

Vermont Small Hydro Association

Nov. 17 2006, Plainfield

Present: Lori Barg, Peter Roudebush, Steve Bachler, Harry Spruyt, Anne Stevens, Nancy Potak, Ben Gordesky, Anders Holm

1. We named our group the Vermont Small Hydro Association.
2. Lori talked about her proposed legislation and what needs to be done. General discussion. Some highlights:

a. Lori has studied the data for 2 years. It is possible to fulfill Vermont's electricity needs through small hydro. (According to the previous studies, need to be ground-truthed).

b. Federally, we need a different process for 50 KW and 500 MW projects. Now it is the same process. The process needs to be simplified for small generation of under 5 MW. Under 5 MW is FERC's definition for small hydro.

c. We need legislation to give states jurisdiction over small hydro, rather than FERC. This is what they have in Alaska. Senators Leahy and Jeffords' offices say that a letter from ANR and the Public Service Board is needed for a go-ahead on this. Lori's legislation is to simplify the FERC process. We will ask the legislature, which has to balance multiple interests - to address the limits inherent in single interest entities like FERC, ANR, PSB.

Alaska currently has state jurisdiction, and apparently FERC is amenable to this. Currently an applicant has to go through the same process for 100 KW as for 1000 MW.

The legislature could request that Vermont have state jurisdiction over Small Hydroelectric Plants. The Federal Power Act, under 16 USC 823C, Section 32C is titled Alaska State Jurisdiction over Small Hydroelectric Plants. It would be amended to add the words -"And Vermont".

The chair of the Regulatory Commission of Alaska is Kate Giard 907-263-2110. David Turner of FERC is involved in this.

d. We need the elimination of the requirement of the State requirements for a site-specific study for every small site.

e. ANR will be concerned about:

1. Water Quality Standard
3. Fisheries and flows
4. Dissolved Oxygen

f. Environmental problems for dams (401)

1. block fish passage
2. de-water river, which limits biological productivity
3. dissolved oxygen
4. fish passages don't work well

g. Need to get the following on board:

1. VLCT (expressed interest already, as they insure 90 dams and would rather the dams be maintained.)
2. Utilities
3. VPPSA, VIPPA and other utility groups.
4. Fish and Wildlife Committee (Leg.) and others

i. Act 248 (like Act 250) Small hydro has to meet all Act 250 criteria except for schools and traffic. ***That is why we have the Certificate of Public Good.*** This process needs to be simplified for small in-state renewables.

j. For Lori's legislation, Vince Illuzi will draft it in the Senate and Tony Klein designated Lori to be the Agent in the House.

k. Some people who might be helpful: Claire Ayer (sp?), Floyd Nease, Matt Dunne, Rob Ide. There were other names mentioned.

3. Job assignments:

a. Anders will talk to Gov. Douglas re/ Wayne LaRoche, David O'Brien, John Sayles and Jim Voltz about agency support for small hydro.

b. Nancy and Anne will organize a small hydro Town Meeting referendum. Lori will write the first draft of the resolution.

c. Harry and Anne will work on a short brochure on the history of hydro power in Vermont - to be used as an education piece at Town Forums leading up to the Town Meeting referendum vote.

d. Ben will send us his list of relevant regulations (or something. Is this right, Ben?)

e. Lori will add links to her website to 1) the Town Meeting Petition and 2) Vermont Small Hydro Association. This page will have a contact us button which will send inquiries to Anne.

f. Steve will do the following:

- Find out if/how states can opt out of FERC. Research on Tenn and Hawaii's not being subject to FERC.
- Investigate with Vermont Public Television - specifically Across the Fence - to create a program on Vermont's small hydro power.
- Write up a mission statement for the VSHA. For review by group.