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January 14, 2015

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

*RE: American Whitewater and Vermont Paddlers Club Comments on
Final Environmental Assessment for Morrisville Water & Light
Morrisville Hydroelectric Project (FERC No. P-2629),
Green River Development*

Dear Secretary Bose:

Pursuant to 18 CFR Part 380, American Whitewater and Vermont Paddling Club submit the following comments on the Final Environmental Assessment filed by FERC on December 16, 2014 for the Morrisville Hydroelectric Project, Green River Development (FERC No. P-2629). Our organizations have previously submitted comments (Accession No. 20140710-5073) in response to the Draft Environmental Assessment issued by FERC on June 25, 2015. We ask that the Commission consider these comments, along with those previously submitted by American Whitewater and Vermont Paddling Club, in preparing any license conditions for the Green River Development.

At the outset, we want to reiterate that we appreciate FERC's recognition that whitewater boating on the Green River is a valuable resource as shown by the Whitewater Boating Study conducted by the Licensee with the assistance of our organizations. We applaud FERC's willingness to maintain the Green River

Development as a store-and-release hydropower project in part to maintain whitewater boating opportunities on the Green River below the Green River Dam. As recently as this past November, at least 40 whitewater boaters paddled this section of the Green River during a late-fall release provided by the Licensee as part of its normal winter pool draw down, demonstrating a substantial public interest in boating on the Green River even during more challenging weather conditions.

While we appreciate FERC's support for continued whitewater boating on the Green, we believe that the five annual releases proposed in the Environmental Assessment fails to strike the proper balance among the myriad non-power values. We renew our request that any license issued for the project require that the Licensee provide 7-8 annual releases with sufficient flows for each release to assure that the water level reaches 2'8" to 3'0" on the stage gage for a standard release, and a water level above 3'0" for a high challenge release in order to provide optimal recreational opportunities.

General Comments

American Whitewater and Vermont Paddling Club have actively participated in this relicensing process through attending scoping meetings, submitting study requests, participating in the Whitewater Boating Study, submitting comments on the License Application and other documents filed by the Licensee and state and federal resource agencies, submitting comments on the Draft Environmental Assessment, and through our timely intervention in this proceeding. We appreciate the willingness of all parties to consider the strong interest of whitewater boaters in the Green River, a challenging and scenic 2.75-mile reach located downstream of the Green River Dam in Morrisville, Vermont.



Moonshine Falls/Photo taken Nov. 22, 2014

This stretch of the river is one of exceptional aesthetic beauty and contains several gorges, falls and drops before converging with the Lamoille River. The Whitewater Boating Study prepared by the Licensee demonstrates that this stretch of the Green River contains numerous, high quality Class III, Class IV, and Class V rapids that can provide whitewater paddlers with a regionally unique and challenging paddling experience. As the recent cold weather release this past November demonstrated, there is indisputably strong interest in whitewater boating on the Green River, and there are few other opportunities for expert level paddlers to enjoy a comparable boating experience in the region. The Whitewater Boating Study also noted that releases on the Green River will have a positive economic impact on the local community, and the potential exists for a multi-day boating festival in the region if whitewater boating opportunities are provided.

In the Final Environmental Assessment, FERC acknowledges the strong public

interest in whitewater boating on the Green River and has recommended that the Licensee continue to operate the Green River Development in its current store-and-release mode in order to maximize responsible hydropower energy generation and provide for whitewater boating opportunities. Nevertheless, FERC staff arbitrarily recommends that the Licensee provide only 5 annual whitewater release days, consisting of two 2-day releases in the spring and fall and a 1-day release to coincide with the summer capacity test. FERC offers two rationales for its recommendation of 5 annual release days: 1) balancing the interests of whitewater boaters with anglers; and 2) limiting the impact of pool height fluctuations on the Green River Reservoir during loon nesting season.

With regard to competing recreational uses on the Green River, there has been no recreational fishing study documenting the extent of the demand for fishing below the Green River Dam, nor is there any data on the extent to which whitewater boating interests would conflict with the interests of anglers. Given the lack of a fishing study providing qualitative data on the relationship between flows and the optimal fishing experience, FERC cannot make assumptions that boating and fishing are incompatible on the Green River. Furthermore, fishing is limited on the Green River by the fact that the river banks are mostly privately owned. There is, however, a well-documented history of use by whitewater boaters when sufficient flows are provided. As such, the FERC staff recommendation that 360 days annually be reserved for fishing while only 5 days annually be designated for whitewater boating lacks support in the record.

Providing scheduled whitewater boating releases will result in no greater number of higher-flow releases than occur under normal generation by Morrisville Water & Light

(MWL). For example, in 2013, MWL generated flows in excess of 100 cfs during 9 regulated flow events, more than the number of releases that we propose. Scheduling these releases and notifying both the boating and angling communities in advance will further the interests of both recreational user groups so that they can plan their recreational activities accordingly.

With regard to Loon nesting, FERC staff accurately states that a 6-hour release of 283 cfs would lower reservoir levels by only 3 inches, assuming no project inflows. As FERC notes in the Final EA, “[t]his reservoir fluctuation would be significantly less than the recommended 12-inch limit on reservoir drawdowns during a 28-day period; therefore, the proposed and recommended whitewater releases would be unlikely to affect loon nesting success on the Green River Reservoir.” Given this finding, prohibiting releases during the loon nesting season from May 1 – July 31st is unwarranted as a loon nesting protection measure.

While the Licensee has voluntarily stabilized the pool height during the loon nesting season beyond what is required for nesting success, current operations permit reservoir fluctuations of up to 1-foot after the nesting season ends on August 1st. Providing a 2-day summer release in August, coinciding with the summer capacity test, could be easily accommodated within the Licensee’s current mode of operations. The Licensee should be required to provide flows for one high challenge release of at least 3’0” on the stage gage to coincide with the summer capacity test.

In addition, there is absolutely no reason that an additional release could not be scheduled in the late fall when the Licensee draws down the reservoir for the winter pool drawdown. The Licensee has generously scheduled a winter drawdown weekend release

over the past several years. The releases have been very well attended, and there have been no conflicts with other recreational uses or any undue impacts to aquatic habitat. Given that trout and landlocked salmon season in Vermont runs from April 12th until October 31st, providing a late fall release after this fishing season would not conflict with other recreational uses.

On February 3, 2014, AW and VPC filed comments with FERC (Accession No. 20140203-5245) demonstrating that the natural flow regime would result in naturally occurring high-velocity pulses on an average of 19 occurrences annually based on historical USGS data. Our analysis demonstrated that the naturally occurring flow regime would result in twice the number of higher velocity flows as are produced by the Licensee through its store-and-release hydropower operations. Given this uncontroverted data, providing 7-8 annual whitewater releases as we propose would result in fewer high-velocity flows than would occur under either a natural or a managed flow regime.

Conclusion

We respectfully request that FERC revise and amend its Final Environmental Assessment and adopt appropriate license conditions requiring Morrisville Water & Light to provide between 7-8 annual whitewater boating releases in coordination with American Whitewater and Vermont Paddlers Club, and require that the Licensee release sufficient flows for each release to assure that the water level reaches 2'8" to 3'0" on the stage gage for a standard release and a water level above 3'0" for a high challenge release in order to provide optimal recreational opportunities.

Respectfully submitted,



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

**Morrisville Hydroelectric Project
Morrisville Water & Light**

FERC Project No. 2629

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 **American Whitewater and Vermont Paddlers Club's Comments on the Final Environmental Assessment for Morrisville Water & Light's Morrisville Hydroelectric Project, Green River Development (P-2629)** to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 14th day of January 2015.



Megan Hooker
American Whitewater