

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.

Format note: Starting with this report, entries with new developments are split into a relatively stable Background paragraph and a dated Updates section, so it's clear what changed and when without relying on asterisks.

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 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 DSF's and other concerns. See the

document at

https://www.maine.gov/dep/ftp/HYDRO/WaterQualityCertifications/Ellsworth/Draft_Ellsworth_WQC.pdf

Updates:

The draft denial became final on June 4, 2026 (Order #L-13256-33-M-N), on the same three grounds. The Department noted that amended statewide numeric DO standards (P.L. 2025, ch. 616) take effect July 29, 2026 and will apply to any future WQC application Black Bear Hydro files. The project remains on annual FERC license. On July 2, 2026, Brookfield petitioned the Kennebec County Superior Court under Rule 80C for review of the June 4, 2026 denial, bypassing the Board of Environmental Protection this time — the same procedural path Brookfield is now taking at Lewiston Falls, and a departure from the BEP-first path it followed after the 2020 denial (see above). There is no separate “waiver” claim at issue; MDEP has now denied Ellsworth’s certification twice and has not waived its certification authority. In the earlier Ellsworth litigation, Brookfield escalated an unfavorable ruling from Superior Court to the Law Court before the January 2025 non-justiciability decision; a similar escalation is possible here depending on how the Superior Court rules on the current petition.

*** 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; Brookfield was required to file a draft Species Protection Plan. Maine's environmental community, the Kennebec Coalition, and the Penobscot Indian Nation have long disputed NOAA's Biological Opinion for the Lower Kennebec projects (Lockwood, Hydro-Kennebec, Shawmut, and Weston), which accepts Brookfield's multi-dam fishway scheme as adequate without a jeopardy finding. FERC issued a Final Environmental Impact Statement on February 28, 2025, including a Staff Alternative with Mandatory Conditions. In September 2025, Brookfield and The Nature Conservancy (TNC) announced an agreement for TNC to acquire all four Lower Kennebec dams, which TNC intends to eventually decommission; Sappi North America — whose Somerset Mill depends on the Shawmut impoundment for water supply — raised concerns about the economic and operational impact of losing the dam. In October 2025, Brookfield withdrew its pending Maine Water Quality Certification applications for all four dams, and in December 2025 the Brookfield licensees asked FERC to hold the Shawmut relicensing and all four projects' license-amendment proceedings in abeyance pending the sale.

Updates:

In early January 2026, Brookfield and Merimil filed applications with FERC to transfer the Shawmut, Weston, and Lockwood licenses to newly formed holding companies (Shawmut Holdco LLC, Weston Holdco LLC, and Lockwood Holdco LLC) to facilitate the sale to TNC; the Hydro-Kennebec license did not require a similar transfer. Sappi filed a timely protest of the Shawmut and Weston transfers, while the Kennebec Coalition, Conservation Law Foundation, and TNC intervened in support. NMFS and TNC also supported the pending abeyance motion, while Sappi opposed it. Through the spring, TNC continued coordinating with riverside municipalities and working to secure the \$168 million in funding needed to close the sale and fund the newly established Kennebec River Restoration Trust, targeting a Summer 2026 closing.

On July 20, 2026 — pushing the originally targeted Summer 2026 closing further out — FERC granted the abeyance motion but took a notably cautious position on the transfers themselves: rather than approving them, the Commission found that transfers intended to facilitate eventual decommissioning warrant heightened scrutiny, and ordered Brookfield and Merimil to submit — within two years — a full decommissioning plan and evidence of each transferee's technical and financial capacity to safely decommission and remove the projects, with status reports due every six months in the meantime. FERC noted that Sappi's broader concerns about the economic impact of dam removal are outside the scope of the

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transfer proceeding itself, but said they “will be considered should license surrender and facilities removal be pursued in the future.” Central Maine's coverage of the order captured both sides framing it as at least a partial win: TNC said it is “confident we can demonstrate the technical and financial capability to operate these dams safely,” while Sappi said it was “gratified that FERC will not move forward on the license transfers until important questions about the proposed decommissioning of the dams are answered.” Maine DEP's Lower Kennebec water quality certification docket remains dormant, with no filings since the October 2025 withdrawal.

*** 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.” 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.

Updates:

On January 27, 2026, FERC granted KLPD's request for an additional 180-day extension, to July 7, 2026, over the objection of the Mousam and Kennebec River Alliance (MKRA) and Maine Rivers. A February 19, 2026 letter signed by 88 local residents expressed frustration that KLPD had not acted to address the Mousam River's documented water quality problems and the complete lack of fish passage at its three dams. KLPD missed the July 7 deadline and, on July 13, 2026, requested a second extension — 181 days, to January 4, 2027 — which FERC granted on August 10. KLPD stated it is in active discussions with MDEP and DMR on a framework tying fish-passage improvements to license surrender, contingent on securing external grant funding, and wants that framework and summer water-quality testing data finalized before filing an application that reflects it. Underlying the delay is the same conflict MDEP flagged in 2023: KLPD's surrender plan would sever the electrical equipment but leave the three dams in place, and FERC has called that the preferred alternative, while MDEP maintains only full removal restoring a free-flowing river meets state water-quality and fish-passage standards. A June 2, 2026 Maine Public story (widely syndicated) reported that a 2016 estimate put dam removal at \$2.3 million versus up to \$11.7 million to fix the dams and add fish passage; KLPD General Manager Anna Henderson said current costs are “certainly much higher,” with no updated estimate, and stressed the ratepayer cost burden either way.

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* P-3562 BARKER MILL UPPER EXPIRED 07/31/23 CAPACITY 950 kW KEI (ME) 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. 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. 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.

Updates:

Steve was not notified of the November 17, 2025 intervention deadline despite being subscribed to the docket, and on June 1, 2026 filed a late motion to intervene. FERC denied the late motion on June 18, 2026: the actual intervention deadline was November 17, 2025, and the March 23, 2026 Ready for Environmental Analysis notice TU cited as the one it missed never itself established an intervention deadline. TU's June 25 request for rehearing was denied by operation of law on July 27 — a procedural formality that preserves judicial review rights while FERC prepares a substantive ruling; the Commission has not yet addressed the request on the merits and may still modify or set aside the original denial. Separately, MDMR's June 12, 2026 letter to KEI found that FERC's April 14, 2026 compliance determination already places KEI out of compliance at the related Lower Barker project (fish passage facilities were due June 1, 2024, and remain non-operational), and that Upper Barker's June 1, 2026 fish-passage deadline under the 2022 Little Androscoggin Settlement Agreement was also missed, with designs still at 30-60% completion; MDMR recommended KEI fund an off-license mitigation payment to the Androscoggin River Basin Stewardship Fund. Separately, the upstream Littlefield Dam — which KEI has cited as a reason further Barker Mill fish-passage investment would be pointless — began removal in July 2026; completion had been expected by the end of September 2026.

* 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."

Updates:

NMFS filed its Biological Opinion on July 29, 2026. NMFS concluded that a new license of up to 50 years, incorporating the USFWS and NMFS fishway prescriptions and the state certification conditions, may adversely affect but is not likely to jeopardize the Gulf of Maine Atlantic salmon population; there is no designated critical habitat in the project area. The incidental take statement accepts that during the seven-year interim phase, before new passage is in place, about a third of adult salmon reaching the dam will fail to pass; from year 8 on, no more than about 4% should be delayed more than 48 hours or fail to pass. The terms and conditions require three-year telemetry studies of smolt survival, adult upstream passage (once 40 adult salmon reach the project area) and kelt survival, measured against performance standards of 96% downstream survival for smolts and kelts with delay of 24 hours or less, and 95% upstream passage for adults within 48 hours. If a standard proves unattainable, additional measures must be installed. The licensee must also install PIT tag receivers at the fishways, survey the ledges below the dam for stranded salmon, and report weekly during the passage season. As a discretionary conservation recommendation, NMFS asked FERC to require the licensee to offset unavoidable effects through barrier removals or fishways elsewhere in the Passadumkeag watershed, or through payments to MDMR's Atlantic Salmon Restoration and Conservation Program.

* 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. 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.

Updates:

FERC issued its Environmental Assessment for the project on May 21, 2025, which drew comments in August and September 2025 from MDIFW, MDMR, the licensee, the Department of the Interior and lakefront residents. On September 25, 2026, USFWS notified FERC that Conditions 1–6 of its Settlement Agreement with Green Lake Water Power (filed January 26, 2024) are confirmed as the Modified Fishway Prescription under Section 18. Under that agreement the federal prescription covers American eel only; passage for other migratory species is addressed in the May 2024 Water Quality Certification described above. The new license has not yet been issued.

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

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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.

A January 2025 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 conducted a study to assess the feasibility of replacing the existing runners at the West Enfield Project with FishSafe™ runners. Natel developed a 3-dimensional computer model of the water passage to run computational fluid dynamics modeling for various runner geometries and to optimize the runner geometry for fish survival and energy efficiency. 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). 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. 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 in 2026 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 planned to initiate the spill enhancement measure at each Project [Mattaceunk, West Enfield, and Milford].

Updates:

On May 12, 2026, Brookfield filed a draft supplement to the FLA incorporating the finalized fish passage measures described above, distributed to agencies and the Penobscot Nation for a 45-day comment period, and noted it would seek a 50-year license term given the scope of the proposed investment. NMFS commented on the draft on June 15, 2026. Brookfield filed the final FLA Supplement on July 6, 2026, formally amending the license application. NMFS, MDMR, DOI, and USFWS filed comments, preliminary Section 18 fishway prescriptions, and Section 10(j) recommendations between August 6 and August 10, 2026. Brookfield also filed an application for state Water Quality Certification on August 6, 2026; MDEP acknowledged receipt on August 12, 2026, and FERC issued notice of the reasonable period of time for WQC action on August 19, 2026. On August 21, 2026, FERC issued a Notice of Intent to prepare an Environmental Assessment for the Project. On September 18, 2026, Bangor-Pacific Hydro Associates (BPHA) filed reply comments. It found the NMFS and DOI preliminary Section 18 prescriptions generally acceptable and consistent with its FLA Supplement, and welcomed NMFS's adoption of Connecticut River performance objectives with flexibility if targets prove unachievable. BPHA's main objection is to numeric fish passage performance standards in a fishway prescription. It called MDMR's Section 10(j) performance standards, which are derived from a population model, unrealistic, overly restrictive and not grounded in the best available science, and said it will file its evaluation of that model by October 30, 2026 for FERC's use in the Environmental Assessment.

* P-6398 HACKETT MILLS EXPIRED 08/31/24 CAPACITY 485 HACKETT MILLS HYDRO ASSOCIATES (EAGLE CREEK) 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.

Updates:

Hackett Mills filed its Water Quality Certification application with MDEP, which acknowledged receipt May 29, 2026. FERC issued a Notice of Reasonable Period of Time for the WQC application June 12, 2026, and a Notice of Intent to Prepare an Environmental Assessment June 15, 2026. FERC's target date for issuing the EA is May 6, 2027. On July 6, 2026, Hackett Mills Hydro Associates (Eagle Creek) responded to the NMFS, DOI, MDIFW, and MDMR filings. It accepted the NMFS and DOI Section 18 reservations of authority but asked FERC to reject MDIFW's request to extend the 80 cfs bypass flow through November 30 and its requests for impoundment access and a canoe portage. It also opposed MDMR's 2031 deadlines for upstream and downstream passage, its three-year deadline for upstream eel passage, its prescribed downstream design features, and its numeric performance standards. Instead, it proposed upstream passage by 2039 and downstream passage by 2041, timed to the Marcal Project upstream, with FERC rather than MDMR approving designs.

* 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

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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. 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.

Updates:

Negotiation of a Memorandum of Agreement between Androscoggin Reservoir Company and the NGO group — American Rivers, American Whitewater, the Appalachian Mountain Club, the Aziscohos/Aziscoos Lake Campers Association, Rangeley Lakes Heritage Trust and Maine TU — continued through the summer, with TU and its partners providing comments on the draft on August 20 and again on September 10, 2026. The MOA is a binding agreement that sits outside the license terms and conditions. It includes lake level targets, minimum flows, and a stipulation that oxygen be added to outflows by methods that do not increase water temperature. The agreement remains confidential until all parties have signed. The project has operated under annual licenses since the license expired March 31, 2025. The MOA is expected to be finalized any day now.

* P-3428 WORUMBO EXPIRED 11/30/25 CAPACITY 19,100 kW BROWN BEAR II HYDRO, INC. (EAGLE CREEK) 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 2024 showed poor upstream fish passage ~50% for river herring/ no shad. 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.

Updates:

NMFS filed its Section 18 fishway prescription for anadromous species (August 26, 2026) and DOI/USFWS filed its Section 18 prescription for American eel (August 27), alongside MDIFW's and MDMR's interventions with comments and preliminary terms and conditions, and Brown Bear's §401 WQC application to MDEP, which acknowledged receipt September 8. Most of NMFS's terms were proposed by Brown Bear itself, formalizing an existing agreement with numeric performance targets: 95% upstream passage for Atlantic salmon within 48

* Asterisked items have changed since the last report dated 5/31/2026.

hours; 95% downstream passage for salmon smolts/kelts and river herring; and 95%/85% for juvenile/adult American shad, all with less than 24-hour delay. The prescription requires Brown Bear to diagnose and propose fixes if a target is missed by more than 10 percentage points, escalating through named structural options (an entrance extension for upstream passage; fish-friendly turbines or an angled intake screen for downstream) — but the obligation is not unconditional: if good-faith fixes still fall short, Brown Bear can seek NMFS's concurrence that a target is not achievable, which caps rather than escalates the requirement further. On August 28, 2026, the gearbox for the upstream fish lift hopper failed, and the lift was taken out of service. As of Brown Bear's September 11 report, the cause, repair scope and return-to-service date were still under evaluation; no fish injury, mortality or stranding was reported. On September 16, 2026, FERC issued a Notice of Reasonable Period of Time confirming that MDEP received the WQC request on August 27, 2026 and has until August 27, 2027 to act, after which certification would be waived.

* P-2302 LEWISTON FALLS EXPIRED 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. 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 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.

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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.

Updates:

MDEP issued a final Water Quality Certification (L-29808-33-D-N) on July 8, 2026, approving continued operation subject to conditions: minimum flow of 1,430 cfs maintained; impoundment held within one foot of full pond during the May 15–June 30 bass spawning season; 10 aesthetic flow releases annually at 2,000–2,500 cfs (Brookfield had proposed 6; TU and Auburn had sought 40), including evening and weekend releases scheduled with the Cities of Lewiston and Auburn; two temporary upstream eel passages by year two and a permanent eelway by year three; and downstream eel passage (nighttime shutdowns, August 15–November 15) beginning in year one rather than the 10-year delay Brookfield proposed. DIFW’s request for an interagency tailrace angler-access evaluation was also incorporated. FERC issued its Environmental Assessment July 24, 2026, finding relicensing would not significantly affect the environment. On July 30, 2026, Brookfield petitioned the Kennebec County Superior Court under Rule 80C for review of five specific conditions in MDEP’s July 8, 2026 Water Quality Certification order — the two temporary upstream eel passages and 90%/95% eel passage performance standards, the nighttime shutdown requirement for downstream eel passage, a provision reserving MDEP’s authority to prescribe future Atlantic salmon passage measures if salmon reach the project in significant numbers, and the tailrace angling-access evaluation. Brookfield does not challenge the certification grant itself, seeking only modification, reversal, or remand of these conditions; its central argument is that MDEP lacked authority to impose fish-passage conditions outside the adjudicatory process required by 12 M.R.S. §12760, and that no Section 407 comprehensive river resource management plan exists for the Androscoggin watershed to support them. One of the five challenged conditions — the tailrace angling-access evaluation — is framed in the petition as an unlawful deferral of MDEP’s certification decision. This parallels a central ask in the Coalition’s upcoming Ripogenus/Penobscot Mills WQC comments, where recreational access is a priority issue; if Brookfield prevails on this point at Lewiston Falls, similar resistance to recreation-related conditions should be expected there. The original 40-year FERC license expired August 31, 2026; the project continues under an annual license pending FERC’s decision on the new license. On September 2, 2026, Brookfield responded to the Cities of Lewiston and Auburn’s comments on the EA, rejecting Auburn’s requested portage, sidewalk and Festival Plaza improvements as unneeded and the riverwalk extension as infeasible without railroad crossing rights. FERC issued the final Programmatic Agreement for historic properties on September 11; Brookfield, the Mi’kmaq Nation and the Maine State Historic Preservation Officer had signed by September 23. On September 28, NMFS concurred with FERC’s determination that relicensing is not likely to adversely affect Gulf of Maine Atlantic salmon or its critical habitat. NMFS’s letter also addresses the WQC condition reserving MDEP’s authority to require upstream Atlantic salmon passage, one of the five conditions Brookfield is challenging, noting that salmon passage at Lewiston Falls is inconsistent with NMFS’s 2020 Androscoggin River comprehensive plan, which limits active salmon restoration to reaches below the falls.

* P-11006 UPPER ANDROSCOGGIN EXPIRED 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.

Updates:

The license expired August 31, 2026, and FERC issued a Notice of Authorization for Continued Project Operation on September 3, 2026, placing the project on annual licenses while relicensing proceeds with the Lewiston Falls Project.

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* **P-2572 RIPOGENUS** EXPIRED 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 avoided 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 refused to run full range of Ops Model runs requested to test feasibility of different flow scenarios. FERC issued AIRs in 2025 requiring additional Ops Model scenario runs. 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. 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 on both projects, addressing inconsistencies in the FLA description of the Ripogenus intake structure and requesting additional CHEOPS operations model runs. 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

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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.

Updates:

Since the May 2026 report, MDEP has been working to make its $\frac{3}{4}$ wetted width policy into a rule, which would give it more force of law and could greatly affect the Ripogenus/Penobscot Mills relicensing. MDEP’s Laura Paye circulated the policy paper for comment, and NRCM’s Luke Frankel collated NGO comments, based on an initial draft provided by the Maine TU Council FERC Committee, and submitted them to MDEP on June 12, 2026. Over the summer, the McKay Station outage problem recurred. On July 27, 2026, a broken transmission line cross-arm at McKay Station triggered a two-hour turbine shutdown, dropping West Branch flows from roughly 2,400 cfs to 450 cfs. TU estimates that 3,860 juvenile landlocked salmon were killed, and possibly as many as 7,700, based on a preliminary extrapolation from dead fish found at Little A Rapids. It was the third such trip event since 2023 and, per MDEP, a violation of state water quality standards. The same failure sparked a wildfire, put out by the Maine Forest Service — the second time in thirteen months that a

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McKay Station transmission failure has both dewatered the river and ignited nearby woods. The incident drew extensive Bangor-area press and television coverage. It also prompted FERC, on August 27, 2026, to give Great Lakes Hydro America 60 days to provide an itemized accounting of transmission-line maintenance since 2016, to state whether it agrees with TU's mortality estimates, to respond to TU's request for a USGS-standard flow gage below the dam, and to propose how it will address fish-kill events until the new license is issued. On August 25, 2026, Maine TU Council led a coalition of conservation groups, camp owners' associations, and outdoor businesses in filing comprehensive comments on the Final License Application, calling for an end to excessive lake drawdowns and the dewatering of Ripogenus Gorge and the reach below Stone Dam. On August 28, 2026, MDEP filed comments on the FLA finding that the McKay Station outages violate state water quality standards. MDEP directly supported two of TU's key asks — a USGS flow gage at Telos Bridge and a permanent dam keeper at Ripogenus Dam — and pressed FERC for interim measures before the license expired: faster restoration of minimum flow after an outage, preemptive spilling, accelerated transmission-line maintenance, and payments to MDIFW. On August 27, 2026, GLHA filed applications for state Water Quality Certification for both projects. MDEP accepted both for processing on September 8, 2026 (Application Nos. L-31544-33-A-N for Ripogenus and L-17166-33-O-N for Penobscot Mills), and on September 11 FERC issued Notices of Reasonable Period of Time confirming a one-year statutory deadline of August 27, 2027 for MDEP to act. On September 25, 2026, MDEP requested comments on both applications by 5:00 PM on November 13, 2026. The Coalition will file its WQC Application Comments by that date, Ripogenus first, then Penobscot Mills. Between September 4 and September 21, 2026, North Twin Impoundment property owners who are members of the Ambajejus Lake Lot Owners Association filed 21 form letters, several with multiple signers, asking that Article 408 of the current license be carried into the new license and that near-full pond conditions on North Twin be maintained. The letters oppose what they describe as a Caribou and Chesuncook Lake Association proposal to limit summer drawdowns of the Ripogenus Impoundment to one foot per month, out of concern that it would force North Twin to be drawn down to meet minimum flows. A further batch of 17 letters from North Twin owners was filed on September 2. The Caribou and Chesuncook Lake Associations had already responded on August 28, supporting the North Twin owners' goal of stable lake levels and stating that they are not proposing a one-foot-per-month drop. Their proposal holds the Ripogenus Impoundment at 940.1 feet until June 15, then allows a drawdown of 1.6 feet per month to September 15 (4.9 feet in total), which they say the operations model shows can be achieved while maintaining current generation and North Twin lake levels. The current licenses for both projects expired September 30, 2026. The projects will likely continue to operate under annual licenses pending FERC action on the new licenses.

*** P-2458 PENOBSCOT MILLS** EXPIRED 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.

In Progress

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

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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 2025 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 were two facilitated meetings beginning in late August 2025. 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 was expected to be released to the public in late September/early October 2025. 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. 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.

Updates:

The Buxton-Hollis Decommissioning Committee met with state resource agencies on June 2 to learn about their roles in the decommissioning process. Brookfield released its Draft License Surrender Application on June 3, 2026, opening a 90-day comment period with a public meeting scheduled for June 25 at the Hollis Town Office. Concurrently, Brookfield is seeking permits from DEP, the Saco River Corridor Commission, and local planning boards. In June 2026, a separate procedural track opened on a temporary headpond variance: the Town of Buxton raised concerns on June 18 about lowering the headpond elevation and removing flashboards, and Brookfield filed a request on June 19 for a temporary headpond variance running from May 1, 2027 until decommissioning removal activities begin. FERC noticed the variance application for comment on August 18, and the U.S. Department of the Interior intervened on August 31. The comment period on the Draft Surrender Application and Decommissioning Plan closed September 1, drawing joint comments from the Towns of Buxton and Hollis, and comments from MDIFW, MDMR, and Maine TU Council in support of the Towns. The Towns' comments ask that the final Application resolve the future of the powerhouse and spillway (full or partial removal, or a financial assurance mechanism with a named successor regulator); commit to a Phase I Environmental Site Assessment and current structural inspection before the Application is finalized; confirm

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full removal of the Rogers Fibre Mill foundation; require binding agreements on long-term maintenance, water supply wells, dry hydrants, and contamination/erosion control, finalized before FERC's jurisdiction ends; and preserve the Bar Mills canoe portage, Usher Island trails and parking, and the planned hand-carry boat launch. Maine TU Council's comments support the Towns' recommendations and specifically emphasize preserving fishing and paddling access, full removal of the powerhouse and spillway, and formalizing BWPH's commitments in a binding agreement before FERC's jurisdiction ends. On September 16, 2026, Brookfield filed MDEP's September 11 email waiving Section 401 certification for the temporary flashboard variance, and asked FERC to treat the variance as categorically excluded under NEPA so that no Environmental Assessment would be required.

*** 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 in spring 2026. 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.

Updates:

On August 6, 2026, MDMR sent Brookfield a letter pressing for a progress update and requesting the raw elevation and bathymetric data behind the upstream fish-passage-alternatives analysis. Brookfield's August 19 response — filed with FERC for the record — stated that BWPH has continued developing a preliminary draft of the Upstream and Downstream Fish Passage Alternatives Study (Phase 1 Alternatives Analysis) since a March 5, 2026 stakeholder meeting, and anticipates circulating that preliminary draft, along with a preliminary draft of the Computational Fluid Dynamics Modeling Study Report, to resource agencies and other interested parties in early September 2026, per the December 2, 2024 Revised Study Plan. BWPH stated it does not plan to make the underlying raw bathymetric and GIS data available, offering the finished study report instead — a direct response to, and partial rebuff of, MDMR's data request. This study work was expected to inform a public panel discussion on fish passage options at the Brunswick Public Library on September 15, 2026. As of this report, neither preliminary draft had appeared on the docket. On September 21, 2026, the Free the Andro Coalition filed comments on the license application. Brookfield filed its Draft License Application on September 30, 2026 (cover letter dated October 1). It proposes no new structures, no change to the turbines, and continued run-of-river operation, with interim fish passage through the existing vertical-slot fishway and the downstream surface sluice and discharge pipe. The DLA acknowledges that both the upstream and

downstream passage facilities are not consistent with USFWS's 2019 fish passage design guidelines, but defers any passage improvements to the Final License Application, pending completion of the alternatives and computational fluid dynamics studies. Comments on the DLA are due December 30, 2026; the FLA is due February 28, 2027.

*** P-2666 MEDWAY EXPIRES 03/31/2029 CAPACITY 3,440 kW BLACK BEAR HYDRO PARTNERS LLC. (BROOKFIELD) PENOBSCOT RIVER (WEST BRANCH)**

NOI/PAD submitted, comments filed in response September 2024. TU supports MDMR recommendations for fish passage for anadromous species with fish sorting facility at Medway. MDMR comments filed September 24, 2024 included: "The 2008 Strategic Plan states, "American eel, American shad, and Atlantic salmon historically utilized portions of the West Branch Penobscot, but the 10 hydropower and water storage dams on the West Branch Penobscot do not pass diadromous fish and no passage is planned in the near term5." While the historic habitat for these species, in addition to alewife, was identified in the plan, no passage was planned or supported by the licensee for the Projects in 2008. The absence of upstream passage facilities at the Projects prevents upstream passage for most diadromous species, including sea-lamprey not explicitly mentioned in the plan, and inhibits the passage of American eels. Therefore, there was no path at the time of writing of the 2008 Strategic Plan for restoration of diadromous species to the historic habitat in the West Branch Penobscot. These impacts are in direct conflict with MDMR's goal for the Penobscot River in the 2008 Strategic Plan, which is an accepted comprehensive plan. "The Department's goal for the Penobscot River is to restore, protect, enhance and manage self-sustaining6 populations of native diadromous alewife, American shad, American eel, Atlantic salmon, Atlantic sturgeon, Atlantic tomcod, blueback herring, rainbow smelt, sea lamprey, shortnose sturgeon, and striped bass within their historical habitat in the Penobscot River basin for broad-based public use and benefit." DNR requested: "a CFD modeling study and an Upstream Alternatives study to inform license conditions that will facilitate safe, timely, and effective upstream passage at the project and assist the Licensee in preparing design plans for passage infrastructure." USFWS comments centered on provision of American eel passage. MDMR comments supported the three eel studies requested by USFWS, and went on to say: "The study requests submitted by MDMR were not adopted by the Licensee, and they provided a rationale for why passage of anadromous fish was not needed at this time. MDMR strongly disagrees with the Licensee's perspective on anadromous fish passage and with their decision not to adopt our study requests. There is historic habitat for many of Maine's diadromous fish species within and above the Medway project, including for endangered Atlantic salmon, river herring, American shad, American eel, and sea lamprey."

Updates:

MDIFW commented on the draft Angler Creel Survey study report on April 30, 2026. On August 13, 2026, Black Bear Hydro Partners circulated the draft Downstream American Eel Passage Assessment Feasibility Study Report to the resource agencies for a 30-day review. MDMR filed comments on September 11, 2026 objecting that the study evaluates American eel only: several of the alternatives rely on seasonal measures that would not protect downstream-migrating anadromous species. MDMR asked the licensee to evaluate full-depth angled or inclined bar racks of 0.75 inch or less with new downstream bypass structures, and replacement of the existing turbines with fish-friendly units. It added that the 170 cfs (5 percent) bypass attraction flow in the draft is a minimum under USFWS design criteria rather than a target, and that any further computational fluid dynamics analysis must address survival of American shad, alewife and blueback herring as well as eel. MDMR also restated that restoring access to historical habitat above the project on the West Branch remains a Department objective under the Penobscot operational management plan.

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

* Asterisked items have changed since the last report dated 5/31/2026.

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. 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 was conducted in 2026 with modifications to receiver placement, fish release strategy, and Skelton bypass flows.

Updates:

Brookfield filed the Initial Study Report on June 30, 2026, held the Initial Study Report meeting on July 14, and filed the meeting summary on July 30, 2026. Brookfield filed its response to comments on the ISR on September 29, 2026. MDMR was the only commenter, and Brookfield declined both of its requests: adding the fall eel-shutdown period to the Operations and Flow Study, and conducting an upstream and downstream passage alternatives study. Brookfield maintains that its fish passage obligations are governed by the Saco River Fisheries Assessment Agreement through 2038. The Downstream Adult American Eel Passage Study, postponed to fall 2026, is now unlikely to take place this year because the collection permit for the St. Croix River eels needed for the study was not issued. Field work for the benthic macroinvertebrate, West Channel stranding risk and marsh bird studies is complete, with reports in preparation.

P-9340 KEZAR FALLS LOWER EXPIRES 09/30/30 CAPACITY 1,000 kW KEZAR FALLS HYDRO, LLC (EAGLE CREEK) OSSIPPEE 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

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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 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 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.

Updates:

With the new license issued January 22, 2026, the project has moved into the compliance phase, and FERC offered a license transition meeting in a June 24, 2026 letter to review the order's requirements with the

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licensee. Rumford Falls Hydro circulated its Recreation Management Plan, dated May 28, 2026, in satisfaction of Article 406. Maine TU filed comments on June 29 supporting the recreation improvements, and singled out the Rumford Public Library access trail as the facility most likely to be used by TU members, since it will provide foot access to a reach of the Androscoggin with significant angling interest.

*** 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 NMFS and USFWS, 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). 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

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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 in 2026 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 planned to initiate the spill enhancement measure at each Project [Mattaceunk, West Enfield, and Milford].

Updates:

The spill enhancement measure described above began ahead of the model schedule: May 7 at Milford, Stillwater and Orono, against a model start date of May 15, with a 25 percent spill at Stillwater from May 29 to June 13 following nighttime shutdowns. Brookfield reported no objection from the resource agencies or the Penobscot Nation. FERC approved NMFS's February 13, 2026 Biological Opinion on August 19, 2026. On September 15, NMFS approved Black Bear's three-year Atlantic salmon kelt downstream passage study plan, required by the Biological Opinion, with the study to begin at Milford in 2027; Black Bear filed the approval with FERC on September 18.

* 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.

Updates:

The reports from the April 30 meeting arrived on June 1, 2026, when Eagle Creek Madison Hydro filed a summary of the 2026 Annual Fisheries Consultation Meeting and Salmon Fund Committee Meeting. The same day it asked FERC for an extension to June 1, 2027 to complete consultation with the agencies on American eel passage requirements under License Article 405.

* P-2942 DUNDEE ISSUED 10/02/2003 CAPACITY 2,400 kW ~~DICHOTOMY, RELEVATE HYDRO~~, now HydroVal 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.

Updates:

Relevate Power Maine LLC changed its name to HydroVal Power Maine, LLC in August 2026 (FERC order approving the co-licensee name change issued August 19, 2026); HydroVal Asset Management now handles

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day-to-day compliance for all five Presumpscot projects. FERC approved revised Exhibit A and G drawings for Dundee on September 9, 2026. The Eel Passage Effectiveness Monitoring Plan covering all five projects remains under FERC review, with an additional-information request issued August 10, 2026 and a response filed September 9, 2026. An interim Chief Dam Safety Engineer has been proposed for the Presumpscot projects, pending FERC review.

* P-2932 MALLISON FALLS ISSUED 10/02/2003 CAPACITY 800 kW ~~DICHOTOMY, RELEVATE HYDRO~~, now HydroVal; PRESUMPSCOT HYDRO LLC PRESUMPSCOT 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.

Updates:

Relevate Power Maine LLC changed its name to HydroVal Power Maine, LLC; FERC amended the licenses for all five Presumpscot projects on August 19, 2026. HydroVal is awaiting FERC action on the Eel Passage Design and Specifications submitted for Mallison Falls in February 2026 (FERC follow-up letter August 20, 2026). Revised Exhibit A and G drawings for the project were approved by FERC July 24, 2026.

Two headpond elevation excursions followed in September: an excursion of about 11 hours beginning September 10, triggered by unresponsive gates at the upstream Gambo Project, and one of about 13 hours beginning September 22, after a broken transmission pole cut power to Mallison Falls' automatic headpond level control.

* P-2984 EEL WEIR ISSUED 03/23/2015 CAPACITY 1,800 kW ~~DICHOTOMY, RELEVATE HYDRO~~, now HydroVal PRESUMPSCOT 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. MDEP filed Notice of Violation on May 19, 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.

Updates:

Relevate Power Maine LLC changed its name to HydroVal Power Maine, LLC; FERC amended the licenses for all five Presumpscot projects on August 19, 2026. Sluice Gate No. 2 suffered a gate-stem failure on July 15, 2026 (incident report filed July 22, 2026). HydroVal has pushed the project's Comprehensive Assessment Report deadline back to December 31, 2027 via extension requests. On September 10, 2026, HydroVal filed a compliance-status summary responding to inquiries about Sebago Lake water levels. On September 25, 2026, HydroVal filed a repair plan and schedule for the stems of Sluice Gates No. 1 and No. 2.

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* P-2809 AMERICAN TISSUE ISSUED 4/30/2019 CAPACITY 1,000 kW KEI (MAINE) POWER MGMT (III) LLC COBBOSSEECONTEE 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.

Updates:

Upstream Cobbossee and the Conservation Law Foundation have petitioned the commissioners of MDMR and MDIFW for fish passage on Cobbosseecontee Stream.

* 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. 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.

Updates:

Brookfield filed a lake elevation excursion report on September 18, 2026 covering an excursion that ran from September 11 through September 15, 2026.

* 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)

MDEP issued a Clean Water Act Water Quality Certification supporting the NMFS fish passage 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. 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 until 2031 and then surrenders the license. Term of new license extended to expire 3/31/2070 and includes fish passage provisions. In March 2025, 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. On March 23, 2026, FERC opened a compliance investigation into the project's compliance with the USFWS and NMFS Section 18 fishway prescriptions and the state water quality certification, which required downstream alosine, downstream eel and upstream eel fishway design drawings, a Fishway Operation and Maintenance Plan, and facilities

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operational by June 1, 2024. In its April 14, 2026 response to KEI's April 7 reply, FERC concluded that KEI is not in compliance with the license and will remain out of compliance until the required fish passage facilities are operational. FERC also found that the fishway design package KEI had filed with its Division of Dam Safety and Inspections did not meet USFWS condition 10.7 and NMFS condition 7.3.7, because USFWS and NMFS must approve the designs before they are filed, and directed KEI to file final design drawings, the Fishway Operation and Maintenance Plan, and documentation of agency consultation and approval by July 6, 2026. MDMR commented on KEI's April 7 Operation and Maintenance Plan and design drawings on May 7, 2026.

Updates:

On June 12, 2026, MDMR wrote to KEI about both Barker projects, stating that it is unclear when the facilities will be installed and operational and requesting a fish passage implementation schedule together with an off-license mitigation proposal for the delay. KEI filed its Fishway Operation and Maintenance Plan, design drawings and consultation record on July 10, 2026, four days after FERC's July 6 deadline. On August 18, FERC requested additional information within 30 days: an explanation of why MDMR's recommendation to monitor downstream passage with radio telemetry rather than cameras was not fully adopted, and the approvals from USFWS, NMFS and the resource agencies that the fishway prescriptions and WQC require before the plan and drawings can be submitted to FERC. FERC also directed KEI to file monthly reports on agency approval, the first due September 30, 2026. As of September 30, no response had appeared on the docket.

* P-2520 MATTACEUNK ISSUED 2/26/2021 CAPACITY 19,200 kW GREAT LAKES HYDRO AMERICA. LLC. (BROOKFIELD) 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 in 2026 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 planned to initiate the spill enhancement measure at each project [Mattaceunk, West Enfield, and Milford].

Updates:

The spill enhancement measure described above began at Mattaceunk on May 4, five days ahead of the May 9 start date indicated by the predictive outmigration model. Brookfield reported that the resource agencies and the Penobscot Nation raised no objection.

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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. 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 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. (AROOSTOOK POWER) 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

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the Project via leakage, as a result of stratification and oxygen depletion in the hypolimnion in the channel just upstream of the Project intake.” 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.”

Updates:

FERC’s May 21, 2026 letter accepted Aroostook Power’s 2025 Water Quality Monitoring Report. In the fourth year of monitoring, dissolved oxygen downstream of the project met Maine’s Class C standards throughout the 2025 season. Because earlier years’ results were mixed, MDEP could not conclude whether the aerator is what makes the difference, but agreed no further monitoring is required. FERC found the Article 401 reporting requirements fulfilled and stated that the aerator must continue to be installed and operated unless Aroostook Power shows, through a study conducted with MDEP, that it is not needed. On July 2, 2026, Aroostook Power notified FERC of a temporary planned deviation in minimum flows scheduled for September 2026.

* 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).

Updates:

FERC wrote to Brookfield on May 22, 2026 about the 2025 Juvenile American Eel Upstream Passage Study, and on July 6, 2026 Brookfield filed a record of agency consultation supporting its request for more time to construct the juvenile American eel upstream passage facility.

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

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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. 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.

Updates:

On August 24, 2026, FERC wrote to Topsham Hydro Partners concluding that the May 1, 2026 downstream fish passage deviation from Section 7.7.2(1) will be considered a violation of license requirements.

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); ownership status unknown. 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); ownership status unknown.
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.

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* 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.

Updates:

FERC formally received the surrender application and issued public notice June 5, 2026; review is expected to take 18–24 months. The Atlantic Salmon Federation, which along with The Nature Conservancy is funding the project, filed a state Waterway Development and Conservation Act permit application with MDEP by August 5, 2026; permits are also pending from the Army Corps, the state historic preservation office, and under the Endangered Species Act. A public information hearing was held July 20, 2026. Removal remains targeted for summer 2028, pending FERC approval.

Section 106 historic consultation is under way. FERC began consultation with the Maine State Historic Preservation Officer on August 10, 2026 to identify mitigation and develop a Memorandum of Agreement, and invited the Wabanaki tribes to participate on August 18; the Mi'kmaq Nation responded September 21. On September 30, FERC notified the Advisory Council on Historic Preservation of its determination that removal would adversely affect the National Register–listed American Woolen Company Foxcroft Mill historic district, to which Mayo Mill Dam was found eligible as a contributing resource.

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 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~~, now Sebec Hydro LLC, managed by HydroVal Asset Management. Project apparently purchased from previous owner in 2023. Safety inspection noted that no structures were in immediate need of repairs.

Updates:

HydroVal Asset Management, on behalf of Sebec Hydro LLC, filed a Modified Winter Drawdown Operating Plan on August 31, 2026.

* P-8791 STARKS (Lemon Stream, Sandy River feeder, Kennebec Watershed)

Exemptee: R.J. Fortier Hydropower, Inc. (previously listed here as Mark A. Vaughn, also owner of Upper Spears Stream) Multiple issues. Maine Rivers has owner's permission to remove dam and received NOAA funding to do so. Removal plans have slipped from 2026 to 2027.

Updates:

The docket is active again. The exemptee has applied to surrender the exemption and decommission the project, and FERC has moved the application along through the summer: it requested formal ESA section 7 consultation with NMFS on June 12, 2026, and NMFS responded July 15. FERC issued a Notice of Intent to Prepare an Environmental Assessment on July 15, 2026. MDMR filed comments on the surrender application July 1, NMFS moved to intervene with comments the same day, and the Department of the Interior intervened July 2. FERC invited the Mi'kmaq Nation and others to participate on September 2, with responses requested by October 2, 2026; Norman Bernard of the Mi'kmaq Nation responded September 8.

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) Licensee: Saco River Hydro, LLC. Active project.

Apparently compliant:

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

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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.

Updates:

FERC wrote to NOAA Fisheries again on July 7, 2026 about the consultation on the proposed species protection plan. As of this report, the Biological Opinion NMFS expected to issue by August 10, 2026 has not appeared on the docket.

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

License Surrenders

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

P-8417 OLD SPARHAWK MILL (formerly exempted) Note: Removal of the Bridge Street Dam is complete; removal of the Elm Street Dam anticipated in 2027.

P-5362 LOWER MOUSAM

P-2194 BAR MILLS

P-8791 STARKS

P-8640 SEABRIGHT

P-2660 FOREST CITY DAM

P-5912 MOOSEHEAD

And likely upcoming:

P-8505 ABBOTTS MILLS

P-12629 CORRIVEAU

P-8736 PIONEER

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