



FERC Moves to End the License for the Abandoned Herkimer Hydroelectric Dam on New York's West Canada Creek, Idle Since 2006; Comments and Protests Due November 9

Public paper · October 14, 2026 · Rivers desk · Ryan Standley / Record of Sale, LLC / Notice Nearby

The Federal Energy Regulatory Commission published notice on October 14, 2026 that it has started terminating the license for the Herkimer Hydroelectric Project (P-9709) on West Canada Creek in Herkimer County, New York, by implied surrender, saying the timber crib dam and 1,680-kilowatt powerhouse have not operated since 2006, fell into disrepair and were found largely abandoned in a 2021 inspection; comments, protests and motions to intervene are due November 9.

The Federal Energy Regulatory Commission (FERC) published a notice of termination of license by implied surrender in the Federal Register on October 14, 2026 for the Herkimer Hydroelectric Project, Project No. 9709, on West Canada Creek in Herkimer County, New York. The licensee is ECOsponsible, LLC.

FERC initiated the proceeding on October 8, 2026. The deadline for comments, motions to intervene and protests is November 9, 2026.

The dam and powerhouse

According to FERC, the project works include:

- A timber crib dam with a 9-foot-high, 95-foot-long section (crest elevation 420 feet above mean sea level) and a 12-foot-high, 145-foot-long section (crest 419.2 feet), topped with timber flashboards.
- A reservoir of about 19 acres with 163 acre-feet of storage at a normal water surface elevation of 420.5 feet.

- An intake structure and a concrete-and-steel powerhouse with four 400-kilowatt units plus an 80-kilowatt minimum-flow generator at the base of the dam, for 1,680 kilowatts total.
- A 50-foot-long, 13.2-kilovolt transmission line.

FERC says the project has not operated since 2006.

Why FERC is ending the license

FERC cites Standard Article 26 of the license, under which abandoning or discontinuing good-faith operation, or ignoring Commission orders, is treated as an intent to surrender. The notice lays out this history:

- March 12, 2015: the license was transferred to ECOsponsible. The order required a plan and schedule to restore operation within 60 days.
- June 2020 to October 2021: FERC's Division of Dam Safety and Inspections New York Regional Office and its Division of Hydropower Administration and Compliance sent 12 letters requiring a repair and restart plan. FERC says the licensee filed at least five plans, all deficient for lack of detail.
- August 26, 2021: the New York Regional Office inspected the project and found it in unsatisfactory condition and largely abandoned. The licensee did not attend and stopped communicating with FERC.
- November 8, 2021: FERC issued an earlier notice of termination by implied surrender, which drew interventions and protests.
- April 3, 2024: FERC staff rejected a notice of intent to relicense filed by a person it found was not authorized to act for ECOsponsible, and invited other parties to seek a new license.
- 2025: Stone Ridge Hydro, LLC was authorized to use the Traditional Licensing Process and filed a final license application on March 21, 2025.
- July 23, 2026: Stone Ridge withdrew its application, effective August 7, 2026.

With the project abandoned and no license applications pending, FERC says it "will proceed with termination of license by implied surrender."

How to weigh in

- Anyone may file comments, a protest or a motion to intervene by November 9, 2026. Only those who file a motion to intervene can become a party.
- Filings must be titled "COMMENTS," "PROTEST" or "MOTION TO INTERVENE," name the project, and should relate to the project works that are the subject of the implied surrender.
- File through FERC's eFiling system, or use eComment for brief comments up to 6,000 characters. Include docket number P-9709-070 on the first page.
- Federal, state and local agencies that do not comment by the deadline are presumed to have no comments.
- FERC contact: David Rudisail, (202) 502-6376. Office of Public Participation: (202) 502-6595.

Source

- Federal Energy Regulatory Commission, "ECOsponsible, LLC; Notice of Termination of License (Major Project) by Implied Surrender and Soliciting Comments, Protests, and Motions To Intervene," Project No. 9709-070, dated October 8, 2026, 91 FR 65203, FR Doc. 2026-20997, October 14, 2026

(federalregister.gov/d/2026-20997).

Notes

- Image: West Canada Creek in the gorge at Prospect, New York, upstream of Herkimer, August 2011 (file photo, illustrative; not the Herkimer dam). Photo: David T. Henrickson via Wikimedia Commons (CC BY-SA 3.0).
- Author: Ryan Standley / Record of Sale, LLC / Notice Nearby.
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