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FEDERAL ENERGY REGULATORY COMMISSION
SCOPING MEETING
KELLY'S FALLS ENERGY PROJECT
CAUSE NUMBER P-3025-029
NEW HAMPSHIRE INSTITUTE OF POLITICS
100 ST. ANSELM DRIVE
MANCHESTER, NEW HAMPSHIRE 03102

THURSDAY, JUNE 27, 2019
AM Session

1 REPORTER: CARLOS GARCIA

2 MR. CRILE: My name is Patrick Crile. I'm the
3 Project Coordinator with the Federal Energy Regulatory
4 Commission and we're here to talk about the Kelley's Falls
5 Project, No. 3025. Just started the relicensing process, so
6 a lot of you've been to scoping meetings, so a lot of this
7 probably redundant, but we'll go through an introduction.
8 We'll talk about process. We'll review what the purpose of
9 scoping is and we're going to talk about the find of
10 information and studies that we're requesting from you and
11 then Green Mountain Power will give a little bit of an
12 overview of the project itself and some of the project
13 features.

14 Then we'll go over the resources that we've
15 identified to date that we think need to be evaluated and
16 this is a good time for you -- you can offer
17 comments/suggestions now or written later. You know if we
18 need to expand that and then we'll go over some dates and
19 you know plenty of time for questions or discussion.

20 So, like I said, my name is Patrick Crile. I'm
21 the Project Coordinator. I'm also the engineer and
22 geologist for project. I also handled the project
23 economics, so we have a whole team at FERC that'll be
24 working on this project. We also have John Baummer is an
25 aquatics and water quality specialist and we also have a

1 representative from our Office of General Counsel in the
2 back, Beth Boots, is here with us.

3 Please make sure you sign in. There is an
4 official mailing list, so there's a list going around.
5 There's an official mailing list that's in the scoping
6 document. And if you don't have a copy of the scoping
7 document, there are some of those around here somewhere too
8 that you can -- in the back. And in the very back of that
9 is the official mailing list.

10 If you're not on the official mailing list and
11 you want to be on it or if you're on it and you want to get
12 off of it, there's some instructions. You know have to just
13 send an email, say add me to this list or you can just let
14 me know now and put your address and everything and I'll
15 make sure you get on there.

16 We also we have a court reporter over here who
17 will be recording everything and there'll be a transcript
18 that'll be published to E-library within a few weeks, so if
19 you want to speak your comments now or you want to ask
20 question just remember it's going to be on the record and
21 just state your name clearly and your affiliation. If
22 you've got a difficult last name, just try and spell it out
23 so we get everything right and we get your comments on the
24 record reflected accurately.

25 Just an important day, July 27 is when comments

1 are due on PAD, the Scoping Document, and Requested Study
2 Studies. So, like I said, you can do comments now and they
3 will be part of the record and they'll be included in our
4 analysis or you can provide them written. And if you're not
5 familiar with E-library, it's our online database and you
6 can subscribe to the project and keep all the filings that
7 will get posted and you get an email all the time and so
8 there's E-subscription way to do that. And if you don't
9 know how to do that, I can help walk you through and it's
10 also in the scoping document.

11 So, just a quick overview of who the Federal
12 Regulatory Energy Commission or FERC is, it's an independent
13 regulatory agency that regulates all interstate transmission
14 of power, so anything that crosses state lines. We regulate
15 natural gas pipelines and hydropower projects throughout the
16 country.

17 Normally, it's a five-member Commission.
18 There's currently four members and pretty soon to be three
19 until the President recommends somebody for Senate approval.
20 I'm not sure when that will be, but as long as there's three
21 then we still have a quorum and we can keep moving forward.

22 Specifically, regarding FERC's hydropower
23 jurisdiction, all projects that are located on a navigable
24 waterway or they occupy federal lands or affects interstate
25 or foreign commerce or uses water from a federal dam, like a

1 core dam, generally falls under our jurisdiction. So,
2 basically, a project that hooks up to the grid is something
3 that FERC regulates and requires a license for.

4 So, this project, Green Mountain Power, chose to
5 use the integrated licensing process, which is a default
6 process for relicensing. So, where we are now they filed a
7 Notice of Intent or NOI that they plan to file a relicense
8 application and a Preliminary Application Document or PAD in
9 March of this year. And then we're at the scoping phase,
10 which will lead towards developing a study plan and that
11 should be February of 2020 by the time that it's complete.
12 So, any comments that you file or request studies there will
13 be an opportunity to respond to studies from the Licensee
14 and then also FERC will make a determination after the
15 prepare a revised study plan.

16 After the study plan is done, and there can be
17 one or two years worth of studies, depending on how
18 extensive everybody feels they need to be. And then
19 ultimately in 2022 is when an application is required to be
20 filed and then that will -- from there FERC will begin
21 preparing an environmental analysis and ultimately, if we
22 choose to relicense the project, there will be an order
23 later down the line.

24 So, this process can change timelines, depending
25 on the complexity of the project, complexity of studies, but

1 the IOP is kind of set up with very specific dates in mind
2 and it keeps FERC involved all the way through, so that's
3 the process that we're looking at, as of right now. And
4 right now we're at the scoping process, so we're here to
5 solicit input and comments from local stakeholders that know
6 the project and project area better than we do, identify
7 issues that you feel need to be studied or considered for
8 the licensing of this project.

9 Ultimately, if the project gets relicensed, you
10 know it could be a 30-year license. So, what needs to be a
11 30 or 40-year license needs to be evaluated and needs to be
12 considered over that period of time. We're also hoping that
13 you could provide us any existing information or studies
14 that have been done that we not know about or local
15 conditions that will help us in doing our environmental
16 analysis down the line.

17 So, specifically, when you -- hopefully, you've
18 had a chance to read through the scoping document and you
19 can see there's some sections that we've identify what we
20 think needs to be evaluated. So, when you go through that
21 list, we're asking that you can identify any information
22 that can help expand or shrink the geographic scope of the
23 project, the temporal timeline, and any significant
24 environmental issues that you think need to be considered
25 for the project, like I said, any existing data that's out

1 there, some local studies that could affect the development
2 of the project, economics, and the environmental resources.
3 Any federal or local resource plans specific to the
4 watershed or the river that apply in this case that we may
5 not have identified and any additional documentation on why
6 an issue should be included or something that we've
7 identified that you feel is not an issue and we can exclude
8 it from our analysis.

9 And then, also, that would be specifically
10 talking about comments on the scoping document and then
11 there's also this is the opportunity to request studies, so
12 a study that you feel needs to be -- a resource that needs
13 to be evaluated further to better inform the Commission when
14 it comes time to do an environmental analysis. And I can
15 get into that a little bit more.

16 If you want to request an official study to be
17 done, there are some specific criteria that you need to
18 follow. I put it up here in bold. It's the C.F.R. Section
19 5.9(B) and this is -- you know if you have a resource that
20 you want to study there's some specific criteria that you
21 need to include in your request, like identify study, the
22 goals and objectives of the study, any relevant resource
23 management goals, the public interest that the study would
24 hope to involve or accomplish. Again, existing information,
25 if there is any, the nexus between the project operations

1 and how the study results would inform, ultimately, license
2 requirements. Come up with a methodology -- a recommended
3 methodology and then a level of effort and costs that would
4 be associated with the study.

5 And ultimately, if you request a study, Green
6 Mountain Power will then, in turn, either incorporate it
7 into their study, respond why they don't feel it's
8 necessary, or propose a modified version. And ultimately,
9 that would come to us and we'll make the determination as to
10 what needs to be included in the study analysis. But just
11 again, just C.F.R. Section 5.9(B), just make sure you
12 address all the requirements because if you're missing
13 something it can kind of get ruled out kind of on a
14 technicality, so it's important to include those.

15 So, again, like I said, the date that we're
16 asking for responses from everybody is July 27. Make sure
17 you identify the project name, Kelly's Falls, the project
18 number 3025 and you can file it all through E-library or if
19 you need to send a paper copy this is the address that you
20 can do that and I can help anybody walk through the process
21 if you're not familiar with E-library, if you're fortunate
22 enough to not know E-library. But any questions on the
23 process so far? I think everybody's pretty familiar with
24 this.

25 MR. NASDER: One question on the process. It's

1 always confused us the service list when we file things with
2 FERC which -- is every filing that goes to FERC required to
3 be provided to the service list or only certain filings.

4 MR. CRILE: Only certain filings that's
5 specifically in the regulations.

6 MR. NASDER: Okay, we'll look that up. It's a
7 source of confusion for us.

8 MR. CRILE: Right, yeah, so not everything needs
9 to be sent out mailed copy to everybody, but yeah, it is
10 kind of confusing.

11 MR. BAUMMER: If you're already on the mailing
12 list then -- I mean if you E-subscribe to the project you'll
13 get it anyway.

14 MR. NASDER: It's just a paper copy.

15 MR. CRILE: Most people don't actually even want
16 a paper copy, so it's kind of relegated.

17 MR. NASDER: Do you want to jump up here or
18 whoever wants to go over it.

19 MR. GREEN: Good morning folks. John Green, I'm
20 with Green Mountain Power. I'm joined by John Tadeso, also
21 of Green Mountain Power here this morning. Before we turn
22 it over to Katie, we just wanted to introduce ourselves and
23 say hello.

24 So, Green Mountain Power is on this project.
25 They refer to us as the new owners, but it's been a couple

1 of years now and some of the New Hampshire folks are
2 starting to look familiar, so we just wanted to introduce
3 ourselves.

4 We're Vermont's largest utility. We have 43
5 hydroelectric facilities. We've expanded into New
6 Hampshire, obviously. We touch New York in the west and we
7 touch Maine in the east over on the Salmon Falls River.

8 And for the New Hampshire projects, at least the
9 ones that are central and east we've partnered with Bancroft
10 Contracting Corporation and they actually do the day-to-day
11 operations. And so Bancroft is a well established
12 construction firm, but some of the folks that are working
13 for them now are the subject-matter experts on these
14 projects, Seth Bentley in the back here very familiar with
15 the project.

16 So, while we're relatively new owners, at the
17 same time we have some institutional knowledge that helps us
18 make sure they run they way that they're supposed to. So,
19 we feel that these type projects are kind of our niche in
20 terms of renewable energy, so we're excited to be here.
21 We're excited to go through the relicensing process and we
22 look forward to working with all of you.

23 With that, I'll turn it over to Katie. Thanks.

24 MS. SELLERS: Good morning everyone. Thank you
25 so much for coming out. My name is Katie Sellers, as I'm

1 sure everyone knows at this point, but I'm assisting Green
2 Mountain Power with relicensing of Kelly's Falls.

3 So, I'll get started with just a quick overall
4 of the project and how it operates and what its' facilities
5 really are. So, the Kelly's Falls Project obviously located
6 here in Manchester/Goffstown, New Hampshire. It's located
7 on the Piscataquog River at river mile 1.8, so it's located
8 just upstream of the river's confluence with the Merrimac
9 River.

10 The project boundaries, as you guys see outlined
11 in red here, is approximately three miles upstream of dam
12 and about 95 feet downstream of the dam. GMP actually does
13 not own any project lands, so it leases lands from the State
14 of New Hampshire. Those lands are specifically around the
15 project powerhouse and around the dam.

16 So, here we have an overview of the watershed.
17 As you guys can well see, Kelly's Falls Dam circled in red
18 there it's located at the very bottom of the watershed. The
19 watershed, in total, is about 217 square miles of drainage
20 and the drainage actually is Falls Dam and it's about 214
21 square miles. The Piscataquog River is about 10 miles long,
22 as a main stem river and its entire watershed drains into
23 Merrimac River watershed, so it's about over 5,000 square
24 miles of drainage.

25 So, the Kelly's Falls Dam is not the only dam on

1 the river. There are six other dams located upstream. We
2 have the Great Falls Dam, which is owned by Eagle Creek
3 Renewable, the Hadley's Fall Dam owned by the State of New
4 Hampshire, and then we have two owned by the Army Corps of
5 Engineers, Riverdale and Everett and then we have the Rare
6 and Deering Dams owned by the State of New Hampshire. Dams
7 located further upstream on this river are used primarily
8 for storage of water, flood storage, and as well for
9 recreation.

10 So, here we have just a broad overview of the
11 Kelly's Falls Project. It's a very simple project, very
12 simple layout. This project is run of river, so the water
13 that comes into the project goes right back out. This is a
14 450 kilowatt project, so it's a small little guy, but as you
15 guys can see here we have the dam and intake are pretty much
16 integral with each other, so the intake really formed this
17 left abutment and then the powerhouse is located just
18 downstream about 65 feet downstream.

19 Here's a little closer overview of the project
20 taken from the Penard or Kelly Street Bridge you guys will
21 see today. So, here we have the dam and flashboards are up
22 at the dam. The intake is right about there and then here
23 we have our powerhouse. The discharge from the powerhouse
24 comes at about this point here.

25 The project impoundment is about 129 acres, at

1 normal surface elevation of 158 feet. As I mentioned before
2 the impoundment structure is approximately three miles
3 upstream from the dam and storage capacity is about
4 1,350-acre feet. The dam itself is approximately 503 feet
5 long. It's made of concrete and stone masonry and it was
6 built in the early 1900s. The spillway is a bit smaller at
7 about 190 feet long and it also sits on a crest elevation of
8 158 feet and the spillway is topped with flashboard, as you
9 guys see in that photo. They're 33-inch high timber
10 flashboards.

11 The project head works you guys can see that
12 left abutment over up there. Project head works basically
13 integral with the dam. They have trash racks that are at
14 the head works. They're about 22-feet long, have 2 1/2-inch
15 clear spacing, and are in position in front of our head
16 gate. Head gate, when it's open, allows water to convey
17 into the pin stock which is actually underground and in this
18 concrete portion here leading to the powerhouse. It's about
19 65-feet long, creating about a 65-foot long bypass reach.

20 The powerhouse, a very simple masonry brick in
21 steel super structure about 28 feet wide by 57 feet high and
22 it contains a single turbine generator and it's a 450
23 kilowatt generator. It's a Vertigo Francis type unit.
24 Minimum hydraulic capacity for this unit is 175 cubic feet
25 per second or cfs. It has a maximum hydraulic capacity of

1 420 cfs and the generator is also rated at 450 kilowatts.

2 Project power is transferred from the generator
3 over to a transmission line and to a substation, which is
4 actually located on the project property owned by GMP, but
5 is not part of the FERC jurisdictional boundary.

6 This project also provides downstream fish
7 passage via a 6-foot wide slide gate. You guys can see it's
8 right next to the intake area there. Passage is provided
9 seasonally in the spring and then once again in the fall and
10 approximately 21 cfs of flow is provided through that gate.

11 So, as I said before, this project is a run of
12 river project. It provides continuous minimum flow of 45
13 cfs immediately downstream of the powerhouse or inflow,
14 whichever is less. River flow is between 175 and 420 cfs
15 are passed through the powerhouse. Anything less than that,
16 the powerhouse is turned off flows are put over the dam.
17 Anything more than that the powerhouse keeps generating and
18 flows are also put over the dam.

19 So, that said, a real broad overview of the
20 project. I'm sure we'll get more into details as we go out
21 on site today, but before we move on does anyone have any
22 questions for myself or GMP staff while we're here?

23 MR. CRILE: Can you talk about the upstream
24 passage requirement?

25 MS. SELLER: Yeah, yeah, so there's currently no

1 upstream fish passage at this project. There is a
2 requirement that if 15,000 Chad were to pass the neighboring
3 Amoskeag Dam, then that requirement would be opened up for
4 this particular project. So, at this point, we're obviously
5 not close to 15,000 Chad passing Amoskeag.

6 MR. CRILE: And Amoskeag is on the Merrimac.

7 MS. SELLERS: Yes, so it's on the neighboring
8 Merrimac River. It's about a mile and a half upstream from
9 this facility.

10 MS. HENDERSON: I noticed in the PAD that it
11 made reference to 15,000 fish in that it referred to a FERC
12 license in 1987; is that where the number came from because
13 that was not included in the PAD? The original license was
14 a 1984 license.

15 MS. SELLERS: Yeah, so, in the original license
16 that was not an included thing. It was you will do passage.
17 In the amendment that came later that was an included thing,
18 was the 15,000 marker.

19 MS. HENDERSON: So, it was an amendment of the
20 original 1984 FERC -- can we get a copy of that?

21 MS. SELLERS: Yeah, yeah, absolutely.

22 MR. NASDER: So, the impoundment level is stable
23 at all times or there is a fluctuation that occurs based on
24 minimum generation?

25 MS. SELLERS: I'll defer to Seth on that, but I

1 believe it's fairly constant.

2 MR. BENTLEY: So, I mean the unit has pump
3 control. It maintains it within roughly half an inch
4 whenever it can. I mean, obviously -- the only fluctuation
5 is if we get below that 175 cfs threshold it shuts down and
6 it naturally rises and then it's natural river height.

7 MR. NASDER: So, what's the fluctuation of the
8 pond?

9 MR. BENTLEY: What we're running is half an
10 inch, but I mean normal is whatever natural river flow is if
11 the unit isn't controlling it.

12 MR. NASDER: But there's not a prescription from
13 the state that requires you to maintain the pond elevation
14 within a certain range?

15 MR. BENTLEY: Only the run of river requirement,
16 so when we do have control of the water it's to be
17 maintained at the crest of spillway or the flashboard. So,
18 in the event that you have -- you know the unit treads there
19 or you have the utility outage the river is uninterrupted
20 and immediately spills.

21 MR. NASDER: But you don't hold it. You don't
22 leave it below and hold it so you can generate. That's not
23 your operation.

24 MS. SELLERS: No, no, it's run of river.

25 MR. BENTLEY: No.

1 MR. NASDER: Okay, thank you.

2 MR. COMSTOCK: I noticed that the normal pond is
3 defined as the crest elevation of 158 and you have 33-inch
4 flashboards at 160.7. Why isn't the normal pond at 160.7
5 and the project boundary based on that elevation instead of
6 158?

7 MS. SELLERS: That I don't know. Anyone else
8 have a thought? Yeah, I don't know. I was wondering that,
9 honestly, Gregg, as I was going through that.

10 MR. COMSTOCK: But your normal operation is with
11 the flashboards up, right?

12 MS. SELLERS: Yeah.

13 MR. COMSTOCK: Okay. And I just had another
14 question too. As far as in the PAD it was saying it's
15 operated remotely, but are you there every day?

16 MR. BENTLEY: The site is checked daily. It's
17 not manned. I mean you know it's a once daily check.

18 MR. COMSTOCK: Yeah.

19 MR. BENTLEY: It does communicate to Green
20 Mountain's control center, so they can actually -- they get
21 the data. They can see what's going on with the things as
22 well.

23 MR. COMSTOCK: And do you keep records -- you
24 know electronic records of the pond elevation.

25 MR. BENTLEY: Yes.

1 MR. COMSTOCK: You know continuously, basically,
2 records.

3 MR. BENTLEY: Yes. The onsite control computer
4 records all data. Sometimes past a year it becomes a little
5 trickier that data the way it stores it, but it does record
6 all data. And then we manually actually on every day check
7 record of the data, whatever it is, when it's checked -- you
8 know pond elevation, flow. You know your basic unit
9 divisions.

10 MR. COMSTOCK: If I remember, there's like -- a
11 PAD there was a like a gauge. It's a state gauge, an EPA
12 gauge over there.

13 MR. BENTLEY: There's a flow gauge directly
14 upstream. Yes, a USGS gauge.

15 MR. COMSTOCK: A USGS gauge, okay -- and you
16 cross-check with that every day?

17 MR. BENTLEY: Oh, yes. That's maintenance.
18 It's convenient when you have one directly upstream so you
19 know exactly what's going on there.

20 MR. COMSTOCK: Okay, thank you.

21 MR. CRILE: Do you have access to the data
22 before Green Mountain Power acquired it, that kind of flow
23 data?

24 MR. BENTLEY: So, I haven't tried looking,
25 probably. The computer does store it I mean sometimes the

1 way it is. Archives it can be a little tricky to get out.
2 You know prior to Green Mountain's ownership, it went to
3 another controller and they stored that data as well.

4 MR. CRILE: Okay.

5 MR. BENTLEY: It exists.

6 MR. CRILE: Gotcha.

7 MR. BENTLEY: Just got to figure out how to get
8 it.

9 MS. SELLERS: Yep.

10 MR. NASDER: Are all of the upstream projects
11 run of river?

12 MS. SELLERS: I don't believe so.

13 MR. NASDER: I guess my question is do the
14 inflows into the project, if I look at the USGS gauge will
15 they reflect something resembling a natural hydrograph or
16 not so much.

17 MR. BENTLEY: I mean the fluctuation coming to
18 us is a little more than I would typically expect to see on
19 a lot of rivers, but I think it's mostly because again what
20 we see on that gauge is a direct result of Great Falls and
21 they have much larger units. They are actually a little
22 large for the river, so you know you will see a surge when
23 units come on and then taper off.

24 MR. NASDER: Okay.

25 One more question -- maybe you're going to get

1 to it, but are you going to speak to the recreation use in
2 and around the project?

3 MS. SELLERS: I can speak to that now. So,
4 right now the project does not have any FERC-prescribed
5 recreation facilities, but there is much recreation around
6 the project from there's local rail/trail network. There's
7 a local town trail network. There's a state forest just
8 downstream of the project, so there's a lot of local
9 recreation that's utilized around the project.

10 MR. NASDER: Is there portage around the dam?

11 MS. SELLERS: There is a portage just upstream
12 of the dam.

13 MR. NASDER: River right or left?

14 MS. SELLERS: It is River left. So, you guys
15 see this rail/trail ridge right there, the portage is just
16 on the other side of that bridge to your left.

17 MR. NASDER: And do you know the approximate
18 length of it?

19 MS. SELLERS: The length of the portage?

20 MR. NASDER: Yeah.

21 MS. SELLERS: I do not.

22 MR. NASDER: And anything on the condition of
23 it? I mean have you assessed it to date?

24 MS. SELLERS: It's maintained by the city, so
25 it's a very nice local portage. You'll see it today.

1 MR. NASDER: Access to the river in the project
2 boundary for recreation?

3 MS. SELLER: It's that portage I know of. I
4 don't know of any other portages further upstream. And then
5 downstream the project boundary ends right at the
6 powerhouse, so downstream there's a local park that I know
7 provides portage as well.

8 MR. NASDER: The PAD was relatively silent about
9 the ^^^^ maybe one reference to the whitewater use upstream
10 from the project, one of my concerns deal with the access
11 for the upstream whitewater boaters in your impoundment.
12 I'll address that in written comments, of course. I guess
13 my question for you is where does an upstream paddler take
14 out if they want to avoid the dam? How would they get out
15 -- how far out?

16 MR. GREEN: Right at that little (inaudible)
17 above it. It's about 100 yards upstream of the dam.

18 MR. NASDER: Are there parking areas there?

19 MR. BENTLEY: Yes.

20 MS. SELLERS: Yeah. And it's a very nice
21 parking area, ramp area for hand carry access, even
22 motorized access. Yeah, we can see it today.

23 MR. NASDER: I'll take a look on the tour.

24 MS. SELLERS: Yeah, it's a very nice access
25 point.

1 Okay, any other questions?

2 MS. ROSSEN: What's the speed of the turbine?

3 MR. BENTLEY: Speed?

4 MS. ROSSEN: Yep.

5 MR. BENTLEY: 225.

6 MS. ROSSEN: And what's the trash spacing?

7 MS. SELLERS: Two and a half.

8 MS. ROSSEN: Thank you.

9 MR. BAUMMER: Is there a plunge full below the
10 downstream passage way and if so, do you know how deep it
11 is?

12 MS. SELLERS: I don't off the top of my head.
13 Do you know, Seth?

14 MR. BENTLEY: It's more of -- what'd you call it
15 -- (inaudible) spillway.

16 MR. BAUMMER: The fish got to ride down the base
17 of the dam.

18 MR. BENTLEY: They shoot.

19 MR. BAUMMER: Okay.

20 MR. BENTLEY: Once you get off the spillway, it
21 does have a bit of a plunge, it's not directly into the
22 plunge.

23 MR. GREEN: There's a fair amount of ledge
24 there, John. I' don't know if we'll see it today, depending
25 on the sunlight, but kind of in towards the centers of the

1 river where you can see ledge where it's tied to the
2 abutment of the dam. It's a little bit through there.

3 MR. BAUMMER: Okay, great.

4 MR. CRILE: You mentioned that downstream from
5 the project I think you said there's a 45 cfs minimum flow?

6 MS. SELLERS: Yes.

7 MR. NASDER: How is that passed if your turbine
8 has a minimum capacity of 175; is there some other -- how do
9 you pass minimum flows?

10 MR. BENTLEY: That's where it spills immediately
11 if the unit shuts down.

12 MR. NASDER: There's nothing at the powerhouse.
13 You're spilling that 45.

14 MR. BENTLEY: When the unit shuts off;
15 otherwise, the 45 is being passed through the unit. The
16 discharge is directly at the base of the dam, so there is no
17 --

18 MR. NASDER: In your bypass, though, I think you
19 said there was a minimum flow of -- what was it -- 21 or
20 something.

21 MS. SELLERS: For the downstream fish way.

22 MR. NASDER: Oh, that's just in the fish way.
23 That's for the fish way.

24 MR. BENTLEY: That's seasonal. We have spring
25 and fall that we pass water through that.

1 MR. NASDER: But your minimum flow then would be
2 passed not through the powerhouse, but by the spillway.

3 MR. BENTLEY: When we're not running.

4 MR. NASDER: When you're not running.

5 MR. BAUMMER: That's kind of a weird thing, if
6 you think about it, though, it's a run of river project,
7 right, you look for the valve flow, right?

8 MR. NASDER: Absolutely, agreed.

9 MR. BAUMMER: If they can't generate with it,
10 they have to spill it. So, the minimum flow to me is kind
11 of a -- I've seen this written in a couple of other license
12 before and I don't know why it exists because it doesn't, if
13 it's a run of river project, inflow equals outflow. If you
14 can't generate with it, you're spill it. So, anything less
15 than 175 is going right to spill. So, I don't know why
16 there's a minimum flow.

17 MR. GREEN: Probably if you have an extensive
18 bypass reach.

19 MR. BAUMMER: Yeah, yeah, I could see that, but
20 there's not an extensive bypass reach.

21 MR. BENTLEY: The only time that it actually
22 affects us operationally is on a flashboard repair.

23 MR. BAUMMER: Okay, thank you.

24 MR. BENTLEY: When we have to fill the pond back
25 for a one or two-duration that's where we open that gate.

1 So, that 6-foot gate we use a small paddle to get the fish
2 bypass. We're allowed to open that gate to spill you know
3 as much capacity as it will allow.

4 MR. BAUMMER: I gotcha, while you're refilling.
5 Okay.

6 MR. BENTLEY: But once we're full, we'll close
7 that gate.

8 MR. BAUMMER: Gotcha. Okay, alright.

9 MR. CRILE: Historically, what has been the
10 minimum flow on the river?

11 MR. BENTLEY: The lowest one.

12 MR. CRILE: Well, at least in 7210.

13 MS. SELLERS: We can look in the Pad.

14 MR. CRILE: Do you get down to the 45 is kind of
15 my question.

16 MR. BENTLEY: Possibly. Honestly, because the
17 unit needs so much water to run, it needs -- you know a lot
18 similar plants can run down to almost 850 or 60 cfs. This
19 one is very inefficient on the low end and honestly I
20 haven't really checked.

21 MR. CRILE: Right. I can check the gauge data
22 and see where it goes.

23 MR. BENTLEY: If we're below 100 cfs, we're
24 nowhere near running, so we don't really watch the river
25 flow that hard at that point.

1 MR. CRILE: Are there any upgrades planned for
2 turbines or anything?

3 MR. GREEN: No, but we recognize that it's a
4 very inefficient turbine sat down at the low end that's not
5 part of this relicensing process.

6 MR. CRILE: Is dam removal being contemplated;
7 decommissioning being contemplated?

8 MR. GREEN: No.

9 MS. SELLERS: Yes.

10 MR. COMSTOCK: Is there a low-level outlet and
11 if so, what's the elevation of that compared to crest.

12 MR. BENTLEY: There isn't a true low-outlet.
13 There is a pipe on the right abutment. It's some remnant of
14 the old mill that was there, but I believe it can only draw
15 the pond down. I believe it's somewhere in that range. I
16 don't know the true elevation. It's not at the bottom,
17 though. It's not a low level output, so it can be used --
18 we have used it to do -- we were six feet below the impress
19 for some repairs a number of years back and it was near the
20 surface at that point when we were down that low. So, in
21 order to drain the impoundment, it would have to go that
22 low.

23 MR. COMSTOCK: How do you maintain the 45 cfs,
24 assuming that's what inflow is when you're loading the pond
25 below the crest?

1 MR. BENTLEY: Again, through that pipe, so all
2 we need is a pass of water, other than if we had enough
3 water to run the unit would pass it, obviously.

4 MR. COMSTOCK: Thank you.

5 MR. GREEN: Katie, can you back up a couple of
6 slides? I think at least the outlet for that is probably
7 shown on one of your pictures.

8 MS. SELLERS: Yeah.

9 MR. BENTLEY: The outlet is down low, but again,
10 that pipe intake for it is up near the -- basically, on that
11 red building area, down below it somewhere on that right
12 abutment and there's a manual slide gate with a screw
13 actually on that abutment and we operate it.

14 MR. CRILE: Alright, so jumping kind of back to
15 the scoping document, if you got a scoping document or if
16 you already read it this kind of summary. It starts on page
17 13. These are the resource issues that FERC has identified
18 that -- these are the issues that we feel will need to be
19 identified or studies further or evaluated in our --
20 ultimately, in our environmental analysis.

21 As we're going through them, if you see
22 something that doesn't need to be included or we've missed
23 something, this is what we're asking input on if you want to
24 file comments on this scoping document, specifically.

25 So, looking at the aquatic resources, we're

1 looking at water quality and stream flow within the
2 impoundment and over the dam. We're looking at habitat for
3 fish and aquatic organisms. We're looking at the migration
4 of fish, upstream and downstream, impingement and
5 entrainment of fish, and the effectiveness of the
6 downstream fish passage that Katie was talking about.

7 We're also considering terrestrial resources, so
8 all the lands not -- on land within the project boundary
9 we're looking riparian wetland habitat and wildlife that are
10 associated with that. We're looking at non-native invasive
11 species. We're looking at state-listed threatened or
12 endangered on the New Hampshire state list, and we're also
13 looking at upland wetland habitat.

14 And then, specifically, we also look at
15 threatened and endangered species that are federally listed.
16 And so far, we've identified the northern long-ear bat and
17 small whorled begonia, also considering recreational use
18 within the project area and cultural resources and historic
19 resources, archeological resources, traditional cultural
20 properties that are already included on or maybe eligible
21 for listing on the National Registrar of Historic Places and
22 any properties of traditional or religious or cultural
23 importance to any known Indian Tribe.

24 And then also we look at the effects of any
25 recommended environmental measures on the economics of the

1 project itself.

2 So, this is really the last slide, but these are
3 the important dates. So, June 27 is today. We're at the
4 scoping meetings. We also have, if you're interesting in
5 attending, there will be a site visit at the project meeting
6 by the powerhouse area at 1:00 o'clock today. And if you
7 want to hear me give the same presentation again, you can
8 come back tonight. At 7:00 o'clock, we have a designed for
9 public input. You're welcome to attend both. And we want
10 comments -- if you want comments on the PAD, comments on the
11 scoping document, study requests, we're asking for those by
12 July 27. And then in September of this year, Green Mountain
13 Power will file a proposed study plan.

14 There'll be study plan meetings and then
15 comments and then, ultimately, in January they'll file their
16 revised study plan and then there's another round of
17 comments working up to that February 7, 2020 when FERC will
18 make a determination. And after that it'll be the beginning
19 of the first study season in 2020. And that's about all we
20 have for this morning.

21 Does anybody have any questions for me? I'd
22 like to also real quick make sure everybody signs in again.

23 MR. ROSSEN: Could you just add clarity
24 regarding the geography scope that's in the scoping
25 document? It says the entire Piscataquog. Does that also

1 include the middle and south branch or is it just the north
2 branch?

3 MR. BENTLEY: Human effects analysis?

4 MS. ROSSEN: Yeah.

5 MR. BENTLEY: That would include the entire
6 basin.

7 MS. ROSSEN: Okay, thank you.

8 MR. BENTLEY: You're welcome.

9 MR. CRILE: But again, like I said, if that's
10 too broad of a scope or not broad enough, these are the kind
11 of things that we're looking for at this point.

12 MR. ROSSEN: Thanks.

13 MR. CRILE: Anybody else?

14 MR. NASDER: This is a comment more directed to
15 New Hampshire DES. I don't know if you all have been
16 following closely the Hoopa Valley Tribe v. FERC Decision,
17 but their implications for the state on this that I think
18 are very important. We're recommending that the state
19 provide in the very near term information to Green Mountain
20 Power about what information and studies it will require.
21 The strict interpretation by FERC of the Hoopa Decision is
22 causing a major problem for the states as they grapple with
23 the one-year deadline that's required under the Clean Water
24 Act for issuing your water quality certification.

25 And our recommendation has been that states

1 should not wait until they receive a formal application for
2 water quality certification to notify the power companies of
3 what it'll need and if there are specifics studies we're
4 frequently finding that FERC does not require all the
5 studies that the states may request or need. And we
6 strongly recommend the states let them know upfront what it
7 is that they want so they can meet their one-year statutory
8 deadline.

9 MR. COMSTOCK: We will be filing study requests.

10 MR. CRILE: Anybody else? Alright, well, with
11 that, we'll go ahead and end this meeting and we'll see some
12 of you or all of you around 1:00 o'clock for the site visit.
13 Thank you.

14 (Whereupon, the meeting was concluded.)

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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceeding
before the FEDERAL ENERGY REGULATORY COMMISSION in the
Matter of:

Name of Proceeding: Kelly's Falls Energy Project

Docket No.: P-3025-029

Place: Manchester, NH

Date: Thursday, June 27, 2019

were held as herein appears, and that this is the original
transcript thereof for the file of the Federal Energy
Regulatory Commission, and is a full correct transcription
of the proceedings.

Carlos Garcia

Official Reporter