

## Chapter 5: Environmental Assessment

### 5.A. Introduction

The Wild and Scenic Rivers Act (Public Law 90-542, as amended), enacted in 1968, established a framework for protection of select rivers, for the benefit of present and future generations. Congress declared that “the established national policy of dam and other construction... needs to be complemented by a policy that would preserve other selected rivers, or sections thereof, in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.” These selected rivers collectively form the National Wild and Scenic Rivers System.

Prior to a river’s addition to the National Wild and Scenic River System, it must be found both eligible and suitable. To be eligible, the river must be free-flowing and possess at least one “outstandingly remarkable” resource value, such as exceptional recreational, geologic, fish and wildlife, historic features. The resource values must be directly related to, or dependent upon the river. The determination of a resource’s significance is based on the professional judgment of the Study Committee.

The suitability determination for a Wild and Scenic River designation is based upon several findings. First, there must be evidence of lasting protection for the river’s free-flowing character and outstanding resources, either through existing mechanisms, or through a combination of existing and new conservation measures resulting from the Wild and Scenic Study. Second, there must be strong support for designation from existing entities including towns, the state, riverfront landowners, and conservation organizations that will provide long-term protection of the river. Third, a practical management framework must be devised that will allow these interests to work together as effective stewards of the river and its resources. Finally, National Wild and Scenic River designation must fit as an appropriate and efficient river conservation tool.

As a result of the studies conducted by the Study Committee in partnership with the NPS, the lower Farmington River and Salmon Brook have been determined to be both eligible and suitable for designation into the

National Wild and Scenic Rivers System.

In accordance with the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508), and NPS Directors order #12, an Environmental Assessment (EA) was conducted as part of the Lower Farmington River and Salmon Brook Study Report. This EA addresses the proposed action of designation of the lower Farmington River and Salmon Brook to the National Wild and Scenic Rivers System.

The EA is comprised of sections that describe the Purpose and Need for Action, Alternatives, the River Environment, the Impacts of Alternatives, and the Public Involvement Process.

### 5.B. Project Description

The proposed project provides for permanent protection from federally permitted or funded water resource projects through a Wild and Scenic River designation of the lower Farmington River and Salmon Brook and its important river-related resources. No river construction projects or improvements that may impact the river environment are being considered as part of this project.

### 5.C. Purpose and Need for Action

The purpose of this project is to protect and enhance the lower Farmington River and Salmon Brook and the outstanding river resources including Geology, Water Quality, Biological Diversity, the Cultural Landscape, and Recreational Resources. Local leaders of the ten town study area and the state have expressed a strong desire to protect the river and its resources and are seeking federal designation in order to gain national recognition for their waterways and implement the locally prepared advisory Management Plan.

The purpose of this EA is to enable the National Park Service and its partners to:

- Determine if the lower Farmington River and Salmon Brook should be proposed for addition to the National Wild and Scenic Rivers System; and
- Determine the best long-term conservation strategies for protecting and enhancing the rivers and associated resources.

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The lower Farmington River and Salmon Brook corridors contain important “outstandingly remarkable” resource values related to the recreational opportunities, the distinctive species and habitats, the cultural landscape and the underlying geological history.

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The lower Farmington River and Salmon Brook corridors contain important “outstandingly remarkable” resource values related to the recreational opportunities, the distinctive species and habitats, the cultural landscape and the underlying geological history. Despite the fact that the existing framework of local and state resource protection was deemed adequate through the Wild and Scenic Study, it is important to ensure optimal protection of Outstandingly Remarkable Values (ORVs), water quality, and free-flowing character over time due to threats and a changing environment.

The proposed Partnership Wild and Scenic River approach to designation and the Management Plan (locally developed during the Study) is tailored to rivers like the lower Farmington River and Salmon Brook that are characterized by extensive private land ownership along the river, and well-established traditions of local control of river management in a community-based setting. This designation scenario is designed to support the development of river protection strategies that bring communities together in protecting, enhancing, and managing high value river resources. Implementation of the Lower Farmington River and Salmon Brook Management Plan is intended to be pursued in a coordinated approach between all levels of government as well as with residents and local and regional partners and organizations.

The purpose of the designation, as determined by the Wild and Scenic Study Committee in partnership with the National Park Service, is to protect the river resources through local

implementation of the Management Plan’s protection goals as follows:

- Protect geological features that are important as agricultural, cultural, hydrologic, or recreational resources or that are the basis for natural ecological functions or that serve significant scientific or educational purposes.
- Identify, understand, maintain, and as needed improve the chemical, physical, biological, and flow conditions in the waters of the lower Farmington River and Salmon Brook so that they support the needs of native wildlife, aquatic life, and recreational users.
- Recognize, understand, protect and enhance the unique, rare, declining and characteristic native species and natural communities of the lower Farmington and Salmon Brook Corridors that contribute to the area’s biodiversity.
- Conserve the archaeological and historical heritage of the river corridor and develop interest in this heritage, strengthening residents’ connection to the river and enriching the experience of visitors.
- Facilitate public recreation on and along the lower Farmington River and Salmon Brook in a manner consistent with natural and cultural resource protection.

Additionally, threats and management issues were identified that could degrade Outstandingly Remarkable Resource quality. The potential gaps between potential threats and existing protections were noted, and recommended tools or techniques provided for improving protection and enhancement of the resources at the local level.

#### ***5.D. Alternatives***

During the Wild and Scenic Study the Committee considered a variety of alternatives for the long-term protection of the Farmington River and Salmon Brook and associated resources. In accordance with NEPA, CEQ regulations, the desires of the Study Area towns, and established NPS policy for Wild and Scenic Studies of extensive private land ownership along rivers, alternatives for the conservation of river resources are described here.

Alternatives were considered and evaluated in accordance with the interests and objectives of the riverfront communities as articulated through the Study Committee. In order for an

Photo: Tom Cameron



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The future Lower Farmington River and Salmon Brook Wild and Scenic Committee (FSWS) would assume lead responsibility for coordination of the Management Plan implementation that was created during the Study.

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alternative to meet the needs of the towns in protecting the river the following objectives must be met:

- Federal designation would only be recommended if strong support were expressed through passage of support resolutions by the affected towns.
- No reliance on federal ownership of land in order to achieve the Wild and Scenic River Act's goals of protecting and enhancing river values.
- Land use management is regulated through existing local and state authorities, the same as before a designation.
- Administration and implementation of a locally led Management Plan is accomplished through a broadly participatory management committee, convened for each river specifically for this purpose.
- Responsibility for managing and protecting river resources is shared between the local, state, federal, and non-governmental partners on the committee.
- A strong emphasis on grassroots involvement and consensus building.
- Reliance on volunteerism as a key to success.
- No National Park Service (NPS) Superintendent, law enforcement, or similar elements of traditional federally managed units of the National Park System.

In accordance with NPS Director's Order #12 and NEPA Section 102(2) (E), a range of proposed river protection alternatives were considered, including a "no action" alternative. Additionally and in accordance with the DO-12 Handbook, the NPS identifies the environmentally preferable alternative in its NEPA documents for public review and comment [Sect. 4.5 E(9)]. The environmentally preferable alternative is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources. The environmentally preferable alternative is identified upon consideration and weighing by the Responsible Official of long-term environmental impacts against short-term impacts in evaluating what is the best protection of these resources. In some situations, such as when different alternatives impact different resources to different degrees,

there may be more than one environmentally preferable alternative (43 CFR 46.30).

#### **Alternative A. No Action**

The No Action alternative is evaluated and used as a baseline for comparison with the effects of the action alternatives. This alternative does not involve designation of the lower Farmington River and Salmon Brook to the National Wild and Scenic Rivers System. This alternative would maintain existing state and local controls for resource protection on the Farmington River and Salmon Brook without additional federal protection from federal water resource projects or federal support for local river protection efforts. Under the No Action alternative, there would be no involvement or support in river management from the National Park Service through administration of the National Wild and Scenic Rivers Act.

#### **Alternative B. Full Designation—NPS Preferred**

This alternative would designate all segments of the lower Farmington River and Salmon Brook having been found to meet the criteria of eligibility and suitability into the National Wild and Scenic Rivers System. This alternative would extend the Wild and Scenic River designation to the confluence with the Connecticut River (the upper 14 miles of the Farmington are already designated). Alternative B best protects the resources of the rivers by designating the segments as described. Designation would include the lower Farmington River, from the terminus of the upper Farmington River Wild and Scenic segment to the Connecticut River, with the exception of two river segments that include dams. It would also include and the designation of the East, West and Main Stem Branches of the Salmon Brook within Connecticut.

The future Lower Farmington River and Salmon Brook Wild and Scenic Committee (FSWS) would assume lead responsibility for coordination of the Management Plan implementation that was created during the Study. To undertake this responsibility, the FSWS would coordinate and direct implementation of activities described in the Management Plan. The Management Plan as implemented by FSWS would provide an appropriate and effective management framework for the long-term management and protection of the watercourses.

The NPS would have a role on the FSWS and could potentially provide financial and technical assistance to support Management Plan implementation. The NPS would provide National Wild and Scenic River Act Section (7) reviews of federally permitted or funded projects which might potentially impact the waterways and associated resources. Additionally, the functions of the NPS could include, but not be limited to the following activities:

- Provide limited financial assistance to support the coordination of river conservation projects amongst towns and partners.
- Respond to public inquiries.
- Develop appropriate plans to protect resources and develop visitor and interpretive resources.
- Fund additional research initiatives for resource protection and public use.
- Provide technical and financial assistance, as appropriate, through use of cooperative agreements.
- Assist in public education.
- Develop interpretive media.

#### **Alternative C. Partial Designation**

This Alternative varies from Alternative B by excluding an additional 1.5 miles of the Farmington River below the Rainbow Dam tailrace, and an additional .5 miles above the Route 187 Bridge from potential Wild and Scenic River designation (at the upstream end of the existing Rainbow Dam impoundment). Below Rainbow, the exclusion area would extend for a total of 2.2 miles below the dam to a point 0.5 miles below the Route 75 bridge in the Poquonock section of the Town of Windsor. Above Rainbow, the reservoir exclusion area would extend to a point 500 ft upstream of the old Spoonville Dam site at the base of Tariffville Gorge. This alternative would provide opportunities for new hydroelectric development below Rainbow Dam and for potential expansion (raising flashboard height) of the existing Rainbow Dam.

#### ***Variations on Alternatives***

Multiple variations exist regarding potential Wild and Scenic River designation alternatives. These include:

**Endpoints Above Rainbow Dam.** As noted earlier, Figure 10 presents 4 different

alternatives for designation endpoints above Rainbow Dam. The Windsor Town line and Helco Island alternatives have not been separately evaluated here, as they are both variants of the Route 187 bridge alternative defined in the environmentally preferred alternative. Neither would allow for potential future expansion of Rainbow Reservoir, and as such are functionally equivalent to the Rte 187 crossing.

#### **Full Designation of the Lower Farmington Below Rainbow, Partial Designation Above Rainbow; Full Designation Above Rainbow and Partial Designation Below Rainbow.**

The differing treatment of the river segments immediately above and below the existing Rainbow Dam and Reservoir could be “mixed and matched” to allow for consideration of future hydroelectric development opportunities at one end or the other. Either of these approaches would essentially “split the difference” between Alternatives B and C, representing a potential legislative compromise approach that would apply Wild and Scenic protections to either the expansion of hydro above Rainbow or new hydroelectric development below Rainbow (but not to both).

#### ***Features Common to the No Action, Full Designation and Partial Designation Alternatives***

##### **1. Continued implementation of existing local, state, and federal programs documented in the Lower Farmington River and Salmon Brook Management Plan.**

Wild and Scenic River designation would not replace or appreciably alter the existing implementation of the “baseline” local, state or federal programs as discussed in the Management Plan, and which comprise the basis of the “No Action” Alternative. Thus, continued implementation of these programs is assumed under all alternatives.

##### **2. Lower Farmington River and Salmon Brook Management Plan.**

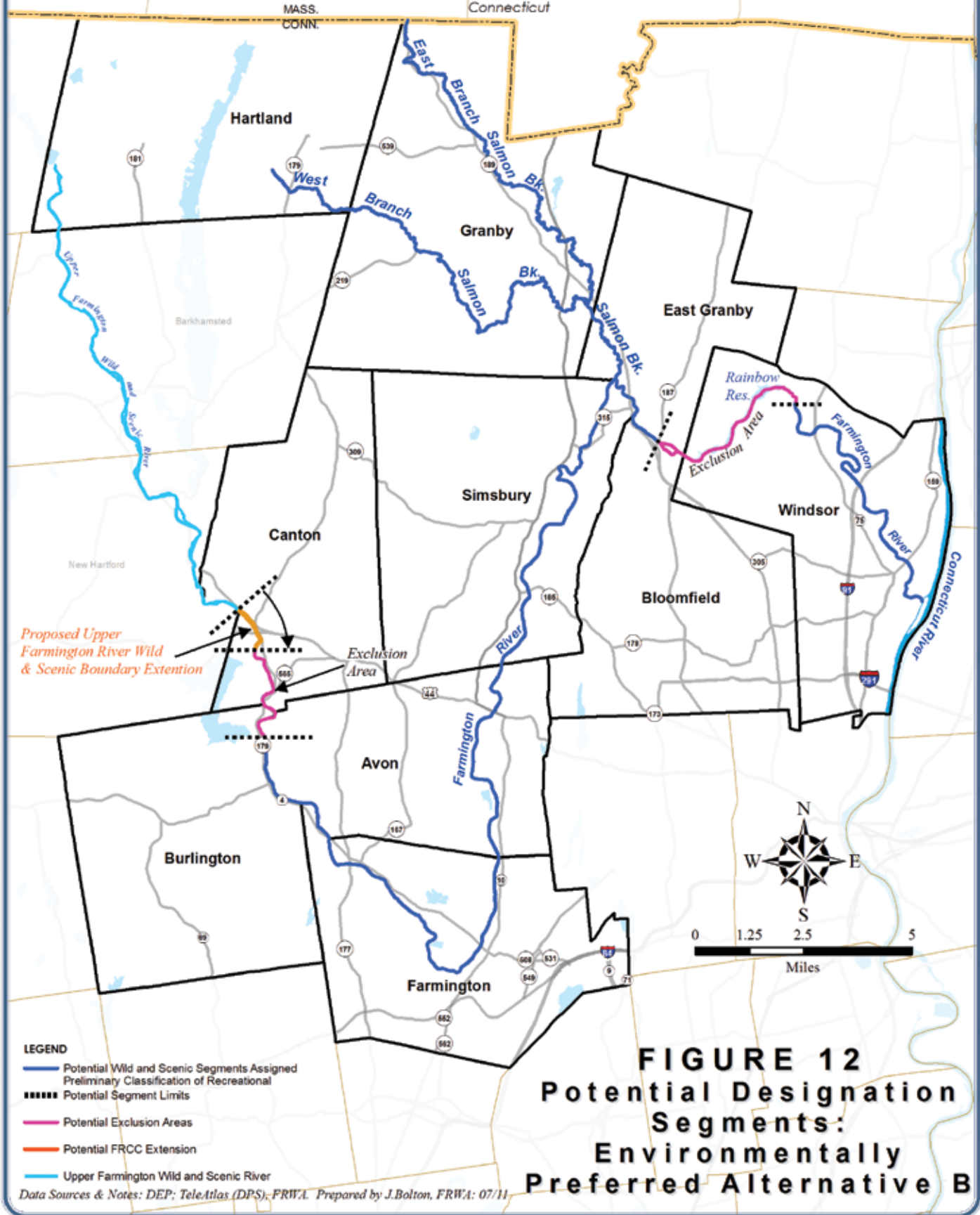
The Lower Farmington River and Salmon Brook Management Plan has been developed during the Study to serve as the blueprint for management and protection of the rivers regardless of whether Wild and Scenic Rivers designation occurs. However, if designation occurs there is a greater likelihood that the Management Plan will be implemented to its full potential. Without a designation there is no guarantee



# LOWER FARMINGTON RIVER / SALMON BROOK

## Wild and Scenic Study

Avon, Bloomfield, Burlington, Canton, East Granby, Farmington,  
Granby, Hartland, Simsbury and Windsor  
Connecticut



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The environmentally preferable alternative is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources.

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that a group of stakeholders will convene to oversee implementation of the Management Plan and the NPS will not be involved. The principal effect or impact of Wild and Scenic Rivers designation will be to add the specific protections of designation **on top of** existing programs, and to establish an authorization for direct federal funding and technical assistance to aid in implementation of the Management Plan.

### **3. Lower Farmington River and Salmon Brook Wild and Scenic Study.**

Since the watercourses are currently under a 5(a) study, they are protected under Section 7(b) of the Wild and Scenic Rivers Act for three (3) full fiscal years after the study report is submitted to Congress.

#### *Alternatives Considered and Rejected Prior to the Wild and Scenic Study*

##### **National Park Service Management**

Under this type of management scheme, the Farmington River and Salmon Brook would be added to the National Wild and Scenic River System as a unit of the National Park Service (NPS) and would be managed directly by NPS staff. The management committee, as described above, would be created, but the NPS would take a more active role, using the Management Committee and Plan for guidance. With this type of management direction, the NPS would be responsible for assuring protection in a traditionally managed unit of the National Park System such as through potential NPS law enforcement or land management or acquisition.

This method of management was eliminated from consideration prior to the authorization of the Wild and Scenic Study Bill. The upper Farmington River holds a Partnership Wild and Scenic River designation which serves as a successful model of the coordinated approach to river management which does not involve federal land acquisition or the direct federal management presence of more traditional park units. Thus the “Partnership” approach was deemed best suited to the lower Farmington River area by the pre-study team. Local support for designation was based on the expectation that river management would be accomplished through the Partnership method, not solely by the NPS.

##### **State Management**

Federal Wild and Scenic designation by the Secretary of the Interior under Section 2(a) (ii) of the Federal Wild and Scenic Rivers Act

would mean that the State of Connecticut would serve as the manager for the lower Farmington River and Salmon Brook.

This management approach was eliminated from consideration during the pre-study authorization phase. Based on the high level of early local support and involvement in the process by riverfront towns and conservation organizations, the need for state management was determined to be not appropriate for this river designation. The pre-study team also determined that the upper Farmington River “Partnership” model for the Wild and Scenic Study and designation, which serves as a successful model of the coordinated approach to river management, was best suited to the lower Farmington River and Salmon Brook area.

#### **5.E. Identification of Environmentally Preferable Alternative**

In accordance with the DO-12 Handbook, the NPS identifies the environmentally preferable alternative in its NEPA documents for public review and comment [Sect. 4.5 E(9)]. The environmentally preferable alternative is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources. The environmentally preferable alternative is identified upon consideration and weighing by the Responsible Official of long-term environmental impacts against short-term impacts in evaluating what is the best protection of these resources. In some situations, such as when different alternatives impact different resources to different degrees, there may be more than one environmentally preferable alternative (43 CFR 46.30).

Alternative B most fully protects the free-flowing river character, water quality and Outstandingly Remarkable Values. Based on the analysis of environmental consequences of each alternative in Section 5.F., Alternative B is the environmentally preferable alternative. Under this alternative the Federal Power Commission (FERC) shall not license the construction of any dam or other project works. This full designation alternative would provide special recognition and protection for the watercourses, and for the five identified Outstandingly Remarkable Values (ORVs) for which the rivers would be designated.

The Preferred Alternative is B, National Wild and Scenic River designation of all segments

found eligible and suitable, with a river management plan implemented through the local Lower Farmington River and Salmon Brook Wild and Scenic River Committee comprised of local, state and federal partners.

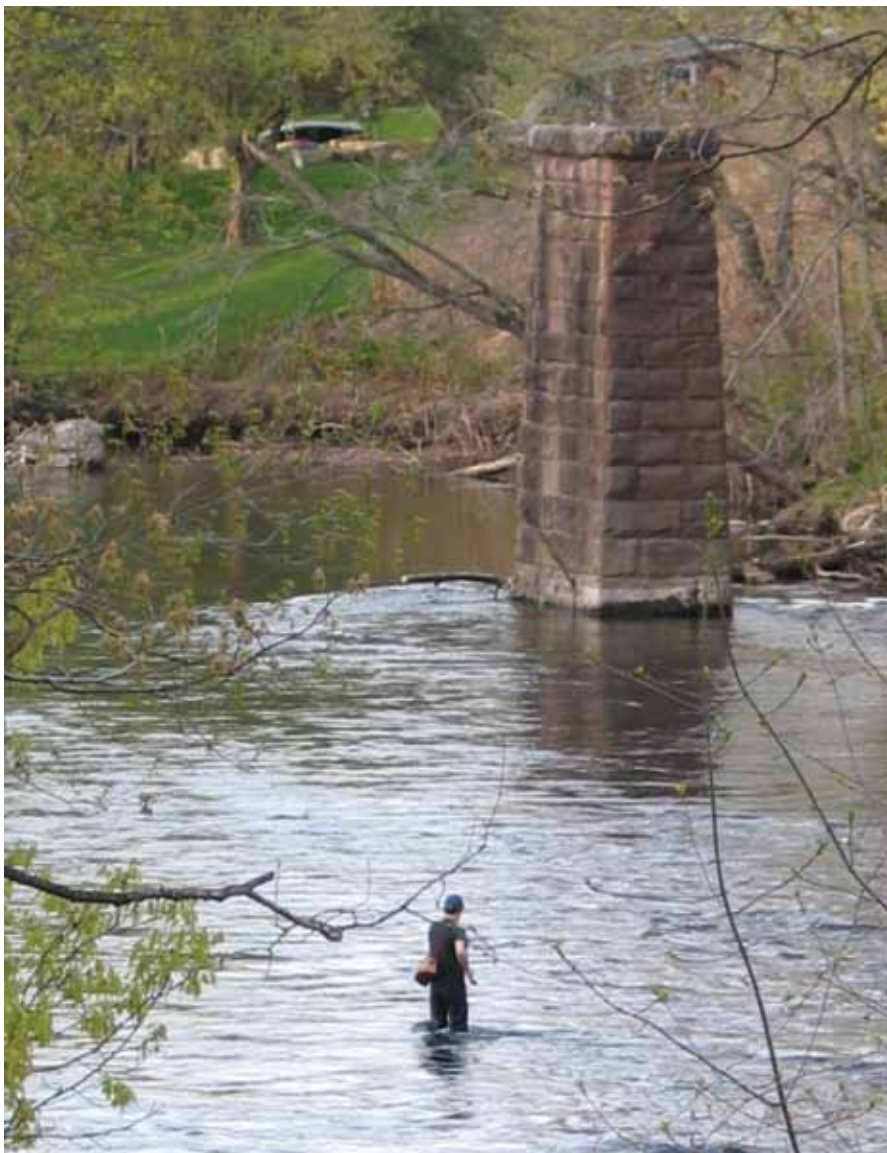
***Environmentally Preferable Alternative B:***

- Most fully protects the free-flowing river character, water quality and Outstandingly Remarkable Values.
- Allows designation of all currently eligible and suitable river segments.
- Protects the river from the harmful effects of federally licensed or funded development projects.

***5.F. Affected Environment***

The Wild and Scenic Study included the lower Farmington River from the New Hartford/Canton town line to the confluence with the Connecticut River, and the East, West and Main Stem Branches of the Salmon Brook in

Photo: Wanda Colman



Connecticut. The area is described in detail in Chapter 2 starting on page 8 of this report.

In addition, NEPA asks federal agencies to analyze the likely environmental impacts of a proposed action, in this case designation as a National Wild and Scenic River. Wild and Scenic River designation (and the Wild and Scenic Rivers Act) is specifically targeted toward the preservation of free-flowing river character, and protection, and enhancement of identified “outstandingly remarkable” values. Therefore, the “affected environment” for the NEPA analysis is free-flowing river character, water quality, and “outstandingly remarkable” natural, cultural and recreational river values. These values have been extensively described in the Outstandingly Remarkable Values Chapter 3.C. starting on page 17 of this report. A fuller understanding of the resources in question, their existing management and the likely impacts of Wild and Scenic designation can also be gained from reading the companion document to this Study Report, the Lower Farmington River and Salmon Brook Management Plan.

***5.G. Impact of Alternatives***

This section of the Environmental Assessment allows for comparisons of the alternatives and their impacts on the resources of the lower Farmington River and Salmon Brook. It is not anticipated that any part of the natural environment of the waterways will be adversely or negatively impacted by the designation of the river into the National Wild and Scenic River System or via the adoption of the Management Plan. No river construction projects or improvements that may impact the river environment are being considered as part of this planning process.

The impacts of the alternatives are estimated based on professional experience related to similar designations in the northeast region utilizing the “Partnership Wild and Scenic River” designation model. Such a designation has been in effect on the upper Farmington River for more than 15 years, providing an excellent model from which to estimate impacts. Additionally, there are another 10 similar river designations in the larger Northeast Region of the National Park Service which collectively provide a sound basis for understanding the impacts of designation.

*See Impact of Alternatives Table that follows.*

5.H. Impact of Alternatives Table—Description

Alternative A: No Action	Alternative B: Full Designation— Environmentally Preferable Alternative	Alternative C: Partial Designation
<p><b>Description of Alternative</b></p> <p>This alternative would maintain existing state and local controls for resource protection on the Farmington River and Salmon Brook without additional federal protection from federal water resource projects or federal support for local river protection efforts.</p> <p>Under this alternative, no portion of the Farmington River or Salmon Brook would be designated as a component of the National Wild and Scenic Rivers System. The existing local, state, and federal river management and protection context would be unchanged. The Farmington and Salmon Brook Management Plan prepared as part of the study could be utilized by existing river stakeholders to guide and improve future river management and protection efforts. However, the absence of the federal designation and anticipated federal support for the Plan and its implementation would likely mean that the Plan and its implementation would be utilized to a much lesser extent than if designation were to occur. Long-term federal support and assistance to protection of free-flowing river conditions, water quality, and ORVs would not be in place. Similarly, it is possible that some other entity (the National Park Service would not be involved if the river is not designated) might organize, convene and support a committee charged with overseeing implementation of the Management Plan. The likelihood is, however, that the Committee will not be a significant long-term factor in the absence of federal designation and support.</p> <p>In the absence of designation, federally assisted water resource development projects such as hydro could be developed at existing dam sites or new sites.</p>	<p><b>Description of Alternative</b></p> <p>This alternative would designate, as a component of the National Wild and Scenic Rivers System, all segments of the Lower Farmington River and Salmon Brook found to meet the criteria of eligibility and suitability, totaling 63.4 miles. This alternative would extend the existing upper Farmington Wild and Scenic River designation to the confluence with the Connecticut River. Under this alternative, 37 miles of the lower Farmington River, with the exception of two river segments with dams, and the 26.4 miles of the East and West Branches and Main Stem of the Salmon Brook within Connecticut would be subject to the additional protections of the federal designation.</p> <p>If designated, the National Park Service would convene a Farmington River and Salmon Brook Wild and Scenic Committee, ensuring that this oversight and coordination body exists and functions to stimulate implementation of the Lower Farmington and Salmon Brook Management Plan. Federal funding and technical assistance (subject to congressional appropriations) would be available to assist in Plan implementation and would motivate increased long-term efforts to protect and enhance free-flowing river conditions, water quality and identified ORVs. Section 7 of the Wild and Scenic Rivers Act would be in effect for all eligible and suitable segments, providing maximum protection to the free-flowing river character from potentially adverse federally assisted water resource development project.</p> <p>This alternative best matches the desires of the communities, local governments and river stakeholders.</p>	<p><b>Description of Alternative</b></p> <p>This Alternative varies from Alternative B by excluding an additional 1.5 miles of the Farmington River below the Rainbow Dam tailrace, and an additional .5 miles above the Route 187 Bridge from potential Wild and Scenic River designation (at the upstream end of the existing Rainbow Dam impoundment). Below Rainbow, the exclusion area would extend for a total of 2.2 miles below the dam to a point 0.5 miles below the Route 75 bridge in the Poquonock section of the Town of Windsor. Above Rainbow, the reservoir exclusion area would extend to a point 500 ft upstream of the old Spoonville Dam site at the base of Tariffville Gorge. This alternative would provide opportunities for new hydroelectric development below Rainbow Dam and for potential expansion (raising flashboard height) of the existing Rainbow Dam. These new and or increased hydroelectric opportunities have been advocated for by the Stanley Black &amp; Decker (SBD) company which owns and operates the existing Rainbow Dam and which owns riverfront lands below Rainbow that have been targeted by the company for future hydroelectric development.</p>

## 5.H. Impact of Alternatives—Impacts on Free-Flowing Character

Alternative A: No Action	Alternative B: Full Designation	Alternative C: Partial Designation
<p><b>Impacts on Free-Flowing Character</b></p> <p>This alternative would provide no additional protection (beyond existing state and federal project review and permitting programs) to the free-flowing character of the lower Farmington River and Salmon Brook. Federally permitted or funded water resource projects that could alter the free-flow of the river and its undisturbed shoreline areas would only continue to be subject to Section 7(b) review for three full fiscal years after this study report is submitted to Congress. Since most, and perhaps all, projects posing a threat to free-flowing condition require federal assistance/permitting, this lack of future protection could be significant over time.</p> <p>The potential hydroelectric developments promoted by SBD (raising of Rainbow Dam to create more power potential at that existing facility and development of a new facility downstream of Rainbow Dam) could be pursued. Other former and historical dam sites on the lower Farmington and Salmon Brook could likewise attract potential hydroelectric proposals, though no such proposals have surfaced as part of Study investigations. The feasibility of any such proposals is highly speculative and influenced by such factors as energy prices, government renewable energy incentives, the larger state and federal regulatory climate, and other factors.</p> <p>Beyond hydroelectric development, this alternative would provide no additional review or scrutiny of Army Corps permits or other federal assistance projects related to the river. Over time the absence of this additional scrutiny and regulatory protection could allow for degradation of free-flowing character through rip-rap, channel alterations, or similar projects. Any such degradation would be expected to be long-term and incremental in nature.</p>	<p><b>Impacts on Free-Flowing Character</b></p> <p>This alternative would permanently protect 63.4 miles of the Lower Farmington River and the Salmon Brook from federally assisted or permitted projects that could alter the free-flow of the river, and would specifically prohibit the FERC from licensing any new hydroelectric project on or directly affecting the designated segments. New hydroelectric development opportunities advocated by SBD (raising the height of Rainbow Dam flashboards, and/or development of a new project below Rainbow Dam in Windsor) would be prohibited, as would other potential new hydroelectric development proposals on designated portions of the Lower Farmington River and Salmon Brook. The exclusion of the Lower Farmington River segment surrounding Upper and Lower Collinsville Dams would allow Avon, Burlington and Canton to continue to explore the feasibility of redeveloping and relicensing hydropower at the existing Collinsville Dams.</p> <p>Under this alternative the exclusion boundaries surrounding the Rainbow Dam and Reservoir would allow continued operation of the existing hydropower facility and allow FERC to accept a license application if one is required in the future. Because of the uncertainties regarding the upper limit of the Rainbow Reservoir, this alternative and its variants (Helco Island, Windsor Town Line) could complicate such potential future FERC licensing of the Rainbow Dam. This potential issue should be reviewed and discussed with the FERC, and legislative protections for the Rainbow Dam and its operations could be considered as a part of the legislative designation process.</p> <p>This alternative would provide the maximum protection to free-flowing character from other forms of federally/assisted water resource development projects such as rip-rap, channel modifications, diversions. Over time, this additional protection and project scrutiny could have the effect of better preserving and/or enhancing free-flowing river character and natural stream channel conditions.</p>	<p><b>Impacts on Free-Flowing Character</b></p> <p>This alternative would allow for future consideration of the two hydroelectric development proposals advocated for by SBD—raising the height of Rainbow Dam flashboards and development of a new facility downstream of Rainbow Dam in the vicinity of the Route 75 crossing. Other segments of the Lower Farmington and all of Salmon Brook would be designated and protected similar to Alternative B. Under this alternative at least 0.5 miles of the lower Farmington River above the existing Rainbow Reservoir could be inundated by the raising of Rainbow flashboards to the maximum feasible engineering height of 13 feet (according to SBD data). This would convert that stretch of free-flowing river into a ponded condition. If such a proposal were pursued by the SBD company, it would require FERC licensing, and the public benefit of such a change would be evaluated through such FERC licensing process.</p> <p>Similarly, SBD or another party could propose development of a new hydroelectric facility below the Rainbow Dam. SBD owns lands in the vicinity of the Route 75 bridge and has performed some preliminary analysis of a potential new facility (likely a dam) at this site. As with the Rainbow expansion above, any such proposal would need to be individually reviewed and licensed through the FERC process. The presence of Wild and Scenic River designated segments above and below these areas would allow the National Park Service to ensure protection of upstream and downstream resources as a part of such a process, but the impacts to the non-designated reaches themselves would not be considered in the Wild and Scenic Rivers review.</p>

*5.H. Impact of Alternatives—Impacts on Protection of Identified Outstandingly Remarkable Values (ORVs)*

Alternative A: No Action	Alternative B: Full Designation	Alternative C: Partial Designation
<p><b>Impacts on Protection of Identified Outstandingly Remarkable Values (ORVs)</b></p> <p>Under the no action alternative there would be no increased protection of the identified natural, cultural and recreational Outstandingly Remarkable Values, or water quality. The current level of protection through local, state and federal channels would remain unchanged and without the Wild and Scenic designation's protections, could lead to incremental decline in the ORVs over time. The increased scrutiny afforded by the direct application of Section 7(a) of the Wild and Scenic Rivers Act would not be in effect for the oversight of federally funded or assisted projects beyond the three-year post-study report submission deadline. In addition, the increased examination of other federal projects (non-water resource development projects) that could be expected through required NEPA processes would not include recognition and protection of federal Wild and Scenic River status. Similarly, the probable lack of oversight and project assessment applied to non-federal projects, through Wild and Scenic Committee support, would erode local and state efforts to protect identified natural, cultural, and recreational values.</p> <p>Without Wild and Scenic Rivers designation, resource protection strategies set forth within the Lower Farmington River and Salmon Brook Management Plan to promote protection and enhancement of ORVs would not be implemented to the same extent since there would be no Wild and Scenic Committee to lead the effort. Furthermore the National Park Service would not be available to provide technical assistance, further leading to a potential long-term deterioration of identified resources.</p>	<p><b>Impacts on Protection of Identified Outstandingly Remarkable Values (ORVs)</b></p> <p>Alternative B would provide the highest degree of protection to the identified ORVs and would permanently protect the ORVs of the Lower Farmington River and Salmon Brook from federally permitted/funded water resource development projects that would have a potential direct or adverse effect. FERC licensed projects on or directly impacting designated river segments would be prohibited, and as a result the ORVs of the Lower Farmington River and Salmon Brook would be permanently protected from the potential impacts of new projects. In addition, the NEPA review processes for federally funded/assisted non-water resource projects would necessitate weighing impacts on the identified ORVs. The National Park Service would comment through existing federal agency review processes to ensure this consideration.</p> <p>The Wild and Scenic Committee could take the lead and responsibility for following guidance provided in the Management Plan and could undertake desirable steps and actions needed to protect the identified ORVs and provide opportunities for resource protection and enhancement. This management framework has proven effective on other Wild and Scenic Rivers and in particular on the Upper Farmington River where a Wild and Scenic Committee has been in place for over 15 years.</p>	<p><b>Impacts on Protection of Identified Outstandingly Remarkable Values (ORVs)</b></p> <p>Alternative C would provide a lesser degree of protection to the ORVs due to extended exclusion areas above, and below the Rainbow Dam, where SBD has expressed interest in raising the flashboards on the dam and in the development of a hydro site in the vicinity of the Route 75 bridge. Under Section 7 of the Wild and Scenic Rivers Act, a FERC licensed project is permitted on river segments upstream or downstream of a designated river segment as long as the project does not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area at the time of designation. Excluding additional river segments from designation could result in FERC licensed projects or federally funded/assisted projects. Projects on the non-designated river segments could impact the values for which the river is proposed for designation.</p> <p>Under this alternative, river segments both above (by raising flashboards) and below (by hydro development at a new site) the existing Rainbow Dam could be inundated, resulting in ponded conditions that could impact the identified ORVs, on a stretch of river targeted by the DEP as a high priority for protection and restoration of aquatic life. A new dam site could present a barrier to fish passage/ migration, and to recreational uses. and could impact water quality. Over time progress toward habitat and fish restoration would be reduced.</p>

## 5.H. Impact of Alternatives—Impacts on Socio-Economic Values

Alternative A: No Action	Alternative B: Full Designation	Alternative C: Partial Designation
<p><b>Impacts on Socio-Economic Values</b></p> <p>Under Alternative A, long-term impacts to socio-economic values could be anticipated relative to non-designation scenarios. For instance, there would be no designation-related special recognition of the Farmington and Salmon Brook and their associated resources. In addition, resource-related protection that a designation offers would not be available through consistent long-term implementation of the Management Plan or through reviews conducted under Section 7 of the Wild and Scenic Rivers Act, likely resulting in some level of degradation of the free-flowing conditions, ORVs and water quality of the rivers. Over the long-term, small incremental detrimental changes could affect local quality of life. Indicators of quality of life related to the river can include home prices, sense of place, and availability of high water quality source for human needs and recreational uses, as well as other related values. The proactive protection and enhancement strategies of the Management Plan aimed at maximizing the natural, cultural and recreational values to the abutting communities would see less implementation, thus reducing, over time, the value of these resources to the community.</p> <p>With widespread local support for extending the Wild and Scenic River designation to the confluence with the Connecticut River it is anticipated that the river communities would be dissatisfied with a non-designation result. River communities and stakeholders would not have access to the opportunities and associated prestige the designation affords, and that communities along the Upper Farmington River gained access to through Wild and Scenic designation 15 years ago.</p> <p>Alternative A could result in the development of hydroelectric projects promoted by SBD, and/or the ability to pursue other federally assisted/funded water resource projects. Other former and historical dam sites on the lower Farmington and Salmon Brook could likewise attract potential hydroelectric proposals. The feasibility of any such proposals is highly speculative and influenced by such factors as energy prices, government renewable energy incentives, availability of appropriate hydro technology, the larger state and federal regulatory climate, and other factors.</p>	<p><b>Impacts on Socio-Economic Values</b></p> <p>Alternative B would maximize the natural, cultural, and recreational resource values of a Wild and Scenic designation in the form of river focused community-based values, consistent with wide support expressed by local town leaders. Over time it would be reasonable to expect that quality of life values, home prices, tourism, and similar socio-economic standards might be preserved or increased through such efforts. High quality, protected river resources have been shown in numerous studies to have such positive economic community benefits. There could be some long-term shift in the nature, type, or density of adjacent land uses based on respect for river health. Landowners along the watercourses may be more likely to adopt voluntary protection strategies and support adoption of the recommended protection tools by the land use commissions due to the pride associated with a designation. There would be increased incentive for river communities to work cooperatively on river resource issues to benefit all. An increase in volunteer service would also result from the designation.</p> <p>Under this alternative, FERC licensed water resource projects are not permitted and other federally funded/assisted water resource projects could be restricted. Full designation therefore results in a loss of the potential future development of hydro. At this time the strong community support for designation and protection of river-related resources indicates that there is not strong local interest in pursuing new hydro. It is feasible that in the future the local energy needs or economic conditions could shift and that appropriate technology for hydro power could be desirable.</p> <p>Alternative B allows for continued exploration for re-developing hydro (by the communities of Avon, Burlington, and Canton) at the existing Upper and Lower Collinsville Dams. A recent assessment of the dams indicated that re-tooling the dams for hydro is structurally feasible, though the economic viability is not yet clear.</p>	<p><b>Impacts on Socio-Economic Values</b></p> <p>Alternative C would also result in highlighting the natural, cultural and recreational resource values of the lower Farmington and Salmon Brook as river focused community-based values. Many of the positive impacts outlined in Alternative B would also occur for this alternative. However, if the exclusion were extended upstream and downstream of Rainbow Dam there would be a diminished sense of continuity due to the gap in protection that might lead to long-term erosion of quality of life, home prices and related values if degradation of the river and its values were to occur. With a new dam the river would be impounded and properties adjacent to the river would be flooded. In particular, riverfront landowners in the Town of Windsor would experience a decline in quality of life and decrease in property values over time if a federally permitted project is proposed. If such a proposal were pursued by the SBD company, it would require FERC licensing, and the public benefit of such a change would be evaluated through such FERC licensing process.</p> <p>Stanley Black &amp; Decker (SBD) has estimated that a new dam at this site would be a low-head dam totaling 13 feet in height, generating 10,000 megawatts of power per year, and powering about 800 homes. SBD deemed the development of hydro not economically feasible at this time.</p>

### 5.H. Impact of Alternatives—Anticipated Costs

Alternative A: No Action	Alternative B: Full Designation	Alternative C: Partial Designation
<p><b>Anticipated Costs</b></p> <p>There are no direct costs associated with this alternative. Over the long-term, however, there could be substantial indirect costs if important river values, including water quality and identified Outstandingly Remarkable Values, are allowed to deteriorate.</p>	<p><b>Anticipated Costs</b></p> <p>Direct costs of this alternative to the federal government may be anticipated to be comparable to the direct costs of similar designations in the NPS Northeast Region that provides seed funding for implementation of the Management Plan. In recent years, congressional appropriations through the National Park Service operating budget approximated \$175,000 for each of the twelve designated “Partnership National Wild and Scenic Rivers”. Some direct and indirect costs may also accrue to State agencies and non-governmental organizations partnering with the NPS through the Wild and Scenic Committee, if they choose to devote increased resources as compared to the no action alternative. Communities’ involvement is expected to be all-volunteer, while indirect costs may be accrued through projects willingly undertaken in partnership with the NPS and Wild and Scenic Committee. Indirect costs through increased attention to preservation of river values may also occur. However, there would also be shared resources and funding across town borders for the benefit of the river protection. Multiple opportunities for collaboration and pooling of resources with the upper Farmington River Wild and Scenic Committee (FRCC) would provide economy in scale. There would also be opportunities for the Wild and Scenic Committee, towns and NGOs to leverage additional funding as a result of the seed funding provided by the National Park Service.</p> <p>Under this alternative, FERC licensed water resource projects are not permitted and other federally funded/assisted water resource projects could be restricted. Full designation therefore results in a loss of the potential future development of hydro. At this time the strong community support for designation and protection of river-related resources indicates that there is not strong local interest in pursuing new hydro. It is feasible that in the future the local energy needs or economic conditions could shift and that appropriate technology for hydro power could be desirable.</p> <p>Alternative B allows for continued exploration for re-developing hydro (by the communities of Avon, Burlington, and Canton) at the existing Upper and Lower Collinsville Dams. A recent assessment of the dams indicated that re-tooling the dams for hydro is structurally feasible, though the economic viability is not yet clear.</p>	<p><b>Anticipated Costs</b></p> <p>Direct short-term costs associated with this alternative should be similar to those observed in Alternative B.</p> <p>Stanley Black &amp; Decker (SBD) has estimated that a new dam at this site would be a low-head dam totaling 13 feet in height, generating 10,000 megawatts of power per year, and powering about 800 homes. SBD deemed the development of hydro not economically feasible at this time.</p>

## *Impact of Alternatives Discussion*

### **Alternative A: No Action**

Alternative A fails to support protection and enhancement of the natural, cultural, and recreational Outstandingly Remarkable Values (ORVs) of the lower Farmington River and Salmon Brook. This alternative would allow for the possibility of a slow loss of these values, contrary to the strongly expressed desires of adjacent communities and other river stakeholders demonstrated throughout the Wild and Scenic Study. Twenty years of accumulated experience on other Partnership Wild and Scenic Rivers has demonstrated that each such river annually accomplishes many projects through the Wild and Scenic River Committees and with the assistance of NPS staff and congressional appropriations aimed at protecting and enhancing identified river ORVs. Absent, these Wild and Scenic Committee led efforts to implement action programs, it is reasonable to assume a corresponding deterioration (or lack of enhancement) would be observed over the long-term. Quality of life values may decline under this alternative and there would be less incentive and cooperative management structure for recognizing and protecting the special river values.

This alternative does not provide protection of free-flowing river conditions, as provided by Section 7 of the Wild and Scenic Rivers Act that would prohibit FERC licensed water resource development projects, and provide the ability for the NPS to review federally funded/assisted water resource projects. If the river is not designated, the potential hydroelectric developments promoted by Stanley Black & Decker (SBD) (raising of Rainbow Dam to create more power potential at that existing facility and/or development of a new facility downstream of Rainbow Dam) could be pursued. Other former and historical dam sites on the lower Farmington and Salmon Brook could likewise attract potential hydroelectric proposals. SBD estimates that approximately 10,000 megawatts of power per year could be generated from a new 13-foot head dam site below the existing Rainbow Dam, or an equivalent of power for about 800 homes. This small amount of power makes development not currently considered economically feasible by SBD, though in the future such projects could be viable in the existence of different economic conditions

or if other conditions change such as the occurrence of high fuel prices, incentives for renewable energy or improved technologies. There are no other known dam sites on the Farmington River or Salmon Brook that have the capability of generating a large enough amount of power to make development feasible at this time, though again conditions could change in the future that provide increased incentive to dam the Farmington and Salmon Brook and damage free-flowing conditions.

No corresponding advantages to the No Action alternative are known, other than a slight savings in financial expenditures and human capital devoted to the river and its protection. These savings would likely be more than offset by resource value losses and the leveraging of volunteer support and funds through alternate sources that bring additional value to the designation. Without the designation there would be no increase in visibility and prestige that a Wild and Scenic designation affords.

There are no direct costs associated with this alternative. Over the long-term, however, there could be substantial indirect costs if important river values, including water quality and identified Outstandingly Remarkable Values, are allowed to deteriorate.

### **Alternative B. Full Designation**

Alternative B is both the environmentally preferable alternative and the NPS preferred alternative. It is the most protective of the rivers' free-flowing character, water quality, and Outstandingly Remarkable Values of the designation alternatives considered. This option best reflects the desires of the Wild and Scenic Study Committee, communities and majority of river stakeholders. In particular it is the alternative supported by the Towns of Canton and Windsor that have river segments with dams. Under this alternative all currently eligible and suitable segments of the Farmington River and Salmon Brook would be designated. The exclusion of the segment of the river surrounding and including the Collinsville Dams would permit the towns to explore hydropower redevelopment of the existing Upper and Lower Collinsville Dams. Wild and Scenic designation of the Collinsville Dams and associated river segments could be evaluated in the future if FERC licensing for hydropower generation is not deemed economical through the town's feasibility

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The ORVs were identified and documented by a team of experts as part of the Study process and were determined to be unique, rare or exemplary features on a regional and/ or national scale...

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study. Under this scenario the CT DEP (owner of both dams) could consider removal of the Lower Collinsville Dam and development of fish passage at the Upper Collinsville Dam.

This alternative is also designed to protect the existing hydro operation of the Rainbow Dam owned and operated by the Stanley Black & Decker (SBD) corporation by excluding the Dam, its reservoir and associated facilities from the designated area. It would not, however, allow for expansion of Rainbow (raising of dam flashboard height), and would preclude exploration of other new FERC licensed hydro development (other than the Upper and Lower Collinsville Dams sited above), including the Route 75 bridge site in Windsor proposed by SBD. This alternative could result in the reduction in the value of several SBD properties, and their flowage rights earmarked for hydro development. The properties and flowage rights in the vicinity of the Route 75 bridge have been owned long-term by SBD for this purpose. SBD has acknowledged that neither expansion of Rainbow nor the potential new development at Route 75 in Windsor is economically feasible at present, and in either case, the full development of a hydro proposal for this site would necessitate the acquisition of additional properties and/or flowage rights.

Similarly, other Farmington River sites and those associated with Salmon Brook are also viewed as unfeasible given present conditions. Over the long-term, however, it is conceivable that changing economic conditions, energy costs, new technologies, and increasing interest in renewable energy could render one or more of these potential developments viable, and Alternative B would preclude such future consideration in favor of protection for free-flowing river values.

This full designation alternative would provide special recognition and protection for the watercourses, and for the five identified Outstandingly Remarkable Values (ORVs) for which the rivers would be designated. The ORVs were identified and documented by a team of experts as part of the Study process and were determined to be unique, rare or exemplary features on a regional and/ or national scale (the Eligibility Chapter of this report provides an overview of the ORVs and the Management Plan which serves as a companion document to this Study Report details the ORVs in depth).

The designation would also acknowledge the widespread support expressed by the State of Connecticut, river towns and stakeholders. Strong support for long-term protection of the Lower Farmington and Salmon Brook resources through a Partnership Wild and Scenic Rivers' designation was clearly indicated through passage of state legislation, town leader votes and letters of support. This alternative is consistent with Town Council, Board of Selectmen and land use commission votes to support the Lower Farmington River and Salmon Brook Management Plan and federal Wild and Scenic designation. In particular, the Windsor Town Council and Planning & Zoning Commission endorsed the Wild and Scenic designation contingent on the Rainbow Dam downstream boundary being situated below the tailrace as offered by this alternative.

Direct costs of this alternative to the federal government may be anticipated to be comparable to the direct costs of similar designations in the National Park Service (NPS) Northeast Region. In recent years, congressional appropriations through the National Park Service operating budget approximated \$175,000 for each of twelve designated "Partnership National Wild and Scenic Rivers". Some direct and indirect costs may also accrue to State agencies and non-governmental organizations partnering with the NPS through the Wild and Scenic Committee, if they decide to devote more resources toward the lower Farmington and Salmon Brook than they would with the no action alternative. Local communities' direct involvement is expected to be all-volunteer, while indirect costs may be accrued through projects undertaken in partnership with the NPS and Wild and Scenic Committee. Indirect costs through increased attention to preservation of river values may also occur when partners decide to participate. However, significant long-term savings would be gained with this alternative by preventing costs associated with loss or deterioration of important river values, including water quality and identified Outstandingly Remarkable Values. There would also be shared resources and funding across town borders for the benefit of greater river protection. Wild and Scenic designation would provide opportunities to coordinate projects and funding through the Wild and

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Based on the study, “Use and Economic Importance of the Lower Farmington River and Salmon Brook,” the river, the brook, and their corridors are highly valued by residents, businesses and recreational users who strongly support a Wild and Scenic River designation as a way to further river protection.

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Scenic Committee, towns, and NGOs, and to leverage additional funding as a result of the small amount of seed funding provided by the NPS. The river towns would realize an increase in prestige and visibility due to the designation. This increase may have a positive local economic impact. The communities have acknowledged the benefit of a funding source for river-related conservation work that is critical to protecting and enhancing local resources and quality of life.

Based on the study, “Use and Economic Importance of the Lower Farmington River and Salmon Brook,” the river, the brook, and their corridors are highly valued by residents, businesses and recreational users who strongly support a Wild and Scenic River designation as a way to further river protection. Survey respondents’ support is based on the sense of place that the lower Farmington River and Salmon Brook provide, and more strongly on the diverse recreational options which the watercourses offer. The Real Estate portion of the study indicated that homebuyers are willing to pay approximately \$14,000 more to be within one mile of the Farmington River and Salmon Brook.

#### **Alternative C. Partial Designation**

Alternative C is similar to Alternative B, however offers diminished long-term protection of the free-flowing river character and natural, cultural and recreational Outstandingly Remarkable Values (ORVs), while allowing for exploration of potential new hydroelectric development options through expansion of the existing Rainbow Dam and potential new facility construction below Rainbow at Route 75 in Windsor.

This alternative would allow future consideration of a water resource project such as a new dam on the Farmington River segment in the Poquonock section (Route 75) of the Town of Windsor, or the consideration of raising of Rainbow Dam flashboards. These alternative boundaries were brought forward by Stanley Black & Decker (SBD). New FERC licensed hydro projects could impact the free-flow of the river, the identified ORVs such as the diversity of aquatic life, and recreational use, as well as harming an important fish migration route. Construction of a dam or other type of river impoundment would impair the DEP’s progress toward supporting fish diversity and restoring migrating fish to

the Farmington River. The DEP has stated it would oppose any new dams along this river segment.

This alternative would also allow for future FERC consideration of the potential for SBD to raise flashboards on the existing Rainbow Dam up to the stated maximum engineering height of 13 feet above the dam crest. Such a project could potentially convert approximately 0.5 miles of currently free-flowing river into a ponded state, thereby diminishing free-flowing character of this river segment. Associated identified ORVs such as biological diversity (e.g. mussels, fish and plants) and recreational use of the Tariffville Gorge would be impacted. The DEP does not support any changes to the current footprint of the Rainbow Dam.

Construction of a new dam or raising of flashboards would provide an additional quantity of local renewable energy and an enlarged impounded area with the potential for a variety of recreational opportunities such as fishing or boating.

If at some point in the future if either of these projects is pursued by the SBD corporation, FERC licensing would be required, and the public benefit versus the impacts of such a project would be evaluated through a FERC licensing process.

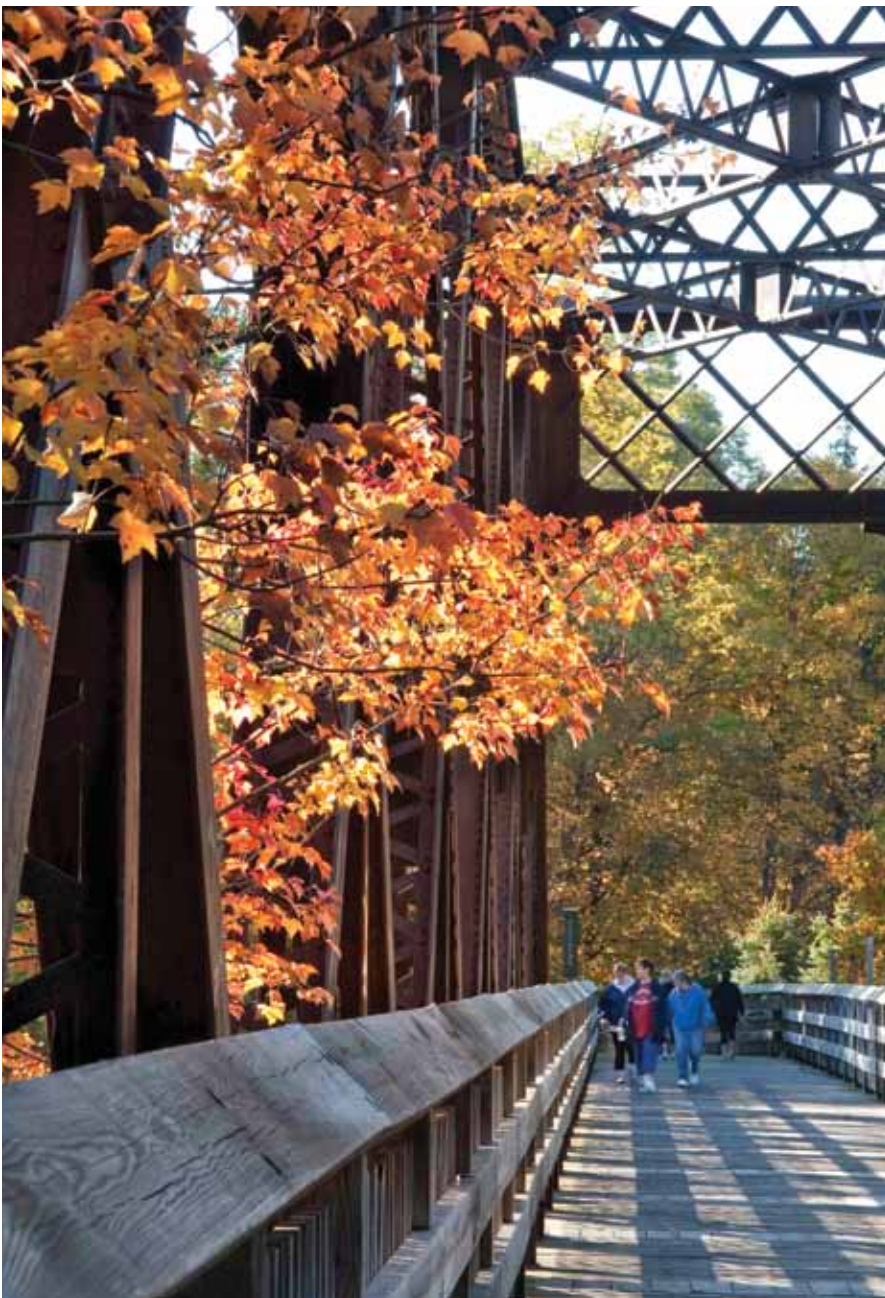
Section 7 of the Wild and Scenic Rivers Act does not preclude FERC licensing of a water resource project so long as the project does not invade the designated area or unreasonably diminish the fish, wildlife, scenic or recreational values within this area that were present as of its designation. State and local protections for the river would remain in place and could possibly prevent expansion of Rainbow Reservoir or a new dam from being licensed, however, only through the Wild and Scenic Rivers designation can protection of the free-flowing character of this segment be assured.

The Study Committee also acknowledged that there are many factors that make construction highly unlikely including the high cost of development versus the estimated small amount of power generation and the fact that SBD does not currently own sufficient land or flow rights necessary to impound water at this location. Additionally, the Town of Windsor supports designation of this segment and

has reported that there would likely be local opposition to such a hydro project.

This alternative was requested by Stanley Black & Decker (SBD) through its representative to the Study Committee in order to allow the possible future development of hydropower downstream of their existing Rainbow Dam and to raise flashboards on the dam. The remainder of the Wild and Scenic Study Committee did not support the alternative because it is contradictory to the purpose of the Wild and Scenic Rivers Act and to the Committee's charge to protect the free-flowing character of the river and ORVs. The Study Committee, Town Councils of Windsor and Bloomfield, and CT DEP do not support this Alternative.

Photo: Tom Cameron



Direct short-term costs associated with this alternative should be similar to those observed in Alternative B, with the exception of possible diminished property values due to flooding, if the river segment is excluded and a dam is constructed. The FERC licensing process would fully evaluate any new hydroelectric development proposal in the context of potential project benefits opposed to adverse impacts.

This Alternative does not meet expectations and desires expressed during the Wild and Scenic River Study or as directed by the Windsor Town Council and land use commission votes that were contingent on support for designating this river segment. The Bloomfield Town Council does not support the extended upper boundary.

### *5.I. Cumulative Impacts*

The main purpose of designation can in many ways be seen as a way to preserve the existing condition of river-related resources (i.e. to prevent degradation of resources), as well as to protect the waterways from the cumulative impacts of activities in and adjacent to the streams. For the most part, local and state regulatory measures are currently in place that protect the resources. The principal effect and impact of Wild and Scenic River designation is to add specific Wild and Scenic River protections and federal funding/assistance opportunities onto the existing framework of local, state and federal river management and protection. These protections are tightly aimed at protecting and enhancing a river's free-flowing character, water quality, and identified "outstandingly remarkable" natural, cultural and recreational resource values. In addition, Section 7 of the Act indeed has the stated purpose of preventing federal assistance to water resource development projects that would have a "direct and adverse impact" to free-flow, water quality and identified ORV's. Under Alternative B (full designation), Section 7 protections would be in place for all eligible and suitable segments, providing permanent and maximum protection to the free-flowing character from potentially adverse federally assisted water resource development projects. Under Alternative C (partial designation) or in the absence of a Wild and Scenic designation entirely, federally funded or permitted projects could have a significant adverse impact to the river's resources over time. Hydroelectric

projects could be expanded or developed under either of these scenarios that could result in degradation of free-flowing character or loss of resources that are described in detail within this report. Under the partial designation alternative river segments both above (by raising flashboards) and below (by hydro development at a new site) the existing Rainbow Dam could be inundated, resulting in ponded conditions that could impact the Outstandingly Remarkable Values, on a stretch of river targeted by the DEP as a high priority for protection and restoration of aquatic life. A new dam site could present a barrier to fish passage/ migration, and to recreational uses and could impact water quality. Over time progress toward habitat and fish restoration would be reduced. The no action alternative would provide no additional review or scrutiny of Army Corps permits or other federal assistance projects related to the river. Over time the absence of this additional scrutiny and regulatory protection could allow for degradation of free-flowing character through rip-rap, channel alterations, or similar projects. Any such degradation would be expected to be long-term and incremental in nature. The full designation alternative provides the maximum protection to free-flowing character from other forms of federally/assisted water resource development projects. Over time, this additional protection and project scrutiny could have the effect of better preserving and/or enhancing free-flowing river character and natural stream channel conditions.

Documentation of baseline conditions as a part of the Wild and Scenic Study provides the starting point from which future change can be measured. And, while opportunities to enhance resources are certainly identified as a part of the designations' and management plans' objectives, such opportunities are incremental in nature, with no dramatic change anticipated immediately as a result of designation. Over the long-term, small incremental positive changes could have the affect of added protection and enhancement of the river's free-flowing character, water quality and resources.

Whether the impact being considered is that of increased scrutiny to federal permits such as those of the Army Corps of Engineers or the impacts of federal financial and technical assistance, virtually all impacts are of a

long-term and incremental nature, with the predominant effect of designation being preservation of existing conditions. The only exception to this general rule is the case of major federally assisted water resource development projects, particularly FERC licensed hydroelectric facilities that would be precluded by designation. In this case, there can be a dramatic impact of designation. For this reason, much of the attention in the comparison of alternatives is devoted to this potential impact, and the manner in which the different alternatives would potentially affect future hydroelectric development on the Lower Farmington River and Salmon Brook.

### ***5.J. Public Involvement, Consultations and Coordination***

#### **Introduction**

This section documents the consultation and coordination procedures with federal, state and local agencies, governing bodies and the public outreach and education process employed throughout the Wild and Scenic Study. Refer to the appendices for examples of outreach and education materials utilized during the Study.

A high level of consultation and coordination occurred all through the Wild and Scenic Study and resulted in the successful involvement of the public, local communities, the state, federal agencies and experts in the Study Process and in the endorsement of designation by towns of the study area and by the state legislature. Given that the Partnership Wild and Scenic Rivers approach was employed in conducting this Study, there was an emphasis on local collaborative process. The locally appointed Study Committee of town representatives and river stakeholders, with support from the NPS, led the effort to engage the public in every aspect of the Study. Of central importance was the partners' development of the Management Plan that offers recommendations for protection and enhancement of the Outstandingly Remarkable Values. This planning process included widespread opportunity for input, comment, and review.

The Lower Farmington River and Salmon Brook Wild and Scenic Study Bill S. 495 was signed into law by President Bush on November 27, 2006. In April of 2007 a locally appointed committee of town representatives and river stakeholders

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Given that the Partnership Wild and Scenic Rivers approach was employed in conducting this Study, there was an emphasis on local collaborative process.

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began participating in the Wild and Scenic Study process with support from and in consultation with National Park Service staff (Refer to Chapter 1.B. for a detailed listing of Study Committee members). A great deal of time and care was taken over the course of the intensive four-year Wild and Scenic Rivers Study to ensure that adequate communication occurred and that there was ample time for comments and input from all interested agencies, governmental entities, non-governmental organizations, and the public. Consultations with experts and ensuing research results contributed to the body of knowledge required to determine the river's eligibility for designation. Numerous types of communication techniques were utilized to extend and share information about the possible designation, results of research, and study findings. Additionally, providing opportunities for frequent input and extensive stakeholder review of the Management Plan were steps paramount to the successful development of the Management Plan.

Given that the upper 14-miles of the Farmington River gained the Wild and Scenic designation in 1994 and that two of the lower river Study Towns already participate on the upper Farmington River Coordinating Committee, there were many opportunities for local education regarding the value of a successfully implemented designation in neighboring communities.

Photo: Chris Mathein



## **Consultations**

### **Federal**

As outlined in Section 4.(b) of the Wild and Scenic Rivers Act, copies of this Study Report and Environmental Assessment will be furnished to the head of any affected Federal department or agency for recommendations or comments for a ninety-day review period. Comments will also be received on-line through the NPS Planning, Environment and Public Comment (PEPC) website: <http://parkplanning.nps.gov/>.

In addition to the review of the draft Study Report and Environmental Assessment during the Wild and Scenic Study, the U.S. Fish and Wildlife Service (FWS) was called upon to provide expertise regarding fish passage issues and endangered mussel research related to the potential redevelopment of hydropower at the Collinsville Dams. In addition, the U.S. Army Corps of Engineers provided guidance related to the existence of federally endangered species in the vicinity of a public boat launch reconstruction project in Simsbury. Section 7 of the Endangered Species Act requires all federal agencies to consult with the FWS to ensure that any action authorized, funded, or carried out by a federal agency does not jeopardize the continued existence of listed species or critical habitat (Data on state and federal endangered species is collected through the CT DEP's Natural Diversity Data Base).

As outlined in Section 4.(b) of the Wild and Scenic Rivers Act, copies of this Study Report and Environmental Assessment Draft will be furnished to the head of any affected Federal department or agency for recommendations or comments for a ninety-day review period. Comments will also be received on-line through the NPS Planning, Environment and Public Comment (PEPC) website: <http://parkplanning.nps.gov/>.

### **Tribal**

The Wild and Scenic Study did not identify the existence of any tribal lands impacted by this study nor were there any tribal representatives required to participate in the Study process.

Copies of the Study Report will be made available to tribal representatives within Connecticut.



### Town of Avon Community Open House

#### State

In 2008 the State of Connecticut General Assembly passed a bill unanimously supporting the Wild and Scenic Rivers designation and committing the state to cooperation in implementing the local advisory Management Plan. The Connecticut Department of Environmental Protection (CT DEP) is the state agency represented on the Wild and Scenic Study Committee and as per the Connecticut state legislation (Public Act 08-37):

*...shall cooperate with all relevant federal, state and local agencies to provide for such designation and to implement any management plan developed in accordance with the federal Wild and Scenic Rivers Act. Upon the designation of the Lower Farmington River and Salmon Brook by Congress, the commissioner shall notify the joint standing committee of the General Assembly having cognizance of matters relating to the environment regarding any statutory changes necessary to implement the preservation and conservation of the Lower Farmington River and Salmon Brook in accordance with the federal Wild and Scenic Rivers Act. The commissioner shall cause a copy of this section to be delivered to all United States Representatives and Senators representing Connecticut in the Congress of the United States.*

The CT DEP was an active participant and cooperator throughout and was extensively consulted on all aspects of the Wild and Scenic Study via three DEP staff

persons that served as Study Committee representatives. Additionally, consultations were conducted with more than 20 DEP staff persons associated with the Office of the Commissioner, the Bureau of Water Protection and Land Reuse (Inland Water Resources Division, Planning and Standards Division), and the Bureau of Natural Resources (Inland Fisheries, Wildlife Division). The DEP participated in the preparation and review of the Management Plan and provided data and input on the Outstandingly Remarkable Resources including water quality and biodiversity. A Study Committee representative from the DEP staff conducted a State Regulatory Review (see Appendices of the Management Plan). Other consultations with the DEP related to the collection of detailed information regarding Study area mapping, dam inventories of the Study Rivers, and fish migration and fish passage issues related to the existing dams. Consultations with both the State Office of Archaeology and State Historic Preservation Office revealed detailed documentation of the existence of cultural resources (archaeological resources and National Register listed resources).

During the course of the Wild and Scenic Study the Salmon Brook was officially designated as a Connecticut Greenway by the State of Connecticut.

#### Public Involvement

##### Outreach and Education

The Study Committee held monthly public meetings for four years in part to support the

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...meetings served to educate, gain input, and seek recommendations for the development of the Management Plan as well as to keep the public engaged in the study and aware of its progress.

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local process of facilitating public involvement in the Study process and in the development of the Management Plan that forms the basis of the designation and guides subsequent management. The Committee's role was also to assess local support for the designation. A comprehensive outreach and education campaign was developed and carried out to access many different audiences. The NPS—FRWA Cooperative Agreement (referenced above) provided the local mechanism for using appropriated NPS funding to support the Study Committee's public outreach and education efforts and to conduct cooperative research. An important element of the study approach was to involve the interested public to the greatest extent possible through an intensive education campaign. The wide-reaching plan for education carried through in a series of meetings, presentations, open houses, workshops, booths at events, newsletters, posters, news articles, and mailings. Public input was sought all through the Study and in particular at key junctures in the process.

Major outreach and education efforts included:

- **Six Newsletters** covering the Outstandingly Remarkable Values, topics of interest and updates on the Wild and Scenic Study process were mailed, emailed, and distributed by hand locally during the study period. Newsletters and informational postcards were distributed to town libraries, local stores, and other locations.
- **Lower Farmington River and Salmon Brook Website** was developed early on in the Study process. Along with many important documents displayed, the Management Plan was posted to encourage formal public comment and review.
- **Numerous Meetings** were held in all ten towns throughout the study process. The purpose was to educate town staff and residents about the process, to gather public comments, and to inform town boards, commissions, and the public on important study milestones. Depending on the individual town's needs, meetings were held at a variety of points during the study including at the start of the Study, mid-point and towards the end. The meetings covered Wild and Scenic Rivers Act background and

ongoing progress of the Study Committee. The meetings served to educate, gain input, and seek recommendations for the development of the Management Plan as well as to keep the public engaged in the study and aware of its progress. A schedule of some of the town meetings is included in Appendix 5.

- **Land Use Leadership Alliance (LULA) Workshop** was a four-day series was attended by approximately 35 community leaders representing all of the ten study towns, including members of local land use commissions and boards, land trust members, town land use staff, town leaders, a developer, and Wild and Scenic Study Committee representatives. This unique, time-intensive training allowed Study Committee members and local land use decision makers to exchange ideas and information. Participants provided critical input toward the development of the Management Plan and built a sense of ownership of the management development process by local leaders in the Farmington and Salmon Brook Wild and Scenic Study. LULA trainers demonstrated how Connecticut's enabling legislation can be used to strengthen regulations that protect natural resources. In addition, the leaders provided tools and collaborative techniques for communities to employ in order to work toward achieving low impact development that is protective of the Outstandingly Remarkable Values. The list of participants is included in Appendix 5.
- **Meetings** with Connecticut State Representatives for the Study Area and with the Chair of the Environment Committee at the end of 2007 and early in 2008, which led to broad support and unanimous passage of Public Act No. 08-37, An Act Concerning Designation of the Lower Farmington River and Salmon Brook within the National Wild and Scenic Rivers System. The Act, which Governor Rell signed into law on May 7, 2008, conveys the state's support for designation and directs the CT DEP to cooperate with the implementation of the Management Plan. See the Appendix for a copy of the Act.
- **Draft distribution** of the Municipal Plan & Regulation Review to appropriate town staff and boards for comment and input in March

**Wild and Scenic library display**  
Photo: Paula Jones





Community residents learn about Wild and Scenic designation at Community Open House

2008. This critical step furthered the dialog with towns regarding the development of the Management Plan.

- **Community Open Houses in Four Towns** were widely publicized and drew over 100 people. Educational materials on display included exhibits, maps, research studies, and multi-media presentations. Representatives from the Study Committee were present to educate the public regarding proposed management priorities for protecting the key resource values. Soliciting feedback for the Management Plan from the public was a primary objective of the open houses.
- **Mailings, press releases, and signage** were used to inform the public of the Wild and Scenic Study. Letters announcing the commencement of the study and explaining the study goals and opportunities for participation were sent to riverfront landowners. There were numerous articles in regional, local, and town newspapers as well as in local organizations' and partners' newsletters.
- **A Wild and Scenic Study Booth was displayed at fairs and local events in all ten towns** and was staffed by the Study

Committee representatives. An extensive schedule of participation was developed and over the course of the Study the group participated in well over 50 events. A 2008 event schedule can be found in Appendix 5.

- **Additional Meetings, presentations, phone calls, and email messages** with town staff members and leaders, kept them up-to-date and facilitated communications and collaboration between land use commissions and the Study Committee.

In addition, a subcommittee on outreach and education developed a comprehensive plan for engaging a broad spectrum of the public. Additional methods of communication that were utilized included:

- Library display was circulated to all ten Study Towns.
- Radio Program dedicated to the Wild and Scenic Study was broadcast on Connecticut and Massachusetts Public Radio *Field Notes* program.
- Video presentation was developed and shown on local TV stations, posted on website, shown at Community Open Houses, and submitted and shown at the Farmington Film Commission Summer Fete and Mixer.

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Community and state endorsement of the Management Plan substantiates eligibility for designation by demonstrating commitment to river conservation.

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- Local TV program interviewed committee members. This program was distributed and also aired on all local TV station in the Study Area along with an additional Farmington River feature that was distributed nationally by Comcast.
- Power Point was developed. The presentation was given at town meeting and non-governmental organization meetings.
- Posters and postcards with eye-catching designs and information were widely distributed.
- Printed materials included contact and website information as well as requests for questions, input, and comments.

*Examples of education and outreach materials are provided in Appendix 5.*

#### **Town Meetings**

In addition to the regular monthly Study Committee meetings that were publicized locally and open to the public, there were meetings conducted in all ten towns throughout the Study. The purpose was to educate residents about the process, to gather public comments, and to inform town boards, commissions, and the public on important study milestones. The meetings covered Wild and Scenic Rivers Act background and ongoing progress of the Study Committee and served to educate, gain input, and seek recommendations for the development of the Management Plan as well as to keep the public engaged in the study and aware of its progress. Small group meetings were also held with town staff and officials to share preliminary Study results and receive feedback.

Town meetings occurred throughout the Study period. Generally there was an initial educational presentation to town leaders, boards, and committees followed by updates given by Study Committee town representatives at regular intervals and when there was important data to present or input to gather. In particular, town meetings were vital to developing the Management Plan through a broadly participatory process with guidance from locally-based representatives in consultation with the towns.

The following is a sampling of some of the meetings held in each town:

**Avon:** Town Council, Planning & Zoning Commission, Inland Wetlands & Watercourses Commission, Natural Resources

**Bloomfield:** Council, Planning & Zoning Commission, Inland Wetlands & Watercourses Commission, Conservation, Energy & Environment Committee

**Burlington:** Board of Selectmen, Planning & Zoning Commission, Conservation Commission

**Canton:** Board of Selectmen, Planning & Zoning Commission, Conservation Commission, Inland Wetland & Watercourses Commission, Town Hydro Committee

**East Granby:** Board of Selectmen, Planning & Zoning Commission, Conservation Commission

**Farmington:** Town Council, Conservation Commission

**Granby:** Board of Selectmen, Planning & Zoning Commission, Inland Wetlands & Watercourses Commission, Conservation Commission, Parks & Recreation

**Hartland:** Board of Selectmen, Planning & Zoning Commission, Inland Wetlands & Watercourses Commission

**Simsbury:** Board of Selectmen, Planning Commission, Zoning Commission, Conservation Commission

**Windsor:** Town Council, Planning & Zoning Commission, Inland Wetlands & Watercourses Commission

#### **Other Meetings**

A four-day Land Use Leadership Alliance Workshop was conducted was held on April 24, May 15 and 29 and June 5, 2009. The series was attended by approximately 35 community leaders representing all of the ten study towns, including members of local land use commissions and boards, land trust members, town land use staff, town leaders, a developer, and Wild and Scenic Study Committee representatives. This unique time-intensive training allowed Study Committee members and local land use decision makers to exchange ideas and information. Participants provided critical input toward the development of the Management Plan and built a sense of ownership of the management development process by local leaders in the Farmington and Salmon Brook Wild and Scenic Study.

A series of four Community Open Houses were held to unveil a draft version of the Lower Farmington River and Salmon Brook



**Congressman John Larson with Wild and Scenic Study Committee members at local event.**

Management Plan and solicit public feedback and comments during this formal public review. The Open Houses were held in the centrally located towns of Canton, East Granby, and Farmington in October and November of 2009 and in Avon in April of 2010. They were widely publicized and drew over 100 people. Educational materials on display included exhibits, maps, research studies, and multi-media presentations.

Study Committee representatives also met with the Farmington Valley Collaborative (a consortium of leaders from the towns of Avon, Burlington, Canton, East Granby, Granby, Farmington, and Simsbury) several times to share and exchange ideas regarding the study.

Presentations made to local organizations and meetings with interested members of the public afforded additional opportunities for the public to participate in the public review of the Management Plan. The locally appointed town representatives to the Study Committee were responsible for remaining in close communication with town staff, leaders, and boards, and available to answer questions from community members throughout the Study. The local NPS Study Coordinator was also available for technical guidance and support.

#### ***5.K. Local Support for Management Plan and Wild and Scenic Designation***

Though the management plan is completely advisory, it is critical that so many partners have had an active role in developing its recommendations, and in that light endorsed the strategies that can be used to protect the Outstandingly Remarkable Values. This commitment of the various partners in river protection, a commitment developed and reaffirmed throughout the study process, will foster effective implementation. Community and state endorsement of the Management Plan substantiates eligibility for designation by demonstrating commitment to river conservation.

Commitment to Management Plan implementation has been demonstrated locally by continued land conservation efforts, revision of land use and wetland regulations (to reflect recommendations in the *Municipal Plan and Regulation Review*), and through policies that recognize the importance of protecting land in the river corridor and the value of designating the watercourses.

Final meetings in all ten towns were convened to request endorsements for the Wild and Scenic designation and approval of the Management Plan. All ten Study Towns leaders indicated their positive support by voting in favor of the Wild and Scenic

designation and of the Management Plan. In addition, many of the town boards and commissions voted in the affirmative. Many local and regional organizations and individuals also wrote letters in support of the designation. The support indicates that there is a demonstrated commitment to protect the river and be a partner in the implementation of recommendations in the Management Plan. The Town of Avon initially declined to support, but after further education and a more intensive education program aimed at riverfront landowners, the town leaders voted unanimously to endorse the designation. Understandably, the town wanted to be duly certain that residents were given every opportunity to participate in the study process.

#### *5.L. Preparers and Contributors*

##### **National Park Service Northeast Region Study Team**

Joyce Kennedy Raymes, Study Coordinator

Jamie Fosburgh, New England Team Leader

Chuck Barscz, Division Chief

Jacki Katzmire, Regional Environmental Coordinator

##### **National Park Service Advisors**

Tokey Boswell, WASO Office of Park Planning and Special Studies

Cassie Thomas, WASO Office of Park Planning and Special Studies

##### **Local Study Committee**

Study Committee Representatives from ten towns of Study Area, CT DEP, Stanley Black & Decker, Farmington River Watershed Association, Salmon Brook Watershed Association, Pequabuck River Watershed Association, Tariffville Village Association, Connecticut Forest and Park Association

##### *Expert Advisors: Outstandingly Remarkable Values (ORVs)*

##### **Geology ORV**

Ralph Lewis, Certified Professional Geologist, State Geologist of CT from 1997-2003

Brendan Hanrahan, Author of the book "Great Day Trips to Discover the Geology of Connecticut" that is part of a series of four books on the natural history of Connecticut

Jelle deBoer, Wesleyan Geologist Professor Emeritus

Janet Stone, USGS, Eastern Earth Surfaces Process Team

Kip Kolesinskas, State of CT, Natural Resources Conservation Service

##### **Water Quality ORV**

Michael Beauchene, Connecticut DEP Bureau of Water Protection and Land Reuse Planning and Standards Division

Ernest Pizzuto, Supervising Environmental Analyst CT DEP Bureau of Water Protection and Land Reuse Planning Division

Alisa Phillips-Griggs, Farmington River Watershed Association Water Quality Coordinator

##### **Biological Diversity ORV\***

Hank Gruner, CT Science Center

William Moorhead, Field Botanist

Steve Gephard, Head of DEP Inland Fisheries Division's Diadromous Fish Program

Jeff Bolton, FRWA GIS Specialist

Don Mysling, DEP Inland Fisheries Division

Ed Machowski, DEP Inland Fisheries Division

Ethan Nedeau, Aquatic Biologist Specializing in Mussels

\*The Farmington Valley Biodiversity Project results laid important groundwork for this ORV.

##### **Cultural Landscape ORV**

Kenneth Feder, Professor of Anthropology, Central Connecticut State University

Marc Banks, Professional Archaeologist

John Harmon, Professor of Geography, Central Connecticut State University

Leah Glaser, Professor of History, Central Connecticut State University

Carl Walters, Farmington Canal Historian

##### **Recreation ORV**

Ben Tyson, Professor, Department of Communication, Central Connecticut State University

James Thorson, Professor of Economics and Finance, Southern Connecticut state University

#### *6.M. List of Recipients*

The Study Report and Environmental Assessment Draft will be made available for public comment through the NPS Planning, Environment & Public Comment website and notice of availability will be published in the local paper.

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**Federal Agency Heads:**

- Secretary of the Interior
  - Secretary of Agriculture
  - Chief of Army Corps of Engineers
  - Administrator Environmental Protection Agency
  - Chairman of Federal Energy Regulatory Commission (FERC)
  - Administrator of Federal Emergency Management Agency
  - Administrator of Department of Transportation Federal Highways Department
  - Head of any other affected federal department or agency
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**Regional and State Federal Agency Heads:**

- Regional Forester of Eastern Region 9 of USDA Forest Service
  - State Conservationist of USDA Natural Resource Conservation Service
  - Commander and District Engineer of New England District of Army Corp of Engineers
  - Northeast Regional Director of US Fish & Wildlife Service
  - Regional Administrator Region 1 of Federal Emergency Management Agency
  - Regional Administrator Region 1 of Environmental Protection Agency
  - Connecticut Division Administrator of US Department of Transportation Federal Highways Department
  - Head of any other affected federal department or agency
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**State of Connecticut:**

- Governor Daniel P. Malloy
- 

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**CT DEP:**

Daniel Esty, Commissioner

Amey Marrella, Deputy Commissioner

Betsey Wingfield, Bureau Chief of Water Protection and Land Reuse Chief

Susan Frechette, Deputy Commissioner of Outdoor Recreation & Natural Resources

William Hyatt, Bureau Chief of Natural Resources Bureau Chief

Matthew Fritz, Bureau Chief of Outdoor Recreation

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**Lower Farmington River and Salmon Brook Study documents will be posted on the following websites for public view and formal comment:**

<http://parkplanning.nps.gov/>

<http://lowerfarmingtonriver.org/>

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