



March 21, 2014

Mr. David K. Mears  
Commissioner  
Vermont Dept of Environmental Conservation  
1 National Life Drive, Main 2  
Montpelier, VT 05620-3520

Dear Commissioner Mears,

This is an initial comment by the MadDog Chapter of Trout Unlimited (MDTU) on the recommendations by the parties regarding the relicensing process for the hydroelectric facilities operated by Morrisville Water and Light (MW&L), known as the Morrisville, Cadys Falls, and Green River facilities (the facilities). As the local chapter of Trout Unlimited, the MadDog Chapter consists of a local membership of conservationists and anglers in Lamoille and Washington Counties. Our members regularly recreate in the upper Lamoille River watershed and are familiar with its health and the fluctuations in stream flow level over the years. This section of the river is of particular interest to MDTU, as our mission is to protect critical habitat, reconnect degraded waterways, and restore the populations of coldwater fisheries. All of these goals apply to this region of the Lamoille River.

MDTU is encouraged by the ongoing dialogue between MW&L and the Vermont Department of Environmental Conservation (DEC) on recommended flow levels from the Morrisville, Cadys Falls and Green River facilities. Further, we are supportive of the initial recommendations by the DEC for minimum conservation flow levels. We hope that MW&L will see this current process as an opportunity to become good environmental stewards of the river. MW&L has done an admirable job of working to protect the lands around the Green River Reservoir, as well as protecting loon habitat on this water body. However, management of the Lamoille River itself has fallen short over the past decade, resulting in frequent dewatering of stretches of the river.

While operation of the facilities must be considered in their entirety, MDTU is particularly concerned with the conservation flow levels at the Morrisville and Cadys Falls facilities and the conservation and peaking flows at the Green River. Further, the rapid ramp-up rates for these peak flows at the Green River raise safety concerns for recreationists and harm the aquatic habitat. It is important that these concerns be addressed during the current relicensing process as

permit conditions will not be reconsidered for at least thirty years when relicensing must again reoccur.

The proposed minimum conservation flow levels for the facilities advocated by DEC and MW&L are stunningly different. The DEC proposes flows based on scientific study that will offer recreation opportunities and some measure of protection to aquatic habitat, while those proposed by MW&L seem largely based on historic use and economic concerns. Under state and federal law, there must be minimum conservation flows in these bypass reaches and downstream of the facilities to support aquatic habitat. While it is understood that this may create financial pressure for MW&L, allowing an exemption from minimum flows would continue to harm recreational opportunities and aquatic habitat. Additionally, it sets a precedent that the conservation of habitat and water flow can be circumvented due to poor financial planning and failure to consider that permit requirements may change after thirty years.

Here, the DEC has a set number of key goals for protection of the river and production of the fisheries that should be considered a baseline standard for aquatic habitat and a measure of future success for conservation of this portion of the Lamoille River. It does not escape our notice that fish passage facilities, which would allow for passage upstream through the dam, are not mentioned and do not appear to be under consideration for any of the facilities. Such an addition often involves structural changes, not just adjustments to flow levels. Despite this, we urge that the river be maintained for standards consistent with state standards for these waters.

We hope that all parties continue to work together to create recreational opportunities and protect aquatic habitat on the Lamoille River.

Sincerely,



Clark Amadon  
President  
MadDog Chapter of Trout Unlimited

cc:

Craig T. Myotte, General Manager, Morrisville Water & Light

Sen. Richard Westman (Lamoille District)

Rep. Bernard Juskiewicz (Lamoille-3)

Rep. Linda Martin (Lamoille-2)

Rep. Philip Peltz (Lamoille-Washington)

Rep. Heidi Scheuermann (Lamoille-1)

Rep. Shap Smith (Lamoille-Washington)

Rep. Mark Woodward (Lamoille-2)

Jeff Crocker, Vermont Dept. of Environmental Conservation

Jud Kratzer, Vermont Dept. of Fish & Wildlife

Rod Wentworth, Vermont Dept. of Fish & Wildlife