

Wantastiquet Subcommittee  
of the Connecticut River Joint Commissions  
Tuesday – November 28<sup>th</sup>, 2017  
Governor Hunt House, Vernon, VT  
Meeting Minutes

Present:

Lynn DeWald, Walpole  
Roland Vellbeh, Chesterfield  
Perry Sawyer, Westmoreland  
John Lukin, Vice Chair, Westmoreland  
Joe Conroy, Hinsdale  
Jim Calchera, Westminster  
Michael Fairchild, Brattleboro  
Andy Fisk, Connecticut River Conservancy  
Jen Griffin, CRJC commissioner  
Bob Harcke, CRJC commissioner  
Alex Belenz, staff consultant

1. Vice Chairman Lukin opened the meeting at 4:36 PM. Introductions were made.
2. Alex announced to the subcommittee that Elaine Crouteau had stepped down from her position as chair of the subcommittee, and, per CRJC bylaws, a new chair should be elected. Alex explained the duties of the chair to the subcommittee members. No members expressed interest in serving as the new chair, so the matter was tabled until the next meeting.
3. The minutes from August 30<sup>th</sup>, 2017 were approved by motion of Calchera/Perry with one correction to the spelling of Stephen Skibniowsky's name.
4. Andy Fisk, Executive Director of Connecticut River Conservancy, announced several opportunities for subcommittee members to get involved with Connecticut River stewardship efforts. The CRC's Source to Sea Cleanup, a yearly trash cleanup of the Connecticut River system, will be held on September 28<sup>th</sup> and 29<sup>th</sup> of 2018. In addition to cleaning up the rivers, CRC uses data on volume and type of trash collected to support legislation and other efforts to keep rivers clean. Additionally, CRC will be focusing some of their riverbank restoration and tree planting efforts on the Brattleboro area in 2018, and will be looking for volunteers.

Andy then provided an overview and update on the FERC relicensing process for the Vernon, Bellows Falls, and Wilder dams. These three dams are being simultaneously relicensed, which provides an opportunity to take a comprehensive look at the hydrologic system, but also increases the complexity of the process. CRC's objective is to make the relicensing process as open to the public as possible, through public meetings, participation in studies, and stakeholder coordination. The relicensing process is about providing balance between Great River Hydro's right to generate a

public resource (energy) and the associated use of a public resource (the river) to that end. There are a number of studies that are conducted to inform the process, most of which have been completed. However, some of the studies are being revised, or have had additional information requested. These studies will inform the operational model for Great River Hydro. The model will need to balance the ability of the company to earn a reasonable return on investment from dam operations with the need to minimize ecological impacts. Jen added that a primary purpose for all of the studies is to better understand the current baseline conditions regarding river habitat, recreation, and hydrology in order to be able to evaluate different dam operation scenarios. Great River Hydro recently updated the erosion study to look at additional factors, with the finding that erosion along the Connecticut River was significantly more affected by high seasonal flows than dam operations. Andy indicated that CRC had some concerns with the results of this study, and are contracting with Princeton Hydro to do a peer review. Determining the degree of erosion associated with dam operations and associated mitigating measures is a difficult task.

John asked about the different agencies that were involved in the process. Andy noted that, while FERC is ultimately responsible for the relicensing, both Vermont and New Hampshire have to issue a 401 Water Quality Certification for the relicensing to proceed, and that FERC cannot alter the Water Quality Certification. The proposed Hydropower Policy Modernization Act of 2017 would give FERC greater power in the relicensing process; however, states have been pushing back on the bill. Jen added that US Fish and Wildlife is the primary federal resource agency involved, and that they have statutory ability to influence the license as well. Dam licenses are typically issued for 30 to 50 years, this license will likely be for 40 years. Jen noted that the long license period is partially due to the length of time it takes to go through the relicensing process, which can take many years itself. There are also “reopeners” that can be activated if significant issues with dam operations or environmental impacts arise after the license is granted.

Andy discussed the role of recreational river access as part of the relicensing process. The Clean Water Act has a significant portion dedicated to recreational access to water. The important aspects for Great River Hydro to consider will be how the river is currently used, how recreational access could be improved, and what the impacts of dam operations will be on access and use of recreational, cultural, and historic resources. Andy invited subcommittee members to participate in CRC’s public meetings and online survey regarding recreational access to the Connecticut River. Jen added that Great River Hydro did a recreation study, which is available on the relicensing website. The next step for Great River Hydro will be to submit their revised application that includes the recreation component, likely in April or May. Andy suggested that subcommittee members develop and submit a comment letter on river recreation, using the 2013 Connecticut River Recreation Management Plan for the Wantastiquet Region as basis for developing comments.

Andy described the two possible processes for relicensing. Great River Hydro is currently following the licensing process; however, they could opt to go into a simultaneous settlement process, in which they undergo confidential negotiations with stakeholders to come to a mutual agreement, which would then be handed directly to the state agencies for review. If Great River Hydro were to opt to enter into a settlement process, the Wantastiquet subcommittee would be able to participate in the negotiations.

5. Permit review - Alex showed the subcommittee members a public notice for an indirect discharge permit renewal application, involving septic tanks for a subdivision in Vernon. The fact sheet and permit application were not yet available at the time of the meeting; Alex indicated that he would forward those along to the subcommittee when they became available. John noted that indirect discharge from septic tanks isn't particularly concerning, and that the fact that it was a permit renewal was reassuring as well. Members indicated that they were not concerned with the project and indicated that further action was not needed.
6. Updates – Alex notified subcommittee members to changes to the NHDES Shoreland Program involving the establishment of riparian buffers along designated rivers.
7. Next meeting - it was agreed that the next meeting should be held at the Brattleboro Town Hall, if available. Alex will send out a Doodle poll to determine the next meeting date.
8. Joe made a motion to adjourn, Roland seconded. All members approved to adjourn at 6:13.

Minutes respectfully submitted by Alex Belenz.