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August 28, 2026

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

RE: Comment on Final License Application, Ripogenus Project (FERC No. 2572) and Penobscot Mills Project (FERC No. 2458)

Dear Secretary Reese,

These comments are in response to the Final License Application (FLA) submitted to FERC on September 30, 2024, by Great Lake Hydro America, LLC (GLHA, or licensee). The Bureau has been an active participant throughout the combined Integrated Relicensing Process (ILP) for these projects.

Our comments are focused on the recreation and aesthetics protection, mitigation, or enhancement (PM&E) measures proposed in the FLA. In part, these comments reiterate the recommendations we provided in response to the May 2024 Draft License Application, which did not propose any PM&E measures, and comments we provided in response to the June 2025 Draft Recreation Management Plan (RMP), which proposed several Recreation Site Improvements and Modifications and which are presented as proposed PM&Es in the FLA. Based in part on review of the licensee's response to Additional Information Requests (AIRs) issued by FERC in the past two years and the numerous resource agency and other stakeholder comments on the DLA and Draft RMP, we have expanded upon and supplemented those earlier comments.

Recommendations for Recreation and Aesthetic Measures at the Ripogenus Project
Ripogenus Impoundment Water Levels – As we have previously stated, the Recreation and the Aesthetics Study data demonstrated that maximized impoundment levels will help reduce the adverse effects of operations on boat launching and navigation, access to shoreline campsites, and aesthetics, which have been severe at certain times. As reflected in the Study Reports, numerous survey respondents reported dissatisfaction with low water levels and difficulties when launching during periods of low water.

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Certain scenarios included in the Operations Model Run Results submitted to FERC on June 28, 2024, appear to have beneficial effects on summer and fall Chesuncook Lake water levels. Subsequent model runs were completed by GLHA at the request of the Caribou and Chesuncook Lake Camp Owners Associations, focused on a specific lake-level operating scenario with a full pool target elevation until June 1 and drawdown limited to 4 feet until Oct. 1 (5/29/25 response to AIR, Appendix D). This scenario appeared to provide higher summer elevations in Chesuncook Lake, but resulted in slightly lower summer elevations in the North Twin impoundment. It remains clear that operations between the two Projects are complex and all scenarios involve tradeoffs, such as reduced flows below Ripogenus Dam and a lower North Twin impoundment pool at certain times.

The Low Inflow Protocol (LIP) filed by GLHA in July 2025 in response to an AIR does not provide specific target elevations and flows but rather focuses on consultation with agencies and stakeholders to help determine water allocation during times when water availability is low. Therefore, it is not possible to evaluate the possible benefits of the LIP on recreation access and activities and on aesthetics at Chesuncook Lake.

Given the numerous and sometimes competing user interests for flows and water levels, the Bureau does not request specific maximum and minimum Chesuncook Lake pool elevations or annual drawdown schedule. However, the Bureau continues to strongly advocate that the license include environmental measures that maximize Chesuncook Lake water levels during the summer and fall seasons (May through October), to the extent feasible considering existing and potential new downstream flow requirements that are anticipated to be included in the new license. The Bureau also advocates that Chesuncook Lake be refilled to the full pool target elevation each spring, if feasible, given available water and downstream flow requirements.

Chesuncook Dam Point Boat Launch – The Recreation Study results indicate that this boat launch, the primary public boat access on Chesuncook Lake, was not usable about 30% of summer and fall days (May-November) during the 13-year period of analysis. Operations data provided by the licensee indicate that the facility may be unusable for most of the summer and fall seasons in years when drawdown is most severe.

The Bureau supports the proposed PM&E to remove large boulders and improve the substrate within the launching zone in use during times of substantial drawdown. The Bureau requests that this action ensure this facility is functional at all impoundment levels that are likely to occur in the May-October period, including during dry years.

As requested by several stakeholders, we also recommended that the license include additional improvements at this site including 1) adding picnic tables and a canoe rest station, 2) maintenance of the Chesuncook Lake Road connection to the Golden Road and 3) installation of a floating wave attenuator to protect the launch from wind fetch or, alternatively, the pile-supported floating dock system recommended by MDIFW in their comments on the Draft RMP.

Further, we support the request of MDIFW in their comments on the DLA that the licensee provide or help fund winter maintenance of the site and increased parking for ice fishing, snowmobiling, and other uses.

We look forward to providing input on the details of the recreation site improvements required by FERC in the new Project license, as part of the development of the final RMP.

Provision of Real-Time Ripogenus Impoundment Level Data – Given the substantial effects of drawdown on Chesuncook Lake boat launching facilities, navigation, and access to shoreline campsites, the availability of real-time or recent impoundment level data is of great benefit to recreation visitors. Therefore, the Bureau requests that the license include a measure to provide this data to the public online (e.g., GLHA’s SafeWaters website, or similar), as is provided for the major Penobscot Mills Project impoundments.

Maintenance of the Upper Gorge Trail – The Bureau appreciates the proposed PM&E to provide periodic maintenance of the trail (e.g., overgrowth controlled, blowdowns removed) and better views into the gorge from the existing overlook by trimming trees and other vegetation as needed.

As requested by several stakeholders and as supported by the Recreation Study visitor survey data, we also recommended that the license include additional improvements at this site including: 1) parking for an additional 10 vehicles at the trailhead, 2) installing signage at the trailhead with a map, and 3) adding benches or picnic tables at designated overlook locations along the trail, with vegetation clearing as needed to maintain views into the gorge.

Recommendations for Ripogenus Project Boundary Expansion and Recreation and Aesthetic Measures at Currently Non-Project Sites on the Lower West Branch

Ripogenus Project Boundary Expansion to Include Lower West Branch of the Penobscot River – The Lower West Branch between the McKay Station powerhouse and Ambajejus Lake, an approximately 21-mile reach, includes a number of key public access sites along the Golden Road corridor. All of these are within or adjacent to the Bureau’s Penobscot River Corridor (PRC) management unit, which also manages FERC-approved recreation sites on Chesuncook Lake (refer to PAD, Section 5.8.2.1). The PRC in this area extends 500 feet from the normal high water mark on each side of the Lower West Branch, coinciding with a perpetual conservation easement granted to the State of Maine in 1981. The Bureau holds leases from the landowner for the recreation sites.

According to the Code of Federal Regulations, Title 18 § 4.41, the Project boundary must enclose those lands necessary for operation and maintenance of the project and for other project purposes, such as recreation, shoreline control, or protection of environmental resources.

As is well documented in the ILP record, GLHA project operations have substantial impacts on this reach of the river and the public’s use of the river. GLHA’s flow-scheduling decisions at McKay Station directly govern recreational use across the full reach. Both the quantity and quality of releases from McKay Station affect boating and angling access along this reach.

Given these facts, we request that FERC expand the Ripogenus Project boundary to include the entire 21-mile Lower West Branch reach and recreation sites providing access for whitewater boating, angling, and other recreation uses that are not currently within the Project boundary.

We request that FERC consult with the Bureau to identify individual recreation sites to be included in the Project boundary and the boundaries of those sites.

Note: The following requests are contingent on FERC agreeing to the above Project boundary expansion request.

Potential Access Improvements Along the Lower West Branch of the Penobscot River –

Various stakeholders have requested improvements to existing access sites or development of new access sites along the Lower West Branch. Examples include: an enlarged hand-carry boat launch near Abol Bridge, intended to accommodate commercial outfitters and buses; new access to the river above and below Debsconeag Falls; and formalization of informal parking areas along the Golden Road between McKay Station and Abol Bridge. The purposes of the improvements, as expressed by the proponents, include preserving safe access to the river and expanding options for launch and take-out locations to better accommodate current public interest and demand.

The Bureau will consider these proposed access improvements. The consideration will occur in the context of an updated Recreation Management Plan for the Lower West Branch to be prepared following issuance of a new Project license. The updated plan would replace the plan prepared in 2002 as a component of the now-expired *Resource Protection Plan for the Lower West Branch of the Penobscot River*. As with the 2002 plan, the updated plan will be developed with the assistance of a Penobscot River Corridor Recreation Management Advisory Committee. The Advisory Committee will be appointed by the Director of the Bureau and will include representatives from MDIFW, PRC landowners, and the rafting industry, among other agency and public members. Any improvements the Bureau may approve would require funding from GLHA and/or the proponents or other sources before implementation.

Proposed Recreation Management Agreement for the PRC

For several decades, the Bureau has managed the PRC recreation sites on the Lower West Branch, typically with limited staffing and resources. On repeated occasions, the Bureau has suffered damage to certain sites during high-flow events. The Bureau believes the licensee should be responsible for the operation and maintenance of these key public access sites. To achieve this, we request that the new license require GLHA to work with the Bureau to develop a Cooperative Agreement for Recreation Facilities Operation and Maintenance, as a component of the Final Recreation Management Plan. The Agreement would specify the Bureau's responsibilities for the continued oversight and maintenance of recreation sites within the PRC on the Lower West Branch and set an amount of annual funding to be supplied by GLHA. (The Bureau has signed similar agreements with other hydropower Project licensees within the same Brookfield Renewable U.S. corporate family, which could serve as a model for this proposed agreement.)

Recommendations for Recreation Measures at the Penobscot Mills Project

Expansion of Parking at the Ambajejus Boat Launch – The Bureau appreciates the proposed PM&E to repair or replace concrete planks at the boat launch, as needed, and signage or other improvements to promote more efficient use of the parking area.

However, it is not clear that signage improvements alone are sufficient to address the lack of adequate parking at this facility documented by the Recreation Study, and exacerbated by the recent loss of informal parking nearby on licensee-owned property after that area was blocked off. Therefore, the Bureau requests that the new license include a measure to explore means to provide additional parking in the vicinity, including consideration of the concept presented by MDIFW in their Draft RMP comments, with paved and striped parking provided for vehicles with trailers on the opposite side of the Golden Road near the launch.

Increased Flows on West Branch Below Stone Dam – The Angler Flow Evaluation Study conducted on the West Branch in 2023 indicated the potential for improved angling opportunities on the stream with increased flows, in the range that the Instream Flow and Habitat Assessment of West Branch Downstream of Stone Dam Study indicated will support an enhanced fishery. The Year 2 Whitewater Study, which included a ~2,000 cfs on-water evaluation with 13 whitewater boaters participating, indicated an enjoyable Class II-III run at that flow level, with the Grand Falls feature rated as Class III or IV.

The FLA proposes only to provide a 200 cfs minimum year-round flow, and no scheduled whitewater flows. The Bureau supports MDIFW's preliminary recommendation for a 300 cfs minimum flow from Stone Dam between September 15 and June 30. We also recommend that FERC consider a license requirement for periodic summer weekend whitewater flows, in the range of ~2,000-2,300 cfs for four hours, to the extent feasible considering existing and potential new impoundment elevation requirements that are anticipated to be included in the new license.

Improved Road Access and Parking along the West Branch Downstream of Stone Dam – GLHA proposes to provide informal access to better accommodate anglers and boaters on river right just downstream of Stone Dam, to install informational and directional signage, and to add the location as a FERC-Approved Project Recreation Site. The Bureau supports MDIFW's request in its comments on the DLA and Draft RMP to provide formal access improvements, including parking for 3-4 vehicles. If the license requires whitewater boating flows, the Bureau further request that consideration be given to improving roads and bridges along the river as needed to provide access/boater take-outs further downstream, along with designation and improvement of parking areas.

Recommendation to Address Recreation Facility Maintenance and Enhancement Needs at Project Sites in the Recreation Management Plan

The Recreation Study documented certain maintenance needs at Project recreation facilities and users' desires for aesthetic and functional enhancements. Examples of potential actions based on needs documented in the Year 1 and Year 2 Recreation Study Reports include repair of erosion and ice damage at the Caribou Lake boat launch and repair of the access road to Deadman's Curve boat launch. In the FLA, GLHA proposes to annually inspect all Project Recreation Sites to complete a condition assessment to determine if seasonal maintenance activities as necessary.

The Bureau recommends that the licenses require GLHA to address all maintenance needs identified by the studies within the first year of issuance of the new licenses. After issuance of the new licenses, the Bureau will participate in consultation on development of the final RMP, at which time we may provide input on immediate and longer-term planned maintenance activities.

Thank you for the opportunity to submit these comments. Please contact me at (207) 287-2163 or via email at Jim.Vogel@maine.gov if you have any questions.

Sincerely,



James Vogel, FERC Coordinator
Bureau of Parks and Lands

Cc: Andrew Cutko, Rex Turner, Tammy Bishop, Ron Hunt, Matthew Hamilton – Bureau of
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