



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

June 7, 2024

Debbie-Anne Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

RE: Errata Notice and Correction to the NMFS Preliminary Prescription for Fishways for the FirstLight, LLC, Turners Falls Hydroelectric Project (P- 1889-085) and Northfield Mountain Pumped Storage Project (P-2485-071)

Dear Acting Secretary Reese:

On May 20, 2024, NOAA's National Marine Fisheries Service (NMFS) filed its preliminary prescription for fishways¹ for the Turners Falls Hydroelectric Project and Northfield Mountain Pumped Storage Project. We subsequently noted errata that require correction and clarification. Please note and adjust the following:

1. Reservation of Authority referencing the Flow and Fish Passage Agreement (FFP)

On page 53 of Section 7.3.8, the reservation of authority condition reads:

Pursuant to Section 18 of the Federal Power Act, the licensee shall build the fishways described in the Department of Commerce's Prescription for Fishways at the Turners Falls Hydroelectric Project (FERC No.1889) and the Northfield Mountain Pumped Storage Project (P-2485). The Secretary of Commerce reserves her authority to prescribe additional or amended fishways as she may decide are required in the future.

NMFS hereby clarifies this language by adding the appropriate context for the reservation of authority as follows:

Pursuant to Section 18 of the Federal Power Act, the licensee shall build the fishways described in the Department of Commerce's Prescription for Fishways at the Turners Falls Hydroelectric Project (FERC No.1889) and the Northfield Mountain Pumped Storage Project (P-2485). The Secretary of Commerce reserves her authority to prescribe additional or amended fishways as she may decide are required in the future consistent with the terms of the FFP Agreement filed with the Commission on March 31, 2023.²

¹ [FERC Accession # 20240521-5074](#)

² [FERC Accession # 20230331-5600](#)



2. Correcting Section References
a. Section 7.3.3

On page 47 of Section 7.3.3, the first bullet reads, in part:

The Licensee, MDFW, NMFS and USFWS will revisit whether the 75% passage efficiency goal is achievable or should be reduced, and whether the 48-hour time-to-pass goal is achievable or should be increased, after implementing the first (Tier 1) and second (Tier 2) round of AMMs as described in Section 7.3.6 (FFP agreement proposed license article A330).

NMFS hereby clarifies this language to incorporate A330 in its entirety, as we intended, to read as follows:

The Licensee, MDFW, NMFS, and USFWS will revisit whether the 75% passage efficiency goal is achievable or should be reduced, and whether the 48-hour time-to-pass goal is achievable or should be increased, after implementing the first (Tier 1) and second (Tier 2) round of AMMs as described generally in A330, which is incorporated in its entirety herein.

b. Section 8.1.3

On page 56 of Section 8.1.3, the first full paragraph begins:

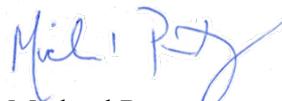
The Licensee shall conduct initial effectiveness testing in Years 10 and 11 (Article B210) to evaluate the fish passage survival and time-to-pass of the newly constructed barrier net and compare the findings to the performance goals in Article B210.

NMFS hereby clarifies this language, inserting a reference to both applicable provisions to read as follows:

The Licensee shall conduct initial effectiveness testing in Years 10 and 11 (Articles B210 and B220, which are incorporated in their entirety herein) to evaluate the fish passage survival and time-to-pass of the newly constructed barrier net and compare the findings to the performance goals in Article B210.

If you have any questions or need additional information, please contact Bill McDavitt (978-675-2156 or william.mcdavitt@noaa.gov).

Sincerely,



Michael Pentony
Regional Administrator

cc: Service List