

March 1, 2013

Federal Energy Regulatory Commission
Washington, D.C. 20426

RE: Federal Energy Regulatory Commission (Commission) review of Pre-Application Documents (PAD) submitted by TransCanada Hydro Northeast Inc. (TransCanada) for relicensing the existing Wilder (FERC No. 1892), Bellows Falls (FERC No. 1855), and Vernon (FERC No. 1904) hydroelectric projects, and the single PAD filed by FirstLight Hydro Generating Company (FirstLight) for the Turners Falls (FERC No. 1889) hydroelectric project and the Northfield Mountain Pumped Storage Project (FERC No. 2485) (collectively referred to as the Connecticut River projects)

Thank you for this opportunity to participate in the public scoping process and to provide you with input on the issues that should be analyzed in the above referenced multi-project Environmental Impact Statement.

The New England Farmers Union is a regional chapter of the National Farmers Union. We work to improve the lives and livelihoods of our farmer members in New England. One of our members, Nathan L'Etoile, is co-owner of Four Star Farms in Northfield Massachusetts. For 25 years, Four Star Farms has drawn water for irrigation purposes from the Northfield Mountain Pumped Storage Project area. The farm was recently forced to obtain an expensive permit from private power company, First Light Power Resources. Other farms in the multi-project area draw water from the Connecticut River and could also be negatively impacted by the necessity of spending thousands of dollars on unnecessary permits required by TransCanada or First Light. These costs threaten the viability of farms drawing water from the Connecticut River for agricultural irrigation purposes.

To clarify the respective rights of agricultural landowners and irrigators and to make clear the limits of authority granted to private power generators, we ask that within section "1.3 Statutory and Regulatory Requirements" of the EIS you include:

- a. A review of the respective riparian property rights held by agricultural landowners taking water for irrigation under settled state law in each of the three states in the project area;
- b. A recognition that FERC licensing authority does not occupy the entire field of water withdrawal rights or pre-empt state water right regimes and that FERC licensees do not have the authority to deny agricultural use withdrawals or require permits beyond those granted by state authority; and
- c. A recognition that the riparian rights of agricultural users along the Connecticut River are property rights that may not be taken without just compensation.

The Environmental Impact Statement should also include:

- a. Recognition and supporting data to show that agricultural producers and irrigators in the project areas protect critical watersheds that enhance overall water quality, provide wildlife habitat and recreational uses to multiple stakeholders; and
- b. The land use and water quality impacts of conversion from agricultural uses to other types of development and land use.

Thank you for this opportunity to provide input.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Noonan', is written over a light gray rectangular background.

Roger Noonan
President, New England Farmers Union

