



Working to protect the Mississippi River
and its watershed in the Twin Cities area.

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June 22, 2017

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

RE: Aesthetic Flow Adequacy Plan – Article 403
St. Anthony Falls Hydro (FERC Project No. 2056)

Dear Secretary Bose:

Thank you for the opportunity to comment on the Aesthetic Flow Adequacy Plan Amendment proposed by Xcel Energy for the St. Anthony Falls Hydroelectric Project.

Friends of the Mississippi River (FMR) is a non-profit organization with a mission to engage community members and other stakeholders to protect, restore and enhance the Mississippi River and its watershed in the Twin Cities Region. We represent thousands of people in the metropolitan area who care deeply about the river, including a growing membership of over 2,200 people and more than 6,000 volunteers engaged each year. FMR was founded in 1993 to provide a voice for the river and newly formed National Park – The Mississippi National River and Recreation Area (MNRRA).

FMR reviewed the draft survey report prepared for Xcel Energy by Barr Engineering in December 2016 and submitted detailed comments to Xcel about the survey methodology, survey results and conclusions, and our recommendation for minimum flows going forward. Many of our concerns were not addressed in the revised survey report, and as such, we maintain that the report did not yield information adequate enough to determine what level of flow will be acceptable to current and future park users. Furthermore, because the area surrounding St. Anthony Falls has changed significantly in the last decade, maintaining an adequate aesthetic flow over the spillway has taken on an even greater importance than it had when the Aesthetic Flow Adequacy Plan was approved in 2005.

St. Anthony Falls is the centerpiece of the City of Minneapolis. The Mighty Mississippi River has only one natural waterfall, the sounds and sights of which have attracted visitors for generations. Native peoples were drawn to the spiritual power of the falls, early settlers to its magnificent and wild beauty. 19th Century pioneer settlers harnessed the power of the falls for milling lumber and flour, and their 20th Century counterparts used the falls for hydroelectric

power generation. Even though the power of St. Anthony Falls gave birth to a prosperous city and region, the City of Minneapolis turned its back on the Mississippi River for most of this industrial period. As recently as the early 1990s the downtown riverfront surrounding the falls was characterized by heavy industry, polluted water, acres of railroad tracks, and a transient population.

As Minneapolis entered the 21st Century, the riverfront has undergone an enormous transformation. Decades of neglect and environmental damage inspired the community to convert a blighted area to a National Historic District, a National Park and a vibrant downtown neighborhood, with well over two billion dollars invested to date. The significance of this riverfront renaissance cannot be overstated, because today's residents and park users view the downtown riverfront in a radically different way than they did just a decade ago. What has not changed is the fact that St. Anthony Falls is at the heart of what this place means to people. But today the river stands for more than just power and prosperity; Minneapolitans also expect the river to provide a mix of aesthetic beauty, cultural and recreational experiences, and environmental health.

The Mississippi River is a shared resource that brings significant economic value to the region, as well as providing natural, cultural and recreational assets for a growing number of people who live, work and play in the vicinity of St. Anthony Falls. This is a key point in defining the minimum flow at the Falls because of FERC's obligation to give equal consideration to factors other than power generation, including natural resources and recreation (Federal Power Act, 16 USC §797 (e)).

Xcel's contention that higher flows are necessary for economic purposes is not relevant to evaluating public perceptions of aesthetic flow, and it raises questions about the degree to which their recommendation for a minimum flow of 300 cfs was actually based on the results of the survey. It also does not take into account the substantial investment that has been made to this area, which owes much of its unique identity and incredible value to the Falls.

The growth in this area has been so significant to Minneapolis that the planning for expanded riverfront development and public amenities around the Falls has become a key focus of many of the city's public and private agencies, including: the City of Minneapolis (Downtown: Public Realm Framework Plan, 2016), Downtown Council (Intersections: Downtown 2025 Plan) Meet Minneapolis Convention and Visitor Association (Tourism Plan: Destination: Transformation 2030), as well as the St. Anthony Falls Heritage Board, the Minneapolis Park & Recreation Board, the Minneapolis Parks Foundation, and others. Even the Army Corps of Engineers is exploring reuse of the St. Anthony Falls Lock, which closed to navigation in 2015, and re-purposing the lock for a new National Park visitor center with expansive views of the Falls is on the table for consideration.

The Mississippi River belongs to all of us, and the value it brings to our community must be shared with the millions of residents, workers and park users that visit this special place. In addition to considering the importance of flow over the Falls to this rapidly growing area, there are serious questions about how the survey was conducted and we encourage FERC to look closely at all the comments submitted in consultation with Xcel earlier this year.

Overall we find the data collected and the survey report of limited value. While the survey does provide some information about park visitors' demographics and experiences, it does not do a sufficient job of representing the opinions of park users about aesthetic flow of the Falls. Our detailed comments about the survey questions and responses can be found in Xcel's report to FERC dated March 30, 2017. Although some changes were made to the survey report, Xcel failed to meet two of the essential requirements from the Aesthetic Flow Adequacy Plan:

- 1) They did not use an independent firm that specializes in administering surveys.
- 2) The survey did not include enough respondents to secure meaningful input for all questions.

One of the key requirements of the 2005 FERC Order was that a professional third party survey company will be used to do the survey to prevent bias and to retain objectivity. According to that FERC order:

“The licensee agreed to use a professional survey firm or group to conduct the interviews as suggested by the agencies and added this to its plan. The MPRB requested that any supplemental statements that the interviewers intended to make should be reviewed by the consulting parties to this plan. The licensee stated that this recommendation was unnecessary and a professional firm should be aware of the need and precautions that are required to prevent bias and retention of objectivity for all aspects of the survey.”

Based on the data collected and report conclusions prepared by Xcel's contractor, we do not believe this requirement was met. A company or institution that specializes in executing unbiased surveys would be a better choice for conducting a public perception survey about aesthetic flow.

There was also very little information provided in the report about survey methodology and protocols—something a professional survey company would provide. None of the materials on survey design, protocol/manuals or scripts were included in the report, nor was any information provided about the number of persons intercepted, number of disconnects and reason for disconnects or number of surveys discarded, if any. Without this information, it is not possible to ascertain if the survey was conducted in a professional and unbiased manner.

The 2005 FERC order also specified “The [survey] contractor will interview at least 500 users during the late-spring through early-fall seasons at times of low to moderate stream flow.” In general, 500 respondents is a low number for any professionally administered survey, and for a place that has more than a million visitors annually, it is likely too low to provide statistically relevant results. In the case of this survey, many of the most important questions could not be answered by first-time and infrequent users of the park, resulting in analysis that is based on a smaller number of respondents than 500.

According to Question 1 (page 8) in the survey report, 74% of respondents were infrequent users (53% first time, 21% rare) leaving just 130 respondents who could provide relevant answers to questions about how often they notice the level of the flow (Question 5), how often they have observed the waterfall at low flow (Question 6), or whether the amount of water influences how often they visit the area (Question 7). These questions about frequency of observation are critical to determining park users' opinions about aesthetic flow, but the amount of relevant data is insufficient to draw meaningful conclusions.

The responses to questions related to viewing photos of the Falls at different flow levels was also flawed due to a contractor error. The photo of 1,000 cfs was missing from one of the survey locations, and so only 323 respondents actually could compare all the flow levels agreed upon in the 2005 FERC order.

We urge FERC to establish an interim minimum aesthetic flow level of 2,000 cfs until a new survey is completed that satisfies the requirements of the FERC order and the consulting parties. A new survey would need to be conducted by a professional, third-party firm or individual that specializes in statistically relevant survey methods. It should be administered with a minimum of 1,000 respondents, 70% of who are from the metropolitan region (a 2008 survey conducted by the St. Anthony Falls Heritage Board found 80% of respondents were from the metro area). The survey questions might need to be modified to reflect changes to the area since 2005, and they would benefit from review by a professional survey firm and a broader group of consulting parties. We also request that FERC consider modifying the time frames during which minimum flow must maintained to include all times of the day and year.

St. Anthony Falls is an iconic symbol of the City of Minneapolis, and its aesthetic contributions to the area are highly significant to the area's future.

Thank you for your careful consideration of our comments. Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Irene Jones". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Irene Jones
River Corridor Program Director