

1 S.113

2 Introduced by Senator Harrison

3 Referred to Committee on

4 Date:

5 Subject: Agency of Transportation; Federal Energy Regulatory Commission;
6 licensing; request for conditions; bridges; maintenance

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Agency of Transportation to request conditions as part of the federal
9 relicensing of the Bellows Falls Hydroelectric Project that would require the
10 dam owner or operator to contribute to costs associated with maintaining
11 publicly owned bridges crossing the canal that supplies water to the facility.

12 An act relating to requiring the Agency of Transportation to request
13 conditions in relation to the relicensing of the Bellows Falls Hydroelectric
14 Project

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. BELLOWS FALLS PROJECT HYDROELECTRIC DAM; AGENCY
17 OF TRANSPORTATION; FEDERAL RELICENSING; REQUEST
18 FOR CONDITIONS

19 (a) The Agency of Transportation shall, as soon as practicable, submit
20 comments, recommendations, and proposed terms and conditions to the

1 Federal Energy Regulatory Commission regarding the relicensing of Project
2 No. 1855-050, the Bellows Falls Hydroelectric Project (the Project).

3 (b) The Agency shall specifically request that the license for the Project
4 include terms and conditions that would require the owner or operator of the
5 Project to develop a plan for, and contribute to, the cost of repairs,
6 maintenance, and, if necessary, replacement of publicly owned bridges that
7 cross the power canal that supplies water to the Project.

8 (c) The Agency's filing shall include evidence and facts supporting the
9 inclusion of the terms and conditions described in subsection (b) of this
10 section, including that:

11 (1) the power canal currently serves no purpose other than providing
12 water necessary for the operation of the Project, which could not produce
13 electricity without the water supplied by the power canal;

14 (2) the power canal creates a physical barrier that separates the island
15 from the rest of the Village of Bellows Falls and the Town of Rockingham;

16 (3) the bridges across the canal are necessary to the physical and
17 socioeconomic activity on the island in the Village of Bellows Falls, including
18 access to:

19 (A) the Connecticut River and cultural sites, including a petroglyph
20 site, lithic site, and Native American burial site; and

1 (B) rail and transit facilities that serve the Village of Bellows Falls,
2 Town of Rockingham, and surrounding communities;

3 (4) economic redevelopment efforts are planned for the island, including
4 mixed-use developments and the reconnection of Bellows Falls, Vermont, to
5 Walpole, New Hampshire, via the Vilas Bridge; and

6 (5) the bridges are critical to ensuring adequate regular and emergency
7 access to businesses, structures, landmarks, and activities on the island, as well
8 as future residents of the island.

9 (d) The Agency of Transportation shall provide a copy of all materials that
10 it submits to the Federal Energy Regulatory Commission to the House and
11 Senate Committees on Transportation.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on passage.