

November, 2016

Green River Reservoir Dam Relicensing Situation

Background:

The dam which creates Green River Reservoir belongs to Morrisville Water and Light (MWL), a municipal power company. MWL originally owned all land which the State purchased to create Green River Reservoir State Park. All dams must be relicensed every 30 years by the Federal Energy Regulatory Commission (FERC), the first step toward which is a state certification. MWL is in the process of having their four dams relicensed and is appealing the recent Water Quality Certification issued by the Vermont Agency of Natural Resources (ANR) which requires that the water drawdown in winter be limited. MWL has appealed that decision stating that it would no longer be economical to operate the Green River dam under the limitations required by ANR's Water Quality Certification and that therefore removing the dam is a possibility. The Vermont Agency of Natural Resources is required by the federal clean water act to protect aquatic habitat and states that these limitations are necessary.

The Friends of Green River Reservoir (FGRR) Board has been actively engaged in monitoring MWL's Federal Energy Regulatory Commission (FERC) Green River Reservoir Dam relicensing process. This is a complex process involving multiple parties that began in 2010. As recently reported in the media, this relicensing process has been highly contentious (see recent articles in the News and Citizen and on VTDigger(<http://vtdigger.org/2016/09/18/conflicting-goals-create-dilemma-green-river/>) for more detail.

Statement by the FGRR Board to the Membership:

The FGRR Board is actively seeking more detailed information regarding the issues at contention and will be advocating for reasonable, environmentally sound and sustainable solutions that include the ongoing sustainability of the Park's reservoir. To be able to influence this process, the Board is seeking formal party status in the Environmental Court's proceeding. This will enable the Board to have access to all information that will form the basis of any court decision, question witnesses, ask for additional information, and be part of any formal and informal negotiations. We have filed our intervention request and should know the outcome of that request before October's end.

On August 9, 2016, as required by Federal law, the Vermont Agency of Natural Resources (ANR) filed with FERC their decision regarding the Water Quality Certification that would apply to MWL's four hydroelectric generation projects under review. The GRR Dam is one of those projects. On September 7, MWL filed with the Vermont Environmental Court (EC) an appeal of ANR's August 9 decision. On September 9, American Whitewater and Vermont Paddlers Club, Inc. filed a separate appeal of ANR's decision regarding the number of summer water releases. These appeals automatically result in a proceeding being opened in Vermont Environmental Court and will stay implementation of all newly-proposed ANR recommendations. The timing of the conclusion of this process is hard to predict and could take more than one year.

Since our last membership communication, we have received the "Statement of Questions" from both appellants: (1) MWL and (2) the American Whitewater and Vermont Paddlers Club, Inc. (AWVPC). Their "questions" identify the specific areas of concern in ANR's Certification and will define the EC's scope of investigation. A link to the Statement of Questions is posted on the FGRR website's News page. The Board has also posted a letter in various local publications and has received a number of new members. This increased support will enable us to have the option of obtaining the assistance of legal and environmental experts so as to be a stronger and better prepared participant in this ongoing legal proceeding.

On October 6 your Board met to review the previously mentioned "Statement of Questions" and to further refine its strategic approach to resolving the issues that appear to threaten the long-term survival of the Green River Reservoir. Although the task appears complex and no simple

solution is apparent, we remain confident that developing solutions to the issues at hand can be achieved and that the Reservoir will continue to provide the quality wilderness experience that we have come to know and value. We will be updating the FGRR website as new information becomes available. Thank you all for your support, suggestions, and comments.

The Board will actively communicate with our membership as to the status of this process as we work towards a solution that ensures the preservation of the reservoir. We believe that one constructive step right now would be build the FGRR membership base and therefore encourage you to reach out to your friends to become FGRR members. Anyone can join the FGRR by visiting the FGRR website at <http://www.fgrrvt.org/get-involved/> . This will provide us with a credible and strong base of community support for any steps needed to preserve the treasure that we have in the Green River Reservoir.

For the latest information on this situation. check here, the news and events page. We will send emails occasionally as well; if you want to receive them be sure that we have your current email address. Michael Wickenden is taking the lead on this issue for the Board, and can be reached directly at michael.wickenden@gmail.com .