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GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

April 7, 2016

Matthew LeBlanc, Environmental Specialist  
Brookfield Renewable Energy Group  
3 Company Road Hollis, ME, 04042

RE: North Gorham Project (FERC No. 2519)

Dear Matt:

I understand from our telephone conversation on January 29 that Brookfield renewable Energy Group (Brookfield) is applying for Low Impact Hydropower Institute (LIHI) certification for the North Gorham Project, located on the Presumpscot River in Maine. We have the following comments:

1. The license for North Gorham Project was issued on November 22, 1993. It required the Licensee to prepare a plan and implementation schedule for testing, operating, and maintaining a downstream fish passage facility to enhance the salmonid fishery in the Presumpscot River. The downstream fish passage facility includes the use of the Project's deep flood gates in conjunction with a man-made plunge pool area (approximately 180 feet long by 60 feet wide by 6 feet deep), and an overflow outlet weir designed to pass resident fish safely by the Project. The deep floodgates are typically opened in the spring for a 2-week period to pass excess spring runoff and then used intermittently during the remainder of the year to pass high flows. Brookfield is currently in compliance with this License requirement.
2. Conditions have changed since 1993, when water quality was poor and nine dams (in ascending order: Smelt Hill, Cumberland Mills, Saccarappa, Mallison Falls, Little Falls, Gambo, Dundee, North Gorham, and Eel Weir) blocked the movement of diadromous fish in the Presumpscot River. In 1999, S.D. Warren's pulping mill at Westbrook closed, resulting in a significant improvement of water quality in the lower river. In 2002, Smelt Hill Dam was removed. In 2013, upstream and downstream passage for diadromous fishes became operational at Cumberland Mills Dam. Saccarappa, Mallison Falls, Little Falls, Gambo, and Dundee each have upstream passage for American eel and cease generation for 8 hours/night for 8 week in the fall to provide downstream passage for American eel. In December 2015, the Licensee for Saccarappa submitted a Surrender Application to the Federal Energy Regulatory Commission (FERC), which proposes to remove the spillways and install upstream passage facilities for anadromous species. In 2015, FERC issued the Eel Weir

license, which requires the Licensee to install upstream and downstream passage for American eel.

3. The Department of Marine Resources requests that upstream eel passage be provided at the North Gorham Project as a requirement for LIHI certification. All the dams downstream of the North Gorham Project currently have upstream eel passage facilities, and the Eel Weir License contains a requirement for the installation of upstream eel passage. This leaves the North Gorham Project as the sole barrier to safe, timely, and effective upstream eel migration in this river system.
4. The Department of Marine Resources requests that downstream eel passage be provided at the North Gorham Project as a requirement for LIHI certification. All the projects downstream of the North Gorham Project currently provide downstream eel passage by ceasing generation, and the Eel Weir License contains a requirement for the provision of downstream eel passage. This leaves the North Gorham Project as the sole barrier to safe, timely, and effective downstream eel migration in this river system.
5. Upstream and downstream passages for anadromous species at the North Gorham Project are not being requested. The 2001 Draft Fishery Management Plan for the Presumpscot River Drainage calls for passage for anadromous species as far as the Dundee Project impoundment.

Upstream and downstream eel passage are not a condition of the existing license, which expires on December 31, 2034. The Department of Marine Resources is willing to discuss with Brookfield a schedule for upstream and downstream eel passage that would be acceptable to all parties.

Please contact Gail Wippelhauser at 207-624-6349 or [gail.wippelhauser@maine.gov](mailto:gail.wippelhauser@maine.gov) if you have any questions.

Sincerely,

  
Patrick C. Keliher, Commissioner

cc: Gail Wippelhauser, Oliver Cox, DMR