

Wantastiquet Subcommittee
of the Connecticut River Joint Commissions
Wednesday, May 2nd, 2018
Windham Region Commission Office, Brattleboro, VT
Minutes

Present:

Lynn DeWald, Walpole

Jim Calchera, Westminster

Kathy Urffer, Brattleboro

Joe Grutta, Putney

Roland Vollbehr, Chesterfield

Bob Harcke, CRJC Commissioner

Emily Davis, Windham Regional Commission

Alex Belenz, staff consultant

1. Alex opened the meeting at 4:35 PM. Introductions were made. Alex provided a brief overview of CRJC and the local river subcommittees for new members. CRJC is an independent government organization consisting of a New Hampshire commission and Vermont commission that come together to advise on issues related to the Connecticut River. CRJC is primarily involved in large-scale projects and issues – currently, their primary focus is on the relicensing of the Connecticut River hydropower dams. The five subcommittees are made up of representatives from riverfront towns in regions along the Connecticut River. The subcommittees exist to provide towns the opportunity to draw awareness and act on local issues related to the Connecticut River.

Kathy provided a brief overview of the Connecticut River Conservancy (CRC, formerly the Connecticut River Watershed Council). She is one of the River Stewards for Vermont and New Hampshire. Her primary responsibilities include commentary on project/FERC relicensing, and outreach and educational events. Ron Rhodes is the other River Steward, and is more involved restoration projects, dam removals, and other similar projects.

Emily provided a brief overview of Windham Regional Commission. She is the Water Quality & Natural Resources Planner for WRC. WRC covers 27 towns in southeastern Vermont and provides a wide array of municipal assistance and regional planning services. Her recent work in water quality has involved working with the Vermont Performance Lab on the Confluence Project, which seeks to support local schools, build appreciation and understanding of local watersheds, and promote civic engagement on environmental issues within watersheds. They will be hosting Creative Placemaking Workshops through local schools in the near future.

2. Alex went over the list of chair responsibilities. The subcommittee has been without a chair since the fall, so Alex has been performing chair duties. The primary duties of the chair are to attend and chair all of the meetings (4 per year), and be the point of contact for permit applications from NHDES. The bylaws state that a chair should be elected at the next meeting after a chair resigns. No members expressed interest, so the matter was tabled until the next meeting. Alex indicated that it

would be feasible for him to continue to act as chair for the short-term, but long-term, it will be better for the subcommittee to have a chair who is engaged in local issues.

3. The minutes from November 28th, 2017 were approved by motion of DeWald/Calchera with the following corrections:
 - Roland was added to the list of attendees.
 - The spelling of Jen Griffin's name was corrected, and the attendee list amended to indicate she was attending in her CRJC commissioner capacity.
 - Text was added to item #5 to clarify that the subcommittee had no concerns with the draft discharge permit and no further action was needed.

4. Walpole, NH gas station letter. Lynn provided an overview of the proposed project. D&C Transportation has purchased property along Rt 12 in Walpole for the purposes of building a 10-bay gas station and convenience store. The site is located a short distance from the Connecticut River (~200 feet), and the land behind the proposed site begins to drop quickly down to the river. The land is zoned for agriculture, so D&C must apply for a special exception from the Walpole Zoning Board. The public hearing for the Zoning Board is scheduled for June 20th, and the Planning Board will be conducting a public hearing on May 8th. The applicant has contended that the available commercially-zoned land in the town is too expensive, a hardship that they are arguing is justification for a special exemption. Members noted that there are existing gas stations in Walpole not too far from the site, and that there is plenty of available commercially-zoned land that is more suitable for such a project.

Lynn and Tim Brush (not present) had drafted a comment letter, which was shared with attendees. Joe suggested that the members' comments on the site location, existing gas stations, and available commercial land be added to the letter – members agreed. Kathy asked about the quality of agricultural soils. Lynn shared maps with soil data for the location showing the existence of prime soils on the site. Roland added that the fields are typically dry – the land drains well. This is in conflict with what the applicant has stated. Alex suggested adding language describing how the letter was discussed at the May 2nd subcommittee meeting and indicating which towns were present – members agreed. Roland moved to approve the letter with the suggested edits, Kathy seconded. Members voted unanimously to approve the letter with edits. Lynn will make the edits and submit to the town. Alex will provide Lynn with a letterhead template.

5. FERC update. Alex asked Kathy if she would provide an update on the FERC relicensing process for the Connecticut River hydropower dams. The process began in 2012 with FERC determining which studies that TransCanada (the dam owner at the time, now owned by Great River Hydro) needed to complete as part of the process. Those studies covered issues including erosion, fisheries, recreation, and in-stream habitat. Most of the studies are done at this stage.

On March 8th, a study meeting was held by Great River Hydro (GRH) to review the results of the recent erosion, shad, and eel studies. Subsequently, many comment letters were submitted to FERC regarding the erosion studies, including letters from CRJC, CRJC-Upper Valley subcommittee, CRC, VT Agency of Natural Resources, NHDES, and many landowners along the Connecticut River. Many of these comment letters echoed similar themes (dam operations are likely contributing to bank

erosion, concerns with erosion study methodologies, invitation to FERC to conduct a site visit). Some of these letters (including CRCs) also alerted congressional delegations from VT and NH. The erosion issues on the river stem back to the last relicensing (1979). The license was issued shortly before a study by the USACE was completed that showed that dam operations and associated pool-level fluctuations behind the dams were a primary cause of erosion. GRH seemed to skirt around this in their studies. They used a method for modeling erosion that was not scientifically established, did not account for change in pool levels, and only studied the average-sized sediment particle. GRH also commissioned a study in 2011 that showed that pool level fluctuation contributes to bank erosion, this was not acknowledged in their updated studies. GRH will have an opportunity to respond to comments, and then FERC will need to make a determination to see if the study is indeed final.

CRC also submitted comments on the additional fisheries and in-stream flow studies. CRC has asked GRH to model dam operations scenarios for “run of river,” meaning dam inflow would equal outflow, and water fluctuations above the dam owing to dam operations would be minimized. CRC contends this would be healthy for the river, while GRH contends there will be negative consequences, such as flooding. GRH says they are having issues with their model and working on fixing them, so CRC has not seen those results yet.

The timing of the relicensing is complicated because FERC wants to roll up the relicensing of the First Light hydropower dams in Massachusetts with the relicensing of the GRH dams into a single process heading into the NEPA stage. NEPA has been somewhat weakened by the current administration, so the impetus is to get as much done as possible during the FERC process. Joe asked if there was a target date for the relicensing – Kathy indicated its somewhat of a moving target, and the companies are not interested in moving it along quickly because the new license will likely be more restrictive.

6. Membership outreach. Alex noted that there are vacant membership spots in the following towns: Westmoreland, Chesterfield, Hinsdale, Putney, Dummerston, and Vernon. If members know of any interested residents from those towns, have them contact Alex.
7. Updates. Kathy provided a few updates for Brattleboro and CRC:
 - There will be a lantern paddle on the Connecticut River on May 25th, starting at the marina in Brattleboro. Details and registration: <https://www.eventbrite.com/e/confluence-paddle-registration-44334849729>
 - CRC will be having its annual River Celebration on June 16th at the Retreat Farm in Brattleboro: <https://www.ctriver.org/news-events/annual-meeting/>
 - Vermont Rivers Conservancy has purchased a 12-acre property along Whetstone Brook in Brattleboro with the intention of remediating contamination and restoring the floodplain. Once the restoration is complete, VRC will engage the town of Brattleboro to get input on how the land should be used. The plan is to have local students conduct a public forum.
 - Kathy was contacted by staff from VT Sen. Patrick Leahy’s office. USACE has a mandate to do some special projects in the Upper Connecticut River Basin. Leahy’s office is looking for potential projects. Kathy indicated this might be an opportunity to do some large-scale projects that would be beyond the capacity of a municipality or local organization. For

example, there are several locations where sewer lines running adjacent to streams could be improved, diverted or removed. Joe suggested a project involving the Putney paper mill or Brookstone dam.

Joe asked for an update regarding mitigation funding from the NH 119 bridge project in Hinsdale, NH and Brattleboro, VT. Alex said he will follow up with NHDOT to see if someone could come in and talk to the subcommittee.

8. Next meeting. Members agreed to continue using the Doodle poll strategy for scheduling meetings. Alex will send out a poll with dates for the first 2 weeks in August.
9. Meeting was adjourned at 5:57 PM by motion of Urffer/Grutta.

Minutes respectfully submitted by Alex Belenz.