



17 State House Station, Augusta, Maine 04333  
Bureau of Land & Water Quality fax: 287-7191,

### **Request for Project Review**

**TO:** File; DEP DEA-Barry Mower, Peter Newkirk, Jeanne DiFranco; IF&W-John Perry, Francis Brautigam, Scott Lindsay; DMR-Oliver Cox, Gail Whippelhauser; MHPC-Earle Shettleworth; MEMA-Mark Hyland; DACF-Patrick Keliher; MDOT-Berb Thomson

**DATE:** January 21, 2014

**FROM:** Kathy Howatt, Hydropower Coordinator, at (207) 446-2642  
[kathy.howatt@maine.gov](mailto:kathy.howatt@maine.gov)

This constitutes a request for your agency's review of the project identified below and your submission of comments in accordance with our Memorandum of Agreement on Project Reviews. Questions may be directed to the DEP Hydropower Coordinator.

The deadline for agency comments is

***March 31, 2014***

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<b>DEP Application Number</b>	L-19717-3D-F-N	<b>Applicant Name:</b>	S.D. Warren
<b>Project Name:</b>	Saccarappa Project	<b>Contact:</b>	Donna Cassese
<b>Location:</b>	Westbrook	<b>Tel #</b>	(207)856-4584

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**Notes to Reviewer:**

The applicant, as owner and operator of the Saccarappa Project, proposes to surrender its Federal Energy Regulatory Commission (FERC) license and decommission the existing hydroelectric facilities, remove the 220' long eastern spillway, and install a Denil fish ladder in the tailrace of said hydroelectric facility.

Resources within and adjacent to the currently impounded Presumpscot River and resources downstream of the impoundment that may be impacted as a result of the proposed project include; palustrine wetlands and wetland habitat, fish and wildlife resources, and existing land uses, including public access. An existing wet road will be utilized to access the dam with excavators and trucks, and will be removed as the dam is removed. Other small, temporary wet roads and cofferdams will be installed as required.

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After a thorough review of the above project, as presented to us, and consideration of our agency's standards, programs and responsibilities, the following comments are submitted to the Department of Environmental Protection.

The proposed license surrender was reviewed by MDIFW in regards to potential resident fishery impacts, as well as associated impacts to recreational angling and public water access. As proposed:

*"Removal of the eastern spillway above the natural falls will reduce the site head by ~5 feet.... and more successful fish passage using a combination of a shorter Denil fishway and partially natural fish passage through the current Project area.... Removal of the eastern spillway will protect and enhance resident fish populations and aquatic communities in the Presumpscot River by re-establishing riverine connectivity of upstream and downstream aquatic life and their habitats. Dissolved oxygen (DO) will likely improve with the transition to a free flowing reach of river. Recreational opportunities along the river will be expanded, and S.D. Warren is incorporating into the design recreational and aesthetic features requested by the City of Westbrook. The proposed fish passage will be less obtrusive than the passage that would be required by the FERC Project license."*

The MDIFW defers to its sister agency, MDMR in responding to and assessing the adequacy of proposed fish passage designed for diandromous fish. Fish passage for resident freshwater fish has not been identified by MDIFW as a significant management concern at Saccarappa Dam, particularly in regards to existing resident recreational fisheries. Establishment of suitable minimum flows and providing angler access has been the focus of resident fish management in association with prior relicensing of Presumpscot River projects. However, MDMR has placed a strong emphasis on fish passage in furthering restoration and enhancement of migratory diandromous fish. These management strategies pursued by each agency is consistent with the 2001 "Draft Fishery Management Plan for the Presumpscot River Drainage" developed jointly by MDIFW and MDMR. Since some wild brook trout are present low in the drainage and seasonally may occur in the Presumpscot River, efforts to enhance fish passage for diandromous fish will likely also enable resident fish to move within the drainage and thereby improve access to other areas of the drainage.

Proposed plans to lower the eastern spillway by ~5 feet is expected to lower upriver water levels, creating water level conditions similar to those that existed prior to dam construction. This change is expected to favor native resident fisheries (e.g., trout) over nonnative fisheries (e.g., bass/pike).

The applicant references a public water access site developed under the current operating license as follows:

*"... Article 408 of the subsequent license required S.D. Warren to file with FERC a Recreational Facilities Enhancement Plan for the Saccarappa Project. This plan included the plans and schedule to establish a formal take-out site that would also allow car-top boat access to the impoundment, post signage appropriate to these uses, establish space for parking, and mechanically remove vegetation. S.D. Warren filed this Recreational Facility Enhancement Plan with FERC in January 2005. The take-out site and parking area is located on the western bank upstream of the boat barrier blocking access to the intake canal. The parking area provides access to Mill Lane and Main Street. S.D. Warren completed construction of the recreation facility in October 2006."*

It is unclear what will become of the ownership and maintenance of the public access site developed under the current license. Furthermore, it is unclear what effect lowering the eastern spillway by ~5 foot will have on the functioning of the existing access launch. Maintaining continued functionality of the access site and providing long term assurance that all members of the public will have free access to this site is an important management concern of MDIFW.

Check if requesting copy of draft Findings of Fact and Order.  
(Comments must be signed and dated in order to be accepted by this Department)(if additional space is needed, please attach another sheet).

SIGNATURE: JR H R M D I F W DATE: 3/25/14