

Upper Valley Subcommittee
of the Connecticut River Joint Commissions
March 15, 2021 Meeting Minutes
Video Conference Call

NH Members:	Present	Absent
Alice Creagh, Hanover, NH		X
Vacancy, Hanover, NH		
Eric Agterberg, Lebanon, NH	X	X
Ruth Bleyler, Lebanon, NH		X
Bruce Garland, Lebanon, NH (alt)	X	
Bill Malcolm, Lyme, NH	X	
Vacancy, Lyme, NH		
Ted Cooley, Orford, NH	X	
Carl Schmidt, Orford, NH	X	
Karyn Brown, Piermont, NH		X
Helga Mueller, Piermont, NH		X

VT Members:	Present	Absent
Vacancies, Bradford, VT		
Ben Dana, Fairlee, VT	X	
Vacancy, Fairlee, VT		
Danielle Allen, Fairlee, VT (alt)		X
David Barrell, Hartford, VT		X
Lynn Bohi, Hartford, VT	X	
Tara Bamford, Thetford, VT	X	
Bill Bridge, Thetford, VT	X	
Linda Matteson, Thetford, VT (alt)		X
Vacancies, Norwich, VT		

Katie Kennedy (The Nature Conservancy); Kathy Urffer (Connecticut River Conservancy); Jo Corvus and Meagan Sylvia (Antioch University New England); Chet Clem (Norwich VT); Olivia Uyizeye, Staff from UVLSRPC

Minutes

1. Welcome & Introductions

Chair Bill Malcolm called the meeting, conducted via conference call, to order at 7:00 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. Chair Malcolm conducted a roll call of LAC members, invited any guests to introduce themselves, and welcomed all present.

2. January Meeting Minutes Review

Malcolm opens up discussion on the November meeting minutes. Bamford makes a motion to approve the minutes as presented. Schmidt seconds the motion. The vote passes unanimous by roll call vote.

3. Climate Migration: Jo Corvus and Meagan Sylvia (Antioch University)

Uyizeye introduces Corvus and Sylvia, a Master's student team working with the CRJC to understand and better plan for climate migration in the CRJC region.

See presentation slides and recording. Additional notes:

- Affinity migration – populations with available resources move to more desirable areas
- Forced migration – populations without the opportunity to plan ahead and do not have the opportunity to make the choice but rather move in response to a perceived or actual threat
- CT River valley is experiencing some of the same trends that are seen at the state level
- Data from COVID-19 impacts are inconclusive, while the headlines indicate perceived trends of affinity migration

- Natural amenities as a big draw to the CT River Valley region, and valuable to residents for recreation and economic resources
- Public desires more impacted by their degree of involvement in a community than the length of time they have resided in that community
- Gentrification from high income urban areas in the north east, reducing available housing for local residents who have less capital to remain

Conversation. What do you think makes the risks and opportunities of migration to the Upper Valley unique?

- Bamford: serious housing shortage in this region
- Bohi: because we have larger more educated areas, some ways it feels we might accept more diversity, but because they are big towns and there's no housing, it's a problem for new people to come in. Nowhere to live.
- Bamford: If more housing in rural areas, insufficient public transit.
- Agterberg: new development uses affordable housing as an opportunity to put in a lot of unaffordable housing. It would be good to keep people more in the cities, than spreading people out. This is important for conserving cultural heritage.
- Malcolm: extra burden without the tax base to support larger schools.
- Bamford: Affordable housing, still a lot of nimbyism.
- Malcolm: references Keys to the Valley – regional housing effort on housing.
- Sylvia: will be presenting at May 19 climate migration event, and will be sharing out final report.

Malcolm thanks Corvus and Sylvia for their presentation.

4. Great River Hydro FERC Application Update: Kathy Urffer (CRC) & Katie Kennedy (TNC)

Malcolm introduces Kennedy and Urffer and thanks them for attending to discuss the dam relicensing. See presentation slides and recording. Additional notes:

- For the past license, these dams have been peaking facilities whereby they fill up their reservoir and then dispense of that water in the afternoon into the evening. This correlates with the daily fluctuations of the river that people have become accustomed to.
- Hydropeaking water fluctuation graph. The data is taken about 18 miles south of the Wilder dam at what is considered the peak of the Bellows Falls Dam.
- Provides graphs that compares dam operated flows and estimated natural flows between 2003 to 2011 at Wilder Dam.
- New operations proposed protocol would be 90% of time where inflow=outflow.
- Goal for winter was to have sufficient base flow that would allow for species to hunker down.
- Current company estimates show that they are able to make just as much energy under this operation plan as the previous operations.
- Describes that mitigation and enhancement activities are a required part of the license and should not be understood as "gift". Current proposal in the application maintains the status quo.
- None of the CRC recreation recommendations were included in the proposal and are continuing to be advocated for to better reinvest in the recreation economy, historical resources, and other needs of the river.
- Also CRC advocating for increase monitoring as a result of this change in operations.
- Members are welcomed to join the HydroPower Coffee Hours hosted by CRC that are monthly. These are to help prepare people to comment on the legally complete permit (likely after June) when that opens up the formal public comment period for 60 days. Also a later comment period during state certification process.

Conversation.

- Bamford: Thank Kennedys for her work on the modeling over many years. Asks if the dam will be required to accommodate flood response.
- Kennedy: Yes, the dam will be allowed to run flow to reduce upland impacts.
- Bamford: Has heard about GRH not always be responsive to riverfront property owners needs/concerns in regards to flooding.
- Kennedy: The operations model presented are to function outside of the dam requirements that requires specific operations during a flood event.
- Bamford: Will the water not get low during the summer when there is less natural flow?
- Kennedy: Impoundment stays the same but the further you get back from there will be more and more like a natural river where you will see those differences between Winter/Summer.
- Bridge: looks like the river will be consistent, but consistently high. A lot of erosion at my house is from boat wakes. If kept lower, might reduce this impact.
- Kennedy: They keep it high because otherwise they don't get the same hydraulic benefit.
- Urffer: In negotiations, GRH wanted to keep hydraulic head if they were going to do run of the river.
- Malcolm: Do you suspect that this operations model will be included in the permit?
- Kennedy: Yes, they are in the proposed license application as it currently stands.
- Urffer: It is the preferred alternative the company and those stakeholders involved have.
- Clem: have they provided financial expectations for the new operations proposal?
- Urffer: Have to provide an example of a year, although not all details. This showed about a 1% impact.
- Kennedy: On a broader scale this is a big deal for other dams. They can improve this much without changing their revenue.
- Urffer: In general the profit margin, a couple million dollars from each facility each year. There is money there to mitigate and support the river. References GRH Power Purchase Agreement with Green Mountain Power. Going to be providing power 24 hours a day, which would not be able to happen without this new operations plan.
- Orford: Appreciates the conversation. Asks if GRH has agreed to any of the recreation recommendations at other locations.
- Urffer: Fifteen mile falls went through settlement rather than license – enhancement fund established through NHCF. Fund is for 18million dollars. Deerfield Dam – some enhancement and white water flow. None of these are unreasonable requests and some are fairly routine.
- Urffer: Fifteen mile falls dams are massive and the revenue is much more significant.

5. Permit Review

a. Discussion on Site Review preferences for NH DES and VT permit review

Malcolm brings up the LRS comment and site review process, and how it can be streamlined. Perhaps more leadership from members on the town where permit is relevant to

- Bamford: Everyone should see the application. Everyone in the region should be able to have a site visit if desired. Everyone has an opportunity to ask for a meeting on any application or letter. Take on a bit more self-sufficiency within members to minimize staff load with limited budget
- Malcolm: Open to coordinating site visits. Continuing to request automatic digital copies from applicants through NHDES. Some degree of organization would be helpful.
- Bamford: Willing to draft a policy for the next meeting.
- Bohi agrees that would be helpful.

- Malcolm asks for the draft to be ready early enough for members to review before the next meeting
- Agterberg: suggests keeping it simple and reflective of the regional nature
- Bamford: References another subcommittee where if there were conflicts for a site visit, priority goes to the local member(s) being able to attend.
- Malcolm: Asks for how to communicate with applicants directly with questions or request.
- Bamford: this is an acceptable process and normal.
- Bohi: Helpful to get as much information as we can that is not provided automatically. In Bamford's outline, could put a description of how members act on behalf of subcommittee when reaching out to applicants or applicant representatives.
- Cooley: Take very good notes from any meeting with a landowner that can be included in public record.
- Bamford: Process on how member questions are shared with a representative communicating on behalf.

b. Great River Hydro relicensing – comments and best practices to keep informed

- Bamford: Explains there will be 3 comment periods coming up. Suggests members review why this section became a Designated River, each of us review the Corridor Management Plan and reflect on prior recommendation. Also, suggests asking GRH to come present to the LRS. The commissioner, Jen Griffin, thought that would be a good idea. We are supposed to be the objective balance, not advocacy.
- Bohi & Malcolm: Agrees. General agreement from other members.
- Bamford: Will invite GRH representative to speak at the May meeting.
- Malcolm: Did not talk about the FEIS – federal environmental impact assessment. Relevant to the scope of the document to reflect the scope of the requirements.
- Clem: They are primarily an energy organization, and can act as a rubber stamp authority

c. Approved with conditions. Romano Circle Wetlands Permit 2020-02659, Response to Comments

Malcolm gives an update on the permit that the LRS commented on and asks if there are any further comments.

d. CWSRF Environmental Review - Lebanon Combined Sewer Separation Contract 13

The City of Lebanon has applied for funds through the Clean Water State Revolving Fund program to replace or install new sewer, stormwater, and water infrastructure, which will help the City comply with an EPA Administrative Order to eliminate combined sewer overflows.

e. Piermont Expedited Wetlands permit, Lewis Property, Piermont NH

The project is sponsored by the Connecticut River Conservancy and the USDA NRCS, and involves turning a 10-acre wet cornfield back into a silver maple floodplain. The work involves removing a berm, planting trees and shrubs, adding woody debris, and invasive plant control.

Malcolm opens up conversation.

- Schmidt inquired with Kennedy about concerns regarding invasive, particularly knotweed. Schmidt indicated the response he received showed they were well aware of the issue. Eradication is not included in the application, but they seem to be taking it into consideration.
- Malcolm: they are not obligated to include it in the application.
- Bohi: if we comment on it, they might consider doing more or eradication.

- Malcolm: willing to draft a letter after circulating full materials.
- Agterberg: woody debris they will be spreading is right in that knotweed area.

Agterberg makes a motion for Malcolm to draft and submit a letter on the permit. Bohi seconds the motion. The motion passes unanimous by roll call vote.

6. Other Updates & Business

a. Water Quality Testing

Uyizeye reminds the LRS that the water quality work for the river, includes at least 1 site in the Upper Valley LRS stretch, recommending that the most suitable site appears to be that below the confluence with Mascoma and White Rivers. Alternative options include Grant Brook and the boat launch in Lyme.

Members agree that the recommended site is the most appropriate.

Uyizeye will follow up with further details on the sampling and what is required to assess volunteer capacity and needs.

b. Outreach & Speaker Series

Uyizeye shares a brief update on the current series of 4 public events starting in March, all to be done virtually via zoom. The first will be this March.

#1 River Paths for Wildlife

MARCH 23, 6-730PM

Dr. Dave Patrick (The Nature Conservancy) and Dr. Pam Hunt (NH Audubon)

#2 Future of Invasive Species Management

MAY 25, 6-730PM

Kimberly Jensen (VT DEC) and Amy Smagula (NH DES)

#3 A History of the Connecticut River

SEPTEMBER 28, 6-730PM

Adair Mulligan (Hanover Conservancy)

#4 Water Quality and Innovative Green Infrastructure

NOVEMBER 30, 6-730PM

Speaker TBD

c. Commissioners Update

Bamford explains that there has been a further loss of funds from NH. The budget will maintain Olivia's basic capacity but not available for additional support for permit review and comments.

The climate migration event will occur on May 19, details forthcoming.

Explains that new NH/VT commissioners are needed if anyone is interested.

7. Adjourn

Schmidt makes a motion to adjourn. Cooley seconds the motion. The vote passes unanimous by roll call vote.

Respectfully Submitted by Olivia Uyizeye.

DRAFT