

Secretary Kimberly D. Bose
Federal Energy Regulatory Commission
888 First St., N.E.
Washington, DC 204626
FERC Docket# 2685-000

Dam Concerned Citizens, Inc., a not-for-profit 501(c) (3) corporate entity, created in 2005 to address the issues of dam safety in the Schoharie Valley requests the following actions be taken by the New York Power Authority at its Blenheim-Gilboa Pumped Storage Project, #2685-026 as a pre-condition for relicensing by the Federal Energy Regulatory Commission:

1. That the New York Power Authority, here after referred to as NYPA, owner and operator of the Blenheim/Gilboa Pumped Storage Project, here after referred to as B/G, be required to pass on, in totality any water discharged from the Schoharie Reservoir/Gilboa Dam, owned and operated by the New York City Department of Environmental Protection, here after referred to as NYCDEP, in times of non-flooding in the Schoharie Valley, downstream of B/G. It is further requested by Dam Concerned Citizens, here after referred to as DCC, that the two dam owning and operating entities on the Schoharie Creek, the NYPA and the NYCDEP conclude a mutual agreement establishing the basis for a coordinated program of void. Creation in their respective reservoirs, for the purpose of flood mitigation in the Schoharie Valley, downstream of their utilities. The current Snow Pack Based Reservoir Management Plan, here after referred to as SPBMP, instituted by the NYCDEP in 2008, to pro-actively create storage capacity in the Schoharie Reservoir for waters resulting from snowmelt runoff and early spring rains should be used as a model for a similar pre-emptive program by NYPA at B/G. The SPBRMP is a component of the NYCDEP's Operation Support Tool, here after referred to as the OST. The OST is used to co-ordinate and enhance the ability of the NYCDEP to balance their reservoir output of drinking water, while giving the system the "flexibility" to provide reasonable flood mitigation, in the form of void creation in drainage basins threatened by excess run-off. It is the request of DCC that FERC require NYPA at B/G to develop a flood mitigating plan, consisting of void creation in the upper Reservoir and "pumping up" in time of flooding in the Schoharie Valley. DCC is cognizant that neither the Schoharie Reservoir/Gilboa Dam or B/G were designed as flood control structures and fully appreciated their contribution to the provisions of drinking water and electricity, respectively. However, the concept of separate and insular entities operating on the Schoharie Creek, and not using their infrastructure to its full flood mitigating potential, in time of need, is both incomprehensible and unacceptable. The fact that NYPA, has operated B/G for over 40 years, while paying no property tax on their facility should be considered as not relevant to this proposal made by DCC. Any lost revenue by the applicant for a, "Pumping Up Exercise" incurred by them during flood mitigation, is more than offset by over 40 years of non-property tax payment in Schoharie Co. An established protocol of co-operation flood mitigation by NYCDEP and NYPA would be of definite public benefit. DCC recognizes that FERC has no jurisdiction over NYCDEP at the Schoharie Reservoir/Gilboa Dam. However, it is the chief regulatory agency regarding NYPA at B/G. The fact that NYCDEP at Gilboa is in phone area code 607, while NYPA at B/G is in phone area code 518 is more than symbolic of the isolation the two agencies have from one another. Co-operation between NYPA and NYCDEP in the operation of their dams on the Schoharie Creek so as to maximize their flood mitigation potential should be improved. Proof of NYPA's efforts to approach NYCDEP to enhance co-operation between the two agencies should be made public and be a pre-requisite for the renewal of their License for project 2685-026.

NYCDEP is soon going to begin construction of a new subsurface release works at the Schoharie Reservoir. This Low Level Outlet, here after referred to as LLO. It is anticipated that this LLO will be used for the purpose of Flood Migration. NYPA, operating at B/G should be required to pass an all waters discharged preemptively by NYCDEP for the purpose of void creation in the Schoharie Reservoir, if a flood is imminent. Furthermore, FERC should require that a pre-emptive void be created in the B/G upper reservoir so that the 4 turbines present at the plant can pump up and thus remove up to 10,000 CFS from the flood waters of the Schoharie Creek. B/G has the

potential to “extract” a significant volume of water from the Schoharie Creek in time of flood, when operating in the Pumping Mode. Up to 12 hours of time can be “bought” in terms of flow reduction at B/G during a major rain or snow melt induced flood, by pre-emptive emptying and then refilling of the Upper Reservoir at B/G. Historical Records show that the majority of storms affecting the region are of a duration of less than 12 hours.

Of final concern to DCC is the question of the capacity of the three Tainter Gates in operation at B/G to safely pass the Probable Maximum Flood, here after referred to as PMF. There seems to be a disagreement between NYCDEP and NYPA at B/G as to the volume and elevation of the PMF. NYPA should publically state what their estimate is of the PMF is at B/G. If there is a great divergence from the estimate as the volume and elevation from that of NYCDEP at Gilboa, this difference should be explained, and perhaps referred to a disinterested party. “Low balling”, or underestimating the PMF, and over estimating the capacity of the release works of an earthen dam, to avoid having to augment the dams flood passing capacity is not acceptable to either the public or DCC. Transparency and disclosure of the NYPA estimate of the PMF at B/G should be a pre-requisite for the relicensing of project docket #2685-026.

Submitted by

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Document Content(s)

Secretary Kimberly D.DOCX.....1-2