



## **CRJC Local River Subcommittee Update 2/15/16 - 4/18/16**

### ***Headwaters Subcommittee***

Met February 25 to prepare for Northern Pass hearing on March 7. Testimony was written and presented by Subcommittee member Kevin McKinnon, and submitted to DOE and SEC. Divided up boat launch sign fieldwork.

Next meeting May 19 unless Northern Pass requires earlier date.

### ***Riverbend Subcommittee***

Next meeting April 28 at 4:30 PM at Littleton Senior Center. Joint with Ammonoosuc River LAC to discuss Northern Pass environmental impacts with AMC's Larry Garland. Some PRLAC members may attend as well.

### ***Upper Valley Subcommittee***

Upper Valley met on February 15 to prepare for review and comment on TransCanada studies relative to Wilder Dam. Divided up boat launch sign fieldwork.

Met March 21 to discuss TransCanada study results. Agreed with Mt Ascutney position (see below) regarding mitigation fund and management of water levels.

### ***Mt. Ascutney Subcommittee***

Met March 8th and discussed TransCanada studies. Voted to ask for mitigation fund to address the impacts of operations of the dams and that this mitigation fund be available to private landowners affected by bank erosion as well, and that ramping rates to be moderated in a manner that can be expected to reduce bank erosion. Also asking for revenue sharing. Divided up boat launch fieldwork.

Next meeting is May 10 at 7 at Windsor Welcome Center. Hosting CRWC's public program on river health, river ownership and the effects of the dams.

### ***Wantastiquet Subcommittee***

Wantastiquet met April 11 to discuss spring clean-up and TransCanada studies. Concurred with Mt Ascutney's position on mitigation fund for erosion and review of management of water levels.

# Planning Subcommittee Minutes

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March 23, 1:30 PM NCIA Office St. Johnsbury

Present: Brendon Prusik Chris Thayer, Richard Sanders, Mary Sloat

## 1. Boat Signage:

### A. What we want from Presenters(invite Heads of Agencies NH & VT)

1. Notice people who need to understand regulations and why regs exist
2. Ask how we can help, ex. keeping track of signs, putting them up  
Signage Hard Plastic or Metal
3. Distribution of information, town offices, Places selling boats, and serving marine interests
4. Inventory of information at Put-Ins along River (has Jim Doig done this?)

### B. Actions: Mary contact Pat and Jason about status of letters to each state

1. Invite to April Meeting
2. Help with cost of signage production (Vermont may help)  
CRJC Logo on signs if we help with cost  
Target specific projects such as this with limited funds  
Other grants to help with project (ie print pamphlet)
3. Do agencies already have available signage
4. Improve consistent regulations on river
5. Put signs out with help of Subcommittee Members
6. From experience: action is lacking, and this is a start

## 2. Possible River Fairs and/or attendance at present activities of River Towns:

### Actions

1. Make inventory of existing Events in Towns such as  
Fishing Derby at Moore Dam or Pumpkin Festival, Littleton  
Rotary Club Canoe Day in Lancaster/ Lancaster Fair  
Moose Festival, Pittsburg  
Celebrate River Walk, Colebrook  
Brattleboro?, Charlestown?, Norwich?
2. Develop a Traveling "Dog and Pony Show" such as a mobile exhibit

## A Proposal draft for Consideration

By

The Connecticut River Joint Commission

### PROPOSED: A Mobile Educational Exhibit

This draft outlines a proposal/project which the CRJCV might wish to pursue or not. If the CRJC deems the proposal useful and worthy of further development, then an appropriate committee or subcommittee should be formed to begin the process.

The concept of a mobile Educational Exhibit/Teaching Classroom and Data Acquisition Facility is one which could serve the Connecticut River and its watershed well. Making the public, both general and student, more aware of problems, concerns, and on-going projects, would be of great benefit to all those involved with this watershed. The five subcommittees of the CRJC would benefit by receiving more independent data/feedback and more potential volunteers both for their committee memberships and their projects and research. The exhibit would serve as a laboratory as well as data collection center and as such would be a conduit for information concerning the main stem especially: information which could be used for riparian projects, enforcement of river rules, and water quality enforcement/monitoring. The functions described above would require a full time staff and support system.

Some specifics of such a mobile exhibit are offered below:

#### Mobile Exhibit displays/brochures/videos

- a. Walking paths
- b. Bicycle paths
- c. Boat landings
- d. Picnic grounds

- e. Historic cites
- f. Cultural cites
- g. Public and private cites
- h. River Science exhibits
- i. Economic exhibits
- j. River History exhibits
- k. By Ways project updates and information

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Sources of information for contents:

- a. The five river subcommittees
- b. The NH and VT Fish and Game Departments
- c. The NH and VT Departments of Education
- d. The many stakeholders in the river monitoring, protection, and care
- e. Museums
- f. Historical Societies
- g. Local schools and colleges

Functions:

- a. Education of the public and students on all aspects of the river
- b. Information gathering of river bank, flora and fauna, water quality and the like from local contacts. (The public is often very aware of problems which may not have come to the attention of more formal entities)
- c. Data collection (research) as requested by stake holders and others

Sponsors or funding sources:

- a. CRJC as primary sponsor
- b. Upper Connecticut River Mitigation and Enhancement Fund
- c. The NH and VT Departments of Education
- d. The NH and VT Fish and Game Departments
- e. The NH Charitable Fund
- f. Others as defined by functions/task

## Permanent locations

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1. might be central as in the Hanover White River area
2. housed with a regional office of the Conte Refuge

## Travel locations

1. Local fairs
2. Local events
3. Local special sites such as Fort #4
4. Schools
5. Other?

Comments: A mobile exhibit such as proposed would obviously take major funding both for its original costs and for its maintenance/travel. There are, however, similar such exhibits and researching these should be profitable.



Connecticut River Joint Commissions  
FERC Relicensing Work Group  
Tuesday, April 5, 2016  
4:04 - 5:56 PM

**Committee Present:** Jim McClammer, Kurt Staudter, John Bruno, Sharon Francis, Jim Kennedy, Jennifer Griffin, John Mudge

**Others Present:** Jason Rasmussen, Chris Yurek

**Minutes of February 29 Meeting:** The last sentence of the minutes should be revised to read, "the work group could provide recommendations to all CRJC Commissioners", instead of the Executive Committee. A motion to accept by John Bruno was seconded by John Mudge. Motion passed.

**RFP for Peer Review:** Chris Yurek reported that the RFP was pulled due to the change in issue dates of Studies 2 and 3. The RFP is still in development, and will be changed to a time and materials basis, with estimated cost. John Mudge reported that the Lyme Foundation has contributed \$5,000 for the RFP. Total funds available are approximately \$30,000.

**Meeting with Gov. Shumlin and Secretary Deb Markowitz:** Jason reported that the Governor and Secretary were supportive of assisting the CRJC and the CRWC in their effort to get TransCanada to the table to negotiate a mitigation and enhancement fund agreement. It is hoped that agreement will be included in the draft license agreement scheduled to be prepared in December 2016. The CRJC and CRWC are still hoping to meet with NH Gov. Hassan and Commissioner Burack. The work group agreed to put more pressure on New Hampshire, possibly through NHDES.

**Section 401 Water Quality Certifications:** Jim McClammer reported that NH and VT will pursue separate Water Quality Certifications. It is hoped that these certifications give the states some leverage to persuade TransCanada to engage in discussions about a mitigation and enhancement fund.

TransCanada announced that they will sell their assets in New England, including the dams on the Connecticut River. It was reported that the First Light dams in Massachusetts have been purchased by an investment group. There was general

agreement that the concept of public ownership and operation of dams on the Connecticut and Deerfield Rivers should be pursued by VT and NH. VT has moved quickly to form a committee to investigate the feasibility of purchasing the dams and may draft enabling legislation this year. Jennifer Griffin reported that the FERC process will continue, regardless of ownership. Draft license is still anticipated in December.

**Public Utility:** There was an extended discussion of the possibility of a public utility, either as a tri-state entity or as a VT-NH joint venture. Kurt Staudter informed the group about his experience with operations and maintenance, and Jennifer Griffin spoke about agency rules, coordination, and regulation of flows. There will be extensive dam safety requirements in the FERC License.

John Bruno made a motion to recommend to the full CRJC that there should be a cooperative effort by Vermont and New Hampshire to form a Connecticut River Authority to purchase and operate the dams on the Connecticut River; seconded by John Mudge. Motion passed. Jennifer Griffin abstained.

Sharon Francis made a motion to recommend that the CRJC initiate a special outreach to the New Hampshire state officials relative to forming a joint power authority on the Connecticut River; seconded by John Bruno. Motion passed. Jennifer Griffin abstained.

**Study 33:** John Mudge was concerned about the piecemeal approach to the historical studies. He reported on the archaeological surveys on his property. He provided the work group with a copy of his comments that he will submit to FERC.

**Study #1, Erosion:** Comments are due to FERC by May 2, 2016. Sharon Francis and John Bruno reminded the group that erosion was the single most important issue in the re-licensing process. There was unanimous concern that the deadline for commenting on this study was unrealistic, as the results are dependent on the other two erosion studies which have not been completed. It was suggested that CRJC recommend to FERC that the deadline for comments on Study #1 be extended to coincide the deadlines for Studies #2 and #3.

Jim McClammer reported that at the March 8, 2016 meeting of the Mt. Ascutney local advisory committee there was a lively discussion on relicensing. The subcommittee passed a motion to endorse pursuing a mitigation and enhancement fund for the lower Connecticut River, revenue sharing by TransCanada with the local communities, and moderation of ramping rates, these being the three most important issues relative to

the relicensing effort. O. Ross McIntyre has filed comments with FERC on Erosion Study #1. There was a consensus among Work Group members that this was a good report, applicable to all reaches of the river and that the CRCJ give a limited endorsement of his report in our comments to FERC. John Mudge will also be submitting comments on Study #1 to FERC.

Jim Kennedy reported that the Upper Valley Subcommittee informed John Field of the 1992 Connecticut River Erosion Inventory that was not cited in his review of historical records. This Inventory is available at the Grafton County Conservation District. Jim will compile a report for the Work Group on the Grafton study, along with information on the 1998 Erosion Inventory for Sullivan and Cheshire counties in NH and Windham and Windsor counties in VT.

**Other Studies:** Jennifer Griffin reported that a 400–page summary of the study results that was presented at meetings on March 17–18, 2016, has been posted. The following reports have been issued: 1, 4, 6, 10, 11, 12, 18, 30, 31, and 32. The following interim reports have been issued: 9, 14, 15, 16, and 33.

Jim McClammer requested that the Work Group submit their comments on all studies individually to him by e–mail as soon as possible, and he will compile them for submission to the full CRJC meeting on April 18.

**Next Meeting:** to be determined.

Respectfully submitted,  
Jim Kennedy



The Connecticut River Joint Commissions (CRJC) will submit comments on the studies that were released on March 1, 2016. They need to be sent to FERC by May 2, 2016. But first, they need to be approved by the full CRJC commission. On April 18th, the Relicensing Work Group will seek concurrence from Commissioners on the following draft recommendations:

1) CRJC affirm its prior comments, expressed in our August 26, 2013 filing with Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission Re: Reply to Trans Canada Hydro Northeast Inc's Revised Study Plans Project Nos. 1892-026, 1855-045 and 1904-073, including, but not limited to, requests to:

- a. Incorporate into the hydraulic and operations models scenarios of more intense storm events and prolonged periods of drought that are predicted by the preponderance of climate-change models. Not to do so is a glaring weakness in the studies that will undermine their credibility and defensibility. Furthermore, the resulting weaknesses in the models will hamper the projects owner's ability to meet desired stakeholder outcomes in future years.
- b. Address the potential for the accumulation of increased levels of toxins (e.g., mercury in fish) within the reservoirs as a result of fluctuating water levels. As mercury adversely affects aquatic life, data on it should be gathered through these studies. This is an appropriate subject that must be carefully reviewed during water quality certifications by New Hampshire and Vermont, under Section 401 of the Clean Water Act.
- c. Ascertain the proportion of bank erosion attributable to project operations. See discussion of Study No. 1, *Historical Riverbank Position and Erosion Study*, below.
- d. Assess the cumulative economic impact of the hydroelectric projects. These include loss of agricultural land due to shoreland erosion, flooding of developed areas, costs associated with maintaining and monitoring recreational use of the impoundments, and most important, threats to infrastructure (e.g., NH12A between Charlestown and Walpole, and River Road in Lyme, New Hampshire) caused by shoreland erosion. The reluctance of TransCanada to compensate municipalities for assessed values of dam properties or expenses related to their operations was highlighted by TransCanada's challenges of local property tax assessments, which required expenditures by the municipalities to defend. The studies do not address the costs borne by local communities and landowners in unwilling service to a private enterprise whose profits derive from its use of our public resource, the Connecticut River.

2) CRJC recommend that TransCanada establish a mitigation and enhancement fund (revenue sharing) for the lower Connecticut River as part of the draft license agreement (by December 2016). As unequivocal scientifically defensible results of some impact studies are not likely to be forthcoming, we support the creation of this fund as a measure to compensate for unavoidable (and/or undeterminable) impacts.

3) Specifically, with respect to Study No. 1, *Historical Riverbank Position and Erosion Study*, filed on March 1, 2016, CRJC respectfully request that the comment period be extended beyond