



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

August 28, 2013

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, DC 20426

RE: Integrated Licensing Process for the Relicensing of the Turners Falls (FERC No. 1889) and Northfield Mountain (FERC No. 2485) Projects - Impacts of Closure of Vermont Yankee Nuclear Power Plant on Results of Proposed Study Plans

Dear Secretary Bose:

The Massachusetts Division of Fisheries and Wildlife (Division) is the agency responsible for the protection and management of the fish and wildlife resources of the Commonwealth. The Division is also responsible for the regulatory protection of imperiled species and their habitats as codified under the Massachusetts Endangered Species Act (M.G.L. c.131A). The Massachusetts Endangered Species Act (MESA) was enacted in December 1990. Implementing regulations (321 CMR 10.00) were promulgated in 1992 and recently revised and implemented as of November 2010. The MESA provides a framework for review of projects or activities that occur within mapped areas of the state, called *Priority Habitat*, and published in the Natural Heritage Atlas. As such, we monitor operations at hydroelectric projects within the Commonwealth, as well as comment on proposed hydroelectric facilities. This letter regards the integrated licensing process for the relicensing of the Turners Falls (FERC No. 1889) and Northfield Mountain (FERC No. 2485) Projects and the possible impacts of closure of Vermont Yankee Nuclear Power Plant on results of proposed studies.

As you may be aware, it was announced on August 27, 2013 that the Vermont Yankee Nuclear Power Plant will be closing in the "4th quarter of 2014." Vermont Yankee is located just upstream of the Vernon Dam in Vernon, Vermont and has the potential to influence the aquatic communities in sections of the Connecticut River within the boundaries of projects owned by FirstLight (Northfield Mountain FERC Project No. 2485 and Turners Falls FERC Project No. 1889) through two primary mechanisms: the discharge of heated effluent into the Connecticut River and the impingement and entrainment of organisms at the system's cooling water intake structure.

Accordingly, the relevance of results obtained from some of the study plans proposed by FirstLight for the 2014 field season may not be valid moving forward. For example, results of studies examining migration and movement of adult and juvenile shad during 2014 (with Vermont Yankee thermal discharge) may be quite different from results obtained if these studies were conducted in 2015 (without Vermont Yankee thermal discharge). As another example, Vermont Yankee entrains and impinges a large number of fish each year; Vermont Yankee entrained an estimated 61.5 million larval fish during a 26-week period (April 2006 to September 2006) and impinged 38,604 fish over a 20-month sampling period (March 2005 through November 2006). Any fish assemblage study results would likely be influenced by the presence or absence of this impingement/entrainment as it is likely some of these fish would have moved downstream of Vernon Dam if they had not been impinged/entrained.

We are seeking Commission guidance regarding how to address this issue in the context of the Integrated Licensing Process timeline (which affords two years of study, beginning in 2014). Comments on

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FirstLight's Revised Study Plan (RSP) are due on August 29, 2013. The stakeholders only learned of Vermont Yankee's closing on August 27, 2013. This does not provide sufficient time to evaluate which proposed studies are most likely impacted, nor time to develop any recommended changes to the study timelines to address resource issues associated with Vermont Yankee's closing. We respectfully suggest that possible options the Commission could investigate include: (1) allowing stakeholders an additional two weeks to provide supplemental comments on the RSP relative to the impact of Vermont Yankee's closing on the study plan timelines; (2) convening a stakeholder meeting to discuss how best to address the impact of Vermont Yankee's closing on study plan timelines and then incorporating the results of those discussions in the Commission's Study Plan Determination letter; or (3) requiring that those studies most likely to be impacted by Vermont Yankee's operation be conducted for two years, which would provide data both with and without the operation of Vermont Yankee.

In closing, the ecosystem "baseline" in sections of the Connecticut River within the boundaries of projects owned by FirstLight will likely change with the closure of Vermont Yankee and as a result we have concerns with the long-term validity of results from some of the studies proposed for 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Caleb Slater". The signature is fluid and cursive, with a long horizontal stroke at the end.

Caleb Slater

Literature cited:

Normandeau Associates, Inc. 2011. Impingement, entrainment, and nearfield ichthyoplankton studies performed at Vermont Yankee Nuclear Power Plant from 29 March 2005 through 28 November 2006. Analytical Bulletin 91.

Document Content(s)

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