



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

GERALD D. REID
COMMISSIONER

March 25, 2020

RE: LOW IMPACT HYDROPOWER INSTITUTE APPLICATION FOR CERTIFICATION FOR THE CATARACT HYDROELECTRIC PROJECT (FERC No. 2528)

To whom it may concern:

The Cataract Project (FERC No. 2528) (Project) is an existing hydroelectric generating project located on the Saco River, in the Cities of Saco and Biddeford and the Towns of Buxton and Dayton, in York County, Maine. The Project includes the Cataract East and West Channel Dams, the Bradbury Dam and the Springs Dam. The Cataract East and West channel dams create an impoundment which extends upstream approximately 0.3 miles and has a surface area of approximately 14 acres at a normal full pond elevation of 44 feet (USGS). The Springs and Bradbury dams together create an impoundment with a surface area of approximately 360 acres at a full pond elevation of 49.2 feet. The impoundment extends upstream about 9.3 miles to the tailrace of the Skelton Dam, which is also licensed to the applicant.

As requested for LIHI Certification of the Project, the Department of Environmental Protection (the Department) has reviewed the Water Quality Certification (WQC) issued on November 29, 1989 (L-016084-33-A-N) and the WQC Amendment issued March 15, 1995 (L-016084-33-I-M). The 1989 WQC is associated with the re-licensing of the Cataract Project and this Order initially established conditions for certification and relicensing including, recreation facilities, fish passage facilities, fish passage studies, water levels of the impoundment, minimum flows and maintenance drawdowns. The subsequent Amendment issued in March 1995 modified conditions of the original WQC and incorporated the provisions of the 1994 Saco River Fish Passage Agreement in to the existing WQC. The Saco River Fish Passage Agreement (Agreement) is an agreement between the licensee, state and federal resource agencies, and other stakeholders whose priorities include volitional passage of anadromous and catadromous fish species up and downstream of the Project. The Agreement incorporated various specifications for future fish passage improvements, including funding, construction of new fish passage facilities as well as improvements to existing facilities at the Cataract Project. It also required effectiveness testing of new facilities and fish passage improvements.

The November 1989 WQC established a baseline for understanding environmental impacts of Project operations. To date, Project operations have remained consistent as directed by the 1989 WQC, and therefore, Project impacts on water quality and habitat both up and downstream remain consistent as outlined in this WQC. The March 1995 WQC, the Agreement, as well as consultation with the resource agencies, continues to direct fish passage improvements that have been constructed at the Project (the Springs Dam Nature-like Fishway) and are planned for future construction (the West Channel Deflection Wall and the East Channel Flume

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Extension). Therefore, the Department finds that the November 29, 1989 (L-016084-33-A-N) and the WQC Amendment issued March 15, 1995 (L-016084-33-I-M) are pertinent and essential to the Project's continued operation.

Please feel free to contact me at (207) 446-1619 or via email at Christopher.Sferra@maine.gov if you have any questions regarding this Project. Sincerely,

A handwritten signature in cursive script, appearing to read "Christ O. Sferra". The signature is written in dark ink on a white background.

Christopher O. Sferra, Project Manager
Bureau of Land Resources
Maine Dept of Environmental Protection