

June 9, 2025

Federal Energy Regulatory Commission (e-file)  
Secretary Reese

Maine Department of Environmental Protection (via email c/o Laura Paye)  
Commissioner Loyzim

Maine Department of Marine Resources (via email)  
Commissioner Wilson

City of Ellsworth (via email)  
City Manager Peace

**Ellsworth Hydroelectric Project (FERC No. 2727), yet another major fish kill: report, request for information, and shut down**

Secretary Reese, Commissioners Loyzim and Wilson, and City Manager Peace,

I write as a concerned citizen to yet again report to federal and state regulators the recent, major fish kill that I have just witnessed on the Union River directly below the Black Bear (Brookfield Renewable) hydroelectric facility in Ellsworth, Maine. Sadly, during the past 10 years, I have personally witnessed the significant, recurring, and fully preventable loss of aquatic life—particularly alewife and American eel—in the Union River directly caused by the operation of Brookfield's facility. I conservatively estimate that I have personally observed 30 such fish kills. A number of these have been reported in detail over the years to federal and state regulators, yet neither meaningful enforcement nor corrective requirements have occurred.

The fish kills I have seen—occurring during highly predictable migration windows—have included thousands of baby river herring, thousands of adult river herring, masses of invaluable glass eels, adult American eels, and sturgeon. Since I only periodically check the river for these events as my work schedule and other obligations allow, my reports most certainly do not represent the full extent of fish kills that happen each year.

The cause of this kill—Brookfield Renewable's Ellsworth dam—has been in operation since the spring of 1907. Nothing about its operation today reflects any reasonable upgrades to safe, timely, or effective fish passage to the industrial machine installed on the river a year and a half before Ford's Model T debuted on the dirt roads of Hancock County.

Observed fish kill on June 6<sup>th</sup>:

On Friday, June 6, 2025 I traveled to Ellsworth to accomplish a few errands. Around 11am, I drove over the Route 1 bridge on the Union River. As I crossed, I saw a gull dive downstream. Pulling into a parking lot of the western shore of the river I saw three dead adult river herring

along the shore. These were fairly fresh with firm flesh and blue color visible along their backs. One was missing its head. I then drove upriver towards the Ellsworth dam.

There, two vehicles were parked inside the gate by the powerhouse. I did not notice any people. Tide was out in this reach of the river. I found one dead river herring along the shore with a bloody wound just under its right pectoral fin. I looked downstream, across the river. There, a big eddy that at lower tide collects dead fish during these events. I noticed a lite yellow cloud or discoloration in the otherwise brown water in that area.

Having come to Ellsworth for other reasons I wasn't ready to swim across to investigate, so I drove back downstream, crossed the bridge, and walked up from behind the Ellsworth library. During this walk I found dead adult river herring scattered along the shoreline. Some were out in the open on small beaches, sticking out from behind rocks and logs, or resting on the grass at the level of the previous high tide. Walking quickly, I counted 30. The majority were fresh, just like the ones I first found downstream, though a few maybe a day or so older. River herring begin to decompose quickly on hot humid days like we had on the 6<sup>th</sup> so the variety of conditions suggested there had been fish killed over more than one day.



*^Fish along eastern shore by library*



*^Fish along eastern shore path*

I reached the river bank near where I had seen the yellow discoloration from across the river—this is about 380' downstream of the dam and the first major eddy below the dam. I waded out



[\(please see linked video\)](#) along a gravel bar towards an area of the river bottom carpeted in fish parts in various stages of decomposition.



*^Pile of dead fish, looking downstream.*

Like those I found on shore, these appeared to be adult river herring. The fish covered an area of about 4'x10' and were a piled about 1' deep. I would conservatively estimate about 1500 dead fish where in this area alone.



*^Underwater view of portion of dead fish pile*

I've handled thousands of dead and living river herring in my previous work as a fisheries biologist and as bait for lobstering. Both the fish I checked from this area, as well as those I'd seen downstream did not have any eggs or milt in their bodies, indicating they had already spawned. Based on the time of year they had likely been passed upstream by Brookfield's trap and truck operations, spawned elsewhere in the river, then been slaughtered while passing through or over the Ellsworth dam. Upon examination of a sample of the river herring killed I observed injuries consistent with passing through hydroelectric turbines—missing eyes and heads, slices on their bodies, their bodies chopped in half.

Additional context and considerations:

Several other considerations about this event and important context:

- I did not search through the pile of dead fish to confirm that it was solely composed of river herring. Based on my previous surveys of fish kills below this dam, due to the annual stocking upstream on the West Branch of the Union River of endangered Atlantic salmon by local school children in the Fish Friends program, and from known occurrences of other species in and around the Ellsworth dam—it is probable that Atlantic salmon smolts, adult American eels, American shad, nonmigratory fish, and threatened short nose or Atlantic sturgeon could have been mixed in the pile of decomposing fish. This is a presumption that Brookfield should need to prove otherwise.
- This event was highly predictable. Brookfield has fisheries staff who know exactly when river herring are stocked up stream, and their movements back downstream occur with regularity in the weeks after. Upstream, Graham Lake dam provides a convenient location for Brookfield to flag any large downstream movements of fish and adjust operations at the Ellsworth Dam. If current operations or staffing do now allow this type of modification, then the dam should be fully shut down during fish migration windows.
- This kill—though tragic for the individual fish killed at the dam—causes other impacts to the river system. Adult river herring can spawn and return for many years, getting bigger each year and producing more and more babies that feed fish, birds, and the soils throughout the watershed and ocean. By killing such a large amount of potential return spawners these fresh water and marine systems are directly impaired by these fish kills. Dissolved oxygen levels likely plummet while these fish bodies decompose, stressing aquatic life in the area around or downstream.
- These fish kills directly take funds from the city of Ellsworth. By reducing the number of repeat spawning river herring the potential size of Union River river herring run is limited. This reduces the number of fish available for the annual harvest for lobster bait that contribute dollars directly to the City of Ellsworth.
- Delays by Brookfield to properly update the Union River dam are directly responsible for this most recent fish kill. On June 3, 2022, I documented a similar event while employed with the Downeast Salmon Federation. Instead of updating and making the dam safe for migrating fish, Brookfield has used the intervening years to drag the river through legal appeals and state courts—delaying and avoiding any responsibility or accountability for that kill or the countless others that occur when only they are watching.

- As noted above I was employed by the Downeast Salmon Federation as a fisheries biologist (until October 2022). I am no longer affiliated professionally with any fisheries/advocacy organization or groups working on the Union River dam relicensing. My visits to the river, this report, and my requests are those of a private citizen and intervenor in the relicensing of the dams on the Union River.

Requested immediate regulatory action:

I request that you require Brookfield to provide daily updates to resources agencies and the public about their efforts to monitor and stop these kills and confirm with outside verification that no endangered or threatened species are being killed. If Brookfield is unable to provide this information and a timely plan to stop these kills then I request the Maine DEP and FERC require an immediate shut down of all operations at the Ellsworth dam that are unrelated to fish passage or minimum water flow requirements.

Commissioners Wilson and Loyzim, I am also aware that Brookfield provides weekly operations reports to State and Federal resources agencies. I'd like to understand if Brookfield reported this fish kill from Friday, June 6, 2025 event to your agencies. Could you or your staff please provide Brookfield's most recent report for the dates that include June 6, 2025?

Thank you for your consideration,



Brett Ciccotelli  
Friend of Rivers  
Hancock, Maine







Document Content(s)

Ellsworth Dam Fish Kill Report 06062025.pdf.....	1
June 6 2025 Ellsworth Fish Kill.jpg.....	6