



**CONNECTICUT RIVER WATERSHED COUNCIL**  
**The River Connects Us**

---

Upper Valley: P.O. Box 206, Saxtons River, VT 05154

August 27, 2013

Honorable Kimberly D. Bose Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Comments on the August 14, 2013 Revised Study Plans for TransCanada Hydro Northeast Inc P-1904 (Vernon), P-1855 (Bellows Falls), P-1892 (Wilder).

Dear Secretary Bose:

The Connecticut River Watershed Council, Inc. (CRWC) is a nonprofit citizen group established in 1952 to advocate for the protection, restoration, and sustainable use of the Connecticut River and its four-state watershed. The interests represented by CRWC include: improving water quality; enhancing habitat for fish and other aquatic biota; safeguarding and improving wildlife habitat; protecting threatened and endangered species; protecting wetlands; preserving undeveloped shore lands; enhancing public recreation and promoting recreational safety; protecting aesthetic values; protecting archeological, cultural, and historical resources; fostering sustainable economic development, energy production and preserving the local tax base along the Connecticut River and its tributaries.

CRWC submitted comments on TransCanada's updated Preliminary Study Plan (PSP) on July 15, 2013 and on the Pre-application Document (PAD), FERC's Scoping Document 1 (SD 1), and 31 study requests in a letter dated March 1, 2013. We attended all the stakeholder meetings held to discuss the study plans. This letter contains our comments on the August 14, 2013 Revised Study Plan (RSP) released by TransCanada.

**Overall observations:** CRWC recognizes that TransCanada has listened to the stakeholders participating in the study plan reviews. We are pleased with the changes in most of the plans.

Many of the RSPs appropriately defer to working groups to meet and make advisory decisions as the studies progress. This requires logistical support to make sure that all of the appropriate stakeholders are present at the ongoing meetings. TC handled the run up meetings to this phase of the SP development well but a commitment to provide the logistics for the ongoing meetings is just as important.

One recommended change in the format of scheduling meetings would be for TC to arrange these meetings with input from stakeholders. Drop-dead dates scheduled by TC unilaterally may leave various stakeholders out of the meetings because of schedule conflicts. NGOS in particular do not have a number of staff persons who can fill in for those who have a conflict. Additionally as we move into the winter, scheduled days should have back up days planned in advance.

CRWC 8/27/13 comments on RSPs

Following are our specific comments on the proposed RSPs.

**Studies 1-2-3:** There still is no continuous erosion monitoring proposed that could document on a daily basis the possible effects of project operations. Sites should be selected that could be affected by daily fluctuations and those sites should be monitored continuously. 4 times in two years and at high flows will not capture the possible effects of ongoing water level fluctuations. FERC should recognized in the final accepted plan that the working group/s may request increases in the number of times for monitoring and that TC should be prepared to acquiesce to those requests.

**Study 4** Our concern is ramping rates, not any particular flow rate assumed in the proposed studies but the lack of alternatives that investigate reasonable limitations on rate of change in flow, both up and down. This may in fact be an M&E issue but exploring ramping rate options now would help those upcoming discussions.

**Study 5** In this study and study 4 TC defers to available FERC regulations and processes for adapting project operations and flows to changes due to climate change. FERC has intimated that such regulations and processes exist but FERC has not spelled out clearly what those regulations and processes are in the real world. How much time and energy is required to open up a license in order to affect any of these changes is a black box right now. Stakeholders should understand how the stakeholders could activate the FERC processes that could cause necessary changes in operations, flows or preparedness for high water to happen in the future.

**Study 6** If TC feels the existing monitors will give accurate information about the relationship between the VY thermal discharge, project operations and their combined impact on migration timing then CRWC hopes TC is prepared to take any necessary steps to realign operations and locations of downstream passage facilities to improve the success rate of passage including moving the fish tube out of the VY thermal plum.

**Study 11** Our concern has been that with the dispersed population of eels and the random sampling in the project affected areas only, that data may not give an accurate picture of the true eel population. CRWC knows that TC has held to the position that they will not willingly study anything not affected by the project. Yet if we want the most accurate data, reflecting the true population of eels, sampling at points of congregation will add to the data, even if project operations do not affect the sampling points. TC should sample at least the 4 locations CRWC has set out.

**Study 22** Our concern remains is there a synergistic effect of the thermal discharge and the operations of the Vernon facility, specifically the location of downstream fish passage tube. If there is then that could mean changes in the location of the fish tube or Vernon Dam operations relative to VY operations. Regardless the cost, it would seem that knowing of the existence or absence of any relationship would be in TC's interest to explore now with this study. Consequently, the additional temperature loggers several stakeholders requested and an analysis of the thermal discharge in relation to the dam operations would be in order.

**Study 23** We respectfully disagree that there will be adequate time between the desktop review in this study and then combine that information with the fieldwork and deliver a final report in

CRWC 8/27/13 comments on RSPs

the fall of 2015. The review and comment on draft material has a deadline for stakeholders that will be hard to meet, especially for NGOs with limited staff or consultant capacity.

**Study 30** We would like to be sure that the phrase “additional barrier free assessments will be included in the “Notes” portion of the form” is not limited to parking spaces but to ADA access to the full range of recreation opportunities available at any of the TC maintained river access areas.

In our comments about the visitor centers, CRWC was not only asking that TC survey users of the visitor centers but that visitors be asked how to make the visitor centers more vital locations for people to learn about the river. Maybe the educational use and outreach for the centers is a mitigation and enhancement activity but the commitment to improve their use should start at the study level. The question on the survey form should ask what you, visitor center user, think would improve your experience at the center and your knowledge of the river.

**Excluded studies** CRWC feels that not spending the money to anticipate the increase O&M costs that could be the result of climate change flow levels is short sighted on the part of TC for their own interests and the interests of the stakeholders and communities in the valley. It is not a matter of license conditions but a question of the economic viability of the dams under increased repair cost pressures potentially caused by climate change induced high flows.

With this refusal to conduct any type of climate change impact study and the refusal to conduct and economic valuation study of white water opportunities, CRWC feels that FERC is without two necessary studies that would allow FERC to balance costs associated with climate change maintenance and the value of the economic value of white water opportunities with the impact of the projects on the river. It would seem hard to balance anything if one side of the balance scale has nothing on it. How FERC will make these balancing determinations without the studies is a question of some import given the 40-year license request by TC.

We appreciate the opportunity to submit our comments on the revised study plans for the proposed projects P-1904 (Vernon), P-1855 (Bellows Falls), P-1892 (Wilder). We hope you will take our recommendations to heart and by doing so make the RSPs useful to FERC and stakeholders in order to develop appropriate recommendations for license conditions.

Sincerely



David L. Deen River Steward

Document Content(s)

CRWCcommentsTransCanada Aug15RSPs.DOC.....1-3