UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

In re:

FirstLight MA Hydro LLC	) Turners Falls Hydroelectric Project No. 1889-085
Northfield Mountain LLC	) Northfield Mountain Project No. 2485-071

MOTION TO INTERVENE
OF
THE FRANKLIN REGIONAL COUNCIL OF GOVERNMENTS

Pursuant to Rules 210, 212, and 214 of the Federal Energy Regulatory Commission's ("Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.210, 385.212, and 385.214, the Franklin Regional Council of Governments (FRCOG) ("Movant") hereby moves to intervene and request party status in this proceeding.

On April 29, 2016, FirstLight Hydro Generating Company filed a Final License Application for the Turners Falls Project and Northfield Mountain Pumped Storage Project while several relicensing studies were still underway. On December 4, 2020, FirstLight MA Hydro LLC, owner of the Turners Falls Hydroelectric Project and Northfield Mountain LLC, owner of the Northfield Mountain Pumped Storage Project, collectively "FirstLight," filed an Amended Final License Application ("AFLA"). FERC issued a letter of deficiency and additional information request on January 14, 2021 and an additional information request on April 19, 2021.

FirstLight then re-engaged interested parties in separate settlement negotiations starting in late 2021. On March 31, 2023, FirstLight filed a Flows and Fish Passage Settlement Agreement, which also included whitewater releases for recreation. On June 12, 2023, FirstLight filed a Recreation Settlement Agreement.

On February 22, 2024, the Commission issued a Notice of Application Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Fishway Prescriptions, requiring motions to intervene to be filed on or before April 22, 2024.

I. Communications and Service of Process

All communications, pleadings and orders with respect to this proceeding should be sent to the following individuals. In the event of personnel changes, the person in the positions listed below will serve the same role.

Name: Address: Phone: Email:	Linda Dunlavy, Executive Director FRCOG, 12 Olive St., Suite 2, Greenfield MA 01301 413-774-3167 x. 103 lindad@frcog.org
Name: Address: Phone: Email:	Kimberly Noake MacPhee, Land Use & Natural Resources Program Manager FRCOG, 12 Olive St., Suite 2, Greenfield MA 01301 413-774-3167 x. 130 KMacPhee@frcog.org

II. Position of the FRCOG

Pursuant to the Commission's rules, 18 C.F.R. § 385.214(b)(1), requiring a statement of the FRCOG's position, the FRCOG seeks to have any license issued by FERC conditioned to assure that the Northfield Mountain Pumped Storage Project does not cause erosion. The FRCOG is interested in project impacts on erosion upstream of the Turners Falls Dam. Erosion caused by the Pumped Storage Project degrades water quality in violation of state and federal clean water laws, harms fish and wildlife habitat, causes the loss of land along the river including prime agricultural land, threatens important transportation and municipal water and wastewater infrastructure, increases flood risks, impedes boat access for recreation and emergency rescues, and damages important historical and cultural resources. The FERC license for this facility should include conditions that will prevent these harms by erosion from occurring.

As a party to the recreation settlement agreement filed with FERC on June 12, 2023, the FRCOG fully supports the recreation provisions in the settlement agreement and requests FERC to accept the Recreation Management Plan (RMP). The RMP and recreation settlement agreement satisfy the FRCOG's recreational interests with regard to both projects, and if kept intact in the final license, its provisions will be a great asset to the region.

In accordance with Section 2.2 of the Recreation Settlement Agreement, although we were not a party to the flows and fish passage settlement agreement, the FRCOG has agreed not to

oppose any of the terms of the flows and fish passage settlement agreement. The FRCOG has an interest in the Connecticut River being a healthy river ecosystem.

III. Interests of Movant

The FRCOG has ample interest in participating in this matter to justify intervention as required by the Commission's rules, 18 C.F.R. § 385.214(b)2).

A. Direct Interests

The FRCOG is a political subdivision of the Commonwealth of Massachusetts and serves as the Regional Planning Agency (RPA) for the 26 municipalities in Franklin County, Massachusetts. The FRCOG was formed by statute in 1996, after Massachusetts abolished its county government system. The FRCOG is the replacement governmental entity to what was formerly the Franklin County Commission. The FRCOG Council is the governing body of the FRCOG. FRCOG Council membership is comprised of one Select Board member or assigned representative from each of the 25 towns and one city of Franklin County, two regionally elected members, and one representative of the Franklin Regional Planning Board, which acts in an advisory capacity on planning issues to the FRCOG.

As the RPA for Franklin County, we provide land use, natural resource, climate resiliency, recreation, economic development and transportation planning services to our communities and the region. In addition, we provide extensive GIS database development, mapping, and analysis services and are an affiliate of the Massachusetts State Data Center. As of the 2020 decennial Census, Franklin County has a population of 71,029, and is the most rural and one of the poorest counties in the Commonwealth of Massachusetts. Most of our member municipal governments have a very limited number of paid professional staff and many roles are served by volunteer boards.

For almost three decades, FRCOG (and its predecessor organization, the Franklin County Commission) and its Connecticut River Streambank Erosion Committee (CRSEC) have been actively involved with landowners and organizations concerned about the ongoing and extensive erosion in the Turners Falls Power Pool. FERC recognized FRCOG's CRSEC in 1999 as an Ad Hoc Committee that would work with the power company to develop and implement bioengineering bank stabilization projects pursuant to an Erosion Control Plan ordered and approved by the FERC.

The Connecticut River bisects Franklin County and is a central part of the regional economy, environment, and quality of life for residents of our member towns. FirstLight owns land in the Towns of Northfield, Erving, Gill, and Montague, and the City of Greenfield, and project operations impact each of these communities. The FRCOG's interests include agricultural soils classified as "prime farmland," recreational amenities, local and regional economies, the improvement of water quality; enhancing aquatic and related terrestrial habitat; protecting and restoring the threatened and endangered plant and animal species of the valley; preserving wetlands, undeveloped shore lands, and the many significant archaeological, cultural, and historical sites within the Massachusetts portion of the Projects' boundaries.

Erosion interests

Soon after Northfield Mountain Project operation began in 1972, landowners along the Connecticut River in the Turners Falls impoundment (TFI) began complaining about increased erosion along the river banks. In an attempt to reduce erosion, the project owner engaged in helicopter logging along the banks in 1976 and 1977. In 1979, the Army Corps published a report examining the causes of erosion along the Connecticut River.[1] This report identified shear stress (velocity), pool fluctuations, boat waves, gravitational forces, seepage forces, natural stage variations, wind waves, ice, flood variations, and freeze-thaw as causative factors to erosion, in that order from most important to least important.

The 1979 Army Corps report prompted demonstration bank protection projects installed by the Army Corps in 1981. In 1991, the Army Corps published an investigation study of the Connecticut River in the TFI, and reported that approximately one-third of the 148,000 linear feet of shoreline was undergoing some form of active erosion, concluding that since 1979, riverbank erosion had increased almost threefold.[2]

Also in 1991, Northeast Utilities Service Co., Inc. hired consultants Northrop, Devine, and Tarbell, Inc. to prepare a Connecticut River Riverbank Management Master Plan. This study also documented that 30% of the riverbanks were eroding. The Master Plan recommended stabilization projects to be implemented by 1996. The Plan led to a series of meetings organized by the Franklin County Commission, with a recognition by FERC that the company needed to do more to address concerns and comply with License Article 19.[3] In September of

[1] Connecticut River Streambank Erosion Study: Massachusetts, New Hampshire, and Vermont. Prepared by D. B. Simons et al. for the U.S. Army Corps of Engineers, 1979. Contract No. DACW 33-78-C-0297.
[2] General Investigation Study Connecticut River Streambank Erosion: Connecticut River, Turners Falls Dam to State Line, MA. July 1991. U.S. Army Corps of Engineers
[3] In a letter from FERC to Northeast Utility's vice president, dated July 28, 1994, FERC cited Article 19 in the Turners Falls license, which states, "In the construction, maintenance, or operation of the project, the Licensee shall be

1994, Northeast Utilities submitted a riverbank action plan, and in August 1995, Western Massachusetts Electric Company (WMECO) submitted a Long-term Riverbank Plan for the Connecticut River. In September 1998, Northeast Utilities submitted an Erosion Control Plan that also included a riverbank erosion survey. A revised Erosion Control Plan was submitted in June of 1999 and accepted by FERC on July 8, 1999. This Erosion Control Plan was still in effect as of the beginning of relicensing. Through this entire process, the Franklin County Commission, and later when it became FRCOG, was involved in meetings and filing motions to intervene and comment to FERC.

As part of the requirements of the 1999 Erosion Control Plan, FirstLight and its predecessor owners conducted Full River Reconnaissance (FRR) efforts during 2001, 2004, and 2008. The 2004 FRR showed the erosion control efforts were not keeping pace with the rate of erosion. FERC issued a letter on June 28, 2005, requiring Northeast Generating Company (NGC) to submit a plan of action by which it would be able to show a reduction in the rate of erosion by the next FRR. In response to the FERC letter, NGC retained a fluvial geomorphologist to study the Turners Falls pool and make recommendations. On December 12, 2007, NGC filed the geomorphologic study report prepared by Field Geology Services. FERC again required a plan unless the 2008 FRR was able to demonstrate a reduction in the rate of erosion. NGC hired a new consultant, changed some of their methods, and this time, the 2008 FRR did demonstrate this reduction. FERC accepted the 2008 FRR without a plan in a letter dated November 17, 2009. The 2013 FRR was included as Relicensing Study 3.1.1, submitted to FERC in September 2014. The Erosion Control Plan committed the licensee to conduct FRRs every 4-5 years until the end of the license term, which was originally 2018 but has since been administratively continued. No FRR has been completed since 2013, and it has now been almost 11 years since the last survey of the status of the riverbanks in the impoundment.

FRCOG has been working to ensure that government agencies and project owners respond to landowner and community concerns about riverbank erosion since the Northfield Mountain project first began operating, and throughout the process described above.

Water quality and habitat interests

FRCOG recognizes that water quality is essential to sustainable use and enjoyment of the Connecticut River and its tributaries. FRCOG planning staff regularly provide towns assistance

responsible for, and shall take reasonable measures to prevent, soil erosion on lands adjacent to streams or other waters, stream sedimentation, and any form of water or air pollution. The Commission, upon request or upon its own motion, may order the Licensee to take such measures as the Commission finds to be necessary for these purposes, after notice and opportunity for hearing."

by preparing Watershed Based Plans (WBPs) for impaired water bodies in Franklin County. The WBPs recommend ways to reduce nonpoint source pollution in Franklin County waterways that are tributaries to the Connecticut River, and ultimately drain into Long Island Sound. Long Island Sound is impaired (low dissolved oxygen from nutrient loading) and has a multi-state Total Maximum Daily Load for nitrogen. FRCOG has been the recipient of Clean Water Act s.319 nonpoint source pollution funding and other grants to reduce the amount of sediment, and nutrients, being discharged into Long Island Sound.

FRCOG assists towns with zoning bylaw changes and has been working with several communities on making amendments to floodplain bylaws and river corridor overlay districts. FRCOG has initiated grant-funded work to conduct fluvial geomorphic assessments of tributaries of the Connecticut River, which has led to several restoration projects and other work related to municipal resiliency planning.

As such, FRCOG is invested and involved in efforts that make Franklin County's rivers healthy and clean. These efforts are impacted by the operations of the Turners Falls Hydroelectric and Northfield Mountain Pumped Storage projects.

Recreation interests

As the Regional Planning Agency for Franklin County, our planning staff regularly assist towns with preparing Open Space and Recreation Plans (OSRPs). OSRPs contain a 7-year action plan to implement the open space and recreation needs in each community. As such, FRCOG is familiar with the recreation and open space needs of our communities. In addition, our Economic Development staff prepare 5-year Comprehensive Economic Development Strategy (CEDS) Plans for Franklin County. FRCOG's most recent CEDS plan covers the years 2020 to 2025. The 2020-2025 CEDS Plan identifies "Outdoor/Adventure Recreation and Cultural Tourism" and "Renewable energy and energy efficiency" as two of Franklin County's key industry clusters. Outdoor/adventure recreation and cultural tourism are economic drivers in Franklin County that the local communities would like to encourage.[4]

Access to recreation and nature are a cultural and economic benefit to the region, and they enrich the quality of life for Franklin County residents. This can be a reason why people choose to move to or continue to live in Franklin County. There is also growing evidence that access to

[4] FRCOG. 2020. *2020-2025 Comprehensive Economic Development Strategy (CEDS) Five-Year Plan for Franklin County, MA.* Adopted June 11, 2020.

"blue" and "green" space, or water and vegetated areas, positively impact mental health and well-being.[5]

Outdoor recreation has always been important to Franklin County but has increased in prominence as a potential source of economic development for the county. Over the last several years, many State, regional, and local planning projects were initiated to promote outdoor recreation for economic development. These efforts were summarized in FRCOG's Outdoor Recreation Plan published in 2022.[6]

According to FRCOG's 2022 Outdoor Recreation Plan, the top 10 preferred outdoor recreation activities in Franklin County are listed below. These activities were ranked according to community surveys that are taken as part of the OSRP process. Many of these activities are offered at FirstLight's recreation facilities.

1. Hiking
2. Walking
3. Swimming
4. Nature Observation
5. Boating
6. Biking
7. Cross-country Skiing and Snowshoeing
8. Gardening
9. Running
10. Fishing

The Franklin County Outdoor Recreation Plan listed the following outdoor recreation activities as projected to have increased, stable, or decreasing demand in the near future.

Outdoor Recreation Activities Projected for Increased Demand (+)	
ACTIVITY	**NOTES**
Biking	E-bikes, mountain biking, and gravel biking technology is improving and price points have decreased to facilitate entry
Visiting a dog park	Interest in dog parks has increased
Boating (non-motorized)	Cheaper entry price points for the purchase of canoes and kayaks have increased participation

[5] National Library of Medicine: "Green-blue space exposure changes and impact on individual-level well-being and mental health: a population-wide dynamic longitudinal panel study with linked survey data." Available online at https://www.ncbi.nlm.nih.gov/books/NBK597114/ .

[6] Franklin County Outdoor Recreation Plan, 2022. Online at https://frcog.org/wp-content/uploads/2023/05/FC-Outdoor-Recreation-Plan-Final-5.30.23.pdf

Outdoor Recreation Activities Projected for Increased Demand (+)	
ACTIVITY	**NOTES**
Swimming	The popularity of swimming is increasing as more people seek out cooling activities during hot weather, though the accessibility of swimming is slow to improve
Paddle boarding	The popularity of paddle boarding continues to increase as a low-intensity, low-risk way to be on the water
Rock climbing	The proliferation of indoor rock gyms has made outdoor rock climbing more popular
Nature observation (birding, wildlife photography)	Birdwatching and wildlife photography has dramatically increased in popularity among baby boomers, assisted by internet-based information sharing
Pickleball	Baby boomers and others are increasingly interested in this alternative version of tennis

Outdoor Recreation Activities Projected for Stable Demand (=)	
ACTIVITY	**NOTES**
Hiking	Consistently high interest
Walking	Consistently high interest
Running	Consistently high interest
Fishing	Consistently moderate interest
Gardening	Consistently moderate interest
Picnicking	Consistently moderate interest
Camping	Demand for camping may have increased slightly, but supply has not increased in a few decades
Field sports (football, soccer, lacrosse, field hockey)	Fueled by school programming, participation is likely stable; although a decline in Franklin County school enrollments has led to decreased options for school-based teams in some cases
Horseback riding	Consistent, though may have seen a small jump during the Covid-19 pandemic
Skateboarding	Interest in the development and use of skate parks in Franklin County has remained consistent for a decade
Motorboating	Demand for motor boating may be increasing but barriers to access have not changed
Racing	The popularity of road races, triathlons, and adventure races stabilized after years of growth

Outdoor Recreation Activities Projected for Decreased Demand (-)	
ACTIVITY	**NOTES**
Downhill skiing/snowboarding	Becoming more difficult with less consistent snow and more frequent freeze/thaw cycles, although snowmaking technology has improved
Ice skating	Becoming more difficult when outdoors, with more frequent freeze/thaw cycles

Outdoor Recreation Activities Projected for Decreased Demand (-)	
ACTIVITY	**NOTES**
Snowmobiling	Becoming more difficult with less consistent snow and more frequent freeze/thaw cycles
Cross-country skiing/snowshoeing	Becoming more difficult with less consistent snow and more frequent freeze/thaw cycles
Baseball/softball	The popularity of baseball and softball is decreasing among both youth and adults
Hunting	Likely that this sport struggles with generational loss and increasingly restricted land access to private property in the region

With these priorities in mind, FRCOG engaged with FirstLight and other interested parties to negotiate a recreation settlement agreement that was filed with FERC on June 12, 2023. FRCOG believes that the resulting agreement, together with the Recreation Management Plan filed with the settlement agreement, is a strong package that addresses our priorities and will be beneficial to the entire region.

Land uses along the Connecticut River

FRCOG is interested in preserving agricultural use of lands along the Connecticut River. FRCOG advocated for project lands to be put into conservation restrictions, which is now part of the RMP Sections 4.2.1 and 4.3.1. Agricultural lands adjacent to the River are impacted by the operations of the Turners Falls Hydroelectric Project and Northfield Mountain Pumped Storage Project.

Infrastructure interests

Franklin County communities that host the Turners Falls Hydroelectric Project and Northfield Mountain Pumped Storage Project and lands, and those downstream, are all vulnerable to dam failure from the facilities.

Bridges and wastewater treatment facilities and outfalls are other pieces of infrastructure potentially impacted by the projects and project operations.

Indigenous, archaeological, and historical interests

FRCOG recognizes that indigenous peoples lived along the Connecticut River for thousands of years. The River is and was a source of sustenance, transportation, and spiritual connection with all living beings. In more recent centuries, much of the region's industrial history also had

a connection to the Connecticut River. FRCOG supports the interests of the Towns and indigenous groups who wish to preserve the history and the living connection with the river.

For these reasons, the FRCOG has a direct and substantial interest in the outcome of the relicensing process for the Northfield Pumped Storage Project and the Turners Falls Project.

B. Public Interest

The operations of the Turners Falls Dam and Northfield Pumped Storage Project affect the public interest by causing erosion and contributing to the loss of prime farmland soils, diminishing aquatic and riparian habitat for rare and endangered species, and impacting water quality. FirstLight's recreation facilities along the Connecticut River also affect the public interest. These impacts affect the quality of life, economic well-being, and access to a clean environment for the region's residents.

FRCOG has long advocated for the protection of water quality and habitat on the river, as well as the environmentally-responsible use of the river. As such, FRCOG has been an active stakeholder in the ongoing Integrated Licensing Process for the referenced Projects, and was involved for many decades prior to relicensing out of concern for project operations on bank erosion.

During the 1990's, the FRCOG formed the Connecticut River Streambank Erosion Committee (CRSEC) in response to public concern over erosion occurring in the TFI and Article 19 of the Northfield Pumped Storage Project license. CRSEC consists of representatives from local, regional and State government, nonprofit conservation organizations, and affected landowners who are concerned with erosion around the Turners Falls Impoundment. The mission of the CRSEC has been to address the erosion problems existing around the TFI. Many of the landowners and organizations that make up CRSEC have participated in the Integrated Licensing Process to date.

During the late 1990's, 2000's, and 2010's until relicensing, CRSEC worked with the Applicant and state agencies to prioritize stabilization efforts, secure funding for, and to implement effective shoreline stabilization projects. Many stabilization projects were funded by the power company, but the FRCOG/CRSEC secured over $900,000 in Federal funds to help pay for innovative bank stabilization projects and active stakeholder involvement.[7] Grant funding

[7] Funding sources include three s.319 Nonpoint Source Pollution competitive grants using federal funds through MassDEP, and one EPA Targeted Watershed Grant.

secured by FRCOG helped to stabilize over 3,000-feet of shoreline in the impoundment, and led to an evolution of new riverbank restoration techniques to satisfy landowner concerns and be more protective of state-listed dragonflies. Over these years, FRCOG and the CRSEC filed dozens of letters to FERC regarding riverbank erosion.

The FRCOG and its Connecticut River Streambank Erosion Committee (CRSEC) intervened and commented on temporary amendments to use expanded capacity of the upper reservoir in May of 2001, November of 2005, June of 2006, October of 2014, and October of 2017 (denied).[8] CRSEC intervened and commented on permanent license amendments in May of 2007 (FirstLight withdrew) and October 2015 (resulted in a temporary amendment for the winter of 2015-2016). In each of these filings, CRSEC expressed concerns about the impacts of expanding the range of the upper reservoir on riverbank erosion.

FRCOG and its CRSEC have submitted numerous comments to FERC since the relicensing process began, including comments on the Pre-Application Document (PAD) and study requests in 2013, versions of the Study Plan in 2013, the Quality Assurance Project Plan for Full River Reconnaissance in 2013, and study reports between 2014 and 2016.

In 2019, FRCOG filed a Protest and Request for Intervenor Status regarding the transfer of both licenses to separate limited liability companies (LLCs). FERC accepted FRCOG's intervention (and all interventions filed by the deadline) on July 1, 2019, saying, "The intervenors have an interest in the fitness of the transferee and the potential impact on the Connecticut River. Therefore, the intervenors' motions to intervene are granted."

Most recently, in June of 2023, the FRCOG signed on as a party to a recreation settlement agreement to both licenses.

For all these reasons, the FRCOG has a strong interest in project operations and stewardship of lands within the Connecticut River watershed affected by the referenced projects. The communities of Franklin County depend upon the FRCOG to facilitate and assist with the coordination of their input into federal and state government processes like this one and to provide a level of capacity and expertise in support of their interests that the Towns could not achieve through acting individually.

[8] CRSEC did not intervene during the temporary amendment request for the winter of 2016-2017. CRSEC member Connecticut River Watershed Council (CRWC) did file timely comments.

IV. Conclusion

Granting intervenor status to the FRCOG will allow the FRCOG to present an important regional perspective and relevant information for the Commission's consideration. The FRCOG is coordinating with other municipalities in Franklin County and will, except where interests diverge, endeavor to coordinate and minimize duplication to ensure the efficient presentation of relevant information to the Commission.

For these reasons, the FRCOG respectfully requests that the Commission grant this Motion to Intervene as a party with full rights to participate in all further proceedings.

Kevin P. Fox

Kevin Fox
Chair, FRCOG Council Executive Committee

4-16-24

Date

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

In re:	) Turners Falls Hydroelectric Project No. 1889-085
FirstLight Hydro Generating Company	) Northfield Mountain Project No. 2485-071

DECLARATION OF LINDA DUNLAVY

I, Linda Dunlavy, pursuant to 28 U.S.C. § 1746, hereby state that I am over the age of 18 and am in all respects competent and qualified to make this Declaration.

1. I am the Executive Director of the Franklin Regional Council of Governments ("FRCOG") and in that role supervise a staff of 50 people across 12 programs, and we actively collaborate with each of our 26 municipalities in Franklin County, Massachusetts. FRCOG is a regional planning agency and in that role, we work with communities to plan open space and recreation, housing, transportation, climate change resilience, hazard mitigation, and economic development. Our other programs can generally be described as being involved with the health, safety, and wellbeing of residents in our rural region, as well as the economic vibrancy.

2. In fulfilling my responsibilities, I have become familiar with the Franklin County's history, culture, natural resources, infrastructure, and economic status through personal observation and also through information obtained from Town staff, expert consultants, other public officials at the local, regional, state, tribal and federal levels, and reviewing public documents or reports and publications prepared by experts.

3. As stated in more detail in the FRCOG's Motion to Intervene in the above-referenced matter relating to the Federal Energy Regulatory Commission ("FERC") licensing of the Turners Fall Hydroelectric Project and the Northfield Mountain Pumped Storage Project ("Projects"), the FRCOG has a direct interest in and acts on behalf of the region for the following:
    a. The economic well-being of the region.
    b. The region's recreation facilities, which are important to the economic vitality and the quality of life for Franklin County residents.
    c. Land uses along the Connecticut River, including agriculture, forestry, industrial and commercial buildings, recreation access, and residential use along the River.
    d. Continued use and upkeep of infrastructure, including wastewater and bridges over the Turners Falls canal and Connecticut River.

d. Continued use and upkeep of infrastructure, including wastewater and bridges over the Turners Falls canal and Connecticut River.
e. Hazard mitigation and emergency preparedness in the event of operational or infrastructure failure of high hazard dams.
f. Preserving the environment, including water quality, fish habitat, and riparian habitat and health.
g. Improving the climate resiliency of our municipalities and our region.
h. Preserving and honoring the region's indigenous and recent history.

4. As stated in more detail in the FRCOG's Motion to Intervene in the above-referenced matter, the FRCOG acts on behalf of its Council and Executive Committee and member towns in furtherance of the public interest in access to a clean and healthy environment, access to recreation facilities, economic well-being, continued use of farmland and soils classified as prime farmland soils, and protection of a clean and healthy Connecticut River for people and aquatic life. The FRCOG has long demonstrated its interest in protecting the public interest through decades of active participation in proceedings before FERC and negotiations with the applicant involving both Projects.

5. Depending on the situation, I or my staff represent the FRCOG in negotiations, including that which led to the recreation settlement agreement with FirstLight. My staff and I actively consult with the FRCOG Council, who serve as the Chief Executive Officers of the FRCOG relative to the settlement agreement and the FRCOG Council Executive Committee consider and sign such documents and agreements on behalf of the FRCOG.

6. My staff and I participated in the development of the FRCOG's Motion to Intervene in the above-referenced matter. I have reviewed the facts stated in Section III titled "Interests of the Movant" and, based on my personal knowledge as Executive Director, attest that these facts are true and correct.

I state, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

4/16/24
Date

Linda Dunlavy
Executive Director, Franklin Regional Council of Governments