UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

Bear Swamp Power Company, LLC Project No. 2669-085

FERC MEMBERS

Patrick Crile	David Culligan	Richard Quinn
Erin Kinsey	Scott Jones	Tom Christopher
Nick Palso	Mary McCann	Norm Sims
John Baummer	Steve Murphy	Bob Nasdor
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MEETING HELD AT: HOLIDAY INN

40 Main Street

North Adams, Massachusetts

March 18, 2015 10:08 - 11:58 A.M.

Sharon Waskiewicz

Court Reporter

MR. BAUMMER: Good morning, everyone. Thank you for showing up this morning. My name is John Baummer. I am a fish biologist for the Federal Energy Regulatory Commission, FERC. I work for the Department of Hydropower Licensing for the New England branch. We're here for our agency meeting for the Bear Swamp project. The FERC project No. P2669085.

I have a number of other PERC staff here today. I would like to go ahead and let them introduce themselves. They are also going to be working on the project.

MR. PALSO: I'm Nick Palso. I'll be working on recreation, cultural, and esthetic issues.

THE COURT: I'm Mary McCann.

MR. CRILE: I'm Patrick Crile. I'm a project engineer and biologist.

MR. FURDINA: I'm Tim Furdina. I'm from the FERC office, town council on the energy project.

MR. BAUMMER: There is one other person who is not with us today, that is Amy Channing. She is our terrestrial biologist.

She is becoming the director of research on the project.

Just a little bit of background about the meeting this morning. Also, the restrooms, if anybody would like to use the restrooms, they are right down the hall here. I'll hold questions until the end, if that's possible, just to make sure everyone can get through their presentations in a timely manner.

If you have comments to make, I ask that you state your name and affiliation. We have a court reporter here today to record all your comments so that we have them on the record for the meeting.

The meeting this morning, the format is in two stages. First I will get up and give my presentation about the FERC process while we're here today. And then I will have Bear Swamp Power come up and give their presentation about the project features and how the project operates.

The meeting agenda for today, we'll have a brief introduction. I'll go through the integrated licensing pre-filing process,

the purpose of coping it while we are here, our request for information for studies. We'll have a project description by Bear Swamp. We'll talk about some of the resource issues that the FERC staff have identified as needing analysis on this project. Then we'll have a period for your comments and questions.

Again there's a sign-in sheet at the back of the room. I ask everybody to sign in for everybody that is here for the meeting. As I mentioned before we have a court reporter, so when you are speaking, please state your name and affiliation before speaking. And to help out the court reporter, if you could spell your last name, that would be appreciated as well.

The very next date in this process is comments on the pad and study requests. Those are due April 18, 2015. You can either file your comments with FERC electronically or send them in by mail, or you can speak your comments here and the court reporter will make sure to get them on the public record.

Either way if you want to file comments or if you want to speak your comments here today they will be on the public record.

There's also information here about how to stay on our mailing list and how to keep astride of the project so that you can get updates and information about anything with FERC or anybody else that's filed things for the public record.

This is the commission's integrated licensing process. I'm sure that quite a few of us have been through this process before. But in case you haven't, there are pre-filing steps here. On December 19, 2014 Bear Swamp Power filed their Notice of Intent and their pre-application document.

Then the Commission issued their scoping document on February 18, 2015. Today we're holding their scoping meetings and tomorrow we'll have a site visit. Here we are going to discuss issues relating to the project and any existing information, other information we have and information that you can bring to us that we don't have

already.

Comments on the pad and study request, this next date here is important. It's February 18, 2015. Bear Swamp Power will then file, look at all the study requests and comments and they will file their proposed study plan on June 2, 2015.

On July 2, or somewhere right about that time period, we'll have a study plan meeting that Bear Swamp will hold to talk about their proposed study plan. And, again, there will be another place here for the public and agencies to come out and file comments on the studies that they have proposed.

Comments on the study plan, the proposed study plan, are due August 31, 2015. Here is where we kind of wrap up our activity a little bit here. Bear Swamp Power will fila a revised study plan on September 30, 2015 and the Commission will issue our determination on studies October 30, 2015.

If there are no disputes, we'll proceed forward on the studies. The first

study will be conducted in 2015. If there's only one year's worth of studies, Bear Swamp Power will file their preliminary licensing proposal in the winter of 2017. If a second study is deemed as necessary, then they'll file their preliminary licensing proposal in the winter of 2018.

The scoping process here, we are soliciting input and comments. We want to make sure that we have correctly identified the issues that relate to the project and we also want to talk about exiting conditions that the agencies and the public may have.

So the reason why we're here today is to request additional information that talk about potential studies that need to be filed. Bear Swamp Power did propose a number of studies in their pre-application document. But we're today to look at information that, number one, may help us to define the geographic and temporal scope of analysis and help us to identify any significant environmental issues that they have not attached in the pre-application document.

We are also looking for data to help describe the existing environment and the effect of the project as well as other activities that they affect the environmental and socioeconomic resource.

We are also here to look at any Federal, State, or local resource plans and to see if any future project proposals would affect those plans and to also to make sure that we have captured all of the State and Federal resource plans that we have identified in the scoping document.

We're also looking for information here today to document why any resource or issues should not be considered for further study or consideration. We're also going to begin to talk about studies that would help provide a framework for collecting pertinent information about the environmental resources that are potentially affected by the project.

So this is kind of an important step in our process here, the study request criteria. This is what you would file for any studies on April 18, 2015. We're -- to

have a study that FERC finds acceptable and will identify all of the information needs that we have for a study, the study should address these seven criteria. And when you file your study requests, the number that you have already filed for study requests in the past for other projects, we want to make sure that we captured all seven of these criteria when you are filing a study request.

So in this study request we want to, number one, describe the goals and objectives of the study proposal. The second part you want to discuss your relevant resource management goals so any kind of fishery resource goals or trends, endangered species, that kind of stuff.

You'll want explain their relevant public interests and considerations that are relevant to the study, a brief description of existing information and the need for why Bear Swamp Power should collect additional information.

Explain the nexus -- this is important -- between project operation and

effect and how the study results form a licensing requirement. A description of methodology and why and how it is consistent with accepted practice in the scientific community.

And the last thing here is a description of the level of effort and cost with the study and why alternative means or studies are required for your study to take into consideration.

And basically, if you don't know exactly how much the study cost, just kind of give us a ballpark about what kind of information or what kind of cost. But we need an idea of how much effort is involved and kind of a cost number associated with conducting the study.

So, again, requests for information and studies, these are due on April 18, 2015. When you file your study request, please identify on the first page Bear Swamp Project 32669085. You can file these electronically by the internet or by mail. The address is here and it is also in our scoping document as well. Learn how to file

comments and the requests for studies as well.

So, again, April 18th is our very next deadline and we are looking for comments from the pad and study requests. That's one month from now, I guess.

So now I have Steve Murphy from HDR from Westfield come up and describe the Bear Swamp Power Project.

MR. MURPHY: Good morning, everybody. Happy belated St. Patrick's Day. I'm Steve Murphy. I'm the manager of the licensing for the Pittsfield/Atlantic region. I recognize I'm a new face to most of you folks. I'm joined today with Pat Moriarty. Most of you probably know him as operations manager of Bear Swamp and Fife Brook facilities.

I'm also joined by our lead consultant on the proposed licensing process. HDR, Dave Tulligan, Rob Quiggle, Mary McCann, and Scott Jones.

So just a 30 second, who is Brookfield, right? You know Brookfield is a company that focuses primarily on renewal

energy. We operate in five countries including the U.S. and Canada. We have 100 years of power generation experience. We have, 1,300 employees. We have 6,700 megawatts of capacity. We have 234 generating facilities, 136 of which are in the U.S., including Bear Swamp.

So Bear Swamp Power Company is a limited liability company owned jointly by Brookfield Renewal Energy Group. They are the licensees for the project. They are the owner and the operator. So Brookfield takes the management role in this partnership, and we've been, you know, fully authorized to represent the company.

The project is located on the Deerfield River, in the town of Rowe in Florida, in the Berkshires, and Franklin County, Massachusetts. So the project is originally licensed on April 28, 1970 and the existing licence expires on March 31, 2020.

The project was commissioned and placed in service in 1974 and the project includes both Bear Swamp Pump Storage and

Fife Brook. Brookfield -- I'm sorry. Bear Swamp Pump Power Company acquired the project in 2005.

So this just gives you a little overview here. This is the upper reservoir associated with Bear Swamp Pump Storage. The power house sits in the mountain. The lower reservoir for the pump storage and additionally -- well, the lower reservoir is the reservoir for pump storage as well.

So the lower reservoir is dual purpose in that it is the lower reservoir for the pump storage, Bear Swamp Pump Storage Development and it's also the reservoir for the Fife Brook Development, and the Fife Brook Power House would be there.

So the Bear Swamp Pump Storage Development generally consists of 118 acre upper reservoir retained by four dikes. It's submerged in that outlet structure and associated tunnel which bifurcates into stacks. The underground power house contains two vertical turbine-type pump serving jet units and motor generator units

with the combined capacity of 600 megawatts.

There are two tunnels leading to an inlet and outlet structure in the lower reservoir. A 152-acre lower reservoir which, again, is formed by the Fife Brook Dam on the Deerfield River.

So the Fife Brook Development consists of the Fife Brook Dam, impoundment, which is counted in both Bear Swamp Pump Storage and Fife Brook. The dam is a compacted glacial dam which includes a dam with a tainter gate facility structure. See the two tainter gates right here and also there. The concrete intake structure, a single structure leading to a power house containing one conventional Francis turbine generator unit of a ten megawatt capacity.

So on the Deerfield River the Bear Swamp Project is only one of three projects in Deerfield. There's the Deerfield River project itself, 2323, the Bear Swamp Project, 2669, and Gardner Falls, 2334.

So we've got another one here but I think the highlights of this is, you know, in addition to three separate licenses,

there's three separate owners: TransCanada, Bear Swamp Power Company and Essential Power.

Bear Swamp is the only pump storage. Bear Swamp is the newest. It takes us from the headwaters to the confines of the river. So it starts in Vermont and heads downstream.

So this kind of gives you more of an overview of how the river is laid out. I guess that is orange/brown there, those would be Deerfield River Project. So you can see Bear Swamp and Fife Brook sits in the middle of those projects as does Gardner Falls.

So this is an important part of describing how the system actually works. It was kind of a lead-in to some of our further slides here as far as describing how our project operates.

So the overall flow regime on the Deerfield River is generally characterized as having regular flow and stage fluctuations driven by a long history of peaking operations on the Deerfield River

and is currently licensed under the Deerfield River Project.

Because Bear Swamp Power Company does not drive the system, the Fife Brook Development is limited to operating in a run and release mode reacting to (inaudible).

Similarly the Bear Swamp Pump Storage Development operates independent of and with no effect on the Deerfield River flows upstream or downstream of Bear Swamp Pump Storage Development and Fife Brook.

So Bear Swamp, our company in TransCanada, engage in regular communications in the coordination regarding the day-to-day administration of each end of these minimal flows and white-water release license articles with emphasis on exchanging information necessary to facilitate and enable each licensee meeting the minimal flow of white-water release obligations.

Coordinating and meeting with white-water boating interests and other Deerfield River recreational stake holders involving communal white-water release schedules; communication by the Deerfield

River Project license relates to its daily peaking schedule including changes they make to that schedule. And mutual communications on matters such as outages and, of course, emergencies.

So Bear Swamp Pump Storage has it's normal operations. It operates in a pump storage mode, which is characterized by regular, scheduled movement of water from the upper reservoir to the lower reservoir. It is generated from the lower reservoir back to the upper reservoir, which is pumping.

The upper reservoir has a useable storage of 4,900 acres during normal operations. The upper reservoir is typically drawn down forty-four and a half feet from elevations of 1,600 and 1555.5.

The lower reservoir has a useable storage of 49 acre feet between the normal, maximum pull elevation of 870 to allow a 40-foot drawdown from 830.

In general, Bear Swamp Pump Storage normally operates consistent -- operations consist of generating with pumping back some

or all of the upper reservoir storage capacity in its general framework over a 24-hour period. Bear Swamp Pump Storage is dispatched and generated by ISO New England in response to regional energy needs.

So Fife Brook normal operations: Fife Brook Development operates in a run and release mode utilizing mode inflows, peaking or otherwise, as provided by the upstream Deerfield No. 5 station.

Bear Swamp Power Company schedules Fife Brook to effectively follow the Deerfield No. 5 schedule for accounting for provisions of the 125 minimum flow to Fife Brook, releases through minimum flow pipes, a total of 106 white water releases based on the schedule. The white water schedule is established each year.

When Deerfield No. 5 is generating, regardless of whether Bear Swamp is pumping, generating, or idle, Fife Brook Development will generate at a level effectively matching the timing and magnitude of inflow.

Based on the schedule we receive from TransCanada, Bear Swamp Power Company

publishes public notification of expected flow for expected Fife Brook operations at a magnitude of water lines.

When making a transition from the 125 minimal flow to the higher scheduled discharge, Bear Swamp Power Company turns on the strobe light at Fife Brook Dam and sounds an alarm to provide a visual and audible warning to bring the Fife Brook Power House up to approximately three megawatts and it curtails the minimum flow discharge.

They hold the Fife Brook Power House at approximately three megawatts for 15 minutes and then they bring the Fife Brook Power House up to its scheduled discharge. The 15-minute three megawatt hold ramp point is the result of collaboration between downstream angular interests relative to improving angular safety.

Beer Swamp Power Company continues to expand the opportunity to improve public safety in the Deerfield River within the framework of peak flows in the Deerfield

River.

Given the spacial context of the Bear Swamp Power Company and Bear Swamp project and its "contemporial" context constructed after the peaking system was established, Bear Swamp Power Company can confirm that Bear Swamp Pump Storage and Fife Brook Development are not the source of peaking flows and fluctuations on the Deerfield River. Bear Swamp Pump Storage and Fife Brook Development do not have the ability to re-regulate the Deerfield River.

So this is kind of a graph to show a couple things. If you look at the red, it's actually Bear Swamp Pump Storage as well, so that's where we're pumping back up. The green is the Bear Swamp Pump storage generation flow. The idea is to show here that those flows are very independent of the Deerfield River flow.

So if you look here, there is actually blue in here and there's purple. The Fife Brook flows are superimposed on top of the Deerfield/Fife flows. It shows, you know, we're matching what's coming. So you

can't really see blue on there. I recognize that. And that's kind of the whole idea; it mirrors what is happening.

Like here's a longer, two-year period look. It's the same thing. There is a blue line underneath this which is Deerfield No. 5 releases. This is the hourly data, by the way. I'm sorry. This is daily data. And then the purple is the outflow from Fife Brook. Again, it pretty much mirrors what's coming toward us.

Recreational facilities and opportunities, the existing recreational facilities for Bear Swamp project in proximity to the state, national forests provide other a wealth of recreational opportunities. Angling, white water boating and tubing are popular recreational activities in Deerfield in the vicinity of the project.

There are six formal recreational facilities associated with the Bear Swamp project, the Bear Swamp Visitor Center, the Fife Brook fishing and boating access area, the Zoar picnic area, the Zoar white water

access area, the Fife Brook overlook hiking trail, Bear Swamp public hunting area, in addition to formal project recreational facilities, numerous informal shoreline parking access areas are available on the Deerfield River.

So this is a map we developed in consultation with I believe the group is Deerfield River Public Safety Forum. And I'm sure a bunch of you guys were part of the development of the map. It does highlight all the recreational facilities in Bear Swamp. Everything we were just looking at is pretty much project related from here to here. So you can see there's a lot going on, you know, upstream and downstream of the facility.

And to zoom in on Bear Swamp itself, including where the project boundary is, it leads to the facilities that I just read off: The Visitor Center; the Bear Swamp hunting area; the Fife Brook hiking trail; the downstream boat access; Fife Brook; the Zoar picnic area and Zoar white water access.

So white water flows, in accordance with each parties' FERC requirement, the Bear Swamp Power Company and TransCanada provide 106 white water releases from the Fife Brook Dam between April 1 and October 31st annually. Releases are provided at a minimal flow of 700 CFS for a duration of at least three hours. Releases start anywhere between 9:30 and noon and they are scheduled for 50 weekends and 56 weekdays from April 1 to October 30th.

Bear Swamp and TransCanada coordinate at an annual meeting to cooperatively resolve the white water scheduled release in consultation with citizen groups including New England Flow Charter Unlimited. The Bear Swamp Power Company provides information to the public regarding estimated current and forecasted flow conditions downstream from Fife Brook Dam, again, on the waterline website.

The annual white water release schedule is posted on the waterline site again. You have an example here. Most of you are probably familiar with that. I

recognize this is 2014. I believe '15 is already out there.

And so Brookfield's contact for this project is myself. In our underlying pad we indicated that we developed a website and that will be our main means of transmitting the document to the state throughout this process.

MR. BAUMMER: So based on the information that's -- I'm sorry. Based on the information that was provided to Tad, the First Staff has identified the project for the following resources: Effective for the project operations and maintenance on aquatic resources, terrestrial resources, threatened endangered species, recreational land use, culture resources and developmental resources.

Now, I guess at this point in the meeting we'll take comments and questions that anybody has from either Bear Swamp or First Staff. And I ask that if you have a comment, that you, I guess, stand up so the court reporter can hear you. State your name and affiliations very clearly. We

don't have a mike in her, so if need be you might have to come to the front of the room so that we can make sure everything is accounted for, for the record.

Yes, sir?

MR. CHRISTOPHER: Good morning. Than you for providing the opportunity to make some comments. My name is Tom Christopher, secretary and director of New England Flow. Before I move forward with my comments, I'd like to take, if you will allow me, a brief walk down history lane.

It was back in 1988 a small group of kayakers approached the owners of the project at the time, to supply white water releases. And, quite frankly they were told that this is our land, our dam, our water, here's the door, don't let it hit you on the way out.

New England Flow was formed at that time and became the largest collating firm -- voting groups in the northeast. New England Flow collaborated with other stakeholders across the United States and formed the hydropower coalition in

Washington. And we still currently sit on the scheduling committee of HRC, which has worked with FERC staff for many, many years now to develop the process to get these what we've called the integrated due processing.

I can assure you back in 1988 this process was more expensive and painful and very expensive for all of us. I'm very proud to say that I've had a major role in changing how this process evolved. And I'm proud to say that New England Flow is one of the original signatories.

That being said much, has changed since 1988 and 1994 when it was signed, and in 1997 when the article was signed and when the articles of Section 401 were finalized by FERC.

Again, I appreciate the work that HDR has been put into this at this point. We were contacted by Mr. Quiggle and he has identified these issues and we've attempted to do our best job to identify the issues.

I have got just four comments. Hopefully, it won't be too long. I know there are a lot of other people out here who

have some comments they would like to make. But just to be specific, since our interest is primarily white water use and recreation, there's a couple of things that did concern us.

One of the issues that we were concerned about is the fact that this project has changed ownership several times since 1997. You know, the settlement agreement that included the Fife Brook Dam, which is really just sort of an ad-on. It was not really not part of the formal licensing.

And the fact that deregulation stepped in shortly thereafter has really changed how this project is managed. It was not like it was attempted to be managed when the original agreement was signed so consequently it's not exactly what it was originally.

We've noted that there are five sets of rapids to the pump storage and we feel that they should be evaluated as to the quality and some efforts should be made to make these resources available to the

community.

I believe that in terms of public access adequacy, the pad and HDI has primarily followed our lead in what we've identified. But I'm a little concerned that the actual scoping document does not propose a specific analysis as to the quality and adequacy of these needs. Basically we've received detail of what we listed and how they intended it, but there is not quantifying how to process and go forward when these things are identified.

Another important comment I'd like to make is relative to the camping facilities that are noted in the pad. The scoping document, again, does an adequate job of noting what is already there but it does not identify any camping facilities that are owned by Brookfield and it does not characterize the existing recreational additions in the present boundary or in the nearby areas.

Consequently, again, we would like to see quantitative and qualitative analysis of the existing facilities and also the

number of pedalists, anglers, and other river users, so that is for taking trips on the river.

And finally, as was earlier noted, safety has become a significant concern on the Deerfield River. The Deerfield River was brought together originally on November 16, 2012. Again, I want to commend Brookfield Power for stepping up and taking a major role in dealing with some of these issues.

When the Deerfield River was licensed, back in the days of yore, there was no even wild estimation of how many people would be using this river. It is like your basement, if you build it, they will come. So consequently there are a number of folks here in the room, New England Flow, White Water Outfitters, Brookfield Power who certainly are concerned about the safety on the river.

We have seen some bad behavior and poor sanitation. We've seen some terrible crowding and, unfortunately, we've seen a death because an individual did not elect to

wear a life jacket.

So the scoping document really doesn't provide any analysis of the evolving abuse that is taking place on the Deerfield River today. New England Flow believes that this re-licensing process is a good time to gather some substantial data for a number of reasons, to provide some insight into law enforcement and possibly planners.

And it should have enough specific detail so that we can develop some additional public policy actions to keep Deerfield in a relatively pristine condition and safe for everyone. And also it's really important to gather this information because, quite frankly, it stimulates an enormous amount of economic activity throughout the region.

We have people coming three hours distance to visit us in Deerfield. I happen to live an hour and a half way and I'm here almost every single weekend.

I think that's about all I have to say at the time. I have more detail with written comments I will submit to your FERC

staff when we have a break. But, again, thank you very much for the opportunity to speak.

MR. BAUMMER: Thank you, Tom. Just briefly to talk about some of the issues that you had with the scoping document. In this process here we'll take your comments back and then address it. There's usually a point here we'll file a second scoping document based on some of the comments that we received at the scoping meeting, so we'll take back those comments and in all likelihood there will be a scoping document issued.

Yes, sir?

MR. PARSONS: Good morning. I'm Kevin Parsons on behalf of The Deerfield River Watershed Chapter, Unlimited. I was going to hold off a little bit but I thought that my comments kind of tied in with Tom's. First and foremost I do have some written comments which I'll submit.

Our chapter was under a different name at the time of the previous license with Renewal Power and that chapter kind of

went away. And then we reformed the chapter about four years ago.

So the gentlemen that are here today, who are the representatives for our organization, Peter Brandon, Chris Jackson, and Bob Anderson, the four of us want -- or all or a combination thereof -- will be at all of the meetings.

We do want to be a very active participant in this process because we believe we have a lot of concerns and a lot of information to share in this process to hopefully make this a safer and better river for everyone and not just for our interest.

So about three years ago I received a phone call from an representative of Brookfield asking our chapter to get involved with discussions with Brookfield and TransCanada and the Deerfield River Watershed Association, as part of that discussion as well, to talk about what's going on on the river and what do we have to say about it and hopefully that they could implement a change as a result.

Those discussions lasted for a

period of two and a half years and we, frankly, broke down out of frustration, mostly on our part, feeling like we're not getting anywhere and we're just talking with not much action.

The initial request by Brookfield was their concern was safety. They wanted to know from fisherman what were our concerns and do we have some ideas in regards to how we can make the river safer.

We are a conservation organization but we also have members and other fisherman that are nonmembers that are on the river that are continuously being exposed to unsafe conditions that we believe is going to result, in just a matter of time, in a death or severe injury as a result of the current operations.

In part of my comments that I'll be submitting is a request, a formal request that our chapter made to Brookfield and TransCanada for certain changes with regards to their operation that would make it a safer river. We never got a written response to that.

We did get verbal communication from someone from Brookfield, a Marsha Wilson, indicating that as a result of that request -- this was just last summer, late last summer, early fall -- that they were going to do a study with regards to flows and adjustments to flow regimen and how that would impact the release, the amount of water that was coming down and the impact down river. And they invited us to participate meeting there on the river on these specific days, which we did have members out there.

After the study, their internal study was done, Marsha told me that the results of that study would not be released to us, that it was an internal study, and that it would not affect any operational changes.

What we heard today for the first time, as far as the presentation goes, that now they are going to ramp up to three megawatts and hold that for 15 minutes and then grant a full release schedule for full release, that was the first time that we

heard it. And we're happy to hear that but we haven't seen it.

So that's where we're coming from is that we feel that we've been kind of played for a period of time and Brookfield not really taking an honest approach to this. So that's troublesome for us because we were going at this, perhaps naive on our part. So we thought we were going to be able to negotiate and talk and have honest discussion and good things were going to come out.

Within the confines of the current licensing we thought that there would be some changes that would be improving safety. So hopefully, and we don't know, that a 15-minute hold, that three, four megawatts will do the job as far as getting adequate release down river or not. So that's, obviously, something that we want to have resolved and studied.

Tying in a little bit with what Tom was saying as far as the whole thing, the whole field has changed, and we've seen this in their presentation, that Brookfield

states essentially they are limited to what they can do because they are controlled by what's going on up above them. So we need to come to understand what are the real confines of this operation? What can they do; what do they not want to do; and what is reasonable within their own operation, despite what TransCanada is doing.

And if we can't get significant improvement to safety and to the environment then, again, I believe it leads us with no choice but to start looking at the opening of the TransCanada license and the agreement.

We think that within the confines of the existing licenses of TransCanada and Brookfield, the existing licenses, that there are significant improvements that these two companies could work together with the interested parties to make this a better situation.

Because like Tom says, things have changed and not for the better. Our members have seen significant environmental changes upriver with regards to the activity, and

why is that? Is it just global warming or is it the way things are being operated? We believe it is because of the way that this operation is being handled right now and that the regulations have a significance. So these are the things we need to study.

And then going back to the safety issue is that in our requests in October of 2013 we wanted to have this waterline to provide accurate, reliable, timely information so that people that are going to the river that are traveling an hour and a half away, coming up to the river with an expectation that they were going to have a minimum flow and that they could going out on the river. And then they get into Charlemont and beyond that, they don't have the ability to access internet to check and recheck whether or not the waterline is accurate or not. And then they get out on the river and all of a sudden here comes the flow. And they are on the wrong side of the river and how do they get back.

And for inexperienced people, and this has happened on a number of occasions

and happens every single year, people are stranded on the other side of the river because they had gone to the river with the expectation that the flows were going to be this, and then when they get up there, TransCanada releases water and Brookfield releases water, then they're stuck.

So this is a significant safety issue that TransCanada and Brookfield, they need to work together and they need to provide accurate timely, and reliable information so the users of this river. Because the way that it's happening right now, it's going to cause someone to get seriously hurt or killed. And we believe that's inevitable. And then we're in court trying to figure out who is responsible.

So those are just some of the comments. I have got significant other comments. Do I want to -- should I submit them now, or should I mail them in, what's the best process?

MR. BAUMMER: I would mail them in other than file them electronically. That would be the best way to do it.

MR. PARSONS: Okay. Thank you for your time.

MR. BAUMMER: Thank you.

Yes, sir?

MR. SANCHEZ: My name is Ramon Sanchez. I'm a member of the Rowe Conservation Commission. I'm talking as a citizen and a user of the river.

I didn't hear or see any information in this packet as far as concern of how the fluctuation of the river's tide has an effect on the fish in the river as far as limiting the size they can grow.

I'm speaking from personal experience and I guess it's beyond this specific project area, but it's part of the chain of the reservoir where there has been a tremendous fluctuation of the water level that's being held there.

And over the years it has had a significant impact on the size that the fish population can grow because of the disruption or just the change in the environment, which they need in order to produce and stuff.

So as a fisherman, that's one of my concerns as far as how you guys in the Bear Swamp area and Fife Brook and all the way up, what has been done to understand how the activities and the regulation of the river has affected the fish itself both in the disruption of their environment and that affects the size and health of the population, which would affect anglers.

That's information that I would be very interested in seeing looked at in the study.

MR. BAUMMER: Thank you.

MR. NAZAREAU: I'm Bob Nazareau with American White Water and we also will be submitting comments and studies, et cetera, on this.

We're in the beginning of a long process here. It's going to be a long process. There'll be plenty of time to, you know, beat up Brookfield as we go along. But to start off with just a positive moment, as they say.

You know the Bear Swamp and Fife Brook project have had a tremendous impact

on the Charlemont community. The creation of jobs; benefits for the local economy; bringing tens of thousands of people to this area. It's really transformed its identity, I think that's in a very positive way.

This is our home river and it's where new paddlers, you know, cut their teeth in the Fife Brook sections, learn how to paddle, move up to the challenging area and move up to the section below dams No. 5.

There is a lot of things that I think Brookfield can do better, and we're going to talk about that over the next five years. But I just want to certainly acknowledge that there is a Deerfield River Forum for financial contributions to Charlemont police to help the river patrol deal with, you know, the problems of two many tubers engaging in dangerous activities. I'm in support of that activity and I really want to compliment them for those efforts.

I'm wondering if this might be a time that we could ask a few questions to Brookfield, and maybe someone is in a

position to answer them.

I have three questions, really, I want to ask. The first one Tom Christopher alluded to, which is my question is: You made a statement earlier that the Bear Swamp Project, I think you said, has no effect upstream or downstream on the Deerfield River. And the first question I wanted to ask you is: What impact does the reservoir level have on white water boating opportunities upstream from Fife Brook Dam?

UNIDENTIFIED SPEAKER: Upstream from Fife Brook?

MR. NAVAREAU: Right.

UNIDENTIFIED SPEAKER: So are you basing on how high the Deerfield River is on that channel?

MR. NAVAREAU: Yes.

UNIDENTIFIED SPEAKER: I'm not even sure on that. (Inaudible) Was that the question?

MR. NAVAREAU: That's the question.

UNIDENTIFIED SPEAKER: The backwater at Fife?

MR. NAVAREAU: That's correct.

I would suggest the impacts are very substantial. As a white water boater, all of the rapids below the Dragon Tooth are Dragon Tooth Rapids. You have a series of rapids below that, Showtime, and others. They disappear when your lower reservoir pool height is 870 feet. When it's at 830 feet, those rapids reappear.

And I think as part of the re-licensing process we're hoping that that's something that we can look at. It's not quite accurate to say that the Bear Swamp Development has no impact on flows above or below. And there is a substantial impact to the recreational activity, and I hope we can look into the process.

The second question I have for you is on recreational opportunities in and around the upper and lower reservoirs. I noted in your pad there was some discussion of the Housatonic Trail. And Norm Sims from is here and perhaps he has more to say about that.

My understanding was that was supposed to be a ten-mile trail. It's 1.3

miles, I think, has been completed in the last 20 -- 17 years. That's a big concern and we'd like to get into that. But apart from the hiking trail, what recreational opportunities are provided in and around the upper and lower reservoir?

UNIDENTIFIED SPEAKER: Outside of the fence itself?

MR. NAVAREAU: I'm not asking about the fence. I'm just asking about --

UNIDENTIFIED SPEAKER: I guess, understand that there are security and public safety concerns around both the upper and lower reservoir.

So outside of the upper reservoir there's the trail and hunting area. So there's -- I don't know how many acres. There are 900 acres of hunting area. A trail system, which is the Overlook Trail, right Pat?

PAT: A few years back we put in a -- at one point we found a trail that was on the Bear Swamp Power Company property. We have been looking very hard at getting an (voice drops) from abutters in the last

seven years -- I guess maybe five years.

We have made headwinds this year and we have issued a plan to FERC. And with (inaudible) to have the entire trail completed by the end of this year. The plan was ten miles.

MR. NAVAREAU: But that is a licensing requirement as part of your settlement agreement, correct? It's a concern, how far overdue.

But in terms of -- what about boating and fishing opportunities in the upper and lower reservoirs? I guess I am somewhat confused from the lack of recreational opportunities around these reservoirs. I looked at Northfield Mountain, the hiking and cross-country skiing opportunities there. I looked at the pump storage operation in New York for their boating opportunities in both the upper and lower reservoirs. It's a concern those opportunities are not provided here at this development. I would like to bring that to your attention.

PAT: I think we can view it, you

know as it's a 30- 40-foot elevation and the impact (inaudible) so we do have to play by FERC rules to some extent as far as security and public safety goes. Not the Washington folks but the regional office would oversee that. So we've been doing it since 911.

MR. NAVAREAU: But these restrictions predated 911.

PAT: Yes.

MR. NAVAREAU: That kind of leads me to my third question, which is: I understand you have to play by the FERC rules but you also need to play by Massachusetts law, and I trust that you do so.

My question is: What is the impact of the Bear Swamp Development for navigable ability?

UNIDENTIFIED SPEAKER: The plan was ten miles. I don't know if I can really answer that. I mean it's still navigable.

(Multiple unidentified speakers)

MR. NAVAREAU: I'm talking about the lower reservoir. The lower reservoir is 1.75 miles from the Deerfield River. The

Deerfield River is a navigable river, but you can't navigate it around Bear Swamp Development. There is no shoreline access. There is no portage.

It's a very serious concern to me that without anybody's approval, without any permission, Brookfield, or its predecessors, I should say, have obstructed the Deerfield River, and we are very concerned about the navigability. We expect to address that in our comments and we want to bring it to your attention.

MR. BAUMMER: Thank you. Norm?

MR. SIMS: I'm Norman Sims, S-I-M-S from (inaudible). As Tom and Bob mentioned the original Deerfield settlement agreement started in 1988. The Appalachian Mountain was a major part of that settlement. I just wanted to mentioned a couple of things, and I will be filing significant scoping comments and study requests later.

A couple of things. First of all, the Appalachian Mountain Club has somewhat broader interests than Travel Unlimited or White Water. We have about 90,000 members

in New England. We're the largest conservation/recreation organization in the northeast.

A number of things have been mentioned about the white water recreation below Fife Brook, and I think that's very significant economically and recreationally. And we certainly are hoping to expand that in this re-licensing.

The ANC also has a number of land-based recreational interests. In this case we have a pump storage facility that generates, I believe, 676 megawatts of power, which I believe is about ten percent of the power that Brookfield has in the five counties that they operate. So that's a significant facility, the largest financial and electric generator on the entire river.

The recreational facilities that are built into the mountain where the upper reservoir is, are virtually nonexistent. Apparently there's a trail -- apparently there are white water safety concerns that Steve has mentioned here. You allow hunters with firearms in the area. We think that

needs to be dramatically expanded. The reason --

(Individual enters room)

MR. SIMMS: TransCanada has arrived.

We think the reason that those recreational facilities should be expanded is because, as Bob mentioned, this river has been closed to recreation by a power company. We recognize that there may be some safety concerns with the 40-foot elevation change in the reservoir. But still, you have enclosed the river. I believe the distance is actually about seven and a half miles. And it does affect upstream boating opportunities from the TransCanada releases. I'll be making many more comments about that later.

I just want to mention a second thing. After the Deerfield settlement agreement which was finally signed and closed, I believe, in 1997. All of the other project plans in that settlement -- and since John Ragonese is here, maybe you can help my memory on that.

MR. RAGONESE: You're doing fine.

MR. SIMS: I believe that all of those lands were placed in a permanent conservation placement. That did not happen with the Fife Brook/Bear Swamp lands because their license was not actually up for renewal at the time. In the pad there is no indication that those properties will be placed in a conservation easement. We feel they should in line with what the other power companies have done.

And thank you very much. I'll file the written responses.

MR. BAUMMER: Thank you.

Yes, ma'am?

MS. DONELAN: My name is an Andrea Donelan, D-O-N-E-L-A-N. I work for the water ship council. I have a couple of questions about the pad.

Is this just free comment time, or do you want to go into the resource areas?

MR. BAUMMER: It's fine to me.

MS. DONELAN: I was just wondering in terms of people's discussion about the Deerfield River section, the lower reservoir. Is there a map that shows the

extent of the impoundment for that project, goes up to that? I couldn't hear the gentleman's comments. Does it go up to the next --

UNIDENTIFIED SPEAKER: (Inaudible) I'll let Steve address that.

MS. DONELAN: And then I was curious about seeing a map that shows up to the project area what's open to the public and what's closed to the public.

(Referring to slide presentation)

UNIDENTIFIED SPEAKER: This is the project boundary. Right up here to seven plus miles, this is the upper limit.

MS. DONELAN: I can't hear you.

UNIDENTIFIED SPEAKER: I'm sorry. This is the upper limit. And this is -- I don't know -- would Deerfield/Fife be right in here with that?

UNIDENTIFIED AUDIENCE SPEAKER: That's part of the visitor center.

MS. DONELAN: So when the pump storage is generating the flow, that water flow goes to up to that project downstream from it, or is there another ...

UNIDENTIFIED SPEAKER: No. This would the extent of the inundation.

MS. DONELAN: I can't hear you.

UNIDENTIFIED SPEAKER: This would be the extent of the inundation. This is not a good map. We don't assume that's a full reservoir right there. It doesn't flood into these areas.

UNIDENTIFIED AUDIENCE SPEAKER: Yes, it does.

(Multiple unidentified speakers)

MS. DONELAN: No. I want to know what the backwater --

UNIDENTIFIED SPEAKER: I don't know. There is not a detailed map that has before and afters. I understand exactly what you guys are talking about. Do we have to build (inaudible)

UNIDENTIFIED AUDIENCE SPEAKER: The backwater extends all the way to the parking area.

UNIDENTIFIED SPEAKER: Fully understood. We get that. We are just trying to discern in terms of a request for more information.

MS. DONELAN: You know, in terms of recreation for the community, would that be in the pad or study question, is what I'm trying get a sense of what information we know and what information we do not know.

So the area of the land around the lower reservoir, the Deerfield River upstream from the dam, is all of that blocked from public access; is that true?

UNIDENTIFIED SPEAKER: With the exception of the area around the Visitor Center.

MS. DONELAN: Is the other side of the river around the upper reservoir, is any of that woodland accessible?

UNIDENTIFIED SPEAKER: All of it. To clarify that, Article 405, the license, clearly describes and speaks to the 1,200 acres of land around the upper reservoir and a couple hundred of acres of land along the lower stretch below Fife Dam.

So there is most certainly access to do that. It describes the easement which has the intents and purpose, you know, of retaining the undeveloped nature. The

expiration of that -- when does that expire -- that expires with the license.

I want to clarify that there most certainly is access to over 1,000 acres of land. Is it developed with cross-country ski trails? Maybe not. But there is most certainly public access.

I think when we're talking about the public safety we are talking about a narrow, well-defined perimeter around the upper reservoir and the same with the lower.

MR. BAUMMER: That's some of the stuff we'll probably see on the site visit tomorrow.

MS. DONELAN: Unfortunately I can't go to that.

So the lower reservoir, the license allows for a 40-foot fluctuation. I know with Brookfield Mountain they don't use their full range. I didn't see a graph that shows typical operating range on this as far as do you guys use the lower (inaudible). That doesn't show any elevation.

(Multiple unidentified speakers)

MS. DONELAN: So then in this graph

here, for two months of last year, am I correct in reading that what you get coming downstream at you is anywhere from close to zero to 1,000 CSF of water coming out of the Bear Swamp facility is anywhere from (inaudible).

MR. CULLIGAN: No. What this graft is showing -- I'm Dave Culligan, and engineer, by the way. C-U-L-L-I-G-A-N. The purpose of this graph is really to show the fact that you've got an input cycle to the lower reservoir, which is the Deerfield flow, the Deerfield No. 5 discharge into Fife Brook Reservoir.

What comes out of Fife Brook Reservoir is the purple signal, and those signals are the same. Fife Brook Power House is following the flow of Deerfield No. 5. So while that is happening, Bear Swamp Pump Storage is going in a pump and generate cycle. So there is no discharge into the lower Deerfield River. That's all contained within the storage of the lower reservoir the river is flowing through the lower reservoir unchanged by Bear Swamp Pump

Storage operations.

MS. DONELAN: Well, what I'm saying, to make it clear, is the lower reservoir is the Deerfield River, so at times you have like a tributary flow coming into that impoundment that's anywhere from 0 to 10,000 CSF.

UNIDENTIFIED SPEAKER: It's not zero flow. It will be --

MS. DONELAN: I see that. But the graph shows us it is going down to zero. Is that correct that sometimes you get ten times the flow?

UNIDENTIFIED SPEAKER: Into the lower reservoir.

MS. DONELAN: Into the lower reservoir that's already coming down from the next project up.

UNIDENTIFIED SPEAKER: So you're saying 11,000 or something like that, inflow?

UNIDENTIFIED AUDIENCE SPEAKER: Like a big bathtub.

(Multiple speakers)

MS. DONELAN: You know, people said

that maybe they would be getting public access on the river in the upper and lower reservoir. So I'm just trying to understand what that would look like.

We have a flow that is coming in from the next project up and sometimes you have an incredible flow, that's much higher, coming down from Bear Swamp. So what does it look like? I mean you mentioned safety and the lower reservoir being off limits, so I'm trying to understand. There is no pictures in the past and I would like to see that.

MR. BAUMMER: We have got some pictures.

MR. RAGONESE: I can maybe help her with this. This is John Ragonese from TransCanada.

Inflow into the upper end of the reservoir does not change the elevation. So that doesn't change. The elevation will only change if Fife Brook pump storage operations sends back (inaudible). And that is the concern because of that.

Does that help you at all? You seem

confused by that.

MS. DONELAN: I'm not confused about that. (Inaudible) I want to know the magnitude of how unsafe it is. (Inaudible).

MR. BAUMMER: Hang on for one second? Can you stand up and talk towards the front of the room so the court reporter can hear you and get everything on the record?

MS. DONELAN: What I was trying to say is I understand what John is saying. But I'm trying to get a sense of how unsafe it really would be on the lower reservoir. So, for example, what are the flows like at the taintor and structure at the taintor

So if someone was in a boat on the lower section of the river and there was interest in that, what would that be like?

MR. RAGONESE: I can show you this photograph, if that helps at all. It really doesn't show -- you can't really see the intake valve.

MR. BAUMMER: So the intake is somewhere out here then?

MR. RAGONESE: Yes.

UNIDENTIFIED AUDIENCE SPEAKER: I can put it a different way. When you refill the upper reservoir, is it sort of like a toilet flushing, that everything gets stuck in the reservoir, or is it like a six-hour process of refilling the reservoir for a height of forty feet, so it's really only five feet an hour that the foot height of the reservoir is really changing?

MR. RAGONESE: So in order to generate flow from the upper reservoir, completely full, it's about six hours before it's fully pumped. And it's about eight hours refill it.

UNIDENTIFIED SPEAKER: So five feet per hour, that's safe.

UNIDENTIFIED AUDIENCE SPEAKER: If you're in a boat.

MR. BAUMMER: Yes, sir?

BRUCE: I'm Bruce (inaudible), from Zoar. I have been a white water rafter for just over 25 years. We were involved in the first license. I'm going to file a comment but I just have a question. The graph you've showing with inflow and outflow from

the lower reservoirs, the blue and purple line -- the graph is too large a scale to be able to see whether that's a variation of a minute or an hour or four hours. And that timing difference could make a big difference in how the recreation and fisheries are all accommodated on the river.

So the important thing to know with that graph, it shows, within a day, the water coming in and going out. But if that's offset by three or four hours by the lower reservoir, which we believe it is, that can impact how you manage it.

UNIDENTIFIED SPEAKER: I just want to do a little clarification on the filling. On the lower reservoir it's V-shaped so not five feet an hour when first (inaudible)

MR. BAUMMER: Yes, ma'am?

MS. DONELAN: Andrea Donelan, again, water ship counsel. This graph and then the other graph showing daily -- I'm just wondering how you pick those (inaudible) but my question is, why those?

UNIDENTIFIED SPEAKER: I don't think there was a rhyme or reason. The other one

was 15 minutes and this was a daily average. We didn't try to expand it out. The other one was 15 minutes when we were doing global studies, and that was data during that time frame.

MS. DONELAN: Are you able to make flow duration curves of the outflow?

UNIDENTIFIED SPEAKER: The outflow?

UNIDENTIFIED SPEAKER: Of what the river would be like by the dam.

UNIDENTIFIED MAN: I guess, yes. (Inaudible)

MS. DONELAN: Those weren't included in the packet.

UNIDENTIFIED MAN: I believe just the gauge.

UNIDENTIFIED SPEAKER: I think you have a longer record just using the gauge. I don't know we have much more than the 2005 data.

UNIDENTIFIED SPEAKER: Just a couple of questions. First, before I forget, we would request that future meetings be held in Franklin County. Most of the people, I think, in this room are coming from that

part of the state and that part of the area.

Having them here is a major inconvenience for a number of people. I think it's more appropriate for something that really is in Franklin County, that these meetings be held in either Charlemont, Shelburne Falls. There is plenty of facilities available to accommodate this number of people. This is a pretty big inconvenience for a lot of people to come here.

Second, now that there's questions being offered to the power company, when was the change made with regards to ramping up to three megawatts; when was that change implemented?

UNIDENTIFIED MAN: I'm not familiar with the exact date. It's going on a few years.

UNIDENTIFIED AUDIENCE SPEAKER: A few years? So that isn't a recent change?

UNIDENTIFIED SPEAKER: (Inaudible reply)

UNIDENTIFIED AUDIENCE SPEAKER: So you're saying that isn't a recent change as

a result of our meetings that we've done before?

UNIDENTIFIED SPEAKER: That is a result of a change from a couple of years back.

UNIDENTIFIED AUDIENCE SPEAKER: So the times that we have been meeting with you over the last two-and-a-half years, which we have been asking specifically for that, and now you're saying you were actually doing it? That frustrates me. Now I don't believe you are doing it based on the water line graphs we have been seeing over the last two years.

So I mean, if, in fact, they have been doing it, clearly it isn't enough, and I don't believe they have been doing it.

MR. BAUMMER: Yes?

LOIS: I'm Lois (inaudible) And this question is for FERC. The first one is: So on the Connecticut River re-licensing HDR is serving as the consultant. I just wanted to clarify that is not the case here.

MR. BAUMMER: We are handling this one. We don't have a consultant. Thanks.

LOIS: The other question is: In the scoping document I think FERC says that they're proposing to analyze the aquatic impact to a system that's seven and a half miles downstream. I believe that's a project boundary, but is that the downstream influence of Fife Brook operations on the river?

UNIDENTIFIED SPEAKER: That's a question that we probably need to explore further. It's part of the scoping process.

LOIS:

UNIDENTIFIED AUDIENCE MAN: I think you're asking about the TransCanada development of what is downstream and upstream.

MR. BAUMMER: Oh, okay. I would have to look that up. I'm not exactly sure, to be honest with you.

LOIS: But you're not proposing that analysis to be that entire distance, you're proposing to stop at seven-and-a-half miles.

MR. BAUMMER: That was what we originally proposed based on information we had in front of us. We can expand that.

That's why we're kind of here, to discuss that.

LOIS: Okay.

MS. DONELAN: Andrea Donelan, Conneticut River Water Ship counsel. I was wondering if Brookfield could explain actions taken during Hurricane Irene, the most recent flood and there were a lots of rumor to the effect of the hydropower company doing or not doing something. And this would help us understand what the capacity of storage is and what actions are necessary during times of catastrophe?

MR. BAUMMER: I guess the question is whether or not Brookfield has capacity for flood storage, how they handle potential flooding?

MS. DONELAN: Yes.

UNIDENTIFIED MAN: Normally in high flow events we place -- the procedure is we place the lower reservoir to a mode for pumping. In the case of Hurricane Irene, we had the lower reservoir rise by ten feet within an hour. Water was, you know, coming down off the mountain across the number five

into the lower reservoir. It was completely under water. And we actively visited our Condition C, I believe was referred to. We did everything we could to keep the water flowing as best was we could.

UNIDENTIFIED SPEAKER: At that time the Bear Swamp was full and it was not contributing to anything downstream, which is typical of flooding.

UNIDENTIFIED SPEAKER: (Inaudible)

MR. BAUMMER: Yes, ma'am.

MS. MOODY: Hi. I'm Jennifer Moody, White Water. So can you tell me, physically, where on the river this seven-and-a-half mile point ends? I mean it seems like it's a number that you must know where. Does it end at a stream? Does it end -- I know the river very well. I'm trying to figure out where seven-and-a-half miles is. I mean I know every bend in the river. Tell me where it is, where the proposed ending is.

UNIDENTIFIED SPEAKER: (Inaudible).

MS. MOODY: I didn't see a map that explained that.

MR. BAUMMER: Can you pull that up, John.

MR. RAGONESE: That's probably all I can get out of it.

MS. MOODY: Just tell me what the name of the point is or where.

MR. RAGONESE: It's really impossible to see on this map. If you look at the maps that are in pad, if you look where Zoar Road is coming down out off of Route 2, right about in this area Deerfield River. You know when you're on that stretch of road and there is a big retaining wall? It's in that vicinity. It's probably the downstream end of that.

MS. MOODY: Before Route 2?

MR. RAGONESE: Yes.

MS. MOODY: Any particular reason you picked that point?

MR. RAGONESE: It was derived as part of the original license. Those lands and waters that are necessary.

MR. BAUMMER: They close everything in the project boundary that could be affected by the project. That would include

this access area and there is arbitrary -- not arbitrary -- but there is some type of formula for it. They originally issued a license that they said that that was the lower project boundary.

UNIDENTIFIED MAN: I know that area. I drive by it every day, that point. And believe me the difference between low and high water is significant. So I concur with some of those requests that whatever you do in Bear Swamp affects the river all the way down to Deerfield No. 3 or No. 4. And the impact goes the entire river.

MR. BAUMMER: Yes?

MR. PARSONS: We would concur that (inaudible. We have been monitoring over the last two years, monitoring water temperatures on the Deerfield River from Fife Dam all the way down to the Connecticut River. There is no question that there is a significant temperature spiking issue that is ongoing from the Deerfield River from exactly the point of the termination point, seven-and-a-half miles, that's where the problem starts as far as the temperature

spikes.

Because from that point down, down through Charlemont, past Charlemont Academy, thinner water, whiter water which is heating up. We have recorded temperatures in excess of 80 degrees, which is lethal to trout.

And so as part of our request and the goals at this point would be the temperature spikes of the entire watershed. Our studies have indicated, our monitors, with regards to significant positive effect once these releases are coming through during these temperature issues.

MR. BAUMMER: I have some time for a couple of more comments and then we need to wrap it up a little bit.

Yes?

MS. DONELAN: Andrea Donelan, water ship counsel. Pages 553 to 556 or so of the pad describing some fish found in the area and I was curious. I saw that the American eel is found in the Chicopee River, which is downstream, a tributary downstream from Fife Brook. But I didn't see any data for eels being in Deerfield, below Fife Brook. I

feel they must be. I don't know. Is there any evidence of eels downstream or upstream from Fife Brook?

UNIDENTIFIED MAN: I mean we use data that is available and that was what we were presented. We are not aware of any other information.

UNIDENTIFIED SPEAKER: I can check the data base. But the project on the Deerfield River probably predates most of our data. The dams have been there a long time. There are eels in the North River. So that's the lower. I mean there are definitely eels all the way up to Vermont. (Inaudible response)

UNIDENTIFIED MAN: I just wanted to say for the record that we will be submitting written comments. Feel free to contact me, and I'll do my best to see your comments are contained as well. I have cards and handouts after the meeting.

MR. NASDOR: Just a quick comment. If you're using the Charlemont gauge, the Bear Swamp project accounts for 70 percent of the flows for the Charlemont gauge. So

the graphs that you were showing, were they adjusted for the drainage area?

UNIDENTIFIED MAN: That, they planned out.

MR. NASDOR: Yes. But is that based on the Charlemont gauge?

(Multiple speakers)

MR. NASDOR: Is there additional data that would be available with detailed information that we can analyze from the plan data? Because right now we only have the Charlemont gauge to work with.

UNIDENTIFIED SPEAKER: It shouldn't be much different.

MR. NASDOR: It is. Whether it's warm or whether it's -- you know, whether it's high water or low water affects the Charlemont gauge. I would really like to have yours. Based on the Charlemont gauge it looks like you have haven't defined the settlement agreement for the white water releases since last September.

So if you have more accurate data that will show that information, it would be great to have that available to at least

look at that. Seventy percent may just be an approximation depending on what's coming in from other sources.

UNIDENTIFIED MAN: I think that's all part of the study and the scoping process.

MR. NASDOR: We can take a look at it as the whole process unfolds.

Okay. Thank you.

MR. BAUMMER: Yes, ma'am.

SPEAKER: (Inaudible)

MR. BAUMMER: Maybe I could just talk a little bit about the site visit tomorrow. I'm not sure how many people were signed up for the site visit but I want to talk a little bit about it.

So we asked for a RSVP and there is 26 people. So 9:00 a.m. tomorrow, a meeting at the Visitor Center for a site visit. This is the address for people who don't know. This is the address for the Visitor Center. It's just about a mile, a little over a mile up the street of the front of the plant.

If you do Goggle it or MapQuest it,

it will put you on the Housatonic River. So I think Bing puts you in the right place. But just be aware if you're looking for those types of directions.

So as part of the site visit we are going to go to the Visitor Center. We are going to the upper reservoir and public hunting area. And it will be a broad overview. We will get inside the gate and look at the whole thing. We are not going to walk around it.

And then we'll go to the Bear Swamp Pump Power House and lower reservoir and visit Fife Brook Power House. We'll go to the Fife Brook fishing area and we'll go to the Zoar white water picnic area. The transportation will be by bus. We can't allow vehicles inside the power house and or up the reservoir. The bus is leaving at nine and we expect it back at one at the latest.

You guys probably all saw there is a bunch of rules posted as part of the notice. You know, the most important thing to me is people are safe as far as shoes goes. And

we do not allow pictures. You know, I hope everything else goes without saying.

MR. BAUMMER: Okay. I just want to remind people that on page 19 is the scoping document with information on how to subscribe to the projects so you are notified. And also how to be added to the mailing list. If you would like to be added to the mailing list and receive any hard copies of any issues that FERC provides.

We'll also be back here tonight at 7 o'clock for the public meeting and we'll have a similar format to this. We will also be available to hear any of your comments at the public meeting. I want to thank everyone for coming here today. And if you have questions, get back do me. Thank you all for attending.

(Hearing concluded at 11:58 a.m.)