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September 22, 2022

ShawmutWQC.DEP@maine.gov  
Mr. Kyle Olcott  
Hydropower Coordinator  
Maine Dept. of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017

**RE: Supplement to application for water quality certification, Shawmut Hydroelectric Project, L-019751-33-I-N**

Dear Mr. Olcott,

Brookfield White Pine Hydro LLC (“BWPH”) supplements its October 18, 2021 application for water quality certification for the Shawmut Hydroelectric Project by introducing into the record the attached *Supplement to the Species Protection Plan and Interim Species Protection Plan for Atlantic Salmon, Atlantic Sturgeon, and Shortnose Sturgeon* (the “Supplement”). BWPH developed the Supplement after discussions with the National Marine Fisheries Service (“NMFS”) to enhance BWPH’s robust fish passage proposals for the lower Kennebec River by implementing, on an accelerated schedule, measures already contemplated within the adaptive management plan that was included in BWPH’s previously submitted relicensing proposal. BWPH filed the Supplement with the Federal Energy Regulatory Commission on September 21, 2022.

Though the Supplement is broadly concerned with the entire watershed, it enhances BWPH’s fish passage proposal for Shawmut with the following measures:

- BWPH will install an additional fish boom outside of the gate structure.
- BWPH will install a two-inch trash rack overlay at units seven and eight for the protection of kelt.
- BWPH will resurface and smooth the spillway concrete below the hingeboards and the log sluice.
- BWPH will install a uniform acceleration weir at the Tainter gate.
- BWPH will reprioritize spill flows and direct spill to avoid ledge outcroppings, to the extent possible.

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- BWPH will implement night-time shutdowns of units seven and eight from 8:00 p.m. to 8:00 a.m. for at least four weeks (and up to five weeks as required) during the smolt migration period, generally targeted for the last week of April to the last week of May. The specific start date will be determined in consultation with the NMFS and the Maine Department of Marine Resources based on smolt trapping information or an accepted migration model.

Details concerning each of these measures are available in the attached Supplement.

The additional fish passage measures at Shawmut will further strengthen BWPH's fish passage proposal, a proposal that was already calculated to allow 96 percent of Atlantic salmon to move upstream and 97 percent of Atlantic salmon to move downstream past the dam.

Because these supplemental measures are straightforward measures that can be quickly reviewed as they were already contemplated in the Shawmut relicensing proposal, and because it is self-evident that they will improve overall fish passage performance at Shawmut, the Department of Environmental Protection (the "Department") should still act on BWPH's application by October 18, 2022.

Moreover, the Department's prior concerns, as reflected in its draft order of July 29, that there could be forthcoming "changes to fish passage measures" are now moot. The attached Supplement is the result of BWPH's discussions with NMFS. The Department can, and must, review these changes now, without requiring BWPH to file a new application at an unspecified time in the future. There are no grounds for the Department to deny BWPH's application for water quality certification for Shawmut, including a denial without prejudice.

Very truly yours,

A handwritten signature in blue ink, appearing to read "SGN", followed by a horizontal line.

Sharon G. Newman

SGN:bh  
Enclosure