

MAINE FERC PROJECT STATUS

Information provided to encourage cooperation and coordination between NGOs and other entities. While the information was current when entered, change is constant. Asterisked items have *changed* since the last report, **bolded** items are TU priorities.

→ Please provide any updates to Steve Heinz - heinz@maine.rr.com.

Special Note: Past report has included information on non-FERC dams. This information has become redundant with the information provided by the Stream Connectivity Work Group. Status of non-FERC connectivity projects is at <https://www.maine.gov/dmr/fisheries/sea-run-fisheries/programs-environmental-review/stream-connectivity-work-group> FMI contact Lars Hammer - lars.hammer@maine.gov

Past Expiration Date

* P-2727 ELLSWORTH EXPIRED 12/31/17 CAPACITY 8,900kW BLACK BEAR HYDRO PARTNERS (Brookfield), LLC UNION RIVER
MDEP denied Clean Water Act Water Quality Certification (WQC) in March 2020 based on the effects of water level fluctuations on benthic aquatic communities in Graham Lake and the Union River, and chronically low dissolved oxygen (DO) levels in Leonard Lake. The DEP denial was upheld by the Maine Board of Environmental Protection (MBEP). Brookfield subsequently filed a Section 80C appeal to Kennebec County Superior Court challenging the classification of Leonard Lake (and the WQC denial). After extensive litigation delays, the Maine Supreme Judicial Court ruled on January 21, 2025 that the classification of Leonard Lake was non-justiciable, effectively resetting the process and requiring Brookfield to refile its WQC application and forcing one or more parties to initiate a new declaratory action on the same underlying issue — a procedural reset that primarily benefited the licensee after years of delay. The project continues to operate under annual license extensions. The Union River was named one of American Rivers’ “Most Endangered Rivers of 2022,” in large part because of ongoing impacts from the Ellsworth dam. Downeast Salmon Federation (DSF) remains an active intervenor. Although the Supreme Court ruling brought procedural clarity on the narrow Leonard Lake classification issue, Brookfield remains in violation of DO standards at two other locations under existing WQC requirements. Brookfield filed a new WQC application in June 2025, proposing that target water levels in Graham Lake be maintained within an operational buffer between 100.1 and 103.0 feet msl — a substantial improvement over the current license regime. MDMR filed extensive comments on the new application calling for construction of modern fish passage at both the Ellsworth and Graham Lake dams, enforceable performance standards for anadromous fish passage, and strong adaptive management provisions. DSF’s filing emphasized the six-year delay created by Brookfield’s appeals and demanded: immediate volitional passage for indigenous shad (or at minimum implementation consistent with MDMR’s 2025 five-year fishway prescription), aeration measures sufficient to demonstrably meet Class B DO standards in Leonard Lake, mandatory multi-agency and stakeholder consultation when Brookfield deviates from proposed Graham Lake water levels, installation of a plunge pool at

* *Change since last status:* 1/30/2026

the base of Ellsworth Dam, and rigorous effectiveness monitoring to provide reasonable assurance of future compliance. *On May 4, 2026, MDEP posted a draft denial of Brookfield's resubmitted WQC Application on multiple bases that addressed DESF's and other concerns. See the document at https://www.maine.gov/dep/ftp/HYDRO/WaterQualityCertifications/Ellsworth/Draft_Ellsworth_WQC.pdf*

P-2322 SHAWMUT EXPIRED 01/31/21 CAPACITY 8,650kW BROOKFIELD WHITE PINE HYDRO, LLC. KENNEBEC RIVER

Fishway construction at Shawmut Dam did not proceed, despite the continued endangered status of Kennebec River Atlantic salmon. Because of that status, Brookfield was required to file a draft Species Protection Plan (SPP). Maine's environmental community was rightly alarmed by the contents of the Biological Opinion (BiOp) issued by NOAA Fisheries for the Lower Kennebec hydropower projects (Lockwood, Hydro-Kennebec, Shawmut, and Weston), which continues to downplay the biological reality on the river and accepts Brookfield's highly engineered, multi-dam fishway scheme as adequate for recovery. The Kennebec Coalition will continue to press this issue aggressively in the FERC process, in court where appropriate, and in the public arena. The Penobscot Indian Nation (PIN) filed comments on 8/7/2023 strongly disputing the lack of a jeopardy finding, stating that the SPP is not based on the best available science and that the proposed measures will not restore Atlantic salmon or other diadromous species. Brookfield's response to FERC's request for a construction timeline (8/23/2023) provided additional dates, but left unresolved whether construction would begin in 2024 or 2025 — and to date, no construction has begun. FERC issued the Draft Environmental Impact Statement (DEIS) on March 28, 2024. Public meetings were held May 21–22, 2024, with large, engaged crowds and overwhelming public support for substantially stronger fish passage requirements than those analyzed in the DEIS. In July 2024, MDMR met with USFWS, NMFS, and FERC to address major inconsistencies between MDMR's Section 10(j) recommendations and the measures reflected in the DEIS. FERC issued the Final Environmental Impact Statement on February 28, 2025, including a Staff Alternative with Mandatory Conditions and detailed findings on energy, cost, and environmental tradeoffs. In September 2025, local and regional media reported that Brookfield and The Nature Conservancy reached an agreement to transfer ownership of the four Lower Kennebec dams, including Shawmut. Those reports also emphasized the operational dependence of Sappi's Somerset Mill on the Shawmut impoundment for water supply and discharge, highlighting the major economic and industrial stakes tied to future project decisions. On October 16, 2025, Sappi filed formal comments with the MDEP on their draft Water Quality Certification for the Lower Kennebec dams, warning that DEP's proposed fish passage conditions are economically and operationally unworkable, and could place the Somerset Mill — one of central Maine's largest employers — at serious risk. Sappi further stated its understanding that Brookfield intended to withdraw the WQC applications for the Lower Kennebec projects. In October 2025, Brookfield did in fact withdraw its Maine Water Quality Certification applications for the Lower Kennebec dams, placing the future of the Shawmut Project — and the entire lower Kennebec system — in a more uncertain posture.

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Since the last report, the “turnover” of Brookfield’s four lower Kennebec dams (Lockwood, Hydro-Kennebec, Shawmut, Weston) to The Nature Conservancy (TNC) has moved from the headline deal phase into regulatory execution and pushback: Brookfield continued framing the sale as driven by “overburdensome” regulation (and had already withdrawn Maine DEP water-quality certification applications in Oct. 2025), while in early January 2026 it began the first formal transfer steps at FERC to facilitate the agreed sales transaction—steps that drew objections from Sappi and other business/political voices who argue the transfer structure could reduce oversight or accelerate decommissioning plans. The dispute is now centered on whether FERC should approve the transfer as a precursor to TNC’s eventual decommissioning/removal pathway, with reporting emphasizing that Brookfield would keep operating the dams during the lengthy decommissioning process contemplated by the deal. Meanwhile, TNC is using this pre-closing window to coordinate with riverside municipalities and is securing the \$168 million in funding required to finalize the handoff to the newly established Kennebec River Restoration Trust, with a target closing by Summer 2026.

P-5362 LOWER MOUSAM EXPIRED 03/31/22 CAPACITY 600 kW KENNEBUNK LIGHT & POWER DIST MOUSAM RIVER (Coastal river southwestern Maine)
License surrender in progress. MDEP of 6/23/2023 stated that “the Project does not currently meet State water quality standards due, in part, to low levels of Dissolved Oxygen (DO) that were measured during studies conducted by America First Hydro in support of their abandoned relicensing effort. KLPD’s proposal to remove the flashboards while leaving the dams in place could be insufficient to mitigate for the Project’s effect on DO. KLPD’s proposal also does not include any provisions for fish passage at the three Project dams. Unless KLPD proposes adequate fish passage measures, the proposed surrender would not meet State water quality standards. If the Project’s current nonattainment of State water quality standards is not corrected, the Department may choose to initiate enforcement activities against KLPD.” Liaison with MDEP indicates they are awaiting a response from KLPD. KLPD has not answered all FERC concerns regarding the last safety Inspection, but Maine Rivers’1/17/2024 letter to FERC describes efforts to do so. April 8 letter to MDEP urges enforcement action. KLPD acknowledged MDEP’s letter in their August 1, 2024 response and went on to say: “As you know, the District’s application to surrender its federal hydropower license is pending before FERC. As the FERC surrender process is nearing its conclusion, the District would like to collaborate with you and your office to find mutually acceptable ways to address DEP’s concerns in a manner that does not delay the FERC license surrender proceeding resulting in increased costs for the District’s ratepayers. KLPD has been in contact with the NOAA Restoration Center to explore potential funding sources to address fish passage.” FERC issued a Notice of Intent (NOI) to conduct an Environmental Analysis for the project in January, due date April 30, 2025 that had been slipped to October 2, 2025, and subsequently to December 22, 2025. On January 27, 2026, FERC granted KLPD’s request for an additional extension of 180 days, or until July 7, 2026 over the objection of the Mousam and Kennebec River Alliance (“MKRA”) and Maine Rivers. *February 19, 2026 letter signed by 88 local residents expressed “frustration that the Kennebunk Light & Power District has not acted to address the Mousam*

River's documented water quality problems and the complete lack of fish passage at the three KLPD dams."

*P-3562 BARKER MILL UPPER EXPIRED 07/31/23 CAPACITY 950 kW KEI (MAINE) POWER MGMT (III) LLC LITTLE ANDROSCOGGIN RIVER (Second dam, just upstream from Lower Barkers) ASF, TU, NOAA, and MDMR remain actively engaged. PAD was filed; TU and other NGOs submitted comments and study requests on January 2, 2019. KEI issued a Proposed Study Plan that delayed multiple agency-requested studies, prompting TU comments emphasizing the importance of those studies. An Initial Study Report (ISR) was later issued. U.S. Fish & Wildlife Service (USFWS) submitted comments finding the studies inadequate, and NMFS formally requested dispute resolution. FERC ruled that NMFS's requested telemetry and project survival studies were "unnecessary," but required KEI to address NMFS's concerns in the Draft License Application (DLA). The Final License Application was filed July 30, 2021. FERC subsequently issued a "Not Ready for Environmental Analysis" determination on October 8, 2021, requiring additional information. NMFS renewed its requests for: an upstream American eel passage siting study, a downstream fish passage telemetry study, and a downstream fish passage effectiveness and survival study. FERC again denied those requests. KEI provided additional information in a December 21, 2021 filing. On August 21, 2023, NOAA Fisheries supported issuing simultaneous Ready for Environmental Analysis (REA) determinations for Barker Mill Upper and Hackett Mills (P-6398-026) once both projects are ready. Because new license terms for both projects are expected to be fully consistent with Lower Barker's, TU is not planning to intervene in this phase. On September 14, 2023, FERC authorized the project to continue operating under existing terms and conditions until the Commission issues a new license or otherwise disposes of the project. KEI's Subsequent Minor License Application for Barker Mill Upper has been accepted for filing by FERC and is not yet ready for environmental analysis. FERC is now soliciting public comment on the scope of issues to be addressed in the forthcoming environmental document. *Steve was not notified of the May 22, 2026 intervention deadline despite being subscribed to the docket and will apply for late intervention. Maine TU Council filed in support of City of Auburn request for river walk and other recreational features. Other stakeholders support as well. In their May 15, 2026 filing, exercising Section 18 of the Federal Power Act, NMFS prescribed mandatory, time-certain upstream and downstream fishways to protect migratory species over the next 50 years, consistent with a 2022 multi-project Settlement Agreement. These facilities must meet performance standards including a 95% downstream survival rate and 80% upstream efficiency rate, verified by at least two years of quantitative monitoring. The project must ultimately operate in instantaneous run-of-river mode with fishways operating during species-specific seasonal windows (April through December) for Atlantic salmon, American shad, river herring, and American eel. Adaptive management provisions are included.*

* P-4202 LOWELL TANNERY EXPIRED 09/30/23 CAPACITY 1,000 kW KEI (MAINE) POWER MGMT (II) LLC PASSADUMKEAG R (First dam upstream from Penobscot) Fishway performance an issue. ASF involved advocating for improved fish passage at the site. KEI disputed need for radio-tracking study, FERC found for USFWS and ordered study in February 2021. FLA filed 10/12/2021. After approving five delays, FERC refused KEI's request to delay until July 1, 2024 citing the delays and achievement of agreement in principle. Settlement agreement reached in August 2024 gave KEI 8 years to implement fish passage. NGOs filed in opposition to the settlement: American Rivers, Downeast Salmon Federation, Conservation Law Foundation, Maine Council of Trout Unlimited, Maine Rivers, Atlantic Salmon Federation, and the Mousam and Kennebunk Rivers Alliance stating: "...we see little reason to incentivize the failure of KEI to advance fish passage solutions during the initial licensing period and then be provided an overly long timeframe to design and install fish passage." USFWS issued fishways prescription December 3, 2024: "installation of the new upstream anadromous fishway, no later than 8th passage season for American eel following license issuance. MDEP issued WQC on August 6, 2025 that includes: "The Applicant proposes to install upstream and downstream eel passage facilities. Facilities and their operation will be designed in consultation with fisheries agencies. Upstream passage will consist of an eel ladder, and downstream passage will consist of two siphon-style passage systems. The Applicant proposes to modify the discharge location for the existing downstream fish passage pipe to discharge adjacent to the existing upstream fish ladder entrance. The Applicant also proposes to install full depth seasonal intake rack overlays with a 7/8-inch hole diameter punch plate. These proposals are part of a settlement agreement for a fishway prescription at the Lowell Tannery Project between the Applicant and the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS), the Maine Department of Marine Resources (DMR), and the Penobscot Nation." On December 10, 2025, NMFS filed a letter of non-concurrence with FERC stating: "We have reviewed your EA and we do not concur with your determination that the proposed action is not likely to adversely affect the Gulf of Maine (GOM) distinct population segment (DPS) of Atlantic salmon. The NMFS letter went on to request FERC "prepare a consultation initiation package that meets the requirements for initiating formal consultation found at 50 CFR §402.14(c), ensuring all effects of the proposed action, including construction, operations, implementation of phased fish passage measures and any associated adaptive management, as well as proposed monitoring are thoroughly analyzed." FERC's February 13, 2026 response stated that the NMFS letter "satisfies the requirements for initiation of formal consultation." NMFS's May 29, 2026 letter requested an extension of time to complete the consultation to July 29, 2026.

* P-7189 GREEN LAKE EXPIRED 03/31/24 CAPACITY 500 kW GREEN LAKE WATER POWER CO (ME) REEDS BROOK (Greater Union Watershed) Small project at outflow of Green Lake southeast of Bangor upstream of Graham Lake. Some outflow to hydro, other to federal hatchery. Extremely complex situation. One of the original habitats of Maine's landlocked salmon. Had to have Atlantic salmon run at one time. Char present as well. Part of flow alternate water source for USFWS fish hatchery. Dan Tierney

USFWS POC. No consensus or recommendation could be developed by TU. Final License Application (FLA) submitted 3/31/2022. NMFS requested two additional studies on the same day. FERC found application deficient. Green Lake Hydro asked for extension to 11/15/22 to correct. FERC issued Ready for environmental Analysis (REA) on 03/23/2023. Green Lake Water Power disputing fish passage prescription for eel passage. Department of the Interior letter of 8/9/2023 stated "DOI and GLWP have entered into an agreement to stay the trial-type hearing process for 120 days effective August 9, 2023." The parties will hold settlement discussions in the interim. Water Quality Certification issued May 9, 2024. WQC provides for upstream and downstream eel passage including fishways and trash racks. Provides for fish passage for Atlantic salmon, American shad, alewives and blueback herring if/when effective fish passage achieved downstream at Ellsworth and Graham Lake Dams. *EA still under discussion, new license has not been issued.*

* P-2600 WEST ENFIELD EXPIRED 05/31/24 CAPACITY 13,000 kW BANGOR-PACIFIC HYDRO ASSOCIATE (ME) PENOBSCOT RIVER

Penobscot Indian Nation interest. ISR report and meeting March 2021. Only 2/3 of radio-tagged alewives transited the fish ladder. Acoustic study involving shad deeply flawed, yet FERC accepted study. Awaiting the year 2 study reports and a draft application. Brookfield submitted Downstream Fish Passage Conceptual Alternatives Evaluation on 10/29/2021. Meeting held to discuss downstream passage alternatives described in December 16, 2021 report. USFWS proposes modified eel passage measures. Brookfield filed hydraulic analysis model results on March 11, 2022 that needed to be part of the study. On 3/31/2022. FERC Denied a NOAA Fisheries request for a 30-day delay on DLA Comments. Final License Application (FLA) submitted 5/27/22. FERC Issuance of 6/24/22 gave Brookfield 90 days to correct admin deficiencies in FLA. Brookfield submitted Downstream Fish Passage Conceptual Alternatives Evaluation Draft Phase 2B Report and responded to FERC's requests for additional information in September. This is part of the process to: "a proposed alternative for downstream fish passage and protection enhancements and anticipates circulating a formal proposal for stakeholder review and comment in early October." That proposal has not been forthcoming. Brookfield provided additional water quality studies for the Mile Brook/Runaround Dam "side channel" that demonstrates the dam turns critical Atlantic salmon habitat into a backwater. TU noted this fact to the agencies and other NGOs involved. On 4/6/2023, Brookfield filed Upstream and Downstream Fish Passage Alternatives Reports. Current installation "Overall, the hydraulics between the powerhouse discharge and the ladder entrances likely results in the poor entrance efficiencies." Brookfield proposes to:

1. increase the attraction flow from approximately 138 cfs to 220 cfs by replacing the existing attraction flow pumps with new pumps,
2. modify the floor diffuser to provide more uniform distribution of flows,
3. abandon Entrance 2 and route all attraction flow through Entrance 3,
4. extend Entrance 3 downstream of the turbulent discharge from the powerhouse and add a new overshot style entrance gate, and

5. extend the existing tailrace training wall to eliminate the area of recirculation located at the downstream end of the training wall and improve guidance to Entrance 3.

Final License Application still has not been filed, annual license granted valid through May 31, 2025 or until new license issued. January Brookfield filing proposed to: “submit a final licensing proposal for upstream and downstream fish passage measures by July 1, 2025. On January 24, 2025, Brookfield filed and distributed the Revised Upstream Fish Passage Evaluation Report and the Revised Downstream Fish Passage Alternative Evaluation Report for review and comment. Comments were received from U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), Maine Department of Marine Resources (MDMR), and the Penobscot Nation. BPHA will continue to consult with agencies and the Penobscot Nation to collaboratively address concerns raised in comments, to the extent feasible. Brookfield contractor Natel is currently conducting the study to assess the feasibility of replacing the existing runners at the West Enfield Project with FishSafe™ runners. Natel has completed development of a 3-dimensional computer model of the water passage which is being used to run computational fluid dynamics modeling for various runner geometries. Natel is also working to optimize the runner geometry to maximize fish survival and energy efficiency. As Natel progresses with design other mechanical and structural design criteria will also be assessed. Natel anticipates having modeling and analysis substantively completed in late May 2025, followed by completion of the study report in June, which will then be presented to agencies and the Penobscot Nation. On December 9, 2025, FERC issued a notice that the project was ready for environmental analysis and solicited motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions (REA notice). On December 19, 2025, Brookfield filed a request to extend the deadlines established in the REA notice by 120 days which FERC approved. Filing of motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary prescriptions now due June 9, 2026. *Brookfield filed reports on March 30, 2026. The Annual Eel Upstream Passage report shows that West Enfield's eel ramp operated May 31–September 29, 2025, capturing only 854 eels — a dramatic drop from 40,430 in 2024 and the multi-year peak of 218,755 in 2020, with eel abundance in the vicinity of the ramp noted as consistently low throughout the season. The Atlantic Salmon SPP Annual Report documents one Atlantic salmon mortality at West Enfield in 2025. On April 22, 2026, FERC approved requests for extensions in time to: Final amendments - July 7, 2026; Filing of motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary prescriptions - August 8, 2026. Due to the early May timing for the planned 2026 stocking of approximately 100,000 uniquely marked hatchery smolts upstream of the Mattaceunk Project to support Atlantic salmon adult passage studies at that Project, Brookfield has elected—through discussions with USFWS and NMFS—to voluntarily initiate the spill enhancement measure at these Projects earlier this year than indicated by the outmigration model. To support downstream passage of these hatchery smolts, and subject to emergency capacity events that may require increased generation, Brookfield intends to initiate the spill enhancement measure at each Project [Mattaceunk, West Enfield, and Milford].*

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P-6398 HACKETT MILLS EXPIRED 08/31/24 CAPACITY 485 HACKETT MILLS HYDRO ASSOCIATES (MD) LITTLE ANDROSCOGGIN RIVER

Small project upstream of Barker Mill. Need fish passage to access anadromous fish spawning habitat above Welchville Dam (non-FERC). Maine TU Council involvement. Operator Eagle Creek Hydro conducting minimal studies, delaying a number of those requested. Study report and teleconference conducted 5/21. Final License Application (FLA) filed 8/31/22 requesting fish passage in 2041 contingent on Marcal Project (upstream). NOAA Fisheries letter of 8/21/2023 supported issuing simultaneous Ready for Environmental Analysis for the Barker Mill Upper Project Hackett Mills Project (P-6398-026) when both projects are ready. The dam and low-level gate have deteriorated and repairs are in progress. Eagle Creek completed repairs in January 2025. LFA submitted and REA issued. Maine TU Council filed to intervene and protested the relicensing of this uneconomic project. MDMR comments asked that decommissioning be considered as an alternative, and implementation of fish passage aligned with other hydro projects on the Little Androscoggin. **Eagle Creek has let it be known that it would consider purchase offers for the project. Hackett Mills Project.** TU has since intervened. May 21, 2026, NMFS filed letter: “The Secretary of the Department of Commerce, acting through the National Marine Fisheries Service (NMFS), hereby reserves the authority to prescribe the construction, operation, and maintenance of such fishways as deemed necessary, including measures to determine, ensure, or improve the effectiveness of such fishways.” May 28, MDMR filing: Outlines MDMR's statutory authority and its core strategic goals to restore native diadromous and catadromous fish species—such as alewife, blueback herring, American shad, Atlantic salmon, sea lamprey, and American eel—to their historic habitats (pp. 3, 5). The report establishes strict design milestones for new fishways, requiring conceptual plans by January 1, 2029, 30% designs by April 1, 2029, 90% designs by March 1, 2030, and full operational capability by May 1, 2031 (pp. 11-12). To ensure the success of these facilities, the document mandates rigorous species-specific performance standards: alosine species (shad and herring) and American eels must achieve a 90% upstream and 95% downstream passage rate within 24 to 48 hours, while sea lampreys require an 80% upstream passage effectiveness rate (p. 14). The filing contains adaptive management provisions.

* **P-4026 AZISCOHOS** EXPIRED 03/31/25 CAPACITY 5,311 kW ANDROSCOGGIN RESERVOIR CO (ME - BROOKFIELD) MAGALLOWAY RIVER (upper Androscoggin Watershed)
TU working with the stakeholders group that includes The Appalachian Mountain Club (AMC), American Whitewater (AW), Aziscohos Lake Campers Association (ALCA), Aziscohos Lake Preservation Committee (ALPC) that submitted joint comments on the Updated Study Report (USR) on 4/11/2023 noting “Reservoir levels should not remain entirely at the discretion of the Applicant as has occurred historically and requested in the Final License Application.” It also included a request for information on the Androscoggin Headwaters Agreement and a modified study request for the scheduled spring tributary access study. Stakeholders group filed comments supporting MDIFW assessment that the tributary access study results were deceptive and showing additional problems. Confidential discussions continue between Brookfield Renewable Energy and the NGOs (Trout Unlimited, Appalachian Mountain Club,

American Whitewater, American Rivers and Rangeley Lakes Heritage Trust, Aziscohos Lake Preservation Committee and Aziscohos Lake Camp Association. The NGOs are considering an extension of Brookfield's request to the Federal Energy Regulatory Commission (FERC) for a revised Final License Application filing date to June 2025 to allow for the settlement talks to continue, which have been constructive. The NGOs will request that FERC establish the following benchmarks: 1) Agreement in principle by end of January 2025, 2) Finalize Agreement by end of March 2025, and 3) Brookfield files revised FLA no later than June 2025. The NGOs will take into consideration that the clarification of historic deeds on land ownership along the Magalloway River from the dam to the Rte 16 bridge at Bennett Road is still being resolved, and the recent finalization of a 2-year option dependent on successful fundraising by the Rangeley Lakes Heritage Trust (RLHT), Maine Nature Conservancy (ME TNC), the Forest Society of Maine (FSM) and Northeast Wilderness Trust (NEWT) for a very significant Upper Magalloway land protection effort, which represents potential measures and plans to protect, mitigate, or enhance environmental resources (PME) for a 401 Water Quality Certificate (WQC) with Brookfield's financial participation. Brookfield and RLHT have had ongoing meetings on these two possibilities. NGO recommended acceptance of the revised schedule. To help move the discussions forward, NGOs revised their confidential May 2024 Proposed Draft Settlement Agreement (SA) Outline it had provided Brookfield, to incorporate with greater detail the new information on a) land ownership at and below the dam and associated stewardship costs, and b) specifics on how Brookfield's involvement in the Upper Magalloway Land project could have a PME role in the 401 WQC process. Brookfield has filed an Amended Final License Application (FLA) based on the pre-settlement negotiations with the NGOs including TU. Local fishing interests are generally opposing the content of the FLA contending that securing access to the Magalloway between Aziscohos Dam and the Route 16 Bridge Pool will only put more pressure that reach. Other local issues center on enforcement, regulations and other matters that involve MDIFW, not the FERC relicensing of the project. MDIFW proposed higher flows, revised refill timing, and higher lake levels. Meetings were held that included Brookfield, MDIFW, Rangeley Lakes Heritage Trust, and the Camp Owners Assn representative at MDIFW Headquarters in Augusta on December 4 and January 8 to discuss additional features beyond those in the Agreement in Principle. All parties agreed to modification of the AIP. Modified proposal under review by MDIFW and Brookfield. Approval of the modified proposal is anticipated. *Progress on the overall project has been slow for the last few months; the coalition is currently awaiting the final documents from Brookfield's attorneys.*

* P-3428 WORUMBO EXPIRED 11/30/25 CAPACITY 19,100 kW BROWN BEAR II HYDRO, INC. ANDROSCOGGIN RIVER
PAD filed 1/28/2022. Effectiveness of installed fish passage a concern. Revised Study Plan (RSP) issued 9/3/2022. Initial Study Report Meeting Report was like an empty sack since most study reports were not complete and are not due to be filed until the fall. Charlie Spies of MMBTU filed comments including that this timing impedes the ability of interested parties and agencies of jurisdiction to comment timely and suggest any further work after the 2023 field season has passed. FERC acknowledged receipt of the comments. Preliminary Study Reports posted March

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2024 showed poor upstream fish passage ~50% for river herring/ no shad. *FERC granted Eagle Creek request to delay Species Protection Plan (SPP) due date until June 29, 2025.* Consultations between Eagle Creek and NOAA Fisheries continue to develop Section 18 Fishway Prescriptions. *Project license extended for an additional year pending issuance of a new license on December 16, 2025. REA (Ready for Environmental Analysis) issued January 14, 2026. TU intervened. Brookfield and NMFS finally appear close to agreement on fishway design. New target dates: Final amendments – July 27, 2026; Filing of motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary prescriptions – August 27, 2026; Filing of water quality certification or waiver evidence – August 27, 2026; Filing of reply comments – October 12, 2026.*



In Progress

P-2302 LEWISTON FALLS EXPIRES 08/31/26 CAPACITY 8,440 kW BROOKFIELD WHITE PINE HYDRO, LLC. ANDROSCOGGIN RIVER

Limit of historical upstream river herring fish passage. Grow LA River Working Group engaged. FERC approved reduction of project area extent to Longley Bridge instead of down to the Durham boat launch. Grow L+A working for: Timed water release levels controlled for kayaking and crew rowing competitions. Precedence set similar to the Forks. Aesthetics: Time releases for water over the Great Falls (Water Flows were reduced over the Great Falls from 42% of the time down to 12% in 1986. Also aids in aeration for DO. Formal ESA consultation initiated 5/2021, for this project and Brunswick. NOI/PAD posted 8/4/2021. Lewiston and Auburn and other stakeholders requested use of IPL but FERC went with TLP. TU worked with Cities of Lewiston and Auburn, Grow L+A, American Whitewater and Appalachian Mountain Club to generate aesthetic, recreational and special DO study requests. Brookfield rejected Special DO study, TU worked with above Cities and NGOs to draft response based on MDEP policies. Brookfield rejected NGO recommendations. Brookfield Study Report released March 2, 2023, studies on track. No comments by Lewiston or Auburn; none submitted for Maine TU Council. Will continue to advocate for maximum releases of water over the falls to improve habitat quality in critical Atlantic salmon habitat downstream. Brookfield has requested extension of time to submit the annual Species Protection Plan Compliance Report to February 15 annually. MDMR reported that Brookfield Downstream Eel Passage Study filed 6/30/2023 understated impacts on eels. DLA issued, cities of Lewiston and Auburn and NGOs submitted comments that included requests for more releases of water over Lewiston Falls, an improved trail system, and support of MDMR requests for eel passage. Maine Bureau of Parks and Lands (BPL) and National Park Service both filed in support of stakeholder requests. FLA issued in August offering 6 scenic releases, not the 40 that Lewiston/Auburn had proposed. FLA also included provisions for eel passage. Other recreational issues are involved. Brookfield response rejected Lewiston - Auburn requests. Scoping Meetings held in Lewiston on February 19. No presentations by FERC or Applicant, comments were taken by a court recorder in a separate

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room. TU protested the change of meeting format. Ready for Environmental Analysis (REA) issued May 15, 2025. Cities and multiple NGOs have intervened. MDMR asking for eel passage with monitoring and adaptive management to ensure achievement of eel passage goals. City of Auburn mitigation request included:

- New pedestrian bridges
- Improved river access, including a boat launch and parking area at Switzerland Road and Gulf Island Avenue
- Establishing a practice of monitoring and maintaining temperature, DO and sediment levels during releases, to support the reclassification upgrade of the Androscoggin River.
- Fund the routine maintenance costs for the boat launch and parking located at 509 Lincoln Street which was part of the prior mitigation licensing.
- Fund the ongoing maintenance costs for any new mitigation projects.

And additionally: A minimum of 40 aesthetic flow releases per year should be required, scheduled in consultation with Auburn and Lewiston. Releases should include evening hours and summer weekends, especially during community events. The proposed six daytime events are inadequate. January 22, 2026, FERC delayed EA issuance until June 15, 2026.

P-11006 UPPER ANDROSCOGGIN EXPIRES 08/31/26 CAPACITY 1,695kW LEWISTON, CITY OF (ME) ANDROSCOGGIN RIVER

Dam in town Lewiston serving old industrial canals. Grow L+A River Working Group interest. Flow through canal for possible recreational use a possible issue. Processed with Lewiston Falls Project.

*** P-2572 RIPOGENUS EXPIRES 9/30/26 CAPACITY 3,7530 kW GREAT LAKES HYDRO AMERICA. LLC. (BROOKFIELD) W BR PENOBSCOT R (upper Penobscot Watershed)**
Classic landlocked salmon waters. TU, camp owners' associations, American Whitewater, Appalachian Mountain Club, Maine Rivers, American Rivers interest, and Penobscot Indian Nation interest. Committee working with other stakeholders and agencies. FERC has ruled that the 6-month flow excursion at Ripogenus Dam 2021-2022 was not a license violation. Maine TU Council had filed a letter with FERC explaining why it was a license violation and Brookfield should be held accountable. FERC Compliance has taken action on outage events caused fish kills directing Brookfield: that you consult with the FWS, Maine DIFW, Maine DEP, and Maine LURC to identify measures aimed at reducing the instances of fish and macroinvertebrate strandings downstream of McKay Station during downramping events, such as unit outages, until the current relicensing process is concluded. Examples of possible measures include: increasing the frequency at which staff are present at McKay Station to respond to low flow events more quickly; a battery back-up system to reduce the instances and/or durations of outage-caused flow reductions; or automating a gate at Ripogenus Dam to release a preset minimum flow to the West Branch of the Penobscot River when McKay Station trips offline. By requesting interim protection measures, we are not prejudging requirements or other protection measures that may be determined during the relicensing process." FERC Year-2 Studies Determination received late 9/19/2023 recommended additional studies: North Twin

Tributary Access, Upstream American eel Passage, Recreational Study, Whitewater Boating Assessment, Aesthetics, Environmental Justice, McKay Station Fish Stranding and Mitigation and McKay Station Ramping, USGS Gauge Feasibility, and Umbazooksus Lake Mitigation, TU volunteers participated Fishability/Wadability Study below Stone Dam conducted October 24th and 25th, 2023. Ops Model Workshop conducted January 31-February, 2023 in Bangor. Updated Study Plan Meeting conducted in Bangor May 15 and 16, 2023. Brookfield continues to avoid submitting study data that provides bases for comparison for current condition and changes to operating parameters. TU submitted 64-page report detailing observations of Ramping Study events conducted by Brookfield on July 17 and 24, 2024. Report highlights that strandings and mortality occur even when flows drop to 1000 cfs and recommends further studies to determine safe minimum flows. Brookfield refuses to run full range of Ops Model runs requested to test feasibility of different flow scenarios. FERC Submitted AIRs with responses due that summer. Includes running of Additional Ops Model scenarios. Multiple NGOs submitted comments on inadequacy of studies to date. TU submitted comments on two rounds of Brookfield responses to FERC Additional Information Requests (AIRs) filed in June and July. The first also addressed yet another generator trip event at Ripogenus Dam that occurred on June 17, 2025. TU was also a signatory to a joint filing on recreational requirements. FERC granted Brookfield request for additional time to respond to June 19 trip event granted until October 20, 2025 with progress report by September 26, 2025. Brookfield report filed September 9, 2025 providing details of outage. On January 16, 2026, Maine TU Council filed further comments with FERC on the June 17, 2025 generator trip event asking that Brookfield be required to install, at its expense, a USGS-standard flow/temperature gage in the Telos Bridge area so that future events can be evaluated using accurate, independent data. Draft Angler Survey and Economic Assessment Report 2025 completed by Neal Hagstrom was filed to FERC docket by Maine TU Council on January 27, 2026. Report shows the size-quality of the fishery declining and computes the value of the fishery. *On February 5, 2026, FERC issued an Additional Information Request requiring GLHA to respond within 90 days on both projects, addressing inconsistencies in the FLA description of the Ripogenus intake structure and requesting additional CHEOPS operations model runs. On March 12, 2026, FERC updated the REA procedural schedule, setting a new REA target date of June 10, 2026. Spring 2026 Drought and Incubation Flow Violations. On March 19, 2026, Brookfield formally notified FERC that it was invoking drought operations. The Ripogenus reservoir had fallen 23.3 feet below full pond (elevation 918.26 ft vs. normal 941.59 ft) — 4 feet lower than during the March 2022 drought. Brookfield proposed reducing minimum flows to 800 cfs at Ripogenus and 1,000 cfs at the downstream Millinocket Development of Penobscot Mills, far below the license-required incubation flows. (Brookfield had already reduced spawning flows to 1,100 cfs in October 2025 by agreement with resource agencies, establishing that as the required incubation flow for the 2025–2026 season.) The Caribou and Chesuncook Lake Camp Associations filed comments on March 26 noting nighttime generation flows had reached as high as 3,100 cfs and that Brookfield had not followed the dry-year protocol under Article 402 on any day in June, July, or August 2025. Maine TU Council filed a non-compliance allegation on March 31, 2026, documenting 28 multi-generator flow days between October 2025 and March 2026 accounting*

for approximately 30,000 cfs-days of excess discharge above the 1,100 cfs drought minimum — equivalent to roughly 2–3 feet of lake level, or about one-third of the total pool depletion over the winter. No ISO-NE energy emergency was declared at any point during the drought period; the multi-generator decisions were purely discretionary operational choices, apparently to capture peak energy pricing. TU argued that the drought plan operates as a one-way ratchet — imposing a minimum floor but no ceiling — allowing Brookfield to deplete storage at will without prior agency concurrence. TU requested that FERC: (1) require a detailed accounting of Brookfield’s reservoir management decisions from summer 2025 onward; (2) determine whether the storage shortfall was within Brookfield’s control; (3) require biological impact assessment for salmon redds and smelt spawning; (4) direct revision of the drought plan to include a maximum flow ceiling; and (5) require installation of a USGS gage at Telos Bridge, a 400 cfs deep-gate release capability, and restoration of a resident dam keeper. On April 10, 2026, GLHA filed its response to TU’s January compliance letter, agreeing in principle to a downstream flow gage but declining to install one prior to the new license, and rejecting both the 400 cfs continuous deep-gate release and the resident dam keeper on public safety, lake level, and energy grounds. Ed Spear, co-author of the original 1992 FERC License Application fisheries sections, filed a detailed rebuttal on April 13, 2026, demonstrating that GLHA’s objections were unsupported by data and contradicted by the 1989 Upper Gorge flow study, and requesting that FERC order an independent evaluation of a McKay Station synchronized bypass system. On April 15, 2026, FERC issued a drought compliance letter, signed by Andrea Claros, Branch Chief, Aquatic Resources Branch. While finding no license violations — consistent with its August 22, 2023 findings on the 2021–2022 drought — FERC warned Brookfield that it is “on a trajectory” for another failed spawning season in 2026–2027 absent significant hydrological change, and strongly directed limiting both recreational and generation discharges to preserve reservoir elevation. FERC required Brookfield to file 45-day operational reports beginning May 15, 2026, each including an analysis of whether drought operations should continue or whether hydrological trends justify resuming full flows. On May 6, 2026, GLHA filed its responses to the February 5 AIR. A West Branch stakeholders teleconference was held May 11, 2026, addressing proposed project boundary expansion, Golden Road maintenance, and recreational facility requests by the Millinocket Lake Road Association. On May 7, 2026, Maine TU Council gave a comprehensive relicensing presentation to MDIFW personnel in Greenville, covering TU’s asks, the biology of the West Branch fishery, and justification for protective measures. Steve teleconferenced with MDEP’s Hydropower Coordinator Laura Paye on April 27, 2026 regarding West Branch issues and MDEP’s filing requesting that certain protective license terms be implemented before a new license is issued to address continuing fish kills and redd dewaterings at McKay Station.

P-2458 PENOBSCOT MILLS EXPIRES 09/30/26 CAPACITY 70,810 kW GREAT LAKES HYDRO AMERICA. LLC. (BROOKFIELD) W BR PENOBSCOT R
Being processed with Ripogenus Project. Penobscot Indian Nation involvement. Above status applies.

P-11132 EUSTIS EXPIRES 11/30/26 CAPACITY 250 kW KEI (MAINE) POWER MGMT (I) LLC
N.BR.DEAD RIVER (Upper Kennebec Watershed)

Maine's smallest licensed project (250 kw) located between Flagstaff Lake and Chain of Ponds. Operator Krueger Energy Inc (KEI) proposed no studies. MDIFW 5/2/22 filing requested Use Evaluation of all Project, formal, and informal angler, hunter, and recreational access sites in the Project area; and North Branch of the Dead River Temperature Study to better understand how the Eustis Dam impoundment and operations impact temperature regimes and the dependent natural resources in the North Branch of the Dead River. DLA filed June 28, 2024 proposes project to continue to operate as it has in the past. Final License Application filed December 11, 2024. NGOs do not plan to oppose continuing the status quo. Expect that to be the content of the new license.

* P-2194 BAR MILLS EXPIRES 7/31/48 CAPACITY 4,000 kW BROOKFIELD WHITE PINE HYDRO, LLC. SACO RIVER

Project no longer operational. With fish passage required by 2025, Brookfield chose to surrender the license. Surrender scoping document filed by Brookfield in August 2022 offering partial dam removal. This will achieve the fish passage required by the 2007 Settlement and Water Quality Certification. The Town of Buxton and TU asked that the dam be fully removed and the site restored to its original condition. On December 5, 2022, Brookfield asked all agencies for study requests, ignoring Buxton, the Town of Hollis, the Saco Salmon Restoration Alliance (SSRA), and TU. Steve provided guidance and a draft study plan to town resident and SSRA member Mark Woodruff. He worked with the Buxton Selectmen who filed the study requests that identified the town's concerns. Given that TU interests were tied to fish passage, this is now a matter for Buxton and Hollis and further TU involvement should not be required. Although Brookfield's Final Study Plan, issued in August 2023, addressed several environmental, recreational, and public safety concerns raised by Buxton and Hollis, requests to review existing information from EPA and the Buxton Zoning Ordinances were not adopted. Because of high river flows the field studies were postponed to 2024. The towns favor restoration of the site to its original condition but lack resources to contest Brookfield's proposal in court if accepted by FERC. American Rivers interest in the surrender. Brookfield met with the select boards of both towns in May and asked both select boards to organize a decommissioning committee of 5 people from each town. The goals for the meeting: address questions and provide input on the draft study report; provide input for the decommissioning plan. There have been two facilitated meetings since late August. The discussions have focused on the decommissioning schedule, study results, and the community's concerns about the changes that will occur. The draft report which should include the committee's recommended revisions is expected to be released to the public in late September/early October. Buxton-Hollis Decommissioning Committee met with Brookfield the week of January 12, 2026, and was very pleased to learn that the dam will be entirely removed. The remains of the Fiber Mill will be demolished. A new hand carry boat launch will be built allowing access to the flatwater section. Two dry hydrants will be replaced. *The Buxton-Hollis Decommissioning Committee meets with state resource agencies June 2nd to learn about their roles in the decommissioning process. Brookfield plans to make the Draft*

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License Surrender Application available to the public in the 1st half of June. A 90-day public comment period will follow which includes a public meeting on June 25th at the Hollis Town Office beginning at 6:00 PM. Concurrent with the comment period Brookfield will be seeking permits from DEP, the Saco River Corridor Commission, and local planning boards. Brookfield has made significant commitments to remove the entire Bar Mills dam, demolish the remains of the Rogers Fiber Mill which is part of the dam, make improvements for recreational access, and replace 2 dry hydrants. They are proposing to leave the powerhouse and adjoining spillway.

P-2284 BRUNSWICK EXPIRES 02/28/29 CAPACITY 19,000 kW BROOKFIELD WHITE PINE HYDRO, LLC. ANDROSCOGGIN RIVER

Brunswick Dam is the first dam above tidewater on the Androscoggin — the single most consequential fish passage barrier in the entire 3,450 sq. mi. watershed. Brookfield (BWPH) filed its NOI/PAD in February 2024. Scoping meetings were held in Brunswick in May 2024 with strong Merrymeeting Bay TU (MMBTU) and Free the Andro Coalition (FTA) engagement; agency and NGO PAD comments requested a full range of studies and asked that dam removal and license surrender be evaluated as alternatives. FERC issued its Study Plan Determination on December 30, 2024, requiring 13 studies. BWPH filed its Initial Study Report on December 31, 2025; the ISR meeting was held virtually on January 15, 2026. Comments on the ISR were filed in late February and early March 2026 by NMFS, FTA, MDMR, MDEP, MDIFW, and Friends of Merrymeeting Bay. MDMR established design fish populations the new license must serve: 7.7 million alewife, 1 million blueback herring, 171,000 American shad, and 600 Atlantic salmon. The existing fishway's failure to serve even a fraction of these runs is documented — a 2022 telemetry study showed only 37.5% entrance efficiency for river herring, and virtually no shad have passed in normal operations. The tailrace benthic study found the reach meets Class C but not Class B water quality standards. In April 2026, BWPH attempted to postpone the Phase 2 acoustic telemetry component of the Project Interaction Study — the study critical to evaluating upstream passage alternatives — to 2027, citing Frank J. Wood Bridge construction in the study area. MDMR and NMFS both opposed the delay; FERC denied it on April 17, 2026 and ordered the study to proceed this spring. FERC also denied Brookfield's requested modifications to three other required studies. FTA continues to actively advocate for dam removal as a licensed alternative. FLA due February 28, 2027.

* P-2528 CATARACT EXPIRES 11/30/29 CAPACITY 6,650 kW BROOKFIELD WHITE PINE HYDRO, LLC. SACO RIVER

Head-of-tide dam for Saco River. Saco Salmon Restoration Alliance and TU planning to engage. TU hosted a Saco stakeholder teleconference that was held December 12. Key topics were: Cataract Project entering FERC relicensing process w/Scoping Meeting use of new format that did not encourage public participation, Brookfield's Pre-application Document hiding behind 2007 Settlement, Bar Mills Dam license surrender, Saco River Restoration Alliance & Hatchery loss of source of eggs needed for hatchery operations, and good number of elvers documented at Hiram Dam last summer. Subsequent PAD Comments included requests for the full spectrum of fish passage studies, and studies of effects of sea level rise on this head-of-tide project.

* Change since last status: 1/30/2026

Brookfield has submitted Initial Study Plan, Sebago TU worked with Saco Salmon Restoration Alliance to produce study plan comments. MDMR comments: 'The Licensee's PSP provides responses to our comments and rejects all but two of our study requests. During the PSP meeting on March 3, 2025, representatives from FERC encouraged the Licensee to sit down with the fisheries agencies in an effort to fill information gaps at the project through relicensing studies or other means. MDMR thinks this would be a productive discussion, yet no meeting has been arranged by the Licensee to date. Furthermore, the Licensee makes some troubling claims related to historical habitat for alosines above the Project, which misrepresents the 1987 Strategic Management Plan for the Saco River. Downstream Adult American Eel Passage Study postponed until Fall 2026. *The 2025 radio telemetry study — the first year of evaluation following construction of improved fishways at Cataract East and West Channels, the Springs Island Natural-like Fishway (NLF), and Skelton — produced mixed results. The Springs Island NLF performed well for river herring (90.6% overall passage effectiveness), but upstream passage at the East Channel fish lift (14.3%) and Skelton (17.7%) was poor; no tagged herring successfully passed the West Channel Denil. American shad results were worse — only 10.7% passed the East Channel lift, NLF passage was 13.6%, no shad attempted the West Channel Denil, and only a single tagged shad approached the Skelton lift. Downstream passage also differed sharply by species: river herring achieved 76.2% downstream survival through the Skelton reach, while shad reached only 39.1%, with 51% of tagged shad failing to locate any downstream passage route at Skelton at all. A required second year of study is planned for 2026 with modifications to receiver placement, fish release strategy, and Skelton bypass flows. Tentative date for the Stranding Study is June30, 2026.*

* P-9340 KEZAR FALLS LOWER EXPIRES 09/30/30 CAPACITY 1,000 kW KEZAR FALLS HYDRO, LLC OSSISPEE RIVER (MAIN SACO RIVER FEEDER)

Eagle Creek has requested information for inclusion in the PAD. Sebago TU and Saco Salmon Restoration Alliance interest. *PAD comments filed by MDMR, MDIFW, and the Saco Salmon Restoration Alliance (SSRA) dated March 24, 2026 following the January 23, 2026 joint agency/public meeting on the PAD. MDMR requested five studies: upstream and downstream fish passage alternatives, CFD modeling, upstream and downstream American eel passage assessments, and a bypass reach minimum flow study. MDMR identified the project as an unacknowledged barrier to eel migration and called out the PAD's failure to address downstream turbine mortality risk for eels; it also demanded a concrete fish passage proposal for the Draft License Application aligned with Saco River watershed management goals. MDIFW raised concerns about minimum flow discrepancies in the bypass reach (the PAD variously cites 25–40 cfs, maintained only by leakage, which MDIFW considers unreliable), requested five years of impoundment water level data, and pushed for formal public access improvements — parking, signage, carry-in boat launch, and a portage route at both dams. MDIFW also flagged the potential presence of Brook Floater (state threatened) and bat species protected under Maine's Endangered Species Act. SSRA filed comments supporting the agency study requests and asking the licensee to clarify economic viability, correct its Atlantic salmon count data in*

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consultation with MDMR, and acknowledge that American eels are present upstream of the project based on Brookfield's eel study at the upstream Hiram Project.

Upcoming

Next Maine FERC hydro license expires in 2033.

Ongoing Concerns

* P-2333 RUMFORD FALLS ISSUED 01/22/26 CAPACITY 44,500 kW RUMFORD FALLS HYDRO (BROOKFIELD), LLC. ANDROSCOGGIN RIVER

Above Lewiston Falls. No historical Atlantic salmon fish passage. Smallmouth bass on both sides of dam. TU filed joint comments along with other NGOs on DLA and USR on 8/31/22. Concerns include dewatering, inadequate whitewater and aesthetic flows, and recreational access. Breakout session to discuss environmental considerations of the relicensing with MDEP and key stakeholders that was held April 25, 2023. Ready for Environmental Analysis issued by FERC on 6/26/2023. Maine TU, American Whitewater, Conservation Law Foundation, Maine Rivers and Friends of Richardson Lake have all filed to Intervene. Brookfield filed Water Quality Certification Application on 8/22/2023. FERC issued 6/3/26 Draft Environmental Assessment in February 2024. Joint NGO comments cited imbalance of project purposes and proposed minimum flows over upper Rumford Falls and whitewater releases. EA did not incorporate NGO Comments. In August, MDEP issued WQC calling for 10 whitewater/scenic releases and 200 cfs minimum fishing flows over Middle Dam but made no reference to flows over Upper Dam or Upper Falls. Maine Rivers, American Whitewater, Conservation Law Foundation, Friends of Richardson Lake, American Rivers and TU submitted a joint appeal to Maine's Board of Environmental Protection (MBEP) of the Water Quality Certification. The Appellants responded to an MBEP request for a brief on their standing in the matter. MBEP then rejected the brief. In response, the Appellants filed a request for reconsideration of the rejection and in the alternative, objected to the evidentiary exclusion of the individual statements and affidavits, submitted as definitive and required proof of associational standing. MBEP heard oral arguments on July 17, 2025 and dismissed the appeal both on issues of standing and substance without ordering a hearing despite clear evidence in the record that the bypass reach contained potential aquatic habitat, and eels were present upstream. The appellants elected not to appeal the board's decision to Maine Superior Court. *Development of Recreation Plan and other post-licensing requirements in progress.*

* P-2534 MILFORD ISSUED 04/20/1998 CAPACITY 8,230 kW BROOKFIELD PENOBSCOT RIVER, STILLWATER RIVER

According to data compiled by the MDMR between 2014 and 2019, 79 percent of Atlantic salmon studied did not pass the Milford Project within 48 hours. "Since 2014, the Milford project has never met performance standards for endangered Atlantic salmon, and the dam owners have made no effort to fix the problems," said Dan McCaw, fisheries program manager with the Penobscot Nation, in a press release. "To date, the Federal agencies responsible for licensing the dam's operations allow this to continue without consequence or even a timeline to remedy this critical bottleneck." Brookfield filed the 2024 Incidental Take report January 7, 2025; Atlantic salmon mortalities: three Atlantic salmon mortalities, two at Milford and one at the West Enfield Project. Draft Diadromous Fish Passage Study Report issued January 15, 2025. Penobscot Indian Nation (PIN): "requests a study of downstream passage of American eels at all three Projects in 2025 and 2026, using the methods accepted by MDMR and USFWS." Projects are Milford (FERC No. 2534), Orono (FERC No. 2710), and Stillwater (FERC No. 2712). Brookfield submitted draft Biological Assessment and Species Protection Plan that includes new information, gathered since NMFS issued its Biological Opinion (BiOp) for the Projects in 2012, which includes:

1. Results of radio telemetry studies of Atlantic salmon passage, and collection and modeling of a large amount of additional information regarding Penobscot River Atlantic salmon.
2. Removal of two main stem Penobscot River dams, and fish passage improvements implemented at the remaining dams.
3. Stranding of Atlantic salmon in the ledge pools below the Milford Project (FERC No. 2534) spillway, which was not considered in the 2012 NMFS BiOp.
4. Installation of a collection trap on the existing Denil upstream fishway at the Milford Project to capture passing Atlantic salmon, which was also not considered in the 2012 BiOp.
5. A need to develop standalone BiOps for each Project that match FERC license expirations.

Additionally, FERC designated Brookfield as a non-federal representative for the purpose of conducting informal consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service pursuant to the regulations at 50 C.F.R. §402.08 implementing section 7 of the ESA, before the Tainter gates are replaced. The role of the non-federal representative may include conducting studies, developing and supplying information, attending meetings, ensuring that pertinent endangered species information is maintained in a project file, participating in informal consultation with your agency, developing a draft biological assessment if necessary, and keeping the Commission apprised of its actions. However, the Commission remains ultimately responsible for all findings and determinations regarding the effects of the project on any federally-listed species or critical habitat. Formal ESA Consultation initiated with new Biological Opinion (BIOP). FERC extended due date to February 13, 2026 at National Marine Fisheries Service request. *On March 30, 2026, Brookfield filed the annual*

Atlantic Salmon SPP report for the Milford, West Enfield, Medway, Orono, and Stillwater Projects, documenting one Atlantic salmon mortality at West Enfield and two at Milford in 2025 — previously reported in the January 7, 2026 Incidental Take Report. No fish passage monitoring studies were conducted at any of the projects in 2025. On March 2, 2026, Black Bear filed its 2026 Diadromous Fish Passage Study Plan for the Milford, Orono, and Stillwater Projects. The plan declines MDMR's request to repeat the downstream eel passage study at Milford, but confirms that: (1) the American shad passage working group reconvened in February 2026 with a site visit planned at Milford during peak shad passage in early June; and (2) radio telemetry equipment will be installed at Milford in 2027 to begin the kelt passage study, one year ahead of the previously scheduled 2028 start. Due to the early May timing for the planned 2026 stocking of approximately 100,000 uniquely marked hatchery smolts upstream of the Mattaceunk Project to support Atlantic salmon adult passage studies at that Project, Brookfield has elected—through discussions with USFWS and NMFS—to voluntarily initiate the spill enhancement measure at these Projects earlier this year than indicated by the outmigration model. To support downstream passage of these hatchery smolts, and subject to emergency capacity events that may require increased generation, Brookfield intends to initiate the spill enhancement measure at each Project [Mattaceunk, West Enfield, and Milford].

* P-2364 ABENAKI ISSUED 07/25/2003 CAPACITY 18,800 kW EAGLE CREEK KENNEBEC RIVER (2 dams at Anson)

The project is getting more attention given the pending removal of the four lower Kennebec dams that are downstream of it. Eel passage has been the greatest concern in the past but that may be changing. MDMR, ASF and TU are engaged. Awaiting reports from the April 30 Meeting.

* P-2942 DUNDEE ISSUED 10/02/2003 CAPACITY 2,400 kW ~~DICHOTOMY~~ now RELEVATE HYDRO LLC PRESUMPSCOT RIVER. Sluice gate failure dewatered impoundment in July of 2024. FERC determination was that this would not be considered a license violation. Maine TU Council filed comments January 21, 2025 requesting FERC review decision in light of photographic evidence of mussel and fish kill, and continuing problems since current operator acquired the Presumpscot projects from SAPPI in 2022. Working level liaison indicates MDEP has decided to only issue a warning for the dewatering. TU hosted a teleconference to discuss the issues with Presumpscot Hydro Operations on March 11, 2025. Sebago TU working to develop next steps following dewatering and form coalition to address long and short-term needs in the watershed. Subsequent TU filings resulted in FERC declaring the Dundee dewatering a license violation; subsequent TU filing with the Low Impact Hydro Institute (LIHI) resulted in suspension of the project's LIHI certification. Despite this, FERC approved Relevate's request to upgrade capacity of the project's generators. Relevate filed a plan to study eel passage at all its Presumpscot Projects on September 15, 2025. January 8, 2026 FERC Compliance sent a detailed letter to Relevate emphasizing reports due on Environmental Inspections for the Gambo, Mallison Falls, Little Falls, and Eel Weir Projects. *Close scrutiny by FERC of compliance with and documentation of license requirements continues.*

* P-2932 MALLISON FALLS ISSUED 10/02/2003 CAPACITY 800 kW ~~DICHOTOMY~~ now RELEVATE; PRESUMPCOT HYDRO LLC PRESUMPCOT RIVER. FERC ruled June 3, 2024 minimum flow deviations a license violation. Another possible license violation reported by Sebago TU's Jim Wescott in March. Could be due to malfunction at Mallison or either of the two dams upstream. Maine TU Council submitted incident report to FERC. January 8, 2026 FERC Compliance sent a detailed letter to Relevate emphasizing reports due on Environmental Inspections for the Gambo, Mallison Falls, Little Falls, and Eel Weir Projects. *Close scrutiny by FERC of compliance with and documentation of license requirements continues.*

* P-2984 EEL WEIR ISSUED 03/23/2015 CAPACITY 1,800 kW ~~DICHOTOMY~~ now RELEVATE HYDRO LLC PRESUMPCOT RIVER
FERC Determination issued September 2024 ruled Sebago Lake level and downstream flow deviations were not a license violation. TU requested that the determination be revisited and deemed a violation in light of the above two events and conflicting content of the determination letter. NGOs had opposed transfer of the Presump River licenses to the current operator in 2021 due to lack of technical ability and financial capacity. FERC denied the TU request that the event be considered a license violation. Above entry germane. Environmental Analysis issues, Friends of Sebago Lake working to respond asking that it include information on the adverse effects of the current flow regime on bank erosion, fish and wildlife and water quality. Response due by June 2, 2025. MDEP filed Notice of Violation on May19, 2025 for failure to build a boat ramp per Water Quality Certification #L-19937-33-J-N, Condition 8(A). This and subsequent TU filings resulted in FERC declaring the events a license violation; subsequent TU filing with the Low Impact Hydro Institute (LIHI) resulted in suspension of the project's LIHI certification. Despite this, FERC approved Relevate's request to upgrade capacity of the project's generators. January 8, 2026 FERC Compliance sent a detailed letter to Relevate emphasizing reports due on Environmental Inspections for the Gambo, Mallison Falls, Little Falls, and Eel Weir Projects. *Close scrutiny by FERC of compliance with and documentation of license requirements continues.*

P-2809 AMERICAN TISSUE ISSUED 4/30/2019 CAPACITY 1,000 kW KEI (MAINE) POWER MGMT (III) LLC COBBOSSECONTEE STREAM (lower Kennebec feeder)
American Tissue effort by Upstream, a local NGO. FERC license requires fish passage to be operating two years after fish reach the base of the dam. The dam is owned by Kruger Energy Industries (KEI), a large Canadian, privately held conglomerate. The third upstream dam in lower Cobbosseecontee Stream to create Pleasant Pond. The pond has a significant number of homes and camps along its shore. Because of the value of the real estate, fish passage will be required at this site. Upstream's current effort is focused on the lower three dams in Cobbosseecontee Stream. Pleasant Pond is large enough for a commercial alewife harvest. There are two more dams downstream of the 5,000-acre Cobbosseecontee Lake. Creating access for sea run fish into Cobbosseecontee Lake will be the second phase of this restoration effort. See also Gardner Paperboard Dam under Other Dams.

P-2615 BRASSUA ISSUED 4/15/2020 CAPACITY 4,180 kW BRASSUA HYDROELECTRIC LTD PART (ME) MOOSE RIVER (Brookfield - First dam upstream from Moosehead lake) Water Quality Certification had been effectively waived as determined by the Hoopa v. FERC case. License issued on April 15, 2021. FERC Letter of January 19, 2022) revised deadline to develop the group camp and canoe rest at the Brassua Project to June 15, 2023. Maine TU Council submitted comments resulting denial of LIHI certification. TU discovered in April that Brookfield had a major fishkill below Brassua Dam back in March of 2023 that killed three year classes of fish. FERC accepted a settlement between Brookfield and MDIFW with IFW getting \$15,000 a year for the next three years as remediation. TU rejects the 'cash for dead fish' approach where improvements should be made to facilities and has broached the subject with the IFW Fisheries Director. Problems on the Presumpscot noted above are being properly addressed with MDEP by MDIFW in accordance with existing policy.

* P-2808 BARKER'S MILL [Lower] ISSUED 4/15/2020 CAPACITY 1,500 kW KEI (MAINE) POWER MGMT (III) LLC LITTLE ANDROSCOGGIN RIVER (First dam upstream from confluence with Androscoggin) NOAA Consultation issued in August included fish passage provisions including: downstream - entrapment protection and 25CFS minimum flow, upstream - Pool and weir or lift for Design capacity of 1.7 million river herring, 37,000 shad, 370 salmon with performance monitoring. MDEP issued CWA Certificate supporting prescription. KEI requested a review by the US Court of Appeals of the District of Columbia to dispute NMFS fish passage prescriptions. Alternative Dispute Resolution (ADR) process to contest MDEP Fish Passage Prescriptions. Settlement was finally achieved in July 2022 with fish passage by 2031, and the filings to formalize this are in their final stages. The settlement also covers KEI projects upstream. If KEI withdraws, the project reverts to original prescriptions that will be effective immediately. It will be interesting to see if this ever comes to pass or KEI simply operates the project for the next 9 years and then surrenders the license. Term of new license extended to expire 3/31/2070 and includes fish passage provisions. In March, FERC submitted comments on KEI's Supporting Design Report (SDR) for the installation of Fish Passage Facilities submitted December 6, 2024. It included feedback on engineering drawings, compliance issues, etc. KEI submitted revised design in September 2025. FERC Letter response to KEI issued October 7, 2025 contained 3 pages of matter for correction. *FERC April 14, 2026 Issuance states that the Supporting Design Report package [for the fishway] that you filed with D2SI is not sufficient to meet the requirements of FWS condition 10.7 and NMFS condition 7.3.7 for the purposes of review and approval by the Commission's Division of Hydropower Administration and Compliance. The fishway design plans require approval from the FWS and NMFS prior to filing with the Commission for approval. The consultation you filed on April 7, 2026, is insufficient to show approval by FWS and NMFS. You stated in your April 7, 2026, letter that you plan to provide the current fishway design drawing package and the Fishway Operation and Maintenance Plan (FOMP) 4 to the resource agencies for a 30-day review and comment period, and expect to file the final approved designs with the Commission within 90 days. 5 Therefore, you must file final design drawings, the FOMP, and*

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documentation of resource agency consultation in addition to approval of the final fishway design drawings by FWS and NMFS with the Commission, for approval, by July 6, 2026.

* P-2520 MATTACEUNK ISSUED 2/26/2021 CAPACITY 19,200 kW GREAT LAKES HYDRO AMERICA. LLC. PENOBSCOT RIVER
Next dam downstream from Medway on Penobscot. New license issued 2/26/2021. Brookfield submitted Draft Fishways Design Plan 2/28/2022. Incorporates helical eel ladder, one-inch mesh trash racks and changes to operations. On 12/14/2023, FERC approved the proposed changes with some modification and directed a three-year tagging study be conducted. Order modifying and approving upstream American Eel Passage Effectiveness Plan issued 05/14/2024. Construction completed August 9, 2024. FERC Issued an Environmental Assessment (EA) on August 29, 2025 to address proposal to “draw the impoundment down to perform repair to the upstream fishway and log sluice at the Mattaceunk Project, replace the sluice gate due to deterioration, and perform concrete repairs to the leaking slots immediately downstream of the sluice gate.” *On January 13, 2026, FERC approved the Adult Atlantic Salmon Passage Effectiveness Study Plan, filed on March 31, 2025 and stated that “Should the findings of the studies under the Plan require operational changes or alteration of project works, the licensee must file an application for an amendment of the appropriate license requirement(s), and such changes must not be implemented until Commission approval is granted, following which, those changes would become conditions of the license.”* FERC reserved the right to require changes to the Adult Atlantic Salmon Passage Effectiveness Study Plan or associated studies based on available information, resource agency comments, results of the monitoring conducted under the plan and/or project-specific information. *Due to the early May timing for the planned 2026 stocking of approximately 100,000 uniquely marked hatchery smolts upstream of the Mattaceunk Project to support Atlantic salmon adult passage studies at that Project, Brookfield has elected—through discussions with USFWS and NMFS—to voluntarily initiate the spill enhancement measure at these Projects earlier this year than indicated by the outmigration model. To support downstream passage of these hatchery smolts, and subject to emergency capacity events that may require increased generation, Brookfield intends to initiate the spill enhancement measure at each project [Mattaceunk, West Enfield, and Milford].*

P-3820 SOMERSWORTH EXPIRED 08/31/2021 ACLARA METERS, LLC SALMON FALLS (boundary water with New Hampshire) Aclara surrendering license - surrender process is proceeding. Agencies asking for dam removal. FERC rejects dam removal as option. On April 30, 2020, Green Mountain Power Corporation and the City of Somersworth, New Hampshire filed an application for a subsequent license. Project continuing to operate, relicensing in progress. Also of interest in watershed: P-3777 ROLLINSFORD EXPIRES 08/31/21 and P-4451 LOWER GREAT FALLS 4/30/22. NH Fish and Game working with USFWS to reestablish fish passage. On 10/23/2021, USFWS filed to extend deadline for fish passage prescriptions for Rollinsford Project to file its modified fishway prescription for the Project to January 31, 2022. New license issued 6/15/22. Rollinsford requested a rehearing 8/8/22 that FERC denied. On 11/14/2022, NH Senator Shaheen asked FERC to finalize the Aclara’s surrender application that is still pending. FERC

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responded that “Hopefully, the Commission will be responding soon.” On 5/22/2023, FERC approved the Aclara license surrender. Aclara need not remove the dams and leaves concerns regarding fish passage by TU and the agencies to “successor agencies.” FERC did not require a Final Environmental Analysis saying that environmental comments “have been fully considered in the review of this proceeding and are addressed in this order.” American Whitewater, Maine Rivers, and Conservation Law Center challenged the decision by FERC to allow the owner of a failed hydropower project in Somersworth, NH/Berwick, ME to abandon two dams in the Salmon Falls River rather than requiring them to remove them. Aclara has filed a motion to dismiss. The dams block migratory fish passage and recreation. Oral argument in the D.C. Circuit of the federal Court of Appeals was heard on November 20, 2024. The court ruled against the appeal, and accepted that Somersworth's concerns about the reservoir were sufficient, even though the effect of removal was unknown according to the environmental analysis. They did not require FERC to look more closely at the effects and alternatives – a disappointing result. There are a few aspects of this that will help in future efforts to prevent dam abandonment. The court found that the NGOs had legal standing in this case based on AW members' desire to boat there in the future even though there was no past use. This will help in future cases. They also found that the court had jurisdiction to hear the case and that the case wasn't moot based on the completion of the terms for surrender. This removes several defenses put forward by the dam owner. The appeal got the attention and respect from FERC and the hydro industry, and they know that this will be an issue in future dam surrenders.

P-2368 SQUA PAN ISSUED 4/18/2022 CAPACITY 1,500 kW ALGONQUIN NORTHERN MAINE GEN.CO. SQUA PAN STREAM (Aroostook River feeder north of Masardis) Operator pulsing releases devastating 4.5 miles of habitat below dam. MDIFW Frank Frost working to place structure downstream to create deep holding areas improving LLS habitat. NO NGO involvement. New license issued 4/18/22 requiring dissolved oxygen (DO) monitoring. Water quality data from Scopan Stream in 2023 were collected in accordance with Condition 3(B) of the Project's WQC. The data demonstrate that the water quality in Scopan Stream downstream of the Project was not in compliance with Maine's Class C numeric standards for DO during brief periods in late July. The aerator system was likely affected by drifting vegetation, which built up on one of the diffusers closest to the hydropower intake rack, likely gradually during periods of generation that occurred. Though generation is generally uncommon during most summer periods, it occurred frequently in 2023 and likely affected the study results. Aroostook Power proposes to continue deploying the same aerator system in 2024, but to incorporate additional maintenance measures to ensure that the aerator system is functioning at peak capabilities to encourage de-stratification of the water column upstream of the hydropower intake. Water Quality Report issued January 2025 stated: “Operation of the generating unit at the Project generally resulted in minimal changes in DO and temperature downstream relative to the prevailing conditions. The aerator was checked weekly and was mostly clean of vegetation throughout the season. Generation periods did not correlate with periods of low DO. Rather, as previous years of study data have demonstrated, the primary

issue with water quality downstream of the Project is the low DO passing through the Project via leakage, as a result of stratification and oxygen depletion in the hypolimnion in the channel just upstream of the Project intake.” The project still is not meeting Class C DO standards. Additional studies were conducted in 2025. “Based on the comments received from MDEP, Aroostook Power is not required to perform further monitoring of water quality conditions in Scapan Stream unless the Licensee chooses to pursue a study to demonstrate that the aerator is not essential for achieving State DO standards. At this time, Aroostook Power proposes to continue operating and maintaining the aerator at the Project, consistent with the current license and WQC requirements. As such, the water quality study at the Project has been completed and no further monitoring will be performed as part of license and WQC compliance.”

P-2530 HIRAM ISSUED 9/23/2022 CAPACITY 10,500 kW BROOKFIELD WHITE PINE HYDRO, LLC. SACO RIVER

Maine TU Council unsuccessfully appealed WQC in 2022. Project continues to provide minimum flows through the turbines dewatering potential aquatic habitat below the dam most of the year. No upstream or downstream fish passage. Local residents began collecting photos of eels seeking upstream passage in summer of 2024. MDMR is aware of the effort. Could affect fish passage implementation schedule of existing Settlement Agreement. Saco Salmon Restoration Alliance submitted report showing numerous American eels seeking upstream passage during the summer of 2024. Brookfield responded by threatening legal action for trespass. Brookfield threats are contrary to Maine law regarding an important doctrine called “SLAPP” or Strategic Lawsuits Against Public Participation which has both case law and is codified in Maine’s Uniform Public Expression Protection Act (UPEPA).

* P-4784 PEJEPSCOT ISSUED 9/21/2023. CAPACITY 13,880 kW TOPSHAM HYDRO PARTNERS LTD PT (MN) ANDROSCOGGIN RIVER

FLA filed August 2020. Settlement agreement issued for fish passage inc. eels, river herring and Atlantic salmon issued February 18, 2022. Changes project operations, provides for monitoring and adaptive management. FERC issued Final Environmental Analysis on 11/2/2022. MDEP issued Water Quality Certification requiring only Class C standards noting that the reclassification to Class B had not taken place yet. Friends of Merrymeeting Bay (FOMB) appealed the decision, Maine TU Council, DSF and other NGOs supported FOMB’s appeal. On 4/6/2023, the Maine Board of Environmental Protection resolved the issue at a meeting that agreed to reissue the Water Quality Certification under Class B and adopted additional language to prevent confusion. NOAA Fisheries issued Biological Opinion (BIOP) on 6/15/2023 supporting FLA provisions for project operations, continued project monitoring, and adaptive management. New License issued 9/21/2023. Includes Operation Monitoring Plan. “Topsham Hydro proposes to achieve an adult alosine upstream passage effectiveness rate of at least 70% of the fish passing within 48 hours of a fish approaching the project and a downstream passage survival rate of 95%. Topsham Hydro also proposes to achieve an upstream passage effectiveness standard for Atlantic salmon of 95%. Also includes “two seasons of fish passage

studies for Atlantic salmon and alosines; a third season would be conducted if needed to account for such factors as abnormal hydrologic conditions and project operations. Upstream passage studies for adult Atlantic salmon will be conducted if sufficient stocking occurs upstream of the project to produce at least 40 returning adult Atlantic salmon; the study will be conducted in the first year that sufficient adults are anticipated.” Eel passage will be studied as well. Post relicensing action continuing. The licensee must file an updated Fish Stranding Plan with the Commission for approval, concurrent with and based on the findings of its fish stranding report, due May 1, 2025 including the methods and timing, for each time spill ceases over bascule gate no. 5, to capture and relocate all stranded fish from the pools in the bedrock area below bascule gate no. 5 to an area downstream of the project tailrace as determined in consultation with the resource agencies. Atlantic salmon mortality report filed July 5, 2024. Cause of mortality to one adult Atlantic salmon undetermined. Long-term fish stranding plan issued in May, 2025. Plan for Evaluation of Nighttime Shutdowns for Outmigrating Adult American Eels for 2025 to 2028 issued July, 2025. Brookfield plan is to conduct year one field sampling between September and October 2025, and submit a draft year one report to resource agencies in January 2026, and file a final year one report with the Commission in March 2026. This schedule repeats annually through the end of year three, with the final year three report being filed with the Commission in March 2028. Draft report not filed as of January 29, 2026. *These reports do not appear on the FERC docket.*

Exempt Dams

NOTE: As a group, FERC Exempt Projects constitute the greatest opportunities for purchase and removal in Maine

P-14421 FREEDOM FALLS PROJECT (Sandy Stream in Freedom) Exemptee: Freedom Falls LLC
The Freedom Falls Project applied for Low Impact Certification for this FERC Exempt project. Although located on a feeder of the Sebasticook, it is above the historical range of river herring and shad, and there is no historical record of Atlantic salmon. Eel passage is provided, it's about as clean as hydro gets. LIHI awarded the certification in March 2021. **Not a removal candidate.**

* P-8736 PIONEER DAM (West Branch of the Sebasticook in Pittsfield)
Exemptee: Christopher M. Anthony (also operates Waverly Project) is recently deceased. Fish passage issues since 1990, last correspondence from licensee in 2015, no activity in docket since 2015. Overdue items include assessing spillway structure and foundation, and fixing fish passage issues. Town owns dam, Exemptee maintains. Maine Rivers evaluating removal options.

* P-4293 WAVERLY (West Branch of the Sebasticook in Pittsfield upstream of Pioneer)
Exemptee: Christopher M. Anthony (also operates Pioneer Project) is recently deceased.

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Dam safety inspection overdue items (issues with fish way since at least 2015, current notice sent 01/31/2019, multiple requests unanswered): plan and schedule for repairs and date for comprehensive test of Emergency Action Plan in accordance with Chap 14 of FERC Engineering Guidelines. Repairs include fixing forebay wall masonry, downstream fish passage flume, deteriorated concrete, trees and brush clearing, and test of EAP Town owns dam, Exemptee maintains. Maine Rivers evaluating removal options.

* P-5912 MOOSEHEAD [known more commonly as Mayo Mill Dam] (Piscataquis River) Exemptee: Moosehead MFG Co. / Town of Dover-Foxcroft (Arnold Developer Group) Not operational since 2007, town filed to amend the terms of the Exemption to repower the dam and resume operations. Town subsequently decided not to pursue relicensing and is working with The Nature Conservancy. Town obtained 2-year grant to study redevelopment options. TNC has retained Inter-Fluve to conduct studies; a baseline report has been completed. Periodic open meeting and status reports to FERC will continue. Town Steering Committee recommends removal, but have put the issue up to a vote by the voters. Dam has been shown to increase risk of flooding in the vicinity. Town voted against removal in the summer of 2024. Town has a year to decide what to do. Town subsequently held referendum that rejected proposal to spend \$9M to repair the dam. Progress on the multi-year effort to remove the Mayo Mill Dam on the Piscataquis River in Dover-Foxcroft: engineering and field survey work has been completed, a contract with Interfluve has been signed for detailed design and sediment planning, and final design work is underway. Formal documentation related to the project was filed with FERC on March 5, 2026. Updated project timeline: April 2026 – target for final submission of the dam surrender application; 2027 – expected completion of the permitting phase; Summer 2028 – earliest projected start for actual dam removal construction. Permitting work continues. *The Town submitted its Request for Authorization to Surrender License for the Moosehead Hydroelectric Project on May 1, 2026.*

* P-12629 CORRIVEAU (AKA Thurston Mill Dam, Swift River, upper Andro tributary). Exemptee: Green Power. Exemption has transferred twice since last apparent operation. Nothing had been filed to FERC docket since 2017. Owner inquired about requirements to resume operation. FERC letter of 7/20/2023 gave operator 60 days to submit plan to address multiple discrepancies, suspense date 9/18/2023. *Green Power Submitted Dam Safety Plan and Dam Safety Reports in early 2026 after years of non-compliance.*

P-8505 ABBOTTS MILLS (Concord River, Androscoggin feeder in Rumford) Exemptee: Gray's Transport LLC, PO Box 1166 in Greenville, ME. 75 kw project inoperative. Is a concern to Town of Rumford who sees this as of no economic benefit and environmentally harmful. Town initiated correspondence with state and federal agencies in 2021. Exemptee has filed project restoration plan but lacks the means to execute. Town planner George O'Keefe has requested TU assistance, TU looking for NGO to purchase and remove. MDIFW supports removal. 7/12/2023 FERC inspection: "project features were observed to be in poor condition, with significant concrete deterioration noted on the base and downstream face of the right forebay

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wall.” Also: “Public Safety Plan (PSP) was filed on August 1993 and is now over 30 years old. Please submit an updated PSP.” Additionally: “You must complete the above repairs and other actions and submit the above documents as soon as possible.” FERC letter of 8/30/2023 reiterated this. Nothing filed to the docket since.

P-7253 SEBEC (Sebec River) Exemptee: Dicotomy Capital. Project apparently purchased from previous owner in 2023. Safety inspection noted that no structures were in immediate need of repairs.

* P-8791 STARKS (Lemon Stream, Sandy River feeder, Kennebec Watershed)
Exemptee: Mark A. Vaughn (also owns Upper Spears Stream) Multiple issues, nothing filed to the docket since 2021. Maine Rivers has owner’s permission to remove dam and received NOAA funding to do so. *Removal plans have slipped from 2026 to 2027.*

P-7979 FOSS MILL (Marsh Stream)
Exemptee: Peter C. Graham / Lesia Sochor (owner) / John Purinton (Maintenance) Nothing filed to docket since 2021.

* P-2660 FOREST CITY DAM (St. Croix River) License surrender approved January 22, 2026 and set administrative requirements that attach. *FERC Issuance stated surrender effective as of March 19, 2026.*

* P-8640 SEABRIGHT DAM
Exemptee: Town of Camden
The community has approved removal of Montgomery Dam, which clears a major regulatory milestone that will shape permitting and compliance needs. Plans are actively incorporating fish passage solutions at Seabright, East, and West dams as part of resilience and river restoration. Federal grant applications are underway that would support final design, permitting, and eventual construction on multiple dams (removal & fish passage) into 2027–28. *The Town of Camden has cleared a major regulatory milestone with community approval to remove the Montgomery Dam, enabling the Select Board to accept a \$5.93 million NOAA National Coastal Resilience Fund grant alongside a non-taxpayer local match of \$375,000. This funding launches an initial restoration phase focused on removing the Montgomery Dam, restoring the lower Megunticook River channel, and constructing a 500-linear-foot hybrid living shoreline at Harbor Park to mitigate downtown flooding. While the upstream Seabright, East, and West dams will remain standing, active engineering is currently incorporating long-term fish passage solutions at these locations, with final permitting and design work paving the way for eventual construction through the 2027–2028 window.*

P-11365 SWAN’S FALLS. (Saco River) Active project.

Apparently compliant:

P-5647 MILO (Sebec River) Exemptee: (Ridgewood Maine Hydro Partners)

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* P-5613 BROWN'S MILL (Piscataquis River)

Exemptee: Ridgewood Maine Hydropower Partners (KEI)

Applying for Species Protection Plan items to be added to the exemption. Section 7 consultation withdrawn by National Marine Fisheries Service subject to results of UMO salmon tagging study. *On March 26, 2026, FERC wrote to NMFS requesting a Biological Opinion schedule, noting that the long-delayed ESA Section 7 consultation — paused since 2020 to await University of Maine telemetry studies on Atlantic salmon passage at the project — could now move forward based on 2024–2025 UMaine study results. FERC also flagged that the pike-dike installed in the fishway by state agencies in 2015 to exclude northern pike has been shown to adversely affect adult Atlantic salmon passage, and noted a 2024 MOU between MDIFW and MDMR requiring five-year reviews of invasive species management actions. NMFS confirmed formal Section 7 consultation initiation on April 6, 2026, with a Biological Opinion expected by August 10, 2026; the proposed action is KEI's November 2018 Species Protection Plan with the addition of a radio telemetry study to evaluate upstream passage performance, agreed to by KEI at the January 2026 meeting.*

Status unknown: all outside Kennebec and Penobscot watersheds:

P-7473 GILMAN STREAM, P-4413 KENNEBAGO, P-6684 DAY'S MILL, P-9411 BISCO FALLS, P-8788 LEDGEMERE DAM, P-8450 STONEY BROOK, P-9079 UPPER SPEARS STREAM, P-7591 WIGHT BROOK

A blue oval graphic with a white border and a slight shadow, containing the text "License Surrenders" in white, bold, sans-serif font.

Some aspect of license (or exemption) surrender is currently ongoing for the following projects:

- P-8417 OLD SPARHAWK MILL (formerly exempted)
- P-5362 LOWER MOUSAM
- P-2194 BAR MILLS
- P-8791 STARKS
- P-8640 SEABRIGHT
- P-2660 FOREST CITY DAM

And likely upcoming:

- P-5912 MOOSEHEAD
- P-8505 ABBOTTS MILLS
- P-12629 CORRIVEAU
- P-8736 PIONEER