

October 16, 2025

Laura Paye
Hydropower Coordinator
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017
Submitted via email to: DEP-Hydropower@maine.gov

Re: Draft Water Quality Certification for the Shawmut, Lockwood, Hydro Kennebec, and Weston Hydroelectric Projects

Dear Ms. Paye,

On behalf of the Maine State Chamber of Commerce and our network of more than 5,000 businesses, we respectfully submit the following comments regarding the Department's draft Water Quality Certification (WQC) for the Shawmut Hydroelectric Project (P-2322) and three associated Kennebec River projects – collectively referred to as the Lower Kennebec River dams.

The Maine State Chamber has serious concerns with the draft WQC as proposed. Specifically, we believe the fish passage standard requirements included in the draft certification are impracticable, uneconomical, and go beyond what's required of the Department to issue a WQC, per state law and the federal Clean Water Act.

First, we believe the proposed fish passage requirements are unreasonable and unsupported. The draft WQC proposes fish passage standards that the Federal Energy Regulatory Commission (FERC) has previously deemed unprecedented. These requirements would impose extreme technical and financial burdens on the applicant with extremely minimal environmental benefit. As a result, it puts thousands of Maine jobs and significant regional economic activity at risk.

The Chamber believes the draft WQC proposes conditions that are inconsistent with FERC's Environmental Impact Statement and exceed what Maine law requires of the Department when considering these applications. The applicant has demonstrated a long-standing commitment to implementing effective fish passage measures, yet state expectations – specifically that of the

Department of Marine Resources and Department of Environmental Protection – have repeatedly shifted; now, to the point that is both uneconomical and unprecedented in scope.

We strongly encourage the Department to go back to the drawing board and align a final WQC with established statutory authority, scientific evidence, and the determinations of federal regulators, ensuring both environmental protection and economic sustainability.

The economic consequences of an impractical WQC cannot be overstated. The Somerset Mill in Skowhegan, which relies on the continued operation of the Shawmut Project, directly employs hundreds of Mainers and supports thousands of indirect jobs throughout the region.

According to an independent economic impact study commissioned by the Mid-Maine Chamber of Commerce (2022), closure of these dams could result in the loss of more than 1,300 direct jobs and an additional 3,300 indirect and induced jobs across the region. The study further estimates a loss of more than \$500 million in annual economic output, including nearly \$15 million in state and local tax revenue. The loss of these dams and employers along the Kennebec would devastate communities in Somerset and Kennebec Counties and ripple across Maine's broader economy.

Businesses need regulatory predictability, and the draft WQC has introduced significant uncertainty. The Department's indication that it reserves the right to reopen the WQC at a later date is also extremely concerning. Companies like Brookfield Renewable, which produces clean, renewable hydropower, and Sappi, which manufactures renewable and recyclable packaging materials, are investing heavily in Maine's sustainable future. These employers and the thousands of Mainers who depend on them need regulatory clarity, not shifting requirements and moving targets.

The Maine State Chamber of Commerce urges the Department to reconsider the fish passage standards, remove language allowing the certification to be reopened arbitrarily, and align the final WQC with existing federal determinations and statutory requirements. Maine can and must balance environmental stewardship with economic vitality — but the draft WQC, as written, does neither.

Thousands of Maine jobs, hundreds of millions of dollars in economic output, and the future of renewable hydropower in central Maine depend on a more practical and balanced approach.

Sincerely,

Patrick Woodcock
Maine State Chamber of Commerce