



STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
353 WATER STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041



Via Electronic Filing

August 28, 2026

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

Re: MDIFW NOI and Comments on the Final License Application for the Ripogenus Hydroelectric Project (FERC No. 2572) and Penobscot Mills Hydroelectric Project (FERC No. 2458)

Dear Secretary Reese:

On June 29, 2026, the Federal Energy Regulatory Commission (FERC) issued their Notice of Application Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions for both the Ripogenus Hydroelectric Project (FERC No. P-2572) and the Penobscot Mills Hydroelectric Project (FERC No. P-2458). The Applicant for the Projects is Great Lakes Hydro America, LLC (GLHA or Licensee). By this letter we provide notice pursuant to 18 C.F.R. §385.214(a), as amended, that our Agency is requesting intervenor status in this proceeding. Under Maine State Law (12 MRSA, §10051), the Maine Department of Inland Fisheries and Wildlife's (MDIFW) mandate is "*...to preserve, protect, and enhance the inland fisheries and wildlife resources of the State; to encourage the wise use of these resources; to ensure coordinated planning for the future use and preservation of these resources; and to provide for effective management of these resources.*" Intervenor status will provide opportunity for participation.

MDIFW has been an active participant during these relicensing proceedings. We have reviewed the Final License Application for these Projects and offer the following comments and recommendations.

General Recommendations

Initiation of an Annual Meeting

MDIFW recommends by April 1 each year that the Licensee convene an annual Project Operations Review meeting with resource agencies and targeted stakeholders, similar to meetings being held annually for the Errol Hydroelectric Project (FERC No. P-3133). Among other items, MDIFW envisions the following updates/discussions:

- Snowpack forecast;
- Reservoir refill rates and timing;

- Discussion of any prior-year deviations, their causes, and planned remedial actions;
- Upcoming planned deviations;
- Recreational access improvements/maintenance/scheduled maintenance; and
- Update on management activities in the proposed Wildlife Management Area

Development of a Drought Monitoring and Contingency Plan

Within 12 months of issuance of a new license, MDIFW recommends the Licensee develop a Drought Monitoring and Contingency Plan. This Plan should be reviewed and approved by MDIFW, the Maine Department of Environmental Protection (MDEP), and the US Fish and Wildlife Service (USFWS) before implementation, and resource agency concurrence must be required before drought protocol activates. At a minimum, the drought protocol must activate at defined reservoir elevations and projected inflow thresholds. As drought conditions in the region seem to be becoming more frequent and severe, MDIFW recommends the new license must incorporate updated climate-adjusted hydrology and be adjusted for the duration of the new license according to climate models as they are revised.

Shoreline Management

MDIFW supports continuing the Licensee-proposed shoreline management at the Ripogenus Project which includes:

- Continue to maintain the existing 200-foot conservation buffer and 100-foot vegetation buffer measured from impoundment elevation 941.59 feet on GLHA owned land (excluding leased lots) surrounding Chesuncook Lake, Ripogenus Lake, Brandy Pond, and Black Pond
- Continue to maintain the existing 200-foot conservation buffer and 100-foot vegetation buffer around the Millinocket Lake Storage impoundment measured from impoundment elevation 480.0 feet on GLHA owned land (excluding leased lots and developed areas).
- Continue to maintain the existing 200-foot conservation buffer and 100-foot vegetation buffer around the North Twin impoundment measured from impoundment elevation 491.92 feet on GLHA owned land (excluding leased lots).
- Continue to maintain the existing 200-foot conservation buffer and 100-foot vegetation buffer around the Millinocket impoundment measured from impoundment elevation 458.7 feet on GLHA owned land (excluding leased lots).
- Continue to maintain the existing 200-foot conservation buffer and 100-foot vegetation buffer around the Dolby impoundment measured from impoundment elevation 336.2 feet on GLHA owned land (excluding leased lots and developed areas).

However, these conservation plans and buffers areas do not replicate the wetland and aquatic habitats lost due to operational impacts of the Ripogenus and North Twin impoundments. The Shoreline Management Plans certainly benefit water quality with maintaining riparian and lake buffers; however, the wetlands within these buffers are largely forested wetlands and are also subject to the adverse effects from water level fluctuations from Project operations. While forested wetlands and uplands are vital and beneficial habitats for many wildlife species, these

are not the primary type of wetlands and wetland functions being impacted by Project activities, which are predominately emergent wetland and areas of submerged and emergent aquatic vegetation. Of particular note are the emergent and floating wetlands in the Brandy Pond area of the Ripogenus impoundment which will be impacted by ongoing Project operations, as depicted in this aerial time series in Figure 1 below:



Figure 1. Time series of Brandy Pond depicting water level fluctuations impacting emergent wetland habitats and submerged/emergent aquatic vegetation.

The species most sensitive to water level fluctuations (e.g., loons, marsh birds, and aquatic furbearers) require these habitats, as well as the reliable presence of water within these habitats, which neither management plan sufficiently provides. In the case of marsh birds, different species have different requirements and sensitivities to water levels and fluctuations. Some species, such as rails, can better respond to rapid water level changes because their chicks leave the nest sooner, enabling them to be more mobile and adaptable to changing conditions. For other species, dropping water levels result in increased susceptibility to predators, nest abandonment, and lost access to aquatic prey, which decreases nest and fledging success.¹ Aquatic furbearers such as beaver are impacted as water levels decrease through the year, resulting in lodges and food caches becoming dewatered.

While impacts to nesting loons are addressed in the Common Loon Management Plan (below), it is MDIFW's position that ongoing impacts to breeding marsh birds and aquatic furbearers are not adequately mitigated.

¹ Personal communication with Danielle D'Auria, Bird Group Leader, Wildlife Diversity Section, Maine Department of Inland Fisheries and Wildlife

Improved Recreational Access

In addition to specific recommendations below, MDIFW supports the improved recreational access PM&E recommendations of the Maine Department of Agriculture, Conservation and Forestry (DACF) in this relicensing proceeding.

Ripogenus Project Recommendations

The inland fisheries management goals for the Ripogenus impoundment and West Branch Penobscot River have not changed since the last license was approved; however, there has been a significant change in the quality of the landlocked salmon fishery in both locations. The decline in salmon growth is related primarily to a surplus of salmon in the impoundment and resulting lack of rainbow smelt, the primary forage fish. MDIFW has made several changes in fishing regulations to rectify the situation, including new regulations that liberalize length and bag limits to increase harvest. The success of these management strategies is reliant on angler participation. To meet MDIFW's enhanced harvest goals, angler use must increase at the Ripogenus impoundment in both the summer and winter. The lack of smelt production in the lake has also caused a decline in smelt drift (entrainment) into the river below Ripogenus Dam. It has been well-documented that the smelt drift in the river is important to salmon growth for the riverine population. There continues to be increasing concern that low impoundment elevations are occurring on a more frequent basis and that the low water makes angler access difficult, if not impossible, at several Brookfield-owned water access sites. The lack of angler use hinders effective management of the landlocked salmon fishery.

While MDIFW recognizes the need for the Ripogenus Project in balancing and managing water resources in the system, renewable electricity generation, control of downstream flooding risks, and commercial recreational and public use activities, MDIFW remains supportive of reducing drawdowns in the Ripogenus impoundment during the summer recreational season. A reduction of drawdowns will minimize impacts to aquatic resources, breeding waterbirds, aquatic furbearers, and associated wetland communities. While MDIFW recognizes the need to balance water resources throughout the system, MDIFW recommends established targets for the Ripogenus impoundment where the Licensee targets a maximum drawdown to approximately 2-3 feet until July 1, and a drawdown of less than 5 feet through Labor Day annually. Lake levels must be within a set tolerance of the rule curve, and MDIFW supports minimum seasonal lake elevations tied to a rule curve, consistent with other FERC-regulated impoundments in Maine. Regardless of the settled water levels, fluctuating water levels from Project operations constitute an ongoing impact to both aquatic and terrestrial, water-dependent resources and habitats.

Bypass (Ripogenus Gorge) Minimum Flow

Recognizing the need to balance competing lake levels between the Ripogenus and Penobscot Mills Projects, as well as overall flows within the system, MDIFW does not oppose the Licensee's proposed minimum flow of 100 cfs from July 1-September 30 at Ripogenus Dam , *only if that 100 cfs is cold water from a source below the summer thermocline*. The calculated Aquatic Base Flow for this river reach is 711 cfs based on the USFWS New England Flow Method ($0.5 \text{ cfs/sq. mile} \times 1,422 \text{ sq. mi. drainage area}$), and any reduction in flows constitutes an

ongoing impact to aquatic resources. It was the intent of MDIFW that the flows in the Upper Gorge would originate from a deep gate and therefore provide a cool water attraction flow as adult salmon reached the upper river in July. The water is currently released from a sluice (surface) gate, which is warmer water into the river; it has been ineffective as an attraction flow.

MDIFW recommends that the 100 cfs flow from July 1 to September 30 into the Upper Gorge must come from below a depth of 45 feet (or below the summer thermocline location, should the thermocline vary over the course of the new license) in the impoundment to fulfill the original intent of this mitigation to provide attraction flow, as well as encourage angling opportunities and support the fishery habitat.

Ramping Recommendations for McKay Station and Lake Elevation Data

To reduce the risk of fish and aquatic invertebrate stranding events, MDIFW recommends no more than a 25% change in flow (up or down) be made per hour. This ramping rate is anticipated to reduce impacts to both fish and aquatic invertebrates. Regardless of the settled operating flows, fluctuating river water levels from Project operations constitute an ongoing impact to both aquatic and water-dependent terrestrial resources and habitats.

MDIFW recommends that the lake elevation data be available on the Safe Waters Website.

Smelt Entrainment

MDIFW recognizes entrainment occurs at Ripogenus Dam and McKay Station. We also acknowledge that turbine-related mortality or fish trapped in the intake do not compromise our fishery management objectives for the West Branch or the Ripogenus impoundment. Smelt are critical forage for landlocked salmon growth, and the resident population of landlocked salmon in the West Branch of the Penobscot River below Ripogenus Dam relies on year-round smelt drift from the Ripogenus Impoundment through both Ripogenus Dam and McKay Station to sustain their growth. Any attempts to reduce entrainment for other species could impact smelt drift and adversely influence our management plans for the West Branch Penobscot River. MDIFW recommends no changes to trash racks or other modifications that may reduce smelt drift that could negatively impact one of Maine's premier landlocked salmon fisheries.

Holbrook Side Channel Maintenance

MDIFW supports the continued operations of the Holbrook Side Channel. Within 90 days of the issuance of a new license, MDIFW recommends the development of an updated Holbrook Side Channel Maintenance Plan, developed in conjunction with MDIFW and USFWS and with input from the Maine Council of Trout Unlimited, which incorporates the following provisions:

1. The Licensee must conduct bi-weekly inspections from September 1 through November 15 each year in the Holbrook Side Channel inlet, channel body, and outlet for debris and beaver dam obstructions
2. If debris or a beaver dam is identified that reduces flow to the channel or blocks access to spawning areas during this inspection window, the Licensee must remove one-third of

any obstruction encountered on the day of the inspection. Removal must be conducted using hand tools to minimize disturbance to the channel substrate and must avoid disturbing active salmon or trout redds to the extent practicable. The Licensee must notify MDIFW of any obstruction and removal action within 48 hours.

3. The Licensee must arrange for removal of any beaver detected in the area as soon as possible. The Licensee should contact an Animal Damage Control (ADC) agent and establish a contract for this work. The Licensee should work with MDIFW to identify and approve the ADC agent, who would conduct beaver removal on the Licensee's behalf.
4. The Licensee must file an annual Holbrook Side Channel Maintenance Report with FERC no later than December 31 of each year. The Licensee must send the report to MDIFW and USFWS for review and comment prior to FERC filing. The report should include details regarding:
 - a. Dates of inspections;
 - b. Actions taken to remove any debris and beaver dam material;
 - c. Maintenance activities conducted and their outcomes, and
 - d. Deviations from the protocols in this Plan and the corrective actions taken.

Water Access/Recreation Enhancement

MDIFW supports the Licensee's proposal to conduct work at the two boat launch facilities by improving parking at the Caribou boat launch, removing large rocks in the vicinity of the launch, and grading the Chesuncook boat launch lane to the water.

Chesuncook Lake Boat Launch Enhancements

MDIFW recommends the installation of an interconnected floating dock system at the Chesuncook boat launch, similar to other large reservoirs in other states that have significant seasonal drawdowns. MDIFW envisions interconnected floating docks attached to driven piling posts with the intent that as the lake level recedes, the floats will settle down on the ramp. An example of what MDIFW envisions is depicted in Figure 2 below, which is located at the MDIFW-owned Mere Point facility in Brunswick:



Figure 2. Mere Point water access facility, Brunswick, Maine

Figure 3 below depicts another image of interconnected floating docks from a reservoir in Washington:



Figure 3. Washington reservoir water access facility.

There also are similar designs that would work well at the Chesuncook Lake boat launch, and MDIFW is willing to work with the Licensee to develop a system appropriate to the site-specific conditions. Depending upon final design, the Licensee would be responsible for the annual installation and removal of any structures, as well as necessary maintenance, for the duration of the new license. While the Licensee should work with MDIFW to determine appropriate installation and removal dates, which may vary depending on annual conditions, MDIFW envisions the installation of the structures no later than May 15 and the removal of the structures after Labor Day.

Angler River Access

Public access has been restricted at several locations along the West Branch in the Project area, including around McKay Station, among other areas. Six sites previously existed; now only one site remains accessible to the public. While MDIFW understands the need for Project security, efforts should be made to allow the public access to these public resources. MDIFW recommends restoration of the historic angling sites at McKay Station that were fenced off when the Licensee acquired the Project.

Angler Winter Access

Access to surface waters of the State and their fishery resources is an important State and Department goal. As land ownership changes across the State, public access opportunities to water resources are challenged, while the demand for water-based outdoor activities climbs. Providing winter angling is an important management strategy for MDIFW on the Ripogenus Impoundment. Winter angler harvest of landlocked salmon is critical to maintaining the forage base and good salmon growth rates. Currently, winter angler access is limited in the winter to two sites at the Project: the boat launch at the old Chesuncook Dam site and a small pull-off site on Caribou Lake. The Caribou Lake access site is essentially a wide area plowed on the side of

the Golden Road that can accommodate 4-5 vehicles at best. The main public access site is the boat launch area at the old Chesuncook Dam site. This area is congested on the weekends and limits angling participation on the lake. MDIFW recommends the Licensee provides additional funding annually to help the camp owners association maintain wintertime access for the benefit of all wintertime users.

Installation of USGS Gage

MDIFW initially recommended the installation of a US Geological Survey (USGS) gage in the West Branch of the Penobscot River, which the Licensee is proposing. However, MDIFW recommends the gage be installed in the vicinity of Telos Bridge. The rationale for this recommendation is to ensure Project outflows are recorded outside of the influence of downstream tributaries. Ultimately, MDIFW defers to the expertise of the USGS for specific gage siting. As the goal of the gage is to readily and accurately determine Project outflows, reasons for dismissal of this recommended location in favor of other alternative sites must be clearly justified.

Common Loon Management Plan

In MDIFW's comments on the Draft Common Loon Management Plan dated June 6, 2025, we indicated that in general MDIFW is supportive of the updated management plan. However, one recommended change to the Plan is in the timing of the deployment of the rafts, which the plan states will be installed each year by approximately June 1, conditions permitting. To be consistent with other projects with active loon management plans such as Aziscohos Lake (FERC No. P-4026, May 15 to August 5), Flagstaff Lake (FERC No. P-2612, May 15 to August 31), Moosehead Lake (FERC No. P-2671, May 1 to August 31), and Vanceboro (FERC No. P-2492, May 1 to August 31), the installation date should be changed to "*by approximately May 15th, conditions permitting*" to be sure the rafts are installed when loons are first ready to initiate nesting. For context, the only historic ice-out date MDIFW could find for Chesuncook Lake was May 7 (from 2018), and therefore loons would likely have arrived before May 7 in 2018.

Finally, we recommend that MDIFW be contacted prior to reconnaissance surveys as staff would like to attend, pending availability.

Transmission Line Right-of-Way Maintenance

In the eastern part of T3R11 WELS, wintering deer cross out of a small, forested wetland that abuts the West Branch Penobscot River and across a segment of the Licensee-owned transmission line right-of-way (ROW) to a larger stand of softwood forest. As the Licensee needs to maintain vegetative height under the transmission lines, this area is often devoid of trees. This results in the area being windswept and often covered with deep snow during winter, both of which impede deer movement. To help create a wind break and reduce snow depth allowing for easier travel for deer, MDIFW recommends the Licensee work with MDIFW to develop a managed block of softwood trees along an approximately ¼-mile segment of ROW. MDIFW envisions densely planting this area with spruce and cedar. The power lines in this segment should be high enough (although not optimal) to allow trees to grow tall enough to

reduce snow depth and provide a buffer against the wind. Prior to establishment of this winter buffer, MDIFW recommends a site visit with the Licensee to ensure this option is feasible, as some of the ROW is very rocky in this segment.

Penobscot Mills Project

Ramping Recommendations and Lake Elevation Data for the Penobscot Mills Project

To reduce the risk of fish and aquatic invertebrate stranding events, MDIFW recommends no more than a 25% change in flow (up or down) be made per hour at the Penobscot Mills Project. This ramping rate is anticipated to reduce impacts to both fish and invertebrates. Regardless of the settled operating flows, fluctuating river water levels from Project operations constitute an ongoing impact to both aquatic and water-dependent terrestrial resources and habitats.

MDIFW also recommends that lake elevation data be made available on the SafeWaters website.

State-Threatened Freshwater Mussels

As stated in our comments for the Pre-Application Document dated October 8, 2021, the Penobscot Mills Project Area supports both yellow lampmussel and tidewater mucket and likely supports brook floater. All three of these mussel species are designated as State Threatened and are afforded protection under Maine's Endangered Species Act (MESA, 12 M.R.S §12801 et. seq.)

We appreciate the Licensee notifying MDIFW regarding maintenance and other unexpected activities that have the potential to impact these species. While all in-water maintenance activities have the potential to impact listed mussels, impoundments drawn down in exceedance of annual maintenance events, especially drawdowns of extended durations, and/or abrupt changes in flow reductions beyond what is typically experienced, can significantly increase the risk of "Take" (kill or cause death) and/or "harassment" (create injury or significantly disrupt normal behavior patterns) of these species.

Within 12 months of issuance of a new license, to minimize impacts to State-listed mussels and to protect the Licensee against unauthorized Take of MESA-protected species, particularly during larger draw downs and/or flow reduction maintenance events, MDIFW recommends that the Licensee work with MDIFW to develop a Freshwater Mussel Incidental Take Plan.

North Twin Impoundment

Headpond Operations

Anticipating further discussions with the Licensee and other stakeholders regarding water management between the two Projects, MDIFW's preliminary recommendation is to maintain a fall minimum impoundment elevation similar to that of the previous Article 408, and that the impoundment elevation remain at or above 485 feet, based on findings of the North Twin

Tributary Access Study, from October 1 through March 31. MDIFW believes this elevation to be critical for lake whitefish and landlocked salmon spawning.

Upstream Resident Fish Passage at North Twin

MDIFW supports the Licensee's proposal to continue to operate and maintain the existing upstream fishway at the North Twin Dam that allows resident fish, including landlocked salmon, to move upstream into the North Twin impoundment. Within 12 months of issuance of the new license, MDIFW recommends a monitoring study of the fishway to determine efficacy of upstream passage of target species (landlocked salmon). The monitoring study should be developed in conjunction with MDIFW. MDIFW also recommends that the fishway be inspected annually by September 1 to ensure functionality of passing upstream landlocked salmon. MDIFW also recommends an annual report detailing inspection dates and results, fishway condition, and any necessary maintenance of the fishway, including photos and details of any necessary maintenance or repairs.

Millinocket Stream

From Final License Application, Page E-231:

"Consistent with Article 413 of the existing license, GLHA currently stocks 500 hatchery brook trout in the spring and fall at several locations in Millinocket Stream annually to provide a seasonal fishery. GLHA completed 5 years (1998-2002) of monitoring of the trout stocking as required, which demonstrated that the stocking had achieved the goal of increased angler use and catch on Millinocket Stream; therefore, monitoring was discontinued in 2003."

MDIFW comment: MDIFW notes that continued stocking or funding for stocking was not included as a PM&E measure in the Final License Application. Given increased angling pressure in the region, MDIFW recommends that this program continue for the duration of the new license.

West Branch Below Stone Dam

The 4.5-mile long mainstem West Branch of the Penobscot River, formerly referred to as the Back Channel, has been a long-neglected resource under the existing license due to the many concessions that were made prior to GLHA's ownership. Warm waters from the upstream impoundments combined with very low flows, and at times very high flows, have all but eliminated the coldwater fishery in this river reach.

From Preliminary License Application, Pages 5-130 to 5-131:

"Current leakage flows from Stone Dam are estimated to range from 2 to 5 cfs; however, during spillage, flows can exceed 29,000 cfs and, as a result, the substrates in the upper reach are predominantly highly scoured and coarse...."

“Back Channel fisheries management potential is limited because it is separated from contiguous segments of the river system by Stone Dam, Grand Falls, and the Dolby impoundment. In addition, inflow to the reach is warm in the summer, as most flow emanates from Quakish Lake, which is shallow and warm during the open water season...”

From the Final License Application:

“There is no minimum flow requirement for the West Branch downstream of Stone Dam in the existing license. Thus, flow in the West Branch below Stone Dam is typically from leakage, minor spill over the boards due to waves/wind fetch, larger spill events, and tributary inflow. Based on recent measurements collected by GLHA since 2021, leakage flows from Stone Dam are known to range from at least 17 to 189 cfs depending on the time of year and the condition of the wooden flashboards at the dam. Substrates in this reach are comprised predominantly of large and small boulder with lesser amounts of cobble, gravel, and finer substrates. River flow over the inflatable flashboard system can exceed 24,000 cfs during high flow events (ISR, Appendix A) and, as a result, the substrates in the upper reach, in particular in the short “overflow” channel on the river left, are highly scoured and large. Small trees, shrubs, and emergent vegetation are interspersed throughout the shoreline.”

The following series of photos are of the mainstem West Branch of the Penobscot River below Stone Dam (all photos dated October 10, 2024):



Figure 4. View upstream towards Stone Dam. Note minimum flows provided by way of leakage and spillover from wind action.



Figure 5. View looking downstream. Photo taken approximately 600 feet downstream of Stone Dam



Figure 6. Pool located approximately 1 mile downstream of Stone Dam



Figure 7. Near pool located approximately 1 mile downstream of Stone Dam. Note pollen lines on rocks which indicate flow fluctuations.



Figure 8. View looking upstream. Photo taken approximately 2.4 miles downstream of Stone Dam



Figure 9. Grand Falls

Per the FLA, GLHA is proposing to provide a year-round minimum flow of 200 cfs in the West Branch downstream of Stone Dam to promote aquatic habitat and angling opportunities. While an improvement over the existing license, the proposed minimum flow falls short of the calculated Aquatic Base Flow of 945 cfs for this drainage area (0.5 cfs/mi² x ~1,890 sq. mi., USFWS Mar. 1992).

Recognizing the need to balance water resources throughout the system, MDIFW recommends a minimum flow from Stone Dam of 500 cfs year-round. MDIFW also recommends that this flow be released from a cold-water bottom draw from the deepest section of Quakish Lake upstream. Higher minimum flows and a coldwater draw will enhance MDIFW's proposed establishment of a seasonal (spring and fall) salmonid fishery. Regardless, any settled upon minimum flow levels less than the Aquatic Base Flow constitute an ongoing impact to both aquatic and terrestrial, water-dependent resources and habitats.

West Branch Below Stone Dam Access

Specifically, but not exhaustively, MDIFW recommends formal access improvements including improved vehicle access, signage, and parking provisions to the West Branch area below Stone Dam along both the access road from Route 11 in T3 Indian Purchase Township and the access road from Route 116 in Medway. While MDIFW does not feel the Licensee is responsible for the entirety of these roads, there are segments of roads along the West Branch Penobscot River with washed out culverts, conveying wetland drainages or streams, which we believe the Licensee

should improve with appropriately sized crossing structures (see example below). MDIFW would be willing to join the Licensee and DACF on a site visit(s) to examine these areas of needed road improvement. Improved public access to the West Branch below Stone Dam will increase recreational opportunities.



Figure 10. Example of needed access road repairs at a stream crossing adjacent to the West Branch below Stone Dam (October 10, 2024)

Additionally, MDIFW recommends the Licensee be required to maintain and update all other access points as necessary for the duration of the new license, and that all maintenance activities and scheduled maintenance activities be reported on during the recommended Annual Meeting.

East Millinocket

To enhance public access opportunities, MDIFW recommends that the Licensee establish a public launch in the East Millinocket impoundment. Access to surface waters of the State and their fishery resources are an important State and Department goal. As development and the human population increase, public access opportunities to water resources diminish, while the demand for water-based outdoor activities climbs. It is MDIFW's understanding that the Licensee has retained property easement/development rights along the impoundment shoreline, and now that the mill is no longer operational, we believe it should not be an issue to have private vehicles accessing the former mill property. Final details need to be worked out, but MDIFW envisions a launch for small watercraft, similar to the Licensee-established boat launch below the North Twin Dam, along with associated parking for a minimum of three to four vehicles with trailers and appropriate signage. Based on MDIFW's assessment, these proposed facilities, if implemented, would be sufficient to facilitate angling access between the East Millinocket Dam and the Dolby Dam.

Wildlife Management Area

Overall, MDIFW supports GLHA's proposal to continue to manage the GHLA Wildlife Management Area (WMA) surrounding the West Branch downstream as mitigation for

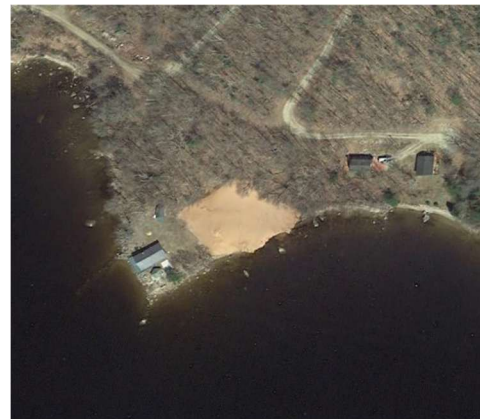
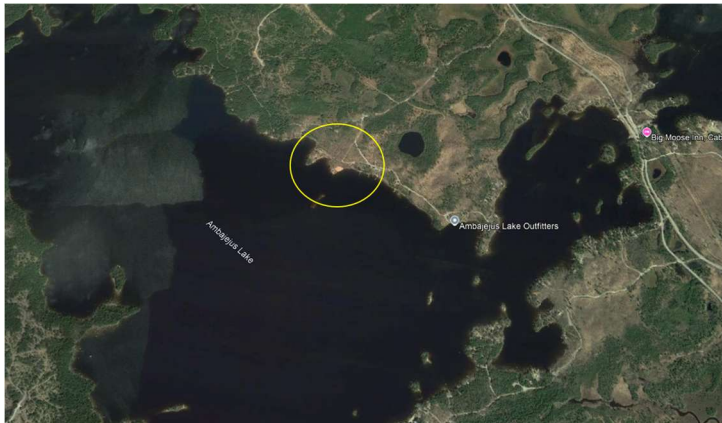
operational impacts from the Penobscot Mills Project. MDIFW recommends that the name of the WMA be changed to “Penobscot Mills Hydroelectric Project Wildlife Mitigation Area” to avoid confusion with actual Wildlife Management Areas owned by our Department. It is noted that the wildlife management plan provides structured and diverse forest habitat structures for several waterfowl and tree-reliant species, with some areas of adjacent riparian wetlands, but the WMA itself is largely upland forested habitat.

Additionally, the Plan should clearly state that the WMA is open to the public for recreational purposes, including traditional hunting, trapping, and angling opportunities, as well as for non-consumptive recreational uses. MDIFW also recommends that any vernal pools in the WMA be delineated and mapped, and that a protocol be developed to incorporate newly discovered vernal pools into the map.

In Section 7.0 Consultation, the Plan states GLHA will consult with MDIFW and USFWS at 5-year intervals. MDIFW recommends that GLHA initiate consultation with MDIFW and USFWS within six (6) months of the issuance of the new license to review the Plan to discuss the proposed changes above, as well as other possible changes in wildlife management objectives. This would provide for adaptive management opportunities over the course of the anticipated license term.

State-Threatened Bank Swallows

Recently MDIFW confirmed an active bank swallow (*Riparia riparia*) colony at an old Northern Paper sawdust bank on the shore of Ambajesus Lake (45.726786, -68.863652).



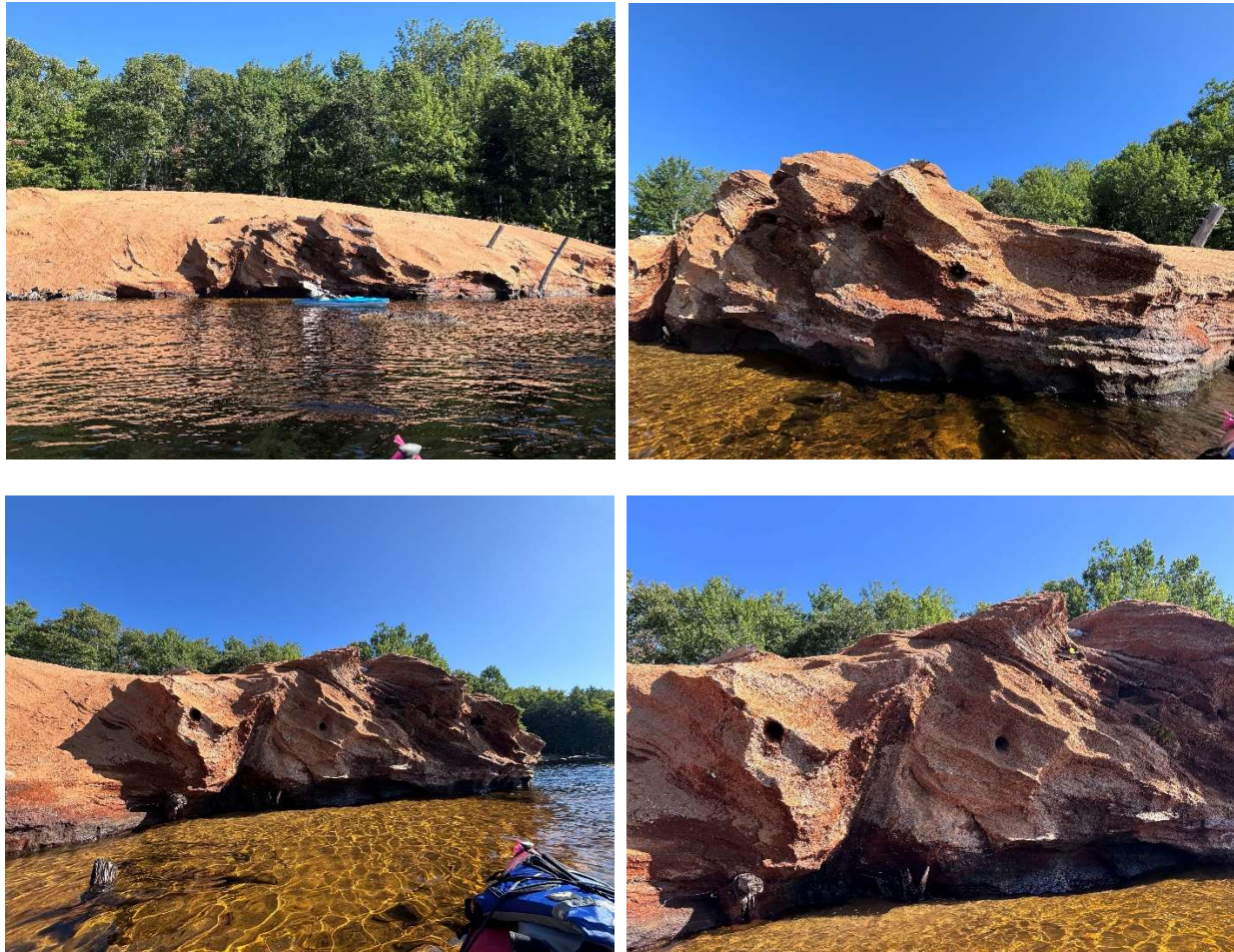


Photo credit: Mackenzie Roeder, Ph.D. Songbird Specialist, Wildlife Diversity Section, Maine Department of Inland Fisheries and Wildlife. August 21, 2026

Bank swallows have been listed as a Threatened Species under Maine’s Endangered Species Act since October 25, 2023. Bank swallows are an avian aerial insectivore, a group of birds experiencing some of the steepest and most widespread population declines of any bird group in North America, especially in the Northeast. Nesting habitat loss and instability, reduced prey due to pesticide use, climate-driven shifts in timing of food resources, and stressors during migration, all put pressure on aerial insectivore populations. The Maine Bird Atlas has revealed the disappearance of bank swallows (as well as cliff swallows) from nearly 50% of their historic ranges in Maine. For this reason, the identification and protection of bank (and cliff) swallow nesting colonies are the primary focus of MDIFW recovery efforts. A review of historic records² of this colony dating back to at least 1945 indicates that this feature supported as many as 41 active nests. Bank swallows show strong site fidelity and return to the same nesting sites year after year for as long as they are able, which makes preserving this feature critically important to bank swallow recovery.

Based on MDIFW’s recent investigation of this colony, it appears that winds coupled with normal open water lake levels could be maintaining the sheer face of the sawdust bank, which is

² Palmer and Taber, Birds of the Mt. Katahdin Region of Maine, 1946

necessary for the long-term health and integrity of this colony. Therefore, within 12 months of issuance of a new license, MDIFW recommends the Licensee develop an Ambajejus Lake Bank Swallow Monitoring Plan in conjunction with MDIFW. At a minimum, the Plan should include annual monitoring of the colony and an assessment of how Project operations are impacting the colony—either positively or negatively—and any proposed Project operational modifications to ensure the viability of this colony for the duration of the new license. Any additional bank swallow colonies or areas that could be suitable for future colonies identified within the Project boundary should also be included in this recommended monitoring plan.

Fish Passage and Control of Aquatic Invasive Species

Despite the importance of Maine’s inland fisheries resources in this region, MDIFW is not recommending additional fish passage (except for American eel) at the Ripogenus Project and the Penobscot Mills Project based on our concerns with the spread of Aquatic Invasive Species (AIS). MDIFW routinely considers the potential to increase the distribution of invasive fish in reviewing dam relicensing projects in Maine, and to our knowledge there is no foolproof methodology, including a sorting facility, or technology to absolutely eliminate the spread of AIS at dams. Invasive fish are a serious threat to Maine’s wild and native fisheries and once established there are few options to mitigate or eliminate the resulting impacts, with consequences that permanently impact the ecosystem.

The West Branch of the Penobscot River itself is considered a premier destination fishery for wild landlocked salmon and native brook trout which significantly contributes to the regional economy. In addition, Baxter State Park is a short distance from the Project area and is renowned for its wild and native brook trout waters. There are also many designated State Heritage Fish Waters that drain directly into the West Branch drainage above the Project. State Heritage Fish Waters are native and wild brook trout lakes and ponds which represent unique, valuable, and irreplaceable ecological and angling resources. Introduction of AIS into these interconnected Heritage Waters would constitute irreparable harm to these high-value fisheries and their associated economic benefits for the State of Maine.

AIS represents one of the greatest threats to conserving Maine’s native inland fisheries. Controlling the spread of known and future AIS not only aligns with the Department’s statutory authority and mandate but are identified and reflected in at least three different strategic statewide management plans to maintain healthy ecosystems in the inland waters of Maine. The Maine State Legislature established an Interagency Task Force that subsequently developed the initial State of Maine Action Plan in 2002 for Managing Invasive Aquatic Species to prevent further introductions of exotic species which can displace native species, reduce biodiversity, disrupt food webs, and degrade native habitats. The plan states in part:

“Consistent with Maine’s traditional approach to addressing environmental problems, the goals of this plan are based on a hierarchy designed first to prevent problems, and then, if any should occur, to limit their extent and reduce their effects. Prevention carries a price tag, but it is the only possible way to avoid incurring much higher costs associated with the environmental, economic, and social disruptions that follow infestations of aquatic invasive organisms.”

The first goal of this plan is to prevent new introductions wherever possible. A number of AIS currently exist in the lower Penobscot River, and in time new threats may establish over the lengthy duration (40-50 years) of a newly issued FERC license. In January 2005, MDIFW confirmed the presence of nonnative northern pike in Pushaw Lake, which is now managed by the Department as a serious invasive threat. This water is located downstream of the Project. A lake management plan was developed with the main goal of preventing further spread of this highly invasive species, as well as controlling the population in Pushaw Lake. The outlet of Pushaw Lake flows into the Penobscot River in Old Town, above the Milford-Old Town Dam (FERC No. P-2534). The Pushaw Lake plan states that *“Limiting northern pike passage through fishways at a number of dams on the Penobscot, Piscataquis and Passadumkeag Rivers is essential in limiting their movement through the drainage, and may be our last defense in excluding pike in the Upper Penobscot Watershed”* (emphasis added).

The 131st Maine State Legislature directed MDIFW and the Maine Department of Marine Resources (MDMR) to responsibly manage AIS concerns as new fish passage initiatives are pursued statewide. This expectation was memorialized in a Memorandum of Understanding Regarding the Coordination of Fish Passage for Migratory Fish and Preventing the Spread of Aquatic Invasive Species, which was approved by the 131st Legislature. This MOU, signed by the Commissioners of both agencies in April 2024, also identifies the Medway Hydroelectric Project (FERC No. P-2666), located immediately downstream of the East Millinocket Dam, as one of only two known priority AIS control locations in Maine.

Further, Presidential Executive Order 13112, signed in February 1999, was created to control and minimize the impacts of invasive species by establishing an Invasive Species Council, and by establishing duties of Federal agencies whose actions affect the status of invasive species. Specifically, Section 2, Paragraph 3 states that Federal agencies shall not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species in the U.S. or elsewhere unless, pursuant to guidelines that it has prescribed, the agency has determined and made public its determination that the benefits of such actions clearly outweigh the potential harm caused by the invasive species; and that all feasible and prudent measures to minimize the risk of harm will be taken in conjunction with the actions. Note that the actions to be taken by Federal agencies must occur before authorizing, funding, and any action.

The ecosystem in the Penobscot River drainage has experienced significant changes since the last relicensing. Invasive species, including northern pike, black crappie, largemouth bass, central mudminnow, and white catfish have been documented in the lower Penobscot drainage. Northern pike and largemouth bass are now well-established in Pushaw Lake, which drains into the Stillwater River. As a result, these two species have access to the mainstem of the Penobscot River above the dams in Milford and Orono. Northern pike have now been documented in the Howland-West Enfield area, and at some time in the future they will likely move upstream as far as the East Millinocket Dam, which is the lowest dam of the Penobscot Mills project. Largemouth bass have been documented as far north as the Mattaceunk Project (FERC No. P-2520). MDIFW is concerned that allowing these species to gain additional upstream access will directly and detrimentally impact wild and native fisheries and their associated economic

benefits. MDIFW is also concerned that allowing these species to have access to the impoundments in the Project areas will create additional sources for anglers to relocate these invasive fish to waters outside of that which they could travel on their own. This activity has been well-documented in Maine in the Belgrade Lakes region where northern pike were illegally introduced in the 1970's. They have since spread throughout the lower Kennebec and Androscoggin drainages, as well as other drainages as a result of natural migration, dam removal, and unauthorized introductions.

MDIFW recognizes the unrivaled historic and economic importance of Maine's wild and native brook trout and focuses on the conservation and protection of this uniquely valuable resource. MDIFW's primary intent for managing wild brook trout in lakes and ponds is the protection and conservation of these self-sustaining fisheries. The absence of fish passage in these Project dams on the West Branch of the Penobscot River represents the best opportunity to prevent the expansion of AIS in Maine and to protect the important wild and native freshwater fisheries upstream in the drainage.

Finally, as the techniques for both upstream and downstream passage of American eels do not pose a significant risk to the spread of AIS, MDIFW supports the proposed American eel passage measures at the Penobscot Mills Project.

MDIFW Additional Mitigation Recommendations

Recommended Wildlife Mitigation

Both Projects contain wetland habitats which are critical for breeding waterbirds, including multiple Inland Waterfowl and Wading Bird Habitats (IWWH), which are considered a Significant Wildlife Habitat under Maine's Natural Resources Protection Act. These wetland habitats also provide for the life history requirements of several aquatic furbearer species including beaver, muskrat, mink, and river otter. These wetland habitat features are hydrologically tied to Project operations.

Based on MDIFW's review of the Umbazooksus Mitigation Area (UMA), the Aquatic Furbearer and Marsh Bird Surveys, and the Riparian and Littoral Habitat Assessment Survey, while the actions to open the dam gate at the UMA have successfully created emergent and emergent/floating vegetation wetlands as noted in the Umbazooksus Lake Mitigation Evaluation Study Report, they are not to the same quality or quantity of wetlands potentially impaired by operations. See Table 1 below.

Table 1. Summary of Wetlands in Impoundment Areas Compared with Umbazooksus Lake Mitigation Area

Wetland Type	Ripogenus Impoundment³	North Twin Impoundment⁴	Total in Both Impoundments	UMA⁵	Remaining Wetland Area⁶
Palustrine Emergent	349.5 ac	129.8 ac	479.3 ac	16.18 ac	446.94 ac
Palustrine Scrub-Shrub	743.4 ac	96.2 ac	839.6 ac	50.14 ac	739.32 ac
Palustrine Forested	415.3 ac	40.5 ac	455.8 ac	49.89 ac	356.02 ac
Freshwater Pond	0.4 ac	23.7 ac	54.1 ac	0.27 ac	23.56 ac
Riverine	69.5 ac	18.6 ac	88.1 ac	1.03 ac	86.04 ac
Lacustrine Limnetic	25,396.6 ac	17,738.8 ac	43,135.4 ac	Not measured	40,586.12 ac
Lacustrine Littoral⁷	4,985.3 ac	1,029 ac	6,014.3 ac	Not measured	5,464.4 ac
Emergent/Floating⁸	Not measured	Not measured		274.95 ac	
Cobble/Sand Shore⁹	Not measured	Not measured		10.18 ac	
Lake¹⁰	Not measured	Not measured		1,274.64 ac	
Total	31,960 ac	19,077 ac		1,677.28 ac	

Furthermore, during a site visit to the UMA, MDIFW staff noted that predominant vegetation was Bayonet Rush and other *Juncus spp.*, which accounted for most of the submerged aquatic vegetation (SAV) and emergent aquatic vegetation (EAV) observed in the UMA, with occasional sighting of other SAV/EAV species. While this does provide potential habitat for some wildlife

³ Includes UMA; data from Table 6-7 of Riparian and Littoral Habitat Assessment Survey, H-20

⁴ data from Table 6-7 of Riparian and Littoral Habitat Assessment Survey Report, H-20

⁵ data from Table 6-4 of Umbazooksus Lake Mitigation Evaluation Study Report, E.8-29 within the project boundary only

⁶ (Ripogenus Impoundment – UMA) + North Twin Impoundment – UMA = Remaining Wetland Area;

⁷ Potentially includes Aquatic Bed/EAV/SAV to an unknown extent.

⁸ Combined with Cobble/Sand Shore to equate Lacustrine Littoral habitat in previous study for Remaining Wetland Area.

⁹ Combined with Emergent/Floating Vegetation to equate Lacustrine Littoral habitat in previous study for calculating Remaining Wetland Area.

¹⁰ Equated with Lacustrine Limnetic habitat in previous study for calculating Remaining Wetland Area.

species, it does not provide the diversity and density of SAV and EAV to support wildlife on the same level as the larger Ripogenus impoundment could without operational impacts.

In comparison, Brandy Pond, which is approximately 1,700 acres in the study area of the Ripogenus impoundment and close in size to the UMA, has shown strong fluctuations in water level, which is seen in historic aerial imagery taken within the early fall (Figure 1 above). This has resulted in dramatic shifts in wetland composition and would not support emergent/floating vegetation wetlands long term and is likely impacting nesting success and productivity of marsh birds as a result of decreased forage opportunity and viable nesting areas, increased predation opportunities, and overall diminished habitat quality. However, despite its similar size to UMA, Brandy Pond has significantly more potential and varied habitat, *if unimpaired by Project drawdowns*, as shown in aerial analyses and in studies completed by the Licensee.

MDIFW has identified species of particular concern noted for their vulnerability to fluctuating water levels which included common loon, marsh birds, and aquatic furbearers. For these species, the UMA does not provide sufficient replacement habitat, especially for aquatic furbearers and marsh birds. Aquatic furbearers rely on a variety of wetland habitat including emergent marsh, scrub-shrub wetland, ponds and unconsolidated bottom wetlands, riverine corridors, and fringe forests with hardwoods. Marsh birds rely on emergent wetland and hemi-marsh habitat, which is an inundated emergent marsh with emergent/floating vegetation wetland components.

Emergent marsh and emergent/floating vegetation wetlands are more sensitive to water fluctuations over time, with SAV/EAV areas responding quickly to these changes within a season, and emergent marsh gradually succeeding to scrub-shrub wetland if drier conditions persist at crucial times in plant life cycles. The Umbazooksus Lake Mitigation Evaluation Study Report provided by the Licensee noted the majority of emergent and scrub-shrub marsh are narrow fringe bands (Final License Application, Appendix E-8 pages 31-32, 34). These narrow bands are not conducive to providing quality wildlife habitat, which is evident in other areas of the Ripogenus impoundment currently subject to Project operational impacts. The report also indicated the presence of a broad area of SAV and EAV in the UMA, but the quality and density of that habitat vary widely (Final License Application, Appendix E-8 page 36), with the highest quality habitat of all wetland types occurring in flowages and drainages leading away from the UMA (Final License Application, Appendix E-8 pages 31-36).

Unfortunately, the UMA is not as suited for diverse and complex wetland habitat development due to the site's bathymetry, surrounding context, and climactic conditions (Updated Study Report, Pages J-25-26). The Licensee's proposed PM&E measures are critical in mitigating for overall impacts to wetlands and the wildlife species which utilize them, but the proposed PM&E measures do not go far enough to mitigate for impacts to breeding marsh birds and aquatic furbearers.

In conclusion, while we support the continued management of the UMA as proposed, the UMA neither currently replicates nor is feasibly able to replicate without additional extensive management the full extent and quality of wetland habitat impacted by Project operations as evidenced in the submitted reports. Therefore, *in addition to the Licensee's proposed PM&E*,

MDIFW recommends the Licensee contribute \$500,000 in compensation to MDIFW for the future purchase of land(s) that serve the similar functions lost by Project operations. This figure should be adjusted by the Consumers Price Index (CPI) at the time of the issuance of the new License. Alternatively, in lieu of monetary compensation, MDIFW may consider other Licensee-owned lands, not associated with the Projects, containing features and functions which will not be impacted by ongoing Project operations.

Recommended Fisheries Mitigation

Below is a summary of some of the Project operational impacts to fisheries and aquatic resources which would result from a presumed 50-year license to operate the Ripogenus and Penobscot Mills Projects:

Ripogenus Impoundment Drawdown:

- Regardless of the settled upon drawdown levels in the Ripogenus impoundment, there will be continued annual aquatic life impacts for the duration of the presumed 50-year license.

Ripogenus Dam Bypass/Gorge:

- Regardless of the settled upon minimum flow, there will be continued fisheries and other aquatic life impacts in the Ripogenus Gorge for the duration of the presumed 50-year license.
- Regardless of the settled upon minimum flow regime, there will be continued annual fisheries and other aquatic life impacts in the approximately 22-mile reach of the West Branch of the Penobscot River below McKay Station for the duration of the presumed 50-year license.

North Twin Winter Drawdowns

- Regardless of the settled upon drawdown levels in the North Twin impoundment, there will be continued fisheries and other aquatic life impacts for the duration of the presumed 50-year license

Stone Dam Minimum Flow:

- Regardless of the settled upon minimum flow for the West Branch of the Penobscot River below Stone Dam, there will be continued fisheries and other aquatic life impacts for the duration of the presumed 50-year license.
- The fisheries management potential downstream of Stone Dam will remain limited for the duration of the presumed 50-year license because it is separated from contiguous segments of the river system by Stone Dam, Grand Falls, and the Dolby impoundment. In addition, inflow to the reach is warm in the summer, as most flow emanates from Quakish Lake, which is shallow and warm during the open water season.

To mitigate continuing impacts to fisheries, namely landlocked salmon, lake trout, brook trout, and lake whitefish, as well as other aquatic life (both documented and modeled, see MDIFW comments dated October 8, 2021 on the Pre-Application Document) in the West Branch Penobscot River from the operations of the Ripogenus and Penobscot Mills Projects for the duration of a presumed 50-year license, MDIFW recommends the Licensee support MDIFW's West Branch Watershed Fishery Habitat Enhancement Fund. As envisioned and in addition to

the Licensee's proposed PM&E measures, this mitigation fund would be used to support various fisheries management projects which may include but are not limited to: funding a seasonal contractor for MDIFW to implement inland fisheries management objectives within the West Branch Penobscot River watershed; exploring and acting on opportunities to enhance and restore inland fisheries habitat and habitat connectivity, including barrier removals; and exploring and purchasing land acquisition opportunities for conservation and/or increasing public access within the West Branch Penobscot River watershed. Fisheries management objectives within the West Branch Penobscot River watershed resulting from known impacts and understudied Project impacts include but are not limited to:

- a. Rotational creel surveys to assess angler use, catch rates, and fish size structure in impoundments and riverine sections throughout the West Branch of the Penobscot River watershed. Consistent creel surveys will allow for correlation between Project operations and fisheries resources as well as angler impacts.
- b. Scheduled surveys to evaluate abundance, age structure, and condition of salmonid and lake whitefish populations in the West Branch Penobscot River watershed; long-term datasets provide valuable information to the health of the fisheries, anticipated or unanticipated changes resulting from Project operations.
- c. West Branch Penobscot River watershed smelt monitoring and research. Smelt are a highly susceptible species to adverse impacts resulting from hydro operations, and long-term monitoring will assist biologists in managing predator-prey balance within the system.
- d. Periodic aerial angler use counts and additional research necessary to interpret biological and social responses to changes in sport fish populations as a result of Project operations.

For purposes of this Fund, the West Branch Penobscot River watershed includes the entirety of the watershed, but with focus on the following waterbodies (not an exhaustive list):

West Branch of the Penobscot River	Pemadumcook Lake	Upper Jo-Mary Lake
Ripogenus Lake	Ambajejus Lake	Middle Jo-Mary Lake
Caribou Lake	South Twin Lake	Lower Jo-Mary Lake
Chesuncook Lake	North Twin Lake	Upper and Lower Twin Pond (T2 R9 WELS)
Moose Pond	Elbow Lake	Hurd Pond
Brandy Pond	Quakish Lake	Little Hurd Pond
Black Pond	Ferguson Lake	Hale Pond
Umbazooksus Lake	Shad Pond	Upper Jo-Mary Lake
Nahmakanta Lake	Dolby Pond	Middle Jo-Mary Lake
Millinocket Lake	Passamagamet Lake	Lower Jo-Mary Lake
Millinocket Stream	1st, 2nd, 3rd, and 4th Debsconeag Lakes	Tributaries to all above-mentioned waterbodies

As envisioned, contracted seasonal biological assistance will work under the supervision of MDIFW's Regional Fisheries Supervisor in Greenville or Enfield with the priority on fisheries objectives and enhancement activities in the West Branch Penobscot River watershed. Other non-West Branch duties may be assigned so long as they did not interfere with West Branch objectives. MDIFW would report on activities during the Annual Meeting held by the Licensee, and written reports would be submitted by MDIFW every 5 years that summarize activities conducted and detail expenditure of funds.

Dedicated Seasonal Fisheries Contractor

Within 90 days of the issuance of the new license, MDIFW recommends the Licensee fund a dedicated seasonal fisheries contractor estimated at \$100,000 per year, based on current Wildlife Management Institute (WMI) Contractor costs, for the duration of the new license, adjusted annually to actual WMI costs and adjusted annually by the Consumers Price Index (CPI) for the previous year.

To support the dedicated fisheries contractor, within 90 days of the issuance of new license, we recommend the Licensee also fund to the following to support equipment purchases:

- Dedicated Truck: estimated at \$12,000/year, actual cost to be determined (adjusted annually to State of Maine Bureau of General Services Central Fleet Management pricing).
- Dedicated boat for Chesuncook Lake/West Branch watershed lakes: estimated at \$60,000, actual cost to be determined (onetime payment).
- Sampling Gear, including trap nets and gill nets: estimated at \$12,000, actual cost to be determined (onetime payment).
- E-fishing gear and nets: estimated at \$20,000, actual cost to be determined (onetime payment).
- Dedicated snowmobile for Chesuncook Lake/West Branch lakes for wintertime creel work: estimated at \$14,000, actual cost to be determined (onetime payment).

Note that the intent is to fund a seasonal contractor, and that a contractor may not be hired every year during the term. On years when a contractor is not hired, annual funding for the position would accrue, and be accessible for other uses, in the Conservation, Enhancement, Acquisition, and Public Access Account (see below).

Conservation, Enhancement, Acquisition, and Public Access Account

A component of MDIFW's proposed West Branch Watershed Fishery Habitat Enhancement Fund is an account dedicated to projects within the West Branch watershed. To mitigate for continued annual aquatic life impacts from the West Branch Penobscot River Projects for the duration of a presumed 50-year licenses, we recommend the Licensee fund mitigation projects at the rate of \$125,000^[1] every 5 years, adjusted annually by the CPI for the previous year, for a total of 10 payments over the course of the presumed 50-year licenses. Within 90 days of the issuance of the new license, the Licensee shall submit funds in the amount of \$125,000 to be deposited into a dedicated MDIFW Fisheries Division Conservation, Enhancement, Acquisition,

^[1] MDIFW has been involved with the mitigation efforts (e.g., barrier removal associated with undersized stream crossings) resulting from the construction of the New England Clean Energy Connect (NECEC) transmission line. Average costs to replace undersized stream crossings with Stream Smart crossings (natural bottom crossings which span at least 1.2 times the measured bankfull width of a stream) have been approximately \$250,000 per crossing. With the proposed Conservation, Enhancement, Acquisition, and Public Access Account funding of \$125,000 every five years, MDIFW anticipates restoring around five stream crossings over the duration of a new 50-year license (or alternatively use the funds for the other intended purposes.)

and Public Access Account earmarked specifically for use in the West Branch Penobscot River Watershed. These funds will be used to act on opportunities to enhance and restore inland fisheries habitat and habitat connectivity targeting coldwater species including barrier removals, conducting larger research projects, as well as to explore land acquisition opportunities for conservation and/or increasing public access within the West Branch Penobscot River watershed. All funds would be used at MDIFW's discretion, and MDIFW would have the ability to accrue funding in escrow to cover larger planned projects or land acquisitions. In no case would the Licensee be required to exceed the total funding required under this fund (except as adjusted to CPI).

Millinocket Stream Fish Stocking

MDIFW recommends the Licensee contribute to a fund for MDIFW to continue stocking 1,000 brook trout annually in Millinocket Stream. Prices would be adjusted annually to account for inflation and changes in production costs.

West Branch Below Stone Dam Fish Stocking

As upstream dams/warm temperatures/low flows preclude the establishment of a permanent, year-round coldwater fishery, MDIFW recommends the Licensee contribute an annual fund for MDIFW to stock 500 brook trout annually in the West Branch below Stone Dam to establish a seasonal put-and-take fishery. At Year 10 post-license issuance, and pending the results of the MDIFW Angler Use and Creel Surveys, the number of fish stocked in the West Branch below Stone Dam may increase an additional 1,000 fish annually and would include a component of landlocked salmon. Prices would be adjusted annually to account for inflation and changes in production costs.

Table 2 below summarizes MDIFW's breakdown of the recommended West Branch Watershed Fishery Habitat Enhancement Fund.

Table 2. Proposed West Branch Watershed Fishery Habitat and Connectivity Enhancement Fund

Mitigation	Cost (estimated)*	Start Date	Duration	Total
Contractor	\$100,000/year	Year 1 (90 days post-license issuance)	Adjusted annually for license duration	\$5,000,000
Associated Gear for Contactor Use				
Boat	\$60,000	Year 1 (90 days post-license issuance)	One-time	\$60,000
Sampling Nets & Gear	\$12,000	Year 1 (90 days post-license issuance)	One-time	\$12,000
E-Fish Nets & Gear	\$20,000	Year 1 (90 days post-license issuance)	One-time	\$20,000
Dedicated Truck	\$12,000	Year 1 (90 days post-license issuance)	Adjusted annually for license duration	\$600,000
Snowmobile	\$14,000	Year 1 (90 days post-license issuance)	One-time	\$14,000
Subtotal Contractor & Gear				\$5,706,000
Conservation, Enhancement, Acquisition, and Public Access Account	\$125,000	Year 1 (90 days post-license issuance)	Every 5 years, adjusted annually for duration of license	\$1,250,000
Subtotal Conservation Enhancement, Acquisition, and Public Access Fund				\$1,250,000
Annual Fish Stocking: Millinocket Stream				
Brook Trout (1,000)	\$10,000/year	Year 1 (90 days post-license issuance)	Adjusted annually for license duration	\$500,000
Annual Fish Stocking: WB below Stone Dam				
Brook trout (500)	\$5,000/year	Year 1 (90 days post-license issuance)	Adjusted annually for license duration	\$250,000
Year 10 additional brook trout (1,000 total)	\$10,000/year	Year 10 (pending results of creel surveys)	Adjusted annually for license remainder	\$400,000
Year 10 Landlocked salmon (500 total)	\$5,000/year	Year 10 (pending results of creel surveys)	Adjusted annually for license remainder	\$200,000
Subtotal Fish Stocking				\$1,350,000
Grand Total				\$8,306,000

* Estimated costs in 2026 dollars. Costs to be adjusted to the Consumer Price Index at issuance of new license and adjusted annually thereafter to the Consumer Price Index for duration of the new license.

August 28, 2026

MDIFW appreciates the complexities involved with the relicensing of these regionally important hydroelectric projects and the significant resources they encompass. We appreciate the working relationships we have had with GHLA, the resource and regulatory agencies, and with the Maine Council of Trout Unlimited, and look forward to continued working relationships.

Best regards,

A handwritten signature in blue ink, appearing to read 'John Perry', with a stylized flourish at the end.

John Perry

Environmental Review Program Supervisor

Cc. Liz Latti, James Bruce, Kevin Schaberg: MDIFW Fisheries Division, Augusta Headquarters
Nate Webb, Ryan Robicheau: MDIFW Wildlife Division, Augusta Headquarters
Bethany Atkins: MDIFW Habitat Conservation Section Supervisor, Augusta Headquarters
Jeff Bagley, Steve Seebach: MDIFW Fisheries Division, Greenville
Doug Kane, Scott McLelan: MDIFW Wildlife Division, Greenville
Kevin Gallant, Zach Glidden: MDIFW Fisheries Division, Enfield
Mark Caron, Victoria Hughes: MDIFW Wildlife Division, Enfield
Andy Wood, Laura Hatmaker: MDIFW Environmental Review Program
Phillip deMaynadier: MDIFW Wildlife Diversity Section Supervisor
Danielle E. D'Auria: Bird Group Leader, MDIFW Wildlife Diversity Section
Shevenell Webb: Wildlife Biologist, MDIFW Game Research & Management Section
Beth Swartz: Wildlife Biologist/Invertebrate Specialist, MDIFW Wildlife Diversity Section
Laura Paye, Claire Briggs: MDEP Hydropower Program
Casey Clark, Lars Hammer: MDMR
Kim Spiller, Patrick Dockens: U.S. Fish and Wildlife Service