



City of Auburn, Maine

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City of Auburn – Comments on the Draft Lewiston Falls Water Quality Certification and Recommended Revisions to Increase Water Releases Over Lewiston Falls for Water Quality, Habitat Protection, and Community Benefit

The City of Auburn appreciates the opportunity to provide comments on the draft Water Quality Certification (WQC) for the Lewiston Falls Hydroelectric Project. After review of the draft Order and comparison with previously submitted Notice of Application Ready for Environmental Analysis (REA) comments (attached), we respectfully request that MDEP revise the certification to require greater and more frequent flow releases over Lewiston Falls. The data clearly show that the currently proposed flow regime is insufficient to meet water quality, aquatic habitat, and public interest standards under 38 M.R.S. § 464–465. Below we note four primary concerns related to the very limited flows proposed in the draft WQC and provide recommended changes to improve compliance with required standards.

1. Community, Aesthetic, and Recreational Needs Are Not Met by Six Annual Spill Events

Auburn's REA comments documented that:

- Historically, the falls flowed on 146 days/year; now on only 43 days/year.
- The applicant's proposed six aesthetic events are "inadequate," and stakeholders request 40 scheduled aesthetic releases per year, including evenings and weekends, aligned with community use patterns.

The draft WQC's six daytime-only releases from July–September do not match regional expectations for public viewing, tourism, or community identity. Additionally, recreation studies show 210,814 recreation days annually in the project area, with the falls serving as a central attraction.

Finding: The public interest standard under 38 M.R.S. § 464(4)(F) is not met by limiting flow requirements to six daytime events.

2. The Draft Certification Leaves the Falls Dry for Most of the Year, Causing Stagnation at River Right

The draft WQC would require only six aesthetic flow releases per year, each providing 2,000–2,500 cfs, between July and September, and only between 10 AM and 4 PM. Outside these limited events, nearly all flow is concentrated through the powerhouse on river left.

This operational regime causes the river-right side below the falls to receive little to no flow except leakage. The draft WQC itself documents that under non-spill conditions:

- The downstream reach “receives flow primarily through leakage pathways” and that “the primary leakage is along river left”
- The ledge pools exhibit “standing pools” and “limited aquatic habitat regardless of flow,” showing poor circulation under current operations.

As Auburn's earlier comments describe, since the Monty Station began operating, flows over the falls have been reduced by approximately 40%, dropping from 146 days per year to only 43 days—from 40% to 12% of the year. This dramatic reduction contributes directly to stagnation at river right.

Finding: The draft certification does not adequately address stagnation, circulation failure, or warming on the river-right side—conditions that degrade Class C water quality and designated uses.

3. Increased Spill Is Necessary to Meet Water Quality Standards

The draft Order acknowledges that:

- Downstream dissolved oxygen (DO) ranged as low as 4.82 mg/L, close to the Class C DO threshold of 5.0 mg/L.
- The Department observed a low-DO event during the 2022 monitoring period and concluded that downstream DO requires vigilant protection.

Because the powerhouse concentrates flow into a deep tailrace channel on river left, the river-right side does not experience natural turbulence or aeration. Auburn's REA comments emphasized that

the existing operational approach reduces circulation and increases stagnation risk, particularly during warm low-flow months when DO depression is most likely to occur.

Finding: Restoring routine spill is a well-established and effective DO enhancement measure for hydropower facilities. More consistent water over the falls would improve aeration, mixing, and circulation across the full channel width.

4. Aquatic Habitat and Species of Concern Require More Frequent Spill

The draft WQC confirms that:

- The downstream reach includes critical habitat for Atlantic salmon and supports populations of American eel and other diadromous species.
- The Applicant's own eel studies show significant turbine passage mortality (74.5% survival through turbines) compared to 0% mortality when passing via spill.

The fisheries data strongly support the importance of spill for safe downstream passage—not only for eels but for all mobile aquatic species.

Finding: Increasing spill would directly reduce turbine entrainment and improve conditions for all species in the designated habitat reach.

Conclusion and Recommended Revisions to the Draft WQC

To ensure compliance with water quality standards and protect the public interest based on the above findings, the City of Auburn respectfully requests that MDEP revise the certification to require:

1. Increased Minimum and Aesthetic Spill Frequency

- Require at least 40 aesthetic flow releases per year, as requested in Auburn's REA filing, with 4,000 cfs, 6-hour durations, May 15 – October 30, including Friday evenings and designated holiday/weekend events to be coordinated annually at a meeting in April with the City of Auburn.

2. Routine Minimum Spill Over the Falls

- Establish a baseline continuous spill over Lewiston Falls during the open-water season to alleviate stagnation at river right.

C. Adaptive Management Based on Water-Quality Monitoring or likely presence of migrating eels

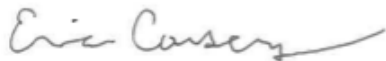
- Require additional spill events when DO falls near the Class C threshold or when high temperatures, low inflows, or stagnant pool formation are documented between June and September.

The Androscoggin River is a public trust resource, central to the identity and quality of life of Auburn and Lewiston residents. The draft Water Quality Certification does not sufficiently address the water quality, habitat, or community impacts associated with leaving the falls dry for most of the year.

Substantially increasing spill frequency and minimum flow over Lewiston Falls is necessary to:

- Reduce stagnation and improve DO
- Support aquatic habitat and species passage
- Protect community recreation, economies and aesthetics
- Maintain compliance with Maine's water quality standards

We respectfully request that MDEP incorporate the recommended revisions to ensure that the Lewiston Falls Project meets the requirements of 38 M.R.S. § 464–465 and serves the best interests of the public and the environment.



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