

Via eFile

July 28, 2025

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

**Subject: Ripogenus Hydroelectric Project (FERC No. 2572-141)
Penobscot Mills Hydroelectric Project (FERC No. 2458-273)
Responses to Additional Information Requests on the Final License Application**

Dear Secretary Reese:

Great Lakes Hydro America, LLC (GLHA) herein files with the Federal Energy Regulatory Commission (FERC) responses to the February 28, 2025 and June 18, 2025 FERC-issued Additional Information Requests (AIRs) on the Final License Applications for the Ripogenus Hydroelectric Project (FERC No. 2572) and the Penobscot Mills Hydroelectric Project (FERC No. 2458) (collectively referred to as the “Projects”), located on the West Branch of the Penobscot River and Millinocket Stream in Piscataquis and Penobscot Counties, Maine.

GLHA is pursuing new separate licenses from FERC for the continued operation and maintenance of the Projects. On September 30, 2024, GLHA filed with FERC the Final License Applications in support of obtaining new licenses for the Projects pursuant to the Commission’s regulations at 18 Code of Federal Regulations §5.17.

On May 29, 2025, GLHA filed with FERC responses to the majority of the AIRs from FERC via letter dated February 28, 2025. Enclosed are responses to the remaining additional information requests from FERC via letters dated February 28, 2025 and June 18, 2025.

Concurrent with this filing, GLHA is providing a copy of this letter to all parties listed on the enclosed distribution list. Parties can download an electric copy of the public portions of this filing from FERC’s eLibrary system at <https://www.ferc.gov/ferc-online/elibrary> by conducting a search using the docket numbers P-2458 and/or P-2572.

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If you have any questions regarding this letter, please contact me by phone at (315) 566-0197 or by email at michael.scarzello@brookfieldrenewable.com.

Sincerely,



Michael Scarzello
Manager, Licensing
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cc: Relicensing Distribution List

Enclosure: Responses to Additional Information Requests for the Final License Applications

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Penobscot Mills Hydroelectric Project (FERC No. 2458)
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Response to Schedule A Additional Information Requests

FEBRUARY 28, 2025 ADDITIONAL INFORMATION REQUESTS

General Comments

1. Section 1.1, Purpose of Exhibit E, of Exhibit E of the final license applications (FLA) for the Ripogenus Hydroelectric Project (Ripogenus Project) and Penobscot Mills Hydroelectric Project (Penobscot Mills Project) (collectively, the Projects) states that Great Lakes Hydro American, LLC (GLHA) has not completed certain studies, as of the filing of the FLA. These studies include: (1) Benthic Macroinvertebrate Assessment (Penobscot Mills Project areas); (2) McKay Station Fish Stranding Mitigation Study; (3) Whitewater Boating Assessment Study; and (4) Historic Architecture Survey. While Table 1.1-1, of Exhibit E, indicates that the results of these reports have been incorporated in the FLA, except for the McKay Station Fish Stranding Mitigation Study, the final study reports for the studies identified above, should be filed to the record, as well. Therefore, please file the remaining study reports (i.e., benthic macroinvertebrate assessment/water quality study, fish stranding mitigation study, and the historic architecture survey/cultural resources study) to complete the record for the Projects' FLA.¹ Any proposed protection, mitigation, and enhancement (PM&E) measures developed as a result of the completed reports (e.g., McKay Station Fish Mitigation Study Report) should be filed with the draft plans identified in AIR #3.

GLHA Response:

GLHA provided the requested information in its May 29, 2025 filing with FERC, except for the information described below.

Benthic macroinvertebrate samples have been collected within the West Branch of the Penobscot River and Millinocket Stream downstream of the Projects' developments. The initial results from the macroinvertebrate samples collected from the West Branch of the Penobscot River and Millinocket Stream were filed with FERC on February 28, 2025; however, the Maine Department of Environmental Protection's (MDEP's) analyses of the samples using their LDM (Linear Discriminant Model) are in progress and will be filed with FERC once provided by MDEP.

The Historic Architecture Survey Report was filed with FERC in the Initial Study Report (ISR) for the Projects on April 24, 2024. After filing the ISR, the Maine Historic Preservation Commission (MHPC) provided comments on the report, which required additional field survey and updates to the report. GLHA performed the additional field survey activities in 2024 and subsequently provided an updated Historic Architecture Survey Report to MHPC on June 12, 2025. Via letter dated June 25, 2025, MHPC agreed with the findings and recommendations of the updated Historic Architecture Survey Report and concluded that the proposed undertaking (FERC issuance of new licenses for the Projects) will have no adverse effect upon historic properties (architectural). A copy of the June 25, 2025 letter and the updated Historic Architecture Survey report are provided herein as Appendix A, but they are filed as Non-Public, Privileged Information.

¹ On November 13, 2024, GLHA filed the *Level 2 Whitewater Boating Study Report*.

Protection, Mitigation, and Enhancement Measures

2. In section 3.1, *Ripogenus Project – Proposed Operations during Mean, High, and Low Water Years*, of Exhibit B of the FLA, GLHA proposes to coordinate with the appropriate agencies (e.g., the Maine Department of Environmental Protection, the Maine Department of Inland Fisheries and Wildlife (Maine DIFW), the Maine Land Use Regulatory Commission, and the U.S. Fish and Wildlife Service (FWS)) to modify the downstream flow requirements during low water years and droughts. In its response to Maine DIFW’s August 1, 2024, and the Maine Bureau of Parks and Land’s July 31, 2024, comments on the draft license applications,² GLHA proposes to develop and implement a low inflow protocol for the Projects to guide project operations during periods of low inflow. Section 3.1 of Exhibit B does not describe the proposal in detail. Moreover, there is no mention of the proposal in section 5.2, *Proposed Project Operations*, or section 5.3, *Proposed PM&E Measures*, of Exhibit E of the FLA. To ensure that all the PM&E measures are available for Commission staff and stakeholder review, and that staff has sufficient information to inform an environmental analysis of the proposed low-inflow protocol, please clarify GLHA’s intent with regard to a low inflow protocol for the Projects. If GLHA is proposing such a protocol, please include it as a component of a proposed Project Operations and Compliance Monitoring Plan that GLHA files with the draft plans identified in AIR #3.

GLHA Response:

As indicated in Section 3.1 of Exhibit B, GLHA recognizes that during sustained adverse or low water years/conditions, modifications to the proposed minimum flows at the Ripogenus Project and/or the Penobscot Mills Project may be required to balance resource interests upstream and downstream of the Projects. Accordingly, GLHA proposed to develop a Low Inflow Protocol (LIP) to establish the protocols by which operational modifications will be implemented during sustained adverse or low water years/conditions. The Draft LIP is included in the enclosed Draft Operations Compliance and Monitoring Plan provided in Appendix B.

3. Section 5.3, *Proposed Environmental Measures*, of Exhibit E of the FLA states that GLHA proposes to file, within 1 year of filing the FLA, draft Recreation Management Plans for the Projects, a draft updated Loon Management Plan for the Ripogenus Project, a draft updated Wildlife Management Plan for the Penobscot Mills Project, and draft Historic Properties Management Plans for the Projects. In addition, GLHA proposes to file updated Shoreline Management Plans for the Projects within 2 years of license issuance. Finally, GLHA proposes upstream and downstream eel passage measures, including monitoring and a fishway operation and maintenance plan, at the East Millinocket, Dolby, and Millinocket Lake Storage Developments of the Penobscot Mills Project. However, the FLA does not contain, except for recreation measures, detailed descriptions or detailed elements of the proposed plans or any details associated with the eel passage measures. To ensure that all of the proposed PM&E measures are available for Commission staff and stakeholder review, and that staff has sufficient information to inform an environmental analysis for each of the proposed plans, please file the proposed draft plans, after agency and stakeholder consultation,³ including a draft plan for eel passage at the Penobscot Mills Project

² See Appendix E.2 of the FLA (volume 3) at E.2-4 and E.2-15.

³ For each plan, as appropriate, the consulting entities should include FWS, the National Maine Fisheries Service, Maine DIFW, the Maine Department of Marine Resources, the Maine Bureau of Parks and Lands, the Maine Council of Trout Unlimited, American Whitewater, and the Caribou and Chesuncook Lake Camp Associations.

(i.e., structures, monitoring, operations and maintenance plan, and schedule), within **150 days** from the date of this letter.

GLHA Response:

GLHA developed the following draft management and operating plans for the Projects, which are provided herein. The Historic Properties Management Plans (HPMPs) are under development and will be filed with FERC subsequent to consultation with the MHPC. GLHA anticipates filing the HPMPs with FERC by December 31, 2025.

Plan Name	Consultation	Appendix
Draft Operations Compliance and Monitoring Plan (including Draft Low Inflow Protocol)	Stakeholders to review and comment on plan filed with FERC.	B
Draft Loon Management Plan	Draft plan provided to stakeholders on June 6, 2025. MDIFW provided comments on the draft plan, which were incorporated into the plan.	C
Draft Recreation Management Plan	Draft plan provided to stakeholders on June 27, 2025. Mr. Edward Spear filed comments on the draft plan. Additional stakeholders indicated that their comments are pending. The draft plan will be updated, as applicable, after receipt of pending comments from additional stakeholders.	D
Draft Wildlife Management Plan	Draft plan provided to stakeholders on July 16, 2025. No comments on draft plan received to date.	E
Draft Shoreline Management Plans	Stakeholders to review and comment on plans filed with FERC.	F
Draft Eel Passage Management Plan	Stakeholders to review and comment on plan filed with FERC.	G

4. Table 5.3-2, in section 5.3.2, *Penobscot Mills Project*, of Exhibit E of the FLA, indicates that GLHA is proposing to release a year-round minimum flow of 200 cubic feet per second (cfs) in the West Branch of the Penobscot River (West Branch) downstream from Stone Dam. However, there is no explanation of how the flows would be released or monitored. To ensure that all of the PM&E measures are available for Commission staff and stakeholder review, and that staff has sufficient information to inform an environmental analysis of the proposed minimum flow release, please provide a detailed description of: (1) the mechanism by which GLHA proposes to release the minimum flow; (2) the location of the minimum flow release; and (3) how the minimum flow would be monitored. Please file this information with the draft plans identified in AIR #3.

GLHA Response:

The requested information is included in the Draft Operations and Compliance Monitoring Plan provided in Appendix B.

5. On September 14, 2024, the Caribou and Chesuncook Lake Camp Associations (Camp Associations) requested an additional CHEOPS⁴ Operations Model run for the Projects.⁵ The Camp Associations specifically requested a “Scenario 3,” which involves: (1) monthly target elevations for Ripogenus impoundment, including a target full pool elevation set at 940.1 feet National Geodetic Vertical Datum of 1929; NGVD 29) on May 15 and June 1; (2) monthly target elevations for the North Twin impoundment, including a reduced winter drawdown; and (3) a North Twin discharge of 3,000 cfs from August 22 through October 15, provided the North Twin elevation is greater than 488.42 feet NGVD 29 and the Ripogenus impoundment level is at the target elevations referenced in Item 1 above, and a minimum discharge from North Twin impoundment of 1,500 cfs through the remainder of the year. Appendix E.5, *Operations Model Run Results*, of the FLA (Volume 3) includes the results of three modeling alternatives, including two scenarios requested by the Camp Associations in an August 9, 2024 letter to GLHA and one alternative that reflects GLHA’s proposed operations. However, the appendix does not include the results of the Camp Association’s requested Scenario 3, nor have the results for this scenario been filed subsequent to the filing of the FLA.

To ensure that a range of project operational alternatives has been modeled, and that Commission staff has sufficient information to inform an environmental analysis of the Projects’ operations, please run the Camp Associations’ Scenario 3, and file the results as an amendment to Appendix E.5. Scenario 3 should be modeled with: (1) the generating and minimum flow assumptions used to model the Camp Association’s Scenarios 1 and 2; and (2) the generating and minimum flows proposed by GLHA.

GLHA Response:

GLHA’s response was previously provided in its May 29, 2025 filing with FERC.

Exhibit B

6. In section 3.1, *Ripogenus Project – Proposed Operations during Mean, High, and Low Water Years*, of Exhibit B of the FLA, GLHA proposes to use a gate at Ripogenus Dam to provide flow to the West Branch during unit or station outages at McKay Station. However, GLHA does not specify which gate would be used. To ensure that Commission staff has sufficient information to inform an environmental analysis of Ripogenus Project operations, please identify which gate(s) would be used to release flows from the dam.

⁴ Computer Hydro-Electric Operations and Planning Software.

⁵ On November 6, 2024, the Camp Associations filed a second request for its model run; and on January 23, 2025, American Whitewater, the Maine Council of Trout Unlimited, the Camp Associations, and the Appalachian Mountain Club, collectively, also requested that Scenario 3 be modeled, and that the results be filed to the record.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

Exhibit D

7. In Table 4.2.1, in Exhibit D of the FLA, GLHA provides capital and annual costs for the proposed measures at the Ripogenus Project. Two proposed measures in this table would likely result in changes in generation which are not identified in the table. Section 9.0, *Average Annual Increase or Decrease in Generation due to Change in Project Operations*, of Exhibit D, states that the proposed operational measures at the Ripogenus Project would result in a 3,285-MWh increase in generation. To the extent practical, please identify the change in this generation increase that would be attributed to: (1) the 1,700-cfs minimum flow from McKay Station; and (2) target boating flows downstream of McKay Station.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

8. In Table 4.2.2, in Exhibit D of the FLA, GLHA provides capital and annual costs for the proposed measures at the Penobscot Mills Project. Two proposed measures in this table would likely result in changes in generation which are not identified in this table. Section 9.0, *Average Annual Increase or Decrease in Generation due to Change in Project Operations*, of Exhibit D, states that the proposed operational measures at the Penobscot Mills Project would result in an 8,798-MWh decrease in generation. To the extent practical, please identify the change in this generation decrease attributed to: the 200-cfs minimum flow from Stone Dam; and (2) the 600-cfs boating flow from Millinocket Lake Storage Dam.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

9. Section 9.0, *Average Annual Increase or Decrease in Generation due to Change in Project Operations*, of Exhibit D of the FLA states that the proposed operational measures at the Penobscot Mills Project would result in an 8,798-MWh decrease in generation. However, according to the text in section 9, generation at the Millinocket Development would be reduced by 8,915 MWh, which is greater than the total generation losses estimated for the Penobscot Mills Project. Please clarify this discrepancy.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

10. Table 4.2-2, in Exhibit D of the FLA, GLHA provides capital and annual costs associated with its proposed American eel passage measures. However, no costs are given for the proposed downstream eel passage measures at the East Millinocket and Dolby Developments. In section 6.6.2.2, *Environmental Analysis – Penobscot Mills Project*,⁶ of Exhibit E of the FLA, GLHA states that downstream passage measures for eel could include operational changes (e.g., nighttime shut-downs), engineered protection

⁶ See effects discussion in Downstream American Eel Passage section on page E-348 of Exhibit E.

measures, fish-friendly turbine runner replacements, or other measures. To ensure that all the PM&E measures are available for Commission staff and stakeholder review, and that staff has sufficient information to inform an environmental analysis of the proposed downstream eel passage measures, please provide the estimated capital and annual costs for the downstream eel passage measures mentioned in section 6.6.2.2. These costs may be provided with the draft plan for American eel passage that GLHA files in response to AIR #3.

GLHA Response:

Due to the proposed long-range timeline and uncertainties associated with the specific measures to be implemented for downstream eel passage at the Penobscot Mills Project, it is impractical to provide estimated capital and annual costs at this time.

11. In Tables 4.2.1 and 4.2.2 in Exhibit D of the FLA, GLHA provides capital and annual costs for the proposed measures at the Ripogenus Project and the Penobscot Mills Project. To the extent practical, for any new measures recommended by the stakeholders that result in a change in generation, please estimate the increase or decrease in generation associated with that measure.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

Exhibit E

Water and Aquatic Resources

12. Table 5.3-1, in section 5.3.2, *Penobscot Mills Project*, of Exhibit E of the FLA, includes a proposal to provide target boating flows of 600 cfs from Millinocket Lake Storage Dam to Millinocket Stream from June through September. However, section 6.5.3, *Water Resources – Proposed Environmental Measures*, of Exhibit E does not include this proposal for the Penobscot Mills Project. Please clarify this discrepancy.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

13. Section 5.3.2, *West Branch at Big Eddy*, of the *McKay Station Ramping Study Report*,⁷ states that 228 organisms were observed in the Big Eddy study reach during both operational scenarios (i.e., 3 units to 1 unit; and 3 units to 2 units to 1 unit); 208 were alive and 10 were mortalities, leaving 10 organisms unaccounted for. Table 11, cited in the text, documents 228 organisms observed during the study, of which 218 were alive and 10 were mortalities. Please clarify the discrepancy regarding the number of alive organisms observed at the Big Eddy study reach.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

⁷ See Appendix E.6 in Volume 3 of the FLA (pdf pages 379-380).

14. Section 6.6.1.1, *Fish and Aquatic Resources – Affected Environment*, of Exhibit E of the FLA,⁸ describes the aquatic habitat within the first 1,000 feet downstream from McKay Station as a set of deep, swift pools and rapids, within a confined gorge. There is no description of the West Branch beyond the project boundary. To ensure that Commission staff has sufficient information to inform an environmental analysis of the existing and proposed minimum flows in the West Branch, please provide a general description of the aquatic habitat in the West Branch downstream from the project boundary through the area just downstream from the Holbrook Side Channel.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

15. Section 6.6.1.1, *Fish and Aquatic Resources – Affected Environment*, of Exhibit E of the FLA,⁹ describes the percent of littoral zone area and volume that is maintained in the Millinocket Lake Storage Dam impoundment based on historical minimum lake elevations. A similar analysis is provided for the North Twin impoundment, but it also includes an analysis based on an 11-year average minimum lake elevation. To ensure that Commission staff has sufficient information to inform an environmental analysis of the existing and proposed lake level fluctuations in the Millinocket Lake Storage Dam impoundment, please update the analysis for the Millinocket Lake Storage Dam impoundment to also include an analysis based on the 11-year average (2011-2021) minimum lake elevation.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

16. Section 6.6.1.1, *Fish and Aquatic Resources – Affected Environment*, of Exhibit E of the FLA,¹⁰ describes the 2023 Angler Flow Evaluation Study of the West Branch downstream from Stone Dam. In describing the study methodology, GLHA explains that the casting limit for the study was set at 30 feet, which was based on the average casting distance observed during the study. As noted in the Updated Study Report (USR) Meeting Summary,¹¹ and in subsequent comments on the USR and meeting summary,¹² there is concern that the 30-foot casting limit is a shortened distance that reduces the useable/castable area by 50 percent. To ensure that Commission staff has sufficient information to inform an environmental analysis of the existing and proposed minimum flows in the West Branch downstream from Stone Dam, please update the angling flow analysis to include a casting limit of 60 feet and file this information as an amendment to the *Angler Flow Evaluation Study Report*.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

17. Section 6.6.1.1, *Fish and Aquatic Resources – Affected Environment*, of Exhibit E of the FLA,¹³ describes the 2024 McKay Station Ramping Study. GLHA indicates that a drone was used during the

⁸ See Exhibit E in Volume 3 of the FLA at E-201.

⁹ *Id.*, at E-210 and E-211.

¹⁰ *Id.*, at E-224 to E-230.

¹¹ GLHA's May 31, 2024 Updated Study Report Meeting Summary at 5.

¹² Maine TU's July 1, 2024 USR Comments at 7.

¹³ See Exhibit E in Volume 3 of the FLA at E-266 to E-272.

study to take geo-referenced, high-resolution video and still photographs for the study. To ensure that Commission staff has sufficient information to inform an environmental analysis of the existing and proposed minimum flows in the West Branch downstream from McKay Station, please file the relevant video and still photographs to the record.

GLHA Response:

GLHA provided the requested photographs in the filing with FERC on May 29, 2025, and the requested videos were subsequently filed with FERC on July 2, 2025.

18. Figure 6.6-24, on page E-345 of Exhibit E (Volume 3 of the FLA), graphically presents adult brook trout habitat suitability and wetted area information for the West Branch downstream from Stone Dam, for flows between leakage and 2,000 cfs. The legend for this figure identifies the curves for wetted area, as well as habitat for adult and juvenile brook trout. However, there are three additional curves on that figure that are not defined/labeled. Please provide an updated figure 6.6-24 with a legend that defines all curves represented in the figure.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

19. In responding to FWS's comments on the *Updated Fish Assemblage Study Report*,¹⁴ GLHA indicates that Maine DIFW conducted smelt drift surveys in the West Branch downstream from McKay Station in 2021 (data included in the updated *Fish Assemblage Study Report*) and 2022 (data not yet available). To ensure that Commission staff has sufficient information to inform an environmental analysis of the Ripogenus Project's operation, please consult with Maine DIFW regarding obtaining the 2022 smelt drift data and file that data as an amendment to Appendix E.7, *Updated Fish Assemblage Study Report*.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

20. Appendix E.7, *Updated Fish Assemblage Study Report*, states that data on fish populations and the fishery collected by Maine DIFW for the Ripogenus impoundment and the West Branch downstream from McKay Station was obtained and summarized in the report.¹⁵ While the report provides a summary of this data, it provides little insight into trends in the fishery over time, specifically during the existing license term. Therefore, please file, as an amendment to the *Updated Fish Assemblage Study Report*: (1) the raw data obtained from Maine DIFW in April and December of 2022; (2) any updated data Maine DIFW has available since that time; and (3) graphical and/or tabular summaries of the data, on an annual basis, by species.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

¹⁴ See Appendix E.7 in Volume 3 of the FLA at pdf page 538.

¹⁵ *Id.*, at pdf pages 457 to 460.

Terrestrial Resources

21. Section 6.7.1, *Wildlife and Botanical Resources*, of Exhibit E of the FLA, includes a map of the existing Wildlife Management Area at the Millinocket Development of the Penobscot Mills Project from the 1997 Wildlife Management Plan (*see* figure 6.7-1). The map provided is difficult to read and interpret. Therefore, to: (a) facilitate Commission staff and stakeholder review of the wildlife management area and the management plan's measures, and (b) ensure that staff has sufficient information about the status of management in the area to inform an environmental analysis for the plan, please provide an updated, more legible, map of the management area with the Wildlife Management Plan filed in accordance with AIR #3.

GLHA Response:

The Draft Wildlife Management Plan, including an updated version of the Wildlife Management Area map, is provided in Appendix E. The Draft Plan was provided to representatives of the FWS and Maine DIFW on July 16, 2025 for 30-day review and comment. Upon receipt of comments from FWS and Maine DIFW (which are still pending), GLHA intends to update the Draft Plan accordingly and file the updated Plan (together with copies of agency correspondences) with FERC.

Threatened and Endangered Species

22. In our July 31, 2024 comments on the draft license application, Commission staff requested that the FLA include a discussion on the proposed endangered tricolored bat¹⁶ in the *Rare, Threatened, and Endangered Species* section. While the FLA provides a brief description of the tricolored bat, it does not include a discussion of potential project effects to bats, or procedures (e.g., time of year restrictions) for managing vegetation in sensitive habitats such as wetlands, riparian areas during the tricolor bat's active season, or the active season for the endangered northern long-eared bat. To ensure that Commission staff has sufficient information to inform an environmental analysis of the Projects' potential effects on federally listed bats, please provide the following information along with any PM&E measures for bats likely to occur in the Projects' areas. This information may be provided with the draft plans that GLHA files in accordance with AIR #3, and should include:

- (A) a discussion of the potential project-related effects (i.e., seasonal vegetation management including transmission line right of way maintenance, use of pesticides; and project-related recreation activities) on the tricolored bat;
- (B) a description of any existing or proposed tree removal activities, which includes cutting down, harvesting, destroying, trimming, or manipulating of trees, saplings, snags, or any other form of woody vegetation likely to be used as summer roosting and foraging habitat within the projects' boundaries;
- (C) a description of any known hibernacula or maternity roost trees within or adjacent to the project boundaries; and

¹⁶ 87 Fed. Reg. 56,381-56,393 (September 14, 2022).

- (D) any measures that would be implemented for the protection of all listed bats in the project boundary.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

Recreation Resources

23. Table 6.10-26, on page E-571 of Exhibit E of the FLA, shows statistics on the monthly, recreation season, and annual flows for the West Branch downstream from Stone Dam. To assist the Commission in evaluating the recreational benefits of spill flows in the reach downstream from Stone Dam, please provide an update of table 6.10-26 that includes columns for the percentage of time that 700 cfs and 2,000 cfs are exceeded on a monthly, recreation season, and annual basis.

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

Exhibit F – Supporting Design Report

24. Exhibit H of the application includes a Supporting Design Report (SDR) for the East Millinocket Development of the Penobscot Mills Project but does not include an SDR for the remaining four developments. So that staff can assess whether existing and proposed project structures are safe and adequate to fulfill their stated functions, please provide an SDR for the four remaining developments (North Twin, Millinocket, Dolby, and Millinocket Lake Storage Developments) within 150 days of this letter, which, at minimum, includes the following supporting information:

- (A) An assessment of the suitability of the site and the reservoir rim stability based on geological and subsurface investigations, including investigations of soils and rock borings and tests for the evaluation of all foundations and construction materials sufficient to determine the location and type of dam structures suitable for the dam site;
- (B) Copies of all boring logs, geology reports and laboratory tests reports;
- (C) An identification of all barrow areas and quarry sites and an estimate of required quantities and suitable construction material;
- (D) Stability and stress analyses for all major structures and critical abutment slopes under all probable loading conditions, including seismic and hydrostatic forces induced by water loads up to the Probable Maximum Flood as appropriate; and
- (E) The basis for determination of seismic loading and the Spillway Design Flood in sufficient detail to permit independent staff evaluation. If the report contains preliminary drawings, it must be designated a "Preliminary Supporting Exhibit Report."

GLHA Response:

GLHA's response was previously provided in its May 29, 2025 filing with FERC.

JUNE 18, 2025 ADDITIONAL INFORMATION REQUESTS

Cultural Resources

1. Section 6.12.1 of the final license application (FLA; Vol. 1 – Exhibit E) describes the cultural resource surveys that were conducted at the Ripogenus and Penobscot Mills Hydroelectric Projects (Ripogenus Project, Penobscot Mills Project; collectively, the Projects) between 1981 and 1991.

According to section 6.12.1.4 of the FLA, 7 of the 124 sites at the Penobscot Mills Project were determined to be eligible for listing in the National Register of Historic Places (National Register) and were ultimately included in the 1998 Cultural Resources Management Plan (CRMP). However, in letters dated August 8, 1991¹⁷ and August 21, 1991,¹⁸ the Maine State Historic Preservation Officer (SHPO) determined that 12 of the 124 sites at the project were eligible for listing on the National Register and an additional 10 sites were considered eligible but were located “outside project limits.” Of the remaining sites, 11 sites were earlier determined by the Maine SHPO to be ineligible (letters dated August 8, 1991, and May 7, 1990¹⁹). Further examination of the individual site records provided in the 1991 cultural resources report (University of Maine at Farmington, 1991a)²⁰ indicated that 10 other sites had been “destroyed,” 41 sites were described as “inundated,” and 26 resources appear to be isolated occurrences of cultural material. A total of 16 sites were removed from further consideration for other unknown reasons.

With regard to the Ripogenus Project, the license application indicates that 15 of the 130 sites at the project were determined to be eligible for listing in the National Register and were ultimately included in the 1998 CMRP. However, in the Maine SHPO's August 8, 1991, and August 21, 1991 letters, the SHPO found that 36 sites of the sites were eligible for listing and 4 sites were considered to be eligible but were located “outside of project limits.” Of the remaining sites, the Maine SHPO's August 8, 1991 letter determined that 4 sites are ineligible. Examination of the individual site records provided in the 1991 cultural resources report (University of Maine at Farmington, 1991b)²¹ indicated that a total of 67 sites had been “destroyed,” and 12 sites appear to be isolated occurrences of cultural material. A total of 9 sites were removed from consideration for other unknown reasons.

¹⁷ Maine Historic Preservation Commission, August 8, 1991; *in* GLHA's September 24, 2021 Filing [Vol 12-A, pdf page 127], accession no. 20210924-5053.

¹⁸ Maine Historic Preservation Commission, August 21, 1991; *in* GLHA's September 24, 2021 Filing [Vol 12-A, pdf page 129], accession no. 20210924-5053.

¹⁹ Maine Historic Preservation Commission, May 7, 1990; *in* GLHA's September 24, 2021 Filing [Vol 12-A, pdf page 64], accession no. 20210924-5053.

²⁰ University of Maine at Farmington, Archaeological Phase I survey and Phase II testing of the Penobscot Mills Project, October 1, 1991; *in* GLHA's September 24, 2021 Filing [Vols 12-B through 12-E], accession no. 20210924-5053.

²¹ University of Maine at Farmington, Archaeological Phase I survey and Phase II testing of the Ripogenus Project, August 31, 1991; *in* GLHA's September 24, 2021 Filing [Vols 12-B through 12-D], accession no. 20210924-5053.

So that we may better understand the current status of all eligible and potentially eligible archaeological resources at the Projects, please provide the following:

- The definition of “project limits,” as used by the Maine SHPO in its August 21, 1991 letter. Does this term refer to the FERC project boundaries for the Projects or to the limits of the prior archaeological surveys along the Projects’ shorelines?
- The current status of 14 archaeological sites at the Penobscot Mills Project that were determined to be eligible for listing on the National Register and are experiencing erosion but are not included in the CRMP (*see* table 1 attached).
- The current status of 25 archaeological sites at the Ripogenus Project that were determined to be eligible for listing on the National Register and are experiencing erosion but are not included in the CRMP (*see* table 2 attached).

Your response to the current status of the 39 archaeological sites at the Projects may be provided in tabular form.

GLHA Response:

GLHA is not certain as to the definition of “project limits” as referenced by the Maine SHPO in its August 21, 1991 letter; however, historically Maine SHPO defined the Area of Potential Effect (APE) as the FERC Project boundary plus 50 feet.

An archaeological Phase I survey and Phase II testing of the Ripogenus Project were performed in 1987, 1988, and 1990 and evaluated 130 sites. After transmitting the draft report to the MHPC for their review and comment in early 1990, the Maine SHPO issued formal comment letters on the identified and variably evaluated cultural resources in 1990, 1991, and 1992. Ultimately, 15 archaeological sites were deemed to be significant and eligible for the National Register; these sites were then listed on the National Register in October 1995.

An archaeological Phase I survey and Phase II testing of the Penobscot Mills Project were performed in 1987, 1988, and 1990 and evaluated 124 sites. After transmitting the draft report to the MHPC for their review and comment in early 1990, the Maine SHPO issued formal comment letters in 1990, 1991, and 1992. Ultimately, 7 archaeological sites were deemed to be significant and eligible for the National Register; these sites were then listed on the National Register in October 1995.

2. During the prior relicensing, the Maine SHPO only required consideration of the effects of project-related erosion on National Register-eligible archaeological resources.²² No other potential project-related effects were addressed. Commission staff’s examination of the site records indicate that some of the eligible sites are experiencing other disturbances (e.g., 121-72, 122-04a, 122-05, 122-06; *see* table 2). Please identify any other potential project-related effects at all eligible or unevaluated resources,

²² Maine Historic Preservation Commission, April 2, 1987; *in* GLHA’s September 24, 2021 Filing [Vol 12-A, pdf page 8], accession no. 20210924-5053.

including, but not limited to, recreational use or access, vandalism, project roads or other infrastructure, or other potential disturbances. This information may be presented in tabular form.

GLHA Response:

As indicated in the FLA, below is a list of the sites determined eligible and subsequently listed in the National Register, along with the status of the Phase III studies (i.e., data recovery) for each site (* indicates work scheduled to be completed in 2025). Due to the remote nature of the Projects, no other Project-related effects to the listed sites have been identified.

Site No.	Fieldwork	Analyses & Reporting	Comment
RIPOGENUS PROJECT			
<i>Caucomgomoc Stream and Black Pond</i>			
142.05	Complete	Complete	Maine SHPO concurred with findings
142.06	Complete	Complete	Maine SHPO concurred with findings
142.08	Not Complete	Not Complete	Difficulty accessing site
142.12	Complete	In Progress*	--
142.13	Not Complete	Not Complete	Difficulty accessing site
142.14	Complete	Complete	Maine SHPO concurred with findings
143.05	Complete	In Progress*	--
143.12	Not Complete	Not Complete	Difficulty accessing site
143.15	Not Complete	Not Complete	Difficulty accessing site
143.16	Complete	In Progress*	--
143.23	Not Complete	Not Complete	Difficulty accessing site
<i>West Branch and Pine Stream</i>			
143.52	Complete	Complete	Maine SHPO concurred with findings
143.53	Complete	In Progress*	--
143.57	Complete	In Progress*	--
<i>Chesuncook</i>			
143.79	Complete	In Progress*	--
PENOBSCOT MILLS PROJECT			
<i>Millinocket Lake</i>			
122.14	In Progress	Not Complete	Subject to landowner permission, archaeological testing requested by MHPC is scheduled for 2026
122.16	Complete	Complete	Maine SHPO concurred with findings
134.08	Complete	Complete	Maine SHPO concurred with findings
134.09	In Progress	Not Complete	Archaeological testing requested by MHPC is scheduled for 2025
<i>North Twin</i>			
121.59	Not Required	Not Required	Lack of context for site
<i>West Branch Ambajejus</i>			
121.52a	Complete	Complete	Maine SHPO concurred with findings
121.52b	Complete	Complete	Maine SHPO concurred with findings

3. Please provide maps depicting the locations of all National Register-eligible or unevaluated archaeological resources and structures within the Projects' Area of Potential Effect (APE).²³ Please identify on the maps all areas that were surveyed during the prior relicensing and all unsurveyed areas. These maps should be filed "Privileged" to ensure confidentiality.

GLHA Response:

Regarding archaeological sites, as indicated above and in the 1996 Programmatic Agreement, after extensive archaeological surveys and evaluations at the Projects, a total of 15 sites at the Ripogenus Project and 7 sites at the Penobscot Mills Project were determined eligible for the National Register and were listed in the National Register on October 31, 1995. The locations of the National Register-listed sites are non-public information but are on file with the MHPC and the National Park Service. As indicated in a letter dated June 8, 1998 providing comments on the CRMPs, MHPC indicated that the CRMPs should NOT include maps of archaeological locations and that the intensity of the surveys, extent of surveys, etc., are contained in full reports on file at MHPC and elsewhere and do not need to be repeated in the CRMP.

Regarding architectural sites, during the previous relicensing of the Projects, comprehensive historic architectural surveys were completed in consultation with Maine SHPO with certain Project structures determined as eligible. In support of the current relicensing of the Projects, GLHA identified structures that are currently greater than 50 years old and had not been previously surveyed; therefore, these structures were surveyed as part of this relicensing. A description of eligible structures and their locations are provided in the updated Historic Architecture Survey Report provided in Appendix A.

4. Chesuncook Village, which is a National Register-listed historic district, is located partially within the Ripogenus Project boundary. For this reason, potential project-related effects on the entirety of this, and any other, district must be addressed. Therefore, please file additional information about the district, including descriptions of resources that contribute to the district's National Register eligibility, the locations of those resources relative to the project boundary, and describe any potential project-related effects to the district as a whole or to its contributing resources.

GLHA Response:

The updated Historic Architecture Survey Report provided in Appendix A includes information related to the Chesuncook Village Historic District. However, there are no structures associated with the village within the Ripogenus FERC Project boundary. Further, via letter dated June 25, 2025, MHPC concluded that the proposed undertaking will have no adverse effect upon historic architectural properties as defined by Section 106.

5. Section 6.12.1.5 of Exhibit E of the FLA states that the Penobscot Indian Nation uses lands and waters within the Penobscot River Basin for hunting, fishing, gathering, and other traditional purposes, including ceremonial uses. Great Lakes Hydro America (GLHA) indicates in the FLA that it coordinated

²³ For the Projects, the Commission determines that APEs include all lands within each project boundary and land outside the project boundary that contains historic districts that could be affected by project-related actions, including but not limited to the Chesuncook Village.

with the Tribe regarding its traditional uses and will continue to coordinate with them “during and following the relicensing process.” The FLA also states that the continued operation of the Projects is “not expected to impact” the Mi’kmaq Nation and Maliseet Indians, and mentions the Passamaquoddy Tribe. However, while the Commission, via its staff, has reached out to potentially-interested Tribes regarding the Projects,²⁴ there is no mention in this section of the FLA of GLHA’s efforts to consult individually with the Tribes regarding the relicensing of the Projects, in accordance with section 106 of the National Historic Preservation Act and its implementing regulations, nor is there a description of potential effects on tribal resources.²⁵ While the Tribes are included in the relicensing distribution list, received copies of relicensing documents, and were invited to scoping and other meetings with other participants, it is not clear that the Tribes were individually contacted about any specific concerns that they may have regarding cultural resources at the Projects. Therefore, please provide a summary of all tribal consultation and specific outreach that has occurred to date, as well as provide copies of all correspondence.

GLHA Response:

Representatives from the Penobscot Nation, Passamaquoddy Tribe, Houlton Band of Maliseet Indians, and Mi’kmaq Nation are included on the relicensing distribution list and have received all documents filed with FERC by GLHA during the relicensing proceeding for the Projects. No comments or responses were provided from the tribes except for Penobscot Nation. In addition to receiving notice of all relicensing filings with FERC, below is a description of consultation to, from, and with the Penobscot Nation during the on-going relicensing of the Projects, copies of which are provided in Appendix H.

Date	From	To	Description
Jan 5, 2021	GLHA	Penobscot Nation	Pre-Application Document (PAD) Questionnaire
May 31, 2021	Penobscot Nation	GLHA	Response to PAD Questionnaire indicating interest in Geology/Soils, Water Resources, Fish & Aquatics, Wetlands Habitat, Recreation Use, and Cultural Resources
Sep 10, 2021	--	--	Penobscot Nation attended the virtual scoping meetings hosted by FERC.
Sep 13, 2021	Penobscot Nation	FERC	Requests GLHA submit existing information and FERC grant additional time for stakeholders to file comments on PAD and study requests.
Oct 12, 2021	Penobscot Nation	FERC	Files comments on PAD and Scoping Document 1 and study requests.
Feb 22, 2022	Penobscot Nation	FERC	Files comments on the Proposed Study Plan (PSP) related to Socioeconomics Study and Water Quality Study.
Mar 11, 2024	HDR	Penobscot Nation	Phone call to Charles Loring of Penobscot Nation with a voice mail left inquiring about a time to have a call to discuss the on-going relicensing of the Projects.
Mar 11, 2024	HDR	Penobscot Nation	Email inquiring about a time to have a call to discuss the on-going relicensing of the Projects.

²⁴ Letters dated April 15, 2021 (accession 20210415-3051) and May 14, 2024 (accession 20240514-3091).

²⁵ See 36 C.F.R. § 800.2(c)(2)(ii).

Date	From	To	Description
Apr 9, 2024	HDR	Penobscot Nation	Email inquiring about a time to have a call to discuss the on-going relicensing of the Projects.
May 14, 2024	FERC	Penobscot Nation	Letter indicating that FERC and GLHA have performed outreach to Penobscot Nation via email and telephone but have not received responses from the Penobscot Nation.
Jun 19, 2024	Penobscot Nation	FERC	Response to FERC's May 14, 2024 letter contact information for Penobscot Nation and indicating that they are preparing comments on the study to be filed by June 30, 2024.
Jul 2, 2024	HDR	Penobscot Nation	Email indicating that HDR will be in contact with Penobscot Nation to schedule a call to discuss the on-going relicensings of the Projects.
Jul 12, 2024	HDR	Penobscot Nation	Email requesting a date to schedule a call to discuss the on-going relicensings of the Projects.
Jul 25, 2024	HDR	Penobscot Nation	Email requesting a date to schedule a call to discuss the on-going relicensings of the Projects.
Jul 29, 2024	Penobscot Nation	HDR	Emails indicating availability to schedule a call to discuss the on-going relicensings of the Projects.
Aug 8, 2024	Penobscot Nation	HDR	Email indicating availability to schedule a call to discuss the on-going relicensings of the Projects.
Aug 16, 2024	--	--	Conference call with GLHA (Michael Scarzello), HDR (Jim Gibson and Cate Russell) and Penobscot Nation (Dan McCaw, Charles Loring, and Dan Kusnierz) to discuss the on-going relicensing of the Projects. Penobscot Nation indicated their focus has largely been on Indian Island in the mainstem Penobscot River in the Town of Old Town; indicated that they wanted the Environmental Justice Study conducted for the Projects to consider lost tribal opportunities on the West Branch; asked if there is an opportunity to comment on the FLA; and asked when FERC's process under the National Environmental Policy Act (NEPA) will occur.