



FRIENDS OF THE
Winooski

October 21, 2014

Mr. Jeff Crocker
Streamflow Protection Coordinator
Watershed Management Division
Vermont Dept. of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620-3522

Dear Jeff:

This serves as the initial joint public comment by the Friends of the Winooski River and the Central Vermont and MadDog Chapters of Vermont Trout Unlimited on the proposed management plan for the Waterbury Reservoir and the Little River. In general, we support the management plan proposed by the Vermont Agency of Natural Resources, known as the ANR Preferred Proposal. However, we have some specific concerns with the timeline and lack of deadlines for implementation of this proposal.

Simply, we are concerned that the full management plan may never be implemented. Without firm deadlines and consequences in the form of daily compounding monetary penalties for missing those deadlines, the possibility exists that the management plan could get sidetracked, or even derailed. Firm deadlines and monetary penalties would help ensure the proposal is fully implemented.

Members of our organizations have a healthy skepticism that is grounded in the management history of this facility. This proposed management plan is the first real chance in a generation to protect and restore the environment of the Waterbury Reservoir and the Little River. And, because of the 50-year duration of the license that will be issued, it is also the last chance in a generation to have this positive impact.

If fully enacted, the new water management regime will protect and restore the environment of both the Waterbury Reservoir and the Little River. For the past several decades, both the Reservoir and the Little River have been systematically harmed from fluctuating water levels. These fluctuations prevent the establishment of healthy littoral or shoreland vegetation, a key element of healthy habitat for fish, amphibians, and others.

Currently, the Reservoir levels dramatically change with the winter and summer seasons. This exposes the banks to erosion, prevents vegetative growth that is the basis of habitat, and interferes with fish, amphibian and reptilian life cycles. The water levels of the Little River drastically fluctuate daily as well, also contributing to bank erosion, stunting vegetative growth, and disrupting fish spawning. The steadier flow regime advocated by the agency in the management proposal will enhance water quality and provide for healthy wildlife habitat.

But, members of our organizations are concerned with the timeline. This proposal is complex. In the simplest of adages, the more moving parts, the more likely it is something will break. There are several conditions and events that have to be met in order for the overall goal of run-of-river operation to occur. And for various reasons, members of our organizations are skeptical that these events will occur. Because of this, we would request that the certification and the subsequent permit have firm deadlines for the stages to be met, and monetary penalties as consequences, if they are not.

The proposed management plan is complex, but it is important to outline it here to illustrate why firm deadlines are needed. As is our understanding, the plan will be implemented in three Phases. Phase I will commence after the permit is issued. It will entail current operation and flows, including the current 3 cfs minimal conservation flows, while a new power generation turbine and bypass flow valve are installed. It is our understanding that generation flows may be reduced during this time, but this is still undetermined. We are told that Phase I will take approximately two years.

After the new turbine and bypass flow valve are replaced, Phase II will begin. Under Phase II, the conservation flow will be 60 cfs, or inflows, for January through March, and then 108 cfs, or inflows, during April and the beginning of May. For the remainder of the year, the flow will be natural run-of-river. During both Phase I and II, the Waterbury Reservoir will continue with its current operation, including winter draw down.

The Reservoir and River will be managed in this manner until the Tainter (flood) Gates on the Dam are replaced. When the funding is secured and the Gates are replaced, Phase III will begin. Here, the Reservoir will be at current summer pool levels year-round and the Little River will be managed as run-of-river year-round. But Phase III cannot begin until the funding for Gate replacement is secured by the state. It is important to understand that, if the funding is never secured and the Gates are never replaced, Phase II will, by default, become the permanent management regime for the Waterbury Reservoir and the Little River.

To say that this relicensing process has a history of delays is a drastic understatement. Stakeholders have been told for years by the agency that the process was underway and to be

patient. So therefore, stakeholders are skeptical that the three Phases will occur in a timely manner, or on the timeline that is currently cited. Further, when the industry was asked in the past for better conservation flows, the reply was essentially no, as they were operating within the law. Finally, a lot of personnel changes can occur in three or more years, ranging from regular job turnover to a new Administration. Firm deadlines would keep everyone on the same page.

Due to these and other reasons, we request that the certification and subsequent permit contain firm deadlines, that they carry the weight of law, and that there be consequences in the form of daily compounding monetary penalties if these deadlines are not met. As this process has taken so long to reach this point, it is easy to see why we are concerned that it may not reach the proposed end result without such deadlines.

More broadly than the details of the management proposal, one must appreciate the goal of what could be accomplished if it is fully implemented. If any recreationist, angler, camper, or other user of the Little River were told that this could potentially be a more natural Little River and Waterbury Reservoir, they would undoubtedly be pleasantly surprised, but skeptical. For decades, the Waterbury Reservoir has suffered environmental harm due to the winter drawdown, and the Little River has been treated as little more than a sluice for generating hydroelectric power. This is a chance to restore these environments for the first time in decades.

Sincerely,



Gary West
President
Central Vermont Chapter
Vermont Trout Unlimited



Colin McCaffrey
President
Friends of the Winooski River



Clark Amadon
President
MadDog Chapter
Vermont Trout Unlimited