

November 22, 2017

P-2616-NY, Hoosic River  
Schaghticoke Development  
Erie Boulevard Hydropower, LP

Mr. Bob Nasdor  
Northeast Stewardship Director  
American Whitewater  
365 Boston Post Road, Suite 250  
Sudbury, MA 01776

Dear Mr. Nasdor,

On April 12, 2017, representatives from Erie Boulevard Hydropower, L.P. ("Erie"), American Whitewater, New York State Department of Environmental Conservation, New York State Conservation Council, United States Fish and Wildlife Service, and the Village of Schaghticoke, all signatories to the Hoosic River Settlement Agreement, convened a meeting at Brookfield's Queensbury office. The meeting was organized by Erie at the request of American Whitewater and was initiated through the Dispute Resolution Process as outlined in the Settlement Agreement. The purpose of the meeting was for American Whitewater to air their grievances as it related to 1) previously missed whitewater releases and 2) the installation of a fence by Erie which restricted access to the bypass reach. At the conclusion of the meeting Erie and American Whitewater agreed that to address the first grievance, Erie would resume whitewater releases in accordance the Settlement Agreement and Whitewater Recreation Plan. Erie also agreed to evaluate options for providing access to the bypass reach for the specific purpose of whitewater recreation. Erie committed to a follow-up meeting with the signatories in which the options would be discussed.

On May 31, 2017, a second meeting was convened at Brookfield's Queensbury office. All the signatories were invited to attend however the only participants were American Whitewater and Erie. Following such meeting, Erie had evaluated several options to address American Whitewater's second grievance, including providing a means of alternate access. Alternate access routes were deemed infeasible due to limited property ownership and/or incredibly steep terrain that did not lend itself to foot traffic. Erie determined the most feasible method for providing access was to develop an access procedure by which a boater would contact Erie, and so long as some minimum requirements were met, the boater would be given access to the bypass reach via the locked gate in the fence along Mill Street. This approach was discussed with American Whitewater and was found to be agreeable. The meeting concluded with Erie committing to further developing the access procedure.

Erie has developed an internal procedure for providing access to boaters interested in accessing the Schaghticoke bypass reach for the purposes of whitewater kayaking. A summary of that procedure, and how a whitewater boater will interact with Brookfield follows:

To initiate the procedure, the flow in the bypass reach must be at least 800 cubic feet per second (cfs). To determine if the flow in the Hoosic River has met the minimum flow requirement the interested boater should view the USGS river gage at Eagle Bridge (gage no. 01334500). If the flow measured at the gage exceeds 1,920 cfs then the minimum flow requirement for an unscheduled release has been met. The boater will also need to consider the time of day. The gate will be opened for a boater anytime between sunrise and two hours before sunset. So long as the flow and time of day requirement have been met, the interested boater should then contact Brookfield's North American System Control Center (NASCC) at (877) 856-7466 and request the Shift Supervisor. The boater will inform the Shift Supervisor that they are a boater interested in gaining access to the Schaghticoke bypass reach for the purposes of whitewater boating. The NASCC will verify that the flow requirement has been met, and if so, will dispatch a local Operator to unlock the gate. The gate will remain open throughout the course of the day so long as flows in the bypass reach remain above the 800 cfs minimum. In the interest of both the safety of the public and Brookfield's employees the gate will be closed two hours before sunset. Boaters are expected to utilize appropriate watercrafts. Helmets and personal flotation devices are required. Rafts, tubes, and non-appropriate watercraft are not allowed. Only properly equipped boaters will be provided access through the gate. Boaters that are not properly equipped can be denied access or asked to leave the river. Brookfield requests that boaters enter their name on a sign-in log for purposes of tracking the boater usage during unscheduled releases.

Brookfield appreciates American Whitewater's cooperation with this effort. Brookfield has a strong commitment to the safety of the public and their employees but also understands the River is a shared resource and that American Whitewater understands the inherent risks associated with whitewater boating. In connection therewith, we trust that American Whitewater will advise its members that access to the river from Erie's property will be done so at their own personal risk and peril. Should you have any questions regarding the procedure, please contact Mr. Daniel Maguire, the New York Region Compliance Manager ([danny.maguire@brookfieldrenewable.com](mailto:danny.maguire@brookfieldrenewable.com)).

Sincerely,

A handwritten signature in black ink, appearing to read 'IAB', with a long horizontal stroke underneath.

Ian Borlang  
Asset Manager  
Atlantic Region  
Brookfield Renewable

Cc: J. Elmer (Brookfield)  
R. Shantie (Brookfield)  
M. Johnson (Brookfield)  
D. Maguire (Brookfield)  
B. Zakrajsek (Brookfield)  
P. Averell (Brookfield)