



Theodore Gordon Flyfishers, Inc.

PO. BOX 2345, GRAND CENTRAL STATION, NEW YORK, NY 10163-2345

"I love these old streams- Neversink, Beaverkill, Willowemoc, etc.- and they have given much sport and pleasure to thousands of anglers." - Theodore Gordon 1907

April 11, 2021

Ms. Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington DC 20426

Re: Comments on P-15056 of Theodore Gordon Flyfishers, Inc.

Dear Secretary Bose:

I submit these comments on behalf of Theodore Gordon Flyfisher, Inc, (TGF). TGF is a not-for-profit angling organization committed to stream and river protection and the preservation of wild trout populations in the Catskills. If approved, the proposed project will impact the quality of the water of the Esopus Creek and its tributaries. TGF's members are avid anglers that live in the Northeast and frequently fish in the Esopus and its tributaries.

We submit these comments on behalf of our members to oppose siting a massive hydroelectric facility on the Esopus Creek and the Ashokan Reservoir. Our members fish the Esopus and its tributaries for recreation. Some of our members depend on these streams for their livelihood as fishing guides and as local business owners that cater to visiting anglers. As an organization, we recognize the need for energy storage alternatives, including pumped storage. Adequate capacity to store energy generated by renewable, but intermitted sources such as wind and solar makes alternative energy sources more economically viable. A project on the scale proposed by Premium Energy Holdings, LLC, however, is incompatible with the Catskill region. It would impact a resource our members depend on, would disrupt an ecosystem that has been protected for over a century, and would endanger a vital source of drinking water for millions of people.

Catskill Park lies within the "blue line" of protected lands designated as "forever wild" under the New York State Constitution. Before the turn of the last century, New York State wisely set aside certain areas of state forest land from industrial and large-scale commercial development as part of the state constitution. NYS Const. Art. XIV.

Construction of the facility is incompatible with largely undisturbed forest preserve provided by the Catskill Park. Our members depend on the forests, streams, and rivers in the Catskills for recreation. Based on PEH's First Amended Permit, any of the three proposals would require the

delivery of many thousands of tons of concrete and steel through the park to construct the impoundment dams, tunnels, and halls for turbines and transformers. More than 100 million cubic feet of rock and soil will need to be excavated and transported out of the park. With the exception of the construction of New York City's water reservoirs, no construction on this scale has ever occurred within the Catskills. Siting PEH's project in the Park would industrialize this vital natural resource.

Operation of the facility would have a significant impact on protected waterways. PEH seeks to minimize the impact of the project by asserting that it is "closed loop." *See* PEH First Amended Application at 11. If it were, PEH could take advantage of FERC's expedited licensing process. But PEH's assertion is simply untrue. A "closed-loop" facility is one that would "(i) Cause little to no change to existing surface and groundwater flows and uses; (ii) Is unlikely to adversely affect species listed as a threatened species or endangered species, or designated critical habitat of such species, under the Endangered Species Act of 1973; (iii) Utilize only reservoirs situated at locations other than natural waterways, lakes, wetlands, and other natural surface water features; and (iv) Rely only on temporary withdrawals from surface waters or groundwater for the sole purposes of initial fill and periodic recharge needed for project operation." 18 C.F.R. § 7.1(c)(3). The project is not "closed loop." The Esopus is a "natural waterway" that was impounded to create the Ashokan; water flows into and the out from the Ashokan. The project would adversely affect habitat critical to a number of species, including native brook trout, and it would be located along a natural waterway, the Esopus, that our members rely on.

The proposed PEH facility would eliminate at least one tributary to the Esopus. The Esopus and its tributaries, as well as the Ashokan, provide habitat for sportfish species to live and to reproduce. Eliminating a tributary would necessarily reduce critical breeding habitat for the wild trout population in the Esopus water system. It would reduce water flow in the Esopus itself. During the late summer, when water flows are naturally low and air temperatures are high, a lower volume of water places potentially lethal thermal stress on fish. Our members depend on the trout population in this water system. The siting of PEH's proposed facility places a resource our members depend on at risk.

Many of our members live or work in and around New York City and depend on its water system. Operation of PEH's facility will also endanger this water supply. The Ashokan is the largest reservoir in the New York City water supply system. By maintaining an undisturbed watershed around its reservoirs, New York City has created a water supply that is the envy of every major city on the planet. Even so, silt has been an issue for the Ashokan. For over 100 years, the West Basin has served as a settling pond for water from the Esopus and from City reservoirs farther upstate; silt drops from suspension before flowing over a weir into the East Basin, where the City's intake port is located. A study of water years from 2010 to 2012 found between 30,000 and 600,000 tons of silt flowed into the West Basin annually. Even assuming the average year's silt load is 100,000 tons per year, after 100 years of operation, there are 10 million tons of silt resting on the bottom of the West Basin. PEH estimates it will pump 15,800 acre-feet of water into and out from the West Basin on a daily basis. Disturbance of the West Basin will

no doubt resuspend accumulated silt and reduce the ability of the West Basin to absorb incoming silt before it enters the city's water supply.

The protected lands within the Catskill blue line are a wise investment New York State made on behalf of its citizens. In seeking to achieve the laudable goals of affordable, reliable, clean energy, FERC should not squander this investment. On behalf of its members, Theodore Gordon Flyfishers, Inc., urges you to reject PEH's proposed project in the Catskills.

Stephen J. Lieb,
Secretary and Board Member,
Theodore Gordon Flyfishers, Inc.