

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits

625 Broadway, 4th Floor, Albany, New York 12233-1750

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November 28, 2023

Joyce A. Foster
Eagle Creek Renewable Energy LLC
7315 Wisconsin Ave, Suite 1100W
Bethesda, MD 20814
Sent via email: joyce.foster@eaglecreekre.com

RE: Rio Hydroelectric Project
FERC Project No.9690
DEC ID #3-4838-00026/00008
Clean Water Act Section 401 Water Quality Certification
Town of Lumberland, Sullivan County

Dear Joyce Foster:

Enclosed is the Section 401 Water Quality Certification (WQC) issued by New York State Department of Environmental Conservation (NYSDEC) for the Rio Hydroelectric Project, Federal Energy Regulatory Commission (FERC) project # P-9690, located in the Town of Deerpark, Orange County and the Town of Lumberland, Sullivan County, State of New York. A copy of the WQC will be filed electronically with FERC. Expiration of the WQC runs concurrent with the pending FERC issued License.

Be advised, regulations within the Uniform Procedures Act (6 NYCRR Part 621) provide that an applicant may request a public hearing if a permit is denied or contains conditions which are unacceptable to them. Any such request must be made in writing within 30 calendar days of the date of permit issuance or denial and must be addressed to the NYSDEC Chief Permit Administrator 625 Broadway, Albany, NY 12238. A copy should also be sent to the Chief Administrative Law Judge at NYSDEC, 625 Broadway, 1st Floor, Albany, NY 12233-1550.

Please review the conditions in the WQC and reach out to me at patrick.rahm@dec.ny.gov or Karen Gaidasz, Bureau Chief at karen.gaidasz@dec.ny.gov, if you have any questions.

Sincerely,



Patrick Rahm
Environmental Analyst

ecc: NYSDEC Review Team
United States Fish & Wildlife Services (USFWS)
National Park Service (NPS)
American Whitewater



Department of
Environmental
Conservation

Appalachian Mountain Club
Kayak and Canoe Club of New York
Chapin Estate Homeowners Association
Homeowners on Toronto, Inc.
Iroquois Hunting and Fishing Club, Inc.
Swinging Bridge Property Owners Association
Trout Unlimited – New York State Council
Woodstone Lake Development, LLC
Town of Deerpark
Town of Lumberland
FERC