



August 28, 2020

VIA MDEP E-FILE & FEDEX

Ms. Kathy Howatt
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333

Re: Clean Water Act Section 401 Water Quality Certification Application for the Shawmut Hydroelectric Project (FERC No. 2322)

Dear Ms. Howatt:

Brookfield White Pine Hydro, LLC (BWPH), licensee for the Shawmut Hydroelectric Project (FERC No. 2322) (Project), herein provides an Application for Water Quality Certification (U.S. P.L. 92-500, Section 401) for the relicensing of the Shawmut Project by the Federal Energy Regulatory Commission (FERC). The Project is located on the Kennebec River in the Towns of Fairfield, Skowhegan, Clinton, and Benton, in Somerset and Kennebec Counties, Maine. A check in the amount of \$5337.05 made payable to the Treasurer, State of Maine is included with this application.

On January 31, 2020, BWPH filed a Final License Application with FERC for the Shawmut Project. On March 2, 2020 the Commission issued an Additional Information Request (AIR) to BWPH. On June 1, 2020 BWPH filed the requested additional information. On July 1, 2020 the Commission issued its 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 (REA Notice).

In a separate proceeding, on December 31, 2019, BWPH filed with the Maine Department of Environmental Protection (MDEP) a Condition Compliance Application for the Shawmut Upstream Fish Passage Facility. Under that application, and in accordance with the terms of the existing Shawmut FERC license and the current WQC, BWPH was seeking approval for the construction of an upstream fishway at the Shawmut Project in 2020 (to be completed in 2021). MDEP assigned that application the reference number #L-19751-33-G-N and notified BWPH that the application was found to be acceptable for processing on June 16, 2020.

On July 13, 2020 FERC issued a letter to BWPH informing the Licensee that construction of a new upstream fishway at the Shawmut Project would be considered as part of the ongoing relicensing proceeding. The Commission also stated that it did not intend to act on the Licensee's request to amend the current Shawmut license to incorporate the final SPP, review the final upstream fish passage design drawings that were submitted, or act on any request to commence fishway construction at Shawmut under the ISPP, pursuant to the Commission's Order dated May 19, 2016.

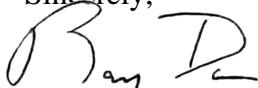
On June 1, 2020 the U.S. Environmental Protection Agency (EPA) released its Final Rule to streamline CWA Section 401 review. EPA's Final Rule was published in the Federal Register on July 13, 2020 and the effective date is September 11, 2020. The Final Rule requires an applicant to request a pre-filing meeting with the State agency at least 30 days prior to filing for certification (40 CFR § 121.4).

On August 11, 2020 MDEP met with BWPH via phone to discuss the Shawmut Project application for Water Quality Certification. During the call MDEP and BWPH discussed how best to incorporate the information on the upstream fish passage facilities that BWPH had been planning to construct in 2020 into the WQC application for the relicensing of the Shawmut Project. As all of the information relative to the proposed upstream fish passage facilities was already on file with the Department as part of the earlier MWDCa application, BWPH proposed that referencing the earlier fish passage construction application in the enclosed Water Quality Certification application for the relicensing of the Shawmut Project would represent the best way to include this information.

Accordingly, the enclosed WQC application includes as attachments the Shawmut Project Final License Application dated January 31, 2020 (Attachment 1), BWPH's response to Additional Information Request dated June 1, 2020 (Attachment 2), and reference to the combined MWDCa Project Construction/Reconstruction and Condition Compliance application for the upstream fish passage facilities at the Shawmut Hydroelectric Project (DEP Application #L-19751-33-G-N).

Please contact me should you have any questions.

Sincerely,



Randall Dorman
Licensing Manager
Brookfield Renewable

cc: Kelly Maloney, BWPH
Enclosures: Water Quality Certification Application