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UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION  
Office of Energy Projects

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Central Rivers Power, NH LLC

J. BRODIE SMITH HYDROELECTRIC PROJECT

Project No. 2287-053

GORHAM HYDROELECTRIC PROJECT

Project No. 2288-057

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Great Lakes Hydro America, LLC

SHELBURNE HYDROELECTRIC PROJECT

Project No. 2300-057

UPPER GORHAM HYDROELECTRIC PROJECT

Project No. 2311-067

CROSS POWER HYDROELECTRIC PROJECT

Project No. 2326-054

CASCADE HYDROELECTRIC PROJECT

Project No. 2327-047

SAWMILL HYDROELECTRIC PROJECT

Project No. 2422-058

RIVERSIDE HYDROELECTRIC PROJECT

Project No. 2423-031

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Town & Country Inn

1033 20, US-2

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Shelburne, New Hampshire

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Tuesday, October 22, 2019

33

34 The public scoping meeting, pursuant to notice, convened

35 at 2 p.m.

36

1 P R O C E E D I N G S

2 MR. HANSEN: All right, folks. We are going to  
3 go ahead and get started, after having given everyone a  
4 couple minutes in case they're straggling late.

5 Anyhow, this is the Federal Energy Regulatory  
6 Commission's scoping meeting for the relicensing of the  
7 Androscoggin River Projects, is what we're calling them. I  
8 hope everyone is in the right place; I think you are. I see  
9 most everyone here this morning. So, welcome. Thank you  
10 for attending.

11 The projects in particular that we are talking  
12 about the relicensing of today would be the J. Brodie Smith  
13 and the Gorham project that we saw this morning, and then  
14 tomorrow we'll be looking at Shelburne, Upper Gorham, Cross  
15 Power, Cascade, Sawmill, and Riverside. We're going to do a  
16 single environmental assessment for all these projects  
17 together because of their proximity and their related-ness  
18 and how they operate, it seems to make the most sense that  
19 way.

20 After the names here we have a FERC project  
21 number. If you're not familiar with that, you know, come  
22 talk to me and I can help you with that. Those are the  
23 numbers we've assigned to these projects. The three digits  
24 after, at the end there are the subdockets for the  
25 relicensing. So, if you're interested in just, say for

1 example the relicensing number Riverside Project, I would  
2 recommend you only look at P-2423-032. All the other  
3 subdockets, which will would be 000 up to 031, will be full  
4 of all kinds of other things that won't concern you at this  
5 time. So, if you're not familiar with how the docket system  
6 works, feel free to come ask me.

7           So, start with introductions. I think I've met  
8 everyone this morning but I think there are a few folks that  
9 I haven't. I'm Ryan Hansen, I work for the Federal Energy  
10 Regulatory Commission, or FERC, as we call it. I'm a  
11 fisheries biologist and I am the coordinator for the  
12 relicensing of these projects here on the FERC side. I have  
13 two colleagues with me today, I'm going to let them go ahead  
14 and introduce themselves.

15           MS. COLBERT: I'm Julia Colbert. I will be the  
16 environmental engineer working on the projects. So, looking  
17 at project facilities and operations then also geology and  
18 soils impacts if there are any.

19           MS. NOVAK: I'm Suzanne Novak. I'm the outdoor  
20 recreation planner. I'll be working on the outdoor  
21 recreation plan and also working on the cultural resource  
22 issues. And I'm here today to also look at recreation  
23 issues; however, there's going to be a new project  
24 recreation planner, Ingrid Rothman. So, she'll be doing all  
25 the recreation from here on out, but I'll still be handling

1 the cultural.

2 MR. HANSEN: Thank you. So, today, we'll start  
3 with some housekeeping items. I will move on when I turn  
4 the floor over then to our licensees. They are going to  
5 give us a quick description of each of the projects and the  
6 background information that we need for this meeting. After  
7 that I'll follow up with -- we'll talk about the purpose of  
8 scoping and actually why we're here today. We'll move along  
9 to a list of the resource issues that we have --Commission  
10 Staff-- have currently identified as being important for our  
11 environmental assessment.

12 After that we can talk about the preparation  
13 schedule for our environmental assessment, which is a ways  
14 down the road but actually we'll probably talk more about  
15 the steps in the next year or so, more pointedly, so  
16 everyone knows where we're at. We'll discuss the kind of  
17 information that we're requesting today at the end so  
18 everyone will understand exactly what we're looking for.  
19 We'll quickly go over FERC's online resources and then we  
20 should have plenty of time throughout the meeting for  
21 comments and questions. Since it's a pretty small group, if  
22 comments or questions come up at any point during the  
23 proceeding, just raise your hand and yell out, whatever.  
24 We've got plenty of time.

25 So, we have a sign-in sheet. I put it back there

1 on that bar so if you don't mind before you leave, putting  
2 your name and affiliation down. This meeting is public  
3 record so therefore it's important for us to know who  
4 attended. And also, it will be very helpful to Dan here.  
5 Speaking of which, this is Dan; he is a court reporter. He  
6 is recording this entire meeting for the public record. I  
7 think probably, somewhere in the neighborhood, I think, 7  
8 and 10 days-ish, the entire transcript of this meeting as  
9 well as the one we're going to have this evening will be  
10 posted on FERC's eLibrary site so everyone can go there and  
11 check out the entire meeting.

12 I don't think we need to worry about the  
13 consideration of time things, it's not a big enough group,  
14 so we can skip that. If you have anything to say, which I  
15 hope everyone does, before you talk, please state your name  
16 and your affiliation. Dan here is a super smart fellow but  
17 he can't remember everybody's name right off the bat so if  
18 you don't mind, every time you speak, your name and your  
19 affiliation. It may seem redundant spoken three or four or  
20 five times, but it's a big help for Dan so I ask that you  
21 please do that every time.

22 So, today we're here soliciting your oral  
23 comments and oral testimony about this project. I think  
24 that many of you will also be submitting, possibly, written  
25 comments; things that you don't think of today, things that

1 you want to have on the written record. The important date  
2 for everyone to know, I'll go over this three or four times  
3 throughout, November 23rd is our deadline for comments on  
4 the licensees' pre-application document. For comments on  
5 our Scoping Document 1 that we will be discussing today, as  
6 well as requests for any studies that you think need to be  
7 conducted, and we'll get into that later. We'll talk about  
8 that.

9           The Commission strongly encourages electronic  
10 filing through our eLibrary system. I'll talk about that at  
11 the end as well. If you want to mail comments to us, you  
12 certainly are welcome to. This is our mailing address. If  
13 you need it come see me, I'll give it to you afterwards. If  
14 you can submit these electronically it's going to be a lot  
15 easier for you all, and that's what we recommend.

16           So, I don't know how much you all have worked  
17 with FERC. Probably some of you a lot, maybe some of you  
18 not. I don't know. It's kind of a sleepy little agency at  
19 times. But what we are, we're a five commissioner, a five  
20 person commission who are all appointed by the president.  
21 Currently, we have three. We need two more which will be  
22 forthcoming. But we are a federal agency that regulates  
23 interstate transmission of natural gas, oil, and  
24 electricity. That's kind of our, one of our biggest  
25 responsibilities. We have additional, lesser

1 responsibilities, and I don't mean less important, just mean  
2 less, smaller group of folks that do it. One of those is  
3 the licensing and inspecting of municipal, state and private  
4 hydro projects, which is what I do as well as my colleagues.

5

6           The office at FERC that handles hydropower  
7 licensing and relicensing is the Office of Energy Projects,  
8 of which I am a member, and then to drill down even deeper,  
9 we are the Division of Hydropower Licensing. If you have  
10 any experience with FERC, once a project gets a license  
11 there are many things that they have to do over the course  
12 of that license. And we have the Division of Hydropower  
13 Administration and Compliance, and they're the ones that  
14 take care of the post-licensing actions.

15           Additionally, we have the Division of Dam Safety  
16 and Inspections who come out and inspect projects every so  
17 often. Usually within, I think, at least every five years.  
18 To make certain everything is looking safe and all of the  
19 license requirements are being met on the ground. We have  
20 five regional offices. Those are mostly dam safety folks so  
21 when you get a visit from FERC Dam Safety those are the  
22 regional folks. Myself and my team we're all based in  
23 Washington, D.C.

24           So, with that, we are going to turn it over to  
25 the licensees for a quick presentation. They can tell us



1 about the projects and then we'll get back to the scoping.  
2 We'll start with Central Rivers.

3 MR. QUA: Thank you very much. I'm Andy Qua.  
4 I'm with Kleinschmidt Associates. We're an environmental-  
5 engineering-regulatory firm here in Northeast and  
6 nationwide. We help licensees like Central Rivers as well  
7 as Brookfield who will also be presenting, help them through  
8 the process, work with agencies to conduct studies and  
9 analyze effects of project operations, per terms of the  
10 license as well as help with implementing terms of  
11 relicensing.

12 I'm going to give you a real quick overview of,  
13 many of you are out there, it's going to be less detailed  
14 than that but at least give you a snapshot of key features  
15 of the project. J. Brodie Smith is located in the city of  
16 Berlin, just downstream of Great Lakes / Brookfield's  
17 Riverside Project. The Gorham Project is in the town of  
18 Gorham, and that's approximately 2.8 miles upstream of the  
19 Great Lakes-Shelbourne project, located around river mile  
20 131. So, you'll be hearing and have heard that there's two  
21 Central River projects and several Great Lakes projects  
22 within that same group we're looking at here.

23 Just a quick overview of these two sites in  
24 particular. In red is the project boundary map, so we'll be  
25 analyzing the effects of resources within those boundaries

1 for these two sites; and again the Great Lakes Projects are  
2 among there as well, which I expect you will see in a little  
3 bit.

4           Just a picture of the dam. It was a little  
5 warmer, probably that day than it was today, but we have the  
6 spillway over here with the three-and-a-half foot  
7 flashboards. What you cannot see very well, there's some  
8 gates here and nine, plus or minus foot, steel flashboards  
9 in that intersection. Within the boundary which extends  
10 2,500 feet upstream, excuse me, downstream and 1,200 feet  
11 upstream, the impoundment is 109, 110 feet mean sea level.  
12 The project operates generally in run-of-river mode so that  
13 does not fluctuate up and down like some other projects do.

14           The recreation access, which we saw today,  
15 provides a lot of pads and some river access. It's about a  
16 10 acre park. Well-maintained. A sunny day lunch would  
17 have been nicer than today but it was still kept up pretty  
18 well for this time of year. Again, the impoundment is about  
19 1200 feet long, on 8 acres at pond level 1009.7 feet mean  
20 sea level. And it's operated as run-of-river and  
21 experiences very little fluctuation, and then there are  
22 periods of maintenance that they need to draw the pond level  
23 down, and that typically does not occur without some  
24 conservation first.

25           Major project facilities. There's a 500 foot

1 long gravity dam, two spillways separated by two large  
2 sluice gates. A power canal 500 feet long. What I don't  
3 have on the list here that we also saw today is, there's a  
4 1,450 foot long, 18 foot diameter penstock, which was quite  
5 impressive to see up there today. The powerhouse contains  
6 one single 15 megawatt unit with a hydraulic capacity of  
7 3,200 CFS. We should have a minimum value in the pre-  
8 application document but if for some reason we don't we can  
9 provide it separately. Trash racks are three inch clear  
10 space and there is a trash rake used to keep debris out  
11 there. And there's also a 1,500 foot long primary  
12 transmission line that connects into the Eversource  
13 facility.

14           Moving on to Gorham. Gorham is a little larger  
15 footprint, and that extends 4,700 feet upstream, a little  
16 over 2,000 feet downstream. The impoundment is 773 and a  
17 half mean sea level. That defines the project boundary in  
18 the impoundment. Again, there are recreation facilities at  
19 the Gorham Project, not having an extensive park like  
20 upstream at Smith, with lots of amenities including walking  
21 trails, picnic areas, canoe portage, some information kiosk,  
22 parking, and there are no proposed changes to the project  
23 boundary at this time.

24           In the impoundment, 4,700 feet long, the  
25 impoundment is approximately 32 acres. Don't need to go

1 through that again. This is a large timber crib dam. A lot  
2 of it was recently rehabilitated from, I think it was Irene,  
3 Hurricane Irene, associated. There's a 90 foot long  
4 spillway section with 12 inch timber. Another longer  
5 section with five-and-a-half foot boards, approximately.  
6 And then another short section separated by a sluice gate.  
7 And this also has a canal of 415 feet long, 8 wide. The  
8 powerhouse actually contains four units at this station.  
9 Two 400 kilowatt and two 675 kilowatt units. Total  
10 hydraulic capacity, 2,800 CFS. Again, more initial detail  
11 in the pre-application documents, would have some  
12 information on the minimum hydraulic capacities, but  
13 sometimes that can be a little hard to come by so if you  
14 don't find it and are looking for it, let us know, and we  
15 can have that on our website.

16           So, overall, both projects are operated in run-  
17 of-river mode, no changes are currently being considered for  
18 the project boundaries or how they're operated and Center  
19 Rivers will continue to maintain the existing recreation  
20 facilities that receive a fair bit of public use.

21           I think that's all we've got.

22           MR. HANSEN: Thank you. Any questions for Andy  
23 about J. Brodie Smith or Gorham?

24           All right. We're going to move on then, let Mr.  
25 Randy Dorman come up, and he will tell us about the other

1 six projects.

2 MR. DORMAN: So, if imitation is the sincerest  
3 form of flattery, than I flatter my good friend Curt, by  
4 selecting the same consultant, Kleinschmidt Associates, to  
5 help us out with this. We clearly saw there was going to be  
6 a lot of efficiency to have one team work on all of these  
7 simultaneously. So, we're very happy to have them aboard,  
8 I'm also the Kleinschmidt alum as it happens, too, so we  
9 kept it in the family.

10 So, we're going to be talking about the six  
11 projects today. We have a little more detailed slide later  
12 on with an overview of this. So, we'll go over the  
13 location, the boundaries, the impoundments, and then we'll  
14 go through each facility individually. We'll start at the  
15 top of the system and we'll work our way down.

16 So, here is a pretty good overview map of all of  
17 our projects, and hopefully our site visit tomorrow will  
18 more or less follow the order of this presentation. So,  
19 we'll start tomorrow morning at the Sawmill Project, that's  
20 where we'll rally and go through our safety program. So,  
21 that's at the top, up in Berlin. Then we can actually walk  
22 down to the Riverside Project which is about, not quite half  
23 a mile downstream. From there we will then get in our cars  
24 and we'll drive actually to the other side of the river and  
25 take a look at Cross, Cascade, and Upper Gorham which are

1 the next three projects in the sequence, going down. And  
2 then, once we're at some point we're going to work in  
3 lunch, if it's going to be based on how far do we get and we  
4 intend to finish the day down at Shelburne. So we'll have  
5 to go back over to the west side and then drive down and  
6 finish up with the Shelburne Project.

7 So, that's kind of a high level overview of how  
8 all of these assets are laid out. And like I said, we'll go  
9 over each one of these individually. Just a little general  
10 slide of the FERC project boundary, and it basically is  
11 intended to encompass all land and structures necessary for  
12 operation of the project. So, your infrastructure, that's  
13 your dams, your powerhouses, those are always in your  
14 project boundary. Generally, your project impoundment is  
15 also going to be in that boundary and for us, our project  
16 impoundments generally follow the normal high water mark.  
17 We have no formal managed recreation facilities within any  
18 of our project boundaries, as we're going to see. The  
19 boundaries were drawn very tightly so there's not a lot of  
20 excess land. We're not proposing, at this time, any changes  
21 to those project boundaries.

22 So, our project impoundments range from small to  
23 very small and this gives you, kind of, a good overview of  
24 that. The Sawmill at the top is the longest at about almost  
25 9,000 feet. And it's got about 72 acres. Shelburne is not

1 quite as long but actually impounds more, 250. And then  
2 Riverside is our smallest impoundment; it's about 600 feet  
3 in length and that's only 7 acres in terms of impoundments,  
4 which it's pretty small as these go. So, then we've got,  
5 kind of, everything in between.

6           Surface elevation ranges from 734.2 feet down at  
7 Shelburne up to 1,094 and a half at Sawmill. And then,  
8 here's a quick snapshot of all of the projects. They range  
9 in capacity from a little over 3 megawatts up to almost 8.  
10 Individually, this is kind of a smaller capacity but in  
11 aggregate, this actually, is over 25 megawatts. This is a  
12 pretty good collection of projects for us. Hydraulic  
13 capacities here range from 1,880 CFS all the way up to  
14 Cascades that's got the biggest, with 2,950 CFS.

15           And bypass reaches, I should call out, we've got  
16 a couple of projects that don't have any bypass reach at  
17 all. The project basically dumps right back in the river.  
18 That would be Cross and Shelburne, and then at Upper Gorham,  
19 that's where we have our longest bypass reach, that's a  
20 mile. And then that's followed by Riverside where we've got  
21 over 2,000 feet of bypass reach.

22           AUDIENCE: Randy?

23           MR. DORMAN: Yes?

24           AUDIENCE: I was just looking at the PAD, and  
25 with Shelburne it's saying you've got an 150 foot bypass

1 reach? Page 5.6.

2 MR. DORMAN: I'm looking to Kyle and Greg.

3 AUDIENCE: It's a small section.

4

5 AUDIENCE: Yes. It's a small section that's just  
6 downstream from the flashboards. It's maybe 100 feet?

7 MR. DORMAN: Yes, you could squint, I think, and  
8 call it a bypass reach but I don't know that - Yes, I think  
9 if I had looked at that harder I probably would have pulled  
10 that out altogether. We can see that tomorrow and talk  
11 about it. But I think it's fringe-y if we do call it but,  
12 good question.

13 Yes.

14 MS. HENDERSON: Carol Henderson, New Hampshire  
15 Fish and Game. I just wanted to, because you have a lot of  
16 information of all those eight projects. Can we have a copy  
17 of your PowerPoint presentation?

18 MR. DORMAN: Absolutely.

19 MS. HENDERSON: Thank you.

20 MR. DORMAN: So, all of the projects have their  
21 own little quirks but there are some important things that  
22 carry across all of them. They're all operated as run-of-  
23 river. So, we have very little impoundment fluctuation  
24 other than during natural events. If we have a flashboard  
25 that goes out or if we have a maintenance activity.



1 Otherwise, if it's, their water in is what we passed at each  
2 of these sites.

3           So, now we're going to start individually going  
4 through in a little more detail. This is Sawmill up at the  
5 top, and like I said this is where we will begin our tour  
6 tomorrow. And this red is the project boundary, so as you  
7 can see this is one of the longer, yes, it's the longest  
8 project boundary in this bundle. And so, a 720 foot long  
9 concrete dam. It's in different sections so we've got  
10 different elevations that go from 1,087 to 1,094. The  
11 powerhouse, four generators, hydraulic capacity is 2,750 and  
12 we do have transmission associated with this, 22 KV, 1,800  
13 foot primary transmission line at Sawmill.

14           Next downstream at Riverside, I should say, if  
15 you've been kind of following the relicensing and looking  
16 forward to it, Riverside wasn't scheduled to come up for  
17 relicensing; its license didn't expire until 10 years. We  
18 decided we wanted to do something that's pretty unusual.  
19 I've never done it in 20 years of licensing, and that's to  
20 accelerate the license to put this into sync with the other  
21 five assets, just as having one consultant seemed to make  
22 sense from an efficiency standpoint it also made sense to  
23 bring Riverside forward and relicense it along with all of  
24 the other projects. We're hoping it will better help FERC  
25 in doing an environmental assessment because they can tackle

1 all eight of these projects in the 11 mile stretch.

2           So, this shows Riverside, which is a little more  
3 complicated than the Shelburne. We've got a dam, gatehouse,  
4 penstock, powerhouse, and as you can see it's the shortest  
5 impoundment we have going here. The project boundary  
6 basically is really tight around that impoundment and then  
7 just kind of comes down to hit the major structure. The  
8 penstock is, I think we've got a slide on that -- yes,  
9 that's a 1,400 foot long penstock. Dam is 660 feet long.  
10 Again, it's in sections so we've got different crest  
11 elevations; they go from 1,074.2 to 1,076. Two turbines in  
12 the station, total capacity of 1,880 CFS. A total  
13 generating capacity of 7.9, so this is one of the bigger  
14 ones in this bundle. And we've got a 400 foot long  
15 transmission line at Riverside.

16           So, the next dam is Cross, and this is one where  
17 we would be viewing from the other side of the river. And  
18 so you can see, sort of, that powerhouse is over on the  
19 other side, so that's where we will start that tour. Here's  
20 the project boundary. You can see all of these basically  
21 extend up to the tailrace of the next project above it.  
22 Dam, gatehouse, powerhouse, it's a little more  
23 straightforward for layout, 566 foot long dam. Again, it's  
24 in sections so we've got different elevations on this. So,  
25 we've got the powerhouse and the gatehouse structure here.

1 So, the powerhouse has got five separate generating units.  
2 A total hydraulic capacity of almost 3,000 CFS. And we've  
3 got just a short of 20 foot transmission line at Cross.

4 This is Cascade. A lot of the Cascade generating  
5 equipment is actually inside a paper mill structure so we  
6 won't be seeing that tomorrow. You can see it's a little  
7 more complicated layout. This would be the paper mill down  
8 here on the left side. You've got forebay dam, powerhouse,  
9 and the Cross Dam quite a ways up. 583 foot long dam. One  
10 elevation, 898 feet. Three turbines' combined capacity of  
11 almost 3,000 CFS.

12 What's the generating capacity of Cascade?

13 AUDIENCE: It's just under Riverside, 7.8.

14 MR. DORMAN: 7.8? Yes. This is one of the  
15 bigger ones from a generation standpoint. And so finally,  
16 the what we're calling the Upper Gorham Project, it's  
17 officially listed as the Gorham Project but to avoid  
18 confusion with Cross, we're going to call ours Upper Gorham.  
19 And so again, we've got dam, powerhouse, gatehouse, and  
20 we've got, sort of, this chunk of land in the middle of the  
21 project. 775 foot long dam, power canal, I don't know that  
22 there's anything else to call, it's got a long power plant  
23 for sure. Powerhouse, four turbines, total generator  
24 capacity of almost 5 megawatts. And again, just a 50 foot  
25 transmission line at Upper Gorham.

1           And lastly but not leastly, we've got the  
2 Shelburne Project which, again, as I said, this is the  
3 largest impoundment that we have. And so it's not the  
4 longest but because it's, sort of, fat, we've got a little  
5 more acreage in this impoundment. A 551 foot long, concrete  
6 dam, elevation 724 feet. You can see that there is we've  
7 got a road that runs right below the project here what  
8 route is that?

9           AUDIENCE: North Road.

10          MR. DORMAN: That's North Road. So, powerhouse;  
11 we've got three turbines, and this one actually has a 5.5  
12 mile transmission line so we've got fairly, quite a bit of  
13 transmission on this one.

14          This is just a quick slide on some of the  
15 community involvement Brookfield does. Since 2017 we've  
16 provided over \$15,000 to local charities. So that goes to  
17 scholarships, schools, community events. We've got local  
18 service organizations that we donate to. We're a member of  
19 the Androscoggin Valley Chamber of Commerce. And we partner  
20 with the New Hampshire Bureau of Lands to create  
21 recreational and trail opportunities at Gorham Island. We  
22 do, before we're doing any kind of maintenance draws or  
23 construction, we do public notices. And we conduct annual  
24 safety campaigns in local media. This would cover  
25 snowmobiling, safe boating, swimming. And then we have a

1 pretty decently engaged group of local employees that do in-  
2 kind support and volunteer for community events.

3 MS. NOVAK: I have a quick question. Where is  
4 Gorham Island? Is that outside of any of the project  
5 boundaries??

6 MR. DORMAN: Gorham Island -

7 AUDIENCE: It's right there. So when you're  
8 driving over 16 it is accessible by the road.

9 AUDIENCE: Go back to the slides.

10 MR. HANSEN: Is it in an impoundment?

11 MS. NOVAK: Yes. Is it in an impoundment or is  
12 it off license?

13 MR. DORMAN: It's, it would be off of the  
14 license, for sure.

15 AUDIENCE: [No mic] bypass --.

16 MS. NOVAK: Oh, that -- so, it's the big piece of  
17 land between the bypassed reach and the power canal?

18 MR. DORMAN: Right.

19 MS. NOVAK: Okay, and the Upper Gorham.

20 MR. DORMAN: Now I want to double-check. Is the  
21 island itself in the project boundary or does the boundary  
22 go up. It looks like it isn't.

23 (Simultaneous discussion)

24 MR. DORMAN: I do think it's excluded.

25 MS. NOVAK: Okay. Thank you for clarifying.

1 AUDIENCE: Good question.

2 MR. WADDELL: It is owned by Brookfield?

3 MR. DORMAN: Right. You can have property that  
4 we own.

5 MR. HANSEN: I'm sorry, sir. Please say your

6 name. MR. WADDELL: Mike Waddell.

7 MR. HANSEN: Thank you very much.

8 MR. DORMAN: So you can have lands within your  
9 project boundary that you don't own and you can have lands  
10 that's you own that aren't in your project boundary; which  
11 is  
12 what we think this situation is.

13 MR. COMSTOCK: Gregg Comstock, New Hampshire DES.  
14 How is it currently being used?

15 AUDIENCE: The island?

16 MR. COMSTOCK: Yes.

17 AUDIENCE: The island is open to public  
18 recreation.

MR. GREGG: John Gregg, operations  
19 manager. The island itself, the rail trail, is operated by  
20 New Hampshire Bureau of Trails. They run the ADT as well as  
21 in wintertime. It is also open access to hikers and  
22 cyclists and part of the Appalachian Trail, the AC Trail  
23 goes through there as well. It is actually quite heavily  
24 used.

25 MR. DORMAN: I don't know that I have any more

1 slides; this is just a summary. Again, they're all operated  
2 run-of-river. We're not proposing any changes to the  
3 project boundary right now. We're not changing, proposing  
4 any changes to operations or facilities. And we have no  
5 formal managed recreation facilities in our project  
6 boundary. Managed by us. And then that's contact  
7 information, that would be me; and then Laura Cowan is our  
8 project manager for this from Kleinschmidt. Thank you.

9 MR. HANSEN: Any more questions for Randy at this  
10 time?

11 MS. HENDERSON: Hi, Carol Henderson, New  
12 Hampshire Fish and Game. On Cascade, what was the height of  
13 that dam, you said the width. What was that height?

14 MR. DORMAN: Cascade -

15 MR. GREGG: I'll have to look at it to give you  
16 an exact number, probably around 50. 45, 50 foot range.

17 Forebay itself is 41 feet. The dam would be  
18 slightly higher than that.

19 MS. HENDERSON: 53. And I didn't see the trash  
20 racks on Cascade. I got all the other ones but I didn't see  
21 that.

22 MR. DORMAN: Three inches, I believe.

23 MR. HANSEN: Thank you, Andy. Thank you, Randy.

24 So, what are we doing here today? Well, we are  
25 scoping the issues associated with relicensing of these

1 projects. All of these projects currently have a license  
2 from the FERC to operate. These projects will be expiring  
3 in what, three years? Two years?

4 AUDIENCE: 2024.

5 MR. HANSEN: 2024. Oh, yes. So, they apply to -  
6 - the project's relicense prior to that. So, the National  
7 Environmental Policy Act if you're not familiar, we call it  
8 NEPA, and FERC's regulations require that a federal action  
9 that could affect the environment, we need to take a look at  
10 it in an environmental assessment or environmental impact  
11 statement, depending on the findings of the assessment.

12 So, scoping is a part of this process and  
13 basically what we do is, you know, we take a look at all of  
14 the pre-application documents that are sent in to us, and  
15 then we decide, "Well, when we do an assessment of the  
16 effects of relicensing this project, here's what we think  
17 could be affected that we're going to need to pay particular  
18 attention to." Sometimes we get it right, sometimes we get  
19 it way wrong. That's why we come out and solicit comments  
20 from, you know, agencies, federal, state, local agencies.  
21 Native American Tribes. NGOs. The public. Anyone who can  
22 provide us information and help us either narrow the scope,  
23 widen the scope. Really, just to get the scope of our  
24 analysis appropriate so we can look at what we need to be  
25 looking at in the environmental assessment.



1           So, we're going to discuss the existing  
2 environmental conditions. If there are potential  
3 information needs that we foresee at this time. And we'll  
4 discuss resource issues. So, if you all have seen our  
5 Scoping Document 1. I have one paper copy of it. I'm  
6 guessing you all have likely seen this. It's maybe 50  
7 pages. We issued this on September 18th of this year, and  
8 if you look at section 4.2, you will find the resource  
9 areas that we have preliminary identified as important, we  
10 think, to look at in our environmental assessment. The  
11 categories in particular that we're going to be looking at:  
12 Aquatic resources, terrestrial, threatened and endangered  
13 species, recreation resources, cultural, aesthetic, and then  
14 developmental resources.

15           So, what we're going to do, I'm just going to go  
16 through each of these resource areas, one-by-one, basically  
17 just show you the issues that we've currently identified and  
18 then issue-by-issue, I'm going to open it up and see if  
19 anyone has any comments, anything that we've missed,  
20 anything we've gotten wrong, anything we need to know about.  
21 We'll just kind of approach it that way.

22           So, we will start off with the best resource  
23 area. Aquatic resources. And so, we have preliminarily  
24 identified in our environmental assessment it will be  
25 important for us to look at the effects of project operation

1 and maintenance on water quality. In particular, we think  
2 that dissolved oxygen and temperature could be a concern.  
3 So we plan on looking at that.

4           We're going to take a look at the effect of  
5 operation and maintenance on aquatic habitat. That's going  
6 to include habitat distribution and suitability in the  
7 project-affected areas for all important aquatic animals and  
8 plants. And we plan on looking at the effects of project  
9 operation and maintenance on possible fish impingement,  
10 entrainment, and survival in the Androscoggin River.

11           Now, I think that in this room we're likely  
12 familiar with these terms, if not, impingement is when a  
13 fish becomes stuck to a screen, that's, you know, perhaps at  
14 the trash rack, keeping trash out of a project. A fish can  
15 get stuck on that and that's bad for them. Entrainment is  
16 when they're actually swept through, through a turbine and  
17 spit out the other side. So, if you don't know those terms  
18 that's what those mean. So, these are fairly broad but at  
19 this time these are the issues from the aquatic sense that  
20 we think are going to be important that we plan on writing  
21 about and analyzing.

22           So, just for aquatic resources, is there anything  
23 that anyone would like to bring up at this time to talk  
24 about or give us a hand and let us know if we missed  
25 anything important or? And, oh, yes, please.

1 MS. HENDERSON: I did notice --

2 MR. HANSEN: Name.

3 MS. HENDERSON: Oh, sorry. Carol Henderson, Fish  
4 and Game. Mussels was reviewed in six of the projects, the  
5 Great Lakes, oh, the Brookfield projects, but there was no  
6 information about mussels in the --

7 MR. HANSEN: So, one of the things we can talk  
8 about. That kind of information may very well be available.  
9 You know, I don't know if Central Rivers Power has that  
10 information on hand, or it could have been collected by  
11 someone in the past. If not, you know, we certainly, you  
12 can request that they do collect that and we'll talk about  
13 that as well, but it's good to know that mussels, in  
14 particular, at J. Brodie Smith and Gorham have not been  
15 addressed in the past.

16 Okay. Sir, do you have --?

17 RICK: -- asked me to agree with water quality  
18 and data, dissolved oxygen -- will include with our  
19 comments.

20 MR. HANSEN: Okay.

21 RICK: -- monitored for nutrients -- things like  
22 that, in the impoundment. Measurements being taken in the  
23 impoundment, tailrace, bypass reach, all of that.

24 MR. HANSEN: Any other comments pertaining to  
25 aquatic issues at this time? All right. Oh, yes sir.

1           RICK:  -- bypass flows.  I noticed that they are  
2 provided in there for projects --

3           MR. HANSEN:  Yes.

4           RICK:  If we could get information on the basis  
5 for those flows, we'd appreciate that.

6           MR. HANSEN:  Okay.

7           RICK:  There's some references there.  I don't  
8 have those studies.

9           MR. HANSEN:  Anything else on aquatics at this  
10 moment?

11           I will say that this isn't the only chance you  
12 have to bring up issues.  This is just us here talking about  
13 these issues.  We've got plenty of time until November 23rd,  
14 that's written comments, so if anything comes to mind, you  
15 know, please do that in a written format, but, you know, so,  
16 it's good to talk about it but if you haven't thought about  
17 it or you've missed things or you'd rather see it all in  
18 writing before you submit it to us, written comments are  
19 greatly appreciated.

20           All right.  So, for terrestrial resources.  We've  
21 preliminarily identified the effects of project operation  
22 and maintenance on riparian, littoral, and wetland habitats  
23 and their associated wildlife.  And in particular, we are  
24 going to take a look at the effects of project operations  
25 and maintenance on nesting Bald Eagles in the area.

1           So once again, fairly broad bullets. Are there  
2 any terrestrial issues that you would like to bring up at  
3 this time that are not reflected in these bullets, perhaps?  
4 Or something that we should definitely take specific note  
5 of?

6           Very good.

7           So, threatened and endangered species. We will  
8 be looking at the effects of project operations and  
9 maintenance on any threatened or endangered species in the  
10 area. Right now, I think there's two threatened species;  
11 the Canada Lynx and the Northern Long-eared Bat. So, we  
12 will definitely be focusing on those and going through the  
13 section 7 ESA consultation with the Fish and Wildlife  
14 Service.

15           Are there any other issues related to threatened  
16 or endangered species that we may not know of, or - yes,  
17 ma'am.

18           MS. HENDERSON: Carol Henderson, U.S. Fish and  
19 Game. Obviously from the standpoint, we are interested in  
20 state threatened and endangered species.

21           And I'd just like to note that J. Brodie and  
22 Gorham did not have a - we normally require a Natural  
23 Heritage resource a Natural Heritage Bureau review, which  
24 basically is a state T & E species.

25           MR. HANSEN: Okay.

1 MS. HENDERSON: The other six were, they did have  
2 -- the only thing we want to know about those is, they had  
3 mentioned that they had included them in an appendix but  
4 they were not included in the document.

5 MR. DORMAN: We filed those as -

6 MR. HANSEN: Randy?

7 (Simultaneous discussion)

8 MR. DORMAN: We think we filed those -- but we  
9 can --

10 MS. HENDERSON: Okay. Yes, and I noted in the  
11 document, in appendix C, they --

12 MR. DORMAN: I think that's why you didn't see  
13 it.

14 MR. HANSEN: If you have problems getting to  
15 that, you know, certainly, I can help you, Randy can help  
16 you.

17 MS. HENDERSON: Yes, we can't get into, I mean, I  
18 can never get into the critical information, but

19 MR. DORMAN: That shouldn't be.

20 MS. HENDERSON: It shouldn't be really -- we get  
21 those reports all the time. And even if it's a new record  
22 hit, we should have a -- or maybe just even the number would  
23 be nice.

24 Or maybe just even the numbers would be nice to  
25 refer to.

1 MR. DORMAN: No problem.

2 MR. HANSEN: Okay. Thank you.

3 MR. DORMAN: If we can't trust Fish & Game --

4 MR. HANSEN: Anything else on threatened and  
5 endangered species either on the federal or state level?

6 Recreation. We'll be taking a look at the  
7 effects of operation and maintenance in the projects, on  
8 recreational use in the project area including the adequacy  
9 of existing recreational access and facilities. Also, the  
10 effects of operation and maintenance on aesthetic resources  
11 and public access within shoreline protection zones.

12 So, once again, we've got broad bullets meant to  
13 capture, you know, a number of things. You know, all kinds  
14 of recreational activities that could take place here, but  
15 as far as this goes, there are other recreational issues  
16 that perhaps these bullets have missed or not quite  
17 encapsulated, or anything in particular that you want to  
18 bring up at this time? Yes, sir.

19 MR. WADDELL: Mike Waddell. Town of Gorham. So  
20 insofar as you've combined all these licenses, it would be  
21 an excellent opportunity to have a coordinated recreation  
22 plan between all the licenses, or which would be access to  
23 the facilities. And this is a stretch of the river that has  
24 been very difficult to navigate. Obviously there's some  
25 areas, Cascade being a good example, where it's just not a

1 very safe spot to get in and get out the water. People who  
2 are attempting to do the entire length of the Androscoggin  
3 at a number of areas in the stretch that are very  
4 problematic.

5           Gorham itself, we're focusing on, I mean, this  
6 happens to be a hearing at a good time for us because we're  
7 a struggling community and recreation is one of those  
8 issues that's been identified by various groups in town,  
9 access to the opposite side of the river. And the most  
10 logical place to accomplish that is within the project  
11 boundary of 2288, and that would be in the islands that are,  
12 for those of you familiar with the area, are adjacent to the  
13 McDonald's.

14           The island that was mentioned prior to that,  
15 known locally as powerhouse island, does afford a lot of  
16 recreational opportunities currently being utilized. To the  
17 best of my knowledge there's no real formal plan on that;  
18 that has motorized and non-motorized recreation.

19           MS. NOVAK: About the powerhouse --

20           MR. WADDELL: Sure.

21           MR. HANSEN: Suzanne? Suzanne, please identify  
22 yourself.

23           MS. NOVAK: Oh, I'm sorry. Suzanne Novak.  
24 Powerhouse Island, is that the same as Gorham Island?

25           MR. WADDELL: I guess it is. It's the one you



1 wanted to know about.

2 MS. NOVAK: Yes. Okay.

3 MR. WADDELL: So, that would be in the Upper  
4 Gorham hydro project. But it's kind of surrounded by it.  
5 So the town has some very vital interests in that area.  
6 Not just the ATV corridor to Berlin, goes through that. The  
7 Appalachian Trail used to go over that, it no longer does;  
8 but it's still a well-hiked trail. The black trestle used  
9 to be by the owner of the hydro that's also since changed,  
10 and that is now owned by the Department of trails.

11 MR. HANSEN: Mike, what is the Black Trestle?

12 MR. WADDELL: The Black trestle is part of that  
13 Upper Gorham hydro project.

14 MS. NOVAK: And that is a trail?

15 MR. WADDELL: Number of trails. That run through  
16 that island, over that trestle. The trestle right now is  
17 the only non-motorized access to the other side of the  
18 river and the boundary of the Town of Gorham. It also  
19 provides motorized access over the top for ATVs and for  
20 permitted road-worthy vehicles.

21 MR. HANSEN: Okay. Thank you.

22 MR. WADDELL: So, we're going to be submitting  
23 written comments by the 23rd with more detail but having  
24 said all that, I'm just kind of curious how FERC would  
25 tackle it. When these licenses were done before, each

1 license seemed to have a stand-alone, you know, recreation  
2 plan -- didn't really address what was going on.

3 How would that work now?

4 MR. HANSEN: Well, Suzanne, have you ever been  
5 involved with a multi-project, multi-licensee recreation  
6 plan? MS. NOVAK: I have not but it certainly can be

7 done. I know in the realm of cultural resources, I think  
8 they must pay for a multi-object programmatic agreement.

9 So, I don't see any reason why there couldn't be  
10 coordination once it is filed. I can't think of any reason  
11 why that wouldn't be possible.

12 MR. WADDELL: All right, so, the applicant would  
13 have to be agreeable to that.

14 MS. NOVAK: Yes, they would need to come together  
15 and possibly have working groups to come up with one plan  
16 that will work. Now, each, it will be enforceable, but the  
17 compliance other than in the project boundary for each  
18 individual project would be enforceable under that project  
19 license. I think it would have to be pretty clear, like  
20 within what project boundary and what licensees -- the  
21 facilities within the project boundary.

22 But it makes sense to come up with something  
23 comprehensive. I think you can get together.

24 MR. DORMAN: And I think, you know, without  
25 committing -

1 MR. HANSEN: Who's this?

2 MR. DORMAN: Randy Dorman. Brookfield. Without  
3 committing anything specifically, I mean, this is exactly  
4 why we want you -- so that we could work together.

5 MR. HANSEN: The gentleman in the back has a-

6 MR. MENDICK: Kevin Mendick, NPS.

7 So, I just want to confirm in terms of the access  
8 to/from the AT (inaudible) trail to you have to cross this  
9 rail trail which runs across the power canal and then into  
10 the Town of Gorham. The other -- you go south -- all the  
11 way down to Shelburne, to Cross. I assume there's no access  
12 to Cross, the upper or lower power canal and --

13 MR. HANSEN: I'm not, is there one of the  
14 licensees that could answer that more appropriately?

15 MR. GREGG: John Gregg. Brookfield.

16 So, the ATV trail access goes over the trestle  
17 from []. It goes through that, it goes over the  
18 Androscoggin River where the bypass is, it goes up across  
19 the island, and then there's a small trestle that goes over  
20 the power canal, and then it continues more. So, that is a  
21 gated access for the ATVs. There's a footbridge underneath  
22 the trestle.

23 AUDIENCE: It's across here?

24 MR. GREGG: The ATV's can travel across this  
25 trail and then travel up through here, they go over

1 (inaudible) they continue over this power canal.

2 AUDIENCE: So someone coming off the AT, --

3 MR. GREGG: --

4 AUDIENCE: But they currently can't get across  
5 the river to here to access downtown?

6 MR. GREGG: No, it's just for hikers.

7 AUDIENCE: So they hike across the --

8 MR. GREGG: There's this little trail, that  
9 little bridge right there? They can cross that, then that  
10 puts them on these dirt roads. Right down here and this  
11 trail goes through the woods.

12 AUDIENCE: But is there a way for them to  
13 actually get --

14 MR. GREGG: Yes, there's a footbridge underneath  
15 this trestle.

16 AUDIENCE: Oh, there's a footbridge underneath  
17 the AT.

18 MR. GREGG: Yes, it's motor vehicles on top,  
19 footbridge underneath.

20 Yes, so it's actually right here where this kiosk  
21 is, there's, that's a parking spot. There's a kiosk there  
22 so once people walk in, they access the island.

23 AUDIENCE: (inaudible)

24 MR. GREGG: Well, there's a bar gate for vehicle  
25 traffic but not foot traffic.

1 AUDIENCE: Okay, got it.

2 MR. DORMAN: Would it be possible to summarize  
3 that for the record?

4 (Laughter)

5 MR. HANSEN: Which of the eight projects in  
6 particular is this --?

7 MR. GREGG: That's Gorham.

8 MR. HANSEN: Gorham.

9 MR. GREGG: Upper Gorham.

10 MR. HANSEN: Upper Gorham. Brookfield's Upper  
11 Gorham. Yes, sir.

12 MR. GREGG: So, it is foot traffic accessible if  
13 you are on, say, the east side and then came off the ATV,  
14 the AMC trail, or the hiking trail there, you could access  
15 the Hogan Road which then in turn accesses the powerhouse  
16 island, and then there's trails that you can walk through  
17 and then when you get to the trestle 16, that is a  
18 footbridge underneath it that allows pedestrian traffic to  
19 get into the Town of Gorham.

20 MR. HANSEN: Oh.

21 Okay, great. Something to look forward to.  
22 We'll check that out tomorrow.

23 Any other recreation issues at this time?

24 MR. WADDELL: So, Mike Waddell again. To  
25 Brookfield, I haven't been on the FERC site in several

1 weeks, but Central Rivers had stream stages in their  
2 application; and I was looking at that to see if anything  
3 was there.

4           Is there something onsite now to look at from the  
5 pre application document?

6           MR. DORMAN: You're talking about their pre-  
7 application?

8           MR. WADDELL: Well, I'm wondering what you have  
9 to look at as far as pre-application --

10          MR. DORMAN: Randy Dorman, Brookfield. So, we  
11 prepared a PAD similar in scope to what Central Rivers did,  
12 so that's available on FERC's website or through them. The  
13 format would be very similar to; they're the same topic.

14          MR. WADDELL: So, the reason my question was  
15 triggered was, when you changed fishing law by the  
16 department, you used Homeland Security escape clause to  
17 keep information private?

18          MR. DORMAN: Well, privilege would be a different  
19 sort of classification. So, there are two classifications  
20 for information that is sensitive and not available to the  
21 public. So one is critical energy infrastructure, CEII. And  
22 that's kind of in one bucket. So, that would be  
23 construction.

24          The other is privileged which is, sort of, a  
25 wider category, so that would cover culturally sensitive

1 reports; so locations of say where artifacts have been  
2 found, or where you might have endangered species. The  
3 intent is basically if people start that and then go and  
4 find a tiger beetle or something to harness, or Native  
5 American artifacts.

6 MR. WADDELL: I'll look forward to reading your  
7 response.

8 MR. HANSEN: So, for cultural resources. This  
9 could also be cultural/historic resources. We're going to  
10 be looking at the effects of project operation and  
11 maintenance on properties that are included in or eligible  
12 for inclusion in the National Register of Historic Places.

13 Are there any cultural issues or historical  
14 properties issues that anyone wants to talk about at this  
15 time?

16 Okay, thank you. And we will be working with the  
17 New Hampshire State Historic Preservation office on those  
18 issues so they've been very helpful.

19 As far as aesthetic resources go, we'll be  
20 looking at the effects of operation and maintenance on  
21 aesthetic resources in the project area as well, which is  
22 basically just visually. You know, how does the area look  
23 due to the action of relicensing the project? So, we will  
24 be looking at the aesthetic views. It's important at many  
25 projects.

1           So, is there anything in particular on the  
2 aesthetic front that anyone wants to talk about or bring up?  
3 Viewshed issues, noise.

4           Okay. Thank you.

5           Then we're also going to be looking at  
6 developmental resources. We're going to look at the effects  
7 of any proposed or recommended environmental measures on  
8 the generation of electricity at the projects as well as the  
9 economics of those environmental measures. FERC is required  
10 to take a balancing approach to the adoption of  
11 environmental measures by licensee use. We require the ones  
12 that we find to be in the public interest and to worth the  
13 amount of money that it would cost to implement them. Also  
14 oftentimes many of these environmental measures could have  
15 effects on the amount of water available for generation,  
16 say, so we will be looking at that.

17           So, anyone have anything on that end about  
18 possible developmental issues? Yes, sir.

19           MR. WADDELL: Mike Waddell. So, one of the  
20 things that I think was missing on the last go with this  
21 that would be really important to the town. This town is  
22 worth, on the books, \$272 million, possibly. Of that,  
23 roughly \$65 million is in commercial real estate. The \$60  
24 million is utility valuation. So, while the project owners  
25 are never happy to get our tax bill, we're happy to get what



1 comes back, and it's not just being happy; that's what funds  
2 public education in the town of Gorham. That's one funds  
3 the police department; it funds county government.

4 So, here again, I would like to see addressed  
5 within the scoping document and the final license the  
6 positive effects of those taxes.

7 MR. HANSEN: Okay. And those would be the tax  
8 paid by ratepayers?

9 MR. WADDELL: Those taxes are paid by the owners  
10 of the projects. So, Brookfield, combined with Central  
11 Rivers, is a substantial taxpayer in the Town of Gorham.  
12 They're funding public education. They're funding county  
13 government. And they're funding municipal government.  
14 Absolutely critical to us. Absolutely critical to us.  
15 Absolutely critical. Our tax rate today is one of the  
16 highest in the state; only Berlin beats us. If you want a  
17 house in town, you're going to pay \$36.51 per thousand.

18 And so when you try to get anything done in local  
19 government, it's difficult. So, that's a social aspect that  
20 we can't afford. We want it addressed and we want that to  
21 be known to the general public. So you know, when someone  
22 doesn't know any better and they start talking about, you  
23 know they keep giving you a bypass around the dam, there's  
24 no impact to that. Well, there is because people don't own  
25 hydros for aesthetic purposes; they're there to make money.

1 And when we value that, that resource -- it's based on  
2 capitalization rate, on the amount of income it generates.  
3 And so if you drive water away, then the value has to go  
4 down. There's nothing we can do about that. If the value  
5 goes down, the tax contribution goes with it. So, there's  
6 something that I think has been missed in the PAD that  
7 hopefully will be addressed.

8 MR. HANSEN: Okay. Very reasonable.

9 MR. DORMAN: This is Randy Dorman from  
10 Brookfield. And I think this is -- We would probably need  
11 some help with that. You know, we write the check but I  
12 don't think we always know where that goes.

13 MR. WADDELL: That's the easy bit for us. No  
14 problem at all.

15 MR. DORMAN: There will be in the license  
16 application a section that talks about economics, so I think  
17 that would be a great addition.

18 MR. WADDELL: That combined with what we hope to  
19 get out of expanding our recreational opportunity --.

20 MR. DORMAN: Okay.

21 MR. HANSEN: In many of the environmental  
22 assessments prepared by FERC we'll actually have a section  
23 on socioeconomic which focuses on these sorts of issues as  
24 well as, you know, perhaps the job base provided by the  
25 utilities in the area. So, I'm thinking, you know, I'll

1 need to honestly look at the transcript and think about it,  
2 but it seems to me at this time that perhaps adding a  
3 socioeconomic section to our environmental analysis may be a  
4 good idea. So, I think that's what I'm hearing and I think  
5 that very well may be warranted.

6           So, those are the resource areas that we've  
7 currently identified. Oftentimes, if you leave here and  
8 think of something else, please put those in your written  
9 comments. Anything that you think is important, anything  
10 you want to steer our attention towards, please do so; we  
11 need your help.           Yes, sir?

12           MR. WADDELL: I know I'm being a bit of a pain.

13           MR. HANSEN: No, you're not.

14           MR. WADDELL: So, the two things that haven't  
15 really come up, and there's nobody here from Gorham to speak  
16 to this; but I can tell you they have a similar issue with  
17 what I'm about to say.

18           So, pointing to ADA issues, the Gorham Project by  
19 Central Rivers, the Town of Gorham's infrastructure for most  
20 of the community runs through their property and through the  
21 FERC boundary. And what that is, all the sewage for the  
22 town of Gorham runs through that project and, you know,  
23 obviously it's buried and there's some manholes and  
24 inconveniently -- this was a federally-funded deal back in  
25 the '70s with the Clean Water Act. The town somehow managed

1 to build their sewer line outside of the easement that they  
2 bought.

3           There's that issue, there's snow storage issues,  
4 there's flood control issues. 2288 built a dike in 1928  
5 after the 1927 storm which is much modeled after Irene.  
6 Often as a comparison. We can talk about it. In any event,  
7 these are absolutely critical to the health and welfare of  
8 the community.

9           Prior to the sale of this project to Central  
10 Rivers -- Hollman then a subsidiary of Central Rivers --  
11 Eversource was ready and willing to give us easements for  
12 all this infrastructure which included the sewer, the sewer  
13 line, all the drainage for the lower village, which goes  
14 into the Peabody River by way of a ditch and a hand blasted  
15 tunnel. Everything was going great, we were about to cut  
16 the check and lo and behold FERC somehow got involved and  
17 said, "Whoa, we're not chopped liver here," and it all  
18 stopped. And so, when you look at the drawing that we got,  
19 and from the real estate transaction that took place between  
20 Central and Eversource, that was all -- two things  
21 happened, that was all converted to licenses. And the  
22 problem with the license is, it's a 45 day notice, that's  
23 the only right. And then it can be extinguished; and then  
24 they found, would have to go through some kind of eminent  
25 domain procedure to continue the flushing through or to

1 drain the street. So, we would like that cured. MR.

2 HANSEN: Okay.

3 MR. WADDELL: And so that's going to be a concern  
4 from the town. And again, already addressed under  
5 recreation, the Black Trestle and having a license up  
6 above. God knows what's going to go on with Cascade. We'll  
7 be thinking on that.

8 MR. HANSEN: Okay.

9 MR. WADDELL: So, I just wanted to bring that up  
10 for the record.

11 MR. HANSEN: Yes, sir.

12 MR. WADDELL: We will be addressing that in  
13 detail. I don't know whether that's something that has to  
14 go with the licensing or could be worked out, you know,  
15 prior, you know, just worked out.

16 MR. HANSEN: Not knowing much about the why the  
17 original agreement was stymied by FERC, you know, I can't  
18 speak to it; you know, once we learn a bit more about the  
19 exact ramifications of the easement, if you will, and the  
20 access, we'll probably have a better idea of how FERC would  
21 deal with those sorts of things. We have lots of options  
22 here. You know, on license things. Off license things.

23 As we move through this licensing proceeding,  
24 that's the sort of thing where, now that we're all aware of  
25 it, you know, we can, you know, probably work together as a

1 group, hopefully. Try to figure out something that may meet  
2 everybody's needs, but without all the details I can't speak  
3 to you specifically about exactly how we're going to handle  
4 any of that at this time.

5 MR. WADDELL: I just wanted to raise it.

6 MR. HANSEN: Yes, that's great. I'm glad you  
7 did.

8 MR. WADDELL: You know, and -- well, I've already  
9 got everything written, because we did that with Eversource.

10

11 You know, another arcane issue that you might be  
12 familiar with, most people are, there is a subject of  
13 overflow rights. If you go through various deeds along the  
14 Androscoggin River it's a little bit unusual over here on  
15 the Androscoggin, the Connecticut River on both the Vermont  
16 and New Hampshire side is absolutely chocker-block full of  
17 this right, this land right that was picked up by various  
18 hydro owners over the years. Which says, in effect: "We  
19 have the right to flood your land."

20 Now, from the municipal point of view, you know,  
21 there are a number of ways you can go about dealing with  
22 that. It hasn't been a big issue before because it doesn't  
23 appear that the hydros in town own that right to a great  
24 extent. But it is something we would like to have addressed  
25 during the course of the license. It doesn't make a lot of

1 sense to us that these rights continue to exist, you know,  
2 when we're under the National Flood Protection Program and  
3 there's no -- if water goes over many of properties it's  
4 also --. So, it would be good to get that cleaned up.

5 MR. HANSEN: Okay. Overflow rights. Okay.  
6 That's helpful. Something definitely for us to look into.

7 Any other issues right now?

8 Okay. Thank you.

9 Obviously we're here soliciting oral testimony  
10 and discussion, but as I've said multiple times we are also  
11 soliciting written comments due on November 23rd of this  
12 year. So, some of the things you can include in that letter  
13 are significant environmental issues that we need to address  
14 in the EA. Sort of what we've been talking about here  
15 today. Any information or data that you know of that  
16 describes the past or present conditions of the project  
17 area. If you're familiar with any resource plans or future  
18 proposals for the area, that's really helpful. So, please  
19 include that in any of your letters, comment letters.

20 If there are any additional comprehensive plans  
21 that have not been approved by the FERC that would apply  
22 here, let us know. Now, that's kind of a, if you've never  
23 dealt with FERC before we have a list of approved  
24 comprehensive plans which are plans that can be filed by any  
25 number of stakeholders. That the licensing of the project

1 could affect the plans that are laid out, you know, maybe by  
2 a state agency who wants to help; just for example, bring  
3 back a butterfly habitat or something, I don't know. The  
4 point being we have a list of comprehensive plans on our  
5 website, by state. And in our scoping document we list the  
6 ones that we have identified that we will need to look at  
7 for the relicensing of these projects. If you look at that  
8 list in our scoping document and you see other ones that  
9 need to be added, you can notify us in your written  
10 comments.

11           And then, and also by November 23rd, send in  
12 study requests. Now, if you take a look at section 5 of, I  
13 think it's the actual PADs themselves, it's on section 5,  
14 it is in each and every PAD, you'll see that what studies  
15 the licensees are currently proposing to do over the next  
16 year or two years. So you know, an aquatic study, maybe;  
17 water quality and data collection, things like that. But  
18 you can take a look at that and see if you think that their  
19 studies will meet the needs of having enough information  
20 compiled to make a complete license application for the  
21 FERC.

22           So, say you look at that and you're like, well, I  
23 really think that we need more information on X. You can  
24 actually request that FERC consider if the licensees need to  
25 be doing that study. If you look at appendix A of our



1 Scoping Document 1, you're going to see a list of criteria  
2 for a FERC study request. This is kind of bureaucratic and  
3 a bit annoying, but it's the format that we require by our  
4 regulations; we just have to go with it. If you can send  
5 that in to us and say, 'Hey, we think that one of the  
6 licensees, maybe both, should be collecting these data.' It  
7 could be any number of things that you think are important  
8 but please, before you make a study request, please do look  
9 at what they're proposing to collect to make certain that it  
10 doesn't overlap because it will save you the time of  
11 preparing study requests you didn't need to. So, make sure  
12 you understand whatever you're proposing to collect before  
13 you ask for something additional.

14           So, here's the upcoming schedule for this  
15 relicensing proceeding. And I'll explain a little bit more  
16 about the study request process so you understand how this  
17 works. The scoping meetings are today, October 22nd. The  
18 next big deadline, comments on the NOI, PAD, SD1, and study  
19 requests, are due November 23rd. So, please do not forget.  
20 We're very date-driven at the FERC and so it's important to  
21 get these dates, especially in the case of these projects  
22 where we're using the FERC process called the Integrated  
23 Licensing Process, which has a lot of drop-dead dates you  
24 have to meet. So, please keep note of all of these.

25           Taking a look at what we've learned today as well

1 as what's going to come in to us filed with the Commission.  
2 We may issue a scoping document 2. I'd say at this point,  
3 probably likely. And basically that will be what we've  
4 already issued, the Scoping Document 1, but with additions  
5 made to include the things that we've learned about today  
6 and through the filings that will come in. So, if we do  
7 that, that will be January 7th by that date. We will issue  
8 that.

9           On January 7th, the licensees, applicants, the  
10 licensees, will need to file proposed study plans for their  
11 projects. So, if you look back at that section 5 that says,  
12 hey, we're going to do these studies, by January 7th, they  
13 need to send us a document that says, here's how we're going  
14 to go about doing these studies. So, they're going to  
15 detail what they're collecting, how they're collecting it,  
16 where they're collecting it. Enough information for you to  
17 understand exactly what information will be made available  
18 from these studies. So, they'll have that into the FERC by  
19 January 7th.

20           A month after that, we're going to convene for a  
21 study plan meeting so we can talk about what's been proposed  
22 as well as what's been requested by the various  
23 stakeholders. We may do that in person. We may do it by  
24 teleconference. It really depends on how many study  
25 requests come in, how many comments we get on the proposed

1 study plan; but we will certainly, we will hold some sort of  
2 study plan meeting whether it's something similar to this or  
3 perhaps a teleconference. To be determined.

4           After the meetings we'll have one month for you  
5 to file study plan comments. This is basically your chance  
6 to say, 'We don't think this part is designed correctly, we  
7 would prefer them to do it this way or,' you know, whatever.  
8 Whatever they've proposed to do that you would like to see  
9 different or not; you have a month to comment on that, get  
10 it in to the FERC by March 6th.

11           After that, the licensees will have two months to  
12 revise their study plan. So, we'll say, I'll take a look at  
13 what they've proposed and what has come in. And they will  
14 then revise what they've done, possibly, and send in by May  
15 6th, send in a revised study plan, say, 'Okay, now that  
16 we've gone through this whole process, you've requested x y  
17 and z. We've all sat in the same room and talked about x,  
18 y, and z, now here's what we're going to propose and this is  
19 our final offer,' if you will. Then there's 14 days after  
20 that for comments on that revised study plan. The idea  
21 being everyone should be pretty familiar with everything by  
22 then so it's a shorter time-frame.

23           And then by June 5th of next year, the Director  
24 of the Office of Energy Projects, who's our boss, will issue  
25 a study plan determination and basically what that's going

1 to say is, 'We've looked at what the two licensees are  
2 proposing to do, we've looked at what all of the  
3 stakeholders have requested that they do, and these are the  
4 things that FERC has decided that we need to see done for a  
5 FERC license application. And we will determine, do studies  
6 A, B, and C, you don't have to do D, and E.' And that's  
7 based solely on the information that FERC needs to relicense  
8 the project.

9           If you want to see the rest of this process laid  
10 out, past the study plan phase up through all of the license  
11 application and beyond, you look at appendix B of SD1, you  
12 can see that laid out in full and I'm not going to go  
13 through it now; because it's a lot of steps and a lot of  
14 dates. But these are the ones in the near future that are  
15 most important.           So, [ferc.gov](http://ferc.gov), if you haven't been  
16 on there, I'd recommend it, it's very helpful. If you have  
17 anything that you want to file with the Commission, I  
18 mentioned earlier we have our eFiling, please use that, it's  
19 super easy. Most of you all might have done it, even. So,  
20 please, it's an electronic way to file anything you want  
21 with the Commission. We also have a thing called Quick  
22 Comment, and I kind of think of that as, like, send a text  
23 message to FERC on the record, if you will. It's just, kind  
24 of, a box, I don't know how many characters you're allowed.  
25 Six thousand or something along those lines. You can

1 basically send a message directly to the FERC about a  
2 project. It's kind of an easier way than writing a whole  
3 letter. You know. It's usually, it's oftentimes used more  
4 by public, than it is by agencies, but you're certainly  
5 welcome to use our Quick Comment capabilities.

6           We have our eLibrary system. This is an online  
7 system that will show you everything for all of these  
8 projects that has been either filed by someone or issued by  
9 the Commission concerning these projects. And if you go  
10 onto any of these dockets, you're going to see a gazillion  
11 filings issued because these projects have been on for a  
12 long time and every one of these, basically every action on  
13 a license whether it be a, you know, licensing a project or  
14 anything during the term of a license, oftentimes requires  
15 all kinds of submittals and issuances. So, these things get  
16 really voluminous; but anything you need to see, probably,  
17 like 1990-ish, to the present somewhere in there it is  
18 definitely online. So, please take advantage of that.

19           If you're interested in these projects I highly  
20 recommend if you haven't, eSubscribe to the project. And  
21 this is also on that eLibrary page. You just provide your  
22 email address and which projects you're interested in and  
23 then every single time somebody files something on that  
24 project or the Commission issues something on that project,  
25 you will get a link eMailed to you saying hey, here's

1 something that came in. If you eSubscribe you're going to  
2 get way more information than you would ever want, but at  
3 the same time, you're not going to miss a thing. It's much  
4 easier to open an email and see that you really don't care  
5 about it, and delete it, than it is to miss something  
6 important. So, I highly recommend eSubscription.

7           If you have any problems with any of these, we  
8 have dedicated staff at FERC that help you with just these  
9 things. We have an email address here  
10 [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov) and this 1-800 number. And  
11 these folks, like I said, are dedicated staff just to help  
12 you with these issues, they're fantastic at it, so if any of  
13 these things are giving you a headache, just give them a  
14 call and they will walk you through it.

15           And that's about it at this time. Do we have  
16 anything else that anyone wants to bring up or - yes ma'am?  
17

18           MS. HENDERSON: Carol Henderson, New Hampshire  
19 Fish and Game. I was going to ask for just a request for  
20 more information prior to the deadline of November 23rd. I  
21 find it very helpful to have the existing licenses in J.  
22 Brodie and Gorham, lower did provide that but Brookfield did  
23 not. Is there any way I could get that information?

24           MR. DORMAN: Ask and ye shall receive.

25           MS. HENDERSON: You can send it with the NHP

1 info.

2 MR. DORMAN: Very good.

3 MS. HENDERSON: Thank you.

4 MR. HANSEN: If anyone else is interested in  
5 looking at the licenses that are current, the ones that  
6 expire in 2024, I think they should be on eLibrary. I mean,  
7 the links are definitely there but sometimes on really old  
8 things, you'll get the microfiche roll number and that's not  
9 helpful at all. But I'm pretty certain if you just click on  
10 the link you should be able to access all of it. So, if you  
11 want to take a look at the licenses that these projects are  
12 currently operating under, they're available on the eLibrary  
13 site.

14 MS. HENDERSON: And you won't have to surf  
15 through to 1917.

16 MR. HANSEN: Yes, it's

17 No, I understand.

18 MS. HENDERSON: Is it a certain order issuing  
19 that -- as a tax search that you could bring that up?

20 MR. HANSEN: Yes, you can search by just a docket  
21 number where you get everything, or you can do a more  
22 advanced search where you search the docket and then with  
23 specific words included. That's helpful sometimes. You  
24 know.

25 MS. NOVAK: I've tried many things on the FERC

1 website.

2 MR. HANSEN: We understand. That's actually the  
3 staff's tool for accessing all these documents, as well.

4 MS. NOVAK: Oh, wow.

5 MR. HANSEN: Yes, so your grievances are the same  
6 as ours.

7 MR. DORMAN: We appreciate it.

8 MR. HANSEN: Anything else?

9 All right. So, I guess to finish up. We're  
10 going to have this exact same meeting again at 6 p.m.  
11 tonight. If you've been to this one, you certainly don't  
12 have to come back, although you're certainly welcome to come  
13 back. We would love to have you. If folks, we're hoping  
14 folks from the public who have an interest will come. If so  
15 we will do the meeting. I've done a lot of these where  
16 nobody comes and in that case we'll just bring it to order  
17 and dismiss it right away. But please, the people who are  
18 interested, 6 p.m. tonight, same thing. Deja vu. Tomorrow  
19 we're going to meet at 9 a.m. to see Brookfield's projects  
20 and we're meeting at the

21 MR. DORMAN: Sawmill.

22 MR. HANSEN: Sawmill Project in Berlin.

23 MR. DORMAN: 972 Main Street.

24 MR. HANSEN: And that's at 9 a.m. So, please  
25 join us. We're going to see six projects tomorrow. Should



1 be a good time. And

2 MR. DORMAN: Bring your galoshes. I think it's  
3 going to be wet.

4 MR. HANSEN: Yes. Good advice. It's going to be  
5 wet, so dress accordingly and I would be amiss if I didn't  
6 say that I know you all are probably Red Sox fans but  
7 tonight at 8 o'clock the Washington Nations will play their  
8 first World Series game and feel free to watch that, we can  
9 talk about it. (Laughter)

10 MR. HANSEN: Tomorrow, in the morning. It will  
11 definitely affect my mood in the morning. So, if that's it,  
12 I will bring the meeting to a close. Thank you.

13 [Whereupon, at 3:35 p.m., the public scoping  
14 session concluded.]

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## 1 CERTIFICATE OF OFFICIAL REPORTER

2

3 This is to certify that the attached proceeding

4 before the FEDERAL ENERGY REGULATORY COMMISSION in the

5 Matter of:

6 Name of Proceeding: Central Rivers Power, NH LLC

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13

14 Docket No.: P-2287

15 Place: Shelburne, New Hampshire

16 Date: Tuesday, October 22, 2019

17 were held as herein appears, and that this is the original

18 transcript thereof for the file of the Federal Energy

19 Regulatory Commission, and is a full correct transcription

20 of the proceedings.

21

22

23 Dan Hawkins

24 Official Reporter

25