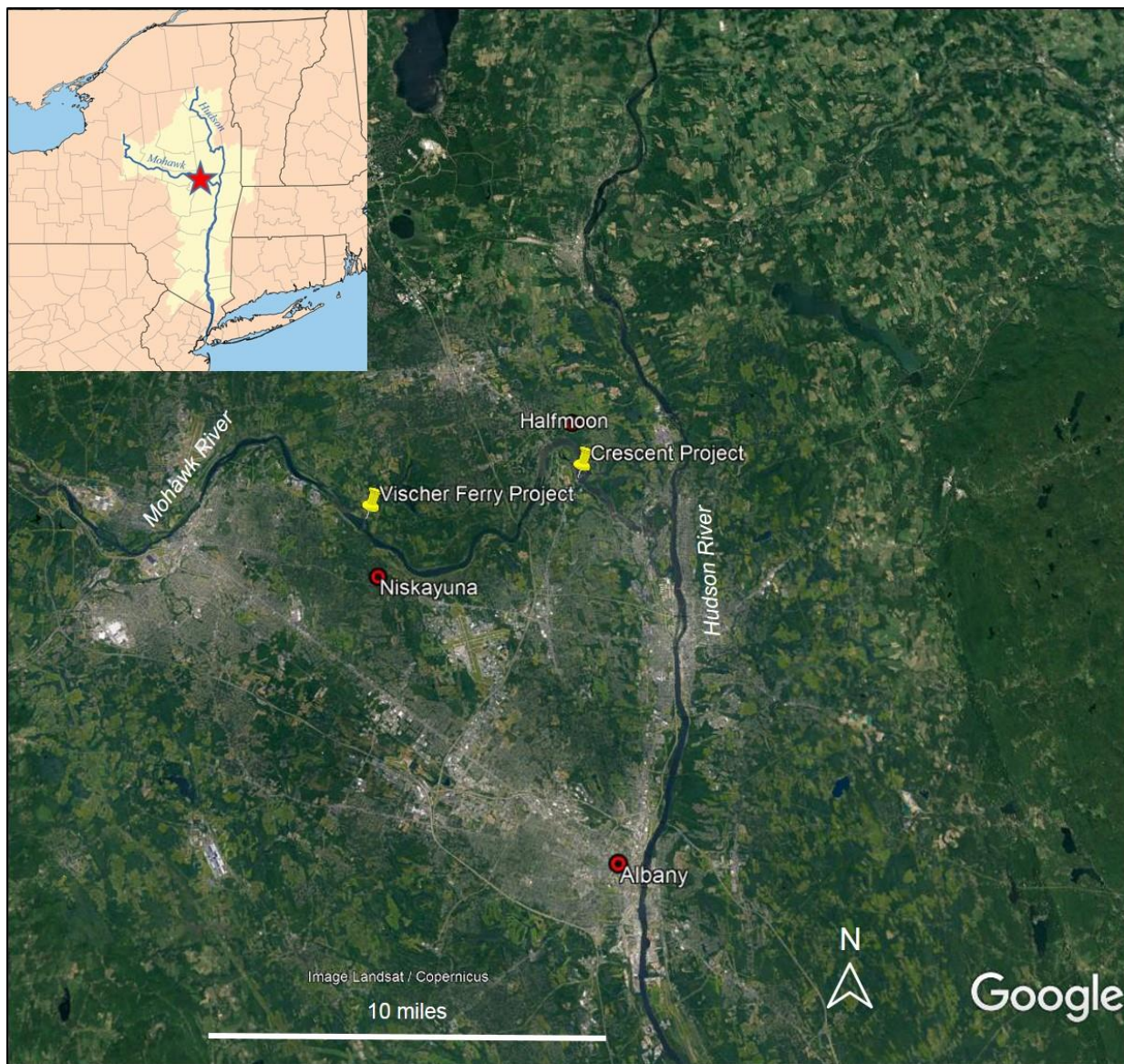


Figure 1. Location of the Crescent and Vischer Ferry projects (Source: Staff).

The National Environmental Policy Act (NEPA) of 1969,<sup>4</sup> the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the Crescent and Vischer Ferry projects as proposed, and also consider reasonable alternatives to the licensee's proposed action. At this time, we intend to prepare an environmental assessment (EA) that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The EA preparation will be supported by a scoping process to ensure identification and analysis of all pertinent issues. Although our current intent is to prepare an EA, there is a possibility that an environmental impact statement (EIS) will be required. The scoping process will satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

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<sup>4</sup> National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4370(f) (2012).

## **2.0 SCOPING**

This Scoping Document 1 (SD1) is intended to advise all participants as to the proposed scope of the EA and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and schedule for the development of the EA; (2) a description of the proposed action and alternatives; (3) a preliminary identification of environmental issues and proposed studies; (4) a request for comments and information; (5) a proposed EA outline; and (6) a preliminary list of comprehensive plans that are applicable to the project.

### **2.1 PURPOSES OF SCOPING**

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. In general, scoping should be conducted during the early planning stages of a project. The purposes of the scoping process are as follows:

- invite participation of federal, state and local resource agencies, Indian tribes, non-governmental organizations (NGOs), and the public to identify significant environmental and socioeconomic issues related to the proposed project;
- determine the resource issues, depth of analysis, and significance of issues to be addressed in the EA;
- identify how the project would or would not contribute to cumulative effects in the project area;
- identify reasonable alternatives to the proposed action that should be evaluated in the EA;
- solicit, from participants, available information on the resources at issue, including existing information and study needs; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

## **2.2 COMMENTS, SCOPING MEETINGS, AND ENVIRONMENTAL SITE REVIEW**

During preparation of the EA, there will be several opportunities for the resource agencies, Indian tribes, NGOs, and the public to provide input. These opportunities occur:

- during the public scoping process and study plan meetings, when we solicit oral and written comments regarding the scope of issues and analysis for the EA;
- in response to the Commission's notice that the project is ready for environmental analysis; and
- after issuance of the EA when we solicit written comments on the EA.

In addition to written comments solicited by this SD1, we will hold two public scoping meetings and environmental site reviews in the vicinity of the projects. A daytime meeting will focus on concerns of the resource agencies, NGOs, and Indian tribes; the evening meeting will focus on receiving input from the public. We invite all interested agencies, Indian tribes, NGOs, and individuals to attend one or both of the meetings to assist us in identifying the scope of environmental issues that should be analyzed in the EA. All interested parties are also invited to participate in the environmental site reviews. The times and locations of the meetings and environmental site reviews are as follows:

### **Evening Scoping Meeting**

Date and Time: **Wednesday, July 10, 2019 at 7:00 p.m.**  
 Location: Hilton Garden Inn (Whitney/Travers Room)  
 30 Clifton Country Road  
 Clifton Park, New York 12065  
 Phone Number: (518) 371-7777

## **Daytime Scoping Meeting**

Date and Time: **Thursday, July 11, 2019 at 9:00 a.m.**  
Location: Hilton Garden Inn (Whitney/Travers Room)  
30 Clifton Country Road  
Clifton Park, New York 12065  
Phone Number: (518) 371-7777

## **Environmental Site Review**

Date and Time: **Wednesday, July 10, 2019 at 9:30 a.m.**  
Location: Crescent Hydroelectric Project, located at 60 Cohoes Crescent Rd, Cohoes, NY 12047 (Latitude 42.8056/Longitude-73.7227). Participants will meet in the project's parking lot; after the site visit for the Crescent Project, we will travel to the Vischer Ferry Project, located off the intersection off Sugar Hill Rd and Riverview Rd in Rexford, NY 12148 (Latitude 42.8075/Longitude -73.8427). Please note that you are responsible for your own transportation.

Please RSVP via email to [CVF.Relicensing@nypa.gov](mailto:CVF.Relicensing@nypa.gov) or notify Tara Groom at (518) 433-6748 **on or before July 3, 2019**, if you plan to attend the environmental site reviews.

All persons attending the environmental site reviews must adhere to the following requirements: (1) persons must be 16 years or older; (2) persons must have a current, valid, government-issued or school photo identification (i.e., driver's license, etc.); (3) persons with open-toed shoes/sandals/flip flops/high heels, etc. will not be allowed on the environmental site reviews; (4) no photography will be allowed on-site; (5) small bags containing personal items for the site visit (i.e., notebooks, maps, water, etc.) will be allowed, but are subject to search; (6) no weapons are allowed on-site; (7) no alcohol/drugs are allowed on-site (or persons exhibiting the effects thereof); (8) all persons coming on-site are subject to search; (9) no animals (except for service animals) are allowed on the environmental site reviews; and (10) all persons must be properly attired: no shorts, no tank tops.

The scoping meetings will be recorded by a court reporter, and all statements (verbal and written) will become part of the Commission's public record for the project. Before each meeting, all individuals who attend, especially those who intend to make statements, will be asked to sign in and clearly identify themselves for the record. Interested parties who choose not to speak or who are unable to attend the scoping meetings may provide written comments and information to the Commission as described



in section 6.0. These meetings are posted on the Commission's calendar located on the internet at [www.ferc.gov/EventCalendar/EventsList.aspx](http://www.ferc.gov/EventCalendar/EventsList.aspx), along with other related information.

Meeting participants should come prepared to discuss their issues and/or concerns as they pertain to the relicensing of the Crescent and Vischer Ferry projects. It is advised that participants review the PAD in preparation for the scoping meetings. Copies of the PAD are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website ([www.ferc.gov](http://www.ferc.gov)), using the "eLibrary" link. Enter the docket number P-4678 or P-4679 to access the single PAD that was prepared for both projects. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy of the PAD is available for public inspection during business hours at NYPA's Albany Office at 30 South Pearl Street, Albany, NY 12207; the PAD can also be obtained from NYPA's licensing website (<https://www.nypa.gov/power/generation/all-generating-facilities/crescent-vischer-ferry-relicensing>).

Following the scoping meetings and comment period, all issues raised will be reviewed and decisions made as to the level of analysis needed. If preliminary analysis indicates that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the EA.

If we receive no substantive comments on SD1, then we will not prepare a Scoping Document 2 (SD2). Otherwise, we will issue SD2 to address any substantive comments received. The SD2 will be issued for informational purposes only; no response will be required. The EA will address recommendations and input received during the scoping process.

### 3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA, the environmental analysis will consider the following alternatives, at a minimum: (1) the no-action alternative, (2) the applicant's proposed action, and (3) alternatives to the proposed action.

#### 3.1 NO-ACTION ALTERNATIVE

Under the no-action alternative, the Crescent and Vischer Ferry projects would continue to operate as required by the current project licenses (i.e., there would be no change to the existing environment). No new environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

##### 3.1.1 Existing Project Facilities

###### Crescent Project

The Crescent Project consists of two main concrete gravity dams (dams A and B) that are curved, have a total length of 1,435 feet, and link each bank to a rock island in the middle of the Mohawk River (figure 2). The project impoundment extends upstream 10 miles to the Vischer Ferry Project, and has a surface area of 2,000 acres and holds 50,000 acre-feet of water at the normal pool elevation of 184 feet.<sup>5</sup> When the 1-foot-high wooden flashboards are seasonally installed on the dams' spillways during the canal navigation season (generally May through November), the normal full pool elevation is increased from 184 feet to 185 feet, resulting in the retention of an additional 2,000 acre-feet of water to aid navigation lockages. A third, smaller dam (dam C, figure 2) provides added structural stability for dam B by impounding water to approximately 4.5 feet deep against the downstream toe of dam B. Two regulating structures, a 30-foot-wide Tainter gate and an 8-foot-wide ice/trash sluice gate, are located on the western side of dam B.

The powerhouse is 180 feet long (across the river) and 73 feet wide (parallel to the river), integral with dam B, and has four turbine-generator units: two vertical Kaplan turbines (with a rated capacity of 3.0 MW each) and two vertical Francis turbines (with a rated capacity of 2.8 MW each). The project also contains a switchyard, generator leads, transformer banks, and appurtenant facilities.

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<sup>5</sup> All elevations herein are in the Barge Canal Datum (BCD), which is 1.67 feet lower than the North American Vertical Datum of 1988 (NAVD 88).

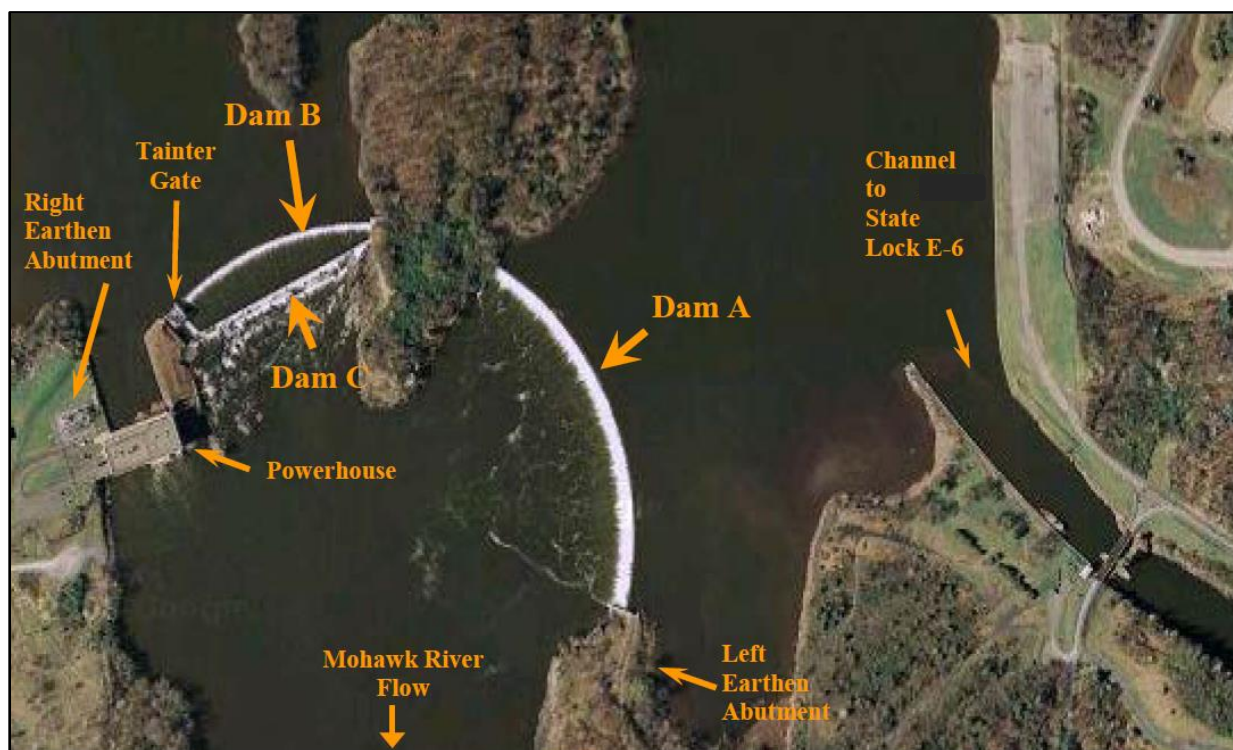


Figure 2. Project facilities at the Crescent Project (Source: Staff).

### Vischer Ferry Project

The Vischer Ferry Project consists of three connected concrete gravity dams (dams D, E, and F) having a total length of 1,919 feet (figure 3). Dams D and F are 30 feet high, while dam E varies in height from 1 to 3 feet above Goat Island, located in the middle of the river (figure 3). The project impoundment extends 10.3 miles upstream to Lock E-8 in Schenectady, New York, and has a surface area of 1,050 acres and holds 25,000 acre-feet of water at the normal pool elevation of 211 feet. When the 27-inch-high wooden flashboards are seasonally installed on the dams' spillways during the canal navigation season (generally May through November), the normal full pool elevation is increased from 211.0 feet to 213.25 feet, resulting in the retention of an additional 2,400 acre-feet of water to aid navigation lockages. Regulating structures are present along the project's headrace and include seven sluice gates (figure 3). Six of these gates have openings that are 14 feet high by 8 feet wide with sill elevations of 202.1 feet; the seventh opening is used as a trash sluice and is 12 feet high and 8 feet wide with a sill elevation of 190 feet.

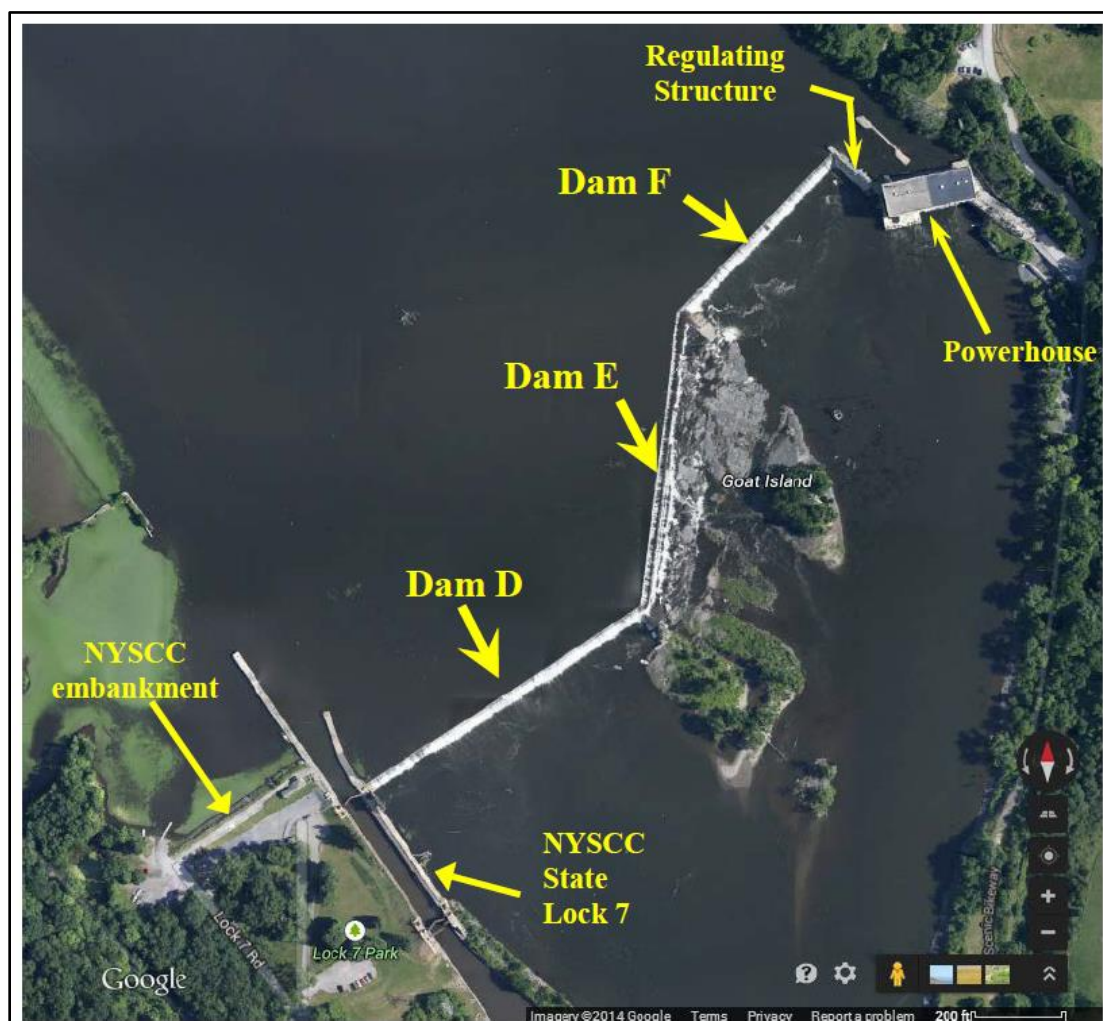


Figure 3. Project facilities at the Vischer Ferry Project (Source: Staff).

The powerhouse is 186 feet long (across the river) and 73 feet wide (parallel to the river), integral with dam F, and similar to the Crescent Project, has four turbine-generator units: two vertical Kaplan turbines (with a rated capacity of 3.0 MW each) and two vertical Francis turbines (with a rated capacity of 2.8 MW each). The project also contains a switchyard, generator leads, transformer banks, and appurtenant facilities.

Lock E-7 of the Erie Canal and its associated earthen embankment (figure 3) are included as project features<sup>6</sup> because they are necessary in maintaining the project

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<sup>6</sup> 130 FERC ¶ 62,027. Order Revising Approved Exhibit G Drawings, issued January 12, 2010.

impoundment. Lock E-7 is owned and operated by the New York State Canal Corporation.

In 1983, NYPA obtained a perpetual hydroelectric easement from the State of New York to develop and operate the Vischer Ferry and Crescent projects. NYPA does not propose any new or upgraded facilities or structural changes to the projects at this time.

### **3.1.2 Existing Project Operations**

#### Crescent Project

The Crescent Project is operated as a ROR hydroelectric facility. In some instances, when there is a curtailment of project inflows due to operations of the New York State Canal System (upstream of the project), the licensee is authorized to lower the project impoundment up to 6 inches below the flashboards (if installed) or crest of the dams (when the flashboards are removed) to minimize disruptions to project generation during such instances.<sup>7</sup> This 6-inch fluctuation allowance is not meant to be used for regular ponding or peaking purposes. During the navigation season (generally May through November), when the flashboards are present on top of the spillways, 250 cfs is spilled through an 80-foot-wide, 1-foot-high opening in dam A (where the flashboards are absent) to provide a downstream passage route (that bypasses the turbines) for adult and juvenile blueback herring.<sup>8</sup> The 100-cfs minimum flow required by Article 36 of the current license is considered as part of this 250-cfs fish passage flow that is released during the navigation season.<sup>9</sup> During the non-navigation season (December through April), the minimum flow is provided via generation as project inflows are greater than the minimum hydraulic capacity of a single unit (300 cfs) 99 percent of the time; in the rare occasion project inflows are lower than 300 cfs, the minimum flow is released through the trash sluice.

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<sup>7</sup> 93 FERC ¶ 62,127. Order Amending Article 41, issued November 17, 2000.

<sup>8</sup> 120 FERC ¶ 62,087. Order Modifying and Approving Downstream Fish Passage Plan Under December 28, 2006 Order, Modifying Effectiveness Study Plan Schedule Under January 31, 2007 Order, and Approving Operating Schedule for Downstream Fish Passage Under February 15, 2005 Order, issued July 31, 2007.

<sup>9</sup> 110 FERC ¶ 62,141. Order Modifying and Approving Fish Protection Recommendations Under August 14, 2002 Order, issued February 15, 2005.

The Crescent Project can be operated both remotely and manually, but is typically operated remotely from NYPA's Blenheim-Gilboa control room. The project utilizes a programmable logic controller system to monitor impoundment water levels and plant output. The project operator monitors available water level and weather forecasting information for severe weather predictions. The project operates in close coordination with the New York State Canal System and during unusual conditions or emergencies, public safety is always prioritized.

### Vischer Ferry Project

The Vischer Ferry Project is operated in the same manner as described above for the Crescent Project with the exception that a 200-cfs continuous minimum flow (or inflow if less) is required for the Vischer Ferry Project. Similar to the Crescent Project, the required minimum flow at Vischer Ferry is considered as part of the downstream fish passage flow through the flashboards during the navigation season and via generation or through a sluice gate during the non-navigation season.

## **3.2 APPLICANT'S PROPOSAL**

### **3.2.1 Proposed Project Facilities and Operations**

The proposed action is to continue to operate and maintain the Crescent and Vischer Ferry projects as required by the existing licenses and amendments as described above. No new or upgraded facilities, structural changes, or operational changes to the projects are proposed by NYPA at this time. The current license for each project expires on May 31, 2024.

### **3.2.2 Proposed Environmental Measures**

NYPA's existing protection, mitigation, and enhancement (PM&E) measures, consistent with its current license and associated amendments, are as follows:

#### Aquatic Resources

- Maintain ROR operation at both projects.
- Provide continuous minimum flows of 100 cfs and 200 cfs (or project inflows, if less) into the Mohawk River downstream of the Crescent and Vischer Ferry projects, respectively.

- Operate underwater ultrasonic acoustic deterrence devices in both project impoundments during the navigation season (generally May through November)<sup>10</sup> to help direct out-migrating juvenile and adult blueback herring away from the project intakes and towards surface openings in the dams' flashboards to provide downstream passage protection and reduce the turbine mortality of blueback herring.

### Recreation and Land Use

- Maintain the following formal recreation sites (included in the project boundary) at the Vischer Ferry Project: (1) project forebay scenic overlook, (2) tailrace parking facilities, and (3) Town of Niskayuna boat ramp.

### Cultural Resources

- Consult with the New York State Historic Preservation Office (New York SHPO) prior to the commencement of any construction at the projects about the need for any cultural resources survey or salvage work. Should any unrecorded archaeological or historical sites be discovered during the course of construction or development of any project works or other facilities at the projects, halt construction activity, consult with a qualified archaeologist to determine the significance of the sites, and consult with the New York SHPO to develop any necessary mitigation plans for the protection of significant archaeological or historic resources.

## **3.3 DAM SAFETY**

It is important to note that dam safety constraints may exist and should be taken into consideration in the development of proposals and alternatives considered in the pending proceeding. For example, proposed modifications to the dam structure, such as the addition of flashboards or fish passage facilities, could impact the integrity of the dam structure. As the proposal and alternatives are developed, the applicant must evaluate the effects and ensure that the projects would meet the Commission's dam safety criteria

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<sup>10</sup> At the Vischer Ferry Project, NYPA states it operates the acoustic deterrence system and maintains separate flashboard openings in dam F for the downstream passage of adult blueback herring from May through July and for juvenile blueback herring from September through November. For the Crescent Project, the licensee is required by 120 FERC ¶ 62,087 (issued July 31, 2007) to operate the acoustic deterrence system and maintain downstream fish passage flows through the flashboard openings for the entire duration of the navigation season (generally May through November).



found in Part 12 of the Commission's regulations and the Engineering Guidelines (<http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp>).

### **3.4 ALTERNATIVES TO THE PROPOSED ACTION**

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as PM&E measures identified by the Commission, the agencies, Indian tribes, NGOs, and the public.

### **3.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY**

At present, we propose to eliminate the following alternatives from detailed study in the EA.

#### **3.5.1 Federal Government Takeover**

In accordance with § 16.14 of the Commission's regulations, a federal department or agency may file a recommendation that the United States exercise its right to take over a hydroelectric power project with a license that is subject to sections 14 and 15 of the FPA.<sup>11</sup> We do not consider federal takeover to be a reasonable alternative. Federal takeover of the projects would require congressional approval. While that fact alone would not preclude further consideration of this alternative, there is currently no evidence showing that federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate, and no federal agency has expressed interest in operating the projects.

#### **3.5.2 Non-power License**

A non-power license is a temporary license the Commission would terminate whenever it determines that another governmental agency is authorized and willing to assume regulatory authority and supervision over the lands and facilities covered by the non-power license. At this time, no governmental agency has suggested a willingness or ability to take over the projects. No party has sought a non-power license, and we have no basis for concluding that the Crescent and Vischer Ferry projects should no longer be used to produce power. Thus, we do not consider a non-power license a reasonable alternative to relicensing the projects.

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<sup>11</sup> 16 U.S.C. § 791(a)-825(r) (2012).



### **3.5.3 Project Decommissioning**

Decommissioning of the projects could be accomplished with or without dam removal. Either alternative would require denying the relicense application and surrender or termination of the existing licenses with appropriate conditions. There would be significant costs involved with decommissioning the projects and/or removing any project facilities. The projects provide a viable, safe, and clean renewable source of power to the region. With decommissioning, the projects would no longer be authorized to generate power.

No party has suggested project decommissioning would be appropriate in this case, and we have no basis for recommending it. Thus, we do not consider project decommissioning a reasonable alternative to relicensing the projects with appropriate environmental measures.

## **4.0 SCOPE OF CUMULATIVE EFFECTS AND SITE-SPECIFIC RESOURCE ISSUES**

### **4.1 CUMULATIVE EFFECTS**

According to the Council on Environmental Quality's regulations for implementing NEPA (40 C.F.R. 1508.7), a cumulative effect is the effect on the environment that results from the incremental effect of the action when added to other past, present and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

#### **4.1.1 Resources that could be Cumulatively Affected**

Based on information in the PAD for the Crescent and Vischer Ferry projects and preliminary staff analysis, we identified water quality and diadromous fishes (including blueback herring and American eel), as having the potential to be cumulatively affected by the continued operation and maintenance of the Crescent and Vischer Ferry projects in combination with other hydroelectric projects and activities in the Mohawk and Hudson River Basins.

#### **4.1.2 Geographic Scope**

Our geographic scope of analysis for cumulatively affected resources is defined by the physical limits or boundaries of: (1) the proposed action's effect on the resources, and (2) contributing effects from other hydropower and non-hydropower activities within the Mohawk River Basin. There are six hydroelectric projects (including the Crescent and Vischer Ferry projects) on the Mohawk River and one hydroelectric project (Green Island, FERC No. 13) on the Hudson River downstream of its confluence with the Mohawk River (figure 4). We have identified the geographic scope for water quality to include the Mohawk River from the Vischer Ferry impoundment to its confluence with the Hudson River because this relatively short (15-mile) reach of the river contains five hydropower projects, the operation of which may cumulatively affect water quality. For diadromous fishes, the geographic scope includes the section of the Mohawk River from the Little Falls (FERC No. 3509) project impoundment to the confluence of the Mohawk and Hudson rivers, and extending down the Hudson River 2 miles to the Green Island Project. We have identified this geographic scope for diadromous fishes because adult and juvenile blueback herring and adult American eels out-migrating from the Mohawk River would have to pass this series of hydropower dams, and could be cumulatively

affected by turbine mortality at the projects *en route* to their Atlantic Ocean feeding (herring) and spawning grounds (eels).

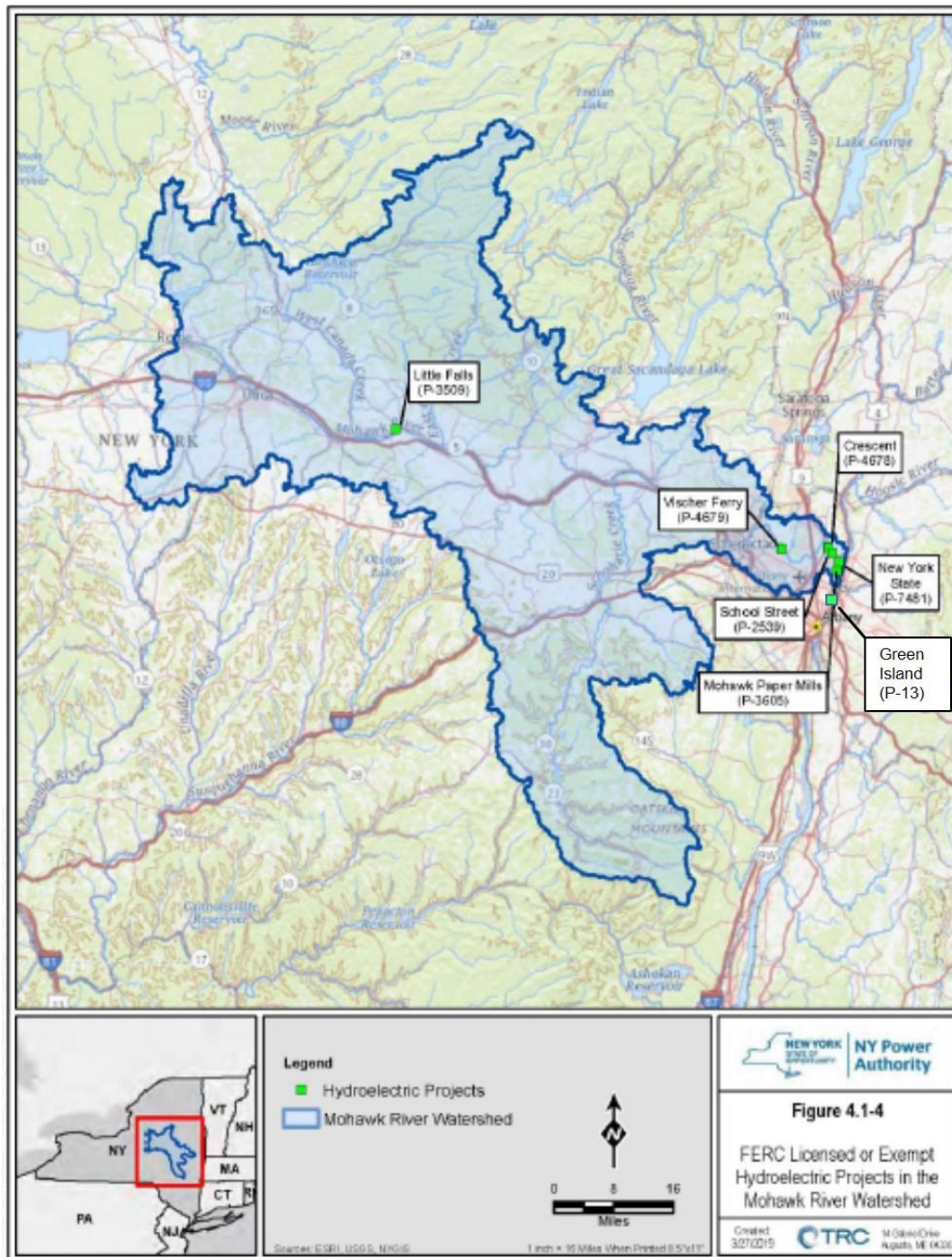


Figure 4. Hydropower plants on the Mohawk River and lower Hudson River (Source: NYPA, as modified by staff).

### **4.1.3 Temporal Scope**

The temporal scope of our cumulative effects analysis in the EA will include a discussion of past, present, and reasonably foreseeable future actions and their effects on each resource that could be cumulatively affected. Based on the potential term of a new license, the temporal scope will look 30 to 50 years into the future, concentrating on the effect on the resources from reasonably foreseeable future actions. The historical discussion will, by necessity, be limited to the amount of available information for each resource. The quality and quantity of information, however, diminishes as we analyze resources further away in time from the present.

## **4.2 RESOURCE ISSUES**

In this section, we present a preliminary list of environmental issues to be addressed in the EA. We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's record for the Crescent and Vischer Ferry projects. This list is not intended to be exhaustive or final, but contains the issues raised to date. After the scoping process is complete, we will review the list and determine the appropriate level of analysis needed to address each issue in the EA. Those issues identified by an asterisk (\*) will be analyzed for both cumulative and site-specific effects.

### **4.2.1 Geologic and Soils Resources**

- Effects of continued project operation and maintenance on shoreline stability and erosion upstream and downstream of each project (Crescent and Vischer Ferry).

### **4.2.2 Aquatic Resources**

- Effects of continued project operation and maintenance on water quality, including dissolved oxygen (DO) and water temperature, upstream and downstream of each project (Crescent and Vischer Ferry).\*
- Need for minimum flows to protect aquatic resources downstream of each project (Crescent and Vischer Ferry).
- Effects of continued operation and maintenance of the projects on aquatic resources, including entrainment and impingement mortality of resident fishes, such as smallmouth bass and walleye.

- Effects of continued operation and maintenance of the projects on diadromous fishes, including entrainment mortality and downstream passage of blueback herring and American eel.\*

#### **4.2.3 Terrestrial Resources**

- Effects of continued operation and maintenance of the projects on botanical resources, riparian and wetland habitat, wildlife resources, and any state-listed rare, threatened, or endangered species identified by the New York State Department of Environmental Conservation or other state agency (e.g., the bald eagle, osprey, and Culver's root).

#### **4.2.4 Threatened and Endangered Species**

- Effects of continued operation and maintenance of the projects on the federally listed threatened northern long-eared bat.

#### **4.2.5 Recreation, Land Use, and Aesthetics**

- The adequacy of public access and recreation facilities to meet current and future recreation demand at the projects.
- Effects of continued operation and maintenance of the projects on recreational opportunities and river access within the project areas.
- Effects of continued operation and maintenance of the projects on land use and aesthetic resources within the project areas.

#### **4.2.6 Cultural Resources**

- Effects of continued operation and maintenance of the projects on historic properties and archaeological resources that are included in, eligible for listing in, or potentially eligible for inclusion in the National Register of Historic Places.
- Effects of continued operation and maintenance of the projects on any previously unidentified historic or archaeological resources or traditional cultural properties that may be eligible for inclusion in the National Register of Historic Places.

#### **4.2.7 Developmental Resources**

- Effects of any recommended environmental measures on the projects' economics.

## 5.0 PROPOSED STUDIES

Depending upon the findings of studies completed by NYPA and the recommendations of the consulted entities, NYPA will consider, and may propose certain other measures to enhance environmental resources affected by the project as part of the proposed action. NYPA's initial study proposals are identified by resource area in table 1. Detailed information on NYPA's initial study proposals can be found in the PAD. Further studies may need to be added to this list based on comments provided to the Commission and NYPA from interested participants, including Indian tribes.

Table 1. NYPA's initial study proposals (Source: PAD)

Resource Area	Proposed Study
<b>Aquatic Resources</b>	
	NYPA proposes to conduct a water quality study of the Crescent and Vischer Ferry projects to assess the current DO and temperature conditions at the projects to ensure that operation of the projects results in values of these parameters that are consistent with state water quality standards.
<b>Recreation Resources</b>	
	NYPA proposes to conduct a recreation site and facility inventory to assess each of the project recreation sites. The study will follow standard methods and include a description of each site, an inventory of the facilities and amenities provided at each site, photographs of the site/facilities/amenities, an estimate of parking capacity provided at the sites, an assessment of the overall condition of the sites using a standardized condition rating scale, and general observations on site use, condition, and accessibility.

## **6.0 REQUEST FOR INFORMATION AND STUDIES**

We are asking federal, state, and local resource agencies, Indian tribes, NGOs, and the public to forward to the Commission any information that will assist us in conducting an accurate and thorough analysis of the project-specific and cumulative effects associated with relicensing the Crescent and Vischer Ferry projects. The types of information requested include, but are not limited to:

- information, quantitative data, or professional opinions that may help define the geographic and temporal scope of the analysis (both site-specific and cumulative effects), and that helps identify significant environmental issues;
- identification of, and information from, any other EA, EIS, or similar environmental study (previous, on-going, or planned) relevant to the proposed relicensing of the Crescent and Vischer Ferry projects;
- existing information and any data that would help to describe the past and present actions and effects of the projects and other developmental activities on environmental and socioeconomic resources;
- information that would help characterize the existing environmental conditions and habitats;
- the identification of any federal, state, or local resource plans, and any future project proposals in the affected resource area (e.g., proposals to construct or operate water treatment facilities, recreation areas, water diversions, timber harvest activities, or fish management programs), along with any implementation schedules);
- documentation that the proposed projects would or would not contribute to cumulative adverse or beneficial effects on any resources. Documentation can include, but need not be limited to, how the projects would interact with other projects in the area and other developmental activities; study results; resource management policies; and reports from federal and state agencies, local agencies, Indian tribes, NGOs, and the public;
- documentation showing why any resources should be excluded from further study or consideration; and

- study requests by federal and state agencies, local agencies, Indian tribes, NGOs, and the public that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA/EIS for the projects.

All requests for studies filed with the Commission must meet the criteria found in Appendix A, *Study Plan Criteria*.

The requested information, comments, and study requests should be submitted to the Commission no later than **August 9, 2019**. All filings must clearly identify the following on the first page: **Crescent Hydroelectric Project (P-4678-052) and/or Vischer Ferry Hydroelectric Project (P-4679-049)**. Scoping comments may be filed electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, please send a paper copy to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426.

Register online at <http://www.ferc.gov/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support.

Any questions concerning the scoping meetings, site visits, or how to file written comments with the Commission should be directed to Jody Callihan at (202) 502-8278 or [jody.callihan@ferc.gov](mailto:jody.callihan@ferc.gov). Additional information about the Commission's licensing process and the Crescent and Vischer Ferry projects may be obtained from the Commission's website, [www.ferc.gov](http://www.ferc.gov).



## 7.0 EA PREPARATION

At this time, we anticipate the need to prepare a single EA. The EA will be sent to all persons and entities on the Commission's service and mailing lists for the Crescent and Vischer Ferry projects. The EA will include our recommendations for operating procedures, as well as PM&E measures that should be part of any license issued by the Commission. All recipients will then have 30 days to review the EA and file written comments with the Commission. All comments on the EA filed with the Commission will be considered in the preparation of the license order. A schedule for the EA preparation will be provided after a license application is filed.

The major milestones, with pre-filing target dates are as follows:

<u>Major Milestone</u>	<u>Target Date</u>
Scoping Meetings	July 2019
License Application Filed	May 2022
Ready for Environmental Analysis Notice Issued	
Deadline for Filing Comments, Recommendations, and Agency Terms and Conditions/Prescriptions	
Single EA Issued	
Comments on EA Due	
Deadline for Filing Modified Agency Recommendations	
Order Issued	

A process plan, which has a complete list of relicensing milestones for the Crescent and Vischer Ferry projects, including those for developing the license application, is attached as Appendix B to this SD1.

## **8.0 PROPOSED EA OUTLINE**

The preliminary outline for the Crescent and Vischer Ferry projects' EA is as follows:

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## 9.0 COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. section 803(a)(2)(A), requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by a project. The staff has preliminarily identified and reviewed the plans listed below that may be relevant to the Crescent and Vischer Ferry projects. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 CFR 2.19 of the Commission's regulations. Please follow the instructions for filing a plan at <http://www.ferc.gov/industries/hydropower/gen-info/licensing/complan.pdf>.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the Crescent and Vischer Ferry projects.

Atlantic States Marine Fisheries Commission. 1999. Amendment 1 to the Interstate Fishery Management Plan for shad and river herring. (Report No. 35). April 1999.

Atlantic States Marine Fisheries Commission. 2000. Interstate Fishery Management Plan for American eel (*Anguilla rostrata*). (Report No. 36). April 2000.

Atlantic States Marine Fisheries Commission. 2000. Technical Addendum 1 to Amendment 1 of the Interstate Fishery Management Plan for shad and river herring. February 9, 2000.

Atlantic States Marine Fisheries Commission. 2008. Amendment 2 to the Interstate Fishery Management Plan for American eel. Arlington, Virginia. October 2008.

Atlantic States Marine Fisheries Commission. 2009. Amendment 2 to the Interstate Fishery Management Plan for shad and river herring, Arlington, Virginia. May 2009.

Atlantic States Marine Fisheries Commission. 2010. Amendment 3 to the Interstate Fishery Management Plan for shad and river herring, Arlington, Virginia. February 2010.

Atlantic States Marine Fisheries Commission. 2013. Amendment 3 to the Interstate Fishery Management Plan for American eel. Arlington, Virginia. August 2013.

Atlantic States Marine Fisheries Commission. 2014. Amendment 4 to the Interstate Fishery Management Plan for American eel. Arlington, Virginia. October 2014.

National Park Service. The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993.

New York Department of Environmental Conservation. 1979. Hudson River Basin water and related land resources: Level B study report and environmental impact statement. Albany, New York. September 1979.

New York Department of Environmental Conservation. 1985. New York State Wild, Scenic, and Recreational River System Act. Albany, New York. March 1985.

New York Department of Environmental Conservation. 1986. Regulation for administration and management of the wild, scenic, and recreational rivers system in New York State excepting the Adirondack Park. Albany, New York. March 26, 1986.

New York State Office of Parks, Recreation, and Historic Preservation. New York Statewide Comprehensive Outdoor Recreation Plan (SCORP): 2003-2007. Albany, New York. January 2003.

State of New York Hudson River Regulating District. 1923. General plan for the regulation of the flow of the Hudson River and certain of its tributaries. Albany, New York. June 7, 1923.

U.S. Fish and Wildlife Service. Canadian Wildlife Service. 1986. North American waterfowl management plan. Department of the Interior. Environment Canada. May 1986.

U.S. Fish and Wildlife Service. n.d. Fisheries USA: the recreational fisheries policy of the U.S. Fish and Wildlife Service. Washington, D.C.

## 10.0 MAILING LISTS

The lists below are the Commission's official mailing lists for the Crescent Project (FERC No. 4678) and Vischer Ferry Project (FERC No. 4679). If you want to receive future mailings for the Crescent Project and/or Vischer Ferry Project and are not included in the list below, please send your request by email to [efiling@ferc.gov](mailto:efiling@ferc.gov) or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written and emailed requests to be added to the mailing list must clearly identify the following on the first page: Crescent Project No. 4678-052 or Vischer Ferry Project No. 4679-049. You may use the same method if requesting removal from the mailing list below.

Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

### **Official Mailing List for the Crescent Project**

Geologist State of New York Cultural Education Center Geological Survey Albany, NY 12230-0001	New York State Department of Transportation Director Region 4 1530 Jefferson Rd Rochester, NY 14623-3110
Director New York State Public Service Commission State of New York 3 Empire State Plaza Albany, NY 12223-1350	James A Besha, P.E President Erie Boulevard Hydropower, L.P. 5 Washington Sq Albany, NY 12205-5512
Keith F Corneau Manager Erie Boulevard Hydropower, L.P. c/o Adirondack Hydro Development Corp. 39 Hudson Falls Rd Glens Falls, NY 12803-5041	New York State Department of Environmental Conservation Commissioner Office of the Commissioner 625 Broadway, 14th Floor Albany, NY 12233-0001

Joseph Legnard General Counsel Difabio, Tommaney and Legnard 69 Hudson Ave Green Island, NY 12183	John J. McNulty, Jr. Mayor Village of Green Island 20 Clinton St Green Island, NY 12183-1117
John Blake, Ph.D. Director New York Power Authority 123 Main St White Plains, NY 10601-3104	Robert J. Knowlton Director - Civil/Struc. Eng. New York Power Authority 123 Main Street, M/S 12F White Plains, NY 10601
Quentin E. Ross Senior Engineer New York Power Authority 123 Main St White Plains, NY 10601-3104	Beverly Ravitch New York Power Authority 123 Main St White Plains, NY 10601-3104
Charles M Pratt New York Power Authority 123 Main St # 16 White Plains, NY 10601-3104	Kevin Bruce U.S. Army Corps of Engineers, New York District CENAN-OP-RU, Upstate Regulatory Field Office 1 Buffington St, Bld. 10, 3rd Flr North Watervliet, NY 12189-4000
Commanding Officer U.S. Coast Guard MSO Buffalo 1 Fuhrmann Blvd Buffalo, NY 14203-3105	Commanding Officer U.S. Coast Guard MSO Long Island Sound 120 Woodward Ave New Haven, CT 06512-3628
David Stilwell U.S. Fish & Wildlife Service NY Region 5 Field Office 3817 Luker Rd Cortland, NY 13045-9385	Charles Schumer U.S. Senate 322 Hart Senate Office Building Washington, DC 20510
Thomas McDonald Dam Safety Engineer New York State Canal Corporation 30 South Pearl Street Albany, NY 12207	Howard M Goebel Canal Hydrologist New York State Canal Corporation 200 Southern Blvd Albany, NY 12201-0189

<p>Sita Crounse Senior Attorney New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233-1500</p>	<p>New York State Department of Environmental Conservation Unit Director Dam Safety Unit, Division of Water 625 Broadway Albany, NY 12233-3504</p>
<p>William Clarke Manager New York State Department of Environmental Conservation 1150 N Westcott Rd Schenectady, NY 12306-2014</p>	<p>County Clerk Saratoga County, New York Saratoga County Planning Board 40 McMaster St Ballston Spa, NY 12020-1980</p>
<p>County of Schenectady 620 State St Schenectady, NY 12305-2112</p>	<p>U.S. Army Corps of Engineers Regulatory Branch Buffalo District 1776 Niagara St Buffalo, NY 14207-3111</p>
<p>U.S. Bureau of Land Management Field Manager 626 E Wisconsin Ave Ste 200 Milwaukee, WI 53202-4618</p>	<p>Andrew Tittler Attorney-Advisor U.S. Department of Interior 15 State St. 8th Floor Boston, MA 02109-3502</p>
<p>Anthony R. Conte U.S. Department of Interior Office of the Solicitor 1 Gateway Ctr Suite 612 Newton, MA 02458-2879</p>	<p>Sherry W. Morgan U.S. Fish &amp; Wildlife Service 3817 Luker Rd Cortland, NY 13045-9385</p>
<p>Honorable Michael R McNulty U.S. House of Representatives Washington, D.C. 20515</p>	



**Official Mailing List for the Vischer Ferry Project**

Geologist State of New York Cultural Education Center Geological Survey Albany, NY 12230-0001	New York State Department of Transportation Director Region 4 1530 Jefferson Rd Rochester, NY 14623-3110
Director New York State Public Service Commission State of New York 3 Empire State Plaza Albany, NY 12223-1350	James A Besha, P.E President Erie Boulevard Hydropower, L.P. 5 Washington Sq Albany, NY 12205-5512
Keith F Corneau Manager Erie Boulevard Hydropower, L.P. c/o Adirondack Hydro Development Corp. 39 Hudson Falls Rd Glens Falls, NY 12803-5041	New York State Department of Environmental Conservation Commissioner Office of the Commissioner 625 Broadway, 14th Floor Albany, NY 12233-0001
Joseph Legnard General Counsel Difabio, Tommaney and Legnard 69 Hudson Ave Green Island, NY 12183	John J. McNulty, Jr. Mayor Village of Green Island 20 Clinton St Green Island, NY 12183-1117
John Blake, Ph.D. Director New York Power Authority 123 Main St White Plains, NY 10601-3104	Robert J. Knowlton Director - Civil/Struc. Eng. New York Power Authority 123 Main Street, M/S 12F White Plains, NY 10601
Quentin E. Ross Senior Engineer New York Power Authority 123 Main St White Plains, NY 10601-3104	Beverly Ravitch New York Power Authority 123 Main St White Plains, NY 10601-3104

Charles M Pratt New York Power Authority 123 Main St # 16 White Plains, NY 10601-3104	Kevin Bruce U.S. Army Corps of Engineers, New York District CENAN-OP-RU, Upstate Regulatory Field Office 1 Buffington St, Bld. 10, 3rd Flr North Watervliet, NY 12189-4000
Commanding Officer U.S. Coast Guard MSO Buffalo 1 Fuhrmann Blvd Buffalo, NY 14203-3105	Commanding Officer U.S. Coast Guard MSO Long Island Sound 120 Woodward Ave New Haven, CT 06512-3628
David Stilwell U.S. Fish & Wildlife Service NY Region 5 Field Office 3817 Luker Rd Cortland, NY 13045-9385	Charles Schumer U.S. Senate 322 Hart Senate Office Building Washington, DC 20510
Thomas McDonald Dam Safety Engineer New York State Canal Corporation 30 South Pearl Street Albany, NY 12207	Howard M Goebel Canal Hydrologist New York State Canal Corporation 200 Southern Blvd Albany, NY 12201-0189
Sita Crounse Senior Attorney New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233-1500	New York State Department of Environmental Conservation Unit Director Dam Safety Unit, Division of Water 625 Broadway Albany, NY 12233-3504
John M. McDonald Commissioner Town of Rotterdam Vinewood Avenue Schenectady, NY 12306	County Clerk Saratoga County, New York Saratoga County Planning Board 40 McMaster St Ballston Spa, NY 12020-1980
County of Schenectady 620 State St Schenectady, NY 12305-2112	U.S. Army Corps of Engineers Regulatory Branch Buffalo District 1776 Niagara St Buffalo, NY 14207-3111

U.S. Bureau of Land Management Field Manager 626 E Wisconsin Ave Ste 200 Milwaukee, WI 53202-4618	Andrew Tittler Attorney-Advisor U.S. Department of Interior 15 State St. 8th Floor Boston, MA 02109-3502
Anthony R. Conte U.S. Department of Interior Office of the Solicitor 1 Gateway Ctr Suite 612 Newton, MA 02458-2879	Sherry W. Morgan U.S. Fish & Wildlife Service 3817 Luker Rd Cortland, NY 13045-9385
Honorable Michael R McNulty U.S. House of Representatives Washington, D.C. 20515	Cori Collins NOAA National Marine Fisheries Service 212 Rogers Ave Milford, CT 06460-6435

**APPENDIX A**  
**STUDY PLAN CRITERIA**  
**18 CFR Section 5.9(b)**

Any information or study request must contain the following:

1. Describe the goals and objectives of each study proposal and the information to be obtained;
2. If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied;
3. If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study;
4. Describe existing information concerning the subject of the study proposal, and the need for additional information;
5. Explain any nexus between project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements;
6. Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate filed season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge; and
7. Describe considerations of level of effort and cost, as applicable, and why proposed alternative studies would not be sufficient to meet the stated information needs.

**APPENDIX B**  
**PROCESS PLAN AND SCHEDULE FOR THE CRESCENT AND VISCHER**  
**FERRY PROJECTS**

Shaded milestones are unnecessary if there are no study disputes. If the due date falls on a weekend or holiday, the due date is the following business day. Early filings or issuances will not result in changes to these deadlines.

<b>Responsible Party</b>	<b>Pre-Filing Milestone</b>	<b>Date</b>	<b>FERC Regulation</b>
NYPA	Issue Public Notice for NOI/PAD	5/3/19	5.3(d)(2)
NYPA	File NOI/PAD	5/3/19	5.5, 5.6
FERC	Tribal Meetings	6/2/19	5.7
FERC	Issue Notice of Commencement of Proceeding and Scoping Document 1	6/10/19	5.8
FERC	Scoping Meetings and Project Site Visit	7/10/19 7/11/19	5.8(b)(viii)
All Stakeholders	File Comments on PAD/Scoping Document 1 and Study Requests	8/9/19	5.9
FERC	Issue Scoping Document 2 (if necessary)	9/23/19	5.10
NYPA	File Proposed Study Plan	9/23/19	5.11(a)
All Stakeholders	Proposed Study Plan Meeting	10/23/19	5.11(e)
All Stakeholders	File Comments on Proposed Study Plan	12/22/19	5.12
NYPA	File Revised Study Plan	1/21/20	5.13(a)
All Stakeholders	File Comments on Revised Study Plan	2/5/20	5.13(b)
FERC	Issue Director's Study Plan Determination	2/20/20	5.13(c)
Mandatory Conditioning Agencies	File Any Study Disputes	3/11/20	5.14(a)
Dispute Panel	Select Third Dispute Resolution Panel Member	3/26/20	5.14(d)
Dispute Panel	Convene Dispute Resolution Panel	3/31/20	5.14(d)(3)

<b>Responsible Party</b>	<b>Pre-Filing Milestone</b>	<b>Date</b>	<b>FERC Regulation</b>
NYPA	File Comments on Study Disputes	4/5/20	5.14(i)
Dispute Panel	Dispute Resolution Panel Technical Conference	4/10/20	5.14(j)
Dispute Panel	Issue Dispute Resolution Panel Findings	4/30/20	5.14(k)
FERC	Issue Director's Study Dispute Determination	5/20/20	5.14(l)
NYPA	First Study Season	Spring/Sum 2021	5.15(a)
NYPA	File Initial Study Report	2/19/21	5.15(c)(1)
All Stakeholders	Initial Study Report Meeting	3/6/21	5.15(c)(2)
NYPA	File Initial Study Report Meeting Summary	3/21/21	5.15(c)(3)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	4/20/21	5.15(c)(4)
All Stakeholders	File Responses to Disagreements/Amendment Requests	5/20/21	5.15(c)(5)
FERC	Issue Director's Determination on Disagreements/Amendments	6/19/21	5.15(c)(6)
NYPA	Second Study Season	Spring/Sum 2022	5.15(a)
NYPA	File Updated Study Report	2/19/22	5.15(f)
All Stakeholders	Updated Study Report Meeting	3/6/22	5.15(f)
NYPA	File Updated Study Report Meeting Summary	3/21/22	5.15(f)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	4/20/22	5.15(f)
All Stakeholders	File Responses to Disagreements/Amendment Requests	5/20/22	5.15(f)
FERC	Issue Director's Determination on Disagreements/Amendments	6/19/22	5.15(f)

<b>Responsible Party</b>	<b>Pre-Filing Milestone</b>	<b>Date</b>	<b>FERC Regulation</b>
NYPA	File Preliminary Licensing Proposal (or Draft License Application)	1/1/22	5.16(a)-(c)
All Stakeholders	File Comments on Preliminary Licensing Proposal (or Draft License Application)	4/1/22	5.16(e)
NYPA	File Final License Application	5/31/22	5.17
NYPA	Issue Public Notice of Final License Application Filing	6/14/22	5.17(d)(2)

Document Content(s)

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