**TOWN OF BRATTLEBORO**

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April 5, 2024

Debbie-Anne Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Room 1A
Washington, D.C. 20426

Via E-Filing

**Re: FERC No. 1904, Vernon Dam, Great River Hydro LLC
Town of Brattleboro, Vermont comments on Great River Hydro LLC's Application for a New License**

Dear Secretary Reese:

The Town of Brattleboro is submitting comments in response to FERC's issuance of a "Ready for Environmental Assessment" and accompanying comment period for the Amended Final License Application (AFLA) for Vernon Dam, FERC No. 1904 submitted in December 2020, revised in June 2023, and again in January 2024.

The Town of Brattleboro is located in Windham County and is bordered by the Connecticut River on the east. Brattleboro is the largest town in Windham County with 12,184 people. Brattleboro is the economic center of Windham County. Downtown Brattleboro overlooks the Connecticut River. Downtown has rich arts and cultural offerings and serves as a jumping off point for plentiful outdoor recreation opportunities. Brattleboro serves as a gateway to Vermont for travelers approaching from the south, either by Interstate 91 or Amtrak rail. A bridge links downtown Brattleboro to Hinsdale, NH.

Vernon Dam's impoundment includes the entirety of the Connecticut River frontage in Brattleboro as well as a portion of the West River and the Retreat Meadows and the setback on Route 142. The Retreat Meadows is a shallow body of water that functions like a pond, although it adjoins the West River. It was created at the confluence of the West River and the Connecticut River when the low-lying field was allowed to be flooded in 1918 as part of the hydro-electric project.

Also located in the impoundment is an island in the Connecticut River, between Brattleboro and Hinsdale, N.H., that was once the center of entertainment for Brattleboro area residents. Now barely noticeable, there once stood a grand pavilion and baseball field. Construction of the Vernon Dam in 1909 raised the river level, inundating much of the park and island within a matter of years, and subsequently caused substantial erosion. Today, the remaining 11.5 acres encompass a cottonwood-dominated floodplain forest, a large wetland on the southeast shore, and the roadway between the bridge.

It's our understanding that FERC should require licensees to consider changes to their current modes of operations that will balance power generation equally with each of the following: energy conservation, helping fish and other wildlife, recreational opportunities, and other aspects of environmental quality which include water quality and culture and historic preservation. With this in mind, our requests below, if all implemented, would bring better balance to the licensee's operations.

Comments

Recreation Facilities

We would like to express that the results of the Recreation Study (conducted over seven years ago) may no longer be representative of our community's needs, and the study does not fully explore why recreational facilities may not have been being fully utilized in the first place. We appreciate that Table D-1 (filed March 30, 2021, [Accession Number 20210330-5038](#)) indicates that Great River Hydro anticipates providing for recreational capital improvements on the property that they own, including desperately needed portage improvements. The project area defined by the Exhibit G maps includes about 175 miles of the river from the MA border to Newbury, VT and Haverhill, NH. The facilities impact that entire stretch of river, so considerations for mitigation for recreation should include this whole area and all 30 towns adjacent to the river.

Brattleboro's recent planning efforts are centered on reconnecting with our rivers. The *Brattleboro Downtown Plan, Route 30 Corridor Study, Town Plan*, and the *Hinsdale-Brattleboro Greenway Plan* form the basis for our comments about desired recreational improvements along the rivers. The AFLA includes little mention of increased or improved recreational facilities beyond what has previously been provided under the past license.

We ask that FERC require the following to be undertaken by GRH within five years following the issuance of the final license:

Connecticut River

- Develop and implement, in collaboration with Brattleboro, Hinsdale, and the State of New Hampshire, a management plan for Hinsdale Island that includes ecological restoration and passive recreational amenities. The Brattleboro-Hinsdale Greenway Plan¹ features a boardwalk, boat dock, walking paths, a beach and landing for non-motorized boats, and a small amphitheater on Hinsdale Island; viewing areas and gathering spaces on the bridges; and boat launches on both sides of the river. These could be considered for future recreational planning efforts. GRH should have regular maintenance responsibilities for this like they do at Herrick's Cove in Rockingham, Vermont and Kilowatt Parks North and South in Hartford, VT.
- Develop and implement with the town of Brattleboro a plan to create a riverfront path along the Connecticut River from downtown Brattleboro to the confluence of the West River. This plan could include public boat docks that are of similar to or better quality than those that GRH has installed on the Harriman Reservoir

West River/Route 30

- Improve the existing informal boat access to the Retreat Meadows to enhance safety for vehicle maneuvers and reduce run-off and sedimentation flowing directly into the Retreat Meadows.
- Design and implement a bicycle/pedestrian bridge across the West River to link the Route 30 corridor with the West River Trail

There is tremendous growth potential for our outdoor recreation assets. The proximity of these assets to downtown and its transportation center makes it ideal for tourists in Boston and New York to find the biking, hiking, fishing, canoeing, and other activities that help provide Vermont with one of the highest rankings for quality of life. GRH should be required to create an eco-tourism marketing plan to enhance the economic, social, and ecological health of the region through improved utilization of the Connecticut River, West River, and GRH lands. This plan will address the following:

- Better signage and online maps of the recreational areas owned or managed by GRH.
- Better sharing of information on water flows for paddlers. The current information shared on H2Oonline.com as provided by GRH is limited. USGS provides more detailed information on stream flows that could serve as a model.

¹ <https://www.swrpc.org/featured-projects/hinsdale-brattleboro-bridge/>

- Increase recreational opportunities in the large acreages of land owned by GRH, such as allowing tent camping.

Cultural Equity

Brattleboro is a part of the traditional lands of the Abenaki people; specifically, the Brattleboro area is known as Wantastegok. Great River Hydro is legally obligated to consider the impact of their projects on archeological sites and traditional cultural sites. We request that FERC require GRH to develop a historic and cultural resources management plan with input from Abenaki tribes and their representatives within five years.

Migratory Fish Passage

The Connecticut River is a popular place for fishing, both from the banks of the river as well as by utilizing boat launches. Sustaining a healthy migratory fish population is important to maintaining a healthy river. The dams along the Connecticut River have significant impacts on migratory fish that must travel the river system to the ocean for spawning. High mortality due to unsafe passage through the dams affects the population of these fish. We support the restoration of American shad, sea lamprey, blueback herring and American eel populations in the Connecticut River, as well as resident species in the Connecticut River. We understand that GRH and US Fish and Wildlife have an agreement about improving fish passage. We are concerned that the timeline and implementation processes are too long. Safe, effective, and timely downstream passage for American eel and American shad should be the priority action in this fish passage agreement, with swift improvements to upstream passage occurring first at Vernon, followed by Bellows Falls and Wilder.

Water flows, erosion, and other environmental concerns

We support the comments submitted by the Connecticut River Conservancy regarding water flows and other river management activities. Additionally, we request that GRH:

- Identify more explicit methods for protecting rare, threatened, and endangered species and natural communities that may be affected by eroding banks and changes water levels. It is reasonable for GRH to be accountable for managing their properties in an ecological way.
- Provide a management plan for monitoring and controlling invasive species. This is particularly important in the Retreat Meadows and in the ponds and wetlands off of Spring Tree Road. Water chestnut has been found in the impoundment area of the Connecticut River. Hydrilla has been found in the Connecticut River in Massachusetts and Connecticut.
- Create and implement a plan to monitor and report water quality (at least *E. coli*, if not chlorides, total Nitrogen, and total Phosphorus) in the Retreat Meadows and near the mouth of the West River.

Conclusion

The Town of Brattleboro respectfully asks that the Licensee accept these comments and addresses the concerns raised by the Town and other stakeholder groups. Thank you for considering these comments.

Sincerely,

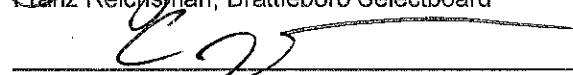
Daniel Quipp, Chair, Brattleboro Selectboard


Elizabeth McLoughlin, Brattleboro Selectboard

Richard Davis, Brattleboro Selectboard


Peter Case, Brattleboro Selectboard


Franz Reichsman, Brattleboro Selectboard


Fhar Miess, Chair, Brattleboro Conservation Commission

Exhibits

Brattleboro Town Plan (2018)

<https://drive.google.com/file/d/1CUjRzNgbRuHLmkloL1oyUA-EHQr3W9jm/view>

Downtown Design Plan (2021)

<https://storymaps.arcgis.com/stories/68e5f8b5d6504c808db00854bbd8e2cb>

Multi-Modal Gateway Plan for the Town of Brattleboro (2016)

[https://placesense.com/wp-content/uploads/2022/03/Brattleboro Route 30 Plan.pdf](https://placesense.com/wp-content/uploads/2022/03/Brattleboro_Route_30_Plan.pdf)

Hinsdale-Brattleboro Greenway Project

<https://www.swrpc.org/featured-projects/hinsdale-brattleboro-bridge/>

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