



**Central Vermont Public Service Corporation**

September 7, 2010

Ms. Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
Mail CodeDLC,HL-II.2  
888 1st Street NE, Room IA  
Washington,DC 20426

RE: Central Vermont Public Service Corporation  
Passumpsic River Hydroelectric Projects:  
Pierce Mills Hydroelectric Project (FERC No. 2396 VT)  
Arnolds Falls Hydroelectric Project (FERC No. 2399 VT)  
Gage Hydroelectric Project (FERC No. 2397 VT)  
Passumpsic Hydroelectric Project (FERC No. 2400 VT)

Dear Ms. Bose:

Central Vermont Public Service Corporation (CVPS) owns and operates four hydroelectric projects (listed above), located on the Passumpsic River in Caledonia County, Vermont.

Article 413 of the Federal Energy Regulatory Commission (FERC) issued for the Pierce Mills Hydroelectric Project (No. 2396) license, issued on December 8, 1994 requires that CVPS evaluate the recreational uses of all CVPS' hydropower projects on the Passumpsic River (referenced above) within six (6) months of the 10th and 20th year anniversaries of the issuance date of the license. The specific terms of the license article state:

*The Licensee shall file with the Commission, for approval, a plan and schedule to conduct a study of recreational use of all the Licensee's hydropower projects on the Passumpsic River. This study shall include:*

- 1. recreation use data, by activity;*
- 2. a discussion of the adequacy of recreation facilities at each project site to satisfy recreation demand;*
- 3. a description of the methodology used to collect all study data; and*
- 4. if there is a need for additional facilities, Licensee's proposals to provide for them.*

*The Licensee shall prepare each study plan after consultation with the Recreation Section of the Vermont Department of Forests, Parks and Recreation and the Town of St. Johnsbury.*

*The Licensee shall include with each study plan: documentation of agency and town consultation; copies of comment on the plan after it has been prepared and provided to the consulted entities, and specific descriptions of how the entities comments are accommodated by the plan. The Licensee shall allow a minimum of 30 days for the entities to comment and to make recommendations prior to filing the study plan with the Commission.*

Due to the combination of project workload, staffing changes, and activities related to licensing of three other hydroelectric projects, CVPS did not have the resources available to prepare the required plan and schedule by the original filing deadline of June 8, 2005. CVPS was reminded of the license obligation during a recreation inspection of the Projects by John Marc of FERC's New York Regional Office in 2008.

CVPS requested an extension of time to file the required study plans and proposed to make the submittal on or before June 8, 2010 (within six (6) months of the 15th anniversary of license issuance). CVPS initiated consultation with the Vermont Agency of Natural Resources (VANR) Department of Forests, Parks and Recreation and the Town of St. Johnsbury during the summer of 2009. Consultation with the VANR Department of Environmental Conservation and VANR Fish and Wildlife Department was undertaken in the Spring of 2010. All parties expressed their willingness to discuss the adequacy of the current recreation facilities. CVPS received detailed written comments from the VANR on June 7 2010. No additional comments were received from the Town of St. Johnsbury.

In order to incorporate the recently received VANR comments into the recreation study plan, and to provide the Town of St. Johnsbury additional time to review and provide comments on the revised plan, CVPS requested a second extension, until September 8, 2010, to file the study plans with the Commission. FERC approved this request on August 31, 2010.

CVPS filed a revised draft report with the VANR and the Town of St. Johnsbury on July 30, 2010. VANR provided minor comments on August 27, 2010. No comments were received from the Town of St. Johnsbury.

With this filing CVPS submits a study of the recreational use of CVPS's licensed hydropower projects on the Passumpsic River. If you have any questions regarding this filing please contact me at (802) 747-5594 or beliaso@cvps.com.

Sincerely,



Beth Eliason, P.E.  
Environmental Engineer

Electronic cc:

J. Mark, FERC NYRO  
B. Fitzgerald, VANR  
Town Manager, Town of St. Johnsbury  
M. Scarzello, CVPS  
J. Greenan, CVPS

## **PASSUMPSIC RIVER HYDROELECTRIC PROJECTS**

**Pierce Mills - FERC Project No. 2396**  
**Arnold Falls – FERC Project No. 2399**  
**Gage Station – FERC Project No. 2397**  
**Passumpsic Station – FERC Project No. 2400**

### **Evaluation of Recreation Facilities**



*Canoe takeout upstream of Passumpsic Station*

**Central Vermont Public Service Corp.**  
**77 Grove St.**  
**Rutland, VT 05701**

**September 2010**

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[Attachment A: Approved Recreation Plans](#)

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[Attachment C: 2008 FERC Licensed Hydropower Development Recreation Reports](#)

[Attachment D: 2003 FERC Licensed Hydropower Development Recreation Reports](#)

[Attachment E: Record of Consultation](#)

## 1.0 Introduction

Central Vermont Public Service Corporation (CVPS) owns and operates four hydroelectric projects (referenced above), located on the Passumpsic River in Caledonia County, Vermont (Figure 1). Article 413 of the Federal Energy Regulatory Commission (FERC) license issued for the Pierce Mills Hydroelectric Project (No. 2396) in December 1994 requires that CVPS evaluate the recreational uses of all CVPS' hydropower projects on the Passumpsic River ten and twenty years following license issuance. The specific terms of the license article state:

*The Licensee shall file with the Commission, for approval, a plan and schedule to conduct a study of recreational use of all the Licensee's hydropower projects on the Passumpsic River. This study shall include:*

1. *recreation use data, by activity;*
2. *a discussion of the adequacy of recreation facilities at each project site to satisfy recreation demand;*
3. *a description of the methodology used to collect all study data; and*
4. *if there is a need for additional facilities, Licensee's proposals to provide for them.*

*The Licensee shall prepare each study plan after consultation with the Recreation Section of the Vermont Department of Forests, Parks and Recreation and the Town of St. Johnsbury.*

*The Licensee shall include with each study plan: documentation of agency and town consultation; copies of comment on the plan after it has been prepared and provided to the consulted entities, and specific descriptions of how the entities comments are accommodated by the plan. The Licensee shall allow a minimum of 30 days for the entities to comment and to make recommendations prior to filing the study plan with the Commission.*

Due to the combination of project workload, staffing changes, the issuance of a FERC License for our four-station Lamoille River Project (FERC Project No. 2205), and activities related to licensing of two other CVPS hydroelectric projects (Carver Falls, FERC Project No. 11475, and Silver Lake, FERC Project No. 11478), CVPS did not have the resources available to prepare the plan and schedule by the initial deadline of June 8, 2005 (ten years following license issuance). CVPS was reminded of this license obligation during a recreation inspection by John Mark of FERC in 2008.

On October 1, 2009 CVPS formally requested an extension of time to make the required filing, and proposed to make the required submittal on or before June 8, 2010, which is within six (6) months of the 15<sup>th</sup> anniversary of license issuance. A second extension request, until September 8, 2010, was made on June 14, 2010. This request was approved by the Commission on August 31, 2010

## 2.0 Existing Recreation Facilities

Recreation opportunities currently available for use and maintained by CVPS include the following:

- **Pierce Mills (FERC Project #2396):** access area, canoe portage, picnic area, interpretive displays, two tent sites.
- **Arnold Falls (FERC Project #2399):** canoe portage, interpretive display
- **Gage Station (FERC Project #2397):** access area, canoe portage, picnic area, interpretive display
- **Passumpsic Station (FERC Project #2400):** access area, canoe portage, picnic area, interpretive display

CVPS has also produced, and makes available to the public, the *Passumpsic River Canoeing and Recreation Guide*. This publication, developed with the cooperation of groups and individuals in the Passumpsic Valley, and with assistance from the Vermont Agency of Natural Resources.

The relative locations of each of these facilities is shown in *Figure 1*. Copies of the FERC approved recreation plans are included in *Attachment 1*. A discussion of the recreation facilities currently available at each project is below. Photographs of these facilities are included as *Attachment 2*.

### 2.1 Pierce Mills

The approved recreation plan for the Pierce Mills Project includes the following:

1. Public parking for four vehicles
2. Two picnic tables, one equipped for wheelchair use
3. Two tent sites for overnight camping by canoeists
4. Construction of a stile for access to the river over the penstock
5. Restroom facilities consisting of a wheelchair accessible portable toilet to be available from May to October
6. Directional, warning and information signs

All of the facilities proposed in the approved recreation plan for Pierce Mills have been installed. CVPS also maintains a portage trail and canoe put-in and takeout areas.

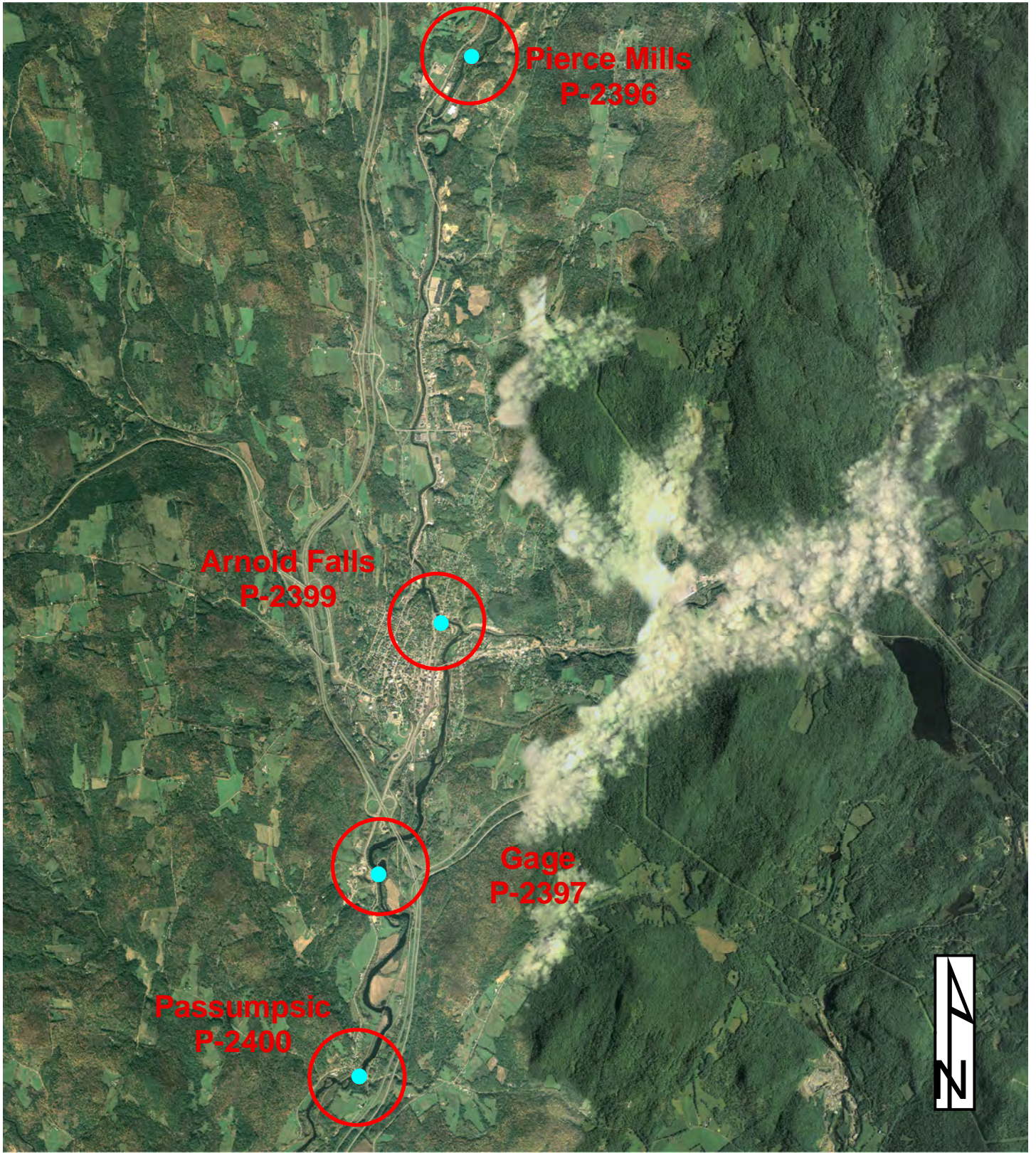
### 2.2 Arnold Falls

The approved recreation plan for the Arnold Falls Project includes the following:

1. Maintenance of a canoe portage trail
2. Interpretive signage
3. Directional, warning and information signs
4. A public access area for bank fishing and viewing across the Moose River from Fred Mold Park.

All of the facilities proposed in the approved recreation plan for Arnold Falls have been installed, with the exception of the bank fishing platform. A review of CVPS files indicates following license issuance, the location was changed to Fred Mold Park, and then again to the Elm Street location. No records were found in CVPS files related to this project after 1997. To date, a bank fishing platform has not been installed.





# CVPS Passumpsic River Projects

## Caledonia County, Vermont

FIGURE 1

*This map is for the sole use of Central Vermont Public Service Corporation (CVPS). CVPS makes no representation as to the accuracy or authenticity of this map. Data sources include CVPS and Vermont Center for Geographic Information. [www.vcgi.org](http://www.vcgi.org)*



### 2.3 Gage

The approved recreation plan for Gage Station includes the following:

1. Public parking for four vehicles
2. One picnic table
3. Directional, warning and information signs

All of the facilities proposed in the approved recreation plan for Gage Station have been installed. CVPS also maintains a portage trail and canoe put-in and takeout areas.

### 2.4 Passumpsic

The approved recreation plan for Gage Station included the following:

1. Public parking for four vehicles
2. Two picnic tables, one has been modified for wheelchair use
3. Interpretive signage
4. Canoe takeout, portage trail, and canoe put-in facilities
5. Directional, warning and information signs

All of the facilities proposed in the approved recreation plan for Passumpsic Station have been installed.

## 3.0 Recreation Use Data

In accordance with Section 8.11 of FERC regulations, CVPS has submitted Licensed Hydropower Development Recreation Reports (Form 80) for the projects on the Passumpsic River. The most recent reports were submitted for the year 2008. Form 80 is used to gather information necessary for FERC and other agencies to know what recreational facilities are located at licensed projects, and whether public recreation needs are being accommodated. One component of the Form 80 is to determine the number of visits to all recreational areas at each development or project. Form 80's for 2008 and 2003 are included in *Attachments 3 and 4*.

The estimated number of visitors to each facility during the summer 2008 season is summarized below, and is based on staff observation and estimates.

<i>Facility</i>	<i>Annual Total</i>	<i>Peak Weekend Average</i>
Pierce Mills	427	4
Arnold Falls	503	7
Gage	576	2
Passumpsic	366	1

### 3.1 Pierce Mills

The primary recreational activities at Pierce Mills, based on staff observations, include fishing and scenic viewing. Boaters are occasionally observed, overnight camping is rare.



### 3.2 Arnold Falls

Because of its urban setting there is minimal recreation use at Arnold Falls. An interpretive display is located near the powerhouse. Boaters are occasionally observed using the portage trail.

### 3.3 Gage

The primary recreational activities at Gage, based on staff observation, are fishing and scenic viewing.

### 3.4 Passumpsic

The primary recreational use of the Passumpsic Project, based on staff observation, is fishing. Boaters are occasionally observed.

## 4.0 Agency Consultation

On August 5, 2009, a memo was sent to the Vermont Department of Forest Parks and Recreation (VFPR) and the Town of St. Johnsbury (TSJ) regarding the need for CVPS to reevaluate the adequacy of the Passumpsic River station's existing recreation facilities. Responses were received from VFPR and TSJ on August 11, 2009 and September 14, 2009, respectively, indicating each party's interest in continuing discussions with CVPS regarding a fishing platform. CVPS contacted VFPR and TSJ again in March 2010 and May 2010 requesting additional consultation and comments. No response was received from TSJ, but comments were received from the Vermont Department of Environmental Conservation (VDEC) and Vermont Fish and Wildlife Department (VFWD)<sup>1</sup>. Copies of this correspondence are included in *Attachment 5*.

Combined VANR recommendations include the following:

- Kiosks should be located at the principle entry points at each facility to make the public better aware of the recreational opportunities available.
- Where physical access is difficult CVPS should investigate enhancements.
- CVPS should investigate the possibility of extending access to the river on non-CVPS property at Arnold Falls and Passumpsic Stations.
- Discussions regarding the installation of a bank-fishing platform should be resumed.

A copy of a draft version of this *Evaluation Report* was sent to the state agencies and the TSJ on July 30, 2010. The State supplied minor comments in an email dated August 27, 2010. No comments were received from the TSJ. Copies of agency and town correspondence are included in *Attachment 5*.

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<sup>1</sup> Note that the Vermont Department of Forest, Parks and Recreation, the Vermont Department of Fish and Wildlife, and the Vermont Department of Environmental Conservation are all components of the Vermont Agency of Natural Resources (VANR).

## **5.0 Adequacy of Existing Facilities and Recommendations**

In general CVPS believes that the recreation facilities at the Passumpsic River Stations are sufficient to accommodate the type and volume of current use. Specific recommendations regarding the individual facilities are presented below.

CVPS also recommends that the entry points at each facility be reviewed to confirm that the informational signage currently provided at these locations complies with 18 CFR Part 8 Section 8.2(a). CVPS will perform this review in 2010. If the existing signs do not meet these criteria compliant signs will be installed before June 30, 2011.

### **5.1 Pierce Mills**

Pierce Mills is located in a remote area, and vandalism of recreational facilities (portalet and picnic tables) is not uncommon. The areas must be accessed on foot, parking is available for four cars. Handicap access is possible along the CVPS maintenance road, which although closed to vehicular traffic is level enough to accommodate wheel chair travel. As such, CVPS believes that no additional recreation enhancements are needed.

### **5.2 Arnold Falls**

CVPS proposes that discussions be resumed with the ANR and the TSJ regarding the status and use of the Fred Mold Park area to determine the need to provide a bank fishing platform at one of two previously proposed locations as part of this recreation review and evaluation.

CVPS owns limited property at the Arnold Falls Project. CVPS does possess a right-of-way on the east bank of the river below the dam, however, due to public misuse of the property the landowner has posted the bank with no trespassing signs and has indicated to CVPS personnel that he plans on installing a fence to further discourage public access.

### **5.3 Gage**

The recreational facilities for the Gage Project are located in a remote area. Vandalism of the picnic tables and littering regularly occurs. The area is accessed via a long, relative flat, dirt access road which is closed to vehicular traffic. CVPS believes that the existing recreational facilities are adequate and no additional enhancements are needed.

### **5.4 Passumpsic**

The recreational facilities at the Passumpsic Project are adequate to accommodate current use. CVPS recognizes that the existing downstream portage covers challenging terrain. CVPS annually maintains this portage, and paints the bedrock access point with a non-skid textured paint. As noted in the FERC approved recreation plan, CVPS attempted to negotiate with the neighboring property owner for a downstream portage route. The landowner was not agreeable, and performed substantial landscaping to prevent the public from crossing the property.

**Attachment A:  
Approved Recreation Plans**