

January 25, 2024

Ms. Debbie-Anne A. Reese
Acting Secretary Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426



Via online submission to: <http://www/ferc.gov>

Subject: Response to Ripogenus Project, FERC No. 2572; Interim Plan for Aquatic Resource Protection during McKay Station Outages

Dear Acting Secretary Reese:

On behalf of its six chapters and over 2,000 members, Maine Council of Trout Unlimited (TU) submits these comments on the Great Lakes Hydro America, LLC (Brookfield) letter dated January 19, 2024.

The referenced correspondence summarizes the background of the action, and proposes an interim plan to “identify measures aimed at reducing the instances of fish and macroinvertebrate strandings downstream of McKay Station during down ramping events, such as unit outages, until the current relicensing process is concluded.” Despite the efforts of the parties involved, the plan does little more than continue the status quo and provide assurances that additional measures will be taken in the future. The methods proposed to improve system reliability, a relay study and a back-up program logic controller, should only be marginally effective, and not will prevent outages due to the down lines and direct lightning strikes that occur during severe weather events. Effective long-term measures should include providing redundant path for the electricity to Millinocket and the grid.

The proposed plan rejects measures that would readily improve on the current situation and should be included in an interim plan:

- Continuous deep gate release at some flow level - TU recommends 200 to 500 cfs. Given that Brookfield maintains that it can reliably provide 500 cfs in the event of a trip event, that would put a total of 700 to 1000 downstream. TU is unaware of any data in the record or study scheduled to occur during this relicensing cycle to determine safe flows for fish and macro-invertebrates downstream for a relatively short duration during most weather conditions, but believes it to be somewhere in that range based on minimum flows in the current license of 1000 cfs. TU does not propose that continuous flows of 1,422 cfs through the upper gorge be provided, only buffering flows that would be adequate for relatively short duration events. Longer term outages would be addressed by larger deep gate releases as they were last summer and fall when loss of lubrication to two generators rendered them inoperative for extended periods. Brookfield’s proposal is opposed to use of the very measures that it employed so recently to provide minimum flows.
- Manning McKay Station - a measure that could be implemented to restore pre-trip flows without the delays that are incurred from having to drive crews to McKay Station from Millinocket. This

could only serve to lessen the impacts of trip events. This would also address stated MDIFW concerns for public safety due that automated release systems might entail.

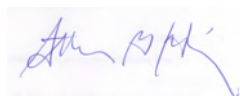
TU fails to see what negative effects our proposed measures would have on safety. Anyone entering the watercourse after a trip event not knowing when flow restoration would occur would be have to be aware of the risk involved. We assume that the siren system that is clearly audible for several miles would be operable if the mechanisms to restore flows were.

The proposed plan apparently seeks to avoid greater recreational use of the upper gorge. The rationale for this is unclear – why not encourage greater recreational use of one of Maine’s preeminent scenic resources. Rise in flows greatly affect all the water downstream and certainly the Little Eddy, the first pool below the gorge and the Holbrook area immediately below. Both are popular fishing spots. We see little difference in the risks; and besides, this plan is supposed to addresses interim measures, not long-term use.

The proposed plan does propose for MDIFW to be paid remediation in the event of an outage. One of TU’s founding principles is to act for the fish - this measure does nothing to improve protection for the fish or the macro-invertebrates that they feed on while remediating MDIFW when trip events cause fish kills. Compensating MDIFW for fish kills is not appropriate when other alternatives are available that would prevent or greatly reduce the fish kills. Paying a fine does not address the problem.

While the proposed plan does indicate that Brookfield acknowledges the problem and promises to work to improve on the status quo that has been demonstrated to be periodically deadly to fish and the aquatic community, it provides bromides and long-term goals instead of substantive interim measures to address mortality. If there is further action that FERC Compliance can take to improve this unacceptable situation prior to the issuance of the final license for the Ripogenus Project, then we request that they take it.

Very respectfully,

A handwritten signature in blue ink, appearing to read "Stephen G. Heinz", is written over a light blue rectangular background.

Stephen G. Heinz
Maine TU Council FERC Coordinator