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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects

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Rumford Falls Hydro, LLC Project No. 2333-091 -
Maine
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RUMFORD FALLS HYDROELECTRIC PROJECT

Rumford Municipal Building
145 Congress Street
Rumford, Maine 04276

Tuesday, December 17, 2019

The public scoping meeting, pursuant to notice,
convened at 1:00 p.m.

1 P R O C E E D I N G S

2 MR. HANSEN: All right, folks. We're going to go
3 ahead and start the meeting.

4 So this is the Federal Energy Regulatory
5 Commission's scoping meeting for the relicensing of the
6 Rumford Falls Hydro Project. The FERC assigned a number for
7 that; P-2333. That becomes important later if you want to
8 start looking at some of the documents that have to do with
9 the project, and we'll talk about that as we proceed.

10 First things first, some introductions. My name
11 is Ryan Hansen. I work for the Federal Energy Regulatory
12 Commission. I'm a fisheries biologist by trade. I've been
13 working in hydro relicensing now for about 12 years. I have
14 some colleagues with me today who are part of the team that
15 are going to be working on this project. I'd like to let
16 them go ahead and introduce themselves.

17 MR. FEINBURG: Jeremy Feinburg. I'll be working
18 on the terrestrial resources.

19 MS. EARNHARDT: Amber Leasure-Earnhardt, Attorney
20 Advisor for this project.

21 MS. BROFMAN: I'm Ingrid Brofman. I'm doing
22 recreation on the project.

23 MR. HANSEN: All right. So, let's start off with
24 some housekeeping items, then we're going to let Rumford
25 Falls Hydro do a quick presentation about the project. We

1 will talk about the purposes of scoping. We'll go through
2 the resource areas that we've identified as areas that we
3 need to examine in our environmental assessment. We'll go
4 through those one by one. We'll look at the schedule, what
5 steps are coming next.

6 We'll discuss the types of information that we
7 are requesting at this point. And go over slightly the
8 online resources FERC has to help you file your comments.
9 Then we'll have plenty of time for comments and questions.
10 With that said, this is a pretty small group so I don't
11 think we're going to be worried about time. So if you have
12 something to say, please, you know, raise your hand. And
13 the reason I ask you to raise your hand is that we need you
14 to speak to the microphone up here at the podium so we all
15 can hear the questions. So, if you have a question, just
16 come on up, don't be shy. We're all in the same boat. Just
17 come on up, say what you have to say, and we'll do it like
18 that.

19 I have a sign in sheet. It's on that folding
20 table next to the Poinsettia. If you wouldn't mind, just
21 sometime before you leave today, just put your name and your
22 affiliation, if you don't mind. It's helpful for us. This
23 is a public meeting. So, having a list of who attended is
24 very useful and it's also very useful for Dan here who needs
25 to get spellings correctly, and so he knows who everybody

1 is.

2 So, with that said, this is Dan. Dan is our
3 court reporter. He is transcribing everything that is said
4 today. So, this is a public meeting, so everything that's
5 said will be on the public record. So to help Dan out, one
6 of the things I need to ask you to do is if you have a
7 comment or question, when you come up here and present it,
8 please state your name and your affiliation before you ask
9 the question or make your statement. Dan is really good at
10 his job but he can't identify everybody's voices in five
11 minutes; so every time you come up to speak, even if you do
12 it ten times, I ask you to please state your name and
13 affiliation every time, even if it seems repetitive. We
14 need to attribute all the remarks made to the correct
15 individual.

16 Today we're here soliciting oral comments. We
17 are also currently taking written comments on this project.
18 Those are due January 25th of next year. So, that's an
19 important date and I'll come back to this at the end. So,
20 I'll explain to you exactly what we're looking for by that
21 date. And we'll go from there.

22 So, who is the Federal Energy Regulatory
23 Commission or FERC? If you've never worked with us, you've
24 probably heard of us; that's pretty common. What we do
25 mostly, we're the federal agency that regulates interstate

1 transport of natural gas, oil, and electricity. We have a
2 lot of other things that we do; regulate energy markets and
3 things like that. But one of the things that we also do is
4 we license and relicense non-federal hydropower projects.
5 And that's what I do. And that's what we're doing here
6 today.

7 So I work in what's called the Office of Energy
8 Projects. In particular, I'm in the Division of Hydropower
9 Licensing. So, we are the folks that when a licensee wants
10 to get a new license, we work with them and go through the
11 entire process; it ends up being either an issuance of a
12 license or denial, depending on what they have.

13 Once that happens and the license is issued for
14 the project, it will get shifted over to our Division of
15 Hydropower Administration and Compliance. These are the
16 folks that make certain that the licensees are implementing
17 the requirements of the license, actually. And then we also
18 have a Division of Dam Safety and Inspections, and they visit
19 all of our projects at least once every five years to do
20 safety inspections.

21 We have five regional offices. The closest one
22 to here is New York City. However, pretty much all the
23 hydro licensing folks are based in D.C.

24 All right, so that's a little about FERC. I
25 think the next thing we should do is go through a

1 description of the project, projects. So we will invite
2 Randy Dorman from Rumford Falls Hydro, or Brookfield, to
3 come up and explain the projects.

4 MR. ANDERSON: Good afternoon. Thank you for
5 coming. My name is Luke Anderson. I'm with Brookfield.
6 I'm with the licensing group. I just wanted to quickly
7 introduce myself. I'm new to taking over this project, also
8 new with Brookfield. And my colleague, Randy Dorman, who
9 is, most of you have seen, is listed as the project manager
10 for the relicensing activities for Brookfield, is going to
11 be providing an overview. I just wanted to make sure you
12 got a chance to see who I am and meet me in person. And
13 I'll be handling activities for Brookfield down the road.
14 But for continuity purposes, Randy has been gracious enough
15 to go through the slides for us today, and so he can come up
16 and walk through our overview.

17 MR. DORMAN: Thanks, Luke.

18 As he said, I'm Randy Dorman with Brookfield
19 Renewable and I'll be walking us through an overview of the
20 project. So, we've got this opening slide, which is a high
21 level map of the general vicinity. As I am sure all of you
22 know, we are here in Rumford, which is in Oxford County.
23 The project is located on river mile 80 on the river. And
24 the total capacity for this project is a little short of 45
25 megawatts. So in context, this is a fairly large project

1 for our New England fleet. So, it's one of the larger
2 conventional hydros that we have in this region. So, it's
3 quite substantial for us.

4 It's complicated in that it's got two separate
5 developments. So there's an upper station and a lower
6 station. The upper station is about 30 megawatts in
7 capacity. The lower station is about half that, 15
8 megawatts or so. As part of this relicensing, we are not
9 proposing any changes to project facilities, operations, or
10 the project boundary. Again, through this relicensing, so.
11 Next slide.

12 So, here is a quick overview of the upper
13 station. I don't have a pointer but if you start in the
14 lower right-hand corner of the picture. We've got, the
15 Androscoggin River is basically running from the lower
16 right, sort of up the slide. And you can see Route 2 is
17 running along on the left side. So, the first feature if
18 you were, you know, water going down the river, is you're
19 encountering the Upper Dam, which is shunting most of the
20 flow over there to river left, to where the gatehouse is.
21 So, this is where we control the water that is going into
22 the upper powerhouse. The upper powerhouse is marked.

23 And then over to the right, that's what's called
24 the bypass reach or the bypassed reach. This is basically
25 the natural river channel that is where the river originally

1 ran before the project was constructed. So, next slide.

2 So, this is the lower station and this basically,
3 if we continue down the river, it's a little hard to make
4 out, at least to my eyes, but you can see the river channel
5 starts at the bottom center of this slide and again, moves
6 upward. There is the Middle Dam which is right next to,
7 sort of, the city park, so we could walk to it from here
8 pretty easily. The bypass reach in this section basically
9 continues up along the left-hand side of the slide to the
10 center-top of the screen. What that Middle Dam does is it
11 shunts water over to the right side to the headgate
12 structure and then from there it goes into this middle canal
13 which is an artificial structure. Runs down that canal
14 until it reaches the intakes, which then, the water goes
15 through the intakes, and again, we end up, kind of, at the
16 top-center of the screen, the powerhouse where the water
17 returns back to the main stem of the Androscoggin.

18 Any kind of questions so far about this?

19 Everybody pretty much follow?

20 Great. Next slide then, please.

21 So, operations. The Androscoggin River, if you
22 live here I'm sure you all know, is a highly regulated
23 river. There are several upstream storages that are largely
24 designed to regulate flow to help even it out across the
25 year. So, high flows are a little lower in the spring and

1 fall, and low flows are a little higher in the summer and
2 some winter months. And so all of this, this entire
3 Androscoggin system is part of the Androscoggin River
4 Headwater Benefits Agreement. This goes all the way back to
5 1909 and then it was refreshed in 1983, so this has been in
6 place for quite a while and the operations today are very
7 similar to how the river was operated all the way back in
8 1909.

9 A lot of the priority is to have a specific level
10 of flow year round at all these downstream sites. We'll
11 just go over a couple of our current license articles that
12 govern our operations. The first one is Article 401. And
13 this is run-of-river operation. So, run-of-river is a term
14 of art used in the hydroelectric business. Basically,
15 inflow equals outflow. So this means we don't, we try to
16 keep the head pond as stable as possible so as water is
17 coming in, we're trying to keep the same amount of water
18 going out.

19 The next article is Article 402 and this is
20 minimum flows at the Upper Station. We're asked to pass 1
21 CFS from Upper Dam and 21 CFS from Middle Dam into those
22 bypass reaches. These would be under circumstances of low
23 flows. Again, because this is a fairly regulated river, we
24 don't get low flow events nearly as much as we would if
25 there were no upstream storages helping to control that flow

1 level.

2 The last piece here. This isn't actually baked
3 into the license but it's just a description of our high
4 flow operation. At the upper development, outside of the
5 winter, we've got an Obermeyer. This is a, sometimes
6 they're called rubber dams or inflatable dams. Basically,
7 this is a section that we can lower or raise. So, outside
8 of the winter we drop them to crest level. Crest being the
9 top of the dam. And put additional flow into the bypass
10 reach. And then, the lower development under high flow
11 conditions. Anything in excess of the lower station turbine
12 are spilled over that middle dam into that bypassed reach of
13 the river.

14 Any questions on operations?

15 Next slide. So, this is just an overview of
16 recreation features in the area of the project boundary, and
17 these are a combination of features we own and are included
18 in the project description. Features we own that are not
19 included in the project description. And then there are
20 features that we don't own and aren't in the project
21 description, but all of these are typically going to be
22 used. So at the very far left is the Hanover boat launch,
23 and as you continue left to right down the river the next
24 item is another boat launch. This is the DACF, I think this
25 is the one by McDonalds, right?

1 Yes. And then we have Wheeler Island. Which is,
2 that's a site that we own which is used for recreation but I
3 believe is not included as a recreation feature under the
4 license. And then as we continue, sort of, we move up
5 towards the upper right-hand corner. There's the Rumford
6 Falls Trail. There's the, sort of the town park and then
7 Veterans Park and then there is a carry-in launch below all
8 of this down by Upper Station. So, next slide, Ryan.

9 So, Brookfield is very active in the community on
10 a lot of different fronts. We contribute to local causes.
11 We encourage our staff to volunteer and participate in that.
12 This picture is of a school tour that we did fairly recently
13 that, I think, was pretty successful. Hopefully, you're
14 looking at some future engineers, or, heaven forbid, maybe
15 some licensing coordinators down the line. And then we do a
16 lot of public safety campaigns around boating and
17 snowmobiling and swimming.

18 And I think, Ryan, that's it for our slides.

19 MR. HANSEN: So, does anyone have any specific
20 questions about the operations? If not, we've got -- so, if
21 something comes up, we'll give it a shot.

22 Yes, Ingrid?

23 MS. BROFMAN: Hello, this is Ingrid Brofman. You
24 said

25 MR. HANSEN: You might come up to the podium.

1 MS. BROFMAN: Hello, this is Ingrid Brofman. I
2 just had a question about Wheeler Island, just to confirm.
3 You said you own it but you do not manage it for the
4 recreational facilities there?

5 MR. DORMAN: And when I answer, I'm going to look
6 squarely at my good friend, Ernie Deluca, who is our land
7 management and recreation specialist. That is correct.
8 Ernie, right? We

9 MR. DELUCA: That is correct. We do own the
10 island but we have never developed recreation facilities
11 there. However, I do believe people utilize that for
12 camping and other picnicking and - but we do not have any
13 formal recreation facilities on Wheeler Island. What is
14 there has been put there by other people outside of
15 Brookfield.

16 MR. HANSEN: That was Ernie with Brookfield.

17 MR. DELUCA: Yes. I'm sorry, I will do much
18 better the next time.

19 MR. CARTER: Good afternoon. Stacy Carter, Town
20 Manager, Town of Rumford. I notice on the slide that you
21 list the recreational trail, Falls Trail, as a recreational
22 facility but it's not in use; and the town's position is we
23 would like to regain access to that for the town. I know
24 that there's been some talks in regards to that. I just
25 want to acknowledge that. The town is interested in

1 regaining that local access for economic and recreational
2 needs. Thank you.

3 MS. HOWATT: Kathy Howatt with the Department of
4 Environmental Protection. I am curious if --

5 AUDIENCE: Who are you?

6 MS. HOWATT: Kathy Howatt, Department of
7 Environmental Protection. So my question is whether the
8 canal we talked about this during the site visit a few weeks
9 ago, whether the canal begins at the Middle Dam impoundment.
10 If that is a natural bottom, if there are exclusions of fish
11 and other aquatic organisms that would preclude that from
12 being part of the habitat that comprises the project
13 boundary or whether, I guess the question is whether that's
14 in or out. As far as habitat studies.

15 MR. DORMAN: So, now we're going to look at Luke,
16 because when we talked about this last week, that's on our
17 follow-up item list to confirm whether or not that's a
18 natural bottom. Our belief that I think we can confirm
19 fairly easily is that it is an artificial bottom. It's not
20 natural habitat but --.

21 MR. ANDERSON: Luke Anderson, Brookfield. The
22 bottom is mostly cobble that has been installed, of the
23 canal that you were looking for clarification for, yes. So,
24 we have obviously concrete but mostly the bottom is, from
25 what we can tell from historical drawings, is a cobble

1 bottom.

2 MR. HANSEN: Thank you, very much.

3 So, what are we doing here today? Well, we're
4 scoping. So, what is that exactly? The National
5 Environmental Policy Act if you're not familiar, also called
6 NEPA, requires that any government action that can affect
7 the health of the human environment, we need to take a look
8 at it and analyze what those effects may be. The question
9 here is the relicensing of the Rumford Falls hydro project.

10

11 The condition is looking, the licensee is looking
12 to obtain, the Commission may grant a new license of
13 somewhere between 30 and 50 years of operation. And so
14 we're at the very start of that process. And the very start
15 of that process would be what we call scoping. It's a part
16 of the entire process and the idea is we take a look at
17 information provided to us by the licensee and their
18 proposal. We try to decide, well, here's the things that we
19 think are important, that we'll need to look at in the
20 environmental assessment.

21 Some of this is fairly obvious from reading their
22 Pre-Application Document which is, kind of, the description
23 of the proposed license. But with that said, just reading
24 things, or not being intimately familiar with the area, we
25 need to come out and talk to everybody; we need to speak to

1 the agencies, Native American tribes, non-government
2 organizations, citizens; anybody who knows anything about
3 the project so they can tell us if there's something that we
4 missed in the scope of what we're going to be looking at.
5 If there's something that you know is applicable; pretty
6 much just any information that will help us do our job; and
7 the kind of stuff I'm talking about will become more obvious
8 as we proceed through the slides.

9 So, today, that's what we're going to do. We're
10 going to discuss the existing environmental conditions,
11 potential information needs and the resource issues that
12 we've seen just now. So, we have a Scoping Document 1,
13 that's what we SD 1. And that's kind of the document that
14 lays out exactly what - our first stab at trying to
15 understand the issues in the area, a start for the
16 environmental assessment.

17 If you haven't seen the document, it's available
18 on our website, ferc.gov. But it was issued on November
19 19th of this year. I have one copy if anyone wants to look
20 at it.

21 Basically, we're on -- slides of exactly what's in that
22 document, Section 4.2 specifically.

23 Basically, these are the resource issues reached
24 preliminarily that could be something that will be analyzed
25 in our environmental assessment. So, what we are going to

1 do is I'm going to go through each resource area, one-by-one
2 and explain what we've preliminarily identified, and then
3 we're going to ask the audience if they have anything to
4 add. Anything that you want to discuss in that area. So,
5 I'm just going to go section-by-section and talk about the
6 project and see what we find.

7 So, for geological and soil resources, I think
8 that's a good start; but we do think it would be important
9 for us to analyze in our environmental assessment the
10 effects of the project operations on possible shoreline
11 erosion at the Upper Dam impoundment. That is the only
12 thing that has to do with geologic or soil resources that
13 we've identified right now. So, I would like to open it up
14 and ask anyone that knows of any issues that you know about,
15 you would like to talk about, you would like to see it
16 addressed in the environmental assessment. Yes, ma'am?

17 MS. HOWATT: Kathy Howatt. So, I am curious
18 about the - even though it's a run-of-river project, what's
19 the total magnitude of water level fluctuation given that
20 they might lower the rubber dam, or the Obermeyer, and how
21 that affects the shoreline and for us, the DEP, the littoral
22 area?

23 MR. HANSEN: Yes, those are all things that we
24 need in the analysis, absolutely. To get an idea of what
25 kind of erosion may be occurring, or what kind of littoral
habitat may be there, we'll need to take a look at the

1 operations; inflow, outflow, that's all part of the analysis
2 we had to do, or what we will do.

3 Anything else for geological and soil resources
4 that you want to talk about?

5 (No response.)

6 This is my favorite, aquatic resources. So,
7 right now, preliminarily, we've identified for our
8 environmental assessment, we want to look at the effects of
9 project operation and maintenance on water quality. In
10 particular dissolved oxygen and temperature. There are
11 other things I would like to obtain as well; but those are
12 the two particular that we want.

13 We want to look at the effects of project
14 operations and maintenance on aquatic habitat including the
15 distribution and the suitability of that habitat in the
16 areas where the project has an effect. We're going to
17 analyze the effects of project operation and maintenance on
18 essential fish habitat for Atlantic salmon which has been
19 designated for this area. And we will be looking at the
20 effects of operation and maintenance on fish impingement,
21 entrainment, and survival in the river.

22 Now, if you're not familiar with these terms like
23 I understand them, unless you're in the hydro world these
24 aren't commonly used terms. Basically, at these project
25 they have a trash rack which is a large metal grate over all

1 the intakes that keeps trash from going through the
2 turbines, it also excludes some fish. Sometimes, depending
3 upon the size of the opening in the rack or the size of
4 fish, any number of things, sometimes fish can become stuck
5 to that, we call that impingement. And that can lead to
6 injury to the fish and possible death. Entrainment is when
7 a fish actually makes it through the rack and goes through
8 the turbines and is spit out the other side. Those are two
9 things will affect survival of the fish in the river
10 overall.

11 So, that's what we see at this time is important
12 to water resources, the effects that we want to take a look
13 at. Is there anything on the aquatic side that anyone would
14 like to add or wants to discussed at this time? Or are
15 there any issues that we have missed? I'd like to open it
16 up.

17 Yes, sir? Please.

18 MR. PREDLE: John Predle. I am the Director of
19 Mahousuc Pathways and also a Director of Friends of South
20 Arm, which is also, has a lot of work with the Middle Dam
21 project, so. I'm here primarily representing Mahousuc
22 Pathways today, and one of our big concerns is the access
23 for recreational purposes, but my question relative to
24 aquatic resources is there has never been a fish ladder or a
25 fish capture on the Androscoggin. I'd be very concerned

1 about what the survival rate is of those fish that go
2 through the turbine. I don't imagine it's very good. And
3 whether or not if you would be considering such a thing as a
4 fish elevator like there is in Brunswick to increase the
5 upflow from both upstream and the safe passage from
6 downstream?

7 MR. HANSEN: Yes, as we get into this process
8 it's certainly possible that various types of fish passage
9 facilities may be contemplated or recommended, and we're
10 definitely going to take a look at all of those possible
11 options as being recommended as part of the license. So
12 that is definitely something that will be considered as
13 well.

14 Anything else in the aquatics that we want to
15 talk about right now?

16 (No response.)

17 Great. Thank you. So, we've identified some
18 terrestrial resources that may be affected. These include
19 the effects of the project transmission lines on possible
20 electrocution, collision hazard, on birds. The effects of
21 project operation and maintenance on the riparian, littoral,
22 and forested-shrub wetland habitats and associated wildlife.
23 And for those of you who don't use these terms every today,
24 riparian vegetation is the vegetation that grows right
25 alongside of a water body. And littoral is an area that can

1 sometimes be wet and sometimes dry, but it's a similar type
2 of habitat along the edge, upstream.

3 We're also going to look at the effects of
4 project operation and maintenance on nesting Bald Eagles and
5 state- designated significant wildlife habitats. The deer
6 wintering areas, inland waterfowl and wading bird habitats.
7 So, those are preliminary things that we definitely want to
8 take a look at.

9 Are there any other terrestrial issues that we
10 may have missed or any discussion you want to have on
11 possible terrestrial resources at this time?

12 (No response.)

13 Very good. Thank you. So we're going to look at
14 the effects of project licensing on threatened and
15 endangered species. In this case that will include the
16 federally-threatened Northern Long-Eared Bat as well as the
17 federally- endangered Atlantic Salmon, Gulf of Maine state
18 populations. And that's a mouthful. Basically, that would
19 be a group of salmon that -- as a result, those Maine rivers
20 for their spawning. So we're looking at the effects on
21 those endangered species.

22 Are there any other species that you're all
23 familiar with that are of importance to the state or the
24 area that isn't obvious to someone who just looks at federal
25 lists; you might want to talk about at this time?

1 (No response.)

2 All right. So we're going to be taking a look at
3 the recreation here in the area and how the project affects
4 that. So, we're going to look at the effects of project
5 operation on the recreation use in the area and that will
6 include the adequacy, the existing access and the facilities
7 that are already in place meeting the recreational needs of
8 the area. We will also be looking at the feasibility of
9 rehabilitating and reopening the viewing area of Rumford
10 Falls at the Upper Development as well as the Rumford Falls
11 trail.

12 So, recreation issues. Are there anything - is
13 there anything you want to talk about right now? Or there
14 any issues that perhaps we could go to the book, or --?

15 Yes, sir, please.

16 MR. PREDLE: John Predle again. I'd just like to
17 make a comment as it relates to what's referring to as the
18 Greenway Trail around the perimeter of the Falls, is that
19 this has been a concern for the community for quite a few
20 years. The community has approached Brookfield several
21 times, several instances to reopen that. They are less than
22 warm to the idea. Stating that there is a risk of rock
23 slides on that side. That they've stated that have been in
24 that situation since 1906 so my guess is the risk is
25 relatively low, yet they claim the risk is relatively high;

1 and that just aware of the unwillingness of Brookfield up to
2 this date to be able to be more approachable as it relates
3 to recreational use and to be a better corporate citizen and
4 partner for the community. They make their money selling
5 power that is from the water resources that impounds
6 upstream, which is a public resource so they are a steward
7 of this, and yet we see not a great effort in the community
8 engagement area.

9 MR. HANSEN: Thank you.

10 MR. CARTER: Stacy Carter. Town of Rumford.

11 Back when we were in the original section of
12 speaking about recreational and looking at the areas that
13 were designated on the map, it's kind of a plan by, I
14 believe that I heard that it wasn't necessarily a formal
15 plan and so I'm wondering if part of your license, a request
16 if you identify those areas as a formal recreational plan to
17 include the River Falls Trail, Wheeler Island, and the boat
18 launches within that area? And I believe Hastings Landing,
19 which is a carry-in launch in Rumford Center was not on that
20 map. It's a relatively new launch. Thank you.

21 AUDIENCE: Do you know who operates that?

22 AUDIENCE: Mahousuc Land Trust operates that.

23 AUDIENCE: Okay.

24 MS. BROFMAN: Ingrid Brofman. I'm just wondering
25 how large of a segment of the trail is currently closed due

1 to the rock slide situation.

2 AUDIENCE: Well, actually it's closed. Closer to
3 a mile.

4 MR. DELUCA: Closer to a mile.

5 AUDIENCE; Who is that speaking?

6 MR. DELUCA: I'm sorry, Ernest Deluca.

7 Brookfield. It's close to a mile of the trail. It goes
8 from Upper Dam to Middle Dam, so give or take a mile or so.
9 And that trail was closed in 2013 after a major rock fall.
10 It got very narrow, and rocks fell off the riverside down
11 over the embankment or the rocks fell into the trail making
12 that trail very, very narrow.

13 MS. BROFMAN: Ingrid Brofman. Could you also
14 speak to why the viewpoint is closed?

15 MR. DELUCA: I cannot. It was before my time.
16 Again, Earnest Deluca. I don't know why that was ever
17 closed other than just security.

18 AUDIENCE: Where is the view from?

19 MS. BROFMAN: I'm sorry?

20 MR. DELUCA: The viewing area is on the
21 powerhouse side of the river. You could call it east if you
22 wish. The river is running off to the south so it would be
23 the east side of the river. And it's below the Upper Dam
24 powerhouse. It's a viewing area that used to be access to
25 the old powerhouse. And again, I'm not really sure why it

1 was closed other than security.

2 AUDIENCE: How long is it open before then? How
3 many years.

4 MS. BROFMAN: I'm actually not sure. The
5 question was how long was it open for?

6 MR. DELUCA: Right. I have no knowledge of when
7 it was closed. It's been closed since I've been here for 20
8 years.

9 MR. HANSEN: And this is the viewing area where
10 the spotlights were --?

11 MR. DELUCA: Right. Correct.

12 MR. CHASE: Peter Chase. I'm a Selectman here in
13 the Rumford. We view, as the Select Board, that river view
14 walk, the trail along the backside of the dam, is a
15 potential economic driver in the area. We've got a new
16 hotel going in; it would be a great place for people to take
17 an evening walk after they've had lunch, to walk around that
18 falls and see it from both sides across the high bridge and
19 back.

20 So it's very important to us as a Board if we
21 could get that opened up again and use it as an economic
22 driver for the municipality.

23 MR. HANSEN: Anything else on recreation?

24 All right. Thank you all for your input. It's
25 all very helpful.

1 So, next is cultural resources. In particular,
2 the effects of the project operation and maintenance on any
3 properties that are included in or eligible to be on the
4 National Register of Historic Places. And that's all we've
5 identified at this time.

6 Is there anything on the cultural side of things
7 that anyone would like to discuss or tell us about or any
8 questions? All right.

9 MS. BROFMAN: So, Suzanne Novak is our cultural
10 resources specialist on the project but she is not here
11 today. So, I am just going to, kind of read off some
12 questions she had. So, in 1988 there were 31 cultural sites
13 that were found but there were a few that were not eligible
14 due to landowners not granting access; so Suzanne would like
15 to know if those two sites will be granted access this time
16 and if there's any consideration into evaluating those. I
17 think this would be for the applicant.

18 MR. DELUCA: First I've heard of it. Earnest
19 Deluca. First I've heard that. If you could send me the
20 list, we certainly would address the landowner and see if we
21 could have permission to investigate those. But I can't,
22 I'm totally blindsided, I have no idea what she's speaking
23 of.

24 MS. BROFMAN: All right. For the original sites
25 that were evaluated, eight were found to have prehistoric

1 archaeological sites that were found eligible for the
2 National Register.

3 MR. HANSEN: So, I guess it would be during the
4 last -- in particular, the websites were possibly -- at that
5 time.

6 MR. ANDERSON: This is Luke Anderson with
7 Brookfield. So, we are going to look at recreation overall.

8 MS. BROFMAN: I can't hear you.

9 MR. ANDERSON: Luke Anderson of Brookfield. We
10 will be reviewing cultural resources and making sure that we
11 close the loop under the outstanding questions part of the
12 relicensing process. So, happy to research that is part of
13 a relicensing.

14 MS. BROFMAN: You might want to. So, you may
15 have just answered this, but just to confirm. Are you
16 planning to implement the cultural resources management plan
17 and the cultural resources contingency plan in the next
18 license term? Which includes the biannual monitoring and
19 the aerial monitoring every five years?

20 MR. DORMAN: Randy Dorman, Brookfield. So, we,
21 at this point, are still planning to continue monitoring. I
22 think we would, as part of the relicensing, want to take a
23 look at the intervals between these. We have been doing
24 annual monitoring for most of the license and then just
25 switched to every other year two years ago maybe. Quite

1 recently. So, at this point we've got a lot of monitoring
2 data that hasn't indicated a lot of follow-up activity. So,
3 I think we might want to look at two years, and you know, if
4 it makes sense to adjust that; but we're certainly willing
5 to look at this part of the relicensing.

6 MS. BROFMAN: Does that include historic
7 structures?

8 MR. DORMAN: I am not aware of
9 historic monitoring. I think I've only seen archaeological
10 work.

11 MS. BROFMAN: Ingrid Brofman. I think the
12 concern was that, since there haven't been any historic
13 structures that were qualified in 1988, that now some of the
14 facilities may be 50 years and therefore they may need to be
15 evaluated because they could be eligible.

16 MR. DORMAN: In Maine, the SHPO has a very
17 consistent suite of study requests. And

18 MR. HANSEN: Randy, what is a SHPO?

19 MR. DORMAN: I'm glad you asked, Ryan. That's
20 the State Historic Preservation Office. So, they oversee
21 cultural resources for the state. So they have a very
22 standard suite of study requests. We would expect that if
23 they are looking for historic, then they would include that
24 in their requests. I don't believe they have waded in yet
25 in the record.

MS. BROFMAN: Thank you.

1 MR. HANSEN: And we will do it with the Maine
2 SHPO throughout this process. Any other cultural issues or
3 questions that we want to talk about now?

4 Aesthetic resources. We're going to be looking
5 at the effects of the project operation and maintenance on
6 aesthetic resources in the project area. This could be any
7 number of things. This could be the way the project
8 facilities look. This could be lighting issues. This could
9 be noise issues. Any sort of issue that affects quality of
10 life; could be some sort of aesthetic stress -- if that's
11 not the right word. But what we can call those things that
12 are important that come up.

13 So, is there anything on the aesthetic front that
14 we would like to talk about now?

15 MR. CARTER: Stacy Carter. Town of Rumford.
16 There are just a few things I would like Brookfield to take
17 a look at in this relicensing. Along Falls Hill, Route 2
18 section, is a concrete wall that is aging and not
19 aesthetically pleasing and we would like to have that
20 corrected, resurfaced, or by some means.

21 Along the canal and just outside of Veterans
22 Park, there's some dead trees and I think those being
23 addressed, we want to make sure that we make note of that.
24 And then also, across from the Upper Dam, Brookfield owns a
25 green building across from Route 2 up towards the top of

1 Falls Hill. The land is owned by CMP but the building has
2 been kept by Brookfield in their deed. And that is not, I'm
3 not sure if that's being used or not, it is not
4 aesthetically pleasing. And with our rebuild of the
5 downtown, the builder of the new hotel and stuff we're
6 certainly trying to make the area more vibrant and
7 aesthetically pleasing. So we would ask that if that's not
8 being used that it be torn down. And if it is being used,
9 please maintain it so that it's aesthetically pleasing.

10 MR. HANSEN: This is Ryan from FERC. I wanted to
11 ask, a response to my question.

12 MR. ANDERSON: Luke Anderson from Brookfield. We
13 are in the process, a parallel relicensing process. We
14 recently acquired some estimates for addressing the trees.
15 We are also looking at ways to address the wall that the
16 town manager mentioned in terms of screening and or
17 resurfacing that wall so that it is more congruent with the
18 town. As far as the CMP building structure, we'll have to
19 get back on that. I can't speak to that right now.

20 MR. HANSEN: Thank you. This is Ryan with FERC.
21 The building that he's talking about, are you familiar with
22 that? A green building.

23 MR. DORMAN: It is not within the project
24 boundary and so is not part of the license project.

25 And we don't believe we own it.

1 MR. CARTER: We certainly can check the tax
2 record. I have a copy of the deed where CMP had, has the
3 land but within the deed the building structure stayed with
4 Brookfield unless it's turned back over to CMP, and I don't
5 have any knowledge of that, that process has happened; so
6 unless you have information to the contrary we would
7 certainly like to see that. Thanks.

8 MR. HANSEN: This is Ryan with FERC. For those
9 who are not aware, what is CMP?

10 MR. CARTER: Central Maine Power.

11 MS. BROFMAN: Ingrid Brofman. The viewing
12 platform that I was talking about earlier that's currently
13 closed. There are four spotlights there that shine on to
14 the flow, and currently the lights don't turn on until the
15 flow reaches 40,000 CFS. So, just curious how you came up
16 with that number.

17 MR. DORMAN: Randy Dorman. Brookfield. I don't
18 know that I've seen any document that, sort of, explained
19 the rationale - Ernie is shaking his head, so. There must
20 have been something behind that but that would be something
21 we would need to research, I think.

22 MR. HANSEN: Can you give us an idea in an
23 average year how often 40,000 CFS --

24 MR. DORMAN: Off the top of my head, I couldn't
25 but I do have a consultant here with the PAD and a flow

1 duration curve so, I think we can produce that number for
2 you pretty quickly.

3 Cue the Mission Impossible theme. So, on an
4 annual basis, that's quite low but if I go - looks like
5 40,000 is an extremely rare flow at the site based on these
6 flow duration curves, so I'm not sure that's, that's
7 actually the trigger that we are using. Again, this is
8 something we would need to research more.

9 MR. ANDERSON: Luke Anderson with Brookfield. We
10 have one of our operations folks who might be able answer
11 that question in the audience.

12 MR. KELB: Dennis Kelb in Brookfield. I work
13 locally here. And flows, however, they come on at 7,500 and
14 they only run from 8 to 11 at night. So, they got to be
15 above 7,500 --

16 MR. ANDERSON: Okay, 40,000--

17 MR. KELB: Yes. It's not 40,000, it's 7,500. We
18 just verified that the other day, as a matter of fact.

19 MR. ANDERSON: Thank you.

20 I think the reason for that 40,000 being bandied
21 about was we had the visit about three months ago. That was
22 stuck in my head as the number. I believe that's what I was
23 told. But 7,500 sounds more likely.

24 AUDIENCE: And 7,500 would make a lot more sense
25 from a flow duration standpoint because that's about 10

1 percent of the flow duration. That would make sense.

2 MR. HANSEN: Is there anything else on aesthetics
3 that we want to discuss here now? While we're all together?

4 MR. O'KEEFE: George O'Keefe, Economic
5 Development Director, Town of Rumford. I'm just asking if
6 Brookfield would consider replacement of the fence. The
7 safety fencing around Veterans Park, it's pretty low grade,
8 stainless, chain-link. The stainless may be galvanized.
9 From an aesthetic standpoint it does ruin the view from the
10 back of the park and the Falls and we would appreciate
11 consideration of replacement of that fencing with some type
12 of fencing that is more appropriate for the quality of the
13 view and the quality of the space.

14 MR. HANSEN: Thank you very much.

15 Anything else on aesthetics?

16 Thank you. That was all very helpful.

17 Finally, we will be looking at the effects of
18 proposed recommended measures on project generation and
19 economics. Now, when FERC Staff makes a recommendation --
20 as Staff, when we make a recommendation, commit to whether
21 to relicensing a project or not, we are required by the
22 Federal Power Act to take a look at any recommendation that
23 may affect the amount of generation of a project, would be
24 able to attain, and the amount of money lost in that lost
25 generation, we are going to have to take a look at that.

1 Any measure that can cost money, we're going to take a look
2 at how much that costs, and we have to balance that: How
3 much money would be in the public interest?

4 To let you all know that we're certainly going to
5 entertain and analyze every recommendation that comes into
6 us, but keep in mind that we are required by law to also
7 look at the economic effects from the other side in helping
8 us decide whether we can get to the recommendation.

9 Anything on that topic anyone want to talk about?

10 Thank you.

11 All right. So, those are the things that right
12 now we are going to discuss in our environmental analysis
13 when we write it, which is a ways down the road at this
14 point still. We'll go over the schedule here in a second.
15 We are soliciting oral testimony today, but we're also
16 hoping that anyone who has an interest will also provide
17 written letters to us so that that's on the record, and
18 truly helpful for us. Helps everyone who is interested in
19 the project understand what's been recommended or by other
20 agencies, what issues other folks have.

21 And in these letters we're looking for all
22 different types of information. These are listed in Section
23 6 of our Scoping Document 1 that we issued in November.
24 We're looking for significant environmental issues that we
25 should address in the EA. And that's a lot of what we've

1 been talking about for the last half hour. There's likely
2 things that may come to mind after you leave that we didn't
3 talk about today, so we would really like to see those in a
4 letter so we get them on the record.

5 If you have any information or data describing
6 the affected area in the past or in the present that we're
7 not aware of, that's really very helpful. We certainly have
8 plenty of data that Brookfield has provided on a number of
9 things that they've included in their pre-application
10 document. But there very well could be additional data on
11 any number of things; water temperature or recreational
12 usage of an area, anything. If you have anything that can
13 help us, we would like to see that sent in, please.

14 If there are any resource plans proposed for the
15 area. We mentioned just a little bit some of the -- trying
16 to get the trail open, trying to get increased views -- so
17 any resource plans or future proposals that either could be
18 affected by the project or affected by the licensee, we'd
19 like to know.

20 If there are any comprehensive plans that we are
21 not aware of, we would like you to send those in. These
22 are, comprehensive plans are plans that are sent to us by
23 state and federal agencies, basically explaining their
24 resource management goals for an area. We're required to
25 take a look at any one that applies to this area and see if

1 the project conflicts with them in any way. So, we're going
2 to be looking at a long list of them that are included in
3 the SD-1. I think it's section, maybe 7 -- but if you see
4 that list and if there's anything on there that you're aware
5 of that we did not include, I would like to see that.

6 And we're also interested in study requests. So
7 since Brookfield proposes to relicense the project, they're
8 also proposing to do a couple of studies to collect
9 information that will be useful for us to do an analysis in
10 our analysis later down the road. Now, you may think that
11 additional information would be more appropriate or
12 required. If that's the case, you can request that
13 Brookfield collect that information.

14 The way you do this if you've never done it
15 before, is take a look at our SD1, in Appendix A we have
16 seven criteria. This is a part of our regulation that is
17 kind of cumbersome, but they're, it's fairly self-
18 explanatory. If you can send in a request answering those
19 seven questions on why you think it's important for
20 Brookfield to collect that information, we may have them do
21 so if they haven't proposed it already. So, if you have any
22 requests for studies or additional information questions, we
23 would like to see that as well.

24 As far as the schedule goes, today we have a
25 meeting. The next important date is January 25th as I

1 mentioned. We're looking for comments on the, what we call
2 the NOI and PAD. The Notice of Intent and the Pre-
3 Application Document that Brookfield has already compiled.
4 That's available on our website. That's an explanation of
5 exactly what they're proposing at this time as well as kind
6 of a compendium of information about the area that's useful
7 at this stage in the game.

8 If you have any comments on that or on our
9 Scoping Document 1 that we have been talking about today, or
10 if you have study requests, all of these are due January
11 25th next year. So, make certain that you take note of
12 this; this is an important date.

13 If from today's meeting -- Yes, sir.

14 MR. O'KEEFE: George O'Keefe, Economic
15 Development Director, Town of Rumford. I'm just asking FERC
16 or maybe even the Applicant, do you have a copy of our
17 comprehensive plan updated as of 2013 on file in the
18 application?

19 MR. HANSEN: I'll take a look in the scoping
20 document to see if that's included. If it's not, we can
21 talk afterward and maybe get that filed.

22 MR. O'KEEFE: And I'd also like to state for the
23 record that the comprehensive plan specifically identifies
24 outdoor recreation as the primary means of economic
25 diversification for the Town of Rumford in the course of the

1 next five to ten years. So, outdoor recreation is a very
2 significant a part of our community comprehensive plan.

3 MR. HANSEN: Thank you. Based on today's meeting
4 and this evening's meeting we very well may edit our Scoping
5 Document 1 and turn it into what we call Scoping Document 2.
6 And basically all that is is the same document but with all
7 the additional information that we've learned or additional
8 analysis that we concluded with the document, added into
9 that document. So, it's kind of a - Scoping Document 1 is
10 our first stab at it, Scoping Document 2 is our more
11 educated attempt, after talking to everybody here today and
12 reading all the comments submitted by the 25th of January.

13 So, if we are going to put one of those out, we
14 will do so by March 10th, and on that same day Brookfield,
15 or Rumford Falls Hydro, LLC will be filing a proposed study
16 plan. And that's going to be all of the studies that they
17 think are appropriate for them to conduct to get the
18 information to inform the licensing decision.

19 By April 9th -- could be before -- sometime
20 before April 9th, we're going to have a study plan meeting,
21 and that's where we're all going to sit down, we're going to
22 take a look at the studies that have been proposed by
23 Brookfield as well as studies that have been requested by
24 other stakeholders -- and that does include FERC as well.
25 We're going to talk them through and we're going to try to

1 figure out where everyone's coming from in their requests,
2 why certain bits of information may be important to be
3 collected, why they may not be. We want to get all of you
4 back together and talk about those studies.

5 After that meeting, whoever wants can file
6 comments on the study plan Brookfield has proposed. So, if
7 you look at what they're proposing and think it's inadequate
8 or you think that additional things needed to be added, or
9 whatever comments with us on that. And then by July 8th
10 Brookfield will have to file their revised plan. And that's
11 basically what they originally proposed, but then altered
12 due to what they -- what we've talked about, kind of
13 requests that come into them.

14 So, it's kind of their final proposal of studies
15 that they plan on doing. And that is by July 8th. You have
16 two weeks then to comment on that. And then, by August 7th
17 of next year, the Director of the Office of Energy Projects,
18 our boss, is going to -- we're going to take a look at all
19 the studies that Brookfield is proposing and take a look at
20 all the studies that have been requested by other
21 stakeholders, and we're going to decide which ones FERC
22 needs to be conducted.

23 So, by August 7th he will be issuing a letter
24 telling Brookfield, 'These are the studies that we need,
25 according to this process that FERC needs to do.' That will

1 be the determination at that time.

2 Now, this is all pretty early in the process.
3 They're not actually going to file an application for
4 relicensing until the end of next year. But it's still at
5 least a year out. But this is the preliminary time when we
6 gather the information we need prior to the license
7 application submittal.

8 If you want to see a breakdown of the entire
9 schedule, but this is a lot more schedule than we have up
10 here. Take a look at our SD-1. Appendix B has every single
11 step in the FERC licensing process and the exact date it
12 needs to be done by for the next, like, five years. It
13 sounds like a lot, it is a lot; but its format. So, take a
14 look at that for the entire schedule; but the upcoming
15 things that everyone needs to be aware of are these right
16 here.

17 Any schedule questions? Yes, sir.

18 MR. PREDLE: John Predle. I was just wondering,
19 as we further progress along the process as whether or not
20 there is an intervenor capability later in the program?
21 Because I know as the preliminary data comes in and gets
22 commented and you accept, you know, public comments, but at
23 some point does that participation get reduced to only those
24 that have official status who are able to make comments and
25 present additional information at the -- prior to the final

1 determination of the licensing?

2 MR. HANSEN: Yes, sir. Once the final
3 application is filed, anyone with a vested interest in the
4 project, everyone who wants to intervene, when we will
5 solicit interventions, after the license application was
6 filed.

7 For those of you who don't know what that means,
8 It's a simple legal declaration that if you want to
9 intervene, it means that once the Commission makes a
10 decision on whether to license or to not license, if they do
11 license what conditions they attach to that, if you're not
12 happy with it you can, since you've intervened, you can
13 actually ask for a rehearing for the Commission to
14 reconsider their decision.

15 So, I highly recommend that anyone who thinks
16 they may not be happy with what the Commission decides, to
17 intervene once that license application is filed. Yes, sir?

18

19 MR. PREDLE: Do you have to be in a certain
20 status to intervene? Is there a qualification for an
21 intervenor?

22 MR. HANSEN: Not that I'm aware of, no. That's
23 more of a legal question; it's not my expertise, but I'm
24 pretty certain that that's what the status means.

25 MR. PREDLE: Also individuals or companies and

1 corporations?

2 MR. HANSEN: Yes, all of them.

3 Any other questions, or 00?

4 All right. So, we have some online resources.

5 If you've never been to www.ferc.gov -- I don't know -- it's
6 really a place to be online.

7 If you want to file anything with the Commission,
8 if you want to send anything in, we I highly recommend you
9 use our eFiling capabilities. All you have to do is go onto
10 our website, sign up for a free account, and then you can
11 send any letter you want to send us electronically
12 immediately. So, it's really easy; that's how we report in
13 all of our files. Anything you want to send to FERC,
14 eFiling with ferc.gov is a great way to do it.

15 MR. PREDLE: I signed up today.

16 MR. HANSEN: Oh.

17 MR. PREDLE: And it isn't easy.

18 MR. HANSEN: Oh. It is easy.

19 We have a Quick Comment thing that you can do
20 online, and I kind of liken this to a long text message that
21 if you don't want to go through the formality of a formal
22 letter on letterhead and what not and you just have a couple
23 of things you want to say to the Commission, you can do it
24 using the Quick Comment function on our website. It's very
25 easy to use. Once you type up what you want to say, you

1 hit Enter, and it goes to the Commission, alerted to.

2 eLibrary is our online depository of all the
3 documents dealing with all the FERC projects. If you go on
4 there one of the things you can do is search by docket
5 number. And the docket number is a FERC-assigned number.
6 In this case, it's P-2333. That's the docket number for
7 Rumford Falls Hydro Project. If you search by that number
8 you're going to get all of the documents that have either
9 been filed with or issued by the Commission throughout.
10 Since online it's going to be in the '90s. So, everything
11 is online. But anything you need to see about this project,
12 it would be there. So that's a really easy way.

13 I highly recommend you use this. What that means
14 is, through the eLibrary, you provide your e-mail address
15 and what docket number you choose; and anytime something is
16 filed on the project or issued by us on the project, you're
17 going to get an e-mail, and it's going to have a link in it
18 to that document, and a description of what it is.

19 Now, if you sign up for eSubscription you're
20 going to get way more emails than you're ever going to want.
21 But I promise you that's the best way of, you're not going
22 to miss anything. You may want it quicker, but it's
23 definitely the best way to keep track of what's coming in,
24 and I highly recommend it.

25 If you have any issues with any of these things

1 we have dedicated support staff:
2 FERConlinesupport@ferc.gov. As well as that 1-866 toll free
3 number. These are staff that deal only with these sorts of
4 issues so they're really the experts. If you have any of
5 these things, you can call me and I'll give it a shot, but
6 I'm not very good at it; so you might want to start with
7 them. They're definitely the experts. But feel free to
8 reach out to me at any point.

9 So, with that, whatever time we have left, if you
10 want to talk about anything or have any more questions about
11 relicensing or the FERC process or any of that, now would be
12 the time.

13 All right. Well, thank you very much. This is
14 very, very useful for us. It may not be as apparent that
15 this is as useful as it is, but when we leave here, it
16 really gives us a better understanding of what we need.
17 So, we have another meeting tonight at 6 p.m. It's at 6
18 p.m. We are hoping to attract anyone that has to work
19 during the day; so usually most of the public will come
20 then. You're certainly willing to come tonight if you like.
21 It's the exact same meeting you sat through, so you're going
22 to be really bored, but with that said, you're more than
23 welcome to come again to see what other people have to say,
24 so that's at 6 p.m. tonight in the same room.

25 And we look forward to maybe seeing you tonight

1 and getting your written comments by the 25th of January.

2 So, that's it. I will say thank you, very much

3 and call the meeting to a close.

4 [Whereupon at 2:23 p.m., the public scoping

5 session concluded.]

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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceeding
before the FEDERAL ENERGY REGULATORY COMMISSION in the
Matter of:

Name of Proceeding:
Rumford Falls Hydroelectric Project

Docket No.: P-2333-091
Place: Rumford, Maine
Date: Tuesday, December 17, 2019

were held as herein appears, and that this is the original
transcript thereof for the file of the Federal Energy
Regulatory Commission, and is a full correct transcription
of the proceedings.

Dan Hawkins
Official Reporter

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UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

Office of Energy Projects

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Rumford Falls Hydro, LLC Project No. 2333-091 -

Maine

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RUMFORD FALLS HYDROELECTRIC PROJECT

Rumford Municipal Building

145 Congress Street

Rumford, Maine 04276

Tuesday, December 17, 2019

The public scoping meeting, pursuant to notice,
convened at 1:00 p.m.

1 P R O C E E D I N G S

2 MR. HANSEN: All right, folks. We're going to go
3 ahead and start the meeting.

4 So this is the Federal Energy Regulatory
5 Commission's scoping meeting for the relicensing of the
6 Rumford Falls Hydro Project. The FERC assigned a number for
7 that; P-2333. That becomes important later if you want to
8 start looking at some of the documents that have to do with
9 the project, and we'll talk about that as we proceed.

10 First things first, some introductions. My name
11 is Ryan Hansen. I work for the Federal Energy Regulatory
12 Commission. I'm a fisheries biologist by trade. I've been
13 working in hydro relicensing now for about 12 years. I have
14 some colleagues with me today who are part of the team that
15 are going to be working on this project. I'd like to let
16 them go ahead and introduce themselves.

17 MR. FEINBURG: Jeremy Feinburg. I'll be working
18 on the terrestrial resources.

19 MS. EARNHARDT: Amber Leasure-Earnhardt, Attorney
20 Advisor for this project.

21 MS. BROFMAN: I'm Ingrid Brofman. I'm doing
22 recreation on the project.

23 MR. HANSEN: All right. So, let's start off with
24 some housekeeping items, then we're going to let Rumford
25 Falls Hydro do a quick presentation about the project. We

1 will talk about the purposes of scoping. We'll go through
2 the resource areas that we've identified as areas that we
3 need to examine in our environmental assessment. We'll go
4 through those one by one. We'll look at the schedule, what
5 steps are coming next.

6 We'll discuss the types of information that we
7 are requesting at this point. And go over slightly the
8 online resources FERC has to help you file your comments.
9 Then we'll have plenty of time for comments and questions.
10 With that said, this is a pretty small group so I don't
11 think we're going to be worried about time. So if you have
12 something to say, please, you know, raise your hand. And
13 the reason I ask you to raise your hand is that we need you
14 to speak to the microphone up here at the podium so we all
15 can hear the questions. So, if you have a question, just
16 come on up, don't be shy. We're all in the same boat. Just
17 come on up, say what you have to say, and we'll do it like
18 that.

19 I have a sign in sheet. It's on that folding
20 table next to the Poinsettia. If you wouldn't mind, just
21 sometime before you leave today, just put your name and your
22 affiliation, if you don't mind. It's helpful for us. This
23 is a public meeting. So, having a list of who attended is
24 very useful and it's also very useful for Dan here who needs
25 to get spellings correctly, and so he knows who everybody

1 is.

2 So, with that said, this is Dan. Dan is our
3 court reporter. He is transcribing everything that is said
4 today. So, this is a public meeting, so everything that's
5 said will be on the public record. So to help Dan out, one
6 of the things I need to ask you to do is if you have a
7 comment or question, when you come up here and present it,
8 please state your name and your affiliation before you ask
9 the question or make your statement. Dan is really good at
10 his job but he can't identify everybody's voices in five
11 minutes; so every time you come up to speak, even if you do
12 it ten times, I ask you to please state your name and
13 affiliation every time, even if it seems repetitive. We
14 need to attribute all the remarks made to the correct
15 individual.

16 Today we're here soliciting oral comments. We
17 are also currently taking written comments on this project.
18 Those are due January 25th of next year. So, that's an
19 important date and I'll come back to this at the end. So,
20 I'll explain to you exactly what we're looking for by that
21 date. And we'll go from there.

22 So, who is the Federal Energy Regulatory
23 Commission or FERC? If you've never worked with us, you've
24 probably heard of us; that's pretty common. What we do
25 mostly, we're the federal agency that regulates interstate

1 transport of natural gas, oil, and electricity. We have a
2 lot of other things that we do; regulate energy markets and
3 things like that. But one of the things that we also do is
4 we license and relicense non-federal hydropower projects.
5 And that's what I do. And that's what we're doing here
6 today.

7 So I work in what's called the Office of Energy
8 Projects. In particular, I'm in the Division of Hydropower
9 Licensing. So, we are the folks that when a licensee wants
10 to get a new license, we work with them and go through the
11 entire process; it ends up being either an issuance of a
12 license or denial, depending on what they have.

13 Once that happens and the license is issued for
14 the project, it will get shifted over to our Division of
15 Hydropower Administration and Compliance. These are the
16 folks that make certain that the licensees are implementing
17 the requirements of the license, actually. And then we also
18 have a Division of Dam Safety and Inspections, and they visit
19 all of our projects at least once every five years to do
20 safety inspections.

21 We have five regional offices. The closest one
22 to here is New York City. However, pretty much all the
23 hydro licensing folks are based in D.C.

24 All right, so that's a little about FERC. I
25 think the next thing we should do is go through a

1 description of the project, projects. So we will invite
2 Randy Dorman from Rumford Falls Hydro, or Brookfield, to
3 come up and explain the projects.

4 MR. ANDERSON: Good afternoon. Thank you for
5 coming. My name is Luke Anderson. I'm with Brookfield.
6 I'm with the licensing group. I just wanted to quickly
7 introduce myself. I'm new to taking over this project, also
8 new with Brookfield. And my colleague, Randy Dorman, who
9 is, most of you have seen, is listed as the project manager
10 for the relicensing activities for Brookfield, is going to
11 be providing an overview. I just wanted to make sure you
12 got a chance to see who I am and meet me in person. And
13 I'll be handling activities for Brookfield down the road.
14 But for continuity purposes, Randy has been gracious enough
15 to go through the slides for us today, and so he can come up
16 and walk through our overview.

17 MR. DORMAN: Thanks, Luke.

18 As he said, I'm Randy Dorman with Brookfield
19 Renewable and I'll be walking us through an overview of the
20 project. So, we've got this opening slide, which is a high
21 level map of the general vicinity. As I am sure all of you
22 know, we are here in Rumford, which is in Oxford County.
23 The project is located on river mile 80 on the river. And
24 the total capacity for this project is a little short of 45
25 megawatts. So in context, this is a fairly large project

1 for our New England fleet. So, it's one of the larger
2 conventional hydros that we have in this region. So, it's
3 quite substantial for us.

4 It's complicated in that it's got two separate
5 developments. So there's an upper station and a lower
6 station. The upper station is about 30 megawatts in
7 capacity. The lower station is about half that, 15
8 megawatts or so. As part of this relicensing, we are not
9 proposing any changes to project facilities, operations, or
10 the project boundary. Again, through this relicensing, so.
11 Next slide.

12 So, here is a quick overview of the upper
13 station. I don't have a pointer but if you start in the
14 lower right-hand corner of the picture. We've got, the
15 Androscoggin River is basically running from the lower
16 right, sort of up the slide. And you can see Route 2 is
17 running along on the left side. So, the first feature if
18 you were, you know, water going down the river, is you're
19 encountering the Upper Dam, which is shunting most of the
20 flow over there to river left, to where the gatehouse is.
21 So, this is where we control the water that is going into
22 the upper powerhouse. The upper powerhouse is marked.

23 And then over to the right, that's what's called
24 the bypass reach or the bypassed reach. This is basically
25 the natural river channel that is where the river originally

1 ran before the project was constructed. So, next slide.

2 So, this is the lower station and this basically,
3 if we continue down the river, it's a little hard to make
4 out, at least to my eyes, but you can see the river channel
5 starts at the bottom center of this slide and again, moves
6 upward. There is the Middle Dam which is right next to,
7 sort of, the city park, so we could walk to it from here
8 pretty easily. The bypass reach in this section basically
9 continues up along the left-hand side of the slide to the
10 center-top of the screen. What that Middle Dam does is it
11 shunts water over to the right side to the headgate
12 structure and then from there it goes into this middle canal
13 which is an artificial structure. Runs down that canal
14 until it reaches the intakes, which then, the water goes
15 through the intakes, and again, we end up, kind of, at the
16 top-center of the screen, the powerhouse where the water
17 returns back to the main stem of the Androscoggin.

18 Any kind of questions so far about this?
19 Everybody pretty much follow?

20 Great. Next slide then, please.

21 So, operations. The Androscoggin River, if you
22 live here I'm sure you all know, is a highly regulated
23 river. There are several upstream storages that are largely
24 designed to regulate flow to help even it out across the
25 year. So, high flows are a little lower in the spring and

1 fall, and low flows are a little higher in the summer and
2 some winter months. And so all of this, this entire
3 Androscoggin system is part of the Androscoggin River
4 Headwater Benefits Agreement. This goes all the way back to
5 1909 and then it was refreshed in 1983, so this has been in
6 place for quite a while and the operations today are very
7 similar to how the river was operated all the way back in
8 1909.

9 A lot of the priority is to have a specific level
10 of flow year round at all these downstream sites. We'll
11 just go over a couple of our current license articles that
12 govern our operations. The first one is Article 401. And
13 this is run-of-river operation. So, run-of-river is a term
14 of art used in the hydroelectric business. Basically,
15 inflow equals outflow. So this means we don't, we try to
16 keep the head pond as stable as possible so as water is
17 coming in, we're trying to keep the same amount of water
18 going out.

19 The next article is Article 402 and this is
20 minimum flows at the Upper Station. We're asked to pass 1
21 CFS from Upper Dam and 21 CFS from Middle Dam into those
22 bypass reaches. These would be under circumstances of low
23 flows. Again, because this is a fairly regulated river, we
24 don't get low flow events nearly as much as we would if
25 there were no upstream storages helping to control that flow

1 level.

2 The last piece here. This isn't actually baked
3 into the license but it's just a description of our high
4 flow operation. At the upper development, outside of the
5 winter, we've got an Obermeyer. This is a, sometimes
6 they're called rubber dams or inflatable dams. Basically,
7 this is a section that we can lower or raise. So, outside
8 of the winter we drop them to crest level. Crest being the
9 top of the dam. And put additional flow into the bypass
10 reach. And then, the lower development under high flow
11 conditions. Anything in excess of the lower station turbine
12 are spilled over that middle dam into that bypassed reach of
13 the river.

14 Any questions on operations?

15 Next slide. So, this is just an overview of
16 recreation features in the area of the project boundary, and
17 these are a combination of features we own and are included
18 in the project description. Features we own that are not
19 included in the project description. And then there are
20 features that we don't own and aren't in the project
21 description, but all of these are typically going to be
22 used. So at the very far left is the Hanover boat launch,
23 and as you continue left to right down the river the next
24 item is another boat launch. This is the DACF, I think this
25 is the one by McDonalds, right?

1 Yes. And then we have Wheeler Island. Which is,
2 that's a site that we own which is used for recreation but I
3 believe is not included as a recreation feature under the
4 license. And then as we continue, sort of, we move up
5 towards the upper right-hand corner. There's the Rumford
6 Falls Trail. There's the, sort of the town park and then
7 Veterans Park and then there is a carry-in launch below all
8 of this down by Upper Station. So, next slide, Ryan.

9 So, Brookfield is very active in the community on
10 a lot of different fronts. We contribute to local causes.
11 We encourage our staff to volunteer and participate in that.
12 This picture is of a school tour that we did fairly recently
13 that, I think, was pretty successful. Hopefully, you're
14 looking at some future engineers, or, heaven forbid, maybe
15 some licensing coordinators down the line. And then we do a
16 lot of public safety campaigns around boating and
17 snowmobiling and swimming.

18 And I think, Ryan, that's it for our slides.

19 MR. HANSEN: So, does anyone have any specific
20 questions about the operations? If not, we've got -- so, if
21 something comes up, we'll give it a shot.

22 Yes, Ingrid?

23 MS. BROFMAN: Hello, this is Ingrid Brofman. You
24 said

25 MR. HANSEN: You might come up to the podium.

1 MS. BROFMAN: Hello, this is Ingrid Brofman. I
2 just had a question about Wheeler Island, just to confirm.
3 You said you own it but you do not manage it for the
4 recreational facilities there?

5 MR. DORMAN: And when I answer, I'm going to look
6 squarely at my good friend, Ernie Deluca, who is our land
7 management and recreation specialist. That is correct.
8 Ernie, right? We

9 MR. DELUCA: That is correct. We do own the
10 island but we have never developed recreation facilities
11 there. However, I do believe people utilize that for
12 camping and other picnicking and - but we do not have any
13 formal recreation facilities on Wheeler Island. What is
14 there has been put there by other people outside of
15 Brookfield.

16 MR. HANSEN: That was Ernie with Brookfield.

17 MR. DELUCA: Yes. I'm sorry, I will do much
18 better the next time.

19 MR. CARTER: Good afternoon. Stacy Carter, Town
20 Manager, Town of Rumford. I notice on the slide that you
21 list the recreational trail, Falls Trail, as a recreational
22 facility but it's not in use; and the town's position is we
23 would like to regain access to that for the town. I know
24 that there's been some talks in regards to that. I just
25 want to acknowledge that. The town is interested in

1 regaining that local access for economic and recreational
2 needs. Thank you.

3 MS. HOWATT: Kathy Howatt with the Department of
4 Environmental Protection. I am curious if --

5 AUDIENCE: Who are you?

6 MS. HOWATT: Kathy Howatt, Department of
7 Environmental Protection. So my question is whether the
8 canal we talked about this during the site visit a few weeks
9 ago, whether the canal begins at the Middle Dam impoundment.
10 If that is a natural bottom, if there are exclusions of fish
11 and other aquatic organisms that would preclude that from
12 being part of the habitat that comprises the project
13 boundary or whether, I guess the question is whether that's
14 in or out. As far as habitat studies.

15 MR. DORMAN: So, now we're going to look at Luke,
16 because when we talked about this last week, that's on our
17 follow-up item list to confirm whether or not that's a
18 natural bottom. Our belief that I think we can confirm
19 fairly easily is that it is an artificial bottom. It's not
20 natural habitat but --.

21 MR. ANDERSON: Luke Anderson, Brookfield. The
22 bottom is mostly cobble that has been installed, of the
23 canal that you were looking for clarification for, yes. So,
24 we have obviously concrete but mostly the bottom is, from
25 what we can tell from historical drawings, is a cobble

1 bottom.

2 MR. HANSEN: Thank you, very much.

3 So, what are we doing here today? Well, we're
4 scoping. So, what is that exactly? The National
5 Environmental Policy Act if you're not familiar, also called
6 NEPA, requires that any government action that can affect
7 the health of the human environment, we need to take a look
8 at it and analyze what those effects may be. The question
9 here is the relicensing of the Rumford Falls hydro project.

10

11 The condition is looking, the licensee is looking
12 to obtain, the Commission may grant a new license of
13 somewhere between 30 and 50 years of operation. And so
14 we're at the very start of that process. And the very start
15 of that process would be what we call scoping. It's a part
16 of the entire process and the idea is we take a look at
17 information provided to us by the licensee and their
18 proposal. We try to decide, well, here's the things that we
19 think are important, that we'll need to look at in the
20 environmental assessment.

21 Some of this is fairly obvious from reading their
22 Pre-Application Document which is, kind of, the description
23 of the proposed license. But with that said, just reading
24 things, or not being intimately familiar with the area, we
25 need to come out and talk to everybody; we need to speak to

1 the agencies, Native American tribes, non-government
2 organizations, citizens; anybody who knows anything about
3 the project so they can tell us if there's something that we
4 missed in the scope of what we're going to be looking at.
5 If there's something that you know is applicable; pretty
6 much just any information that will help us do our job; and
7 the kind of stuff I'm talking about will become more obvious
8 as we proceed through the slides.

9 So, today, that's what we're going to do. We're
10 going to discuss the existing environmental conditions,
11 potential information needs and the resource issues that
12 we've seen just now. So, we have a Scoping Document 1,
13 that's what we SD 1. And that's kind of the document that
14 lays out exactly what - our first stab at trying to
15 understand the issues in the area, a start for the
16 environmental assessment.

17 If you haven't seen the document, it's available
18 on our website, ferc.gov. But it was issued on November
19 19th of this year. I have one copy if anyone wants to look
20 at it.

21 Basically, we're on -- slides of exactly what's in that
22 document, Section 4.2 specifically.

23 Basically, these are the resource issues reached
24 preliminarily that could be something that will be analyzed
25 in our environmental assessment. So, what we are going to

1 do is I'm going to go through each resource area, one-by-one
2 and explain what we've preliminarily identified, and then
3 we're going to ask the audience if they have anything to
4 add. Anything that you want to discuss in that area. So,
5 I'm just going to go section-by-section and talk about the
6 project and see what we find.

7 So, for geological and soil resources, I think
8 that's a good start; but we do think it would be important
9 for us to analyze in our environmental assessment the
10 effects of the project operations on possible shoreline
11 erosion at the Upper Dam impoundment. That is the only
12 thing that has to do with geologic or soil resources that
13 we've identified right now. So, I would like to open it up
14 and ask anyone that knows of any issues that you know about,
15 you would like to talk about, you would like to see it
16 addressed in the environmental assessment. Yes, ma'am?

17 MS. HOWATT: Kathy Howatt. So, I am curious
18 about the - even though it's a run-of-river project, what's
19 the total magnitude of water level fluctuation given that
20 they might lower the rubber dam, or the Obermeyer, and how
21 that affects the shoreline and for us, the DEP, the littoral
22 area?

23 MR. HANSEN: Yes, those are all things that we
24 need in the analysis, absolutely. To get an idea of what
25 kind of erosion may be occurring, or what kind of littoral
habitat may be there, we'll need to take a look at the

1 operations; inflow, outflow, that's all part of the analysis
2 we had to do, or what we will do.

3 Anything else for geological and soil resources
4 that you want to talk about?

5 (No response.)

6 This is my favorite, aquatic resources. So,
7 right now, preliminarily, we've identified for our
8 environmental assessment, we want to look at the effects of
9 project operation and maintenance on water quality. In
10 particular dissolved oxygen and temperature. There are
11 other things I would like to obtain as well; but those are
12 the two particular that we want.

13 We want to look at the effects of project
14 operations and maintenance on aquatic habitat including the
15 distribution and the suitability of that habitat in the
16 areas where the project has an effect. We're going to
17 analyze the effects of project operation and maintenance on
18 essential fish habitat for Atlantic salmon which has been
19 designated for this area. And we will be looking at the
20 effects of operation and maintenance on fish impingement,
21 entrainment, and survival in the river.

22 Now, if you're not familiar with these terms like
23 I understand them, unless you're in the hydro world these
24 aren't commonly used terms. Basically, at these project
25 they have a trash rack which is a large metal grate over all

1 the intakes that keeps trash from going through the
2 turbines, it also excludes some fish. Sometimes, depending
3 upon the size of the opening in the rack or the size of
4 fish, any number of things, sometimes fish can become stuck
5 to that, we call that impingement. And that can lead to
6 injury to the fish and possible death. Entrainment is when
7 a fish actually makes it through the rack and goes through
8 the turbines and is spit out the other side. Those are two
9 things will affect survival of the fish in the river
10 overall.

11 So, that's what we see at this time is important
12 to water resources, the effects that we want to take a look
13 at. Is there anything on the aquatic side that anyone would
14 like to add or wants to discussed at this time? Or are
15 there any issues that we have missed? I'd like to open it
16 up.

17 Yes, sir? Please.

18 MR. PREDLE: John Predle. I am the Director of
19 Mahousuc Pathways and also a Director of Friends of South
20 Arm, which is also, has a lot of work with the Middle Dam
21 project, so. I'm here primarily representing Mahousuc
22 Pathways today, and one of our big concerns is the access
23 for recreational purposes, but my question relative to
24 aquatic resources is there has never been a fish ladder or a
25 fish capture on the Androscoggin. I'd be very concerned

1 about what the survival rate is of those fish that go
2 through the turbine. I don't imagine it's very good. And
3 whether or not if you would be considering such a thing as a
4 fish elevator like there is in Brunswick to increase the
5 upflow from both upstream and the safe passage from
6 downstream?

7 MR. HANSEN: Yes, as we get into this process
8 it's certainly possible that various types of fish passage
9 facilities may be contemplated or recommended, and we're
10 definitely going to take a look at all of those possible
11 options as being recommended as part of the license. So
12 that is definitely something that will be considered as
13 well.

14 Anything else in the aquatics that we want to
15 talk about right now?

16 (No response.)

17 Great. Thank you. So, we've identified some
18 terrestrial resources that may be affected. These include
19 the effects of the project transmission lines on possible
20 electrocution, collision hazard, on birds. The effects of
21 project operation and maintenance on the riparian, littoral,
22 and forested-shrub wetland habitats and associated wildlife.
23 And for those of you who don't use these terms every today,
24 riparian vegetation is the vegetation that grows right
25 alongside of a water body. And littoral is an area that can

1 sometimes be wet and sometimes dry, but it's a similar type
2 of habitat along the edge, upstream.

3 We're also going to look at the effects of
4 project operation and maintenance on nesting Bald Eagles and
5 state- designated significant wildlife habitats. The deer
6 wintering areas, inland waterfowl and wading bird habitats.
7 So, those are preliminary things that we definitely want to
8 take a look at.

9 Are there any other terrestrial issues that we
10 may have missed or any discussion you want to have on
11 possible terrestrial resources at this time?

12 (No response.)

13 Very good. Thank you. So we're going to look at
14 the effects of project licensing on threatened and
15 endangered species. In this case that will include the
16 federally-threatened Northern Long-Eared Bat as well as the
17 federally- endangered Atlantic Salmon, Gulf of Maine state
18 populations. And that's a mouthful. Basically, that would
19 be a group of salmon that -- as a result, those Maine rivers
20 for their spawning. So we're looking at the effects on
21 those endangered species.

22 Are there any other species that you're all
23 familiar with that are of importance to the state or the
24 area that isn't obvious to someone who just looks at federal
25 lists; you might want to talk about at this time?

1 (No response.)

2 All right. So we're going to be taking a look at
3 the recreation here in the area and how the project affects
4 that. So, we're going to look at the effects of project
5 operation on the recreation use in the area and that will
6 include the adequacy, the existing access and the facilities
7 that are already in place meeting the recreational needs of
8 the area. We will also be looking at the feasibility of
9 rehabilitating and reopening the viewing area of Rumford
10 Falls at the Upper Development as well as the Rumford Falls
11 trail.

12 So, recreation issues. Are there anything - is
13 there anything you want to talk about right now? Or there
14 any issues that perhaps we could go to the book, or --?

15 Yes, sir, please.

16 MR. PREDLE: John Predle again. I'd just like to
17 make a comment as it relates to what's referring to as the
18 Greenway Trail around the perimeter of the Falls, is that
19 this has been a concern for the community for quite a few
20 years. The community has approached Brookfield several
21 times, several instances to reopen that. They are less than
22 warm to the idea. Stating that there is a risk of rock
23 slides on that side. That they've stated that have been in
24 that situation since 1906 so my guess is the risk is
25 relatively low, yet they claim the risk is relatively high;

1 and that just aware of the unwillingness of Brookfield up to
2 this date to be able to be more approachable as it relates
3 to recreational use and to be a better corporate citizen and
4 partner for the community. They make their money selling
5 power that is from the water resources that impounds
6 upstream, which is a public resource so they are a steward
7 of this, and yet we see not a great effort in the community
8 engagement area.

9 MR. HANSEN: Thank you.

10 MR. CARTER: Stacy Carter. Town of Rumford.

11 Back when we were in the original section of
12 speaking about recreational and looking at the areas that
13 were designated on the map, it's kind of a plan by, I
14 believe that I heard that it wasn't necessarily a formal
15 plan and so I'm wondering if part of your license, a request
16 if you identify those areas as a formal recreational plan to
17 include the River Falls Trail, Wheeler Island, and the boat
18 launches within that area? And I believe Hastings Landing,
19 which is a carry-in launch in Rumford Center was not on that
20 map. It's a relatively new launch. Thank you.

21 AUDIENCE: Do you know who operates that?

22 AUDIENCE: Mahousuc Land Trust operates that.

23 AUDIENCE: Okay.

24 MS. BROFMAN: Ingrid Brofman. I'm just wondering
25 how large of a segment of the trail is currently closed due

1 to the rock slide situation.

2 AUDIENCE: Well, actually it's closed. Closer to
3 a mile.

4 MR. DELUCA: Closer to a mile.

5 AUDIENCE; Who is that speaking?

6 MR. DELUCA: I'm sorry, Ernest Deluca.
7 Brookfield. It's close to a mile of the trail. It goes
8 from Upper Dam to Middle Dam, so give or take a mile or so.
9 And that trail was closed in 2013 after a major rock fall.
10 It got very narrow, and rocks fell off the riverside down
11 over the embankment or the rocks fell into the trail making
12 that trail very, very narrow.

13 MS. BROFMAN: Ingrid Brofman. Could you also
14 speak to why the viewpoint is closed?

15 MR. DELUCA: I cannot. It was before my time.
16 Again, Earnest Deluca. I don't know why that was ever
17 closed other than just security.

18 AUDIENCE: Where is the view from?

19 MS. BROFMAN: I'm sorry?

20 MR. DELUCA: The viewing area is on the
21 powerhouse side of the river. You could call it east if you
22 wish. The river is running off to the south so it would be
23 the east side of the river. And it's below the Upper Dam
24 powerhouse. It's a viewing area that used to be access to
25 the old powerhouse. And again, I'm not really sure why it

1 was closed other than security.

2 AUDIENCE: How long is it open before then? How
3 many years.

4 MS. BROFMAN: I'm actually not sure. The
5 question was how long was it open for?

6 MR. DELUCA: Right. I have no knowledge of when
7 it was closed. It's been closed since I've been here for 20
8 years.

9 MR. HANSEN: And this is the viewing area where
10 the spotlights were --?

11 MR. DELUCA: Right. Correct.

12 MR. CHASE: Peter Chase. I'm a Selectman here in
13 the Rumford. We view, as the Select Board, that river view
14 walk, the trail along the backside of the dam, is a
15 potential economic driver in the area. We've got a new
16 hotel going in; it would be a great place for people to take
17 an evening walk after they've had lunch, to walk around that
18 falls and see it from both sides across the high bridge and
19 back.

20 So it's very important to us as a Board if we
21 could get that opened up again and use it as an economic
22 driver for the municipality.

23 MR. HANSEN: Anything else on recreation?

24 All right. Thank you all for your input. It's
25 all very helpful.

1 So, next is cultural resources. In particular,
2 the effects of the project operation and maintenance on any
3 properties that are included in or eligible to be on the
4 National Register of Historic Places. And that's all we've
5 identified at this time.

6 Is there anything on the cultural side of things
7 that anyone would like to discuss or tell us about or any
8 questions? All right.

9 MS. BROFMAN: So, Suzanne Novak is our cultural
10 resources specialist on the project but she is not here
11 today. So, I am just going to, kind of read off some
12 questions she had. So, in 1988 there were 31 cultural sites
13 that were found but there were a few that were not eligible
14 due to landowners not granting access; so Suzanne would like
15 to know if those two sites will be granted access this time
16 and if there's any consideration into evaluating those. I
17 think this would be for the applicant.

18 MR. DELUCA: First I've heard of it. Earnest
19 Deluca. First I've heard that. If you could send me the
20 list, we certainly would address the landowner and see if we
21 could have permission to investigate those. But I can't,
22 I'm totally blindsided, I have no idea what she's speaking
23 of.

24 MS. BROFMAN: All right. For the original sites
25 that were evaluated, eight were found to have prehistoric

1 archaeological sites that were found eligible for the
2 National Register.

3 MR. HANSEN: So, I guess it would be during the
4 last -- in particular, the websites were possibly -- at that
5 time.

6 MR. ANDERSON: This is Luke Anderson with
7 Brookfield. So, we are going to look at recreation overall.

8 MS. BROFMAN: I can't hear you.

9 MR. ANDERSON: Luke Anderson of Brookfield. We
10 will be reviewing cultural resources and making sure that we
11 close the loop under the outstanding questions part of the
12 relicensing process. So, happy to research that is part of
13 a relicensing.

14 MS. BROFMAN: You might want to. So, you may
15 have just answered this, but just to confirm. Are you
16 planning to implement the cultural resources management plan
17 and the cultural resources contingency plan in the next
18 license term? Which includes the biannual monitoring and
19 the aerial monitoring every five years?

20 MR. DORMAN: Randy Dorman, Brookfield. So, we,
21 at this point, are still planning to continue monitoring. I
22 think we would, as part of the relicensing, want to take a
23 look at the intervals between these. We have been doing
24 annual monitoring for most of the license and then just
25 switched to every other year two years ago maybe. Quite

1 recently. So, at this point we've got a lot of monitoring
2 data that hasn't indicated a lot of follow-up activity. So,
3 I think we might want to look at two years, and you know, if
4 it makes sense to adjust that; but we're certainly willing
5 to look at this part of the relicensing.

6 MS. BROFMAN: Does that include historic
7 structures? MR. DORMAN: I am not aware of
8 historic monitoring. I think I've only seen archaeological
9 work.

10 MS. BROFMAN: Ingrid Brofman. I think the
11 concern was that, since there haven't been any historic
12 structures that were qualified in 1988, that now some of the
13 facilities may be 50 years and therefore they may need to be
14 evaluated because they could be eligible.

15 MR. DORMAN: In Maine, the SHPO has a very
16 consistent suite of study requests. And

17 MR. HANSEN: Randy, what is a SHPO?

18 MR. DORMAN: I'm glad you asked, Ryan. That's
19 the State Historic Preservation Office. So, they oversee
20 cultural resources for the state. So they have a very
21 standard suite of study requests. We would expect that if
22 they are looking for historic, then they would include that
23 in their requests. I don't believe they have waded in yet
24 in the record.

25 MS. BROFMAN: Thank you.

1 MR. HANSEN: And we will do it with the Maine
2 SHPO throughout this process. Any other cultural issues or
3 questions that we want to talk about now?

4 Aesthetic resources. We're going to be looking
5 at the effects of the project operation and maintenance on
6 aesthetic resources in the project area. This could be any
7 number of things. This could be the way the project
8 facilities look. This could be lighting issues. This could
9 be noise issues. Any sort of issue that affects quality of
10 life; could be some sort of aesthetic stress -- if that's
11 not the right word. But what we can call those things that
12 are important that come up.

13 So, is there anything on the aesthetic front that
14 we would like to talk about now?

15 MR. CARTER: Stacy Carter. Town of Rumford.
16 There are just a few things I would like Brookfield to take
17 a look at in this relicensing. Along Falls Hill, Route 2
18 section, is a concrete wall that is aging and not
19 aesthetically pleasing and we would like to have that
20 corrected, resurfaced, or by some means.

21 Along the canal and just outside of Veterans
22 Park, there's some dead trees and I think those being
23 addressed, we want to make sure that we make note of that.
24 And then also, across from the Upper Dam, Brookfield owns a
25 green building across from Route 2 up towards the top of

1 Falls Hill. The land is owned by CMP but the building has
2 been kept by Brookfield in their deed. And that is not, I'm
3 not sure if that's being used or not, it is not
4 aesthetically pleasing. And with our rebuild of the
5 downtown, the builder of the new hotel and stuff we're
6 certainly trying to make the area more vibrant and
7 aesthetically pleasing. So we would ask that if that's not
8 being used that it be torn down. And if it is being used,
9 please maintain it so that it's aesthetically pleasing.

10 MR. HANSEN: This is Ryan from FERC. I wanted to
11 ask, a response to my question.

12 MR. ANDERSON: Luke Anderson from Brookfield. We
13 are in the process, a parallel relicensing process. We
14 recently acquired some estimates for addressing the trees.
15 We are also looking at ways to address the wall that the
16 town manager mentioned in terms of screening and or
17 resurfacing that wall so that it is more congruent with the
18 town. As far as the CMP building structure, we'll have to
19 get back on that. I can't speak to that right now.

20 MR. HANSEN: Thank you. This is Ryan with FERC.
21 The building that he's talking about, are you familiar with
22 that? A green building.

23 MR. DORMAN: It is not within the project
24 boundary and so is not part of the license project.

25 And we don't believe we own it.

1 MR. CARTER: We certainly can check the tax
2 record. I have a copy of the deed where CMP had, has the
3 land but within the deed the building structure stayed with
4 Brookfield unless it's turned back over to CMP, and I don't
5 have any knowledge of that, that process has happened; so
6 unless you have information to the contrary we would
7 certainly like to see that. Thanks.

8 MR. HANSEN: This is Ryan with FERC. For those
9 who are not aware, what is CMP?

10 MR. CARTER: Central Maine Power.

11 MS. BROFMAN: Ingrid Brofman. The viewing
12 platform that I was talking about earlier that's currently
13 closed. There are four spotlights there that shine on to
14 the flow, and currently the lights don't turn on until the
15 flow reaches 40,000 CFS. So, just curious how you came up
16 with that number.

17 MR. DORMAN: Randy Dorman. Brookfield. I don't
18 know that I've seen any document that, sort of, explained
19 the rationale - Ernie is shaking his head, so. There must
20 have been something behind that but that would be something
21 we would need to research, I think.

22 MR. HANSEN: Can you give us an idea in an
23 average year how often 40,000 CFS --

24 MR. DORMAN: Off the top of my head, I couldn't
25 but I do have a consultant here with the PAD and a flow

1 duration curve so, I think we can produce that number for
2 you pretty quickly.

3 Cue the Mission Impossible theme. So, on an
4 annual basis, that's quite low but if I go - looks like
5 40,000 is an extremely rare flow at the site based on these
6 flow duration curves, so I'm not sure that's, that's
7 actually the trigger that we are using. Again, this is
8 something we would need to research more.

9 MR. ANDERSON: Luke Anderson with Brookfield. We
10 have one of our operations folks who might be able answer
11 that question in the audience.

12 MR. KELB: Dennis Kelb in Brookfield. I work
13 locally here. And flows, however, they come on at 7,500 and
14 they only run from 8 to 11 at night. So, they got to be
15 above 7,500 --

16 MR. ANDERSON: Okay, 40,000--

17 MR. KELB: Yes. It's not 40,000, it's 7,500. We
18 just verified that the other day, as a matter of fact.

19 MR. ANDERSON: Thank you.

20 I think the reason for that 40,000 being bandied
21 about was we had the visit about three months ago. That was
22 stuck in my head as the number. I believe that's what I was
23 told. But 7,500 sounds more likely.

24 AUDIENCE: And 7,500 would make a lot more sense
25 from a flow duration standpoint because that's about 10

1 percent of the flow duration. That would make sense.

2 MR. HANSEN: Is there anything else on aesthetics
3 that we want to discuss here now? While we're all together?

4 MR. O'KEEFE: George O'Keefe, Economic
5 Development Director, Town of Rumford. I'm just asking if
6 Brookfield would consider replacement of the fence. The
7 safety fencing around Veterans Park, it's pretty low grade,
8 stainless, chain-link. The stainless may be galvanized.
9 From an aesthetic standpoint it does ruin the view from the
10 back of the park and the Falls and we would appreciate
11 consideration of replacement of that fencing with some type
12 of fencing that is more appropriate for the quality of the
13 view and the quality of the space.

14 MR. HANSEN: Thank you very much.

15 Anything else on aesthetics?

16 Thank you. That was all very helpful.

17 Finally, we will be looking at the effects of
18 proposed recommended measures on project generation and
19 economics. Now, when FERC Staff makes a recommendation --
20 as Staff, when we make a recommendation, commit to whether
21 to relicensing a project or not, we are required by the
22 Federal Power Act to take a look at any recommendation that
23 may affect the amount of generation of a project, would be
24 able to attain, and the amount of money lost in that lost
25 generation, we are going to have to take a look at that.

1 Any measure that can cost money, we're going to take a look
2 at how much that costs, and we have to balance that: How
3 much money would be in the public interest?

4 To let you all know that we're certainly going to
5 entertain and analyze every recommendation that comes into
6 us, but keep in mind that we are required by law to also
7 look at the economic effects from the other side in helping
8 us decide whether we can get to the recommendation.

9 Anything on that topic anyone want to talk about?

10 Thank you.

11 All right. So, those are the things that right
12 now we are going to discuss in our environmental analysis
13 when we write it, which is a ways down the road at this
14 point still. We'll go over the schedule here in a second.
15 We are soliciting oral testimony today, but we're also
16 hoping that anyone who has an interest will also provide
17 written letters to us so that that's on the record, and
18 truly helpful for us. Helps everyone who is interested in
19 the project understand what's been recommended or by other
20 agencies, what issues other folks have.

21 And in these letters we're looking for all
22 different types of information. These are listed in Section
23 6 of our Scoping Document 1 that we issued in November.
24 We're looking for significant environmental issues that we
25 should address in the EA. And that's a lot of what we've

1 been talking about for the last half hour. There's likely
2 things that may come to mind after you leave that we didn't
3 talk about today, so we would really like to see those in a
4 letter so we get them on the record.

5 If you have any information or data describing
6 the affected area in the past or in the present that we're
7 not aware of, that's really very helpful. We certainly have
8 plenty of data that Brookfield has provided on a number of
9 things that they've included in their pre-application
10 document. But there very well could be additional data on
11 any number of things; water temperature or recreational
12 usage of an area, anything. If you have anything that can
13 help us, we would like to see that sent in, please.

14 If there are any resource plans proposed for the
15 area. We mentioned just a little bit some of the -- trying
16 to get the trail open, trying to get increased views -- so
17 any resource plans or future proposals that either could be
18 affected by the project or affected by the licensee, we'd
19 like to know.

20 If there are any comprehensive plans that we are
21 not aware of, we would like you to send those in. These
22 are, comprehensive plans are plans that are sent to us by
23 state and federal agencies, basically explaining their
24 resource management goals for an area. We're required to
25 take a look at any one that applies to this area and see if

1 the project conflicts with them in any way. So, we're going
2 to be looking at a long list of them that are included in
3 the SD-1. I think it's section, maybe 7 -- but if you see
4 that list and if there's anything on there that you're aware
5 of that we did not include, I would like to see that.

6 And we're also interested in study requests. So
7 since Brookfield proposes to relicense the project, they're
8 also proposing to do a couple of studies to collect
9 information that will be useful for us to do an analysis in
10 our analysis later down the road. Now, you may think that
11 additional information would be more appropriate or
12 required. If that's the case, you can request that
13 Brookfield collect that information.

14 The way you do this if you've never done it
15 before, is take a look at our SD1, in Appendix A we have
16 seven criteria. This is a part of our regulation that is
17 kind of cumbersome, but they're, it's fairly self-
18 explanatory. If you can send in a request answering those
19 seven questions on why you think it's important for
20 Brookfield to collect that information, we may have them do
21 so if they haven't proposed it already. So, if you have any
22 requests for studies or additional information questions, we
23 would like to see that as well.

24 As far as the schedule goes, today we have a
25 meeting. The next important date is January 25th as I

1 mentioned. We're looking for comments on the, what we call
2 the NOI and PAD. The Notice of Intent and the Pre-
3 Application Document that Brookfield has already compiled.
4 That's available on our website. That's an explanation of
5 exactly what they're proposing at this time as well as kind
6 of a compendium of information about the area that's useful
7 at this stage in the game.

8 If you have any comments on that or on our
9 Scoping Document 1 that we have been talking about today, or
10 if you have study requests, all of these are due January
11 25th next year. So, make certain that you take note of
12 this; this is an important date.

13 If from today's meeting -- Yes, sir.

14 MR. O'KEEFE: George O'Keefe, Economic
15 Development Director, Town of Rumford. I'm just asking FERC
16 or maybe even the Applicant, do you have a copy of our
17 comprehensive plan updated as of 2013 on file in the
18 application?

19 MR. HANSEN: I'll take a look in the scoping
20 document to see if that's included. If it's not, we can
21 talk afterward and maybe get that filed.

22 MR. O'KEEFE: And I'd also like to state for the
23 record that the comprehensive plan specifically identifies
24 outdoor recreation as the primary means of economic
25 diversification for the Town of Rumford in the course of the

1 next five to ten years. So, outdoor recreation is a very
2 significant a part of our community comprehensive plan.

3 MR. HANSEN: Thank you. Based on today's meeting
4 and this evening's meeting we very well may edit our Scoping
5 Document 1 and turn it into what we call Scoping Document 2.
6 And basically all that is is the same document but with all
7 the additional information that we've learned or additional
8 analysis that we concluded with the document, added into
9 that document. So, it's kind of a - Scoping Document 1 is
10 our first stab at it, Scoping Document 2 is our more
11 educated attempt, after talking to everybody here today and
12 reading all the comments submitted by the 25th of January.

13 So, if we are going to put one of those out, we
14 will do so by March 10th, and on that same day Brookfield,
15 or Rumford Falls Hydro, LLC will be filing a proposed study
16 plan. And that's going to be all of the studies that they
17 think are appropriate for them to conduct to get the
18 information to inform the licensing decision.

19 By April 9th -- could be before -- sometime
20 before April 9th, we're going to have a study plan meeting,
21 and that's where we're all going to sit down, we're going to
22 take a look at the studies that have been proposed by
23 Brookfield as well as studies that have been requested by
24 other stakeholders -- and that does include FERC as well.
25 We're going to talk them through and we're going to try to

1 figure out where everyone's coming from in their requests,
2 why certain bits of information may be important to be
3 collected, why they may not be. We want to get all of you
4 back together and talk about those studies.

5 After that meeting, whoever wants can file
6 comments on the study plan Brookfield has proposed. So, if
7 you look at what they're proposing and think it's inadequate
8 or you think that additional things needed to be added, or
9 whatever comments with us on that. And then by July 8th
10 Brookfield will have to file their revised plan. And that's
11 basically what they originally proposed, but then altered
12 due to what they -- what we've talked about, kind of
13 requests that come into them.

14 So, it's kind of their final proposal of studies
15 that they plan on doing. And that is by July 8th. You have
16 two weeks then to comment on that. And then, by August 7th
17 of next year, the Director of the Office of Energy Projects,
18 our boss, is going to -- we're going to take a look at all
19 the studies that Brookfield is proposing and take a look at
20 all the studies that have been requested by other
21 stakeholders, and we're going to decide which ones FERC
22 needs to be conducted.

23 So, by August 7th he will be issuing a letter
24 telling Brookfield, 'These are the studies that we need,
25 according to this process that FERC needs to do.' That will

1 be the determination at that time.

2 Now, this is all pretty early in the process.
3 They're not actually going to file an application for
4 relicensing until the end of next year. But it's still at
5 least a year out. But this is the preliminary time when we
6 gather the information we need prior to the license
7 application submittal.

8 If you want to see a breakdown of the entire
9 schedule, but this is a lot more schedule than we have up
10 here. Take a look at our SD-1. Appendix B has every single
11 step in the FERC licensing process and the exact date it
12 needs to be done by for the next, like, five years. It
13 sounds like a lot, it is a lot; but its format. So, take a
14 look at that for the entire schedule; but the upcoming
15 things that everyone needs to be aware of are these right
16 here.

17 Any schedule questions? Yes, sir.

18 MR. PREDLE: John Predle. I was just wondering,
19 as we further progress along the process as whether or not
20 there is an intervenor capability later in the program?
21 Because I know as the preliminary data comes in and gets
22 commented and you accept, you know, public comments, but at
23 some point does that participation get reduced to only those
24 that have official status who are able to make comments and
25 present additional information at the -- prior to the final

1 determination of the licensing?

2 MR. HANSEN: Yes, sir. Once the final
3 application is filed, anyone with a vested interest in the
4 project, everyone who wants to intervene, when we will
5 solicit interventions, after the license application was
6 filed.

7 For those of you who don't know what that means,
8 It's a simple legal declaration that if you want to
9 intervene, it means that once the Commission makes a
10 decision on whether to license or to not license, if they do
11 license what conditions they attach to that, if you're not
12 happy with it you can, since you've intervened, you can
13 actually ask for a rehearing for the Commission to
14 reconsider their decision.

15 So, I highly recommend that anyone who thinks
16 they may not be happy with what the Commission decides, to
17 intervene once that license application is filed. Yes, sir?
18

19 MR. PREDLE: Do you have to be in a certain
20 status to intervene? Is there a qualification for an
21 intervenor?

22 MR. HANSEN: Not that I'm aware of, no. That's
23 more of a legal question; it's not my expertise, but I'm
24 pretty certain that that's what the status means.

25 MR. PREDLE: Also individuals or companies and

1 corporations?

2 MR. HANSEN: Yes, all of them.

3 Any other questions, or 00?

4 All right. So, we have some online resources.

5 If you've never been to www.ferc.gov -- I don't know -- it's
6 really a place to be online.

7 If you want to file anything with the Commission,
8 if you want to send anything in, we I highly recommend you
9 use our eFiling capabilities. All you have to do is go onto
10 our website, sign up for a free account, and then you can
11 send any letter you want to send us electronically
12 immediately. So, it's really easy; that's how we report in
13 all of our files. Anything you want to send to FERC,
14 eFiling with ferc.gov is a great way to do it.

15 MR. PREDLE: I signed up today.

16 MR. HANSEN: Oh.

17 MR. PREDLE: And it isn't easy.

18 MR. HANSEN: Oh. It is easy.

19 We have a Quick Comment thing that you can do
20 online, and I kind of liken this to a long text message that
21 if you don't want to go through the formality of a formal
22 letter on letterhead and what not and you just have a couple
23 of things you want to say to the Commission, you can do it
24 using the Quick Comment function on our website. It's very
25 easy to use. Once you type up what you want to say, you

1 hit Enter, and it goes to the Commission, alerted to.
2 eLibrary is our online depository of all the
3 documents dealing with all the FERC projects. If you go on
4 there one of the things you can do is search by docket
5 number. And the docket number is a FERC-assigned number.
6 In this case, it's P-2333. That's the docket number for
7 Rumford Falls Hydro Project. If you search by that number
8 you're going to get all of the documents that have either
9 been filed with or issued by the Commission throughout.
10 Since online it's going to be in the '90s. So, everything
11 is online. But anything you need to see about this project,
12 it would be there. So that's a really easy way.

13 I highly recommend you use this. What that means
14 is, through the eLibrary, you provide your e-mail address
15 and what docket number you choose; and anytime something is
16 filed on the project or issued by us on the project, you're
17 going to get an e-mail, and it's going to have a link in it
18 to that document, and a description of what it is.

19 Now, if you sign up for eSubscription you're
20 going to get way more emails than you're ever going to want.
21 But I promise you that's the best way of, you're not going
22 to miss anything. You may want it quicker, but it's
23 definitely the best way to keep track of what's coming in,
24 and I highly recommend it.

25 If you have any issues with any of these things

1 we have dedicated support staff:
2 FERConlinesupport@ferc.gov. As well as that 1-866 toll free
3 number. These are staff that deal only with these sorts of
4 issues so they're really the experts. If you have any of
5 these things, you can call me and I'll give it a shot, but
6 I'm not very good at it; so you might want to start with
7 them. They're definitely the experts. But feel free to
8 reach out to me at any point.

9 So, with that, whatever time we have left, if you
10 want to talk about anything or have any more questions about
11 relicensing or the FERC process or any of that, now would be
12 the time.

13 All right. Well, thank you very much. This is
14 very, very useful for us. It may not be as apparent that
15 this is as useful as it is, but when we leave here, it
16 really gives us a better understanding of what we need.
17 So, we have another meeting tonight at 6 p.m. It's at 6
18 p.m. We are hoping to attract anyone that has to work
19 during the day; so usually most of the public will come
20 then. You're certainly willing to come tonight if you like.
21 It's the exact same meeting you sat through, so you're going
22 to be really bored, but with that said, you're more than
23 welcome to come again to see what other people have to say,
24 so that's at 6 p.m. tonight in the same room.

25 And we look forward to maybe seeing you tonight

1 and getting your written comments by the 25th of January.

2 So, that's it. I will say thank you, very much

3 and call the meeting to a close.

4 [Whereupon at 2:23 p.m., the public scoping

5 session concluded.]

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1 CERTIFICATE OF OFFICIAL REPORTER

2

3 This is to certify that the attached proceeding
4 before the FEDERAL ENERGY REGULATORY COMMISSION in the
5 Matter of:

6 Name of Proceeding:

7 Rumford Falls Hydroelectric Project

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16 Docket No.: P-2333-091

17 Place: Rumford, Maine

18 Date: Tuesday, December 17, 2019

19 were held as herein appears, and that this is the original
20 transcript thereof for the file of the Federal Energy
21 Regulatory Commission, and is a full correct transcription
22 of the proceedings.

23

24 Dan Hawkins

25 Official Reporter

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