

FERC Committee Report - Steve Heinz

November 20, 2025

Outreach. A webinar on the closed-loop pumped storage project Cianbro has proposed for Dixfield, Maine was held on Tuesday, November 18 from 9:00 to 12:00. 71 people participated at the onset with numbers in the 60s until near the end. Over 110 people registered or partially participated in the event. Initial feedback has been positive. MDEP Commissioner Loymin was in the teleconference for all three hours. See Dixfield entry below. March will likely be on NGO use of AI for reports and filings. → **Please contact Steve if you know anyone who is using AI and might want to present.** See entry below under AI.

Lower Kennebec Dams. Things have quieted down since the announcement of the agreement for sale of the lower four Kennebec dams. This should continue until the sale has been finalized and the legal entity to manage the dams until removal has been established.

Rumford Falls Project. Steve recently learned that the Friends of Richardson Lake withdrew support for local advocate and board member Preble at the behest of a Brookfield employee who is also a member of their board. Final posting on this project in the absence of further developments.

Aziscohos Project. MDIFW has reviewed the Agreement in Principle and proposed three additional actions: (1) higher minimum flows, (2) refill date for the lake based on ice-out, and (3) higher lake levels Oct 1 to Jan 1, Ken Kimbal (camp owners), Shelby Rousseau (RLHT) and Steve met to discuss them on November 13 and will meet again on November 24 prior to a meeting with MDIFW scheduled for December 4

Ripogenus and Penobscot Mills Projects. Neal Hagstrom has completed a preliminary draft Angler Survey and economic Assessment for the West Branch that Steve and Matt have for review. This report should justify the asks we have to make changes to operating conditions to improve a declining fishery.

Dixfield Project. Council should decide if it wants to make an informed decision regarding the proposed Dixfield Pumped Storage Project. We should also see if someone other than Steve will monitor the FERC docket going forward.

Legal Defense Fund. Active fundraising efforts will recommence in December. One check has already been received. Solicitation will include past donors and outreach to potential donors based on zip code. The updated flier is attached. **Council members are encouraged to donate.**

Mousam Project. FERC Environmental Analysis issued in October was disappointing as it supported KLPD's offer that included leaving the dams in place. MDMR comments continue to support fish passage alternatives that would remove or mitigate adverse project effects on diadromous fish species. MDIFW comments. MDIFW remains supportive of the Maine Department of Marine Resources' pursuit of incorporating fish passage alternatives that would remove or mitigate adverse Project effects on diadromous fish species. Awaiting MDEP comments.

Worumbo Project (lower Androscoggin). The federal shutdown paused the consultations between Eagle Creek, USFWS, and NMFS to develop fishway prescriptions making achievement of the goal of the parties to reach an Agreement-in-Principle prior to the end of the year doubtful.

Royal River Dams. Project still tracking toward 2026 dam removals; however, funding is not yet in place, so this timeline may soon become unrealistic.

Lewiston Falls Project. Nothing new to report. Steve working with Cities and other NGOs involved. Cities' mitigation requests for scenic releases and other recreational improvements were significant.

Dundee Project / Eel Weir Project. November 7 FERC Issuance requested that Relevante provide documentation of correction of numerous discrepancies involving all Presumpscot River projects, some within 15 days, others by April 1, 2026. Examples: photos of the eel ramp at the Eel Wier Project, photos of Mallison

Falls staff gauge. Subsequent MDIFW filing, and angler reports indicate the problem of landlocked salmon ending up in the Presumpscot River due to dam gate mismanagement continues to be a problem. Relevate also persists in its failure to communicate timely with state agencies regarding bypass flows and gate problems at Eel Weir. Sebago TU plans to file comments supporting state agencies' comments.

Cataract Project. Sebago TU working with Saco River Restoration Alliance (SSRA): Robb Cotiaux and Erik Heumiller. The Cataract Stranding Study has been postponed until next spring because of low flow conditions.

Brush Mill Dam (Buckfield on the Nezinscot). MMBTU pursuing this excellent removal opportunity. Town approved going forward with removal. Embrace-A-Stream only funded a little over half the requested \$10 K. Chapter working to obtain additional financing. Gene McKenna, MMBTU POC, reported this week that: Andy Fisk (American Rivers) and I received approval from MNRCP in Augusta for a \$350,000 grant to remove the Brush Shop Dam on the Nezinscot! This approval is subject to ratification at the federal level in early 2026 so I ain't counting my chickens just yet. This approval coupled with donations in hand of \$34,000, EAS approval receivable of \$5,600 and the receipt of two pending grant apps will push us over the \$400,000 mark! We continue to apply for new grants to provide us with a cushion over the project budget of \$565,000."

Mayo Mill Dam (Dover Foxcroft). Nothing new to report. In June, the town voted to reject the plan to spend \$9M to fix the ailing dam. Town is moving toward license surrender and removal. "We expect the earliest that dam removal construction will take place is summer 2028." No further reports pending further developments.

Hackett Mills Project (Little Androscoggin). Maine TU Council filed to intervene and protested the relicensing of this uneconomic project. MDMR recommended: "installing eel passage no later than 2029 and upstream anadromous fish passage in 2031. This timeframe would complement restoration efforts for sea-run fish at other projects in the watershed." Still nothing new to report.

Ellsworth Project (Union River). In June, Brookfield filed a new Water Quality Certification application in June that included "that Target water levels in Graham Lake will be maintained within an operational buffer between the elevations of 100.1 feet msl and 103.0 feet msl". This is a major improvement over the current license. MDMR filed comments containing significant recommendations, including construction of new fish passage at the Ellsworth and Graham Lake Dams, performance standards for anadromous fish passage and adaptive management provisions. DSF comments supported. Downeast Chapter filed for TU. Still awaiting MDEP decision.

Salmon Habitat Recovery Unit Meeting (SHRU). The Annual SHRU meeting scheduled for October 15 to review the draft plan postponed due to government shutdown and had not been rescheduled yet..

AI. Steve will be subscribing to ChatGTP5 and paying for it out of the Legal Defense Fund as it will be essential to our submission of a coherent set of comments on the West Branch license applications. Cost is expected to be about \$200/year

Androscoggin Reclassification. A public hearing was held October 16 starting at 9:00 and Steve provided testimony. The Maine Board of Environmental Protection meets this week to decide the issue.

Recognition: Neal Hagstrom receive a letter and a fly rod from TU new Vice President for Eastern Conservation for his work on the West Branch Penobscot, Androscoggin, and Magalloway rivers.

Maine FERC Active Project Status Report. Next report due January 2026.

Attachments

Updated Legal Defense Fund Flier

Maine TU Council Legal Defense Fund



Fishing Scene on the West Branch of the Penobscot (photo credit Tim Shaw)

The Aziscohos and Ripogenus Hydro Projects are undergoing FERC relicensing - legal action may be essential to protecting the fisheries

OBJECTIVE:

Maintain a legal defense fund to prevent further damage to Maine's fisheries environment by hydro operations.

PROBLEM:

License to Kill – Brookfield's dams and Maine's rivers. Fisheries are being degraded by Brookfield Renewable Energy's dewatering and peaking generation practices – legal under their current FERC licenses.

Your donation will support legal action to:

- Improve stability of Aziscohos Lake upgrading the landlocked salmon habit and providing better flows and smelt drift for the Magalloway River below, Maine's premier brook trout fishery. This relicensing is far along in the process and good outcomes are expected. Work by TU's attorney has been an important factor in this.
- Stop fish kills on the West Branch! Return stability to Rip-Chesuncook Lake and West Branch flows. Water Ripogenus Gorge, currently watered only 3 months out of the year with the warmest water from Ripogenus Lake.

Visit: <https://www.tumaine.org>

Online Donations:

<https://app.autobooks.co/pay/trout-unlimited>

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Trout Unlimited is a 501(c)(3) organization, Maine Council represents Maine's 6 chapters with over 1,700 members

THE OPPORTUNITY

REMAINING ANTICIPATED COSTS
\$80,000

TIMING
\$40K per year over the next 2 years

KEY BASES FOR ASK

The new licenses will be in effect for the next 40 years.

While grant monies for habitat improvement projects are readily available, donations from private donors are essential to cover the costs of legal action.

FUND EXPENDITURES

Funds will be used for legal review of TU filings for both FERC license applications and Maine Water Quality Certification Applications, and legal work to support administrative and judicial appeals needed to meet fisheries objectives for these projects, and future legal actions and appeals where hydro operations harm Maine's coldwater fisheries.



Current Legal Defense Fund Hydro Projects



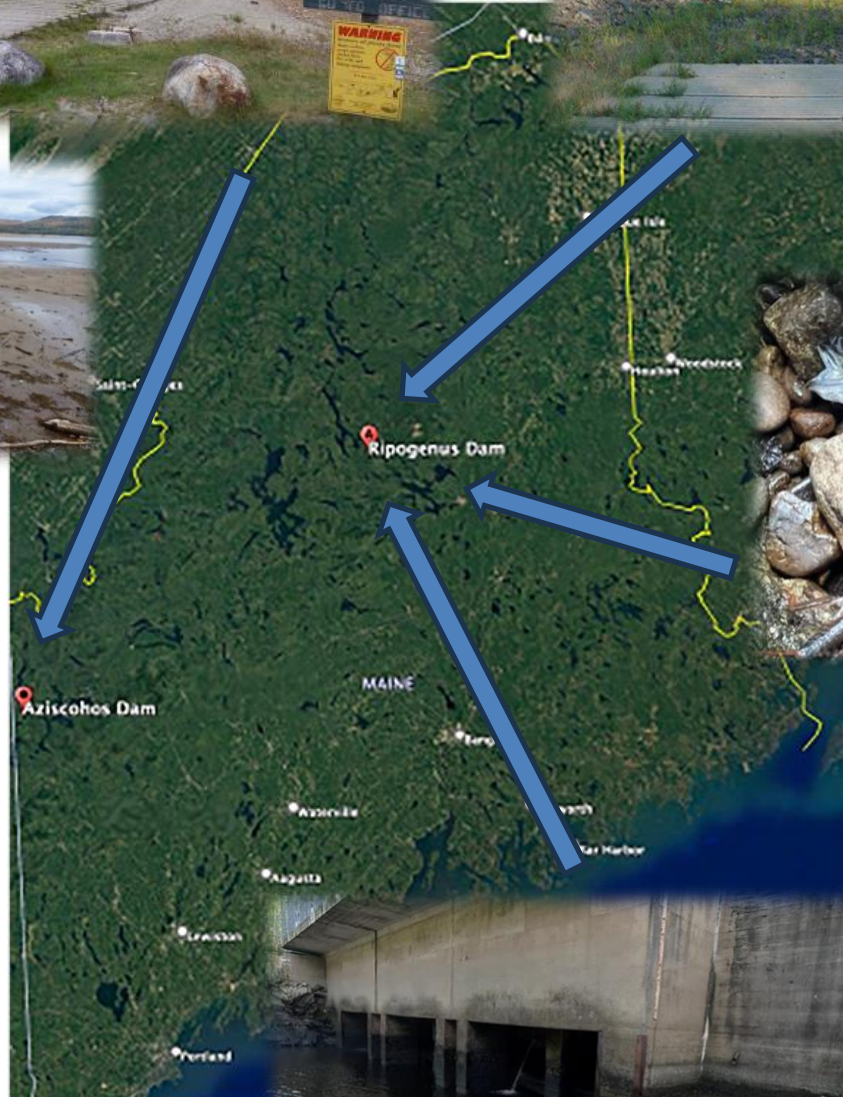
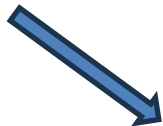
Dewatered boat launch
– Aziscohos Lake



Dewatered boat launch
– Chesuncook Lake



Dewatered littoral –
Aziscohos Lake



Dead salmon parr
and stone fly
nymphs – Big A Falls
on the West Branch

No flow due to
generator trip event –
McKay Station

