

May 8, 2025

Laura Paye
Hydropower Coordinator
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

**Subject: *Hydro Kennebec Hydroelectric Project (FERC No. P-2611)*
 *Section 401 Water Quality Certification – Certification Request***

Dear Ms. Paye:

Hydro Kennebec LLC, a subsidiary of Brookfield Renewable (Brookfield or Applicant), is submitting to the Maine Department of Environmental Protection (Department) an Application for Water Quality Certification (WQC) for the Hydro Kennebec Hydroelectric Project (Project), in support of a FERC license amendment request to incorporate the terms of the Kennebec Species Protection Plan (SPP), which is undergoing review by the Federal Energy Regulatory Commission (Commission or FERC). Hydro Kennebec LLC is the project proponent for certification under Section 401 of the Clean Water Act (CWA), the Commission is the federal agency, and the Department is the certifying agency. The Hydro Kennebec Hydroelectric Project (Hydro Kennebec Project) is in the state of Maine, in Kennebec County, on the Kennebec River within the city of Waterville and the town of Winslow.

On June 1, 2021 Hydro Kennebec LLC filed with the Federal Energy Regulatory Commission a final Species Protection Plan (SPP) to continue to protect federally listed Atlantic salmon, Atlantic sturgeon, and shortnose sturgeon at four hydroelectric Projects in the lower Kennebec River (Lockwood (FERC No. 2574), Hydro Kennebec (FERC No. 2611), Shawmut (FERC No. 2322) and Weston (FERC No. 2325)) (Appendix 1). The SPP is intended to replace the existing Interim Species Protection Plan for the Hydro Kennebec Project. Hydro Kennebec LLC requested that the Commission incorporate the terms of the SPP for the Hydro Kennebec Project into the Project License.

On November 23, 2021 FERC issued a notice for the Hydro Kennebec Project license amendment request indicating that the Commission intended to prepare a single Environmental Impact Statement (EIS) to comprehensively evaluate the relicensing of the Hydro Kennebec Project (FERC No. 2611), along with the requests to incorporate the terms of the SPP in the licenses for the Lockwood (FERC No. 2574), Shawmut Project (FERC No. 2322) and Weston Projects (FERC No. 2325).

In letters dated July 9, 2021 and July 26, 2021 FERC initiated Section 7 Endangered Species Act (ESA) consultation with the National Marine Fisheries Service regarding the listed fish species in the lower Kennebec River. On March 20, 2023 the National Marine Fisheries Service issued its

HYDRO KENNEBEC LLC

150 Main Street, Lewiston, ME 04240

T +1 207.755.5600 F +1 207.755.5655 brookfieldrenewableUS.com

Biological Opinion concluding that with the implementation of the terms of the SPP, along with the conditions of the Incidental Take Permit, the three listed fish species found in the lower Kennebec River would be protected (Appendix 3).

On February 28, 2025 FERC issued a final EIS (FEIS) (Appendix 2) for the lower Kennebec River in which it concluded that incorporation of the terms of the SPP along with the terms and conditions outlined in the Biological Opinion was the preferred alternative for comprehensively addressing fish passage needs on the lower Kennebec River.

Under the current rules for CWA Section 401 reviews (2023 Clean Water Act Section 401 Water Quality Certification Improvement Rule), an applicant is required to request a pre-filing meeting with the applicable State agency at least 30 days prior to filing for certification (40 CFR § 121.4). Hydro Kennebec LLC requested a pre-filing meeting with the Department, and a meeting was held via conference call on December 23, 2024. A record of this meeting is provided as an attachment to this WQC application. Separate from this meeting, the Department has indicated that Brookfield could file this WQC application electronically, including electronic links (with titles and FERC accession numbers) for the larger attachments filed on the FERC docket.

As required, Hydro Kennebec LLC is also sending by certified mail a copy (on thumb drive) of the 2025 WQC Application to the town clerks of towns within which each of the projects lies. Further, in accordance with the Final Rule, Brookfield provides the below information in connection with this Certification request (See Final Rule, at 40 CFR § 121.5):

a) A certification request shall be submitted to the certifying authority and to the Federal agency concurrently.

The application is being filed with the Commission concurrently.

b) A certification request for an individual license or permit shall:

(1) Identify the project proponent(s) and a point of contact;

Hydro Kennebec LLC is the project proponent, and the point of contact is:

Nathan Stevens
Vice President, Operations
Brookfield White Pine Hydro LLC
150 Main Street
Lewiston, ME 04240

(2) Identify the proposed project;

Hydro Kennebec Hydroelectric Project (FERC Project No. P-2611)

(3) Identify the applicable federal license or permit;

Application for License Amendment – Existing Dam, Hydro Kennebec
Hydroelectric Project (FERC No. 2611)

(4) Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters;

The discharge would be water discharged during construction and/or modification of fish passage facilities at the Project, as outlined in the SPP.

(5) Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge;

Measures to control and monitor the discharge associated with the construction/modifications of fish passage facilities, as outlined in the SPP, will be developed as part of the construction permit process.

(6) Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received;

The fish passage facilities proposed for the Hydro Kennebec Project requires an amended license from the Commission, a U.S. Army Corps of Engineers 404/401 permit, a Maine Waterways and Development Permit, and local construction permits (as required).

(7) Include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request;

A copy of the pre-filing meeting record is attached to the application (Attachment 5).

(8) and (9) Statement

The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time. Brookfield respectfully requests that the Department provide a draft of the WQC for review 30 days before issuing the final WQC.

The 2025 WQC Application for the Hydro Kennebec Project includes the following:

- WQC Application Form
- WQC Application Attachments
 - Attachment 1: Distribution List
 - Attachment 2: Notice to Abutters, Abutters List, and Proof of Mailing
 - Attachment 3: Notice to Municipalities, Proof of Mailing
 - Attachment 4: Newspaper Notice
 - Attachment 5: Pre-Filing Meeting Record
 - Attachment 6: Certificate of Good Standing
 - Attachment 7: Fee Payment Form
- WQC Application Appendices

- Appendix 1: 2021 Lower Kennebec Species Protection Plan and Draft Biological Assessment (FERC License Amendment request)
- Appendix 2: 2025 Final Environmental Impact Statement
- Appendix 3: 2023 Biological Opinion (National Marine Fisheries Service)

If there are any questions or comments regarding this filing, please feel free to contact me by phone at (207) 755-5605 or by email at Nathan.Stevens@BrookfieldRenewable.com.

Sincerely,



Nate Stevens
Vice President, Operations
NEROC

Enclosure: Hydro Kennebec Hydroelectric Project (FERC No. P-2611) Application for Water Quality Certification

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Land Resource
17 State House Station
Augusta, Maine 04333
Telephone: 207-287-7688

FOR DEP USE

ATS # _____
#L- _____
Fees Paid _____
Date Fees Received _____

**APPLICATION FOR
WATER QUALITY CERTIFICATION
(U.S. P.L. 92-500, SECTION 401)**

HYDROPOWER PROJECT LICENSING/RELICENSING ONLY

This form shall be used to request Water Quality Certification for the proposed FERC licensing or relicensing of an existing hydropower generating or storage project where no construction, reconstruction or structural alteration of project facilities which would affect water levels or flows is proposed.

All required fees must be paid before application processing will begin. Please contact the Department for current fee schedule information. Fees are payable to Treasurer, State of Maine.

APPLICANT INFORMATION

Name of Applicant: Hydro Kennebec LLC

Mailing Address: 150 Main Street, Lewiston, ME 04240

Name of Contact or Agent: Randy Dorman

Telephone: 207-755-5600

PROJECT INFORMATION

Name of Project: Hydro Kennebec Project FERC No. P-2611

Address (use "911" address, if available): _____

Name of Waterbody Affected: Kennebec River

Municipality or Township: City of Waterville, Town of Winslow County: Kennebec

GPS Coordinates, if known: _____

REQUIRED INFORMATION

1. Provide all the information requested by this application form.
2. If applicant is a registered corporation, provide either a *Certificate of Good Standing* (available from the Secretary of State) or a statement signed by a corporate officer affirming that the corporation is in good standing.
3. A signed Certification of Publication and a completed Notice of Intent to File an application for Water Quality Certification.

NOTE: All supporting documents summarized above must be attached to this form and sent to the DEP Office listed below:

Department of Environmental Protection
Bureau of Land Resources
17 State House Station
Augusta, ME 04333
Tel: (207) 287-7688

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

DATE: 5/7/25


SIGNATURE OF APPLICANT

Nate Stevens Vice President, Operations NERO

PRINTED NAME & TITLE

(IF SIGNATURE IS OTHER THAN APPLICANT,
ATTACH LETTER OF AGENT AUTHORIZATION
SIGNED BY APPLICANT)

ATTACHMENTS:

Attachment 1 - Distribution List
Attachment 2 - Abutters List
Attachment 3 - Certificate of Good Standing
Attachment 4 - Newspaper Notice
Attachment 5 - Prefiling Meeting Information
Attachment 6 - Certificate of Good Standing
Attachment 7 - Fee Payment Form

APPENDICES:

Appendix 1 - FERC License Amendment Request (2021)
Appendix 2 - FERC Final Environmental Impact Statement (2025)
Appendix 3 - Biological Opinion (2023)

WATER QUALITY CERTIFICATION APPLICATION

GENERAL INFORMATION

1. By submitting this application, an applicant requests Water Quality Certification pursuant to Section 401 of the Federal Clean Water Act for the continued operation of an existing hydropower generating or storage project under the terms of an initial or a new license from the Federal Energy Regulatory Commission. Certification must be obtained for any activity requiring a federal license or permit which may result in a discharge into the navigable waters of the United States.
2. The purpose of this application form is to obtain from the applicant a thorough description of project facilities and operation and the impacts of the continued operation of the project on water quality.

The Department's Regulations provide that the applicant bears the burden of proof in the application process. This is the burden of presenting sufficient evidence for the Department to make the affirmative findings required by law regarding matters about which no questions are raised and the burden of presenting a preponderance of the evidence regarding matters about which questions are raised.

3. In order to grant certification, the Department must conclude that there is a reasonable assurance that the continued operation of a hydropower generating or storage project will not violate applicable Water Quality Standards. These standards have been established in the State's Water Classification Program (Title 38 MRSA Sections 464-469). These standards designate the uses and related characteristics of those uses for each class of water and establish water quality criteria necessary to protect those uses and related characteristics.
4. Any applicant for a FERC license must complete a three stage consultation process with appropriate state and federal agencies. The purpose of this process is to identify and analyze the potential environmental and socioeconomic impacts of a project.

The consultation process requires an applicant to have either requested or obtained water quality certification at the time of filing with FERC. The process also requires that an applicant serve a copy of its FERC application, including any revisions, supplements or amendments thereto, on each of the agencies consulted.

WATER QUALITY CERTIFICATION APPLICATION

FILING INSTRUCTIONS AND PROCEDURES

- i i When filing, send an original paper copy plus one (1) electronic copy of a completed Application for Water Quality Certification to the Department, along with two (2) copies of the Application for Initial License or New License that has been or will be filed with FERC. The State filing can be made prior to or concurrent with the FERC filing.
- i i The Department is required by law to assess fees for processing applications and for monitoring permit compliance. Application processing will not begin until all required fees have been paid. When filing, submit full fee payment as shown on the [DEP fee schedule](#). Please make checks payable to: Treasurer, State of Maine.
- i i A number of consulting agencies will be involved in the State review process of hydropower projects. Distribution of copies of the FERC application to these agencies may be coordinated by DEP or may be handled directly by the applicant. When filing, please notify the DEP staff to discuss distribution procedures.
- i i Most information requested by this application form can be provided by making reference to the appropriate exhibit of the FERC license application. Space is provided on the form for such references.
- °i Within 15 working days of receiving an application and all required fees, the DEP shall determine whether the application as filed is acceptable for processing.
- OEi Additional information may be required during the review process on any aspect of the project relating to compliance with applicable statutory criteria.

WATER QUALITY CERTIFICATION APPLICATION

1. **NATURE OF ACTIVITY.** Check appropriate item:

_____ Application for Initial License.

_____ Application for New License (License Amendment to incorporate SPP).

A COPY OF A COMPLETED FERC APPLICATION FOR LICENSE (THIRD STAGE CONSULTATION) MUST ACCOMPANY THIS FORM.

NOTE: A copy of any document revising, supplementing, amending, or correcting deficiencies in the application as originally filed with FERC must also be filed with D.E.P.

2. **EXISTING ENVIRONMENT.** Provide a description of the physical environment of the project site and its immediate vicinity. The project site includes all land and water areas affected by the project.

REFERENCE: FERC EXHIBIT(S) _____

3. **PROJECT DESCRIPTION.** Provide a detailed description of the existing project. A hydropower project includes all powerhouses, dams, water conduits, transmission lines, water impoundments, roads, and other appurtenant works and structures that are part of the development. This description must include:

- A. The physical composition, dimensions, and general configuration of all project structures;
- B. The normal maximum surface area and elevation, gross storage capacity, and usable storage capacity of any impoundments;
- C. The number, type, and rated capacity of any turbines or generators; and
- D. The number, length, and voltage of any primary transmission lines.

REFERENCE: FERC EXHIBIT(S) _____

4. **PROJECT OPERATION.** Provide a description of project operation, to include:

- A. The mode of project operation during low, mean, and high water years, including extent and duration of flow release and impoundment fluctuations;
- B. An estimate of the dependable capacity and average annual energy production, in kilowatt hours, of the project;
- C. An estimate of minimum, mean, and maximum flows, in cubic feet per second, at the project site, including a flow duration curve;
- D. An estimate of the maximum and minimum hydraulic capacities, in cubic feet per second, of any powerplant; and
- E. A statement of the manner in which the power generated at the project is utilized.

REFERENCE: FERC EXHIBIT(S) _____

5. **PROJECT PLANS.** Provide general design drawings showing all major project structures in sufficient detail to provide a full understanding of the project, including:
- A. Plans (overhead view);
 - B. Elevations (front view); and
 - C. Sections (side view).

Species Protection Plan- License Amendment Request (Appendix 1)

REFERENCE: FERC EXHIBIT(S) _____

6. **PROJECT MAPS.** Provide maps of the project showing:
- A. The location of the project, including principal project structures and features, with reference to local geographic features; and
 - B. A project boundary enclosing all principal project structures and features proposed to be licensed.

REFERENCE: FERC EXHIBIT(S) _____

7. **TITLE, RIGHT OR INTEREST.** The Department's Regulations require that any applicant must possess sufficient title, right or interest in all project lands and waters in order to have standing to seek a permit, license, or certification. Please complete the appropriate item(s) below establishing title, right or interest and attach a copy of the indicated document(s):

- _____ Deed.
- _____ Option to buy.
- _____ Lease.
- _____ Valid FERC License (including all amendments/modifications).
- _____ Exercise of flowage rights through operation of the Mill Act (12 MRSA Section 651).
- _____ Exercise of eminent domain under FERC License.

8. **WATER QUALITY.** Provide a description of the impact of the project on water quality, including:

- A. A description of the applicable water quality standards and stream segment classification for the project impoundment and downstream waters, including a description of designated uses;
- B. A description of existing water quality in the project impoundment and downstream waters affected by the project, including a description of existing in-stream water uses;
- C. A statement of the existing measures to be continued and new measures proposed for the purpose of protecting and improving water quality, including measures for the mitigation of project impacts on the designated uses of project waters; and
- D. A description of any anticipated continuing impact on water quality from the continued operation of the project, including impacts on the designated uses of project waters.

PUBLIC NOTICE FILING AND CERTIFICATION

Department Rules, Chapter 2, require an applicant to provide public notice for Water Quality Certification projects within 30 days prior to filing the application. In the notice, the applicant must provide the information included in the attached Notice of Intent to File form. "Abutter" for the purposes of the notice provision means any person who owns property that is contiguous with the property on which the project requiring a license from the Department is proposed.

1. **Newspaper:** You must publish the Notice of Intent to File in a newspaper circulated in the area where the activity is located. The notice must appear in the newspaper within 30 days prior to the filing of the application with the Department. You may use the attached Notice of Intent to File form, or one containing identical information, for newspaper publication.
2. **Abutters and Others Owning Land Within 1,000 Feet:** You must mail a copy of the Notice of Intent to File to abutters and all persons owning land within 1,000 feet of the proposed project. Their names and addresses can be obtained from the town tax maps or local officials. They must receive notice within 30 days prior to the filing of the application with the Department.
3. **Municipal Office or County Commissioner(s):** You must mail a copy of the Notice of Intent to File and a duplicate of the entire application to the Municipal Office or, if the proposed project is located in an unorganized or deorganized area of the State, to the county commissioner(s). The Municipal Office or county commissioner(s) must receive notice within 30 days prior to the filing of the application with the Department.

ATTACH a copy of the published notice and a list of persons to whom notice was provided.

CERTIFICATION

By signing below, the applicant or authorized agent certifies that:

1. A Notice of Intent to File was published in a newspaper circulated in the area where the project site is located within 30 days prior to filing the application;
2. A mailing of the Notice of Intent to File was sent to all abutters and all other persons owning land within 1,000 feet of the proposed project within 30 days prior to filing of the application;
3. A mailing of the Notice of Intent to File, and a duplicate copy of the application was sent to the town office of the municipality in which the project is located or, if applicable, to the county commissioner(s); and
4. Provided notice of and held a public informational meeting, if required, in accordance with the Department's Chapter 2 rules, Processing of Applications and Other Administrative Matters, Section 12, prior to filing the application. Notice of the meeting was sent to abutters and all other persons owning land within 1,000 feet of the proposed project and to the town office of the municipality in which the project is located or to the county commissioner(s), as applicable, at least at least ten days prior to the meeting. Notice of the meeting was also published once in a newspaper circulated in the area where the project site is located at least seven days prior to the meeting.

The Public Informational Meeting was held on NA
(Date)

Approximately _____ members of the public attended the Public Informational Meeting.



Signature of Applicant or Authorized Agent

5/7/25

Date

**PUBLIC NOTICE:
NOTICE OF INTENT TO FILE**

Please take notice that:

(Name and Mailing Address of Applicant)

(Phone Number and Email Address of Applicant)

is intending to file a permit application with the Maine Department of Environmental Protection for a Water Quality Certification pursuant to the provisions of the Federal Clean Water Act, Section 401 on or about:

(Anticipated Filing Date)

The application is for:

(Description of the Project)

at the following location:

(Project Location)

A request for a public hearing must be received by the Department in writing no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the application processing period.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. § 1456. (Delete if not applicable.)

The application will be filed for public inspection at the Department of Environmental Protection's office in ☐ Portland, ☐ Augusta, ☐ Bangor, or ☐ Presque Isle during normal working hours. A copy of the application may also be seen at the municipal offices in _____, Maine.
(City/Town)

Written public comments may be sent by email to LandOnCall@maine.gov or by mail to the regional office in Portland, Augusta, Bangor, or Presque Isle where the application is filed for public inspection:

MDEP, Southern Maine Regional Office, 312 Canco Road, Portland, Maine 04103
MDEP, Central Maine Regional Office, 17 State House Station, Augusta, Maine 04333
MDEP, Eastern Maine Regional Office, 106 Hogan Road, Bangor, Maine 04401
MDEP, Northern Maine Regional Office, 1235 Central Drive, Presque Isle, Maine 04769

*For more information on how to submit public comment with the DEP, please go to our website:
[Public Participation in the Licensing Process \(Information Sheet\) Maine DEP](#)*

ATTACHMENT 1

DISTRIBUTION LIST

Hydro Kennebec Hydroelectric Project (FERC P-2611) 2025 WQC Application
Distribution List

Laura Paye
Hydropower Coordinator
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

Debbie-Anne Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

City of Waterville
1 Common Street
Waterville, Maine 04901

Town of Winslow
114 Benton Ave
Winslow, Maine 04901

ATTACHMENT 2

NOTICE TO ABUTTERS, ABUTTERS LIST, AND PROOF OF MAILING

May 7, 2025

VIA Certified Mail

Re: Notice of Intent to File Water Quality Certification Application to Owners of Property Adjoining
the Hydro Kennebec Hydroelectric Project (FERC P-2611)

Dear Recipient:

Hydro Kennebec LLC, a subsidiary of Brookfield Renewable (hereafter referred to as "Brookfield"), holds a license issued by the Federal Energy Regulatory Commission (FERC) for the Hydro Kennebec Hydroelectric Project (P-2611) (Hydro Kennebec Project), located on the Kennebec River within the city of Waterville, Maine and the town of Winslow, Maine. Brookfield is in the process of obtaining a new license from FERC.

In order for FERC to issue a new license, Brookfield must apply for and obtain a Water Quality Certification (WQC) from the State of Maine Department of Environmental Protection (Maine DEP) under the provisions of Section 401 of the Clean Water Act. The Maine DEP WQC application process requires that Brookfield provide notice of intent to file the WQC application to those landowners whose property abuts the Hydro Kennebec Project, which is why you are receiving this letter. Attached is the notice of intent to file a WQC application on or about May 7, 2025, unless application submittal is delayed due to changes in FERC's regulatory process schedules.

If you have any questions regarding this notice, please contact me by phone at (207)-755-5605 or by email at Randy.Dorman@BrookfieldRenewable.com.

Sincerely,



Randall Dorman
Manager, Compliance
NE Brookfield Renewable

cc: Ms. Wendy Bley, Kleinschmidt Associates

Attachment: Notice of Intent to File Water Quality Certification Application for the
Hydro Kennebec Hydroelectric Project (FERC P-2611)

ATTACHMENT

**NOTICE OF INTENT TO FILE WQC APPLICATION
FOR THE Hydro Kennebec HYDROELECTRIC PROJECT (FERC P- 2611)**

**Notice of Intent to File
Maine Water Quality Certification Applications**

Please take notice that Brookfield Renewable of 150 Main Street, Lewiston, Maine 04240, 207-755-5605, is intending to file applications with the Maine Department of Environmental Protection (Maine DEP) for Water Quality Certifications pursuant to the provisions of the Federal Clean Water Act, Section 401. The applications are for the Federal Energy Regulatory Commission (FERC or Commission) license amendment process to incorporate certain fish passage requirements in amended licenses from the Commission, in accordance with the Kennebec Species Protection Plan, for the Lockwood (FERC No. 2574), Hydro Kennebec (FERC No. 2611), and Weston (FERC No. 2325) hydroelectric projects, located on the Kennebec River in the towns of Waterville, Winslow, Skowhegan, and Norridgewock.

The applications will be filed on or about May 7, 2025, unless application submittal is delayed due to changes in FERC's regulatory process schedules. After the applications are filed they will be available for public inspection at the Maine DEP's offices in Augusta during normal working hours. A copy of the applications for the Lockwood and Hydro Kennebec projects may also be seen at the municipal offices in Waterville and Winslow, Maine. A copy of the application for the Weston Project may also be seen at the municipal offices in Skowhegan and Norridgewock, Maine.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over these applications must be received by the Department in writing, no later than 20 days after the applications are filed with the Maine DEP. Public comment on the applications will be accepted throughout the processing of the applications.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of these applications shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the Federal Coastal Zone Management Act.

Written public comments may be sent to the Maine Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333.

Hydro Kennebec Hydroelectric Project (FERC P-2611)
2025 WQC Application
Abutter Distribution List

Kennebec River Development Park
100 Benton Ave
Winslow, ME 04901-0000

State of Maine
Augusta, ME 04330

Kennebec Messalonskee Trails Inc
PO Box 2388
Waterville, ME 04903

Central Maine Power Company
c/o Avangrid Mgmt Co
1 City Center- 5th Floor
Portland, ME 04101

City of Waterville
1 Common Street
Waterville, ME 04901

CERTIFICATES OF MAILING - SEE VOLUME 2

ATTACHMENT 3

NOTICE TO MUNICIPALITIES, PROOF OF MAILING

April 28, 2025

City of Waterville
1 Common Street
Waterville, ME 04901

VIA Certified Mail

Re: Notice of Intent to File Water Quality Certification Application for the Hydro Kennebec Hydroelectric Project (FERC P-2611) to the City of Waterville

Dear Municipality:

Hydro Kennebec LLC, a subsidiary of Brookfield Renewable (hereafter referred to as "Brookfield"), holds a license issued by the Federal Energy Regulatory Commission (FERC) for the Hydro Kennebec Hydroelectric Project (P-2611) (Hydro Kennebec Project), located on the Kennebec River within the City of Waterville, Maine and the Town of Winslow, Maine. Brookfield is in the process of obtaining an amended license to address fish passage needs at the project by incorporating the terms of a Species Protection Plan filed with FERC on June 1, 2021.

In order for FERC to amend the license, Brookfield must apply for and obtain a Water Quality Certification (WQC) from the State of Maine Department of Environmental Protection (Maine DEP) under the provisions of Section 401 of the Clean Water Act. The Maine DEP WQC application process requires that Brookfield provide notice of intent to file the WQC application to municipalities where the Hydro Kennebec Project is located, which is why you are receiving this letter. Attached is the notice of intent to file a WQC application on or about May 7, 2025, unless application submittal is delayed due to changes in FERC's regulatory process schedules. Following the submittal of the WQC application to Maine DEP, a copy of the WQC application will be mailed to the City of Waterville separate of this notification. We respectfully ask that you house this application of the WQC for public viewing, once it arrives.

If you have any questions regarding this notice, please contact me by phone at (207)-755-5605 or by email at Randy.Dorman@BrookfieldRenewable.com.

Sincerely,



Randall Dorman
Manager, Compliance
NE Brookfield Renewable
cc: Ms. Wendy Bley, Kleinschmidt Associates

Attachment: Notice of Intent to File Water Quality Certification Application for the
Hydro Kennebec Hydroelectric Project (FERC P-2611)

HYDRO KENNEBEC LLC

150 Main Street, Lewiston, ME 04240

T +1 207.755.5600 F +1 207.755.5655 brookfieldrenewableUS.com

ATTACHMENT

**NOTICE OF INTENT TO FILE WQC APPLICATION
FOR THE HYDRO KENNEBEC HYDROELECTRIC PROJECT (FERC P-2611)**

**Notice of Intent to File
Maine Water Quality Certification Application**

Please take notice that Brookfield Renewable of 150 Main Street, Lewiston, Maine 04240, 207-755-5605, is intending to file applications with the Maine Department of Environmental Protection (Maine DEP) for Water Quality Certifications pursuant to the provisions of the Federal Clean Water Act, Section 401. The applications are for the Federal Energy Regulatory Commission (FERC or Commission) license amendment process to incorporate certain fish passage requirements in amended licenses from the Commission, in accordance with the Kennebec Species Protection Plan, for the Lockwood (FERC No. 2574), Hydro Kennebec (FERC No. 2611), and Weston (FERC No. 2325) hydroelectric projects, located on the Kennebec River in the towns of Waterville, Winslow, Skowhegan, and Norridgewock.

The applications will be filed on or about May 7, 2025, unless application submittal is delayed due to changes in FERC's regulatory process schedules. After the applications are filed they will be available for public inspection at the Maine DEP's offices in Augusta during normal working hours. A copy of the applications for the Lockwood and Hydro Kennebec projects may also be seen at the municipal offices in Waterville and Winslow, Maine. A copy of the application for the Weston Project may also be seen at the municipal offices in Skowhegan and Norridgewock, Maine.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over these applications must be received by the Department in writing, no later than 20 days after the applications are filed with the Maine DEP. Public comment on the applications will be accepted throughout the processing of the applications.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of these applications shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the Federal Coastal Zone Management Act.

Written public comments may be sent to the Maine Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333.

April 28, 2025

Town of Winslow
114 Benton Avenue
Winslow, ME 04901

VIA Certified Mail

Re: Notice of Intent to File Water Quality Certification Application for the Hydro Kennebec Hydroelectric Project (FERC P-2611) to the Town of Winslow

Dear Municipality:

Hydro Kennebec LLC, a subsidiary of Brookfield Renewable (hereafter referred to as "Brookfield"), holds a license issued by the Federal Energy Regulatory Commission (FERC) for the Hydro Kennebec Hydroelectric Project (P-2611) (Hydro Kennebec Project), located on the Kennebec River within the City of Waterville, Maine and the Town of Winslow, Maine. Brookfield is in the process of obtaining an amended license to address fish passage needs at the project by incorporating the terms of a Species Protection Plan filed with FERC on June 1, 2021.

In order for FERC to amend the license, Brookfield must apply for and obtain a Water Quality Certification (WQC) from the State of Maine Department of Environmental Protection (Maine DEP) under the provisions of Section 401 of the Clean Water Act. The Maine DEP WQC application process requires that Brookfield provide notice of intent to file the WQC application to municipalities where the Hydro Kennebec Project is located, which is why you are receiving this letter. Attached is the notice of intent to file a WQC application on or about May 7, 2025, unless application submittal is delayed due to changes in FERC's regulatory process schedules. Following the submittal of the WQC application to Maine DEP, a copy of the WQC application will be mailed to the Town of Winslow separate of this notification. We respectfully ask that you house this application of the WQC for public viewing, once it arrives.

If you have any questions regarding this notice, please contact me by phone at (207)-755-5605 or by email at Randy.Dorman@BrookfieldRenewable.com.

Sincerely,



Randall Dorman
Manager, Compliance
NE Brookfield Renewable

cc: Ms. Wendy Bley, Kleinschmidt Associates

Attachment: Notice of Intent to File Water Quality Certification Application for the Hydro Kennebec Hydroelectric Project (FERC P-2611)

HYDRO KENNEBEC LLC

150 Main Street, Lewiston, ME 04240

T +1 207.755.5600 F +1 207.755.5655 brookfieldrenewableUS.com

ATTACHMENT

**NOTICE OF INTENT TO FILE WQC APPLICATION
FOR THE HYDRO KENNEBEC HYDROELECTRIC PROJECT (FERC P-2611)**

**Notice of Intent to File
Maine Water Quality Certification Application**

Please take notice that Brookfield Renewable of 150 Main Street, Lewiston, Maine 04240, 207-755-5605, is intending to file applications with the Maine Department of Environmental Protection (Maine DEP) for Water Quality Certifications pursuant to the provisions of the Federal Clean Water Act, Section 401. The applications are for the Federal Energy Regulatory Commission (FERC or Commission) license amendment process to incorporate certain fish passage requirements in amended licenses from the Commission, in accordance with the Kennebec Species Protection Plan, for the Lockwood (FERC No. 2574), Hydro Kennebec (FERC No. 2611), and Weston (FERC No. 2325) hydroelectric projects, located on the Kennebec River in the towns of Waterville, Winslow, Skowhegan, and Norridgewock.

The applications will be filed on or about May 7, 2025, unless application submittal is delayed due to changes in FERC's regulatory process schedules. After the applications are filed they will be available for public inspection at the Maine DEP's offices in Augusta during normal working hours. A copy of the applications for the Lockwood and Hydro Kennebec projects may also be seen at the municipal offices in Waterville and Winslow, Maine. A copy of the application for the Weston Project may also be seen at the municipal offices in Skowhegan and Norridgewock, Maine.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over these applications must be received by the Department in writing, no later than 20 days after the applications are filed with the Maine DEP. Public comment on the applications will be accepted throughout the processing of the applications.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of these applications shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the Federal Coastal Zone Management Act.

Written public comments may be sent to the Maine Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333.

CERTIFICATES OF MAILING - SEE VOLUME 2

ATTACHMENT 4

NEWSPAPER NOTICE

Published May 1, 2025

Notice of Intent to File Maine Water Quality Certification Application

Please take notice that Brookfield Renewable of 150 Main Street, Lewiston, Maine 04240, 207-755-5605, is intending to file applications with the Maine Department of Environmental Protection (Maine DEP) for Water Quality Certifications pursuant to the provisions of the Federal Clean Water Act, Section 401. The applications are for the Federal Energy Regulatory Commission (FERC or Commission) license amendment process to incorporate certain fish passage requirements in amended licenses from the Commission, in accordance with the Kennebec Species Protection Plan, for the Lockwood (FERC No. 2574), Hydro Kennebec (FERC No. 2611), and Weston (FERC No. 2325) hydroelectric projects, located on the Kennebec River in the towns of Waterville, Winslow, Skowhegan, and Norridgewock.

The applications will be filed on or about May 7, 2025, unless application submittal is delayed due to changes in FERC's regulatory process schedules. After the applications are filed they will be available for public inspection at the Maine DEP's offices in Augusta during normal working hours. A copy of the applications for the Lockwood and Hydro Kennebec projects may also be seen at the municipal offices in Waterville and Winslow, Maine. A copy of the application for the Weston Project may also be seen at the municipal offices in Skowhegan and Norridgewock, Maine.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over these applications must be received by the Department in writing, no later than 20 days after the applications are filed with the Maine DEP. Public comment on the applications will be accepted throughout the processing of the applications.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of these applications shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the Federal Coastal Zone Management Act.

Written public comments may be sent to the Maine Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333.

NEWSPAPER TEAR SHEET – SEE VOLUME 2

ATTACHMENT 5

PRE-FILING MEETING INFORMATION

**Brookfield Renewable
401 WQC Pre-Application Meeting
with the Maine Department of Environmental Protection
December 23, 2024**

**Lockwood Project (P- 2574), Hydro Kennebec Project (P - 2611), Weston Project
(P-2325)
Section 401 Water Quality Certification Applications**

Meeting Notes

Brookfield Renewable held a pre-application meeting via phone with the Maine Department of Environmental Project (MDEP) to discuss the 401 Water Quality Certification applications for the Lockwood, Hydro Kennebec, and Weston projects on the Kennebec River, Maine. In attendance on behalf of Brookfield were Randy Dorman (Brookfield Renewable) and Matt Warner (Preti Flaherty). In attendance for MDEP were Laura Paye and Rob Moler. Also in attendance was Jack Dafoe (Maine Attorney General's Office). The following topics were discussed.

- MDEP confirmed that their position was that WQCs for the three projects are required for the FERC license amendments to incorporate the terms of the Kennebec Species Protection Plan (SPP), because it had been so long since the initial FERC license authorizations had been issued and MDEP needed to take a harder review of the action.
- MDEP indicated that the scope of the 401 review for these applications will be limited to fishway construction, similar to a Maine Waterways Construction and Development Act (MWCDA) permit process. So baseline water quality data normally included in a relicensing 401 application would not be needed. Laura suggested that the recent US Army Corps (USACE) 404/401 Joint Permit Application permitting material could be submitted as part of the application.

ATTACHMENT 6

CERTIFICATE OF GOOD STANDING

CERTIFICATE OF GOOD STANDING – SEE VOLUME 2

ATTACHMENT 7

FEE PAYMENT



*We provide practical **solutions** for complex renewable energy, water, and environmental projects.*

May 7, 2025

VIA CERTIFIED MAIL

Attn: Ms. Laura Paye
Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Re: Hydro Kennebec Hydroelectric Project (FERC No. 2611) Water Quality Certification
Application Fee

Dear Ms. Paye:

Hydro Kennebec, LLC, a subsidiary of Brookfield Renewable (hereafter referred to as "Brookfield") holds a license issued by the Federal Energy Regulatory Commission (FERC) for the Hydro Kennebec Hydroelectric Project (FERC No. 2611) (Hydro Kennebec Project), located on the Kennebec River in the city of Waterville, Maine and the town of Winslow, Maine. Brookfield is in the process of obtaining an amended license from FERC. In order for FERC to amend the license, Brookfield is hereby applying for a Water Quality Certification (WQC) from the State of Maine Department of Environmental Protection (Maine DEP) under the provisions of Section 401 of the Clean Water Act.

On behalf of Brookfield, please find the enclosed payment of \$12,207.51 for the Hydro Kennebec Hydroelectric Project Water Quality Certification application fee. Brookfield will file the WQC application associated with this payment with the Maine DEP on or about May 7, 2025. Should you have any questions regarding this submittal, please contact Randy Dorman at (207) 755-5605 or by email at randy.dorman@brookfieldrenewable.com.

Sincerely,

KLEINSCHMIDT ASSOCIATES

Nicholas Gabuzda

Attachment A. Check Processing Form
Attachment B. Check # 032891

ATTACHMENT A

CHECK PROCESSING FORM

CHECK PROCESSING FORM – SEE VOLUME 2

APPENDICES

APPENDICES

Maine Department of Environmental Protection
Application for Section 401 Water Quality Certification
Hydro Kennebec Project (P-2611)

Appendix 1 – Hydro Kennebec Project License Amendment Request
Submittal of Proposed Lower Kennebec Species Protection Plan for Atlantic Salmon, Atlantic Sturgeon, and Shortnose Sturgeon and Draft Biological Assessment

Date Filed: June 1, 2021

Available at:

https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20210601-5152&optimized=false

FERC Accession Number: 20210601-5152

Appendix 2 – Final Environmental Impact Statement
Final Environmental Impact Statement for Amendment of Licenses to Incorporate an Interim Species Protection Plan etc. for the Shawmut Project et al. under P-2322 et al.

Date Issued: February 28, 2025

Available at:

https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20250228-3002&optimized=false

FERC Accession Number: 20250228-3002

Appendix 3 – Biological Opinion
National Marine Fisheries Service (NMFS) Biological Opinion for Shawmut Project et al.

Date Filed: March 20, 2023

Available at:

https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20230320-5179&optimized=false

Accession Number: 20230320-5179