



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

FEB 12 2018

Kevin Bernier
Senior Compliance Specialist
Brookfield Renewable
1024 Central Street
Millinocket, ME 04462

RE: Medway Hydroelectric Project (FERC No.2666)

Dear Mr. Bernier:

We received your January 19, 2018, letter concerning our current management objectives for listed Atlantic salmon in the West Branch of the Penobscot River in Maine. Your letter was submitted pursuant to the Medway Project's amended FERC license (February 21, 2013). The license requires Black Bear Hydro Partner's LLC (Black Bear) to consult with us every five years "regarding the status of Atlantic salmon and other Endangered Species Act-listed fishes in the Penobscot River to ensure that operation of the Medway Project is consistent with the listing determinations for such species and with the then-current recovery objectives for such species." The West Branch of the Penobscot is within the range of the Gulf of Maine Distinct Population Segment of Atlantic salmon that is listed as an Endangered Species (74 FR 29344), but is not part of the Atlantic salmon's designated Critical Habitat (74 FR 29300). While ESA listed Atlantic and shortnose sturgeon occur in the Penobscot River, these species are not known to occur in the West Branch.

The Medway Dam is the first dam on the West Branch of the Penobscot River. The West Branch is currently inaccessible to anadromous fish because no upstream fish passage facilities exist on the four lowermost dams in the West Branch, including Medway Dam. As summarized in Fay et al. (2006) the dams in the West Branch impound approximately 57% of the 98 river miles in the West Branch and exclude Atlantic salmon from approximately 28,000 units of rearing habitat. Because hydropower dams are typically constructed in reaches with moderate to high underlying gradients, approximately 41% of the available gradient in the West Branch is impounded. Coincidentally, these moderate to high gradient reaches, if free-flowing, would likely constitute some of the highest value habitat for Atlantic salmon spawning and rearing. Currently, however, no salmon have been documented using the West Branch Penobscot watershed because of dams that block their ability to access it, including the Medway Dam. No stocking currently occurs or is proposed over the next five years given, in part, the lack of fish passage within the West Branch.

Improving connectivity and restoring access to historical habitats are integral parts of our strategy to stabilize populations of Atlantic salmon and to recover the Gulf of Maine DPS. In



April 2016, we and the U.S. Fish and Wildlife Service jointly issued a Draft Recovery Plan for the GOM DPS of Atlantic salmon¹. The plan presents a recovery strategy based on the biological and ecological needs of the species as well as current threats and conservation accomplishments that affect its long-term viability. The plan highlights the enhancement of the connectivity between the ocean and freshwater habitats as one of seven distinct categories of actions required for the recovery of salmon. The importance of restoring connectivity between the Gulf of Maine and headwater streams is also highlighted in our Species in the Spotlight Five-Year Action Plan². At this time, and in advance of the potential relicensing of the Medway Project in 2029, we are gathering information to further understand the potential significance of the West Branch in supporting Atlantic salmon recovery.

On August 15, 2017, we initiated a new status review for alewife and blueback herring (river herring) to determine whether listing either species as endangered or threatened under the ESA is warranted (82 FR 38672). We anticipate the new status review will be completed in 2019. If alewife or blueback herring were proposed to be listed under the ESA, you would need to consider the effects of operation of the Medway Project on these species.

Please consider this letter as confirmation that you have satisfied Paragraph A of the February 21, 2013 FERC amendment for consultation with us. If you have any questions concerning this letter, please contact Jeff Murphy at Jeff.Murphy@noaa.gov or 207-866-7379.

Sincerely,



Julie Crocker
Acting Assistant Regional Administrator
for Protected Resources

Ecc: Steve Shepard (USFWS)
Sean Ledwin (MDMR)
Daniel McCaw (PIN)

¹ U.S. Fish and Wildlife Service and NOAA-Fisheries. 2016. Draft recovery plan for the Gulf of Maine Distinct Population Segment of Atlantic salmon (*Salmo salar*). 61 pp.

² The draft Recovery Plan and Species in the Spotlight Five-Year Action Plan are both available at: http://www.nmfs.noaa.gov/stories/2015/12/spotlight_atlantic_salmon.html