

1 FEDERAL ENERGY REGULATORY COMMISSION

2

3 GREEN LAKE PROJECT

4 DOCKET NO: P-7189-014

5

6 SCOPING MEETING

7

8 Ellsworth Town Hall,

9 Council Chamber Room

10 1 City Hall Plaza

11 Ellsworth, ME 04605

12

13 Thursday, June 27, 2019

14 7:00 p.m.

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1 ATTENDEES

2 NICHOLAS PALSO, FERC PROJECT DIRECTOR

3 WILLIAM CONNELLY, FERC STAFF

4 BERT KLEINSCHMIDT, GREEN LAKE WATER PROJECT

5 CAROLINE KLEINSCHMIDT, GREEN LAKE WATER PROJECT

6 KAYLA EASLER, GREEN LAKE WATER PROJECT

7 DALE JELLISON, GREEN LAKE ASSOCIATION

8 AUDREY TUNNEY, GREEN LAKE ASSOCIATION

9 RAYMOND JENKINS, JENKINS BEACH

10 MR. FRIEND, GREENLAKE RESIDENT

11 KEN AND HOLLY SHEA, GREEN LAKE RESIDENTS

12 BRIDGET JORDAN, GREEN LAKE RESIDENT

13 ANDREW DAVIS, GREEN LAKE ASSOCIATION

14 HEATHER GRINDLE, GREEN LAKE RESIDENT

15 COOPER FRIEND, GREEN LAKE RESIDENT

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

2 (7:00 p.m.)

3 MR. PALSO: Hello. My name is Nicholas Palso and
4 I am with the Federal Energy Regulatory Commission out of
5 Washington, D.C. I hope you're all here for the Green Lake
6 relicensing meeting, it's FERC Project Number 7189. I have
7 with me Bill Connelly. He's a fisheries biologist and he'll
8 be handling the aquatics issue at the Project. We have a
9 whole team representing the Commission staff on this
10 Project.

11 We're the only two that came up, but we also have
12 Erin Kimsey back in Washington, D.C., who'll be handling
13 recreation and cultural, and Michael Watts, who'll be
14 handling engineering. And in addition to leading
15 everything, I'll be handling terrestrial resources. And we
16 will dive into what all that means as we go through this
17 presentation.

18 Before we get started, a couple of things to help
19 keep the meeting going. There's a sign-in sheet up front.
20 I think you all signed that in as you came in. We have a
21 court reporter with us. This is all, everything's going on
22 the record here. So please, if you wanna make a comment or
23 ask a question, come up to the microphone here, 'cuz we need
24 to get everyone on the microphone. There's one there,
25 there's one here, and there's some at the table. But please

1 come up and state your name clearly. Please spell it if you
2 can, if it's got an unusual spelling. And state your
3 affiliation as well, if you're with a stakeholder group, an
4 association and you're speaking on behalf of them, please
5 let us know, so that'll help the court reporter keep
6 everything in line.

7 Transcripts will be available a couple of weeks
8 after the meeting on FERC's website. There's also handouts
9 at the front. I brought copies of the Scoping Document 1.
10 I see some of you already have that. It's also been
11 available online since May 31st.

12 So, who is FERC and why are we here? Sorry, this
13 is the agenda. Who is FERC, why are we here? I'll then go
14 through the licensing process. Quick little lesson on the
15 whole thing. It's gonna take us through, we're at Step 1
16 and we have a long way to go. So I'll explain that.
17 Project overview will be given by Green Lake Water Power.
18 They're sitting up there. They'll explain the operations
19 and everything associated with the Project. Then I will go
20 into purpose of scoping, which is why we're up here. That's
21 the whole purpose of this meeting, and the discussion of the
22 resource issues and that's when we'll open it up to comments
23 and questions.

24 And finally I'll tell you guys how you can submit
25 your comments online, on FERC's system, and what you can do

1 to stay informed throughout the whole licensing process.

2 So, who is FERC? We are an independent federal
3 agency. A lot of people think we're associated with the
4 Department of Energy, but we're actually not. We're all by
5 ourselves. And we regulate sort of a mishmash of different
6 areas related to energy. It includes the interstate
7 transmission and sale of electricity and natural gas, the
8 interstate transportation of oil by pipeline. We review
9 proposals to build interstate natural gas pipelines, natural
10 gas storage projects, and liquified natural gas terminals.

11 And we also license nonfederal hydropower
12 projects, which is why we're here today. The Commission is
13 led by five Commissioners appointed by the President.
14 Currently there's only four with one vacancy. And they are
15 supported by twelve different offices and staff about 1,500.
16 And by different offices, I mean those are broken up within
17 the Agency. We only have about five, maybe six physical
18 offices throughout the country and most of the employees are
19 in Washington, D.C. The regional offices, such as one in
20 New York, handle engineering and safety issues. But the
21 bulk of our staff are in Washington, D.C., which is where we
22 came from.

23 Hydropower licensing. Licenses are issued for a
24 term of thirty to fifty years. The Green Lake license was
25 forty years. That's become our policy, that's what we aim

1 for now, is forty years, but it all depends on the
2 conditions at the Project and what we feel is appropriate
3 after we analyze all the issues for the length of the
4 license.

5 Some projects are exempted. They will go through
6 a shorter exemption process. It's similar to licensing.
7 That's not the case with Green Lake. I can't think of any
8 projects near here that are exemptions, but those don't get
9 relicensed, but that's just another aside for what we do.
10 And currently there are approximately 2,500 licensed or
11 exempted projects under FERC's jurisdiction in the country.
12 And many of them are in New England.

13 So why is FERC here today in Ellsworth? We're
14 here to gather information--we call that "scoping"--for the
15 relicensing of the Green Lake Project. Scoping is required
16 by the National Environmental Policy Act, or NEPA, which is
17 the big, overarching law that covers all government actions,
18 they have to have environmental review. So the relicensing
19 of this Project is considered a government action, so it has
20 to go through the environmental review. As I said before,
21 there was a forty-year license issued for Green Lake. That
22 was in April 1st, 1984, and expires in March 31st, 2024. So
23 they've got five years since they filed their
24 Pre-Application Document and that's typically how long
25 these relicensings take.

1 The licensing process, I just said, takes about
2 five years. It starts with scoping, right here. And it
3 ends with a license order. The license order sets the terms
4 and conditions in its articles for how the Project's gonna
5 operate for the next thirty to fifty years. These include
6 terms and conditions for operation, such as what the water
7 levels might be, how much electricity it can generate at
8 different times. And it also includes environmental
9 protection, mitigation and enhancement measures.

10 So, to go from scoping to the license order,
11 there's a lot of work involved there. It involves gathering
12 information, conducting the environmental review and all of
13 this relies heavily on input from stakeholders. Here is a
14 breakdown of just the process before the applicant files
15 their application. I expect there'll be a quiz at the end
16 of this.

17 We are right there. So, they have filed their
18 NOI, what we call Notice of Intent and their Pre-Application
19 Document. We've made it to scoping and at the end, they
20 will file their license application. This doesn't even
21 cover the stuff after they file their license application.

22 I made it a little more simple here to break down
23 the steps. But you can see, we're very early in. After we
24 go through the scoping, there'll be study plan development,
25 studies will be conducted. The applicant will then prepare

1 their license application, which has their proposal based on
2 how they're gonna operate the Project, if there's any
3 changes from the current operation.

4 Then we at FERC are going to go and review it,
5 and we will then make what we call the environmental
6 document, an Environmental Analysis or possibly an
7 Environmental Impact Statement. But we will analyze all the
8 information that's been gained and will determine what
9 environmental measures may be required at the Project.
10 Which comments or requests from other agencies or
11 stakeholders, for environmental measures if they're needed.
12 We may say, "Well, we don't think this is needed," but we
13 will state why.

14 And finally, we end up with a license order, how
15 they're gonna run the Project. The Notice of Intent and
16 Pre-Application Document, we're the government, we like
17 acronyms, the NOI or PAD, was filed on April 1st, 2019 by
18 Green Lake Water Power. They brought together all the
19 existing relevant and reasonably available information they
20 had on hand. And FERC staff looked at that to identify any
21 issues, data gaps and study needs, so that we could come
22 here and determine what else we need to know.

23 This document also forms the foundation for
24 future documents, such as their application and the
25 environmental assessment we will build off of their

1 application. And, importantly, or finally, it sets the
2 schedule for the ILP, which is the integrated licensing
3 process. So it starts off that whole process.

4 So, scoping meetings. This is the first step.
5 The scoping document was issued by Commission staff, us, on
6 May 31st, 2019. Copies of it are sitting up there. We use
7 this document to solicit input from the public and find out:
8 Did we get the information that we have in there correct?
9 Is there more information we need to get? And if there is,
10 we will issue a Scoping Document 2, where we will
11 incorporate all the new information we've discovered during
12 this scoping process so that we'll have a more complete
13 scoping document with which to move forward from.

14 Scoping helps to identify issues associated with
15 the Project that we could not glean just by looking at the
16 Pre-Application Document and visiting the site. It could
17 also be used to discuss existing conditions and identify
18 existing information that's not really apparent, but the
19 public may know or agencies may know. And it also helps to
20 identify cumulative effects, the geographic scope of the
21 Project's effects and proposed alternatives for operation or
22 mitigation measures at the Project.

23 After scoping, FERC staff will review the scoping
24 comments -- all comments are due on July 30th, 2019. We
25 will then prepare the Scoping Document 2 if necessary.

1 After that, Green Lake Power will file a Proposed Study
2 Plan, which'll be due on September 13th.

3 Agencies, stakeholders, the public, will all look
4 over this proposed study plan, and a month later, on October
5 13th, there will be a Proposed Study Plan meeting, possibly
6 even in this same room--it's their meeting, Green Lake Power
7 gets to choose where they wanna have that--but that meeting
8 will bring together the public and the agencies to have open
9 discussion over the plans for the various studies, concerns
10 about methods, how long the study's gonna take place, where
11 it's gonna take place, and these range from all kinds of
12 things, from studying, you know, fish in the lake, to
13 recreational access, to historic sites.

14 Taking in all those comments from the meeting,
15 Green Lake Power will then file a revised study plan by
16 January 11th. The agencies, the public, everyone will have
17 two weeks then to look over this revised study plan and make
18 any final comments on it. And FERC will then issue their
19 determination, the final ruling on what studies the
20 applicants need to conduct by February 10th of 2020. So
21 this whole process is very deadline-driven. Everything's
22 set out in the process plan, which is in the back of the
23 scoping document.

24 So these study plans I've been talking about,
25 comments on the PAD and study requests also must be

1 submitted to FERC by July 30th, 2019. That's the same date
2 as scoping comments. So that's the date that we get all the
3 information in. And study requests provide a framework for
4 collecting information we need for our environmental
5 analysis and recommendations. So the studies where Green
6 Lake Water Power will go out and conduct will be all
7 designed to gather any information to fill information gaps.
8 And we'll use that information, the Commission staff will
9 use that information to do our analysis of the Project.

10 MR. JELLISON: Question.

11 MR. PALSO: Yes? Would you please come up and
12 state your name?

13 MR. JELLISON: Dale Jellison, J-E-L-L-I-S-O-N.
14 Will the SD2 be a standalone document? Or will it be a
15 supplement to include all of SD1 and the new information
16 that you come up with?

17 MR. PALSO: It will be a separate document where
18 we incorporate any new information we have into SD1.

19 MR. JELLISON: Okay, so if SD2 is issued, SD1 is
20 no longer needed? Because everything is in one document?

21 MR. PALSO: Correct.

22 MR. JELLISON: Okay.

23 MR. PALSO: Yes, we'll move on, we will use SD2
24 then as our basis.

25 MR. CONNELLY: And in SD2, you'll see things

1 highlighted and in bold, that's the new stuff.

2 MR. JELLISON: Thank you.

3 MR. PALSO: So this environmental assessment I've
4 been talking about, that would be our big review. They're
5 usually over a hundred pages. A lot of information goes
6 into that. FERC staff back in Washington, D.C., we analyze
7 all the information we got through these studies, through
8 scoping. We also take comments from the public and
9 stakeholders and we will set out the plan, what we believe
10 should be in the final license order for the Project. And
11 we put it out there and agencies, stakeholders, everyone can
12 submit comments then on the environmental assessment. So
13 there are multiple stages along this whole process for input
14 from the public and from agencies.

15 We will then issue a final EA if needed, based on
16 the comments we have received. If these comments aren't too
17 substantial, we will just go ahead and do a license order.
18 We'll still address those comments, but within the license
19 order.

20 And the final thing is that license order. So
21 that's what this whole process is going for, trying to
22 determine how Green Lake Water is gonna operate their
23 Project for the next thirty to fifty years.

24 So now, I'm gonna hand it over to Green Lake
25 Water Power so they can discuss their Project in much better

1 detail than I ever could.

2 MR. KLEINSCHMIDT: Okay. I've met quite a few of
3 you, I think. I'm Bert Kleinschmidt,
4 K-L-E-I-N-S-C-H-M-I-D-T. I'm the President of Green Lake
5 Water Power Company.

6 So this first slide shows an orientation of where
7 the Project is in the State of Maine. You see the small map
8 of Maine in the upper left with the red box. Red box is the
9 area covered by the bigger map, and then the area that's
10 green that's surrounded by the red line, that's the drainage
11 area of the Union River. So we are in that watershed. We
12 use some of the water that ends up in the Union River and
13 we're obviously in the town of Ellsworth, you all know this
14 better than I do.

15 And the Project is located on the output of Green
16 Lake, and then we're along Reeds Brook. We're on the
17 southwest side of Reeds Brook and this watershed, the Union
18 River watershed drains about 547 square miles and a part of
19 that that we're involved with is about 45 square miles.

20 So this shows the Project area in more detail.
21 So the left map shows Maine, an area of Maine, and where the
22 Project's located. Many of you are from Green Lake, so you
23 know this better than I do. The right map shows the
24 watershed, or the area that's drained by Green Lake. So
25 that's about 45 square miles.

1 An interesting point on this is that I haven't
2 include Phillips Lake. The Union River Project included
3 Phillips Lake in the Union River watershed, but we conducted
4 a field study, we actually drove out there and looked, and
5 there's no connection that we could find between Mann Brook
6 and Phillips Lake. And at the time we were there, it was in
7 the spring, I believe it was in March, there was a lot of
8 water exiting the north end of Phillips Lake. So that water
9 drains a bit north, goes through the town, and then turns
10 south and ends up coming into another river into the ocean.
11 Yes?

12 MR. JENKINS: My name is Raymond Jenkins and I'm
13 representing Jenkins Beach. I just would like to note that
14 part of Green Lake is in Dedham. It's not all in Ellsworth.
15 And also that Mann Brook drains into Green Lake and, up at
16 the end of Phillips Lake, there is actually a homemade dam,
17 which kind of keeps Mann Brook away from Phillips Lake. But
18 it does drain a little into Green.

19 MR. KLEINSCHMIDT: Well, I've been told that the
20 state built some sort of barrier between Mann Brook and
21 Phillips Lake. And that supposedly that could wash out
22 sometime, but that it's currently in place. That's what we
23 observed, that there was --

24 MR. JENKINS: Okay.

25 MR. KLEINSCHMIDT: -- no water running through

1 there to Mann Brook. And on the other end, on the north end
2 of Phillips Lake, there is a manmade dam and there's a fish
3 ladder there and there was substantial water running through
4 that on that side.

5 MR. JENKINS: Thank you.

6 MR. KLEINSCHMIDT: Thank you. So there are two
7 hydro projects involved in the Union River. The other one
8 is the Ellsworth Project and the information on it is there.
9 I won't go through all of it verbally. But I'll hit a
10 couple of key points. I mean I suspect most of you are
11 quite familiar with the Project. It's located in Ellsworth
12 itself.

13 One of the points is that the amount of power
14 that they can generate when they have everything running is
15 about thirty times what we generate on the Green Lake
16 Project. So that's one thing to keep in mind. And they
17 have two dams. They use the Graham Lake Dam that's about
18 three and a half miles north/northwest of Ellsworth. And
19 that has a storage area of about 10,000 acres. So it's a
20 fairly good-sized lake.

21 And they also have the dam that's in Ellsworth,
22 the Ellsworth Dam, which basically forms Lake Leonard, which
23 is quite a small lake. It's about 90 acres. And they have
24 two major water sources that I know of. There's the Union
25 River that comes into the top of Graham Lake, and then

1 there's the water that leaves our Project and comes down
2 Reeds Brook into Graham Lake.

3 So the Project boundary is the area that's
4 affected by our Project. I guess I would define it that
5 way. It extends about 6.2 miles upstream from the dam,
6 which is basically the length of the lake, and then it's
7 about 1,500 feet downstream of the dam to the place that we
8 discharge into Reeds Brook for the water that we use to
9 generate with.

10 Above the dam, the boundary is defined by
11 elevation 161, so that's about 0.3 feet above the full water
12 level in the lake. Yeah, it's 160.7 is the elevation of
13 full lake, so it's about 0.3, so it's just barely above the
14 water level. Below the dam, the boundary includes two acres
15 of Green Lake National Fish Hatchery land along the
16 southwest side of Reeds Brook. And that's where much of our
17 facilities are located, which we'll get into in a minute.

18 This is a map of the Project boundary. It's a
19 little hard to see, but there's a black line that runs
20 around the lake, very close to the lake. And then there's,
21 it's pointed out the Project boundary and where the dam's
22 located--which I suspect most of you know--and at this
23 scale, the two acres of national land that we're on don't
24 really show up that well. But in this picture, you can see
25 where the pieces of the Project are located. On the left

1 is the dam. The next box moving to the right shows the
2 penstock, where the penstock comes along the access road.
3 The Green Lake Fish Hatchery access road. And then it
4 diverges from the road and goes down to the powerhouse and
5 then the fish hatchery is also marked there with a box.

6 Okay, so something that you'll hit if you read
7 the documents is impoundment, which is a slightly unusual
8 word. For us, it's basically Green Lake. That's the place
9 that we hold water back, or control the level of that water,
10 and use that for storage for generation. So the Project
11 impoundment is just under 3,000 acres at the level of being
12 full. So that's the area of the lake at that point.

13 And then it extends about 6.1 miles upstream from
14 the dam, just a little less than the Project boundary,
15 because the Project boundary is actually up on the shore.
16 And this gives us a net storage capacity of 10,000
17 acre-feet. So that, with the level that we're allowed to
18 change the water level in the winter, the amount that we can
19 draw it down in the winter, not in the summer, we can take
20 about 10,000 acre-feet of water out of the lake with that
21 drop.

22 And if the gates were opened, if the wastegates
23 were opened fully and left open, if the lake were full and
24 we opened the gates, the amount of water that would flow out
25 would be about 16,000 acre-feet. But that would be taking

1 the lake lower than we're normally allowed to take it.

2 Okay, so the dam, again, many of you have
3 probably seen the dam. So the dam goes back to the early
4 1900s, it was originally built, I believe, in the early
5 1900s as a rock, a dryrock and timber dam. The timber
6 started to deteriorate. Bangor Hydro owned the dam and in
7 the '60s, they put in the gate structure and covered and put
8 sheet steel on the dam. It's my understanding that's when
9 that was put in. I don't have very good records on all
10 this, so some of you may actually know more about it than I
11 do.

12 And then in the 1980s, we built the gatehouse
13 that you see as the tall building there with the gray wood
14 and the green roof. That's the intake to the penstock,
15 which flows water down to the powerhouse. And then around
16 1990, we improved the spillway, which is on the right side
17 of the picture, and it's concrete with a flume to channel
18 the water safely back into Reeds Brook that comes over the
19 spillway, and then it has fish screens on it that stop large
20 fish from leaving the lake.

21 This is the intake structure, a picture of the
22 intake structure, on the outside of the building anyway. So
23 the intake structure is where the water goes in to flow down
24 the penstock to get to the powerhouse. That's on the right
25 side of the building that you see. You see a couple of

1 things that kind of jut out into the water and it goes in
2 under that concrete slab that's between them.

3 The intake is controlled by a 5-foot by 5-foot
4 gate that's substantially below the floor level of the
5 building. It's actually below the floor level even when
6 it's fully open. So the bottom of that's about ten feet
7 down from the floor of the building. And then there's trash
8 racks in there that's 8-feet wide and about 12-feet deep.
9 So the trash racks have a one-inch spacing between the bars.

10 So supposedly, nothing larger than one-inch will
11 get down into the penstock. I believe our license requires
12 a two-inch spacing, maximum, and we actually have a one-inch
13 spacing, because we're stopping debris from getting into the
14 turbine with those, and the turbine that we have is rated to
15 handle a one-inch board. It's as practical as it's rated to
16 handle a one-inch board and not a two-by-four. So we put a
17 one-inch spacing on that, which more than meets our fish
18 screen requirements.

19 Then there's a penstock which is basically a big
20 pipe that runs from there down to the powerhouse. The
21 penstock is 1,740 feet long, about a quarter of a mile. The
22 first 740 feet of the penstock are reinforced concrete. The
23 first 70 of that are square, 54-inch square, then it's
24 54-inch round, then there is a two-foot tap so that the fish
25 hatchery can get water from our penstock and at that point,

1 the penstock goes down to four-feet round and then a little
2 further downhill, it comes aboveground and then it's a
3 woodstave pipe, which is basically built like a barrel.
4 It's wooden pieces that have metal bands around them that
5 hold it against the pressure.

6 And that's -- the left picture is some of the
7 submerged, the buried penstock, concrete penstock, and the
8 right picture is some of the woodstave penstock.

9 At the end of the penstock is the powerhouse.
10 The powerhouse is a 27x35-foot reinforced concrete
11 structure. You can see a view of it on the left. That's
12 from the other side of Reeds Brook. And it's a view that
13 most people don't get to see. On the right is the picture
14 of how it looks from the fish hatchery parking lot, down the
15 driveway. So there's a whole bunch of powerhouse that's
16 below what you see when you walk up to it. And then the
17 powerhouse contains our power generation equipment, two
18 turbines and two generators.

19 The main turbine is a vertical turbine. It's
20 called a tube turbine. A tube turbine is basically a type
21 of turbine that's kind of a tube, funnily enough, and it has
22 an impeller in it. And as the water flows through, the
23 impeller turns and that's how it generates power. It's a
24 fixed operating point unit which, I guess is important to
25 know, because it answers a lot of questions about, can we

1 reduce the water we use and still generate power? The
2 answer is no.

3 When it's on, it's using the full amount of water
4 and generating the full amount of power and you really can't
5 throttle it back, the way the turbine is made. And the
6 amount of water it uses is 96 cubic feet per second. It's
7 kind of a nominal value. So it's somewhere around there,
8 depending on the height of the lake and that sort of thing.
9 That's roughly 750 to 800 gallons per second that go through
10 the turbine, down that 4-foot pipe. It moves right along.

11 It takes, just a curiosity, it takes about three
12 minutes for something to travel down the pipe in the water
13 from the dam to the turbine. I know that because when I
14 rake the trash racks, the debris that -- it pushes some
15 debris through the racks, that debris hits the turbine about
16 three minutes later, 'cuz I can tell.

17 Okay, the second turbine is a centrifugal pump
18 set up to run as a turbine. You can actually run a pump
19 backwards and use it as a turbine, oddly enough. And then
20 it has a similar generator, but much smaller to the one
21 that's on the main unit. And I estimate that that will use,
22 I don't really have a good way to measure that, but I
23 estimate it will use about seven cubic feet per second when
24 it's running. The idea is that the small turbine can be run
25 when it's not practical to run the large one. Because we

1 would run out of water too quickly.

2 After the generator, the generators run 480V
3 3-phase, like a big industrial or commercial power feed from
4 Emera. So that runs out to a transformer--there's a picture
5 of it there--that transformer's a 500 kVA transformer and it
6 steps the voltage up to 12-1/2 thousand volts. Then there's
7 an underground cable that travels from there out to the
8 street underground. It was put in underground partly
9 because of eagle concerns. It's not up where the eagles can
10 tangle with it or hit it or anything like that. And then it
11 connects to Emera at the far end of that cable.

12 One of the interesting aspects of this that many
13 people don't know unless they're in power generation is, the
14 types of generators that we have will not generate unless
15 they're tied to the mains, unless they're tied to the grid.
16 They have to be tied to the grid to generate any
17 electricity. We cannot operate during a power failure, for
18 example. In fact, Emera requires that we leave the grid
19 within a certain number of seconds, so when even one of the
20 phases goes down so that there's no danger that we will
21 cause problems for people repairing the lines.

22 So here's a slide on Project recreation. We
23 don't have any specific Project-related official recreation
24 pieces. We do support uses of the lake for boat access.
25 Our levels are planned so that people can use the lake,

1 especially during the summer for boating, fishing and
2 swimming. You can see there, there's a barrier that we have
3 across upstream of the dam to keep people from, ideally,
4 from swimming in that area, and it's strong enough to keep
5 boats out. Like if a boat is drifting towards the intake,
6 they can grab hold of the barrier, even if their engine's
7 dead and pull themselves over to the shore. So it's quite a
8 stout barrier. And it has more floats on it than most
9 people have seen, but that's to keep boats from being able
10 to go over the rope.

11 So here's a fairly brief description of our
12 current Project operation. One of the overarching things
13 with our Project is that we interact with the fish hatchery.
14 The fish hatchery, during much of the summer, gets a
15 substantial portion of their water off our penstock. This
16 allows them to get warmer water and more oxygenated water,
17 yet higher-dissolved oxygen concentrations.

18 So it's very important for their accelerated
19 growth of fish. It's been pointed out that they're growing
20 fish in one year that, if they were on their own, it would
21 take two years to get to that point, so they can release
22 them earlier. So they buy the license, have a priority
23 right to up to 30 cfs from the lake, and we take that very
24 seriously.

25 And as mentioned, they use water from our

1 penstock. One of the implications of their using water from
2 our penstock is that, you know, we get asked why we don't
3 patch the penstock more often, for example. And we can't
4 shut down the penstock to patch it when the fish hatchery is
5 using the water, so we basically can't patch the penstock
6 during the summer. We have to usually do it in the fall.
7 That's when conditions allow us to.

8 We maintain a flow of one cfs, one cubic foot per
9 second down Reeds Brook, to keep the brook fresh and support
10 life in the brook. And that's covered by leakage that we
11 have by the dam.

12 Okay, so during the summer months, we run the
13 lake within a one-foot level, from 159.7 to 160.7, and in
14 fact, we often have to restrict our use of that level. We
15 usually shut down, if we're generating, we usually shut down
16 around the mid-point of that range, so that there's less
17 chance that we'll go below the minimum by the end of the
18 summer, if it turns into a dry summer. But obviously it
19 depends on what the weather is that summer, 'cuz they run
20 all over the lot.

21 The fall drawdown begins on Labor Day or after
22 Labor Day weekend, and we're then allowed to draw the lake
23 down to 157.5, and we try to draw it down to that level by
24 15 October with the turbine. Sometimes we can't do it with
25 the turbine, we have to open the gates to actually get it to

1 go down there. But usually we do it with the turbine.
2 Sometimes the level, during the summer, at the end of the
3 summer, it's so dry that the lake has wandered down to low
4 anyway, and in several of the past summers, we have delayed
5 our drawdown because of that, because we don't need so much
6 time to draw it down.

7 The level at the lake gets to on 15 October
8 dictates the minimum level that we can have during the
9 winter. The idea was that there fish eggs along the shore,
10 I think that may be open to dispute now, but the idea is
11 there were fish eggs around the shore and we wouldn't -- it
12 would cause trouble to dewater them. So that would set the
13 minimum level.

14 That then sets the minimum level that we can be
15 at in the spring to absorb spring runoff. And some years
16 that's a big issue. Some years the lake comes up very
17 quickly in the spring. Other years like last year, we get
18 thaw during the winter and we enter the spring with a fairly
19 mild runoff. And that's why the lake is at different levels
20 different winters as well.

21 Basically our plan on the turbine is, we run the
22 turbine when we have water to do so, and we don't when we
23 don't. It's pretty much that simple. I guess the
24 complication comes in, what do we consider water to do so?
25 It isn't just as simple as, are we above our minimum level?

1 Yes, turn the turbine on. Because especially in the summer,
2 we're looking ahead to having a buffer. Are we getting
3 storms so we need more room in the lake, and therefore we
4 run it lower? Or are we heading to a dry summer and
5 therefore we try to keep it higher so that we won't run out
6 of water for fish hatchery usage and recreation during the
7 summer.

8 We keep daily records of a number of things
9 including lake level, precipitation, that we've recorded.
10 The GLA also records precipitation and we appreciate that.
11 We use that data to tell what's going on around the lake.
12 And so that's pretty much our operations. Oh, great,
13 questions. Any questions?

14 MR. JELLISON: Yeah, Dale Jellison again. I know
15 you keep daily records and I don't wanna put you on the
16 spot, but the last time you checked, what level were we at
17 on the lake? 160.2 maybe?

18 MR. KLEINSCHMIDT: The last reading I have was
19 yesterday --

20 MR. JELLISON: Yep.

21 MR. KLEINSCHMIDT: -- and that was 6.80.

22 MR. JELLISON: And do the math is 160-something?

23 MR. KLEINSCHMIDT: Sorry. That's 6-, I think
24 with the gauge reading, 6.7 is midway on the summer level.

25 MR. JELLISON: Okay.

1 MR. KLEINSCHMIDT: So we're a 0.1 of a foot, so
2 we're 0.4 down from fall.

3 MR. JELLISON: Okay. So that's about 160.3? I
4 guessed at 160.2. Okay.

5 MR. KLEINSCHMIDT: Okay.

6 MR. JELLISON: Thank you.

7 MR. KLEINSCHMIDT: Yeah, you did put me on the
8 spot. Any other questions? Yes?

9 MR. SHEA: Ken Shea. Question on the head,
10 because you said you have 50 feet of head on the turbine?

11 MR. KLEINSCHMIDT: Yes.

12 MR. SHEA: I thought Green Lake was somewhere
13 around 130.

14 MR. KLEINSCHMIDT: The figure that I have for the
15 height, the elevation difference between the lakes is about
16 55 feet --

17 MR. SHEA: Really?

18 MR. KLEINSCHMIDT: -- and we lose -- well, that's
19 when the Project went in. I haven't mentioned this before,
20 but I believe Graham Lake is run a little higher now than it
21 was when we first licensed. Because our floor, we've put in
22 at a certain level and it runs a little closer to the floor
23 than it used to, the tail water. But we lose about 5 feet
24 of head, which nets about 50 feet of head. But that varies
25 quite a bit.

1 Okay, so I -- if no one else has a question --

2 MR. FRIEND: Cooper Friend, Ellsworth. What is
3 your definition of summer? You use that word a lot. And I
4 just wondered what --

5 MR. KLEINSCHMIDT: Well, I have several
6 definitions. One is June 21st to September 21st. Another
7 is what's in our license says 1st of June to Labor Day
8 weekend. So that's when our license restricts our operation
9 to what I consider, for what I consider recreational
10 reasons. And then summer varies between person. You know?
11 Some people are here different time periods. So from an
12 operations point of view, what I have to manage from is the
13 license and I manage for recreational uses currently from
14 the 1st of June to Labor Day weekend.

15 MR. FRIEND: I'm just curious. I think the
16 elephant in the room is wondering, because it -- Okay, so
17 June 1st is summer. I don't think we've had summer --
18 anyway, just curious why, if we could wait a month before
19 you start to drain it down, from an operational point of
20 view from your perspective.

21 MR. KLEINSCHMIDT: Well, the limit that I have --
22 well, first of all, if we get very deep into this, this
23 probably isn't -- I think your feedback is, you would like
24 the drawdown to be delayed a month?

25 MR. FRIEND: Yes.

1 MR. KLEINSCHMIDT: Okay. So let's just leave it
2 at that rather than having me get into explaining what I
3 need to do and why and that sort of thing, is that -- I'm
4 willing to answer the question if you want me to, but --

5 MR. FRIEND: Sure. Please answer it.

6 MR. KLEINSCHMIDT: Okay. Basically, we have a
7 restriction of 15 October for our drawdown. That level is
8 more than just using the water. It does a number of things.
9 First of all, we can run the turbine to do that drawdown,
10 given six weeks. The six-week drawdown period. We can
11 actually use the water and get electricity from it, which
12 helps our bottom line. It does help to pay the bills and
13 support the dam and everything else we use our money for.
14 We don't get paid a lot for electricity in September, in
15 October, but it helps.

16 So then, being able to do that, we then have a
17 buffer area in the lake, so that sets the minimum level that
18 we can draw the lake down during the winter. So depending
19 on the weather that hits in the winter, we don't have to
20 instantly start dumping water and doing various things. You
21 know, we can run the turbine and draw the lake down after it
22 fills up in December, and that's actually when we get most
23 of our useful generation is during the winter. I probably
24 just said summer there, I meant winter.

25 Because we have that area that we can use on the

1 lake, the 3.2 feet, we don't have to dump water and worry
2 about hitting the limits. We can start the turbine up and
3 run it for blood basically, and that's what actually pays,
4 that pays the money that we need to keep the company going.

5 And then, the third thing is, that sets how much
6 of a buffer we can have in the lake in the spring and it can
7 come up very swiftly from snow melt some years. This year
8 it didn't. This year we didn't -- we were fairly high going
9 into the spring melt and we didn't get a bad spring melt
10 because we'd gotten the water during the winter. And that's
11 kind of what I've seen is, if we get the melting during the
12 winter, we can't afford to have the lake too low or we won't
13 get it refilled for recreational usages in the summer. 'Cuz
14 we don't get enough runoff in the spring. Does that answer
15 your question?

16 MR. FRIEND: I'm not sure.

17 MR. KLEINSCHMIDT: Okay.

18 MR. FRIEND: I mean I'm --

19 MR. KLEINSCHMIDT: We can't do a clean drawdown
20 in two weeks. That's the short answer.

21 MR. CONNELLY: But that October 15th is based on
22 the fish if they're spawning, right?

23 MR. KLEINSCHMIDT: Yes.

24 MR. CONNELLY: Okay, so --

25 MR. KLEINSCHMIDT: And it's possible that that's

1 not an issue. I don't know. So I'd love for that not to be
2 an issue. I'd love to be able to start the drawdown when
3 the power gets a little more expensive, to be honest.
4 That'd be great for me. But it's not the way it currently
5 is, so --

6 If there's no other questions in the audience, I
7 actually have a question that I know someone asked and I
8 wanna ask it myself and answer it. Okay? So, what happens
9 if we get run over by a bus? Or what happens to the Project
10 if we're not able to run it anymore? Well, I actually do
11 have a plan for that. First of all, we are the company. We
12 own, Caroline and I own the company completely. But we have
13 a third board member, and we are two-thirds of the board.

14 We have a third board member who is my sister.
15 She's trained as a civil engineer. She has worked for
16 various engineering companies and various non-governmental
17 organizations. She lives in Maine, she's on the board, so
18 that if something happens to us, she can do something
19 intelligent with the company. She doesn't want to run it.
20 She would be able to run it, but she doesn't want to run it.
21 She could get it to somebody who could run it and make sure
22 that it didn't fall apart, basically.

23 Also, when my father passed away, we had several
24 people approach us who had the credibility of being able to
25 run projects like this, that wanted to buy it. So I think

1 there's no big worry about it going to somebody who, you
2 know, we would be able to sell it to somebody who could
3 continue it, and the license, as I understand it, is issued
4 to the company and we would sell the company to somebody who
5 could take advantage of it and they would be bound by the
6 same license, and then I don't know what happens. I assume
7 there's some FERC check out of, if it changes hands. I
8 don't know --

9 MR. PALSO: There is a process for a transfer of
10 license, and when that occurs, the license term and all the
11 conditions transfer along with it.

12 MR. KLEINSCHMIDT: Okay. So it's, yes, we're a
13 big part of this Project right now, but that doesn't mean
14 that it's that risky for the lake or that sort of thing.

15 MR. FRIEND: The penstock, in your opinion, what
16 is your opinion of the condition of that?

17 MR. KLEINSCHMIDT: Woodstave penstocks of that
18 type have a life of about forty years. The first twenty
19 years tend to be very trouble-free. The last twenty years
20 have climbing maintenance requirements. We are well into
21 that second twenty years. We're at about thirty-five years
22 now. So it looks to me like it's on track for replacement
23 at about forty years.

24 It does leak, but wooden penstocks leak. It's
25 kind of a fact of life. And we patch it -- we were hoping

1 to patch this spring, but the combination of the
2 precipitation that we got late in the spring and the fish
3 hatchery water requirements only allowed a minimal shutdown
4 when we would do an emergency patch of something in a
5 concrete section. And we did that. But we weren't able to
6 do the patching of the wooden pipe which requires more
7 extensive shutdown time to do that.

8 MR. FRIEND: What is your opinion of the
9 condition?

10 MR. KLEINSCHMIDT: My opinion of the condition is
11 that it's not likely to fail catastrophically. And it is
12 leaking more and more and we have to patch it more and more.
13 And it looks like it's about thirty-five years through a
14 forty-year lifespan. And I'm sure they can be kept going
15 longer than that, but that's not our intent. Our intent, if
16 we are able to relicense in a fashion that gives us enough
17 of a return to do so, we will replace the penstock and keep
18 operating.

19 MR. PALSO: Any more questions for the
20 Kleinschmidts?

21 MR. SHEA: -- is there any dam construction
22 somewhere you know -- side of the 20th Century, does anybody
23 know what the natural level of the lake was before the dam
24 was constructed?

25 MR. KLEINSCHMIDT: I don't. I think it's been

1 there so long it's considered -- everything I've seen says
2 the level is around what we consider the full pond level,
3 but I don't know. Maybe Audi do you have any sources of
4 information?

5 MS. TUNNEY: I don't.

6 MR. SHEA: It must've been lower than that prior
7 to the --

8 MR. KLEINSCHMIDT: Yes.

9 MR. SHEA: -- construction of that timber and
10 rock-filled dam.

11 MR. KLEINSCHMIDT: So Dale, is --

12 MR. JELLISON: Dale Jellison. I believe
13 historically, and I'm not sure of this, it used to be called
14 Reeds Pond.

15 MR. KLEINSCHMIDT: It might've been Two, I've
16 heard it, it might've been Two Ponds? So cut off at the
17 Narrows, and there was a stream that went through there or
18 something? But we're getting into an area that I really
19 don't know.

20 MR. JENKINS: I don't believe that it actually
21 was the water depth going through the Narrows that it would
22 be possible for that to have been cut off.

23 MR. KLEINSCHMIDT: Okay. That was Joe Jenkins.

24 MR. PALSO: Okay, there's nothing else, we'll
25 continue with the FERC segment of this presentation.

1 MR. KLEINSCHMIDT: I did miss one slide. I had
2 contact information, but it was nothing. You all know that.
3 Audi knows that, so --

4 MR. PALSO: Okay, going back to scoping and why
5 FERC is here today. Bill and I have been to Ellsworth many
6 times. We've worked on that little Ellsworth Project, the
7 little sewer project here. So we're pretty familiar with
8 this area. We really enjoy coming back. But even though
9 we've been here several times, we don't have anywhere near
10 the knowledge of this area that you guys do.

11 So we're here to gather as much information from
12 the public and from the agency and from stakeholder groups
13 on resources use pertaining to this Project, to get all the
14 angles and analyze all the issues that we possibly can
15 during the relicensing of this. We're here to identify
16 environmental issues and concerns.

17 We want to know about potential effects of the
18 Project on aquatic, terrestrial and the human environment.
19 We use information such as resource reports, survey data,
20 anything we can find, journal articles, but we're also here
21 looking for new information that we can't find through our
22 research, that we could only get from talking to the public.

23 Scoping also involves receiving information on
24 resources that may be cumulatively effective. This means
25 considering the effect of the Project in conjunction with

1 other activities within the river basin, not just the
2 operation of the Project itself, but how it might combine
3 with other uses or other activities going on. We're also
4 looking for reasonable alternatives to the Project and to
5 the applicant's proposed actions and resources that may not
6 require detailed analysis.

7 We break these down into several areas, based on
8 the resource issues. So we have geology and soils, aquatic
9 resources, terrestrial resources such as wildlife and
10 plants, threatened and endangered species, recreation land
11 use and aesthetics, cultural resources and developmental
12 resources. And these are all the different sections,
13 different areas that we'll analyze in our environmental
14 assessment. And the Commission staff has people who are
15 well-trained and experienced in dealing with these
16 resources. But again, we're still here looking for any
17 local information we can gather from you that is not readily
18 apparent to us.

19 Now, I'm gonna go through each of these resource
20 issues right now, and we'll stop after I describe what FERC
21 staff has already come up with is thinking are issues with
22 the Green Lake Project, so that you all can make comments
23 pertaining to each of these. So again, if you have a
24 comment, please walk up to the microphone if you will.
25 Makes it a lot easier for the court reporter.

1 First up is geology and soils. And this includes
2 the effects of proposed construction activities on geology
3 and soils. This includes erosion. Does anyone have any
4 comments on this issue? No? Okay.

5 Up next is aquatic resources. This includes the
6 effects of continued Project operation on stream flow, water
7 quality, aquatic habitat in the impoundment, bypass reached
8 in Reeds Brook, effects of continued Project operation on
9 resident and migratory fish and other aquatic organisms in
10 the impoundment, bypass reached in Reeds Brook, including
11 the effects of the Project operation on fish passage, and
12 the effects of turbine entrainment on resident and migratory
13 fish. Anyone have any comments or questions pertaining to
14 aquatic resources at the Project? No? Okay.

15 Next up is terrestrial resources. This includes
16 the effect of continued Project operation on riparian,
17 littoral and wetland habitat and associated wildlife.
18 Effects of continued Project operation, including
19 maintenance activities such as vegetation management on
20 wildlife habitat and associated wildlife. Effects of
21 continued Project operation and maintenance on the
22 introduction and persistence of non-native invasive species
23 within the Project boundary. And the effects of continued
24 Project operation and maintenance on Maine's State-listed
25 species. Does anyone have any issues related to this? No?

1 MS. TUNNEY: I personally don't. I can't speak
2 from knowledge, but I just would like to--oh, first of all,
3 Audrey Tunney, the Green Lake Association. Tunney is
4 T-U-N-N-E-Y, rhymes with Sunny. I have had a number of
5 people express concern about high water levels during the
6 loon breeding season on the lake, of nests being washed out.
7 I don't have specific data on that, but it has been raised
8 to me as President of the Association as a matter of
9 concern. And I know in years past, there were nests that
10 were washed out. I have not heard of that happening
11 recently. Thank you.

12 MR. PALSO: Thank you, yeah, that came up this
13 morning at the agency meeting. And that is a common issue
14 on lakes in Maine that we've dealt with before.

15 MS. TUNNEY: Thank you.

16 MR. PALSO: But thank you for stating that. We
17 know it's an issue at this lake.

18 MR. JENKINS: Raymond Jenkins again. I think we
19 need to take a look at the actual time at which the salmon
20 are spawning now, if spawning indeed is an issue. And we
21 may find, due to climate change, that the spawning date for
22 the salmon has changed.

23 MR. PALSO: Okay. Anything else on this topic?
24 Okay. I'll move on to threatened and endangered species.
25 This includes the effects of operation and maintenance of

1 the Projects on the federally threatened Northern Long-Eared
2 Bat, and the endangered Atlantic salmon. These are the only
3 two threatened or endangered species that we have identified
4 at the Project. Any questions? Any comments?

5 Okay. Recreation land use and aesthetic
6 resources. This includes the effects of continued Project
7 operation on recreation use in the Project area, including
8 the adequacy of existing recreational access. Effects of
9 continued Project operation on land use in the Project area.
10 And the effects of continued Project operation on aesthetic
11 resources in the Project area. Anyone have any comments
12 related to recreation?

13 MR. JENKINS: Raymond Jenkins again. The
14 drawdown of the lake does affect my business in the month of
15 September. Some of the -- for instance, my boat launch
16 becomes almost unusable and some of the swimming area
17 becomes so shallow that people can't use the diving tower
18 and the slides for their swimming activities.

19 MR. CONNELLY: I have a question for you, Mr.
20 Jenkins. So, I guess, how long does your summer business
21 go? Like, in September, obviously people are still there,
22 but can you --

23 MR. JENKINS: Till mid-September.

24 MR. CONNELLY: Till mid-September?

25 MR. JENKINS: Yeah, at least, yes.

1 MR. CONNELLY: Okay.

2 MR. KLEINSCHMIDT: And I have a question. This
3 is Bert Kleinschmidt. Is this particular years or is it
4 every year?

5 MR. JENKINS: It's every year.

6 MR. KLEINSCHMIDT: Okay, thank you.

7 MR. PALSO: Any other questions or comments
8 related to recreation land use or aesthetic resources?

9 MS. TUNNEY: Can I? Audrey Tunney, Green Lake
10 Association. Once again, and this is based on calls that I
11 get, photographs that are sent to me about boat access and
12 use on the water in the month of September, that there are
13 many people -- I guess what I should say to you is that over
14 the years, and long after the license was approved, the
15 year-round residents of the lake, the number of residents
16 that live here around on the lake, has increased, and those
17 people are looking to be able to use their boats and being
18 able to swim and jump from their floats, what have you, into
19 September. Now, typically, I myself have been swimming in
20 September in what is normally considered cold water, so I
21 think there is a demand now on the lake for a longer period
22 of time for recreational access on the lake.

23 MR. PALSO: Okay, thank you.

24 MR. FRIEND: I would concur with that. Cooper
25 Friend from Green Lake, Ellsworth. I concur with her. It's

1 summer is like June 21st to September 20, or September, is
2 just great months, but Monday, Tuesday morning after Labor
3 Day, we have to pull our boats because the shores get so
4 shallow.

5 And the dynamics of this lake have changed
6 drastically since 1984. It's much more year-round use,
7 year-round residents as she stated, and it really affects,
8 it has major impact on the recreation of that lake. I mean
9 I also have Cow Island and getting access back and forth to
10 there is very difficult with the boats because I have to
11 pull the boats because the landing at the public boat
12 landing gets almost unusable, you know, for certain sized
13 trailers.

14 MR. CONNELLY: Yeah, if I may, like how big a
15 boat are you looking to launch?

16 MR. FRIEND: 17-foot, 20-foot.

17 MR. CONNELLY: Do you know how much they draw?
18 Like a foot, something like that?

19 MR. FRIEND: Yeah, probably 12- to 15-inches,
20 yeah.

21 MR. KLEINSCHMIDT: And I have a question. It's
22 my understanding that the boat launch ramp has been improved
23 within the last year.

24 MR. FRIEND: Last year I think it was, but --

25 MR. SHEA: Last fall, yes.

1 MR. FRIEND: Last fall, right.

2 MR. KLEINSCHMIDT: Has that made a difference?

3 Is it --

4 MR. FRIEND: We don't know yet, because it was
5 done last fall.

6 MR. KLEINSCHMIDT: Oh, okay. But it's possible,
7 I believe it was extended, Audi may know. It was extended
8 down into the water. So that may alleviate some of the
9 problem.

10 MR. FRIEND: But still docks have to come out, I
11 mean it's just a lot of docks you have to get in -- .

12 MR. CONNELLY: So it's for docks, like, do you
13 know what the elevation of most people's docks are? Do you
14 have a way of knowing that?

15 MR. FRIEND: I don't personally, no.

16 MR. CONNELLY: Okay. Yeah, we were thinking
17 about docks earlier, where they had to be.

18 MR. FRIEND: I think it's just, you know, since
19 really 2012, June has not been a great month. And
20 September's been very --

21 MR. PALSO: Weather-wise?

22 MR. FRIEND: Yeah, yeah. And it's just, the
23 demand for recreation in September, I think is increasing
24 for the last thirty-five years. That's all.

25 MR. PALSO: Okay.

1 MR. FRIEND: I'm sure you're aware of that.

2 MR. PALSO: Commission staff deal with issues
3 such as this at other lakes quite often. It's a very common
4 issue. So this is something we are used to dealing with,
5 looking at lake elevations and recreation.

6 MR. FRIEND: Thank you.

7 MR. JENKINS: I would like to make another
8 comment--

9 MR. PALSO: Please do.

10 MR. JENKINS: --that I have lived on the lake my
11 entire life and I have seen the drawdown for seventy-seven
12 years, so it's nothing unusual.

13 MR. PALSO: Any other comments?

14 MR. SHEA: Ken Shae again. Are the records
15 available what the water level was that Bangor Hydro
16 maintained before the Kleinschmidts?

17 MR. PALSO: They may be. I don't have any access
18 to them. That information may be out there. And that's
19 something that maybe the Kleinschmidts, if they don't have
20 it, they might be able to find it.

21 MR. KLEINSCHMIDT: I read something about that in
22 the original early -- there was some sort of permit issued
23 before the first license, and there was an application for
24 that permit. I don't know what that all amounted to, but it
25 went into some historical data and mentioned some levels, so

1 I'll see if I can find that.

2 The thing that I took from it, which was kind of
3 a surprise to me, was that Bangor Hydro managed to a wider
4 range than we've had to. In other words, they went both
5 higher and lower. But the fish hatchery came in in 1970, I
6 think --

7 MR. SHEA: '74 or '75 - we built the building --

8 MR. KLEINSCHMIDT: Ah. And it's my understanding
9 that our minimum level that we can draw to is dictated by
10 their water supply. In other words, if we went lower, they
11 wouldn't be able to get enough water. Because when the
12 license was originally issued, the penstock tap wasn't in to
13 feed the hatchery. And the requirement was to keep the
14 water at a minimum level that was six inches higher, or half
15 a foot higher, I think, until that tap went in. And then we
16 were allowed to draw all the way down to the 4.0 level.

17 MR. SHEA: I'm nowhere as near as old as Joe. I
18 guess we recall when we were first on the lake in 1967, that
19 the fall drawdown was quite a bit lower than it is now,
20 like, this is the -- the DEP would be very upset with us,
21 and I can recall -- higher V6 to V8 put out into the lake to
22 create better beaches. And the drawdowns at one times are,
23 I think, I mean, Joe, you might remember, but it seems a
24 little lower than and --

25 MR. JENKINS: I believe it was.

1 MR. SHEA: Well, nothing like a V8 wandering
2 around on the Green Lake.

3 MR. PALSO: Anything else on this? There'll also
4 be time at the end for more general comments.

5 All right. Cultural resources. This is the
6 effects of continued Project operation and maintenance on
7 historic resources, archeological resources and traditional
8 cultural properties that are included or may be eligible for
9 inclusion in the National Register of Historic Places. This
10 also includes the effects of continued Project operation and
11 maintenance on properties of traditional religious and
12 cultural importance to an Indian tribe. Anyone have any
13 comments on this? No?

14 Okay. And finally, we have developmental
15 resources. This involves the economics of the Project and
16 the effects of any recommended environmental measures on the
17 Project's economics. Any comments? Okay.

18 Looking ahead to the next step, the study plan
19 development. Comments on the PAD and study requests, as
20 well as scoping comments, are all due to FERC by July 30th.
21 After the PAD comments and study requests are due, there
22 will be forty-five days until Green Lake Power files their
23 proposed study plan. Thirty days later, they'll have the
24 study plan comments and meetings.

25 Ninety days after that, they will file their

1 revised study plan. That'll be January 11th, and FERC will
2 make its study plan determination on February 10th, 2020,
3 and just the way that this schedule has worked out, it looks
4 nicely because the determination will be made in February,
5 which will allow studies to be made during the summer
6 season, which in Maine, is when those studies have to be
7 done, so this just happens to work out very conveniently for
8 that purpose.

9 MR. KLEINSCHMIDT: Whenever the summer is.

10 MR. PALSO: Right. As far as study requests go,
11 we accept these from anyone, not just the agencies, but we
12 are very particular about the criteria for the studies
13 request. These are set forth in our Commission's
14 regulations and there's seven criteria that all study
15 requests need to have in order for us to consider them
16 valid.

17 These include describing the goals and the
18 objectives of the proposed study. Explaining relevant
19 resource management goals of the study. Then explain any
20 relevant public interest considerations for why this study
21 should be conducted. Describe existing information
22 pertaining to this study area, as well as the need for more
23 information. Explain the nexus to Project operation and
24 effects and how the study results would inform license
25 requirements.

1 And nexus is the connection of the study to the
2 Project. For instance, there could be something going on
3 just outside the Project boundary. Weed clearing, something
4 like that, that could be affecting the view for people on
5 the Project, but really, it has nothing to do with the
6 operation or maintenance of the Project. It's somebody else
7 doing this off of the Project boundary. So that would not
8 have a nexus to this Project. So we're looking for, we
9 need to have a way to tie in whatever the concern is to the
10 operation of the Project.

11 Then also describe the study methodology and how
12 it's consistent with accepted practice. So state how the
13 study should be conducted, what time of year, what methods
14 and provide some information to support how this is common
15 practice.

16 And finally, describe the consideration of the
17 level of effort and the cost of the study. And why an
18 alternative study is needed.

19 I've been talking about submitting comments and
20 making comments all night. There's several ways to do this.
21 Everything that's been said today has been on the record and
22 recorded by our court reporter. In a couple of weeks, this
23 transcript will be made public, so any comments made tonight
24 will have the exact same weight as any written comments
25 filed. Again, all comments are due by July 30th.

1 Clearly identify in any written comments the name
2 and number of the Project. It's the Green Lake Project, and
3 FERC's number for it is 7189-014. And that will make sure
4 that it's in the correct docket. And we have, like I said,
5 many projects that are probably up to 15,000 at this point
6 in the docket. So this will make sure everything's within
7 the same place and can be easily found.

8 All comments can be filed electronically. That's
9 our preferred method. And they can be submitted by mail.
10 We prefer them electronically because they pop up in the
11 system very quickly and they're also usually easier to read.
12 If something is filed by mail, it has to be scanned and
13 there can be some loss of quality of the picture in doing
14 that.

15 MR. CONNELLY: You can upload like PDFs and
16 photographs and --

17 MR. PALSO: And word documents, yes. And if you
18 want to file anything by mail, here's the address. All
19 communications should be sent to Kimberly Bose, the
20 Secretary at FERC's address. And this address is all over
21 the Commission's website, it's very easy to find. There's
22 one address that all comments are sent to for every project.

23 To stay informed with this whole relicensing
24 process, which I said earlier is gonna take several years,
25 FERC has an eSubscription service and I highly recommend

1 this. You sign up on the website and every filing related
2 to this Project will pop up -- an e-mail link will pop up in
3 your e-mail. It is the exact same system that Commission
4 staff use to get the information. So you will get these
5 filings the exact same time we do. And they will just come
6 in automatically to your e-mail and you can see everything
7 that's been submitted or issued by FERC pertaining to this
8 Project.

9 To get a background of the Project, if you
10 haven't already, we have an eLibrary system. And all of our
11 public documents or filings are archived here. So you would
12 just go to the site, there's a search page, and you type in
13 the docket for the Project, P-7189, and it will show the
14 complete history of the Project, everything that's been
15 submitted by the public or issued by FERC.

16 There's also a mailing list, if you wish to
17 receive hard copies of all Project issuances from the
18 Commission, current mailing list, I believe I have the wrong
19 page here, but it's in the Scoping Document 1, if you want
20 to be added or removed, you contact eFiling at ferc.gov.
21 This will send you a hard copy, but it's the exact same
22 document you would be receiving through eSubscription. So
23 this is only if you wish to have a hard copy mailed to you.
24 Otherwise, you can get an e-mail of it and get it in
25 electronic format.

1 And to access all of these services, they're all
2 on www.ferc.gov. There is a link to the documents.
3 Everything's all together. There's e-Subscription,
4 e-Library, it's all fairly simple and there's a help line
5 there for people who are dedicated just to helping you get
6 through this. You can also, of course, use this to file
7 your comments, and as we all mentioned earlier, we can take
8 a wide variety of comments. We love to get pictures from
9 the public and if I may state in this case where there's a
10 lake level elevation, we tend to get lots of pictures
11 showing lakes at different times of the year.

12 If you wish to submit those, we would really
13 appreciate it if they're taken from the same spot at
14 different elevations. That really helps us to see the
15 elevation changes. 'Cuz we tend to get a lot, and sometimes
16 it can be hard if they're showing different viewpoints at
17 different times. So if you do wish to have that, 'cuz it
18 seems like the lake elevation's an issue here, we really
19 appreciate it if you showing, like, the same rock at
20 different times of the year. That gives us a lot to go on.

21 MR. CONNELLY: And something for scale, too, if
22 possible.

23 MR. PALSO: Right, yes.

24 MR. CONNELLY: Like, draw a hat or ruler or --

25 MR. PALSO: Yardstick or something. We take all

1 -- we really pore over this information and we really
2 appreciate it.

3 MS. GRINDLE: Hi, Heather Grindle, resident. I
4 was just wondering if you plan to come back in the fall and
5 would that be too late with your timings, to actually come
6 and take a look at the lake level and the --

7 MR. PALSO: We will conveniently be here in the
8 fall for the study plan meetings. So it'll be -- yeah, by
9 October 13th is the deadline for those. So we will be here
10 probably the first or second week of October.

11 MS. GRINDLE: Okay, so you'll be able to actually
12 visually see it yourself, instead of just going by pictures
13 and --

14 MR. PALSO: Yeah.

15 MS. GRINDLE: Okay.

16 MR. PALSO: When we're here, we like to go and
17 check out the Project, so we'll take a look.

18 MS. GRINDLE: Okay. And also, is it -- so the
19 October 15th date seems to be the issue, right? That you
20 only have the six weeks is the prime time or, allows you
21 time to generate power and what, what is the October 15th
22 date again? That's the --

23 MR. KLEINSCHMIDT: The date that was set
24 originally was October 15th for the finish of the drawdown.
25 It's my understanding that was based upon fish spawning in

1 the lake and then not moving the water lower than that so
2 they would dry out and die. But I think some of what we've
3 gone through today has pointed out that it's likely that
4 fish aren't spawning in the lake.

5 So I'm not a fisheries biologist. I don't know
6 if there's some species I don't know about or something. So
7 I think there's hope that that restriction might be
8 different this time. I mean, this a new license that comes
9 out of this process. It's not just rubber stamping the old
10 one. It's --

11 MS. GRINDLE: Right, right. So that's something
12 that will be --

13 MR. CONNELLY: There's lots that they do as far
14 as, William Connelly. So right now, we have -- scoping, so
15 you could tell us, like, what is, you know, that you're
16 worried about, what you care about--I have to come back to
17 that in a second--then, you know, you can submit a study if
18 you want. Then you comment on the studies that Green Lake
19 has proposed, right? And then when it comes time to do the
20 EA, we ask for comments then and you can pitch, you know, an
21 alternative. So if you have a different window that you
22 wanted to look at for drawdown, that could be something --

23 MS. GRINDLE: Well, I'm not a biologist and I'm
24 not --

25 MR. CONNELLY: What we need is, we need, you

1 know, a suggestion and good reason behind it. So, like you
2 say, well, you know, we'll be back in October, we'll be able
3 to see the lake as it is, but I don't use the lake, so,
4 like, if I see it, I'm, like, oh, this looks great, I can go
5 fishing. But, fishing from shore. Then that is a problem.
6 Like, I wouldn't, say, have the same idea of use than people
7 who live here do.

8 MS. GRINDLE: Well, I would invite you down to
9 our lot and show you, we have a very long dock and by the
10 second, third week in September, we can't use the dock
11 anymore because it's just, it's way out of the water and --

12 MR. CONNELLY: It's my suspicion that, like many
13 lakes, most of the docks on the lake are fixed, right, and
14 people don't have floats that go on them --

15 MS. GRINDLE: Correct.

16 MR. CONNELLY: -- so if your dock is set up for
17 our certain water levels and it drops two feet, that's a
18 significant drop. Three feet especially. I understand the
19 issue.

20 MS. GRINDLE: Right. And that's why I'm just
21 wondering, the timing and if -- it seems like summer is
22 going longer -- you know, the warmer weather is going into
23 October and we're not getting normal weather in June
24 anymore.

25 MR. CONNELLY: Right.

1 MS. GRINDLE: So, but thank you.

2 MR. PALSO: Does anyone have any other comments?
3 This the last slide I have, so if you'd like to say anything
4 right now, please do.

5 MR. JENKINS: Can I make a comment on railbed
6 spraying at this point?

7 MR. PALSO: Please. Let's get that on the
8 record.

9 MR. JENKINS: Many of you people probably don't
10 realize that once a year, our railbed is sprayed and I
11 showed these two gentlemen yesterday a picture of how they
12 sprayed and I think they were quite surprised that the
13 equipment that's used. Personally, I think that railbed
14 spraying may have a more detrimental effect on the fish in
15 the lake than anything that happens with the dam.

16 MR. PALSO: And it's being sprayed for --

17 MR. JENKINS: Weed, brush control.

18 MR. PALSO: Okay.

19 MR. JENKINS: At one time they were using Roundup
20 and something else. I don't know what they're using now.
21 And it's --

22 MR. JELLISON: They use the DOT?

23 MR. JENKINS: They use the DOT and I guess, from
24 what I understand is, that they can pretty much do what they
25 want, so --

1 MR. PALSO: And I was looking at that railbed
2 yesterday. That's not currently used, is that correct?

3 MS. GRINDLE: It's been exempt for many years.

4 MR. PALSO: Okay.

5 MR. CONNELLY: So exempt means --

6 MR. JENKINS: But the plan is to bring the
7 Downeast Rail Trail plan, long-range to Jenkins Beach, I
8 believe.

9 MR. KLEINSCHMIDT: Yeah, 'cuz there's something
10 operating on that rail line in Ellsworth. Some sort of
11 short excursion thing, I think.

12 MS. GRINDLE: There is. There's an excursion
13 train. But it's not going down to the lake yet.

14 MR. JENKINS: It's intent is to do that.

15 MR. KLEINSCHMIDT: So somebody's spraying along
16 the part of the line that's not used.

17 MR. JENKINS: The State of Maine is.

18 MR. KLEINSCHMIDT: Wow.

19 MR. JENKINS: The State of Maine Department of
20 Transportation owns that rail. And they've leased part of
21 it to the Downeast Heritage Railway, I believe. And the DOT
22 is doing the spraying.

23 MR. KLEINSCHMIDT: And there are streams that run
24 from that area. All those streams that run through that
25 area run into the lake eventually.

1 MR. PALSO: Okay, thank you very much.

2 MR. CONNELLY: What time of year is that usually?

3 When do they usually spray? You said it was once a year.

4 What --

5 MR. SHEA: What time of year, Joe?

6 MR. CONNELLY: Yeah, what time of year do they

7 usually --

8 MR. JENKINS: They sprayed June 19th, this year.

9 That picture was taken that I showed you.

10 MR. PALSO: Any other comments? Anything related

11 to Green Lake Project? No? Okay. Thank you all very much

12 for coming here and sharing your information with us.

13 Please stay involved throughout the licensing process. My

14 contact information's up here. Feel free to give me a call.

15 That's my direct line. Or shoot me an e-mail. Thank you so

16 much. And the meeting is adjourned.

17 (Whereupon the meeting was adjourned at 8:32 p.m.)

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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: Green Lake Project

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14 Docket No.: P-7189-014

15 Place: Ellsworth, ME

16 Date: Thursday, June 27, 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 Gaynell Catherine

24 Official Reporter

25