

Email Communication Memo

To: Public Files
From: Kenneth Hogan
Date: February 20, 2013
Docket: P-1889-081 & P-2485-063
Project: Turners Falls Hydroelectric and Northfield Mountain Pumped Storage Projects

Subject: Email communications between Kenneth Hogan of the Commission's Staff and Ms. Leena Newcomb representing The River Residents Association.

During the public scoping meeting on January 31, 2013, for the Turners Falls Hydroelectric and Northfield Mountain Pumped Storage projects (projects), Ms. Leena Newcomb of The River Residents Association (Association) gave a presentation and provided a prepared statement (attached) on behalf the Association, and for inclusion in the Commission's public record for the relicensing process for the projects.

At the end of the Association's presentation Ms. Newcomb asked three specific questions of Commission staff. On February 20, 2013, Kenneth Hogan of the Commission's staff provided the Association with a response to its questions via an email to Ms. Newcomb. That e-mail is attached.

Kenneth Hogan

From: Kenneth Hogan
Sent: Wednesday, February 20, 2013 12:00 PM
To: 'bleenanew@gmail.com'
Cc: Adam Beeco; Kathrine Henry; 'Mark Wamser'; 'Howard, John'; 'Mitchell, Robert'
Subject: Response to Scoping meeting questions (Turners Falls / Northfield Mountain)

Hi Leena,

It was a pleasure talking with you at the Scoping Meetings on the Connecticut River projects. As the Project Coordinator assigned to the Connecticut River projects, I find the concerns you brought up important for informing our comprehensive review of the projects. Thank you for raising them. We would like to address the questions you had that were unique to the River Residents Association's concerns. We summarize your questions and provide our responses below:

(1) ***Does FERC have any say in our interests?*** Our purpose is to ensure that the hydroelectric project, as licensed, and the conditions within that license, is in the public's interest as a whole. As a general matter, the project boundary must include all lands necessary for the operation and maintenance of the project, and any other project purposes, including recreation, public access, shoreline control, flowage, or protection of environmental resources. Existing residential, commercial, or other non-project structures may be included in the project boundary to the extent that underlying lands are needed for project purposes.

(2) ***Is there a liaison within the FERC organization that can work with our Association in helping us better understand our rights and responsibilities?*** Yes. I will be your FERC contact and will be happy to address any questions you may have. You may contact me at this email address or at the telephone number below.

(3) ***How can we alter the current arrangement to meet our present and future needs?*** Based on your comments during the public meetings, we recognize that of particular importance to you is the 5-year lease terms you have with FirstLight. However, because FERC's interests in the project lands only extend to the operation and maintenance of the project, and any other project purposes, including recreation, public access, shoreline control, flowage, or protection of environmental and cultural resources, our authority over the lease extends only to the lease conditions associated with these specific interests and not to other lease provisions.

Throughout the relicensing process we encourage you to express your concerns associated with the lease terms directly with FirstLight so they may consider your concerns and propose any appropriate modifications for inclusion in a new license (if issued).

If you have any other questions, please do not hesitate to ask.

Sincerely,

Ken

Kenneth J. Hogan
Fishery Biologist
[Federal Energy Regulatory Commission](#)
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The River Residents Association

Dedicated to preserving a life worth living on a river worth loving

Montague ~ Gill ~ Northfield

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707 548 4817

bleenanew@gmail.com

31 January 2013

United States of America

Federal Energy Regulatory Commission

Good day to the Commission,

My name is Leena Newcomb. I own a cottage on the "Horse Race" section of the river here on the Montague side.

I have been asked to speak on behalf of the River Residents Association. We are dedicated to preserving a life worth living on a river worth loving.

The Association is comprised of people who own camps, cottages, homes, and land, and also members of private clubs that recreate on the Connecticut River within the Turners Falls/Northfield MA section of the river.

We are concerned for the future of this beautiful natural resource, as well as our existence along the rivers banks.

As many of us live on the river, we see things changing, sometimes on a daily basis.

Our major concern is the negative effects we see occurring from extreme erratic water level fluctuations.

The following are observations by people who live and recreate along the river. Many of us have spent decades here.

Observations included but not limited to:

- shifts in the shoreline and river bed
- erosion along the shores
- loss of recreation areas that allowed boat access, now have no shoreline, only steep banks to climb
- lack of adequate tenting facilities
- silt and sediment buildup
- sand bars that come and go
- algae growth in Barton Cove
- damage to personal property at "low tides" – torque damage to docks, boats stranded on rocks/stuck in mud

- wetland/cattail marsh habitat changing/vanishing
- land mass loss to islands
- sand banks and swallows gone
- beaches appear and disappear within hours
- backwaters/shallows/coves depths diminishing
- less heron, osprey and kingfisher sightings
- less dragonflies seen
- changes in fishing bounty
- Fish egg nests exposed at “low tides” drying out and dying
- Birds nesting grounds unexpectedly become submerged

We believe everyone here wants to work together to ask the right questions and find effective solutions. We feel we, the river residents, are an integral part of this process.

Is there a way to create moderation, or eliminate altogether, dramatic water level fluctuations? Can it be, should it be, regulated differently?

We have prepared a visual exhibit for you to keep. We hope it will enlighten, and underscore some of the concerning observations we have stated.

{exhibit shown}

Our other concern is about our continued existence as residents along the river. Most of us in this association are “Camp” owners with a “License” agreement allowing us to occupy the land.

Our existing structures are a historical use that began back in the early 1920’s and the previous licensees for these projects issued permits to manage their use. However, prior to 2008, the previous licensors did not seek Commission approval of these uses and occupancies of project property. Someone dropped the ball along the way. We owe great thanks to Mr. John Howard of the Northfield Mountain Pumped Storage facility for noticing this oversight. He realized there was no mention of the existing residential and private structures and took action to correct this. An application was filed in October 2008, requesting Commission authorization to issue revocable 5-year licenses, as well as, life-use licenses (permits) for us on lands at the Northfield Mountain and Turners Falls Hydroelectric Projects (FERC Project Nos. 2485-050 and 1889-069).

The Commission granted an ORDER MODIFYING AND APPROVING NON-PROJECT USE OF PROJECT LANDS AND WATERS. It was issued October 28, 2009.

As licensees, we are mandated to do certain things, inspected once every year and be “in compliance” with the terms FirstLight Hydro Generating Company sets forth. As you can imagine, it’s unsettling to not know if all our love, sweat and money spent on our river homes will be for naught at the end of a 5-year license. The power company reaps many rewards using the river to generate power. For nearly 100 years our families have lived and recreated on this stretch of the river. My grandchildren are the 5th generation to grow up at our cottage, learning to swim in this river, fostering a love and respect for the natural world provided by this incredible watershed. We see ourselves as assets to this

majestic waterway, and yet we have no reassurance that we'll have any future past 5 years. It's a very one sided situation and tenuous position to be in.

We act as caretakers, we are self appointed "Stewards." We are the eyes and ears of the woods and waters. We investigate smoke sightings in the woods and have aborted forest fires, provide shelter and rides to people in canoes caught in storms, tow boaters out of gas or with broken engines and props, rescue anglers and others who fall over board and can't swim, rescue kayakers who flip during cold water months, pick up countless amounts of trash after the "weekend warriors," assist novice boaters and escort weary paddlers, rescue women in labor off the water to get to hospital, and sadly, even help search for bodies.

As proprietors of our footprints, we take seriously the investment in our lifestyle on the Connecticut River, both financially and emotionally. The majority of us have remodeled and made improvements to our properties. We have taken great pride in bettering our environments. We have given gladly and are gifted by the beauty, serenity and solitude the river offers. We delight in her recreational diversity. We celebrate family and friends, generation after generation. And, we continue on year after year in blind faith, that our 5-year license's will be renewed. Does this seem equitable?

We'd like a clearer understanding of how the licenses are administered. We were under the impression that FERC governs over the use of the lands. According to the language in the "Order" approving use of project lands dated October 2009, it appears that FirstLight Hydro Generation Company makes the decisions governing the licensor's. Does FERC have any say in our interests? Is there a liaison within the FERC organization that can work with our Association in helping us better understand our rights and responsibilities? How can we alter the current arrangement to meet our present and future needs?

We respectfully ask for consideration in lengthening the license term commensurate to the number of years approved for FirstLight Hydro Generation Company's new license to operate beginning in 2018. What is the procedure to effectuate this?

We endeavor to continue to assist and promote an ongoing cooperative relationship with all parties interest in mind. We thank you for your time and respectfully submit this inquiry and photographs to the Commission.

Sincerely,

The River Residents Association

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