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April 22, 2024

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

Subject: FERC No. P-1892, Wilder Dam, Great River Hydro LLC
Intervening Party comments on New License

Dear Secretary Reese,

I'm writing this letter as an interested/intervening party in the above referenced relicensing. As a resident of Wilder in my youth for "my first 20 years", a business owner in Wilder for the past 10 years, and an active & continuous user of the Connecticut River for nearly all of the inclusive +50 years, to say I have a "vested interest" in this application would be an understatement. I was also a member of the Kilowatt Park Master Plan Steering Committee that was completed by the Town of Hartford in 2008.

I have witnessed and can attest to over 50 years of "shortcomings" and failings by the current and past owners of the Wilder Dam Project 1892 in fulfilling the commitments and requirements of their circa 1970 and 1979 licenses, specifically in terms of their "recreation plans." And most troubling is the very RECENT PUBLIC ACCESS RESTRICTIONS EMPLOYED BY THE APPLICANT, Great River Hydro (GRH).

According to the license issued to Project No. 1892 dated December 10, 1979, it was cited in the RECREATION section of the license (ref. Page 11 of the aforementioned license) all of the facilities in the Town of Hartford that the licensee provided. These include a *"picnic and boat launching area..." that includes toilets, a launch ramp, a drinking fountain, a parking area, and a public ball field. A parking lot on the Vermont shoreline adjacent to the powerhouse is available for use by people who wish to fish in the vicinity of the tailrace.*" Further, the applicant stated that it proposed "to develop a variety of additional facilities to accommodate growing recreational demand including fishing access, playground and picnic facilities, trails and a boat ramp."

Being an avid fisherman from a very early age and living in a house that literally overlooked the Wilder Dam, I frequented and appreciated, all of the facilities that the licensee provided. However, I can attest that some of the aforementioned facilities, specifically the "toilets" NEVER EXISTED and were never provided. Though there was indeed a drinking fountain at the northern picnic area that I do remember working at one time, at some point in the early 1990's, it either stopped working or was shut-off and was never fixed.

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In the mid-1980's, I vividly remember, and watched with great anticipation, the construction of the new fish ladder at the Wilder Dam. With this fish ladder, a new Visitors Center was constructed on the Vermont side and overlooking the tailrace.

In 1989, I moved from Wilder and went into the Army, and returned in 1993, again frequenting the river and facilities around the Wilder Dam. What I found was that NOTHING, other than minimal grounds maintenance was being performed, virtually no repairs were being made, and absolutely NO IMPROVEMENTS had been made since the BEFORE the 1979 license was issued.

Throughout the following 13 years, I frequented the river and facilities and can attest that only the bare minimum in grounds maintenance was performed by the licensee and that the Town of Hartford Parks & Recreation Department in fact took care of the athletic field maintenance at the former "public ball field." During this timeframe (or possibly before), the licensee had allowed the benches and backstop at the ball field to fall into such disrepair that they had to be removed. The Town chose to re-utilize the ball field space as a multi-use athletic field for school and "Parks and Rec" youth soccer and lacrosse. During this same time period, or before, the northern picnic area also fell into similar disrepair and the public boat launch was removed.

For reasons that are still in question, in 2006 the Town of Hartford entered into a lease agreement with the licensee for the Town to assume responsibility for use of, and to overtake the maintenance of, all of the public use land and facilities that are north of the Wilder Dam. Given the historical lack of maintenance and no improvement in facilities in the previous 25+ years, one can only assume that the Town thought they could provide better services to the public with regards to the use of these areas and facilities.

In 2008 I was a part of the steering committee that developed the Kilowatt Park Master Plan. Unfortunately, after this Master Plan was completed, only a small fraction of the planned maintenance and improvements were ever completed due to lack of funding by the Town. It is unknown to me whether or not the Town ever sought funding through the licensee to assist with the annual costs of maintaining the lands and facilities. I do know that the Town of Hartford is asking FERC to include in the new license, a requirement for the licensee to provide annual funding to the Town for both annual maintenance and improvements that were part of the 2008 Kilowatt Master Plan.

Continuing this "historical account" of unfulfilled commitments by the licensee and its predecessors, it should be known by FERC that the aforementioned Visitors Center that was constructed as part of the fish ladder project in the 1980's, was permanently closed some years ago and is now used as "offices" by the licensee.

In 2022, the licensee installed a boulder barricade that blocked access to "*parking lot on the Vermont shoreline adjacent to the powerhouse.*" This parking lot has been historically used by fisherman and birdwatchers from all over the region. Not only is this parking lot specifically mentioned in the 1979 license, it is known that it was specifically constructed for this purpose. As referenced in the circa 1970 Exhibit R, New England Power Company, Wilder Project –No. 1892, "Recreation Use Plan" Section IV. Proposed Recreational Development, C. Recreation Plan , 1. Vermont, a. Fishermen's Parking (Page 14.):

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“On the downstream side of the powerhouse, there is a large area that has been leveled and graded with compacted gravel and stonedust to form a parking lot near the tailrace. This area, in addition to providing parking facilities, affords access to the shore below the tailrace for the many fishermen with whom this part of the river is popular.”

In 2023, the licensee installed an automated “security gate” at the top of so-called “Wilder Dam Road”. This gate has limited, and in some cases prevents, the use of the Town’s leased park area as well as the aforementioned tailrace fishermen access parking area.

In summary, it is clear that the current and past licensees of Project 1892 prepared “Recreation Plans” for their relicensing application but fulfilled virtually none of the requirements or the promised “improvements.” It is unknown if this is because the licensee was/is either unwilling, or unable to fulfill their obligations. In any event, the licensee has enjoyed nearly 75 years of the rights and profits that they receive by being licensed to control the river flowage, with virtually no return to the public. Further, the recent practices by the licensee demonstrate a purposeful RESTRICTION of public use and access to this natural resource.

Based upon the information cited herein and the documented historical lack of compliance with the previous “Recreation Plans”, it is request that FERC include in the new license for this project, the following:

1. Fulfill all of the Town of Hartford’s requests for funds, studies, public access, and lease renegotiation, as outlined in the Intervening Party letter by the Town of Hartford’s Town Manager, John Haverstock
2. GRH to be required to IMMEDIATELY remove the boulder barricade that was placed in 2023 and blocked access to the fishermen access parking lot.
3. GRH to be required to IMMEDIATELY remove the recently installed automatic gate at the top of Wilder Dam Road and to place no further impediments to public access to the tailrace area.
4. Re-open, update annually, and maintain regularly open hours (8:00AM-5:00PM every day) the former Visitors Center.
5. Provide visitor access for observations of the fish ladder.
6. Provide guided tours of the Wilder Dam.
7. Re-open the footbridge from Vermont to New Hampshire that crosses the dam for public pedestrian and bicycle traffic

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Thank-you for the opportunity to share my experiences, thoughts, and requests with you for the relicensing process. Should you have any questions, please do not hesitate to give me a call at 802-295-2002.

Respectfully Submitted,

Timothy L. Schaal

Timothy L. Schaal, P.E.

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