

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

FirstLight Power Resources Turners Falls Project No. 1889
Northfield Mountain Pumped Storage Project No. 2485

AMERICAN WHITEWATER COMMENTS ON MODIFIED REVISED STUDY
PLAN FOR THE TURNERS FALLS HYDROELECTRIC PROJECT (NO. 1889) AND
NORTHFIELD MOUNTAIN PUMPED STORAGE PROJECT (NO. 2485)
FILED BY FIRSTLIGHT POWER RESOURCES ON JANUARY 13, 2014

American Whitewater submits these comments to FERC in response to the Modified Revised Study Plan for the Turners Falls Hydroelectric Project and Northfield Mountain Pumped Storage Project operated by FirstLight Power Resources. Our organization submitted comments to FirstLight on December 4, 2013 in response to its Draft Modified Revised Study Plan. Those comments are attached here, and have also been included in FirstLight's Modified Revised Study Plan as directed by FERC. The Licensee has disregarded certain suggestions that we made in our December 4, 2013 comments for modifying study plan 3.6.3 *Whitewater Boating Evaluation*. We incorporate them into these comments by reference, and request that FERC consider them along with the comments herein.

American Whitewater submits the following additional comments in response to FirstLight's Modified Revised Study Plan:

1. The Licensee proposes to conduct the controlled flows studies over two weekends during the months of July, August and September of 2014. Although American Whitewater and other stakeholders have requested that the Licensee also consider conducting the test flows during the month of June, the Licensee has declined to do so on the basis of concerns raised by NMFS over the impact of the test flows on the spawning and rearing of shortnose sturgeon between April 15th – June 22nd. Neither NMFS nor any other resource agency has determined that the proposed flows will have any impact on shortnose sturgeon spawning and rearing. To the contrary, the proposed flows are well within the range of the normal river fluctuations that occur during this period and are beneficial to the aquatic habitat. In consultation with NMFS, the Licensee can provide minimum flows and ramping rates during the study to avoid any negative impact on sturgeon rearing during June. By excluding these dates from consideration for conducting the Whitewater Boating Evaluation, the Licensee runs the risk of not being able to provide the necessary flows during the mid-summer months when less water is available. There is also a greater likelihood that the Licensee will be unable to preclude Station 1 from operating during the test flows, which will distort the study results. Should that be the case, the Licensee should be required to provide additional test flows on subsequent dates in order to assure that the target flows are provided for the study. In the alternative, the Licensee should augment flows

using water from the Northfield Mountain upper reservoir to provide the target flows.

2. The Licensee now discloses, for the first time, that it may conduct maintenance work on Bascule Gate No. 2 during July of 2014, and that this work may impact its ability to release water from Bascule Gate No. 1, Bascule Gate No. 2, and Bascule Gate No. 3 during the entire period in which it proposes to conduct the Whitewater Boating Evaluation. In such event, the Licensee proposes to release the required flows from the taintor gates on river right. Releasing water from the taintor gates will allow for an evaluation of the whitewater boating features on river right; however, the use of these gates may prevent an evaluation of the whitewater boating potential on the ledges located on river left below Bascule Gate No. 1 and may impact on boater access for the study. It is also unclear how the Licensee will measure flows from the taintor gates. We request that the Licensee perform test flows using various Bascule gates and the taintor gates in order to study the effect of the planned releases on the river section immediately below the Turners Falls Dam. To the extent that the Licensee is unable to do so due to its planned maintenance on Bascule Gate No. 2, the Licensee should be required to perform additional test flows on other dates when it has the ability to provide flows from each gate that may have an impact on the Whitewater Boating Evaluation.

Conclusion

American Whitewater respectfully requests that FERC accept these comments and direct the licensee to further revise its study plans to address the concerns raised. Thank you for considering these comments.

Respectfully submitted this 22nd day of January, 2014.



Bob Nasdor
Northeast Stewardship Director
American Whitewater
65 Blueberry Hill Lane
Sudbury, MA 01776

December 4, 2013

Mr. John Howard, Director FERC Hydro Compliance
FirstLight Hydro Generating Company
Northfield Mountain Station
99 Millers Falls Road
Northfield, MA 01360

Re: FERC Project No. 1889-081
Draft of Modified Revised Study Plan
Study No. 3.6.3 (Whitewater Boating Evaluation)

Dear Mr. Howard:

Thank you for sharing with me FirstLight's Draft of Modified Revised Study Plan. First, I want to commend FirstLight for its inclusive process and appreciate the opportunity to provide FirstLight with feedback on its draft study plan revision based on our experience with whitewater boating controlled flow studies conducted elsewhere as part of the FERC relicensing process. American Whitewater submits these comments and respectfully request that FirstLight consider making changes to its draft plan to address the issues and concerns raised below.

1. Study Goals and Objectives (18 CFR § 5.11(d)(1))

American Whitewater generally supports the goals of this study as consistent with its request to FERC that FirstLight conduct a controlled flow study to determine the potential for whitewater boating in the dewatered section of the Connecticut River at Turners Falls. As stated previously in our comments to FERC, we are concerned by FirstLight's plans to study the demand for whitewater boating in the dewatered river section. FirstLight proposes no credible methodology for studying demand, and as such, fails to provide FERC with sufficient information on which to prepare its NEPA document. Additionally, we are concerned that FirstLight's plan to determine the number of days available for whitewater boating under the project's current and any proposed method of operation fails to explore the possibility of utilizing the excess storage capacity at Northfield Mountain as an available source of water for restoration of flows in the dewatered section.

2. Resource Management Goals of Agencies/Tribes with Jurisdiction over Resource (18 CFR§5.11(d)(2))

No comments.

3. Existing Information and Need for Additional Information (18 CFR § 5.11(d)(3))

Citing to the Appalachian Mountain Club AMC River Guide, Massachusetts, Connecticut, Rhode Island, Fourth Edition (2006), FirstLight asserts that the 3.5 miles of river below the Turners Falls Dam cannot be run even by experienced canoeists. This is a gross mischaracterization of the river section below the Turners Falls Dam. The river section is broad, gradually dropping at a rate of 12 fpm from the put in at the Great Falls Discovery Center to the tail race at Cabot Station. The one significant drop at Rock Dam requires scouting, but the river cannot be fairly described as unrunable. The upper and lower limits for running the river have not been determined. This section of the river has been boated numerous times at various levels, including multiple runs in the fall of 2013 when the flow was restored to the river due to maintenance on the power canal. These test runs demonstrated that the river section below the dam can be run by boaters with basic skills at modest flows, and that Rock Dam can be run by intermediate boaters.

4. Project Nexus (18 CFR § 5.11(d)(4))

No Comments

5. Methodology (18 CFR § 5.11(b)(1), (d)(5)-(6))

- Task 1 – Develop Boating Evaluation Protocol, Logistics and Schedule

Study Timing: FirstLight incorrectly states that American Whitewater has requested that the controlled flow study take place in June. AW takes no position on when the controlled flow study should take place, but disagrees with FirstLight's basis for excluding a June date. No data has been put forward by NMFS or any other party supporting the position that releases in the range of those proposed for the flow study adversely impact shortnose sturgeon (a federally endangered species) spawning and rearing. The data shows that flows on the Connecticut River below the Turners Falls Dam exceeded 2500 cfs on 15 days during June of 2013, with a peak of 26,782, assuming maximum generation by FirstLight throughout the month. The releases proposed for the flow study are well within the normal flows, and as such will not adversely impact sturgeon spawning. The primary consideration for scheduling the controlled flow study should be whether FirstLight will have control of the river so that specific flows can be tested.

Composition: With regard to the selection of boaters for the flow study, AW, FLOW and AMC are in the best position to identify whether participants have the requisite skills and experience to participate in the flow study. Boater safety is a critical consideration in selecting participants, as the safety of all boaters depends on fellow boaters. At a minimum, all participants need to be competent Class II boaters to participate in the study, and competent Class III boaters to run Rock Dam, based on

recommendations by AW, FLOW and AMC.

Locations: With regard to the locations where the potential exists for whitewater playboating (e.g., surfing), AW is also interested in two areas in addition to those identified by FirstLight. The area above the put-in at the Great Falls Discovery Center contains numerous ledges that may contain play features depending on the flow and which bascule gate is used. In addition, the tail race below Cabot Station also has the potential for playboating according to at least one boater who has previously boated there. We recognize that Cabot may not be operating on the date of the flow study, but would recommend that this location, as well as the ledges above the put-in, also be documented photographically and in the post-study questionnaire.

Safety: FirstLight should inspect the 2.7-mile section below the Turners Falls Dam to determine whether there is any wood debris that might pose a hazard to study participants. Fallen trees that are not easily avoided should be moved or removed for the safety of all participants.

Release of Liability and Indemnification: American Whitewater questions the appropriateness of requiring study participants to sign a Release of Liability and Indemnification Agreement prior to participating in the study. Assuming that FirstLight is planning to use a modified form of its Barton Cove Campground and Water Sports Equipment Rental Release, Waiver of Liability and Indemnification Form, http://www.firstlightpower.com/northfield/brochures/Barton_Cove_Canoe_and_Kayak_Rental_Waiver.pdf, we question whether participants should be required to release FirstLight from liability for injuries that are due to any negligence by FirstLight or indemnify FirstLight and pay its legal expenses in the event of any third-party claims. The participants are private boaters who have volunteered to assist FirstLight with this study. They cannot be expected to assume the expense and liability for all third-party claims. Any proposed release and indemnification agreement should be subject to comment and modification after legal review by stakeholders and approved by FERC prior to the flow study.

- Task 2 – On-Water Boating Evaluation

After consultation with AW, FLOW and AMC, FirstLight proposes flows of 2,500 and 3,500 on Day 1 of the flow study. We believe that these flows are most likely to result in optimal boating flows and will be beneficial to the aquatic habitat including during the sturgeon spawning and rearing period. Based on the results of the Day 1 study, we will identify flows for the Day 2 study, most likely at levels below 8,000 cfs. We may also request a flow in excess of 8,000 cfs on a subsequent day. None of the flows proposed for study are atypical for the Connecticut River, although higher flows above 8,000 are less frequent during the mid-summer months. To the extent that any of the flows are scheduled during the sturgeon spawning and rearing period, we would request that flows be maintained at or above 2,000 cfs to assure that the

flow study does not have any adverse impact on aquatic habitat.

FirstLight proposes to release water from Bascule Gate #1 for all of the controlled flows released during the study due to the fact that the gate can be operated automatically. American Whitewater requests that FirstLight test at least one flow from Bascule Gate #4 and Bascule Gates #5-7 to determine whether releases from those gates will have any recreational benefit. There are ledges located below each of these gates that may create recreational boating opportunities that should be explored as part of the controlled flow study. These features may not be available when flows are released from Bascule Gate #1. Water levels from these other gates can be controlled both through manual operation and through coordination of the release with TransCanada in order to assure a steady flow during the study.

- Task 3 – Identify and Evaluate Access to the Turners Falls Bypass Reach

No Comments

- Task 4 – Data Review and Analysis

FirstLight proposes to study the number of days that whitewater boating would be available in the natural river bed under any current or proposed mode of operation. Under its current mode of operation, FirstLight provides zero days of controlled flows with the exception of the negligible minimum flow in the river except during spillage when river flows exceed approximately 16,000 cfs. The purpose of the controlled flow study, however, is to determine the number of days in which FirstLight is able to provide controlled flows by foregoing generation. It is entirely appropriate for FirstLight to study its ability to utilize its excess capacity in its upper reservoir to determine its ability to generate power as well as its ability to restore flows that will support aquatic life and recreational river use.

While FirstLight claims that it is premature to study the issue of utilizing its excess storage capacity because it has not been determined if there is a whitewater boating resource in the natural river, reports by those who have boated in the river below the Turners Falls Dam, as well as those who participated in the pre-study boating evaluation in the fall of 2013, demonstrates that the 2.7-mile section below the dam is boatable. The study will determine the optimal flows for boating. With regard to the issue of demand, FirstLight is not proposing any meaningful effort to study this issue through outreach to outfitters or surveying boaters. As such, studying demand is not a basis for delaying a study of the number of boating days available under alternate modes of operation other than those being proposed by FirstLight.

With regard to the issue of competing recreational uses or other resource needs that may be adversely affected by any potential scheduled releases for boating, American Whitewater supports a data driven analysis of the effects of restoring flows on aquatic life and supports the efforts of the resources agencies and NGOs seeking to identify

appropriate river flows. We are not advocating for seasonally inappropriate flow regimes and note that in the summer of 2013, there was not a single day in which flows in the Connecticut River fell below the level that would be suitable for boating at a minimum level. We believe that diverting natural flows into the power canal and leaving the natural river dewatered in the mid-summer is seasonally inappropriate and harmful to both aquatic life and recreational boating opportunities.

- Task 5 – Report Development

See comments above.

6. Level of Effort and Cost (18 CFR § 5.11(d)(6))

No comments.

7. Study Schedule (18 CFR § 5.11(b)(2) and (c))

No comments.

Thank you for considering these comments and providing us with the opportunity to comment on FirstLight's Draft of Modified Revised Study Plan. I look forward to working with you in the coming months in preparation for the upcoming study.

Very truly yours,



Bob Nasdor
American Whitewater
Northeast Stewardship Director

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

FirstLight Power Resources Turners Falls
Project
Northfield Mountain Pumped Storage
Project

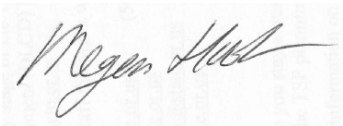
Project No. 1889

Project No. 2485

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 Comments on the Modified Revised Study Plan for the Turner's Falls Hydroelectric (P-1889) and Northfield Mountain Pumped Storage Projects (P-2485)** to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 22nd day of January 2014.



Megan Hooker
American Whitewater