

Environmental Justice Public Involvement Plan (PIP)
FirstLight Hydroelectric 401WQC Application
Filed with MassDEP

This Environmental Justice Public Involvement Plan (“PIP”) identifies outreach and engagement-related responsibilities to be undertaken by the Applicant, FirstLight Power (“FirstLight”), and the Massachusetts Department of Environmental Protection (“MassDEP”) to ensure the affected environmental justice (“EJ”) population(s) has an adequate opportunity to participate in the public process associated with MassDEP’s issuance of a 401 Water Quality Certification (“WQC”).

This PIP has been prepared because there are EJ populations in Greenfield and Montague. This matter involves a WQC for the federal relicensing of two hydroelectric plants greater than 10 MW pursuant to 33 U.S.C. § 1341. No EJ population has been identified based on limited English proficiency. (Source: [Environmental Justice Populations in Massachusetts](#))

What are FirstLight, FERC, and the FERC license renewal?

FirstLight is an electrical energy producer with a focus on renewable energy, including hydroelectric, pumped hydro storage, solar, large-scale battery, and offshore wind assets. It has offices in Northfield, MA, New Milford, CT, Oshawa, ON, and Montreal, QC with its corporate headquarters in Burlington, MA.

In December 2020, FirstLight filed an Amended Final License Application with the Federal Energy Regulatory Commission (“FERC”) to relicense the Connecticut River hydroelectric facilities in Turners Falls and Montague and the pumped storage facility in Northfield (all located in Massachusetts) under the Federal Power Act, 16 U.S.C. § 797(e). These facilities rely upon water flowing through turbines to generate electricity. FirstLight is now operating based upon FERC-issued annual licenses under the terms of the previous licenses that expired on April 30, 2018.

The pumped storage facility in Northfield generates power by pumping water from the river to an upgradient reservoir where it is stored and then released back down to the same location through turbines to generate electricity. It is sometimes referred to as a “giant water battery” because the reservoir water is generally stored and then released later to generate electricity. Sometimes it is released to provide needed electricity when other supplies, like wind or solar power, have intermittent decreases in energy production.

What does this FERC license renewal proceeding have to do with MassDEP?

As a part of the federal relicense application filed with FERC, FirstLight must also apply for a WQC from MassDEP. FirstLight is required to file its WQC application with MassDEP within 60 days of FERC issuing a Ready for Environmental Analysis (“REA”) notice. FERC issued the REA notice on February 22, 2024. FirstLight is expected to file its WQC application within 60 days, or April 22, 2024. MassDEP will have one year from when FirstLight files its WQC application to issue a WQC.

On what information can MassDEP base its WQC?

In the WQC process, MassDEP is obligated to determine whether there is reasonable assurance that the proposed relicensed operations will be conducted in a manner which will not violate Massachusetts Surface Water Quality Standards at 314 CMR 4.00. This determination is based on whether the proposed project will provide the water quality required to protect, maintain, and enhance existing and designated uses.

The Connecticut River is classified in the Massachusetts Surface Water Quality Standards (“SWQS”) at 314 CMR 4.00 as an inland Class B Warm Water. Each class of water is identified by the most sensitive water uses to be enhanced, maintained, and protected (the “designated uses”). Existing uses are designated uses and other sensitive uses that have been attained in a waterbody on or after November 28, 1975. Surface waters are protected by the antidegradation provisions specified in 314 CMR 4.04(1), which require that “in all cases existing uses and the level of water quality necessary to protect the existing uses shall be maintained and protected”. The Class B designated uses are: (1) habitat for fish, other aquatic life, and wildlife; (2) contact recreation, including both primary (e.g., wading and swimming) and secondary (e.g., fishing (including consumption) and boating); (3) irrigation and other agricultural uses; (4) compatible industrial cooling and process use; and (4) consistently good aesthetic value. (*see* 314 CMR 4.01-4.02 and 4.05(3)(b)).

MassDEP’s focus: Given the above standards and the applicable law, MassDEP’s WQC will be based on scientifically sound evidence and consideration of related public input concerning how the proposed project will affect the existing and designated uses. It is important to remember that sometimes the uses have conflicting water quality needs that MassDEP must consider. MassDEP must protect the most sensitive use if there is a conflict.

What public input has there been to date?

Stakeholder engagement activities conducted by FERC or FirstLight associated with FERC’s federal relicensing process (not the WQC) have been ongoing for over 12 years. FERC related public meetings are listed in Appendix A.

FirstLight engaged stakeholders resulting in a Flows and Fish Passage Settlement Agreement and a Recreation Settlement Agreement. Parties to the Flows and Fish Passage Settlement Agreement included: FirstLight, the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Massachusetts Division of Fisheries and Wildlife, Nature Conservancy, American Whitewater, Appalachian Mountain Club, Crabapple Whitewater, Inc., New England FLOW, and Zoar Outdoor. The purpose of the Flows and Fish Passage Settlement Agreement is to resolve, among the signatories, relicensing issues related to fish passage, flows for the fishery, ecological conservation, recreation, and protected, threatened, and endangered species.

The Recreation Settlement Agreement also included a single Recreation Management Plan for the Turners Falls and Northfield Mountain Projects. Signatories to the Recreation Settlement Agreement included FirstLight, National Park Service, Massachusetts Department of Conservation and Recreation, Towns of Erving, Gill, Montague and Northfield, American

Whitewater, Appalachian Mountain Club, Crab Apple Whitewater, Inc., New England FLOW, Zoar Outdoor, Access Fund, Franklin Regional Council of Governments, and Western Massachusetts Climbers Coalition. The purpose of the Recreation Settlement Agreement is to resolve, among the signatories, relicensing issues related to upgraded and new recreation features including improvements to meet Americans with Disabilities Act requirements, new river access points, establishing conservation easements on FirstLight-owned lands and interpretive signage.

These Settlement Agreements are not binding on MassDEP for the WQC; however, during the WQC process MassDEP will consider whether the Settlement Agreements are consistent with its WQC obligations and public input.

In addition to these Settlement Agreements, FirstLight engaged with Tribal stakeholders, including the Elnu Abenaki Tribe, the Chaubunagungamaug Band of Nipmuck Indians, and the Nolumbeka Project, resulting in a signed Memorandum of Understanding in Principle to Develop a Relicensing Settlement Agreement for cultural resource preservation and mitigation efforts.

How will the public be able to provide input for the WQC?

There will be several opportunities for public participation during the WQC process. On the initial WQC application, there will be two (daytime and evening) remote public hearings during a thirty-five-day comment period; about midway through the WQC process there will be a hybrid public information session (combined in-person and remote access); and lastly, for the DRAFT WQC which will be approximately eight months into the process, MassDEP is planning two more remote public hearings (daytime and evening) during a comment period of at least 21 days.

In addition, MassDEP will continue to maintain a webpage devoted to this project to provide updates and a forum for the public to submit questions and comments and sign up for periodic email updates. See [401 WQC for the FirstLight Hydroelectric Re-Licensing Project | Mass.gov](https://www.mass.gov/info-details/401-wqc-for-the-firstlight-hydroelectric-re-licensing-project) or <https://www.mass.gov/info-details/401-wqc-for-the-firstlight-hydroelectric-re-licensing-project>

What outreach will be provided to stakeholders, including those in Environmental Justice Populations?

Means of notification/publication: FirstLight will inform the public of the above participation opportunities in notices that are *pre-approved* by MassDEP and compliant with applicable EJ requirements and policies. The notices will be published in the Massachusetts Environmental Monitor and in a local or regional newspaper with the largest readership distribution both online and in hardcopy, if hardcopy exists, within the area that may be affected by the project. MassDEP will publish the notices on its website.

FirstLight will also send copies of the notices to the chief municipal elected official and the conservation commission for the municipalities that may be affected. FirstLight will request that those municipalities publish the notices in the local town or city hall and on the website of the community or communities that may be affected. Notice may also be published in other local venues, such as libraries, grocery stores, and houses of worship.

Contents of Notice: The public notice must specify how written comments may be submitted; the expiration date of the public comment period; the date, time, and location of public hearing(s) (or public information session, as applicable), an internet link if the hearing or information session is virtual or hybrid; the applicant’s and Department’s websites where additional information may be obtained; and notice that translation services will be provided if they are requested by an EJ population. The notice shall also identify the location and the type of project for which the application is filed; and points of contact for information requests to FirstLight and MassDEP.

PIP implementation actions:

This section will be updated periodically to address changes in the schedule (specify dates when available), incorporate additional actions identified, and summarize actions taken to implement the PIP.

Schedule	Description	Responsible	Actions / Status
Feb. 2024	Notice to applicant that project needs EJ PIP; additional outreach/engagement	MassDEP	Done
Feb./March /April 2024	Send EJ PIP and Public Notice template to applicant	MassDEP	Done
April 8-15, 2024	Contact principal EJ stakeholders (identified below) for outreach & inquire about other stakeholder groups; update website as necessary	MassDEP	Will be done by 4/15/24
May/June, 2024	Execute or prepare to execute notice for public hearing and comment for WQC application; hold public hearing/comment period on WQC application; update MassDEP website as necessary	MassDEP/ applicant	
Sept./Oct., 2024	Execute or prepare to execute notice requirements for public information session; host public information session and provide any necessary translation services; update MassDEP website as necessary	MassDEP/ applicant	
Nov./Dec./ Jan. 2024/25	Execute or prepare to execute notice for public hearing and comment for DRAFT WQC; hold public hearing/comment period on DRAFT WQC; update MassDEP website as necessary	MassDEP/ applicant	
April 2025	Issue WQC; update website as necessary; provide response to comments	MassDEP	

EJ notification email list:

The program developed the table of EJ contacts below from the Executive Office of Energy and Environmental Affairs Environmental Justice Office. MassDEP intends to notify those contacts by email in advance of various permitting milestones.

Organization Name	Contact Name	Email Address	Organization Purpose
City of Greenfield, MA	Virginia Desorgher, Mayor	mayor@greenfield-ma.gov	Environmental Justice Community, Community Development
Cultural Council Office (Greenfield)	Linda McInerney	lmciner@gmail.com	Diversity, Equity and Inclusion
Montague Town Administrator	Steve Ellis	townadmin@montague-ma.gov	
Cultural Council Office (Montague)	Kathy Lynch	montaguelcc@gmail.com	Diversity, Equity and Inclusion
Cultural Council Office (Orange)		orangeculturalcouncil@gmail.com	Diversity, Equity and Inclusion
Town of Erving, MA	Bryan Smith, Town Administrator	admin@erving-ma.org	Community Development
Town of Gill, MA	Ray Purington, Town Administrator	administrator@gillmass.org	Community Development
Town of Montague, MA	Steve Ellis, Town Administrator (changing to Walter Ramsey later in 2024)	townadmin@montague-ma.gov	Environmental Justice Community, Community Development
Town of Northfield	Andrea Llamas	allamas@northfieldma.gov	Community Development- Town Administrator
Clean Water Action	Cindy Luppi	cluppi@cleanwater.org	Water

Community Action Pioneer Valley		info@communityaction.us	Low Income Economic Stability & Security
Connecticut River Conservancy	Nina Gordon-Kirsch Ryan Odonnell	ngordonkirsch@ctriver.org rodonnell@ctriver.org	Environmental Stewardship
Elnu Abenaki Tribe	Rich Holschuh	rich@atowi.org	Tribal
Franklin Regional Council of Governments	Kimberly MacPhee	kmacphee@frcog.org	Planning, Community Development
Greenfield Housing Authority	Thomas M. Guerino, Executive Director	tom@greenfieldhousing.org info@greenfieldhousing.org	Low Income Sanitary Housing
Harvard University Native American Program	Joseph P. Gone	hunap@harvard.edu	Tribal & Academic
Institute for New England Native American Studies, Umass Boston	J. Cedric Woods	Cedric.Woods@umb.edu	Tribal & Academic
Just Roots	Laura Fisher Meryl LaTronica Rochelle Bellin	laura@justroots.org meryl@justroots.org rochelle@justroots.org	Food Justice, Food Security
Kestrel Land Trust	Mark Wamsley	mark@kestreltrust.org	Environmental Protection, Planning, Conservation
Mashantucket Pequot Tribal Nation	Rodney A. Butler Latoya Cluff	MPTNCommunications@mptn-nsn.gov MPTNCommunications@mptn-nsn.gov	Tribal
Mashpee Wampanoag Tribe	David Greendeer, Tribal Administrator	David.greendeer@mwtribe-nsn.gov	Tribal
Mass Audubon	Heidi Ricci Michelle Manion Christina Wiseman	hricci@massaudubon.org mmanion@massaudubon.org cwiseman@massaudubon.org	Land Conservation

Massachusetts Tribe at Ponkapoag	Gill Solomon Thomas Green	(508) 697-2941 (508) 697-2941	Tribal
Massachusetts Commission on Indian Affairs (MCIA)	Burne Stanley Jim Peters, Jr.	burne.stanley-peters@mass.gov john.peters@mass.gov	Tribal
Mohegan Tribe	Charlie Strickland James Gessner Jr	communications@moheganmail.com communications@moheganmail.com	Tribal
Montague Housing Authority	Bellamine Dickerman, Executive Director	montagueha@verizon.net	Low Income Sanitary Housing
Narragansett Indian Tribe	Doug Harris, Historic Preservation Office	dhnithpo@gmail.com	Tribal
Neighbor to Neighbor	Ernesto Cruz	ernesto@n2nma.org	Environmental Justice, Social Justice
North American Indian Center of Boston	Raquel Halsey	rhalsey@naicob.org	Tribal
North Quabbin Community Coalition	Katrina Burton	katrina@nqcc.org	Environmental Protection, Water Resources
Ohketeau Cultural Center	Rhonda Kay Alak Anderson	(413) 628-2621	Tribal & Academic
Passamaquoddy at Sipayik	Rena Newell	rena@wabanaki.com	Tribal
Pine Crest Housing		info@rhf.org	Low Income Housing
Public Health Institute of Western Mass	Sarita Hudson	shudson@publichealthwm.org	Public Health/Clinic Community Development
Schaghticoke Tribal Nation	Richard Velky	STN1699@yahoo.com	Tribal
Seaconke Wampanoag Tribe	John Falcon Harris Darrell Waldron	(401) 461-8222 dwaldron@rhodeislandindiancouncil.org seaconkewampanoagofficial@gmail.com	Tribal

Stockbridge-Munsee Community Band of Mohican Indians	Heather Bruegl Shannon Holsey Jody Hartwig Bonney Hartley Nathan Allison	heather.bruegl@mohican-nsn.gov jody.hartwig@mohican-nsn.gov jody.hartwig@mohican-nsn.gov bonney.hartley@mohican-nsn.gov nathan.allison@mohican-nsn.gov	Tribal
The Nolumbeka Project, Inc.	David Brule Joe Graveline	dpbrule@hotmail.com oldgraywolf@verizon.net	Tribal
The Massachusetts Center for Native American Awareness		mcnaa@aol.com	Tribal & Academic
The North American Indian Center of Boston		info@naicob.org	Tribal
All Farmers	Aliki Fornier Razz Cacho	aforner@dprides razz@allfarmers.world	Food Access, Food Justice
Berkshire Environmental Action Team	Rosemary Wessel	rose@thebeatnews.org	Environmental Protection, Education
Chaubunagungamaug Band of Nipmuck Indians	Liz Cold Wind Santana-Kiser	coldwindnipmuc@icloud.com	Tribal
UMass Amherst	Erin Baker	edbaker@ecs.umass.edu	Education
Wampanoag Tribe of Gay Head (Aquinnah)	Cheryl Andrews-Maltais	chairwoman@wampanoagtribe-nsn.gov	Tribal

APPENDIX A. FERC Related Public Meetings Pertaining to Relicensing with FERC

Meeting Date	Meeting
10/4/2012	FirstLight hosts site tour of Turners Falls and Northfield Mountain Projects
10/5/2012	FirstLight hosts site tour of Turners Falls and Northfield Mountain Projects
10/12/2012	FirstLight hosts site tour of Turners Falls and Northfield Mountain Projects
1/30/2013	FERC hosts public scoping meeting in Montague, MA
1/31/2013	FERC hosts public scoping meeting in Montague, MA
5/14/2013	Study Plan Meeting to discuss all studies and Meeting of Working Group 1: Geology/Soils, Water Resources and Development Resources
5/15/2013	Study Plan Meeting of Working Group 1: Geology/Soils, Water Resources and Development Resources (MDEP attended)
5/21/2013	Study Plan Meeting of Working Group 2: Aquatic Resources, Terrestrial, Wetlands, Riparian Resources
5/22/2013	Study Plan Meeting of Working Group 2: Aquatic Resources, Terrestrial, Wetlands, Riparian Resources
6/4/2013	Study Plan Meeting of Working Group 2: Aquatic Resources, Terrestrial, Wetlands, Riparian Resources
6/5/2013	Study Plan Meeting of Working Group 2: Aquatic Resources, Terrestrial, Wetlands, Riparian Resources
6/11/2013	Study Plan Meeting of Working Group 3: Recreation and Land Use Resources, Aesthetic Resources, Cultural Resources
6/12/2013	Study Plan Meeting of Working Group 3: Recreation and Land Use Resources, Aesthetic Resources, Cultural Resources
6/13/2013	Study Plan Meeting of Working Group 3: Recreation and Land Use Resources, Aesthetic Resources, Cultural Resources
6/14/2013	Meeting with MDEP, CRSEC, FRCOG, FCD, CRWC, LCCLC, and FERC to Discuss Study 3.1.1 Full River Reconnaissance Study
8/26/2013	Meeting with MDEP to discuss Study 3.1.1 Full River Reconnaissance Study in Springfield, MA
10/30/2013	Meeting with CRSEC to discuss Study 3.1.1 Full River Reconnaissance Study in Greenfield, MA
11/5/2013	Meeting with MDEP to discuss Study 3.1.1 Full River Reconnaissance Study in Northfield, MA
6/4/2014	Meeting with MDEP to discuss Study 3.1.2 Erosion Causation and specifically Selection of Detailed Study Sites Report.
6/24/2014	Meeting with MDEP, CRWC, FRCOG, CRSEC, LCCLC, FERC, Massachusetts Riverways, NMFS, FCD, and Karl Meyer to discuss Study 3.1.2 Erosion Causation and specifically the Selection of Detailed Study Sites

Meeting Date	Meeting
	Report.
8/4/2014	Meeting with MDEP, CRWC, NMFS, FERC, FRCOG, and CRSEC to discuss Study 3.1.2 Erosion Causation and specifically to finalize transect selection.
9/30/2014	Initial Study Report Meeting
10/1/2014	Initial Study Report Meeting
10/15/2014	Meeting with MDEP, FRCOG, CRWC, FCD, MA Riverways, LCCLC, NMFS, FERC on Study 3.1.1 Full River Reconnaissance
3/4/2015	Meeting with CRSEC regarding the Addendum to Study 3.1.1 Full River Reconnaissance.
9/29/2015	Meeting to discuss Study Reports 3.3.1 Instream Flow, 3.3.13 Littoral Zone, 3.3.14 Aquatic Habitat Mapping, 3.3.11 Fish Assemblage, 3.3.17 Tributary Access, 3.3.2 Adult Shad Passage, 3.3.15 Sea Lamprey Spawning, 3.3.4 Upstream Eel Passage, 3.3.3 Downstream Juvenile Shad Passage, 3.3.5 Downstream Eel Passage, 3.3.6 Shad Spawning, 3.3.18 Canal Drawdown, 3.3.19 Ultrasound Array, 3.3.7 Entrainment and Mortality, 3.3.20 Northfield Entrainment, 3.3.12 Cabot Emergency Spillway, and 3.2.1 Water Quality
9/30/2015	Meeting to discuss Study Reports 3.3.10 Odonates, 3.3.16 Mussels, 3.4.1 Terrestrial, 3.4.2 Project Impacts on Recreation at Northfield, 3.5.1 Wetlands and RTE, 3.2.2 Hydraulic Model, 3.3.8 CFD of Fish Passage Structures, 3.3.9 River 2D Northfield tailrace, 3.8.1 Energy Generation, 3.1.1 Full River Reconnaissance, 3.1.2 Erosion Causation, 3.1.3 Sediment Management Plan, 3.6.1 Recreation Use, 3.6.2 Recreation Facility Inventory, 3.6.3 Whitewater Boating, 3.6.4 Day/Night Use, 3.6.5 Land Use, 3.6.6 Project Effects on Recreation, 3.6.74 Recreation Study of Trails, 3.7.2 Historic Structures, 3.7.3 Traditional Cultural Properties, 3.7.1 Archaeology
3/16/2016	Meeting to discuss Study Reports: 3.3.4 Upstream Eel Passage, 3.3.6 Shad Spawning, 3.3.20 Northfield Entrainment, 3.3.11 Fish Assemblage, 3.2.1 Water Quality, 3.3.12 Cabot Emergency Spillway, 3.3.8 CFD of Fish Passage Structures, 3.3.9 River2D Northfield tailrace, 3.3.10 Odonates, 3.3.16 Mussels, 3.5.1 Wetlands and RTE, 3.4.1 Terrestrial, 3.6.1 Recreation Use, and 3.6.5 Land Use Inventory.
10/31/2016	Meeting to discuss Study Reports: 3.3.1 Instream Flow, 3.3.16 Mussels, 3.3.2 Adult Shad Passage, 3.3.3 Juvenile Downstream Passage, 3.3.7 Entrainment and Mortality, 3.3.15 Sea Lamprey Spawning, and 3.3.13 Littoral Zone
11/1/2016	Meeting to discuss Study Reports: 3.1.3 Sediment Management Plan, 3.1.2 Erosion Causation, and 3.6.6 Project Impacts on Recreation and Land Use
3/16/2017	Meeting to discuss Study Reports: 3.3.10 Odonates, 3.3.20 Northfield Entrainment, 3.3.19 Ultrasound Array, 3.3.5 Downstream Eel Passage, 3.8.1 Energy Generation
6/1/2017	Meeting to discuss Study 3.3.1 Instream Flow Study pertaining to mussels.

Meeting Date	Meeting
10/9/2018	Meeting to discuss Study 3.3.1 Instream Flow Study pertaining to mussels, 3.3.2 Adult Shad Passage, 3.3.15 Sea Lamprey Spawning, 3.3.9- River2D Northfield tailrace, 3.1.2 Erosion Causation, 3.3.20 Northfield Entrainment, 3.5.1 Wetlands and RTE
3/30/2019	Meeting to discuss Study Nos: 3.3.9 River2D Northfield Tailrace, 3.3.19 Ultrasound Array, 3.7.1 Archaeology.