



VIA Electronic Filing

May 3, 2019

Secretary Kimberly D. Bose
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Vischer Ferry Hydroelectric Project, FERC No. 4679
Notification of Intent to File an Application for New License and Request for Designation as
Non-Federal Representative

Dear Secretary Bose:

Pursuant to Section 15(b)(1) of the Federal Power Act, 16 U.S.C. § 808(b)(1), and Section 5.5 of the rules and regulations of the Federal Energy Regulatory Commission (Commission or FERC), 18 C.F.R. § 5.5, the Power Authority of the State of New York (d\b\ a "New York Power Authority" and referred to as "the Power Authority"), licensee of the Vischer Ferry Hydroelectric Project (referred to herein as the Vischer Ferry Project), FERC No. 4679, encloses for filing the attached Notification of Intent (NOI) to File an Application for a New License. The current license for the Vischer Ferry Project expires on May 31, 2024. Concurrently with this filing, the Power Authority is also filing a Pre-Application Document (PAD) for the relicensing of the Vischer Ferry Project. In accordance with Section 5.5(e) of the Commission's regulations, 18 C.F.R. § 5.5(e), the Power Authority requests to be designated as the Commission's non-federal representative in relicensing the Vischer Ferry Project for purposes of consultation under: (1) Section 7 of the Endangered Species Act (ESA), 16 U.S.C. § 1536, and the joint agency ESA implementing regulations at 50 C.F.R. Part 402; and (2) Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and the NHPA implementing regulations at 36 C.F.R. Part 800.

As required by 18 C.F.R. § 5.5(c), the Power Authority is providing a copy of the attached NOI to the appropriate federal and state resource agencies, Native American nations, local governments, and members of the public likely to be interested in the proceeding, as set forth on the attached distribution list. These parties can download the NOI and PAD from our relicensing website at www.nypa.gov/cvf.

Concurrently and under separate cover, the Power Authority is filing with FERC a NOI to begin relicensing of the Power Authority's Crescent Hydroelectric Project (FERC No. 4678) located approximately 10 miles downstream from the Vischer Ferry Project. The Crescent Project license also expires on May 31, 2024. The Power Authority has prepared a single PAD document for the

Crescent and Vischer Ferry Projects. The Power Authority currently intends to file for two separate licenses for the Projects and seeks to initiate the relicensing process by filing of the NOI and PAD.

The Power Authority looks forward to working with the Commission, resource agencies, Native American nations, local governments, and members of the public to develop a timely license application and supporting records that fully meet regulatory requirements for relicensing the Vischer Ferry Project. If you have any questions regarding the above, please do not hesitate to contact the undersigned. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Slade".

Mark E. Slade
Licensing Director
123 Main Street
White Plains, New York 10601
Telephone: (914) 681-6659
Email: Mark.Slade@nypa.gov

Enclosure
cc: [Distribution List](#)

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Power Authority of the State of New York

Project No. 4679

NOTIFICATION OF INTENT TO FILE
APPLICATION FOR NEW LICENSE

Pursuant to Section 15(b)(1) of the Federal Power Act and 18 C.F.R. § 5.5, the Power Authority of the State of New York (“New York Power Authority”, “Licensee” or “Applicant”) notifies the Federal Energy Regulatory Commission of its intention to file an Application for a New License for the Vischer Ferry Hydroelectric Project, Project No. 4679 (Project). The current Project license was issued on June 26, 1984 and expires on May 31, 2024. Accordingly, the Licensee will file an Application for a New License pursuant to Section 15(c)(1) of the FPA no later than May 31, 2022.

The following information is provided consistent with the requirements of 18 C.F.R. § 5.5.

The exact name and business address of the applicants is:

Applicant’s Name: Power Authority of the State of New York

Corporate Office: 30 South Pearl Street
Albany, NY 12207-3425

Telephone: (914) 681-6659

Project Number:

The Vischer Ferry Hydroelectric Project FERC Project No. is 4679.

Unequivocal Statement of Intent:

The New York Power Authority intends to file an Application for a New License for the Vischer Ferry Project utilizing the Commission’s Integrated Licensing Process (ILP) Process as set forth in 18 C.F.R. Part 5.

Type of Principal Project Works to be Licensed:

The current license describes the project works as follows:

The Vischer Ferry Project generally consists of a dam, powerhouse, impoundment and appurtenant facilities. The Vischer Ferry dam, built in 1912 and completed in 1913, consists of three connected spillway sections (Dam D, Dam E, and Dam F), of which the middle Dam E was constructed over a small bedrock island near the center of the Mohawk River. Water impounded by the dams maintains a constant upper pond level for about 10.3 miles upstream of the Vischer Ferry dam. At the fixed crest elevation of 211 ft. BCD¹, the impoundment covers about 1,050 acres and impounds about 25,000 acre feet of water. Twenty-seven inch high flashboards installed each year in Spring (generally April based on seasonal conditions) and removed in Fall/canal closing (generally November based on seasonal conditions), raise the pond level and retain an additional 2,400 acre feet of water.

The powerhouse at the Vischer Ferry Project contains two Kaplan turbines and two Francis turbines that power two 3.0 MW generators and two 2.8 MW generators, respectively. The maximum flow at rated capacity of each Kaplan turbine is approximately 1,820 cfs, and the maximum flow at rated capacity for each Francis turbine is 1,500 cfs.

The Project is operated in a run-of-river mode. No construction or modification of the Project operation is proposed at this time.

Location of the Project:

The Vischer Ferry Project is located on the Mohawk River in eastern central New York. The Project dam is located at about River mile 14 (upstream of the confluence of the Mohawk and Hudson Rivers) and lies within the counties of Saratoga and Schenectady and the towns of Clifton Park and Niskayuna and the City of Schenectady, New York.

State or Territory:	New York
Counties:	Saratoga, Schenectady
Township:	Clifton Park, Niskayuna
City:	Schenectady
Waterway:	Mohawk River

The installed capacity of the project is: 11,800 kW

On April 8, 1991, FERC issued an Order amending the license to an installed capacity of 11.8 MW based on actual performance.

¹ BCD is Barge Canal Datum which is USGS Datum + 0.99 feet.

Names and Contact Information of Applicant Representatives:

The exact name, business address, and telephone for each person authorized to act as agent for the applicant is as follows:

Mark E. Slade, Director of Licensing
New York Power Authority
123 Main St.
White Plains, NY 10601
Telephone: (914) 681-6659
E-Mail: Mark.Slade@nypa.gov

Justin E. Driscoll, Executive Vice President, General Counsel
Susan L. Watson, Principal Attorney
New York Power Authority
123 Main St.
White Plains, NY 10601
Telephone: (914) 390-8070
E-Mail: Susan.Watson@nypa.gov

Charles R. Sensiba
Troutman Sanders
401 9th St NW #1000
Washington, D.C. 20004
Telephone: (202) 274-2850
E-Mail: charles.sensiba@troutman.com

Names and Mailing Addresses of Entities Listed in 18 C.F.R. § 5.5(b)(8):

- (a) The County in which the Project is located, and in which any Federal facility that is used or to be used by the Project is located:

The Vischer Ferry Hydroelectric Project is located on the Mohawk River in the counties of Saratoga and Schenectady, New York. The Project uses no Federal facilities and occupies no Federal lands.

County Name: Saratoga County
Address: 40 McMaster Street
Ballston Spa, NY 12020

County Name: Schenectady County
Address: 620 State Street
Schenectady, NY 12305

(b) Each city or town in which any part of the Project is located, and in which any Federal facility that is used or to be used by the Project is located.

The Vischer Ferry Project is located in the towns of Clifton Park and Niskayuna and the City of Schenectady, New York. The Project uses no Federal facilities and occupies no Federal lands.

City/Town Name: Town of Clifton Park, NY
Address: 1 Town Hall Plaza
Clifton Park, NY 12065

City/Town Name: Town of Niskayuna, NY
Address: One Niskayuna Circle
Niskayuna, NY 12309

City/Town Name: City of Schenectady
Address: 620 State Street, 6th Floor
Schenectady, NY 12305

(c) Each city or town that has a population of 5,000 or more people and is located within 15 miles of the existing Project dams:

The following cities and towns each have a population of 5,000 or more people (2010 census data), and are located within 15 miles of the project dam:

City/Town Name: Town of Clifton Park, NY
Address: 1 Town Hall Plaza
Clifton Park, NY 12065

City/Town Name: Town of Colonie, NY
Address: 534 New Loudon Road
Colonie, NY 12110

City/Town Name: Town of Halfmoon, NY
Address: 12 Halfmoon Town Plaza
Halfmoon, NY 12065

City/Town Name: Town of Niskayuna, NY
Address: One Niskayuna Circle
Niskayuna, NY 12309

City/Town Name: Town of Waterford, NY
Address: 65 Broad Street
Waterford, NY 12188

City/Town Name: City of Cohoes, NY
Address: 97 Mohawk Street
Cohoes, NY 12047

City/Town Name: City of Schenectady, NY
Address: 105 Jay Street
Schenectady, NY 12305

(d) Each irrigation district, drainage district, or similar special purpose political subdivision in which any part of the Project is located, and in which any Federal facility that is used or to be used by the Project is located.

OR

Each irrigation district, drainage district, or similar special purpose political subdivision that owns, operates, maintains, or uses any Project facility or any Federal facility that is or is proposed to be used by the Project.

New York State Canal Corporation
Administrative Headquarters
30 South Pearl St.
Albany, NY 12207

(e) Every other political subdivision in the general area of the Project that there is reason to believe would likely be interested in, or affected by, this notification.

There is no other political subdivision in the general area of the Project that there is reason to believe would be likely to be interested in, or affected by, this notification.

(f) Affected Indian Tribes.

FERC has identified the following Native American Nations as being potentially affected Native American Nations:

St. Regis Mohawk Tribe
71 Margaret Terrance Memorial Way
Akwesasne, NY 13655

Stockbridge-Munsee Community Band of
Mohican Indians
Shannon Holsey, President
N8476 MohHeConNuck Road
Bowler, WI 54416

Delaware Tribe of Indians
Tribal Historic Preservation Office
1200 Commercial St
Emporia, KS 66801

Mohawk Nation Council of Chiefs
346 State Route 37
Akwesasne, NY 13655

(g) Other interested agencies or stakeholders.

See attached list.

Non-federal Representative

Pursuant to 36 C.F.R. § 800.2(c)(4), the Power Authority requests that FERC authorize the Power Authority to initiate consultation, as described in Section 106 of the National Historic Preservation Act, with the New York State Historic Preservation Officer and others regarding relicensing of the Project. Pursuant to Section 7 of the Endangered Species Act and 50 C.F.R. § 402.08, the Power Authority also requests that FERC designate the Power Authority as its non-federal representative for the Project for the purpose of informal consultation with the U.S. Fish and Wildlife Service.

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served, either by U.S. First Class Mail or by electronic mail, the Notice of Intent to File Application for a New License upon all interested parties designated on the attached distribution list for the Vischer Ferry Project, Project No. 4679, in accordance with Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. § 385.2010.

May 3, 2019

A handwritten signature in cursive script, appearing to read "Mark E. Slade", written above a horizontal line.

Mark E. Slade
Director, Licensing

New York Power Authority

VISCHER FERRY HYDROELECTRIC PROJECT, FERC No. 4679
INTERESTED PARTIES DISTRIBUTION LIST

ELECTED OFFICIALS

Neil Breslin
Senator
NYS Senate
172 State Street, Capitol Building, Room 430C
Albany, NY 12247

Kirsten Gillibrand
Senator
US Senate
Leo O'Brien Bldg, Room 821
Albany, NY 12207

Shawn Morse
Mayor
City of Cohoes
97 Mohawk Street
Cohoes, NY 12047

Charles Schumer
Senator
US Senate
Leo O'Brien Bldg, Room 420
Albany, NY 12207

Kathy Sheehan
Mayor
City of Albany
24 Eagle Street, Room 102
Albany, NY 12207

Phil Steck
Assemblyman
NYS Assembly District 110
1609 Union Street
Schenectady, NY 12309

Jim Tedisco
Senator
NYS Senate
636 Plank Road, 2nd Floor
Clifton Park, NY 12065-2046

Paul Tonko
Congressman
NYS Congress District 20
19 Dove Street, Suite 302
Albany, NY 12210

Mary Beth Walsh
Assemblywoman
NYS Assembly District 112
199 Milton Avenue, Suite 3-4
Ballston Spa, NY 12020

Patrick Madden
Mayor
City of Troy
433 River Street
Troy, NY 12180

Gary McCarthy
Mayor
City of Schenectady
105 Jay Street, Room 111
Schenectady, NY 12305

MUNICIPAL

Gerald Campbell
City Clerk
City of Albany
24 Eagle Street, Room 202
Albany, NY 12207

Mary Shannon Carrigan
Town Clerk
Town of Waterford
65 Broad Street
Waterford, NY 12188

Mara Drogan
City Clerk
City of Troy
433 River Street
Troy, NY 12180

Julie Gansle
Town Clerk
Town of Colonie
534 New Loudon Rd
Memorial Town Hall
Latham, NY 12110

Bruce Hidley
Albany County Clerk
Albany County
16 Eagle Street, Room 128
Albany, NY 12207

Anthony Jasenski
Chair, County Legislature
Schenectady County
620 State Street, 6th Floor
Schenectady, NY 12305

Edward Kinowski
Chair, Board of Supervisors
Saratoga County
40 McMaster Street
Ballston Spa, NY 12020

Christopher Koetzle
Supervisor
Town of Glenville
18 Glenridge Road
Glenville, NY 12302

John Lawler
Supervisor
Town of Waterford
65 Broad Street
Waterford, NY 12188

Paula Mahan
Supervisor
Town of Colonie
534 New Loudon Rd
Memorial Town Hall
Latham, NY 12110

Michele Martinelli
Town Clerk
Town of Niskayuna
One Niskayuna Circle
Niskayuna, NY 12309

Daniel McCoy
Albany County Executive
Albany County
112 State Street, Room 1200
Albany, NY 12207

Yasmine Syed
Supervisor
Town of Niskayuna
One Niskayuna Circle
Niskayuna, NY 12309

Chuck Thorne
City Clerk
City of Schenectady
105 Jay Street, Room 107
Schenectady, NY 12305

Kevin Tollisen
Supervisor
Town of Halfmoon
Halfmoon Town Hall
2 Halfmoon Town Plaza
Halfmoon, NY 12065

Pamela Wright
Clerk, Board of Supervisors
Saratoga County
40 McMaster Street
Ballston Spa, NY 12020

Lori Yando
City Clerk
City of Cohoes
97 Mohawk Street
Cohoes, NY 12047

FEDERAL AGENCIES

John Fowler
Executive Director
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001-2637

Duncan Hay
National Park Service
15 State Street
Boston, MA 02109

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U.S. Environmental Protection Agency - Region 2
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Bruce Maytubby
Bureau of Indian Affairs Eastern Region
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Nashville, TN 37214

Stephen Patch
Fish & Wildlife Biologist
USFWS Region 5
3817 Luker Road
Cortland, NY 13045

Michael Penpony
NOAA - Greater Atlantic Fisheries Office
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USACE - NY District
26 Federal Plaza
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David Stilwell
Field Supervisor
USFWS Region 5
3817 Luker Road
Cortland, NY 13045

John Wiley
Biologist
USFWS Region 5
3817 Luker Road
Cortland, NY 13045

Andrew Tittler
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US Dept. of Interior
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Andrew Raddant
Regional Environmental Officer
US Dept. of Interior
15 State Street, 8th Floor
Boston, MA 02109

STATE AGENCIES

Tom Allworth
Deputy Commissioner, Resource Management
NYS Office of Parks, Recreation
& Historic Preservation
625 Broadway
Albany, NY 12233

Nancy Baker
Regional Permit Administrator
NYSDEC Region 4
1130 North Westcott Road
Schenectady, NY 12306-1214

Sita Crouse
NYSDEC - Office of General Counsel
625 Broadway
Albany, NY 12207

James Denn
Public Information Officer
NYS Public Service Commission
Empire St. Plaza Agency Bldg. 4
Albany, NY 12223-1350

Keith Goertz
Regional Director
NYSDEC Region 4
1130 North Westcott Road
Schenectady, NY 12306-2014

Erik Kulleseid
Acting Commissioner
NYS Office of Parks, Recreation
& Historic Preservation
Empire State Plaza, Agency Bldg. #1
Albany, NY 12238

Daniel Mackay
Deputy Commissioner
NYS Historic Preservation Officer
Peebles Island State Park
PO Box 189
Waterford, NY 12188-0189

David Mellen
Deputy Director, Engineering, Construction &
Maintenance
NYS Canal Corporation
30 South Pearl Street
Albany, NY 12207

Basil Seggos
Commissioner
NYSDEC
625 Broadway
Albany, NY 12233

Christopher VanMaaren
Fisheries/Habitat Manager
NYSDEC Region 4
65561 State Highway 10, Suite 1
Stamford, NY 12167

Michael Lynch
Division Director
NY State Division for Historic Preservation
Peebles Island State Park
PO Box 189
Waterford, NY 12188-0189

Matthew Maraglio
Coastal Review Specialist
NYS DOS Office of Coastal,
Local Govt & Comm. Sustainability
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231-0001

Hogan Chris
NYS DEC
625 Broadway, 4th Floor
Albany, NY 12233

Native American Nations

Michael Conners, Jr
Tribal Chief
Saint Regis Mohawk Tribe
71 Margaret Terrance Memorial Way
Akwesasne, NY 13655

Beverly Kiohawiton Cook
Tribal Chief
Saint Regis Mohawk Tribe
71 Margaret Terrance Memorial Way
Akwesasne, NY 13655

Bonney Hartley
Tribal Historic Preservation Officer
Stockbridge-Munsee Community Band of
Mohican Indians
65 1st Street
Troy, NY 12180

Shannon Holsey
President
Stockbridge-Munsee Community Band of
Mohican Indians
N8476 MohHeConNuck Road
Bowler, WI 54416

Susan Bachor
Tribal Historic Preservation Officer
Delaware Tribe of Indians
P.O. Box 64
Pocono Lake, PA 18347

Darren Bonaparte
Acting Tribal Historic Preservation Officer
Saint Regis Mohawk Tribe
71 Margaret Terrance Memorial Way
Akwasasne, NY 13655

Eric Tehoroniathe Thompson
Tribal Chief
Saint Regis Mohawk Tribe
71 Margaret Terrance Memorial Way
Akwasasne, NY 13655

Mohawk Nation Council of Chiefs
346 State Route 37
Akwasasne, NY 13655

OTHER INTERESTED PARTIES

George Labarge
Operation Manager
Albany Marine Service
1395 New Loudon Road
Cohoes, NY 12047

Craig McLean
General Manager
Edison Club
891 Riverview Rd, PO Box 214
Rexford, NY 12148

Blains Bay Marina
1 Dunsbach Ferry Road
Cohoes, NY 12047

Capital District Marine Center
17 Jackson Ave
Cohoes, NY 12047

Clamsteam Tavern & Marina
32 Clamsteam Road
Clifton Park, NY 12065

Crescent Boat Club, Inc.
PO Box 4520
142 Canal Road
Clifton Park, NY 12065

James Duggan
Consultant
528 Orlinda Avenue
Scotia, NY 12302

Bud (Otto)
Commodore
Diamond Reef Marina
PO Box 357
5 Clamsteam Road
Clifton Park, NY 12065

Mohawk Valley Marina
47 Mohawk Avenue
Alplaus, NY 12008

Schenectady Yacht Club
PO Box 11
1676 Route 146
Rexford, NY 12148

Dr. John Garver
Union College
Olin Bldg, Union College, 807 Union Street
Schenectady, NY 12308-2311

FERC

Office of Energy Projects
Federal Energy Regulatory Commission
888 First Street, NE
OEP Room 61-02
Washington, DC 20426

LICENSEE

Mark E. Slade
Director of Licensing
New York Power Authority
123 Main Street
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