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February 10, 2019

Ms. Kimberly Bose  
Secretary, Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426  
Via FERC e-filing

**Re: Shenandoah Riverkeeper Comments for the Warren Hydroelectric Project (FERC No. 2391), Luray and Newport Project (FERC No. 2425), and Shenandoah Project (FERC No. 2509), FERC Docket No. P-2391**

Dear Secretary Bose,

Please accept the following comments on behalf of Shenandoah Riverkeeper (“SRK”) for the relicensing of Warren (FERC No. 2391), Luray and Newport (FERC No. 2425), and Shenandoah (FERC No. 2509) Hydroelectric Projects.

The Shenandoah Riverkeeper is one of three branches of the Potomac Riverkeeper Network, an environmental nonprofit organization whose mission is to protect the public's right to clean water in the Potomac River watershed by stopping pollution, protecting drinking water, restoring healthy river habitat and enhancing public access and recreation.<sup>1</sup>

**Safe and Legal Portage.** Canoeists, kayakers, anglers and recreational boaters should have safe and legal portage around obstacles such as the hydroelectric dams on the South Fork Shenandoah and Shenandoah Rivers. While all three reaches of the Shenandoah (North Fork, South Fork and the Main Stem) are heavily used by recreational enthusiasts, recreational usage around the dams is relatively low, due to safety and legal concerns. The Applicant, along with the Virginia Department of Game & Inland Fisheries, needs to secure legal access to safely portage the hydroelectric dam property, be it from the facility or from land privately held on the opposite side of the river.

**Proper Signage.** We believe that where appropriate, proper signage needs to be put in place directing river users to portage paths and river access points. Having a clear and easily understood portage system will benefit the river enthusiasts, private landowners, and the dam operators.

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<sup>1</sup> Additional information on Potomac Riverkeeper Network and Shenandoah Riverkeeper can be found at <http://www.potomacriverkeepernetwork.org/shenandoah-river/>



**American Eels** migrate up and down the Shenandoah River in order to successfully complete their life cycle.<sup>2</sup> The current eel ladders need to be redesigned so they are placed in the proper river channel location and they need to be sufficiently hardened to withstand the vagaries of Shenandoah Valley storms and high water events. Current dam configurations impede the American Eel migration on the South Fork of the Shenandoah River. The permit relicensing process needs to address both upstream and downstream dam improvements to ensure the successful migration of the American Eel.

Until the eel passage ladders are relocated in the proper channels and configured to withstand the harsh environment they operate in, and operators can demonstrate with eel passage data that the eel migration is not being unduly impeded by the hydroelectric dams in question, we continue to support the nighttime shutdown of generating units from September 15 through December 15 at all the dams.

We respectfully disagree with the Applicant when they stated in the Preliminary Application Document (PAD) that fish passage measures are in place to accommodate both resident fish and American Eel, and no mitigation measures are necessary at the Projects. During our site visits on December 12 and 13, 2018, all attendees observed that the eel passages are shut down by high water flow and the solar power configuration at the Luray site needs additional solar panels to ensure sufficient electricity for the passage. We agree with the US Fish & Wildlife Service when they requested that any future application documents should provide relevant upstream, downstream, and fish entrainment data to accurately describe the fish conditions at these Projects.

**Specific Portage Concerns.** From a river access standpoint, SRK believes that proper portage and signage needs to be put in place, or improved at the Warren, Luray, and Newport Projects. All of the projects need permanent, easily identifiable, dedicated portage routes and associated signage. The Warren Dam could benefit from a public parking area near the powerhouse to allow access below the dam for fishing and portage.

No portage is identifiable at the Luray Dam, but portage could be secured one of two ways. First, a written landowner conservation easement on the shore across from the powerhouse could provide river users with safe passage and a conservation easement could reduce the property tax burden of the landowner. Second, a modest upgrade to the powerhouse side could also accomplish safe passage. A river access point could be developed approximately 100 yards upriver of the powerhouse and have it properly sloped providing easier egress from canoes and kayaks and constructed of paving stones to provide proper foothold placement and grip. In addition, the stairs on the downstream side of the Luray dam are too narrow for carrying a canoe or kayak down to the river's edge. The Applicant should either widen the stairs or construct a canoe slide with a cable harness to allow river users to safely lower their boats to the water's edge.

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<sup>2</sup> See <https://www.fws.gov/northeast/marylandfisheries/Fish%20Facts/American%20eel%20facts.html> for additional information on American Eel migration. Information on eel migration in the Potomac watershed can also be found at <https://www.nps.gov/articles/eels-in-the-potomac.htm>

Finally, the Applicant should secure a binding legal contract with the private land owners across from the Newport dam to ensure that boaters can continue to have safe portage access should the land be sold.

Thank you for the opportunity to comment. Shenandoah Riverkeeper is committed to protecting the public's right to enjoy a clean and safe Shenandoah River and to ensure that access to the river is maintained for generations to come. Please contact me via e-mail at [mark@shenandoahriverkeeper.org](mailto:mark@shenandoahriverkeeper.org) if you have any questions regarding this submission.

Respectfully,

A handwritten signature in blue ink that reads "Mark Frondorf". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mark Frondorf  
Shenandoah Riverkeeper