



**CRJC Mount Ascutney Local River Subcommittee**

**Tuesday, December 15<sup>th</sup>, 2020**

**7 PM**

**Conference Call**

**Attendees**

Plainfield	Elise Angelillo		Windsor	Michael Metivier	
Plainfield	David Taylor	✓	Windsor		
Cornish	Bill Gallagher		Weathersfield	Howard Beach	✓
Cornish	Colleen O'Neill	✓	Weathersfield		
Claremont	Matt Maki		Springfield	Bill Manner	✓
Claremont			Springfield	Kelly Stettner	✓
Hartland	Cordelia Merritt	✓	Rockingham	Thomas Hernon	
Hartland	Judy Howland	✓	Rockingham	Margaret Perry	
Charlestown	Janice Lambert	✓			
Charlestown	John Streeter	✓			

Olivia Uyizeye (staff, UVLSRPC); Kathy Urffer (CRC); Rebecca MacKenzie (resident, Claremont)

**Minutes**

*1. Review of Virtual Meeting Guidelines*

Chair David Taylor called the meeting, conducted via conference call, to order at 7:05 PM under the emergency provisions of RSA 91-A, New Hampshire’s Right-to-Know law, as allowed by Emergency Order 11 under Executive Order 2020-04 in light of the COVID-19 outbreak.

*2. Welcome and Introductions*

Taylor welcomed all present. Attendees and visitors introduced themselves and shared how they are faring during the pandemic.

*3. October Meeting Minutes*

Taylor opens up meeting minutes for review. Howland makes a motion to approve the minutes as written. Manner seconds the motion. By roll call, the motion passes unanimously, with one abstention.

*4. Permit Review*

*a. FERC – Great River Hydro*

Urffer explains the current status and background of the FERC permitting process for the Wilder, Bellows Falls and Vernon Dam. The dams are owned by Great River Hydro (GRH). It is a once in a lifetime (every 30-50 year) permit review. The process started in 2012 where GRH received input on what kinds of studies should be done. GRH ended up performing 33 studies from dragonflies to mussels to instream flow. These three dams are being licensed in conjunction with 2 facilities south in Massachusetts.

Connecticut River Conservancy (CRC) has been involved throughout, including stakeholder meetings. Stakeholders contacted GRH in 2019 to discuss what the alternative options are for instream flow, including fish passage. Discussions only ended up including the operations model, meaning how the water moves through those facilities. What was put forth in the application is a pretty significant win for the river. The operations model will be almost a run of the river, where inflow equals outflow. In the past 40 years, the operations allowed the dam to fill up and then flow out to get at peak prices, which

has been beating up the river banks. Under this new scenario, they will be holding the dam at stable levels with some *flexible hours* given (dependent on the month). More hours are designated in the winter than the summer. They will be running the dams as run of the river, except for those *flexible hours*. Even during those hours, there are limitations where the dam cannot go below a foot and a half freeboard. Urffer explains that GRH was very transparent about a lot of the details on the electric regulatory perspective, and in general throughout the process. They are fully in compliance with prior permits.

Urffer shares her perspective on how this change in operations will impact the river. For example, in Brattleboro near the marina restaurant the area is very silty. We might see improvement to the river bottom habitat here. Urffer expects we will see reduced erosion, although not impactful for the upper reaches where there is more impact from the flow at Fifteen Mile Falls. The submitted FERC application makes great headway but it still has pieces missing that CRC feels are important, such as any details on recreation for the towns or recreational access, monitoring on the upper reaches of the river, or fish passage.

- Howland asks how long the permit will go. Urffer responds it will be set by FERC, but between 30-50 years.
- Taylor lives near Sumner Falls where fisherman like to go out and sometimes the water increases so quickly that they would get marooned out there on the rocks. Urffer says that situation is likely not to be as dramatic; however there are still some situations where GRH has some latitude, such as flood scenarios. GRH indicates that these are very rare and last for very short periods of time (say 10 minutes). There are also more limitations on how quickly release is ramped up, where as now it can occur quite dramatically.
- Taylor notes that farmers up the river will likely be very content where erosion impacts are significant. Urffer indicates that this strategy is a really interesting opportunity for some innovative research, as this approach seems to be quite unique among dams.
- Lambert asks when the permit was last issued. Urffer indicates that the last permit was approved in 1979. Lambert responds that the technological advancement may allow for these changes to be made. Urffer adds that the regulatory process and our ecological understanding have also changed. Urffer expresses that the new operations may be setting an example.
- Urffer shares a study where they researched the economic feasibility of using battery storage to use run of the river, holding to sell at preferred times. This was not appropriate for GRH, but other dams have inquired about this strategy and research.
- Streeter asks if Urffer knows anything about a copy of a letter from Brattleboro related to this topic. Urffer says this was a concerted effort by CRC to send a message to GRH that this was an issue of serious concern by river communities.
- Urffer feels this is a win, but there is still a need to address those things that are lacking, especially in regards to recreation. The recreational economy is something that has been of focus by both states. For example, there are no launches in either state that are ADA compliance.
- Streeter discusses an issue in Charlestown where GRH owns flood easements along the river and disagreement of what they should be paid in property taxes.
- Stettner asks if there has been any discussion or openness about buffer plantings. Urffer responds that the Fifteen Miles Falls Dam had set up a mitigation fund. This is something that can be commented on. Lambert indicates that there was a project in Charlestown where a private dam company was highly involved. Urffer expresses that the current owner does not have access to as much revenue as the previous owner; however, the operations are projected to allow for most of the profit to maintain. Urffer suggests that aquatic and riparian invasives would also be appropriate to comment on in her opinion.

- O'Neill asks how solar growth may impact the dam. Urffer notes that there are different electric markets. GRH gets paid for reserved capacity that is called on say when A/C units are getting used all over the place. Solar is in the market in a different way, however we are unsure how this will get projected out.
- Merritt asks about the long term prospects for this company to own this project. Urffer notes that it is hard to say. It is not uncommon for these types of assets to be traded, but hard to say for this corporation. Once they get this license, it is likely to become more valuable.
- MacKenzie asks who is making the final determinations for what the requirements are for this company. Urffer explains that there are 3 major steps. There will likely be some back and forth with FERC. At some point between now and next 3 months, FERC will deem the application complete. At this point the company will have to apply for a 401 water quality certificate in both NH and VT states. The states will have a separate public process with opportunity for comment. What the states decide to put in those certificates, automatically becomes a part of the permit itself. CRC did some legal history research and found precedent for incorporating recreation into these kinds of grants. FERC will ultimately have the final say, with some piece coming from the state.
- MacKenzie notes there is some time to submit further asks. Urffer, the 401 water quality certificate has specific staff where you can sign up to receive notices. CRC will also be sharing out that information. On January 13<sup>th</sup> at Noon, CRC will do an educational livestream webinar on this topic. Urffer is also meeting with the recreation departments for each state to put forth how the company can assist in the recreation economy.
- Urffer notes that that early in the process comments came in from CRJC, LRS, RPCs, some select boards, TNC, TU, Appalachian club, etc.
- Uyizeye comments that CRJC Commissioners are currently coordinating their efforts for the open comment period. Urffer notes that the comment period is expected to be 60 days once the application is deemed complete. Urffer also notes there should have been an opportunity to comment on the draft permit, which did not really happen.
- A few members ask what members/LRS can do. Urffer says the LRS can be prepared to comment by reading as much of the report as you can. Urffer notes that FERC has heard from CRC, but it is important for them to hear from everyone else, to feel the amplitude of what the river means to everyone.
- MacKenzie asks if any tribal communities are involved. Urffer says that there are many Abenake tribes, none of which are federally recognized and required for GRH to work with. Urffer explains that GRH has been involving the tribes nevertheless; however, those conversations are private due to sensitive ecological and cultural information.

## 5. *Special Projects*

### *a. Septic Smart Webinar*

Stettner explains that the NHDES contact will find time to do a recording recording. Also, O'Neill found a video featuring Steve Pro who is willing to follow up on a Q&A. Stettner indicates we need to just line up the video sessions. Things look positive.

### *b. Public Article Review*

Uyizeye shares the draft article to be used for outreach purposes. It is decided for members to comment on the article over email and finalize at the February meeting.

*c. Commissioners Update*

Uyizeye shares that in addition to FERC, commissioners are researching and planning to convene stakeholders from both states around potential impacts from increased and continued migration into the Connecticut River Valley region due to the pandemic and climate change.

*d. Other Business*

*6. Adjourn*

O'Neill makes a motion to adjourn. Merritt seconds the motion. By roll call, the motion passes unanimously.

*Respectfully Submitted by Olivia Uyizeye.*