



May 15, 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**  
**FERC No. 1855, Bellows Falls Dam, Great River Hydro LLC**  
**Windham County NRC D's comments on Great River Hydro LLC's Application for a New License**

Dear Secretary Reese:

*The Windham County Natural Resources Conservation District (NRC D) is a not-for-profit municipality that helps land stewards to access financial and technical assistance to protect and restore our natural resources. Windham NRC D coordinates a wide variety of programming related to Windham County's rivers, lakes and reservoirs, including water chestnut survey and removal work on the Connecticut River and public access greeter programs that prevent the spread of aquatic invasive species (AIS) in Harriman and Somerset Reservoirs. Windham NRC D also leads the locally-led conservation process in partnership with the USDA Natural Resources Conservation Service (NRCS). Through this process, the district gathers public input and completes a local resource assessment for Windham County that identifies public concerns and priorities for the protection and restoration of natural resources in the county. As a result, Windham NRC D is uniquely positioned to provide critical input regarding the proposed relicensing of Connecticut River hydropower dams.*

Windham NRC D 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 Bellows Falls Dam, P-1855-050 and Vernon Dam, P-1904-078, submitted in December 2020 and revised in June 2023.

#### **I. Description**

Windham NRC D serves all of Windham County and is bordered by the Connecticut River on the East. It is our understanding that the FERC must give equal consideration to recreational opportunities, protection of habitat and water quality, and cultural and historic resources as well as power generation when issuing operating licenses. We do not feel that the Amended Final License Application adequately

addresses all these areas. Our concerns as they relate to the impact of The Project on our community and organizational mission are outlined below.

## II. Comments

A. The Application does not include monitoring of bank erosion and sediment transport changes after implementation of the proposed major operational changes.

Windham County contains significant acreage of agricultural lands bordering the river and within Great River Hydro's Flowage Rights (footnote to [Exhibit G](#)). Measurable and noticeable erosion of these lands have occurred over the course of the current license, and while ILP's Studies 1,2 & 3 and Exhibit E of the AFLA are generally inconclusive as to the extent that daily fluctuations of the impoundment due to Project operations have initiated or exacerbated bank erosion (despite the widely recognized impact of impoundment fluctuations as a contributing factor in erosion), comments previously provided by the Connecticut River Conservancy (footnote to [Accession Number 20180423-5130](#)) indicate a number of flaws both in how the study was conducted and how the data were interpreted that undermine Great River Hydro's assertion that project operations are not contributing to erosion.

What is not arguable is that the lived experience of our county's residents includes erosion as a major concern. Bank erosion within our community limits safe access to the river, has contributed to the loss of agricultural land, and degrades water quality through excess sediment entrainment after storms. Erosion control and streambank stabilization are not addressed within the license application beyond the mention that the proposed operational changes resulting in an anticipated more stable surface water elevation "would further reduce the factors (e.g. stability in WSE, WSE fluctuations) that influence erosion and result in an overall reduction in erosive forces along project shorelines further minimizing Project related effects on rates of erosion". We should not have to wait another 40 years for the next license renewal to find out if this is true while our residents' properties continue to erode.

While we are in support of the proposed operational change, we respectfully request that following implementation, FERC requires long-term monitoring of bank stability and erosion metrics at time intervals that enable nuanced interpretation of seasonal versus operational fluctuations and the past and future influence of these fluctuations on erosion. Should these studies indicate that the change in project operations (in the short term) or continued Project operations (in the long term) have outsized influence on past, continued, or future erosion, mitigation measures must be instituted before another generation of property owners loses more land. Assuming the operational change will address the erosion issues without ensuring it does is not adequate.

B. Town residents do not have adequate recreational access to the river.

Windham NRC strongly values increased and equitable recreational river access in the future vision for our residents. While we appreciate Great River Hydro's maintenance of current access sites, the AFLA includes little mention of increased or improved recreational facilities beyond what has previously been provided under the past license. This is not adequate for our growing community or to support shifting economies in our county and state. Additionally, 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.

Without a recreation mitigation and enhancement plan written into the AFLA, it is difficult for us to determine whether what GRH anticipates is in line with our goals. We would like to see a comprehensive recreation plan that includes increased boat access areas, state of the art ADA improvements to recreation facilities, recreational assets maintained in optimal useable condition, investments in recreation mitigation and enhancement benchmarked to company profits, dramatically improved portage conditions, and terrestrial invasive species management at recreational sites managed by Great River Hydro. Terrestrial invasive species have proliferated at some GRH sites, including Herrick's Cove in Rockingham, which undermines the recreational and ecological value of these sites. Great River Hydro should be required to provide public meetings and work with municipalities within the project boundaries to develop a Recreation Management Plan that provides recreational opportunities that are regionally beneficial, equitably distributed throughout the project area, and financially supported over the entire life of the license. In discussion with John Ragonese, he indicated that they will develop a recreational plan at the appropriate time. When that happens we would like to see these recommendation included in that plan.

C. Current management of the Upper Meadows Site in Rockingham is not in line with critical opportunities to support wildlife conservation.

Great River Hydro owns and manages several hundred acres of vital wildlife habitat at the confluence of the Williams River, Commissary Brook, and the Connecticut River. Herrick's Cove, Roundy's Cove, and the Upper Meadows have been designated as an Important Bird Area by the National Audubon Society. A diverse mosaic of habitat types provides ideal stop-over sites for migratory birds with over 236 species of birds documented to date.

We recognize that the Upper Meadows provide ecologically important habitat to species that have been identified as high conservation priorities by Vermont's Agency of Natural Resources. Vermont Species of Greatest Conservation Need including Bobolink, Eastern Meadowlark, American Woodcock, and Northern Harrier rely on grassland habitat at Upper Meadows.

Vermont Conservation Design, a Vermont Fish and Wildlife Service planning document (footnote to [Planning Document](#)), identifies grassland habitats as a highest conservation priority, necessary to maintaining an ecologically functional landscape. The State of Vermont's 2015 Wildlife Action Plan states that "grassland-dependent species, which are declining throughout the Northeast, are finding less and less suitable habitat in Vermont as farms are managed more intensively or sold." The Plan calls for the promotion of "bird-friendly practices ... on active agricultural fields ... along the Connecticut River. Grassland management must maintain quality grassland, while not destroying nests during the breeding season... Mowing and other management should take place after August 1."

Local conservationists, birders, and farmers have been working with GRH to implement these management practices and enhance grassland bird nesting habitat at Upper Meadows. Thanks to a

grant provided by the Natural Resources Conservation Service the Upper Meadows fields are currently being managed under delayed mow. By delaying the hay harvest until August 1, juvenile birds have time to develop the flight skills needed to avoid farm equipment. This cost-share program ensured that the entire Upper Meadows was managed as grassland bird habitat last summer. Breeding bird surveys documented higher-than-ever numbers of nesting females. Scores of young bobolinks and other grassland birds successfully fledged.

Consistent management is critical to ensure that these priority grassland bird populations hold steady. The NRCS funding to delay mow will expire in 2025. If Upper Meadows were to return to conventional management, including early summer haying, the site would quickly revert to a grassland bird population sink.

Given the importance of Upper Meadows to grassland bird conservation, we request that GRH be required to continue delayed-mow management, providing financial assistance for this management as necessary. NRCS cost share rates for delayed mow practices should be used as an appropriate guide as to financial assistance to lessees if NRCS funding becomes unavailable. Delayed-mow management benefits grassland birds, including bobolinks and eastern meadowlarks, as well as myriad other species such as wood turtles, small mammals and pollinators. Ideally, GRH will develop a plan to inventory species diversity on all their lands to protect priority species. We request that as long as grassland birds remain Species of Greatest Conservation Need as outline in Vermont's Wildlife Action Plan, delayed mowing of Upper Meadows be a requirement of FERC relicensing as mitigation and compensation for the environmental impacts, thus assuring the protection of this vital grassland bird habitat.

#### IV. Conclusion

In Summary, we request that Great River Hydro's new licenses include requirements for ongoing monitoring of bank erosion throughout the life of the license, increased investments in recreational opportunities and access to GRH properties for the public, including ADA compatible sites, and a requirement to maintain delayed mow practices at the Upper Meadows site with necessary financial assistance to lessee farmers to support conservation of critical wildlife populations.

Sincerely,



Linda Corse, Chairperson  
Windham County Natural Resources Conservation District

Exhibits:

Amended Final License Applications of Great River Hydro, LLC for Bellows Falls Project, et. al.  
under P-1855 et. al.

[https://elibrary.ferc.gov/eLibrary/filelist?accession\\_number=20201207-5219&optimized=false](https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20201207-5219&optimized=false)



ILP Comments or Study Request of Connecticut River Watershed Council, Inc. under P-1904, et al..

[https://elibrary.ferc.gov/eLibrary/filelist?accession\\_number=20180423-5180&optimized=false](https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20180423-5180&optimized=false)

Great River Hydro, LLC submits revised responses to additional information requests issued 01/14/2021 under P-1855 et al.

[https://elibrary.ferc.gov/eLibrary/filelist?accession\\_number=20210330-5038&optimized=false](https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20210330-5038&optimized=false)

Vermont Conservation Design, Summary Report for Landscapes, Natural Communities, Habitats and Species, Hilke et al, 2018

<https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Conserve/VT%20Conservation%20Landscape-level%20Design/Vermont-Conservation-Design-Summary-Report-February-2018.pdf>

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