

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

TransCanada Hydro Northeast, Inc.

Vernon Hydroelectric Project  
FERC No. 1904-073

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NEW ENGLAND FLOW, AMERICAN WHITEWATER, AND THE APPALACHIAN  
MOUNTAIN CLUB'S COMMENTS AND STUDY REQUESTS  
IN RESPONSE TO THE NOTICE OF INTENT TO FILE LICENSE APPLICATION, FILING  
OF PRE-APPLICATION DOCUMENT (PAD), COMMENCEMENT OF PRE-FILING  
PROCESS, AND SCOPING: REQUEST FOR COMMENTS ON THE PAD AND SCOPING  
DOCUMENT, AND IDENTIFICATION OF ISSUES AND ASSOCIATED STUDY  
REQUESTS REGARDING VERNON HYDROELECTRIC PROJECT, FERC PROJECT NO.  
1904-073

New England FLOW is a regional non-profit organization whose affiliations have represented whitewater boaters, canoeists, rafters, and other river users on multiple project re-licensings throughout New England for over 25 years. American Whitewater is a national non-profit organization dedicated to protecting and restoring our nation's whitewater resources and enhancing opportunities to enjoy them safely. Since 1876, the Appalachian Mountain Club (AMC) has promoted the protection, enjoyment, and understanding of the mountains, forests, waters, and trails of the Appalachian region and is the largest conservation and recreation organization in the Northeast with more than 90,000 members. All three organizations are "steering committee" members of the Hydropower Reform Coalition based in Washington, D. C. Our members who are primarily conservation-oriented kayakers, canoeists, and rafters would enjoy this section of the Connecticut River as a weekend or longer trip.

The Vernon Dam Project of the Connecticut River eliminates any opportunity for whitewater paddling. There are no levels at this site to provide river play, surfing or currents for squirt boating. There are no flows to provide "freestyle paddling" and the river reach below the dam is devoid of any whitewater challenge.



## Issue #1: Mitigation for Impacts of the Connecticut River and Loss of Whitewater Recreation below Vernon Dam

The Vernon Dam project is a 900-foot wide dam that blocks flows completely except for a “*minimum flow of 1,250 cfs or inflow, whichever is less.*” Any natural whitewater flows have been eliminated because of the dam. Prior to construction of the dam in 1907, whitewater rapids existed at this site. None of the opportunities eliminated by the project can be restored by the development of a release schedule.



1907 Dam Construction—Note Whitewater Rapids in Background Soon To Be Lost

The current operation of the project eliminates valuable seasonal whitewater paddling opportunities because construction of the downstream Turners Falls Dam (FERC Project No. 1889-081) has resulted in a “river pool,” whose primary function is to provide a water source for the Northfield Pumped Storage Project (FERC No. 2485-063).

In the PAD, the Licensee proposes no mitigation for the project’s effects on the loss of whitewater recreational use.

## Issue # 2: Camping and sanitary facilities available for multiple-day kayaking or canoe trips.

Information provided by canoe clubs and other river recreational interests cite changing demographics and the rise of sea kayaking as reasons for high interest in flatwater paddling and multiple-day canoe trips.

In the PAD, the Licensee cites the Massachusetts SCORP (2006-2011), which indicated a need for “water-based” activities, and one of the goals of the New Hampshire SCORP identified the need for a variety of recreational opportunities. The Vermont SCORP (2005-2009) reveals the need for access to all types of outdoor recreation.

While the applicant has itemized three camping facilities and 14 access points (not all of which are managed by TransCanada) in the reach from immediately below the Vernon Dam and north throughout Project boundaries, they have not provided a qualitative analysis of these facilities. These sites are managed and/or maintained by multiple parties, and at a minimum there should be consistent standards for sanitation, safety, and control of litter or camping debris.

In the PAD, the Licensee proposes no new camping sites or upgrades to existing facilities, nor do they propose any management plans for maintenance or enforcement. They do not attempt to estimate the increased use of such facilities during a 30-year license period.

### **Issue #3: Economic impacts.**

The flow operations and management of the Vernon Dam have significant negative recreational impacts and related socio-economic impacts. Because of the “river pool” no change of the operational scenario of the Vernon Dam Project could or will create new tourism products for a region that is primed to capitalize on it. Retail activity, and food and lodging opportunities are lost because of diminished whitewater recreation and this loss should be studied. There are thousands of people who currently travel to the region each year for whitewater kayaking, canoeing, and rafting activities that would provide added value to the region.

In making a public interest decision, FERC must weigh the value of water in the river held only for power generation, and reach a compensation plan that strikes the appropriate balance for the loss of whitewater opportunities that would provide broader public benefits. In many dam relicensing proceedings, the values of flow restoration are largely recreational and ecological, and thus hard to evaluate in dollars. In this case, because of the significant loss of benefits from whitewater recreational usage, we believe FERC should also weigh the predicted economic values associated with whitewater use when looking at various alternatives.

### **Study Requests**

We hereby request several studies per 18 CFR 5.9(b).

#### **1. Mitigation for Impacts on the Connecticut River and Loss of Whitewater Recreation below Vernon Dam**

*(1) Describe the goals and objectives of each study proposal and the information to be obtained.*

The Vernon Dam itself has completely eliminated whitewater opportunities for paddlers. The goal of this study is to assess the value of whitewater boating resources eliminated by the Project

and the development of a suite of on-site and off-site mitigation options that would provide mitigation for the loss of whitewater recreation at the Vernon Dam.



Vernon Rapid Before the Dam--1907

***(2) If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied.***

The requester is not a resource agency

***(3) If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study.***

The Vernon Dam effectively eliminates the public's opportunity to enjoy a whitewater boating resource. Conducting the necessary studies and implementing the necessary measures to ensure the public has access to whitewater recreational resources are in the public interest.

Using off-site mitigation has historically been an acceptable practice in FERC licensing. This is evidenced in the Upper Androscoggin Settlement Agreement for the Rapid and Magalloway Rivers in Maine (FERC No. 11834-000), as well as the Canada Falls Settlement Agreement (FERC No. 2634) for the South Branch of the Penobscot River in Maine.

On May 24, 2012, Secretary of the Interior Ken Salazar designated the Connecticut River and Watershed as the nation's first National Blueway. A Memorandum of Understanding signed in August by the Departments of Interior, Agriculture, and the Army has as one objective "providing opportunities for scientific research, environmental education and outdoor recreation and access within the National Blueway to the extent compatible with agency missions."



The National Blueway concept takes a watershed viewpoint and addresses the river from its source to the sea. The goal of the National Blueways System is “to advance a whole river and watershed-wide approach to conservation, outdoor recreation, education, and sustainable economic opportunities in the watersheds in which we live, work, and play.” The National Blueway designation includes all the tributaries in the watershed and involves several federal agencies. These agencies include the U.S. Army Corps of Engineers, the Silvio Conte Refuge, U.S. Fish and Wildlife Service, the National Park Service, and the States of Connecticut, Vermont, New Hampshire, and the Commonwealth of Massachusetts, which have prioritized conservation, recreation, and restoration in the 7.2 million-acre Connecticut River Watershed.

Restoration of recreation opportunities in the Connecticut River watershed has the potential to offer the region significant economic benefits.

***(4) Describe existing information concerning the subject of the study proposal, and need for additional information.***

Current and historic project operations at the Vernon Dam provide no consistent or meaningful information for this type of mitigation. It should be determined what flows in the region are best suited for maximum recreational use.

***(5) Explain any nexus between Project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements.***

The Project controls the entire flow in the Connecticut River with the exception of releasing the “required minimum flow of 1,250 cfs or inflow, whichever is less” or when generating. The result disrupts regionally needed summer paddling opportunities on the main stem. FERC needs to balance the paddling resource and power generation under the “Electric Consumers Protection Act” (16 U.S. C. §797,803). The project nexus is direct.

Study results would and should develop the basis of license terms that could protect the public interest and provide the balance mandated under the ECPA.

***(6) Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge.***

Analyses would include gathering information to assess options for off-site mitigation. The process steps are generally 1) collaboratively identify candidate rivers and issues with the paddling community, 2) resource agency identification and feasibility assessment, and 3) inter-agency meetings with resource agencies, Licensee, and representatives of the boating community with experience with assessing existing needs of candidate rivers to determine feasibility of proposed measures.

***(7) Describe considerations of level of effort and cost, as applicable, and why any proposed alternative studies would not be sufficient to meet the stated information needs.***

We are willing to work with the Licensee on an on-site and off-site mitigation study to keep costs reasonable and the quality of information high. We believe that potential mitigation options can be easily and affordably identified through collaborative discussions. What will be subsequently needed is the integration of this information and organized meetings to study the feasibility of alternatives, and subsequently a written report.

Given the collaborative approach sought by the paddling community, including in-kind contributions of time and expertise, the Licensee and agencies should be able to complete these studies for this unique approach to mitigation for a very reasonable cost.

The Licensee PAD proposes no whitewater recreation mitigation analysis, either on-site or off-site.

**2: Camping and sanitary facilities available for multiple-day kayaking or canoe trips. (Recreation Use and Needs).**

***(1) Describe the goals and objectives of each study proposal and the information to be obtained.***

The goal of this study is to provide a quantitative and qualitative analysis of existing facilities to determine their capacity to manage the increasing number of paddlers who are making multiple-day trips on the Connecticut River. This study should also identify other points on the river that would be suitable for the establishment of additional facilities. The adequacy of these facilities over the course of the 30-year license should be assessed.

***(2) If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied;***

The requester is not a resource agency.

***(3) If the requester is a not resource agency, explain any relevant public interest considerations in regard to the proposed study.***

In the PAD, the Licensee cites the Massachusetts SCORP (2006-2011), which indicated a need for “water-based” activities, and one of the goals of the New Hampshire SCORP identified the need for a variety of recreational opportunities. The Vermont SCORP (2005-2009) reveals the need for access to all types of outdoor recreation.

The public has an interest in healthy rivers and streams that fully support the full suite of beneficial uses and other goals of the Clean Water Act. Access to streams and rivers with adequate base flows and sufficient variability will support high-quality recreational use. Information provided by canoe clubs and other river recreational interests cite changing

demographics and a rise in sea kayaking and rowing as reasons for high interest in flatwater paddling and multiple-day canoe trips.

The Licensee owns and operates several river access areas on the Connecticut River within project boundaries, and both the states of Vermont and New Hampshire manage additional sites in the vicinity of the Project. Thus, there is a clear interest in the public's ability to traverse the Connecticut River in boats and use developed recreational sites. In addition to this interest, the Connecticut River has been designated as America's first "*Heritage River*" and "*National Blueway*." The National Blueway designation includes interests from the Department of the Interior and the National Park Service.

***(4) Describe existing information concerning the subject of the study proposal, and the need for additional information.***

While the applicant has itemized three camping facilities and 14 access points available from immediately below the Vernon Dam north throughout Project boundaries, they have not provided a qualitative analysis of these facilities. These sites are managed and/or maintained by multiple parties listed by the Licensee in the PAD. Current management agencies should be surveyed by the Licensee to gather historical management and operational data and then provide plans and upgrades to meet future recreational needs for the 30-50 year life of the proposed license.

One of the better publications available to gather this information is "*The Connecticut River Boating Guide: Source to the Sea*," published by the Connecticut River Watershed Council, 3<sup>rd</sup> Edition, 2007.

In the PAD, the Licensee proposes no new camping sites or upgrades to existing facilities, nor do they propose any management plans for maintenance or enforcement.

***(5) Explain any nexus between Project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements.***

This study will be the defining mechanism for identifying additional sites and improvements that can best be adapted for the increasing needs of public access and multiple-day paddling trips on the Connecticut River. These might include property the Licensee would be required to purchase in order to fulfill public requirements for camping, put-ins and take-outs, and portages. The nexus is direct.

***(6) Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge.***

Our interest is in having sufficient information to understand what facilities exist and what, if any, improvements are necessary to manage an increasing use of multiple-day sea kayak and

canoe trips on the Connecticut River. Licensee staff have the resources to complete this analysis and should include recommendations for the acquisition and development of additional facilities to meet the interest and needs identified in the multi-state SCORP documents cited by the Licensee in the PAD. This analysis can be completed during any spring, summer, or fall field season.

***(7) Describe considerations of level of effort and cost, as applicable, and why any proposed alternative studies would not be sufficient to meet the stated information needs.***

There are multiple sites along the Connecticut River that are used as access points or have camping facilities. However there are vast differences in the ability or capacity of these sites to handle paddling groups of varying size and numbers or sanitation needs. Beyond the iteration of lists provided by the Licensee in the PAD, there is no comprehensive guide or text that provides updated information. Visual inspection of existing sites, portages, and facilities should take place and any needed reconstruction or rehabilitation of existing facilities should be identified.

Cost of this data collection is relatively minimal and can be completed by Licensee staff. This analysis can be completed during any spring, summer, or fall field season.

### **Issue #3: Economic impacts.**

***(1) Describe the goals and objectives of each study proposal and the information to be obtained.***

The goal of the recreational economic impact study is to predict the regional economic values of off-site mitigation to provide alternative flow restoration on other regional resources.

***(2) If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied.***

The requester is not a resource agency.

***(3) If the requester is a not resource agency, explain any relevant public interest considerations in regard to the proposed study.***

Economic stimulus from paddling recreation is clearly in the public interest. Many New England hydropower projects support robust recreation economies. This study should examine economic values and benefits for the Vernon facility. Examples of increased economic success following relicensing include projects such as the Kennebec and Rapid Rivers in Maine, and the Moose River in New York.

The Licensee owns and operates several river access areas on the Connecticut River within project boundaries, and both the states of Vermont and New Hampshire manage additional sites in the vicinity of the Project. Thus, there is a clear interest in the public's ability to traverse the Connecticut River in boats and develop recreational uses. In addition to this interest the Connecticut River has been designated as America's first "*Heritage River*" and "*National*



*Blueway.*” The National Blueway designation involves the Department of the Interior, National Park Service, and other federal agencies.

Developing off-site mitigation for the loss of whitewater resources at Vernon Dam would provide economic benefits for the entire region.

***(4) Describe existing information concerning the subject of the study proposal, and the need for additional information.***

One study was published in 2005 by Crane Associates of Burlington, Vermont: “*The Economic Impacts of Whitewater Boating on the West River, Jamaica, Vermont.*” Outside of that study, there is not a great deal of existing information regarding the economic potential of off-site mitigation for the loss of whitewater resources at Vernon Dam. We look forward to learning more.

***(5) Explain any nexus between Project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements.***

The project has removed whitewater paddling opportunities throughout the year at Vernon Dam. Many of these days could provide kayaking, instructional paddling, and canoeing, all of which have ancillary economic benefits associated with tourism. The nexus is direct. Understanding the economic values that could be provided by mitigating the loss of paddling recreation at Vernon Dam will assist FERC and other stakeholders in balancing the trade-offs associated with lost generation. In the case of the nearby Deerfield River (FERC No.2334-010), the value of whitewater recreation outweighed the value of power generation by a margin of 24:1.

***(6) Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge.***

Since the present economic values of the lost whitewater recreation are unknown because there is currently no whitewater recreational activity at Vernon Dam, we request the study be compiled using the “*contingent valuation*” method study which measures individuals’ “*willingness to pay.*” These values can be compared to the value of hydro generation. They can be extrapolated to develop an understanding of how economic benefits associated with paddling activities will be multiplied throughout the community. Overall visitor spending will contribute to economic significance for the immediate and adjacent region.

***(7) Describe considerations of level of effort and cost, as applicable, and why any proposed alternative studies would not be sufficient to meet the stated information needs.***

Primary data should be collected through survey instruments circulated through known paddling clubs throughout New England during the winter months. Individual interviews should be taken on days when the nearby West River and Deerfield River are having releases, and the survey

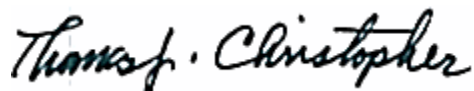
should include kayakers, canoeists, and rafters of varying abilities. Customers of commercial outfitters should also participate in the survey as well as outfitters that provide tubing equipment for those individuals that enjoy just floating down the river. The Licensee has proposed no economic studies in the PAD.

**Conclusion:**

We respectfully request the hydrological, recreational, and economic studies that will support the dialog and analysis regarding appropriate mitigation for the loss of recreational resources at the Vernon Dam.

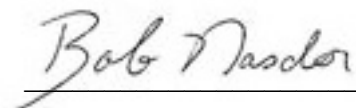
In addition, in these comments we offer our comments on the PAD, to better inform this relicensing process. Thank you for considering these comments.

Respectfully submitted this 28th day of February, 2013



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**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

TransCanada Hydro Northeast, Inc.

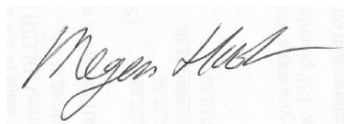
Vernon Hydroelectric Project  
FERC No. 1904-073

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**CERTIFICATE OF SERVICE**

Pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day caused the foregoing NEW ENGLAND FLOW, AMERICAN WHITEWATER, AND THE APPALACHIAN MOUNTAIN CLUB'S COMMENTS AND STUDY REQUESTS IN RESPONSE TO THE NOTICE OF INTENT TO FILE LICENSE APPLICATION, FILING OF PRE-APPLICATION DOCUMENT (PAD), COMMENCEMENT OF PRE-FILING PROCESS, AND SCOPING: REQUEST FOR COMMENTS ON THE PAD AND SCOPING DOCUMENT, AND IDENTIFICATION OF ISSUES AND ASSOCIATED STUDY REQUESTS REGARDING VERNON HYDROELECTRIC PROJECT, FERC PROJECT NO. 1904-073 to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 28<sup>th</sup> day of February, 2013.



Megan Hooker  
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Document Content(s)

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