

UNITED STATES OF AMERICA 75 FERC ¶62,074
FEDERAL ENERGY REGULATORY COMMISSION

Central Vermont Public) Project No. 2489-008 and
Service Corporation) -011

ORDER MODIFYING AND APPROVING RECREATION
AND LANDSCAPING PLANS
Issued May 2, 1996

On May 1, 1995, Central Vermont Public Service Corporation (licensee) filed a recreation plan and a landscape plan for the Cavendish Hydroelectric Project, 1/ located on the Black River, in Windsor County, Vermont. These plans were required by articles 413 and 414, respectively, of the project license. Supplemental information was filed on October 13, 1995.

Article 413 requires the licensee to file, for Commission approval, a final recreation plan prepared in consultation with the Vermont Agency of Natural Resources (VANR), the Village of Cavendish, and the Natural Resources Conservation Service (NRCS).

Article 414 requires the licensee to file, for Commission approval, a landscaping plan prepared in consultation with the VANR, to reduce the visual intrusiveness of the substation adjacent to the project.

PROPOSED PLANS

A. Final Recreation Plan (Article 413)

The licensee's proposed plan contains all the items required by article 413 and incorporates recommendations by the VANR and the NRCS in the plan. No comments on the plan were received from the Village of Cavendish. The licensee's plan includes the following facilities:

- a parking area for 8 vehicles with hard pack gravel and pressure treated curb stops. The parking lot will include an eight-foot-wide barrier-free area to the right of the first space for use by a van with a side mounted lift. If recreational use of the area ever causes the parking lot to be fully utilized, the licensee will install a sign indicating that the first spot is reserved as a handicapped parking space by displaying the International Symbol of Accessibility. The Recreation Plan was developed using the guidelines of the Universal Access to Outdoor Recreation: A Design Guide, 1993 PLAE, Inc., Berkeley, California;

1/See Order Issuing Subsequent License (Minor Project), 69 FERC, ¶ 62,110 (1994).

- three picnic tables with one of the picnic tables designed for wheel chair use and a gravel path from this table to the parking lot;
- directional signs for the trail through the Hemlock grove to the bank fishing and canoe launching sites. Steps down to the bank at the launching site will be constructed from 4-foot hemlock logs anchored with steel reinforcing rods;
- a scenic overlook with an interpretive sign. Originally, the licensee submitted a proposal for a sign with all text on it explaining the historical features of the plant and in somewhat technical terms how much power can be produced. The VANR expressed concern with the interpretive signage and believed it could be improved upon. After further consultation with the VANR, the licensee sent a supplemental filing to the Commission on October 13, 1995, changing the interpretive sign. The design of the sign was modified and the text was changed to discuss the powerhouse in more general terms. Added to the text was a discussion of the Cavendish Gorge. In a letter dated September 22, 1995, the VANR agreed to the changes;
- a locked gate has been installed across the east side access road. A sign directing visitors to the recreational facilities on the west side of the river is proposed for the gate;
- a canoe take-out platform, ramp, portage trail (along the penstock), and the put-in on the west side of the river are all in place. Directional and warning signs are proposed to be installed along the banks of the river; and
- the licensee placed two "Danger Dam" signs on the shoreline of the reservoir. One sign is right at the take-out spot for the canoe portage and reads "Danger Dam Ahead Takeout Canoe Here". The second sign is on the opposite bank of the river upstream of the boat barrier and reads "Danger Dam Ahead Takeout Canoe" and has an arrow pointing to the opposite shore.

Activities requiring ground-disturbing activities are the parking lot, the trail to the picnic table, and the scenic overlook. In all cases gravel will be brought to the sites. Excavation of existing topsoil is not contemplated, thus erosion and sediment transport should not be a concern. The gravel will be packed and contoured to prevent erosion. In a letter dated April 3, 1995, the NRCS commented that, since the proposed activities require little ground disturbance outside stump

removal, an erosion control plan is not needed. The NRCS did recommend that the Vermont Handbook for Soil Erosion and Sediment Control on Construction Sites be followed as with any land disturbance in Vermont.

The licensee will operate and maintain the recreational facilities. Completion of the recreation area will be within 90 days of receipt of the plan's approval, except that installation of gravel and the overlook will probably not take place between November 15 and April 15 due to winter ground conditions.

B. Final Landscape Plan (Article 414)

The licensee's proposal includes planting 6 to 8 foot tall serviceberry and Austrian pine on the northwest side of the substation. Multi-stem serviceberry plants will be procured for planting.

The VANR expressed concern about the plan and suggested a site visit to discuss the matter at greater detail. After a site visit, the VANR sent a letter to the licensee dated June 26, 1995. The VANR concurred that Austrian pine and serviceberry were appropriate species for the northwest side of the substation. The VANR recommended that ground cover plants be placed periodically among the rocks to "soften" the obtrusiveness of the rock embankments on the southern and eastern edge of the substation. Where the plants would be placed will need some soil enhancements, such as peat moss, fertilizer, and top soil. The VANR also recommended planting low shrubbery on the eastern side of the substation under and/or near the existing trees in order to provide better screening of the substation from the picnic area. Finally, the VANR recommended that a representative of the agency be on-site with the licensee and the landscaper as the plant locations are staked.

The licensee agreed to incorporate all the VANR's comments into the plan. However, it was agreed between the licensee and the VANR that, if the initial ground cover among the rocks on the southern and eastern edge of the substation does not survive, the licensee will not be responsible for continuing its efforts to establish ground cover in this environment. If the licensee is able to establish this ground cover, it will continue to maintain it.

DISCUSSION & CONCLUSION

The recreation plan, as supplemented, includes each of the components required by article 413. The facilities that will be provided should enhance recreational opportunities at the project. One small change to the licensee's proposed parking area is required, however. Instead of waiting until the site is fully utilized, the licensee should sign the handicapped parking

space when the parking area is constructed. The sign will ensure that the space remains open for use by persons with physical disabilities. With this one modification, the plan should be approved.

The licensee placed the two "Danger Dam" signs on the shoreline due to the difficulty of placing the signs directly on the boat barrier. The licensee operates two other projects (Gage Hydrostation and Taftsville Hydrostation) and at both projects they have placed the signs on the shoreline and have had no problems with boaters going past the boat barrier. The placement of the signs is only a slight change from what was identified in the license and the placement should provide adequate warning to boaters using the reservoir.

The landscape plan filed on May 1, 1995, as supplemented by VANR's recommendations in its June 26, 1995 letter to the licensee, will reduce the visual intrusiveness of the substation adjacent to the project. Because of the difficult site conditions on the southern and eastern edge of the substation, the licensee is only responsible for an initial effort to establish ground cover. The landscape plan, as supplemented, should be approved.

The Director orders:

(A) The recreation plan filed on May 1, 1995, as supplemented on October 13, 1995, and modified by ordering paragraph (B), fulfills the requirements of article 413 and is approved.

(B) The licensee shall sign the handicapped parking space with the International Symbol of Accessibility when the parking area is constructed.

(C) The landscaping plan filed on May 1, 1995, and supplemented by the recommendations agreed upon in the June 26, 1995 letter between the State of Vermont Agency of Natural Resources and the licensee, fulfills the requirements of article 414 and is approved.

(D) The licensee shall implement the provisions of these two plans within one year of the date of this order. Within 90 days after completion of the recreational facilities, the licensee shall file as-built drawings with the Commission for approval.

(E) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of

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the date of issuance of this order, pursuant to 18 C.F.R.
§385.713.

J. Mark Robinson
Director, Division of Project
Compliance and Administration