



IN REPLY REFER TO:

## United States Department of the Interior

NATIONAL PARK SERVICE  
Mississippi National River and Recreation Area  
111 E. Kellogg Blvd., Ste 105  
St. Paul, Minnesota 55101-1256

December 30, 2013

Mr. Thomas Griffin  
President, Crown Hydro LLC  
5885 139<sup>th</sup> Street West  
Apple Valley, MN 55124-6465

Dear Mr. Griffin:

The National Park Service (NPS), Mississippi National River and Recreation Area (NRRA), has reviewed Crown Hydro's latest proposal to amend its license for the Crown Mill Hydro Electric Project (Project) – FERC Project No. 11175-024. We concur with the Federal Energy Regulatory Commission (FERC) that the proposed Project is substantially different from the one for which Crown received a license in 1999, and that you should submit a new license application. (April 15, 2013 letter to Crown from FERC).

The Project is located entirely within the Mississippi NRRA. The NRRA was designated by Congress in 1988 to “preserve, protect and enhance the significant values of the Mississippi River and to provide for orderly public and private development in the Twin Cities metro area.” The authorizing legislation requires that all federal agencies undertaking projects within the NRRA coordinate with us (P.L. 100-696). Also, the Federal Powers Act requires consultation with the NPS for amendments or modifications to an existing license (18 C.F.R. §4.38 et. seq.).

The NRRA, however, was not invited to consult on the currently proposed Project prior to the public meeting on November 26, 2013, either by Crown or the Corps of Engineers. For some reason, the NRRA is no longer listed on the official service list. FERC, in its letter directed to you on April 15, 2013, required consultation with the NRRA. Due to the serious questions we have with the new proposal, we formally request to meet with Crown before the company submits the project's license application to FERC.

A representative of the NRRA attended the November 26 public meeting. The public and various agency representatives asked many important and pertinent questions that Crown was unable to answer. Without answers to the questions raised, the NRRA cannot adequately assess the viability or impacts of the proposed project. FERC and the Corps of Engineers also requested information and studies that would help the NRRA and public better understand the Project's potential impacts, but Crown has not addressed those requests or provided the studies.

As currently proposed, the Project has a new boundary and new lands and resources not previously analyzed when FERC first issued the license. The tailrace discharge tunnel is in a new location, which may cause different construction, hydraulic and environmental impacts. The NRRA is concerned that the Project could seriously impact nationally significant cultural, natural and recreational resources, as well as the visual integrity and economic vitality of the St. Anthony Falls area. The St. Anthony Falls Historic District and the individual sites within it are nationally significant and helped convince Congress to establish the NRRA. As proposed, the new project could adversely affect individual sites, the overall historic district, and the scenic and recreational qualities of the area.

We continue to be very concerned about the potential impacts to St. Anthony Falls' aesthetic character, which is central to the area's economic revitalization. As pointed out in the November 26 public meeting and in comments from the Minneapolis Park and Recreation Board and others, the St. Anthony Falls area has seen tremendous monetary investments since FERC initially granted Crown its license in 1999. Far more people live and recreate in the area. Visitation has climbed to over one million people annually. The flow of water over the falls is a key aesthetic component of the visitor experience. What might have been acceptable in 1999 is not today. The issue is more complicated than the quantity of water. Previous discussions of this issue have raised the potential of treating the spillway surface to create the appearance of more flow, by making the water jump and splash more than it does now. Overall, this issue needs much more public review and consideration than it has received.

Thank you for the opportunity to comment on this project. We look forward to your response.

Sincerely,

Paul Labovitz  
Superintendent

cc:

Edward A. Abrams, FERC

Nicholas J. Utrup, USFWS

Nick Chevance, NPS

Official Service List – FERC Project No. P-11175