

1 FEDERAL ENERGY REGULATORY COMMISSION

2

3 Great Falls Hydroelectric Project on the

4 Passaic River

5 P-2814-025

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7 SCOPING MEETING

8 Wednesday, October 23, 2019

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10 Rogers Meeting Center, Second Floor

11 32 Spruce Street

12 Paterson, New Jersey

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14 2:00 p.m.

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1 SPEAKER LIST

2 Chris Millard, FERC

3 Andy Bernick, FERC

4 Emily Carter, FERC

5 Ted Koroshetz, FERC

6 Michael Scarzello, FERC

7 Francis T. Blesso, Paterson Resident

8 Joe Elmo, Paterson Resident

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

2 MR. MILLARD: I'm going to go ahead and call
3 the meeting to order at 2:02 this afternoon. And first, my
4 name is Chris Millard, I'm with the Federal Energy
5 Regulatory Commission. I'm a fish biologist, and I also
6 happen to be the project coordinator for the Great Falls
7 Hydro Project's relicensing.

8 And I hope you guys will let me maybe take a
9 little bit of shortcut this afternoon, since most folks were
10 here last night, so I'm going to skip a lot of the formal
11 presentation that I did. But nonetheless, I still have to
12 at least go through some of the highlights, some of what the
13 project entails, and what we intend to analyze for
14 environmental documents.

15 And then I'll go ahead and open it up for
16 questions and we can have some discussion toward the end of
17 it. I guess I especially want to talk to Ray, could you and
18 I'm sorry, sir, I didn't get your name? Joe? So, I just
19 want to make you guys are okay with it because the rest of
20 the folks here were here last night.

21 So, if it's okay with you guys, I'll do more of a
22 brief overview. If there's anything that I can elaborate on
23 more, please let me know okay, alright.

24 So, before I get too far along, I should mention
25 too that everything that we say is going to be recorded by a

1 court reporter, so everything is going to be documented to
2 be on the record for the project. So, if you do choose to
3 get up and speak, please speak clearly, speak loudly.

4 We have a microphone up here which would really
5 help her out quite a bit, and the first time you speak, if
6 you could state your name and maybe spell your last name, so
7 there's no confusion. Also, just like yesterday, we have a
8 registration -- well, this is part of our big table, but our
9 registration table that has our sign-in sheets. It's
10 important for us to document everyone that's here, so if you
11 haven't had an opportunity to sign-in yet, please do so
12 before we leave.

13 And then I'll also mention too, that as we talk
14 about the project, I'd like to keep all the discussions
15 related to the Great Falls Hydro Project and its
16 relicensing. And if you choose not to have any comments or
17 questions today, but you have a statement later on that you
18 want to submit, all the comments to this proceeding from the
19 scoping document will be due in about 30 days, so on
20 November 24th, I think, so 30 days from now will be the
21 deadline for receiving all our comments.

22 Those comments can be sent in by mail, or they
23 can also be submitted electronically, and I can help
24 everybody out who doesn't know how to do it but might have
25 some interest a little bit later on.

1 Okay, one of the things I guess I'll cover now is
2 that there's three licensing processes, but that we have at
3 FERC -- the applicants who are Great Falls Hydro and the
4 City of Paterson have chosen to do the traditional licensing
5 process and that process where we're largely not involved in
6 it for the first two to three years, but since the final
7 license application has been submitted, February rather,
8 28th this year, we now jumped back in and we've evaluated
9 that initial application.

10 We sent out some requests for additional
11 information, we also noted some deficiencies. Some of those
12 requests for additional information are still outstanding.
13 And there's one deficiency as well, and that should all be
14 resolved by November 10th.

15 And in this additional licensing process we have
16 a couple of checkpoints, again, this being one of the first,
17 which is the scoping document and scoping meeting. In about
18 actually 30 days, once the comments come in, we'll take the
19 time to make sure that we have everything that we need to
20 issue our environmental documents.

21 And at that point we'll issue a ready for
22 environmental assessment notice and that ready for
23 environmental assessment notice is a trigger point for a
24 couple things, that being when the agencies submit terms,
25 conditions and descriptions, that's also when the applicants

1 will file for their water quality certification with the
2 State of New Jersey.

3 Once we, of course, issue that ready for
4 environmental analysis document, we'll start working on our
5 environmental documents which will likely be an
6 environmental assessment document and that should be
7 prepared by December of 2020. And I'll go over a timeline
8 once we finish up the meeting.

9 For those of you who weren't here yesterday, the
10 scoping process, of course, is important because it's an
11 opportunity for us to hear from all stakeholders involved,
12 the federal agencies, the state agencies, NGOs, anybody and
13 everybody that wants to comment on the project we're happy
14 to hear from them.

15 It helps us to make sure that what we're focusing
16 and what we're emphasizing, our environmental documents is
17 correct and accurate. It also gives us an opportunity to
18 hear from many what shouldn't be emphasized so much. So, it
19 is an important process, and that's why we do this and
20 that's why I appreciate everyone's attendance today.

21 Is anybody -- let me just ask this question,
22 is anybody not familiar with the project itself that you
23 would want to hear a little bit about how the project is
24 run, what it entails and so on? Again, I'll ask you two
25 fellows, okay? Alright, so we'll skip that part.

1 Okay, and one of the things that staff did when
2 the application came in in February of this year, we
3 basically evaluated the application. As I mentioned, we put
4 out the AIRs and the deficiency list. And we also kind of
5 took the opportunity to go through and evaluate what
6 resource areas we think are important.

7 There are several that we came up with including
8 geology and soils, aquatic resources, terrestrial resources,
9 threatened and endangered species, recreation, land use and
10 aesthetics, cultural resources and then finally development
11 resources.

12 So, kind of like yesterday, I guess I'm kind of
13 committed to at least going through this briefly. What I
14 asked last night was that if folks have any relevant
15 information, any comments, questions or suggestions on how
16 we can elaborate on some of these topic areas, this would be
17 the time to go ahead and state those.

18 So, let me just go through right from the start.
19 So, geology and soils -- we're looking to evaluate the
20 effects of project construction operation and maintenance on
21 soil resources and shoreline erosion.

22 I'm going to say if you guys have interest in
23 commenting, just go ahead and raise your hand and then I'll
24 stop. Otherwise, I'll just go through this quickly.
25 Aquatic resources -- we're going to be looking at the

1 effects of continued project operation on the maintenance of
2 water quality and quantity.

3 Also, on the effects of continued project
4 operation on the maintenance of the fish and aquatic
5 habitat, and that includes flow conditions in the bypass
6 reach and also downstream of the project itself.

7 It will also be looking at effects of continued
8 project operation on the maintenance of aquatic resources,
9 including entrainment and impingement of resident fishes and
10 any associated mortality.

11 For terrestrial resources we want to look at the
12 effects of project operation and maintenance on mechanical
13 resources and wildlife, effects of project operation on the
14 maintenance of wetland habitat and associated wildlife, and
15 the effects of project operation on the end maintenance,
16 that is, on New Jersey state with the species.

17 For threatened and endangered species, we're
18 looking at the effects of project operation and maintenance
19 on any federally listed threatened or endangered species
20 from the Fish and Wildlife Service, which includes the
21 Indiana bat and the Northern Long-Eared bat.

22 And then there's a bigger list here for
23 recreation, land use and aesthetics. Here we would look at
24 the effects of project operation and maintenance on
25 recreational use in the project area. We're looking at the

1 adequacy of public access facilities, the current and future
2 recreational needs surrounding the project.

3 Third, we're going to look at the effects of
4 continued project operation and maintenance on land use and
5 the project area, or in the project area that is. And
6 finally, the effects of continued project operation and
7 maintenance on aesthetic resources and this includes an
8 evaluation of aesthetic flows over the Great Falls.

9 For cultural resources we're looking at the
10 effects of project operation and maintenance on historic
11 resources, archeological resources, and traditional cultural
12 properties that are included or may be eligible for
13 inclusion on the National Register of Historic Places. And
14 that, of course, includes the National Historic Park at
15 Paterson Great Falls.

16 And finally, developmental resources. That's
17 basically where we look at the effects of the proposed --
18 any proposed protection or mitigation measures on the -- and
19 enhancement measures on the project economics.

20 So, that's just a brief rundown of kind of the
21 broad areas that we're looking to analyze, evaluate for the
22 environmental documents. Does anybody have any questions,
23 suggestions, comments, so on before I move on?

24 Okay. Okay, so we'll come, jump to a close
25 fairly quickly. Following the scoping meeting we have a

1 couple more points before we end this process presumably in
2 December of 2020. As I mentioned a little bit earlier,
3 after this scoping meeting, there will be 30 days for people
4 to submit comments in writing. That effectively brings us,
5 of course, to the end of November and then we evaluate
6 those comments.

7 At that point determine whether or not a second
8 scoping document is necessary, and that's only if the first
9 one changes appreciably. After that, in January, we'd
10 likely issue our notice -- ready for environmental analysis
11 notice. Again, that would trigger the comments,
12 prescriptions, recommendations from the agencies and also
13 the application to the water quality certification.

14 That would be in March of 2020. By September of
15 2020 is when we're hoping to issue the Draft Environmental
16 Assessment. Comments on that would be due a month later in
17 October 2020, and then we would finish up the final
18 environmental assessment document in December and the
19 project license expires, I think, in February of 2021.

20 So, we'd be on track for meeting that target.
21 Okay, the remainder of what I have is just simply how to
22 stay informed with the project. I think at this stage, you
23 guys are probably -- obviously, you're on the mailing list.

24 If anybody has any questions on how to be
25 involved in the project, whether you want to submit

1 comments, whether you want to stay informed through
2 e-library and get notices when issuances are made, talk to
3 me after this meeting and I'll go ahead and get things
4 organized and let you see how that's done.

5 Are there any outstanding issues? I know that
6 was quick, but are there any outstanding issues that anybody
7 wants to raise?

8 MR. ELMO: I just have a question as far as
9 the actual facility are you going to schedule a meeting for
10 that? You know, if you were going to build some storage, or
11 making the hydroelectric plant, the turbines, probably,
12 something like that as far as the physical work, would you
13 be developing the actual site?

14 MR. MILLARD: Well, so the facility is there, so
15 it's --

16 MR. ELMO: Yeah further construction.

17 MR. MILLARD: Right, so maybe I'm not
18 understanding your question.

19 MR. ELMO: Is there going to be any further
20 construction that's going to go with this?

21 MR. MILLARD: Not --

22 MR. ELMO: Facility, anything that you know,
23 changed?

24 MR. MILLARD: No, and actually before -- can I
25 get your name one more time, so she can?

1 MR. ELMO: Joe Elmo.

2 MR. MILLARD: E-l-m-o, Joseph, okay. No, so to
3 answer your question, for the relicensing of the project,
4 there is no new construction. There's a bunch of plans that
5 we heard a lot about earlier today and I guess earlier today
6 mostly, about what the Park Service is proposing, what the
7 city is proposing in the surrounding area, but that doesn't
8 affect the project facilities themselves. Is that correct?

9 UNIDENTIFIED SPEAKER: That's correct.

10 MR. MILLARD: Okay, okay? Alright, so I do want
11 -- since we have the meeting still open and I just want to
12 kind of double back mostly with the applicants which the
13 city is not here right now, but for Great Falls Hydro.
14 There are a couple things that I think are of interest that
15 we at least discussed on the tour -- the site tour this
16 morning, and they would be of interest for us to get, I
17 guess, just to facilitate the whole process.

18 Let me just double-check my notes here. I think
19 the first was that we had talked about that the original
20 license, I think it might be easiest if you guys could
21 provide a copy of that original license -- not the original
22 license, the original license application, right?

23 Because I think that has some of the evaluations
24 of the more detailed evaluations of the bypass reach, which
25 I think would be helpful. And so, we don't get stalled on

1 trying to quantify, or semi-quantitatively look at perhaps
2 the bypass responds to the different flow scenarios.

3 So, that would be helpful if you guys could file
4 that. In the meantime, I will go back to the office and see
5 if we can't dig it up as well, but just so it's out there.
6 The other thing that we discussed a little bit that I think
7 would be interest again, just to kind of bypass, any
8 obstacles later on, was you know, we had talked about the DO
9 monitoring data under various flow scenarios.

10 I think that would be of interest. If you guys
11 could put together any sort of reports if there's existing
12 reports on what those DO values were, it -- I think, Mike
13 had mentioned that maybe under 50 CFS flows, or some
14 information available. So, to the extent --

15 MR. SCARZELLO: I am not saying there is data,
16 I'm saying I can go back and check the reports from that
17 time to see if there's data.

18 MR. MILLARD: Yeah, and that would be helpful.
19 And if there is, if that could be filed as well, that would
20 be really helpful. Here it is, okay -- the other thing that
21 was kind of brought to our attention too, which would be of
22 interest to have, would be this preservation -- oh, geez,
23 let me -- this is embarrassing, I can't say -- the
24 preservation and interpretative plan for the Great Falls
25 Hydroelectric Plant, we don't have this on the record, so it

1 would be of interest to see this.

2 I think the city has access to this, there's no
3 electronic.

4 MR. SCARZELLO: Who's the company that did that
5 for the city, it's on there on the left someplace.

6 MR. MILLARD: Trans Systems?

7 MR. SCARZELLO: Okay, so he said he was going to
8 get that for us and then we could do the monitoring the
9 stats and have a response.

10 MR. MILLARD: Yeah, and so it's from May 20th,
11 2009. 493 pages of fun-filled facts. I think that that's
12 all we have.

13 MR. BERNICK: Speaker Off-Mic.

14 MR. MILLARD: Okay, so right, so just to
15 reiterate, we've got, so we're looking for the original
16 license application, the DO monitoring data exists, this
17 preservation and interpretative plan with the Great Falls,
18 and then finally the soils data that Andy mentioned, so
19 these important things are super helpful.

20 MR. SCARZELLO: We got it and will follow-up and
21 let you know regardless.

22 MR. MILLARD: Yeah, yeah, great. So, now are
23 there any outstanding issues or comments? Okay, well I
24 guess hearing none, we'll go ahead and adjourn the meeting
25 at 2:20.

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(Whereupon, the meeting adjourned at 2:20 p.m.)

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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:

Great Falls Hydroelectric Project

Docket No.: P-2814-025

Place: Paterson, New Jersey

Date: Wednesday, October 23, 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.

Meron Tesafye
Official Reporter