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BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION  
  
VERMONT MARBLE POWER PROJECT NO. 2558-025  
DIVISION OF OMYA INC.  
  
SCOPING MEETING  
OTTER CREEK HYDROELECTRIC PROJECT  
  
Convened and conducted by the FERC staff  
for the purpose of gathering information  
and comments from interested individuals about  
the relicensing of the Otter Creek  
Hydroelectric Project  
  
Held Wednesday, June 6, 2007  
at the Vermont Marble Power's "Shop Building"  
84 Deere Lane  
Pittsford, Vermont  
commencing at 7:14 p.m.

I N D E X

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3 Introduction by Mr. Liberty.....4  
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5 ATTENDEES  
6 On behalf of FERC:  
7 Aaron Liberty  
8 Emily Carter  
9 Kelly Maloney  
10 Frank Winchell  
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12  
13 On behalf of Kleinschmidt Associates:  
14 Andrew D. Qua  
15 Kelly Maloney  
16  
17  
18  
19 On behalf of Vermont Marble Power Division of  
20 Omya, Inc.:  
21 Todd Allard  
22 Lane G. Shaw  
23 Edward V.Schwiebert, Esq.  
24

1 APPEARANCES (Continued):

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3 On behalf of Vermont Agency of Natural

4 Resources:

5 Ethan Swift

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9 On behalf of National Park Service, Department

10 of Interior:

11 Kevin Mendik

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14 On behalf of Omya Industries:

15 Jim Hamilton

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17 Reported by: Joann M. Walsh, RPR

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## PROCEEDINGS

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MR. LIBERTY: My name is Aaron Liberty. I'll be the project coordinator for Otter Creek and I'll also be doing the fisheries and water resources sections.

MS. CARTER: I'm Emily Carter with FERC, and I'll be looking at the recreation land use and aesthetic recourses.

MR. WINCHELL: I'm Frank Winchell from FERC, and I'm going to be doing the cultural resource analysis for the project.

MR. LIBERTY: And we also have two team members who didn't make the trip. Our engineer is going to be Tim Looney and our terrestrial biologist is going to be Pat Murphy.

So today what we are going to do is I'm just going to go over a brief overview of the IOP and the schedule and process plan that we have come up with for Otter Creek.

1           I'll just briefly go into the  
2 purposes of scoping. Kleinschmidt is  
3 going to give a brief presentation on  
4 just project facilities and project  
5 operations, then we can walk-through  
6 Scoping Document 1 and open it up to any  
7 discussions to hear any comments anybody  
8 might have.

9           I think everybody has signed in too?  
10 Both you gentlemen sign in?

11           MR. MENDIK: Yes.

12           MR. SWIFT: Yes.

13           MR. LIBERTY: I also have copies of  
14 Scoping Document 1 out back, copies of  
15 our regulations, and I brought some of  
16 these pamphlets. It just describes how  
17 to use our eLibrary and sign up and get  
18 notifications when anything is filed  
19 pertaining to this particular project.  
20 It's a good way to stay on top of  
21 information and filings with this  
22 project.

23           And we also have a court reporter  
24 today, so if anybody has any comments,  
25 just state your name and what agency you

1 are with prior to your comments.

2 So, I'm just going to go through the  
3 IOP process plan and schedule and that is  
4 included in our Scoping Document 1. I  
5 believe it's the last page in that  
6 document. I'm just going to hit the big  
7 milestones here in the next year to get  
8 everybody on the same page.

9 So, the PAD was filed with us  
10 March 29th, and from that date all the  
11 dates after that are based upon that  
12 March 29th date.

13 So, the next big milestone we have  
14 here is July 27th, and that's when  
15 comments on the PAD and scoping document  
16 are due and also any study requests are  
17 due by that July 27th date.

18 Next is the proposed study plan  
19 which will be due in September 10th of  
20 '07, and then study plan meetings will  
21 follow that within 30 days and those will  
22 begin on October 10th.

23 And the next big milestone for the  
24 agencies will be the study plan comments  
25 which will be due December 9th, and the

1 revised proposed study plan will then be  
2 filed on January 8th and any comments on  
3 that revised study plan will be due  
4 January 23rd.

5 So right now the big milestones I'd  
6 like everybody to keep their eye on is  
7 that July 27th date and then the December  
8 9th date when the comments on the study  
9 plan are due.

10 Does everybody understand kind of  
11 the IOP schedule? Any questions with the  
12 dates or how this works?

13 And, again, the IOP became our  
14 default process last July and it moves  
15 fairly fast within the first year; so,  
16 again, just really pay attention to this  
17 schedule.

18 So, I guess it's up -- do you guys  
19 want to hear the presentation by  
20 Kleinschmidt? I don't know if you guys  
21 have heard it before. I know they gave  
22 it earlier on in the year. I don't know  
23 if you attended or not, so we'll leave it  
24 up to you two guys. I think everybody  
25 else here has heard it this morning.

1 MR. MENDIK: I've been through it,  
2 so.

3 MR. LIBERTY: You have been through  
4 it?

5 MR. MENDIK: Yes.

6 MR. LIBERTY: Okay.

7 MR. SWIFT: That's fine to continue  
8 on also.

9 MR. LIBERTY: You're fine? Okay.

10 So next I think I'm going to go  
11 right into Scoping Document 1, and we've  
12 laid out the potential issues for this  
13 project starting on page 12 by resource  
14 area, and rather than go through each  
15 resource area, I think I'm just going to  
16 open it up. If anybody has any  
17 additional issues that they see for these  
18 resource areas or concerns or comments  
19 that they'd like to put on the record, I  
20 think we'll just do it that way rather  
21 than go through each individual resource  
22 area.

23 MS. CARTER: One thing I'll go ahead  
24 and mention is that in regard to  
25 recreation, I stated this morning that we

1 would add another bullet regarding the  
2 potential for white water, since the  
3 applicant is planning to look into that  
4 with regard to their studies, and then it  
5 was also brought up by VANR that the  
6 Middlebury Lower Project is a good  
7 example of the existing project related  
8 interpretative and educational signs at a  
9 hydroelectric project, so. Those were  
10 some issues that came up in regard to  
11 recreation yesterday, or this morning.

12 MR. MENDIK: Where is that  
13 Middlebury Project?

14 MS. CARTER: Middlebury Lower is the  
15 name of project.

16 MR. MENDIK: Is that a FERC licensed  
17 project?

18 MS. CARTER: I believe so.

19 MR. MENDIK: Do you know the number?

20 MS. CARTER: I don't know the number  
21 on that.

22 MS. MALONEY: It's 397 maybe.

23 MR. LIBERTY: I think it's actually  
24 in the PAD perhaps. Hold on.

25 MS. MALONEY: Yes, it is.

1           MR. LIBERTY: I know it's in here, I  
2 have seen it somewhere.

3           MR. QUA: 515. I don't have the  
4 number.

5           MR. LIBERTY: All right, never mind.  
6 There's no number in it.

7           So, do you guys have any comments or  
8 additional issues, I guess, to add to the  
9 scoping document, any comments?

10          MR. SWIFT: I'm just going to defer  
11 to whatever comments were issued by Bob  
12 Edward this morning.

13          MR. LIBERTY: Okay, sure.

14          Anything from the Park Service?

15          MR. MENDIK: No. I'm also here for  
16 Fish and Wildlife. He wasn't able to  
17 make it, so he asked me to be here  
18 instead. I'm sure the agency will have  
19 comments.

20          MR. LIBERTY: All right, sure.

21          MS. CARTER: And we do have a court  
22 reporter so this meeting is being  
23 recorded and the meeting this morning is  
24 being recorded, and those will be in the  
25 record.

1 MR. MENDIK: Okay, great.

2 MR. LIBERTY: So does anybody else  
3 have any other comments that they'd like  
4 to bring up for tonight's scoping  
5 meeting? This is going to be a short  
6 one, I have a feeling, shorter than this  
7 morning.

8 MR. MENDIK: Were there any members  
9 of the public there this morning?

10 MR. LIBERTY: They were not. I  
11 don't believe there was anybody from the  
12 public.

13 MR. MENDIK: Okay.

14 MS. CARTER: No.

15 MR. LIBERTY: All right. Well, I  
16 guess that we can wrap-up with that then,  
17 if nobody has any further comments.

18 So, again, my name is Aaron Liberty.  
19 If you guys ever have any questions  
20 regarding the process plan or scheduling  
21 or anything regarding the project just  
22 give me a call, and with that I guess we  
23 can --

24 MS. CARTER: Well, one thing we do  
25 want to mention is in regard to the

1        comments that have to be filed on July  
2        27th and if you have any study requests  
3        to keep in mind the seven study criteria  
4        that can be found in Section 5.9b of our  
5        regulations. Those are pretty much  
6        something that we want to hammer home  
7        because they are very important when it  
8        comes to the study request and then the  
9        informal study resolution period with the  
10       study plan meetings and before the  
11       revised study plan is filed.

12                So Section 5.9b of the regulations  
13        is something to always take a look at.  
14        Which, and then he's got copies of the  
15        final regs for the IOP in the back if you  
16        need to look at them.

17                MR. LIBERTY: Many, many copies.

18                MS. CARTER: So if you need extras.

19                MR. LIBERTY: All right. I guess we  
20        conclude the meeting. Thanks everybody.

21                (Meeting concluded 7:22 p.m.)

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