



July 12, 2019

Low Impact Hydro Institute
329 Massachusetts Ave
Suite 6
Lexington, MA 02420

Re: Comments on the Vernon Hydroelectric Project LIHI Certification Application

To Whom it May Concern:

The Connecticut River Watershed Council, Inc., doing business as the Connecticut River Conservancy (CRC), is a nonprofit watershed organization that was established in 1952 as a citizen group to advocate for the protection, restoration, and sustainable use of the Connecticut River and its four-state watershed. CRC has an interest in protecting environmental values that directly and indirectly support the state, regional, and local economies and quality of life of the Connecticut River. In that capacity, we routinely participate in the relicensing of the multiple hydro-electric facilities that exist in the Connecticut River watershed.

CRC notes that the LIHI Standards require that "If a facility is currently Certified but enters a FERC relicensing proceeding during the Certification term, the recertification application will be evaluated under the conditions in the existing FERC license until FERC issues a new license. In this latter case, the LIHI certificate may be conditioned to require updating and potential modification as soon as a new license is issued, so as to be consistent with any new science-based resource agency recommendations made during the proceeding. Similarly, *the findings of any science-based studies, relevant to certification criteria, may be considered*" [emphasis added].¹

Additionally, CRC assumes that this relicensing is being examined under a Stage II process since: 1) there has been a material change in the certification process with the implementation of the 2nd Edition Handbook, and 2) there are new/renewed issues of concern. While the relicensing process is not complete, relicensing studies that have been conducted over the past 4 years highlight a number of issues that only re-inforce earlier agency objections to LIHI certification from the very beginning.

Multiple agencies have commented on the LIHI certification process for Vernon in both 2008 and again in 2013. All of them have argued against Low Impact Certification. Given the changes to the LIHI handbook, including one of the most substantive differences being, "a new emphasis on the scientific basis for agency recommendations and mitigation"² it is our expectation that the LIHI reviewer will place particular importance on the comments provided by our fish and wildlife agencies in their decision making process. Based on the comments below, CRC contends that the Vernon facility does

¹ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 29.

² Ibid. Page v.

not currently meet standards required to be considered for the Low Impact Hydro Certification.

3.2.1 Criterion A - Ecological Flow Regimes

The Low Impact Hydro Institute Goal for ecological flow regimes is to ensure that, "The flow regimes in riverine reaches that are affected by the facility support habitat and other conditions suitable for healthy fish and wildlife resources."³

Great River Hydro (GRH) claims that they meet Standard A-2 for the tailrace. To meet that standard, the applicant must explain the scientific or technical basis for the agency recommendation, including methods and data used; explain how the recommendation relates to agency management goals and objectives for fish and wildlife; and explain how the recommendation provides fish and wildlife protection or mitigation and enhancement.⁴ The applicant did not explain any of the above in their application, and thus they did not meet Standard A-2. There was no mention of management goals or the scientific process for flow regime. The applicant merely, "Identif[ied] the proceeding and source, date, and specifics of the agency recommendation applied."⁵

Additionally, the facility does not meet Standard A-3 because the flow regime does not comply with, "a well-documented, regionally accepted instream flow policy or methodology."⁶ GRH itself states in the application that, "GRH has no further documentation as to the scientific or technical basis for the agency minimum flow requirement of 0.2 cfs/m."⁷ Additionally, while GRH states that "operational reservoir fluctuations are limited and kept at a minimum"⁸ they do not provide any evidence to support this declaration.

New information from the relicensing studies indicates that the flow regime from the dam is not "low impact." For instance, the ILP Study 16 – Sea Lamprey Spawning Assessment indicated that the riverine section below Vernon Dam provides for the largest number of sea lamprey nests in the study area for the three dams being relicensed. At both study areas below the Vernon Dam, there was a "moderate effect" from project operations.⁹

Additionally, according to Study 13 – Tributary and Backwater Access Final Report for flow regimes above and below the dam, tributary habitat at the confluence with small and large streams were shown to be impacted, particularly significantly at two tributaries downstream of the Vernon Dam.¹⁰

As GRH states in their application, "Lacking current agency recommendations, updated 401 WQC flow conditions, FERC License conditions, scientific or technical basis for either..."¹¹ CRC would argue that

³ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 6.

⁴ Ibid. Page 56.

⁵ Ibid.

⁶ Ibid. Page 7.

⁷ Great River Hydro, LLL. LIHI Recertification Application for the Vernon Hydroelectric Project. LIHI Certification # 40. Revised April 2019. Page 14.

⁸ Ibid.

⁹ Transcanada Hydro Northeast Inc. ILP Study 16-Sea Lamprey Spawning Assessment Final Study Report. Normandeau Associates, Inc. August 1, 2016. Page 89.

¹⁰ Transcanada Hydro Northeast Inc. ILP Study 13-Tributary and Backwater Fish Access and Habitats Study Final Study Report. Normandeau Associates, Inc. June 17, 2016. Page 26-27.

¹¹ Great River Hydro, LLL. LIHI Recertification Application for the Vernon Hydroelectric Project. LIHI Certification # 40. Revised April 2019. Page 17.

the criterion are not met at this time. In this regard, LIHI certification might be revisited after new operations are defined in the ensuing license.

3.2.2 Criterion B - Water Quality

The stated goal for water quality is that, "Water quality is protected in waterbodies directly affected by the facility, including downstream reaches, bypassed reaches, and impoundments above dams and diversions."¹²

GRH claims that they satisfy this criterion under Standard B-2. In order to satisfy this standard they must show that, "The facility is in compliance with all water quality conditions contained in a recent Water Quality Certification or science-based resource agency recommendation providing reasonable assurance that water quality standards will be met for all waterbodies that are directly affected by the facility."¹³ Additionally, the Standards indicate, "In all cases, if any waterbody directly affected by the facility has been defined as being water quality limited (for example, included on a state list of impaired waters that do not fully support designated uses), *the applicant must demonstrate* [emphasis added] that the facility has not contributed to the substandard water quality in that waterbody."¹⁴

Standards require that "If [the water quality certificate is] more than 10 years old, provide documentation that the certification terms and conditions remain valid and in effect for the facility (e.g., a letter from the agency)."¹⁵ Great River Hydro has not provided a letter to attest this. In fact, during the relicensing process, the VT ANR commented on the final study report for ILP Study 6 – Water Quality Study which was conducted to determine the potential impacts of project operations on water quality in the impoundment, tailrace, and downstream reach of each project. They state, "TransCanada attributes warming to the effects of the impoundments, effects of latitude, weather and tributary conditions. However, TransCanada downplays the influence of the impoundments and the storage of water between generation cycles, as these factors are not discussed, nor quantified... Future licensing proposals should carefully consider the temperature effects of generation flows on downstream reaches."¹⁶ While Great River Hydro may be in compliance with its current 401 Water Quality Certificate requirements, GRH has not demonstrated that the facility is not contributing to substandard water quality. Further, GRH does not provide any ongoing monitoring to demonstrate water quality attainment or impairment and so this information is not integrated into operational decisions.

3.2.3 Criterion C - Upstream Fish Passage

The stated goal for upstream fish passage is that, "The facility allows for the safe, timely, and effective upstream passage of migratory fish. This criterion is intended to ensure that migratory species can successfully complete their life cycles and maintain healthy, sustainable fish and wildlife resources in areas affected by the facility."¹⁷

¹² Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 7.

¹³ Ibid. Page 8.

¹⁴ Ibid. Page 7.

¹⁵ Ibid. Page 57.

¹⁶ Davis, Eric. VT Department of Environmental Conservation. "Wilder, Bellows Falls, and Vernon Hydroelectric Projects (FERC P-1892, P-1855, & P-1904) Comments on Preliminary Relicensing Proposal." Received by FERC 1 March, 2017. Page 3.

¹⁷ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 8.

The applicant claims that they satisfy this criterion under Standard C-2. As indicated in the application, there is an existing upstream anadromous fish ladder that has generally been considered effective to pass Atlantic salmon. Results of some relicensing studies have indicated that effectiveness for other migratory species could be increased with changes to improve the ladder. CRC understands that GRH is aware of needed improvements and is working with the fisheries agencies to implement them. Implementation in recent years in some cases has been due to the requirements to satisfy effectiveness of the relicensing studies.

GRH claims that American eels are passing effectively through the ladder, but they do not mention the substantial fallback that has been documented in Study 18- American eel Upstream Passage indicating that modifications need to be made, or that alternative avenues for passing American eel may need to be developed. Also, current operational dates for the fish ladder do not correspond to the upstream eel migration period so, to more effectively provide for upstream eel passage the ladder would need to be open during the full extent of their migrating season.

While we anticipate that additional requirements may be implemented under the new license, they are not in place now so we are examining this criterion for the facility under its current license. In order “to pass the upstream fish passage criterion the applicant must demonstrate that upstream passage provisions are sufficient to support sustainable populations of these migratory species.”¹⁸ While GRH’s application indicates that they are working on it, they cannot currently demonstrate this. To provide for safe and timely upstream passage GRH should begin now to make permanent changes to increase effectiveness of the ladder for all migratory species.

3.2.4 Criterion D - Downstream Fish Passage and Protection

The stated goal for downstream fish passage and protection is that, “The facility allows for the safe, timely, and effective downstream passage of migratory fish. For riverine (resident) fish, the facility minimizes loss of fish from reservoirs and upstream river reaches affected by facility operations. All migratory species can successfully complete their life cycles and to maintain healthy, sustainable fish and wildlife resources in the areas affected by the facility.”¹⁹

The applicant claims that they satisfy this criterion under Standard D-2. As indicated by GRH in their application there are existing downstream fish passage routes that have shown to be effective at passing juvenile Atlantic salmon and American shad. Downstream passage effectiveness for American eels and post spawning American shad has only been assessed through the current relicensing studies. The results of those studies indicate that existing downstream passage facilities are not sufficiently protective. For instance, only approximately 25% of shad that were tagged and passed downstream of the dam through an identified route used the downstream fish pipe. None used the existing fish tube and approximately 71% went through the turbines or over the spillway.²⁰ This is not the most protective way to pass fish downstream.

Additionally, Study 23 – Impingement, Entrainment and Survival looked at mortality of downstream migrating eels, juvenile shad, and adult shad at Vernon. Results of that study indicate that a majority of

¹⁸ Ibid.

¹⁹ Ibid. Page 9.

²⁰ Transcanada Hydro Northeast Inc. ILP Study 21-American Shad Telemetry Study Final Study Report. Normandeau Associates, Inc. February 28, 2017. Page 68.

radio tagged silver eels passing downstream at Vernon moved through the Unit 5-8 turbines (ironically the installation of these turbines provided the upgrade that allowed for the eligibility for the initial LIHI certification) with an estimated and predicted survival rate of only approximately 80%.²¹ It is difficult to justify how the facility can be low impact with this type of mortality rate.

As GRH states in Study 23, "The conservative radio telemetry survival estimate for radio-tagged adult shad based on passage distribution and downstream detections at Stebbins Island is 78.6%."²² Additionally, the study indicates that, "when the results of the Vernon radio telemetry passage route proportional distribution and estimated route survival rates based on telemetry detection at Stebbins Island are combined, total project survival for radio-tagged juvenile shad at Vernon is very conservatively estimated at 70.4%."²³ CRC contends that the Vernon facility does not meet the stated goals of this criterion to safely and effectively pass migratory fish downstream.

3.2.5 Criterion E – Shoreline and Watershed Protection

The stated goal of this criterion is to, "The facility has demonstrated that sufficient action has been taken to protect, mitigate or enhance the condition of soils, vegetation and ecosystem functions on shoreline and watershed lands associated with the facility."²⁴

The applicant claims that they satisfy this criterion under Standard E-1 Not Applicable/De Minimis Effect. The facility does not meet the "Not Applicable/De Minimis Effect" because *there are lands* associated with the facility that are owned by Great River Hydro and have significant ecological value for protecting water quality, aesthetics, or low-impact recreation. The entire area downstream of the dam, including the area known as the Vernon Neck, Governor Hunt Recreation Area and Boat Launch, and Stebbins Island are owned by Great River Hydro.

The Water quality certificate states that, "An instream island that currently supports a nesting pair of bald eagles [Stebbins Island] and approximately 1,000 feet of the east river bank of the Connecticut River immediately downstream from the Vernon Hydroelectric Project are susceptible to erosion as a result of unknown mechanisms."²⁵ There is an Erosion Monitoring Plan required by Ordering Paragraph O of the July 28, 2006 Amendment to the license.²⁶ While not a "Shoreline Management Plan" this is a "similar protection plan"²⁷ to monitor erosion from GRH project owned lands in order to protect water quality downstream.

Additionally, this criterion seems to rely on the requirement that the facility is not subject to a shoreline management plan. The license for this facility was issued in 1979. Before and since that time there have been public concerns that the peaking operation of the Wilder, Bellows Falls and Vernon dams has had a significant effect on erosion of private property in the impoundments. The 1979 license was

²¹ TransCanada Hydro Northeast Inc. ILP Study 23-Fish Impingement, Entrainment, and Survival Study Supplement to Final Study Report. Normandeau Associates, Inc. February 28, 2017. Page 7.

²² Ibid.

²³ Ibid. Page 9.

²⁴ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 10.

²⁵ State of New Hampshire, Department of Environmental Services. 401 Certification No. 2006-008 dated July 3, 2006. Page 8.

²⁶ Federal Energy Regulatory Commission. TransCanada Hydro Northeast Inc Project No. 1904-042. Order Amending License and Revising Annual Charges. Issued July 28, 2006.

²⁷ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 10.

issued just prior to the publication of a Federal study done by the Army Corp of Engineers that examined possible causes of erosion in the project areas and states, "The New Hampshire Fish and Game Department recommended that NEPCO [New England Power Corporation, the previous owners of these dams] be required to stabilize bank conditions within the impoundment area. The Department contends that fluctuation of the reservoir level has caused serious bank erosion and resultant siltation in the Connecticut River. Intervenor's including For Land's Sake, have also raised this issue. Over 100 protests to the issuance of a long-term license to NEPCO, prior to the completion of the US Army Corps of Engineers Study have been received on the subject of erosion... In our order we denied For Land Sake's motion that we not issue a license for the Wilder Project until the erosion study was complete."²⁸ Because a shoreline management plan did not result from the last relicensing process does not mean it didn't need to have one. There has been ongoing contention about erosion issues and the current relicensing Study2-Erosion. Some of CRC's concerns were expressed in our comments on Study 2, which can be accessed here: <https://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14895778>. CRC contends that GRH has not met the criteria for this goal.

3.2.6 Criterion F - Threatened and Endangered Species Protection

The stated goal for this criterion is that, "The facility does not negatively impact federal or state listed species."²⁹

The applicant seeks to satisfy this criterion under Standard F-2 Finding of No Negative Effects for both the tailrace and impoundment. In order to satisfy this criterion the applicant needs to show that, "the facility has been found by an appropriate resource management agency to have no negative effect on them, or habitat for the species does not exist within the project's affected area or is not impacted by facility operations."³⁰

GRH points out in their application that, "Five federally protected species were identified to either occur or have historically occurred within the three project areas: Puritan tiger beetle (*Cicindela puritana*), dwarf wedgemussel (*Alasmidonta heterodon*), Northern long-eared bat (*Myotis septentrionalis*), Jesup's milk vetch (*Astragalus robbinsii* var. *jesupii*), and Northeastern bulrush (*Scirpus ancistrochaetus*).... None of the listed species identified above were found within the Vernon Project area."³¹ It is our understanding that there is documentation of historical populations of endangered dwarf wedgemussel in the Vernon impoundment. Given that they were not found during the studies required by the relicensing process would indicate that the operations of the dam may have had some effect on those populations. Additionally, since there were historic populations we can also assume that appropriate habitat exists or existed in the project area. CRC defers to the US Fish and Wildlife Service in this regard, but we feel that it is very likely that the presence of the dam impacted this species.

GRH states in the application that "In 2015, Vermont listed Fowler's toad as state endangered (it is not listed federally or in NH). During relicensing field studies in 2014 Fowler's toad was found below the

²⁸ Federal Energy Regulatory Commission. New England Power Company. Project No. 1904. Order Issuing New License. Issued June 25, 1979. Page 8.

²⁹ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 11.

³⁰ Ibid.

³¹ Great River Hydro, LLL. LIHI Recertification Application for the Vernon Hydroelectric Project. LIHI Certification # 40. Revised April 2019. Page 28.

Vernon dam.³² Additionally, “Fowler’s toad was confirmed at one location, an extensive backwater area with a direct hydrologic connection to the river on Stebbins Island in the Vernon riverine reach. Stebbins Island and the Stebbins Road area in Vernon, Vermont have the most and the most recent Fowler’s toad records in the study area, consisting of 17 verified records from 1994 through 2007.”³³ GRH states in this study that, “during the breeding season daily water level fluctuations due to project operations may affect Fowler’s toads breeding habitat because this species is not adapted to relatively rapid, frequent fluctuations in water depth.”³⁴ Additionally, that “At the Stebbins Island site, the only site where Fowler’s toad occurred, the modeled WSEs indicate ‘moderate’ project effects.”³⁵ In order to satisfy the criteria, GRH would need to have confirmation from a natural resource agency that the facility has not impacted this species.

In addition to the species listed in the application, GRH was required to study the Cobblestone Tiger Beetle (*Cicindela marginipennis*) along with the Puritan tiger beetle as part of the relicensing studies. This species is under federal review for endangered species listing and is listed as threatened by the State of Vermont. There have been populations of this species previously identified at the northern edge of the Zone of Effect in the West River in the impoundment.³⁶ It is very possible that impoundment levels have affected the range and habitat of this species.

CRC contends that the Vernon Project does not meet the “Not Applicable/De Minimis Effect” standard because it is not clear that “habitat for the species does not exist within the project’s affected area or is not impacted by facility operations.”³⁷

“GRH has not been notified by any natural resource management agency associated with the Vernon Project that the Project has a negative effect on any of the species listed above.”³⁸ Conversely, GRH has not, “Provide[d] documentation that there is no demonstrable negative effect of the facility on any listed species in the area from an appropriate natural resource management agency...”³⁹ GRH assumes the lack of communication has satisfied this requirement. CRC assumes that the requirement is confirmation from an agency that the facility has not impacted these species. GRH fails to provide this in their application and fails to demonstrate that the facility does not negatively impact state or federally listed species.

3.2.8 Criterion H - Recreational Resources

The goal of this criterion is that, “The facility accommodates recreation activities on lands and waters controlled by the facility and provides recreational access to its associated lands and waters without fee or charge.”⁴⁰

³² Ibid. Page 29.

³³ Transcanada Hydro Northeast Inc. ILP Study 28- Fowler’s Toad Survey Study Report. Normandeau Associates, Inc. June 17, 2016. Executive Summary on Page [3].

³⁴ Ibid. Page 18.

³⁵ Ibid. Page 21.

³⁶ Transcanada Hydro Northeast Inc. ILP Study 26-Cobblestone and Puritan Tiger Beetle Survey Study Report. Normandeau Associates, Inc. June 17, 2016. Page 5.

³⁷ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 63.

³⁸ Great River Hydro, LLL. LIHI Recertification Application for the Vernon Hydroelectric Project. LIHI Certification # 40. Revised April 2019. Page 29.

³⁹ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 63.

⁴⁰ Ibid. Page 12.

GRH claims to satisfy this criterion under Standard H-2 and PLUS. Given that the existing recreation plan was developed in 1970, there may be some debate as to whether the company is in compliance based on the language of the plan. Anticipating increased recreation use after the 1970s, the plan states, "The Company's existing recreation facilities will have to be expanded, new facilities developed and more land made available for recreation purposes to satisfy this increased demand. The Company will set aside the most desirable wooded areas with scenic backdrops for development as free public picnic areas. At the larger tracts of land, these areas will serve as the starting point of hiking and nature trails leading the user through wooded wildlife areas and by many and varied scenic vistas. Large open areas will be set aside, where possible, in conjunction with the picnic grounds, as ballfields and group activity areas... the Company will seek out strategic locations for construction of boat launching ramps on project lands."⁴¹ (CRC also notes that page 11 of the Recreation Plan is missing from the application document, as are three pages between pages 15 and 20.) CRC understands that none of the above additional facilities have been developed, even though the current recreation study indicates that 30,561 people used the Governor Hunt Recreation Area between March 2014 and Feb. 2015⁴², compared with estimated 12, 500 visitors to the project facilities in 1968.⁴³ Given the user growth it is not clear why this additional development was not pursued.

GRH requests additional consideration under the Standard H-PLUS criteria for much appreciated contributions to the Connecticut River Paddlers Trail and the ongoing maintenance of the canoe campsite on facility lands. Given the expectations laid out in the original recreation plan, CRC is not sure that this effort should be considered as "new public recreational opportunities that have been created on facility lands or waters beyond those required by agencies,"⁴⁴ or "significant new public recreational opportunities in the vicinity of the facility beyond those otherwise required by agencies."⁴⁵ In fact, this effort helps to fulfill the requirements and expectations outlined in the original recreation plan.

All of the recreational use areas will only be accessed if there is clear and consistent local and regional marketing and public communication about the facilities. Currently, there is no public website for Great River Hydro providing any information on any of their facilities or how to access them. Limited information about the Vernon fish ladder can be found on a US Fish and Wildlife website.

Recreation studies were done as a result of the current relicensing process, which identified additional needed infrastructure improvements through the project area. In 2017, CRC also did an independent study to assess needed recreational enhancements. The results from that survey were filed with FERC on October 24, 2018 (<https://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=15082002>) and include recommendations to improve the portage around the Vernon dam, improve signage to clearly indicate public access areas at the portage site, fish ladder, Vernon Glen, and Governor Hunt Recreation Area, and improve the boat launch and road at Governor Hunt Recreation Area. We anticipate an

⁴¹ Great River Hydro, LLL. LIHI Recertification Application for the Vernon Hydroelectric Project. LIHI Certification # 40. Revised April 2019. Page 10 of Appendix B.4. [Page 82].

⁴² Transcanada Hydro Northeast Inc. ILP Study 30-Recreation Facility Inventory, Use and Needs Assessment Study Report. Louis Berger and Normandeau Associates, Inc. March 1, 2016. Page 167.

⁴³ Great River Hydro, LLL. LIHI Recertification Application for the Vernon Hydroelectric Project. LIHI Certification # 40. Revised April 2019. Page 21 of Appendix B.4. [Page 90].

⁴⁴ Low Impact Hydropower Certification Handbook. 2nd Edition. Revision 2.03: December 20, 2018. Low Impact Hydropower Institute. Page 65.

⁴⁵ Ibid. Page 13.

updated Recreation Plan at the end of this relicensing period that will require enhancements, but would support conditions in any pending LIHI Certificate to require upgrades to Vernon facilities in the near term, as well as additional clear communication and marketing to ensure that the public is aware of and enabled to use these facilities.

Given our comments above, CRC contends that the **Vernon facility does not meet standards required to be considered for the Low Impact Hydro Certification**. At a minimum the facility should make the following changes and then re-apply at a later date to be considered for certification:

- provide upstream passage for American eel,
- provide downstream fish passage protection on the new units to minimize mortality,
- transition to a true run of river facility in order to provide for more appropriate flows to protect species,
- provide some mitigation for historical project impacts to cobblestone and puritan tiger beetle and dwarf wedgemussel,
- provide public information and marketing for recreation sites at the Vernon facility,
- and improve the parking and signage at facility recreation areas.

CRC understands that MaryAlice Fischer, the current LIHI Certification Program Director formerly worked for Normandeau Associates as the consulting project manager on (Great River Hydro's predecessor) TransCanada's Connecticut River relicensing of the Wilder, Bellows Falls and Vernon projects. Previously, she worked for TransCanada and its predecessors as the hydro division environmental manager. Due to this appearance of a conflict of interest, CRC respectfully requests that LIHI communicate to stakeholders how this review will be staffed and whether Ms. Fischer will recuse herself from this process.

CRC is very grateful for the opportunity to comment. CRC is strongly supportive of the Low Impact Hydro designation and feels strongly that certified facilities should go above and beyond what is required to satisfy the FERC licensing process in order to earn this certification. Those efforts will inspire continued innovation in the hydro-electric sector. The thoroughness of our comments is in this spirit.

Sincerely,



Kathy Urffer
River Steward

Cc: John Ragonese, GRH
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