

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



www.crwfa.org

Via E-Filing

Re: Connecticut River Watershed Farmers Alliance, comments on erosion issues

FERC No. 1904-078, Vernon Dam, Great River Hydro LLC
FERC No. 1855-050, Bellows Falls Dam, Great River Hydro LLC
FERC No. 1892-030, Wilder Dam, Great River Hydro LLC

Dear Secretary Reese,

Connecticut River Watershed Farmers Alliance (CRWFA) is a non-profit organization in the Connecticut River Watershed. We work to promote land stewardship for clean waterways, productive landscapes, and the economic sustainability of our agricultural community. We raise crops and livestock for many different products - dairy, meat, fresh fruit and vegetables, grains and legumes, specialty crops, and more. Our members own or farm many miles of river front in both Vermont and New Hampshire. Our members also farm up tributaries and into the high points of the watershed.

Many of our most important soils lie immediately adjacent to the Connecticut River. These soils are the lifeblood of our local food production. Our farms contribute significantly to our region's economy, environment, food security, and quality of life.

We have several comments regarding re-licensing of these three dams. In brief:

1. **Soil erosion** along the river is a major concern of farmers on both sides of the Connecticut River. Farmers have lost land for decades in large part due to water level management for hydropower.
 - a. We are supportive of the water flow changes ("run of river") being considered *in concept*, but very little is actually known about how this change will affect riverbank stability (and where). Again, erosion due to changes expected from dam practices, river flow, and license changes are not clear.
 - b. This uncertainty and resulting erosion affects our fields and our livelihoods
 - c. The company (Great River Hydro, GRH) should be required **to study or fund the study of ongoing impacts**
 - d. FERC should hold GRH accountable for negative impacts on farmland

2. Compensation for damages. We would like to see a Mitigation and Enhancement Fund that funds watershed improvements (to slow, stop, and spread water upstream during major rain events) and also compensate landowners for land lost to erosion.
3. Notification to farmers/landowners of major changes in river levels. **Flooding can be a problem in some of our fields.** We would like to see improved communication between dam owners and operators and the farmers and major landowners up- and down-stream. Dam owners should inform the public, and especially farms, in real time of release schedules or changes in flow so that farmers can plan accordingly: to harvest vulnerable crops, remove equipment and livestock from harm's way, and inform farm crews.
4. Funding for education and enforcement of rules around recreational use of the river that other stakeholders desire.
5. Water flow management coordination along the river. While water flow may now become coordinated between the three dams applying for re-licensure, flow regimes and river policy should be coordinated along the entire length of the Connecticut.

We will provide more detail below.

Description

1. Erosion: study and interpretation

Local riverside property owners in VT and NH have seen their land severely erode for at least the last 75 years. Forty years ago, we attempted to gain some redress through the FERC process for the last license and here we are again.

When the Wilder Dam was built in the 1940s the company purchased flowage rights with the understanding that riverine property owners were selling their right to the company to flood their land. We note that fluctuations in water levels have changed dramatically in recent decades, from these original agreements.

Nowhere in these flowage rights deeds does it indicate that the property owners sold the right to continually erode that land into the river. Erosion, of course, is also a serious water quality issue.

While GRH management of water levels is not the only source of erosion along the river, there is certainly no evidence to show that they are not contributing *significantly* to erosion issues. In fact, there is much evidence that pool level fluctuations can contribute significantly to erosion (as we pointed out in detail earlier in this process (Filing Description for Accession Number 20190409-5168: [ILP Comments or Study Request of Connecticut River Watershed Farmers Alliance under P-1892](#)), with FERC saying in 1994 that "the rising and falling of the pool level creates a wetting and drying cycle which in turn fluctuates the pore pressure of the bank material. As a result, this repetitive process has an effect to dislodge the riverbank material from the bank either by gravity or by the tractive force of the river flow." Proof of this coming from years of study and our own experience on the land.

So, we appreciate that GRH is taking a new approach (“run of river”) to flow management. However, there is little evidence this will actually reduce erosion along the river. We just don’t know what will happen yet, nor where. We respectfully request that FERC require *long-term monitoring of bank stability, erosion, and sedimentation along entire impoundment basins - at time intervals enough to interpret seasonal versus operational fluctuations.*

2. Mitigation and Enhancement of the watershed and river resource

Further, if the above studies show that changes in operations (short **and** long term) have outsized influence on past, continued, or future erosion, then mitigation measures should be instituted within the term of the renewed license - not after. Each license is a 30-to-50-year lifetime - half a lifetime or two generations. Another generation of property owners should not lose more land.

Should continued erosion impact riverbanks, landowners should be compensated. We also request a Mitigation and Enhancement Fund (MEF). The MEF that was created with the re-licensing of Connecticut River dams at Fifteen Mile Falls further upstream has been a successful example (though that fund has nearly run out half-way through the license tenure). It is fair and appropriate to expect that companies profiting from the use of public resources give a portion of revenues to the maintenance and improvement of the resource.

For example, efforts to slow, stop, and spread water upstream along tributaries reduces flooding, protects property, life, and resources, and evens out river flow over the seasons. This benefits all stakeholders, including power companies on the river.

Given the change in water flow and its un-studied effects, a portion of this fund should be dedicated to compensation, mitigation, or outright purchases of land affected significantly by erosion or other unexpected outcomes. GRH should purchase land outright from property owners along the river who are willing to sell it to GRH, or purchase river corridor easements to compensate property owners for land they will or will likely lose over the course of the next 40 years. This should encompass a 200-foot buffer along the river.

In general, stabilization projects are preferred to direct purchases, as the latter does not solve the problem of soil erosion. Most of our farmers would rather continue farming land than lose it.

Because there are many qualified and suitable projects to undertake in the Connecticut River watershed, we ask that money be dedicated to the fund annually, or that a large fund be established that might make additional money through interest - so that funds will be available to address current needs throughout the life of the license.

3. Notification to farmers/landowners of modified water releases and major changes in river levels.

We would like to see improved communication between dam owners and operators and the farmers and major landowners downstream up- and down-stream. Advanced notice on when releases will

occur can help farmers plan accordingly - to harvest vulnerable crops, remove equipment and livestock from harm's way, and to inform farm crews.

Further, Great River Hydro should create a fund to reimburse farmers for a percentage of the farm business revenue lost due to flooding. FERC may arrange for an in-person meeting between the FERC, dam owners and managers and farmers concerned about this situation.

4. Funding for education and enforcement of rules around recreational use of the river that other stakeholders desire.

We appreciate that other stakeholders have made requests regarding access and recreation along the river - a comprehensive recreation mitigation and enhancement plan, and coordination with municipalities to develop a Recreation Management Plan. We support these requests. We add that wake from recreational boating is another very real cause of erosion along the riverbank and we ask that financial support to be directed to education and enforcement of rules for recreation.

5. Water flow management coordination along the river.

We are grateful to see management of the river evolve to balance industry, environment, and community needs. While water flow may be coordinated between the three dams applying for re-licensure, flow regimes and river policy should ultimately be coordinated along the entire length of the Connecticut. For example, when the dam just above Wilder, at Comerford, releases water to meet peak demand, many of our fields are flooded - and it is not clear how that will be affected by flows through the Wilder dam impoundment.

We hope that FERC will encourage this and future projects to look more broadly at these needs and how one project can affect others not included in their license requirements.

Conclusion

Thank you for the opportunity to comment and the serious consideration of our concerns.

In conclusion, we remind FERC how important it is that GRH be a good steward of the river. All of us who live and work on the river and in the watershed are expected to be so. Please act on our behalf to ensure that Great River Hydro do the following to help us care for the river, for our land, and our agriculture:

1. Reduce pool level fluctuations in the impoundments to reduce land lost.
2. Monitor and study impacts of the new water regime.
3. Establish a mitigation fund and structure for distributing money that is accessible to landowners for erosion control projects in the project areas. Funds should be sufficient, and endure for the life of the license, perhaps contributed annually.

4. Purchase land outright from property owners along the river who are willing to sell it to GRH, or purchase river corridor easements to compensate property owners for land they will or will likely lose over the course of the next 40 years. This should encompass a 200-foot buffer along the river. Public access to the Connecticut River should be a condition of most land purchases.
5. Improve communication between GRH and farmers and landowners regarding day-to-day and modified release changes in water levels.
6. Create a fund to reimburse farmers for a percentage of the farm business revenue lost due to flooding.
7. Develop a shoreline management plan for the project areas that monitors and controls bank erosion over the next 50 years to maintain water quality and protect riverbanks.
8. Include education and enforcement of rules for recreation as part of recreation considerations other stakeholders ask for.
9. Encourage coordination of river flow and resource use along the entirety of the Connecticut River, not solely the projects making this application.

Thank you again for the opportunity to comment, for seriously considering our concerns, and for working on the public's behalf to balance our needs with those of the project petitioner.

Sincerely,



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Executive Director (and farmer)



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Chair (and farmer)

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CC:

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