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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects
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York Haven Power Company, LLC : Project No. 18888-027
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YORK HAVEN PROJECT
Request for Comments on the PAD
Public Scoping Meeting

Pennsylvania Fish and Boat
Commission Headquarters
Susquehanna Room
1601 Elmerton Avenue
Harrisburg, PA 17110
Thursday, August 27, 2009

The public hearing, pursuant to notice, convened at 10
a.m. before a Staff Panel:

- JOHN SMITH, Federal Energy Regulatory Commission
- PAUL MAKOWSKI, FERC
- JOHN BAUMMER, FERC
- JEFF BROWNING, FERC
- NICHOLAS PALSO, FERC
- STEVE KARTALIA, FERC

	AGENCY/PUBLIC COMMENT	
1		
2	Larry Miller, U.S. Fish & Wildlife Service	11
3	Andy Shiels, Pennsylvania Fish and Boat Commission	12
4	Drew Dehoff, Susquehanna River Basin Commission	12
5	Jim Spontak, PA Department of Environmental Protection	13
6	Shawn Seaman, Maryland DNR, Power Plant Research Program	13
7	Jim Richenderfer, Susquehanna River Basin Commission	14
8	John Garver, Commodore, Tri-County Boat Club	15
9	John Devine, HDR/DTA, consultant	18
10	Dick Whitlock, York Haven	25
11	Ralph Lentz, IBEW 777	27
12	Bob Currey, Member, Tri-County Boat Club	28
13		
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1 P R O C E E D I N G S

2 MR. SMITH: We'll go ahead and get started. I'd
3 like to welcome everyone to the Federal Energy Regulatory
4 Commission's scoping meeting for the York Haven
5 Hydroelectric Project, it's FERC No. 1888. My name is John
6 Smith, I'm a fish biologist at the FERC and the Project
7 Coordinator for the projects on the Lower Susquehanna River,
8 including the York Haven Project.

9 We have a number other FERC staff with us today.
10 I'll let them introduce themselves to you and explain what
11 resources they will be responsible for in a NEPA process.

12 MR. KARTALIA: My name is Steve Kartalia, I'm a
13 fisheries biologist with FERC.

14 MR. BROWNING: Jeff Browning, I'll be on
15 terrestrial resources with FERC.

16 MR. MAKOWSKI: I'm Paul Makowski, I'm a civil
17 engineer. My responsibilities include soils, geology and
18 project economics.

19 MR. PALSO: I'm Nick Palso, I'll be on
20 recreation, land use, aesthetics and cultural resources.

21 MR. BAUMMER: I am John Baummer from FERC. I'll
22 be covering aquatic resources, water quality and water
23 quantity.

24 MR. SMITH: And at the agency meetings like this
25 one we usually go around the table and just let everyone

1 introduce themselves, at least the people that plan on
2 speaking today. So I'll just send this around (wireless
3 microphone).

4 MR. GARVER: John Garver, Commodore of the Tri-
5 County Boat Club, Middletown, Pennsylvania.

6 MR. SMITH: Geoff Smith, Pennsylvania Fish and
7 Boat Commission.

8 MR. HENDRICKS: Mike Hendricks, Pennsylvania Fish
9 and Boat Commission.

10 MR. SHIELS: Andy Shiels, Pennsylvania Fish and
11 Boat Commission, and welcome to our Headquarters.

12 MR. MILLER: Larry Miller, U.S. Fish & Wildlife
13 Service, Susquehanna River Coordinator.

14 MR. DEHOFF: Drew Dehoff, Susquehanna River Basin
15 Commission.

16 MR. RICHENDERFER: Jim Richenderfer, SRBC.

17 MR. SPONTAK: Jim Spontak, Pennsylvania DEP,
18 South Central Regional Office.

19 MR. SEAMAN: Shawn Seaman, Maryland Department of
20 Natural Resources, Power Plant Research Program.

21 MR. WEAVER: Doug Weaver, York Haven Plant
22 Manager.

23 MR. WESTON: Tim Weston, counsel for York Haven.

24 MR. O'DONNELL: Dennis O'Donnell, associated with
25 York Haven.

1 MR. HOOVER: Mike Hoover with HDR Engineering,
2 for York Haven.

3 MR. DEVINE: John Devine with HDR/DTA.

4 MR. SADZINSKI: Bob Sadzinski, Maryland DNR
5 Fisheries Service.

6
7 MR. SMITH: All right, before we open it up for
8 comments, we have a brief presentation for you. We will go
9 over some introductory remarks, we'll try to explain the
10 Commission's licensing process, the purposes of the scoping
11 meetings; have a brief description of the York Haven
12 project, go over the list of issues that we've identified so
13 far, go over some important milestone dates, and then we'll
14 open it up for comments.

15 There's a sign-in sheet going around, so please
16 if you haven't signed in, try to find it and get your name
17 and affiliation on the sign-in sheet. We have a court
18 reporter with us today. I'd like to ask that when you
19 speak, please state your name and affiliation, at least the
20 first time, so that we can get your name associated with the
21 right comments.

22 You can also file written comments or electronic
23 comments after the meeting, and the scoping document
24 explains the process for doing that. Mailing list situation
25 is as follows: We distributed the scoping document to

1 everyone that was on FERC's official mailing list as well as
2 all of the folks that were on the distribution list from
3 York Haven Power. All future mailings from the Commission,
4 though, will only go to the FERC's official mailing list, so
5 please take a look at the back of the scoping document and
6 see if your address is there; and if it's not and you would
7 like to be included in the mailing list, follow the
8 description of how to do that in the scoping document.

9 One other thing you might want to consider is
10 just eSubscription; that way you'll be notified
11 electronically of all filings and issuances and you can pick
12 and choose what you want to download and look at. That's
13 also explained in the scoping document.

14 York Haven Power will be following the
15 Commission's integrated licensing process, also known as the
16 ILP. They filed their Notice of Intent to Relicense the
17 Project and their pre-application document on June 1 of this
18 year. We're currently in the scoping phase of the project,
19 and over the next several months they'll be developing their
20 study plan with all of the stakeholders. Once the study
21 plan has been finalized it will be submitted to the
22 Commission for approval. I think the approval is scheduled
23 for April. And then after they get an approved study plan,
24 they would commence the environmental studies over the next
25 one to two years.

1 Their license application is due September 1st of
2 2012. Once we receive the applications, Commission staff
3 would review it for adequacy. If we find that it's
4 adequate, we would issue our Ready for EA notice; that's the
5 notice that solicits comments, terms and conditions, and
6 prescriptions.

7 Shortly after we received the comments and the
8 prescriptions, we'll prepare our NEPA analysis which could
9 be either an environmental assessment or environmental
10 impact statement. I know on the prior scoping trip to
11 Conowingo and Muddy Run, a lot of folks recommended that we
12 do an EIS and a multiproject look at the Basin. So that's
13 on the table. We probably won't be making a final decision
14 on what type of document we're going to do until the
15 applications are actually in; but if you'd like to comment
16 on what you think is the appropriate document, please do so.

17 And then after the EA or EIS process has been
18 completed, we would expect to issue a licensing decision
19 prior to the expiration of the existing York Haven license,
20 which is September 1 of 2014.

21 One of the responsibilities of the Commission
22 under the Federal Power Act is to license non-federal
23 hydroelectric projects such as the York Haven Project, and
24 under NEPA we're required to disclose the environmental
25 effects of the licensing actions. So this scoping process

1 is where we begin that identification of potential effects.
2 And we issued a scoping document for York Haven on July 24,
3 2009 and in it we've described the existing conditions the
4 best we could with the available information, talk about the
5 current project operations.

6 We have a preliminary list of issues that we've
7 identified to date. We also have a table in there that
8 shows the studies that are being proposed at this time by
9 York Haven Power. We're requesting any information that any
10 of you all have regarding Basin plans or information sources
11 that would help in our review.

12 There's a process plan in there for the prefiling
13 steps of the process, which is what we're going through
14 right now; and a schedule and outline for the NEPA process
15 as well.

16 As you know, the York Haven project is in the
17 Lower Susquehanna Watershed. Earlier this summer, we held
18 site visits and scoping meetings at Conowingo and Muddy Run.
19 And what we mentioned at those meetings was that our initial
20 intent was to do a multi-project environmental document.
21 And as I said earlier, we'll probably make a final decision
22 on that when the various applications have actually been
23 filed.

24 We thought that Holtwood may also be in the mix,
25 but there's a pending amendment application before the

1 Commission right now on Holtwood, so they've been granted an
2 extension of time of six months to file their pre-
3 application document. If the Commission grants the
4 amendment, then they would not be filing for re-licensing at
5 this time. If they Commission doesn't grant it, then they
6 would have to get their PAD in within six months.

7 What we did at the public meeting last night was
8 we had the licensee explain the current project and the
9 operations. We don't necessarily have to do that if you all
10 are very familiar with the project; but if there's anyone
11 here that would like to see that presentation, just let me
12 know, just raise your hand and we can run through it again.

13 (No response.)

14 No takers. Okay, we'll skip that part, then.

15 As I mentioned, in the scoping document in
16 Section 4.2, pages 17 and 18, that's our preliminary list of
17 issues that we've identified to date based on the PAD that
18 was filed by York Haven Power. Please take a look at the
19 list, and that's what we're most interested in right now, is
20 getting your comments on whether we've correctly identified
21 the list of issues at the project. If there's any of them
22 there that you think could be deleted, that would be useful
23 to know which ones those are; or if we need to add some,
24 now's the time to let us know about that.

25 There's also a table that describes the proposed

1 studies and management plans that are on the table at this
2 point. As I said, over the next three months or so they'll
3 be additional meetings with the stakeholders and York Haven
4 Power will be refining the study plan to submit to the
5 Commission.

6 Now in addition to filing comments on the scoping
7 and the pre-application document, now is also the time to
8 submit study requests, and all study requests have to adhere
9 to the seven study request criteria in Section 5.9 of the
10 Commission's regulations.

11 You must identify the goals and objectives of
12 each study, consider existing resource management goals or
13 plans, take into account the public interest and why
14 existing information is not adequate to provide that
15 information. There must be a nexus to project operations
16 and effects. Any methodologies that are recommended must be
17 consistent with accepted practice and there must be some
18 consideration given to the level of effort or cost. If
19 you're not sure how much a study is going to cost, at least
20 explain how many years you think are needed, whether it's
21 seasonal study; just so we can get some idea of the effort.
22 And also why alternative studies would not suffice.

23 Comments, study requests and comments on scoping
24 and the pre-application document are due September 29th.
25 York Haven Power will the have until November 13th to submit

1 their proposed study plan, and then within a month of that,
2 on or before December 13th, we'll need to have some study
3 plan meetings. Comments on the proposed study plan are due
4 February 11th. The revised study plan would then be due to
5 the Commission by March 13th, and then our study plan
6 determination is due out by April 12th.

7 So first off, are there any questions on, any
8 process-related questions? Or anything else for FERC Staff.

9 (No response.)

10 I guess we can either go through everybody at the
11 table, or -- does anybody want to give official comments at
12 the meeting for the record?

13 (No response.)

14 I guess everything is coming in writing? Larry?

15 MR. MILLER: Yes.

16 My name is Larry Miller, U.S. Fish & Wildlife
17 Service.

18 Mainly, the U.S. Fish & Wildlife Service will be
19 producing written comments and will file those with the
20 FERC; we will be putting in our comments on the scoping
21 document and also the license applicant's PAD and making
22 additional study requests.

23 One thing of note is that we would request that
24 the FERC reconsider its decision to eliminate from detailed
25 study the alternative of project decommissioning, and

1 consider that alternative again. We'll provide additional
2 details in our written comments at that time.

3 MR. SHIELS: Andy Shiels, Pennsylvania Fish and
4 Boat Commission. Again, we'll provide our comments in
5 writing as we have in the past on other projects, and we
6 will restate regarding the York Haven Project what we stated
7 at Conowingo; is that we are also in favor of an EIS as a
8 river-wide method of looking at the four power dams as much
9 as possible and seeing how they fit together, and how each
10 of these individual licenses and their ecological impacts
11 could be related.

12 MR. DEHOFF: Drew Dehoff, Susquehanna River Basin
13 Commission. I'll make some brief comments this morning, but
14 we will be supplementing those with official written
15 comment.

16 In general our interest would be related to
17 operations of the facility and its impacts to the hydrology
18 and fish migration on the Susquehanna River. We are, as I
19 mentioned at the Conowingo and Muddy Run scoping meetings,
20 fully in support of FERC's proposal to do a broad study
21 related to all facilities. We want to emphasize that it's
22 not just the hydro facilities that are important, but that
23 York Haven in particular is also important to the operations
24 of Brunner Island and Three Mile Island nuclear power plant
25 upstream. And we would hope that those would be included.

1 Also, we will emphasize the recreational aspects
2 of studies. As you saw yesterday, there's extensive
3 recreation associated with the project, not just in terms of
4 concentration of people; it's one of the most focused areas
5 in the basin for recreation; there's a wide variety, it's
6 very popular. We also think there's opportunity, potential
7 for more, and we would like to have that assessed. And
8 finally, we also offer support for the U.S. Fish & Wildlife
9 Service's position on assessing decommissioning as an
10 option.

11 MR. SPONTAK: I'm Jim Spontak with Pennsylvania
12 Department of Environmental Protection. We, too, will be
13 supplying written comments on the PAD and on the study
14 requests. We support the holistic approach of looking at
15 all the dams together, because we see it as a river system.
16 Our primary concern is for the upstream and downstream
17 passage of migratory and resident fish, and also the aquatic
18 environment and the recreation in the area. And we, too,
19 would like to see that decommissioning be studied as part of
20 this project.

21 MR. SEAMAN: Shawn Seaman, Maryland Department of
22 Natural Resources, Power Plant Research Program.

23 We also will be submitting written comments. The
24 issues we will focus on relate to Maryland natural resources
25 which right now, the big ones are flow and fish passage.

1 And we, too, also support consideration for an EIS.

2 MR. RICHENDERFER: Jim Richenderfer, SRBC. I
3 guess I'd like to pose a question back to the FERC folks:
4 Agencies have written, submitted letters requesting specific
5 studies on Conowingo Dam and on Muddy Run. I guess the
6 question for you, John, and your folks: Did our previous
7 submittals meet that seven point format that you had talked
8 about previously?

9 The reason I ask that question is we are all in
10 the process of generating similar letters on York Haven, and
11 if our formats missed the mark on Conowingo and Muddy Run,
12 we'd certainly like to know that sooner rather than later so
13 that we can change our format if its current form is
14 unacceptable.

15 MR. SMITH: Did you guys find that all of the
16 studies that were submitted were pretty much according to
17 the way we set it up?

18 FERC STAFF: Yes.

19 MR. RICHENDERFER: So if we submit the next one
20 on York Haven in the same format --?

21 FERC STAFF: Yes.

22 MR. RICHENDERFER: That's fine?

23 FERC STAFF: Yes.

24 MR. SMITH: And I don't know how the timing works
25 out for this project; I know September -- I think it's the

1 22nd and 23rd are the study plan meetings for Muddy Run and
2 Conowingo. And then the comments are due a week after that.

3 I know that's not a lot of time, but if we hear
4 any issues with things that are missing or problems with it,
5 there will be a couple of days at least to deal with it.

6 MR. GARVER: The agencies that are asking for
7 decommissioning, are you talking about removing the dam or
8 just hydroelectric generation?

9 MR. DEHOFF: I think both would be part of the
10 assessment.

11 MR. GARVER: My name is John Garver, I'm the
12 Commodore of the Tri-County Boat Club. I'm 71 years old,
13 been on the river for 68 years. We, Tri-County Boat Club,
14 has 475 members, we're on a 13-acre tract of ground along
15 the Susquehanna River.

16 Between the islands that York Haven owns and the
17 other islands that are owned privately by landowners, we're
18 talking about between 600 and I would say 800 homes out
19 there. We use them until the ice comes on the river. We,
20 Tri-County Boat Club, without a doubt would not like to see
21 that dam taken out of there. If that happens, you're
22 talking about a lot of homes out there that would no longer
23 be used.

24 We recommended that we have lived with them for,
25 ever since it was built, and up to this date. We recommend

1 that the dam stays there. It's a tremendous resource for
2 recreation. Why in the world anybody would consider taking
3 that dam out of there just does not make any sense at all.
4 It's been there for over a hundred years.

5 I know that the agencies here represent the fish,
6 the wildlife and so forth, but that has been going on now
7 for over a hundred years. Me being on a river that long,
8 have seen that river cleaned up enormously. I have seen
9 wildlife on that river that I have never seen for, well,
10 fifty years. I'd be glad to share a story with you guys
11 afterwards.

12 Again, Tri-County Boat Club is an organization;
13 we are nonprofit, we allow the public to come in and use our
14 facilities -- yes, we do charge a fee for that; we have to
15 keep our property running. Again -- and I can't
16 overemphasize this: We would like everything to stay the
17 same, water level, so that we can recreate down there.

18 The only thing that we ask out of this meeting is
19 that York Haven keeps the water levels the same as it has
20 been over the last fifty years. And I guess that's just
21 about all I have to say.

22 MR. SMITH: I could just ask the agencies;
23 anybody would do: Is there an underlying problem that would
24 be driving the recommend? So we just have a little better
25 understanding of where it might be coming from?

1 MR. DEHOFF: I would just emphasize that what
2 we're asking for is an assessment of all alternatives. We
3 can't make a fully informed decision on committing these
4 resources to another thirty years, under the same
5 conditions, which thirty years will outlive all of the
6 careers of everyone in here. So it's simply an assessment
7 so that we know what all the benefits and trade-offs of the
8 dam being in place, the dam in current operations, the dam
9 being removed. And as I mentioned, recreation is very
10 important to the Susquehanna River Basin Commission, and we
11 realize that wouldn't be there without the dam.

12 So that's exactly what we're contemplating; an
13 assessment of the trade-offs of current operations,
14 decommissioning, removal of the dam, or removal of the hydro
15 operations. We have no preconceived notions of what our
16 preference is.

17 MR. HELFRICH: Michael Helfrich, Lower
18 Susquehanna Riverkeeper.

19 I also am echoing the comments here that that
20 option be included, and I'll tell you the reason why:
21 Frankly, personal conversations with the applicant or with
22 representatives of the applicant, they had said that if this
23 costs too much to upgrade the plant, we are considering
24 decommissioning. So if I'm hearing that comment from the
25 applicant, the it should be part of the alternatives process

1 here.

2 Not that I suspect that that's going to happen,
3 but we heard that.

4 MR. DEVINE: John Devine, HDR/DTA, consultant to
5 Olympus Power, to York Haven. A couple of questions about
6 the dam removal option.

7 Has this been requested of the other licensees on
8 the river?

9 MR. DEHOFF: Not to my knowledge.

10 MR. DEVINE: So how would, why is York Haven
11 being pointed out that this was an assessment of total
12 resources and total future alternatives for this project
13 being different from the other projects on the river?

14 MR. MILLER: I'll address that. For one thing,
15 York Haven has the largest dam on the river, and that
16 proposes some complications for a number of fisheries
17 resources in terms of fish passage. In addition to that,
18 being the largest dam on the river, at least in length, it
19 also generates the least amount of power of all the other
20 projects. And even another project, Holtwood project
21 downstream that was probably one of the smaller projects,
22 the next smallest project looked at it and said that we need
23 to upgrade our facility so that we can generate more power;
24 which would even put it at a larger power generation
25 capacity than York Haven.

1 So if York Haven is going to remain in place or
2 operate as it currently operates, we would like to look at
3 the alternative of a different project there; and that
4 project should also consider decommissioning both with and
5 without dam removal and possibly other alternatives that
6 would include some form of maybe reconstruction or
7 relocation of the dam in such a way that you would be able
8 to generate more power from it.

9 Because if you look at the overall balancing and
10 you just look at the amount of power that's being generated
11 there with essentially the same amount of water that's being
12 generated at the other hydro projects, it just doesn't look
13 at though it stands up to the other projects in their value
14 in terms of energy production. So that's why we want to
15 have that alternative assessed.

16 MR. DEVINE: John Devine again. So there's been
17 some form of assessment or judgment made that at a certain
18 power level that alternative merits review and study? Or
19 would the question have arisen if PPL didn't propose an
20 upgrade?

21 And of course, York Haven is actually the
22 smallest dam on the river in terms of the amount of head at
23 the dam, which would be a height. It's certainly harder to
24 pass fish, is it not, at 90 feet of head versus at 17 feet
25 of head?

1 MR. MILLER: What we'll do is, we'll provide
2 additional comments, written comments regarding our
3 reasoning behind liking to look at other alternatives other
4 than those that were proposed in the scoping document. We
5 do think that in order to get everything on the table, all
6 the costs and benefits as was already mentioned here, that
7 this alternative needs to be assessed, and that's more or
8 less what our position is.

9 MR. DEVINE: What specific resources are you
10 viewing as being affected, and what specific resources will
11 the request --?

12 MR. MILLER: We'll provide more details in our
13 written comments.

14 MR. GARVER: I have a question for the federal
15 agency.

16 You just made a statement that if the alternative
17 is to tear the dam down and then build another one; and if
18 that is the case, who's paying for that? Are you saying
19 that the federal government is going to come in and build a
20 dam? I don't understand that statement.

21 MR. MILLER: We would just like the alternative
22 of decommissioning assessed so that we can get all the costs
23 and benefits associated with this project on the table, and
24 also look at plausible alternatives, which may include some
25 other form of configuration there. The dam is a hundred

1 years old, as you had stated; it was built with a hundred
2 year old technology and it uses a hundred year old
3 construction techniques, and it's very possible that there's
4 something that's been learned in the last hundred years that
5 could make that dam more effective and also more
6 environmentally friendly.

7 MR. GARVER: So what you're saying is, instead of
8 tearing it down, you're going to make it more efficient. I
9 think that would be the way to go; not to consider removing
10 that dam -- with the new technology that you're talking
11 about -- just to make it more efficient, and still use it.

12 MR. MILLER: That's an alternative.

13 MR. GARVER: And I have another question for you,
14 and for the rest of you: How do you put a price on
15 recreation?

16 MR. MILLER: That would be part of the analysis.

17 MR. GARVER: The analysis of what. You're
18 talking about the dam being efficient to produce more power,
19 which it produces less power than the rest of them; so when
20 you get to recreation, I just want to know if you can state
21 it here and now how you analyze that, how do you -- the
22 cost/benefit. In one respect you're talking about money;
23 any other respect, you're talking about recreation.

24 So how do you put a price on that?

25 MR. MILLER: My guess is that would be determined

1 during the analysis, and it's been done in the past that
2 they look at.

3 MR. GARVER: Can you give me an example?

4 MR. MILLER: Not off the top of my head, no; but
5 if you look at some of the old license reviews that have
6 been done, you can see how the analysis was done. But there
7 are techniques to do that, and that's one of the goals of
8 the FERC, is to actually look at that sort of analysis; and
9 you've heard some of the people that are from the agency --
10 actually, that's their expertise, and they'll be looking at
11 that.

12 MR. GARVER: People, expertise. Anybody from
13 the area, that uses the area, that would be looking at that?

14 I don't know where you sit at your work. Are you
15 familiar at all with all the recreation that goes on down
16 there and all the homes that are on that river down there?

17 MR. MILLER: I would hope that would be part of
18 the analysis.

19 MR. SMITH: One thing to keep in mind is there's
20 going to be several more meetings and there's going to be
21 about three months of deliberations over the study plans
22 that we're going to be setting up for the environmental
23 work, which is going to be over the next couple of years.
24 And I would just encourage your involvement in those
25 meetings so that we can capture all of the recreational use

1 and value at the site.

2 Because ultimately the FERC has to do the
3 balancing job at the end in the NEPA document, and in the
4 Commission's order. The agencies have their
5 responsibilities and they will be submitting their comments
6 and their requested studies, and then our staff has to look
7 at those studies and decide whether there is a nexus to the
8 project affects, and then we ultimately issue a final, make
9 a final study determination on what are the appropriate
10 studies to look at.

11 So you should be able to see a recreation survey
12 or study, and if it doesn't address what you think is
13 important, you can comment, comment to us on that as well.
14 It's a lot of gobbledegook, but there are several more
15 opportunities to comment.

16 MR. GARVER: I'm just an old river rat, and of
17 course when things like this come up, we do get our dander
18 up a little bit. But another question posed to you, sir, is
19 that if it does really come down to taking that dam out of
20 there, who is going to compensate all the people out there
21 that have homes that no longer will be able to be used? Are
22 you going to take that into consideration, too?

23 MR. MILLER: I believe that would be part of the
24 analysis.

25 MR. GARVER: That would be part of the analysis,

1 okay. And of course Tri-County Boat Club exists because of
2 the pond down there, so who is going to compensate 475
3 members that probably have, I would say at our facility --
4 just offhand, probably a couple million dollars down there?

5 So I hope you take all that into consideration,
6 and I think in the end that you'll come up with the same
7 thought that I have, that it would be terrible to even think
8 about taking that dam out of there.

9 MR. SMITH: Anybody else have any comments or
10 questions for us while we're here?

11 MR. O'DONNELL: One thing you have to take into
12 consideration besides the recreational value is the impact
13 on Three Mile Island. Without the dam there, Three Mile
14 Island will have to close down. Probably would have to ask
15 Exelon to tell us how much of the decommissioning fund they
16 have set aside for decommissioning Three Mile Island; I'm
17 sure it's well understated. And that would be hundreds of
18 millions of dollars somebody's going to have to pay for, for
19 taking out the nuclear facility.

20 So as we go ahead with this assessment, I would
21 hope that your agencies would invite Three Mile Island to
22 participate in a decommissioning assessment with the dam
23 removal.

24 MR. SMITH: I would hope, and I understand that
25 the agencies may not be prepared at today's meeting to lay

1 it out, but you have to go beyond saying 'I want to evaluate
2 a particular alternative.' I think you need to lay out the
3 kinds of evaluations you are expecting, and perhaps with
4 some more detail on the alternatives you're talking about,
5 because as the Commodore noted, there are a variety of
6 impacts in this, as Dennis did as well.

7 I think you need to think about what it is that
8 needs to be looked at from your resource perspectives, and
9 then who has the information and data that can bring it to
10 the table. In some cases, you do. But I don't think you
11 can just put an alternative on the table; you have to talk
12 about what it is that needs to get to be evaluated so that
13 you can weigh this issue.

14 MR. WHITLOCK: Dick Whitlock, York Haven, and my
15 question to FERC is for these study meetings that will be
16 happening at Conowingo and Muddy Run, who all has access to
17 that, and can anybody participate in those meetings?

18 MR. SMITH: Yes, they're open to the public.
19 Whether or not -- you need to make sure you're on the
20 distribution list or the mailing list to know, other than me
21 telling you when the meetings are. Because I don't know if
22 people interested in other projects are going to be on the
23 mailing lists for those projects.

24 But I believe they just filed their proposed
25 study plan on the 24th. I'm pretty sure it's September 22nd

1 and 23rd at Darlington Firehouse, same place we held the
2 meeting.

3 It's 10 a.m. to 4 p.m. So my understanding is,
4 they're open to the public, anybody that's interested in
5 that process. But it will be up to Exelon to establish the
6 schedules of any additional meetings. We already held the
7 one FERC meeting that we would hold for those projects.

8 MR. SADZINSKI: My recollection was the 23rd and
9 24th. I'm not sure if I'm correct or not, but a couple days
10 ago when I read the document, it's what I thought. So it's
11 either the 22nd and 23rd, or the 23rd and 24th. The
12 meetings are at the Darlington County Fire Company, which is
13 pretty close to the facility, Conowingo; and they go from 10
14 a.m. to 4 p.m. each day.

15 You can access that information; Exelon just
16 submitted proposed study plans on the 24th, which I believe
17 was Monday, and that is on FERC's eLibrary site. So if you
18 go on to that site and look at Conowingo, the Docket No. is
19 P-405, and you look up filings on the 24th, you'll see their
20 proposed study plans, and the information is in there.

21 MR. SMITH: And Exelon also has a website set up
22 for those projects, so you can search for that and pull it
23 up. I don't know what it is off the top of my head.

24 MR. DEVINE: I'm wondering if FERC will be
25 expecting the agencies, in support of their dam removal

1 request, to explain what specific resource objectives cannot
2 be attained, absent dam removal.

3 MR. LENTZ: Ralph Lentz, IBEW 777.

4 My main concern is jobs here. I think we need to
5 look at jobs, the jobs at marinas, the jobs at our power
6 plant, and the jobs at TMI that could be lost to
7 decommissioning the dam. I think that would be a huge
8 impact on the community, plus all the jobs that the island
9 renters or they're creating by their using boats, et cetera.
10 That certainly would have to be considered.

11 MR. HELFRICH: I hear the request for a pretty
12 common assessment being turned into a request to have the
13 dam removed over here, and this is not what's happening at
14 all. I've been in these processes before, and when you look
15 at alternatives, you look at all sorts of alternatives, even
16 if they're not even on the table or just barely on the
17 table.

18 So I don't want some of the folks that are here
19 to misinterpret what's going on. I don't think anybody here
20 is requesting that the dam be removed. And as I stated
21 before, my interest in it is specifically because the
22 applicant said it to me, or a representative of the
23 applicant.

24 So I don't like the way this is going and I don't
25 want people to be confused about what is happening here. So

1 FERC will look at multiple alternatives, and it's just a
2 question of whether this is included so we can have a better
3 understanding of the whole issue.

4 MR. SMITH: The only thing I might add at this
5 point is that this is the part of the process where we're
6 developing study plans, so if it's a feasible and an
7 alternative that we need to look at, I'm assuming there will
8 be requests for studies coming in. So we want to make sure
9 that we understand what the basis of this analysis is; what
10 specific resources are affected, and so we can gauge the
11 intent of a study request. So I think the discussion is
12 useful.

13 MR. GARVER: As I said before, I'm 71 years old.
14 I've lived a fairly long time, and anytime that the federal
15 government or any government gets involved in something,
16 most of the time it turns out bad. It's my experience, and
17 the only comment that I can make is: Leave us alone.

18 MR. SMITH: Steve reminded me that we really
19 didn't address John Devine's question to us; but any request
20 would need to include what the objectives and goals of that
21 analysis or request is. So I guess that's a 'yes'.

22 MR. CURREY: I'm Bob Currey. I'm also a member
23 of Tri-County Boat Club.

24 This is my Commodore that's been speaking. I've
25 been on the river 54 years, on the lake 54 years. I work

1 with Mr. Weaver and the people at the power plant, and I'm
2 going to tell you the improvement that they have done for us
3 recreational people is just unbelievable. As John
4 mentioned, the improvement of wildlife. We now have beaver
5 swimming around, we have some otter on the river.

6 A couple years ago, a few years ago, they built
7 the fish ladder. Why? Why would you ever tear something
8 down that has been improved over 54 years like I've seen it?
9 I've been on the island so-called committee, we've had
10 meetings, we've had meetings with Mr. Weaver, the manager of
11 York Haven, and the improvements are just out of this world.

12 My family has been on the river; I've seen
13 families grow up on the river, children come back, take
14 over, and it's our home, it's our river family. Thank you.

15 MR. SMITH: Any other thoughts or comments?

16 MR. HELFRICH: I just want to reiterate a comment
17 that I made last night, because some of the agency folks
18 were not there. I'm in favor of a long term American eel
19 study, possibly seven to ten years, so that we can
20 understand the migration patterns better and we can
21 understand what kind of modifications need to be made,
22 potentially to all the dams to allow this very important
23 keystone species to get back into the Susquehanna River.

24 MR. SMITH: Anyone else before we close?

25 MR. GARVER: I'd like to ask that gentleman; you

1 said you're Lower Susquehanna Riverkeeper. Is that a
2 nonprofit? Is that a government?

3 MR. HELFRICH: Nonprofit.

4 MR. GARVER: Nonprofit. Okay, thank you.

5 MR. SMITH: Anyone else?

6 All right, well, I appreciate everyone coming,
7 and all of your comments. About the time that York Haven
8 Power submits their proposed study plan, I think that was in
9 November, I will also be issuing a revised scoping document
10 which should include the various topics that were raised
11 last night and today, and also in the written comments that
12 we received.

13 So once again, your comments are due September
14 29th, and thanks for coming.

15 MR. DEVINE: I was wondering about, you just
16 commented about a revised scoping document in the time frame
17 of -- what was it?

18 MR. SMITH: The proposed study plan from York
19 Haven.

20 MR. DEVINE: So would that have, you'll be making
21 a determination at that point in terms of the alternatives
22 to be considered?

23 MR. SMITH: Usually what we do is just summarize
24 the issues that were raised at the scoping meetings and that
25 have been brought to our attention in the written comments;

1 and then if we know we're going to take a look at something,
2 we just go ahead and say, "We've included in a list of
3 issues that we're going to look at." Alternatively, if it's
4 something that doesn't jive with Commission policy and we
5 can already make a call on it, we would do that; but more
6 than likely it's just a summary of the comments and what we
7 intend to address in the NEPA document.

8 Anything else?

9 (No response.)

10 Okay, thanks a lot.

11 (Whereupon, at 10:53 a.m., the scoping meeting
12 concluded.)

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