



April 10, 2024

Office of the Commissioner
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

Re: Green Lake WQC

Commissioner Loyzim,

I am writing on behalf of Green Ellsworth, an organization concerned with strengthening the sustainability of the City of Ellsworth and our region. In 2021 Green Ellsworth released a substantial Green Plan in which the first chapter is concerned with the sustainability of our water resources (<https://www.greenellsworth.org/green-guide-green-plan>). The writing of this chapter involved the engagement of and consultation with people from across the Union River watershed (not just Ellsworth) and the implementation of recommendations in this ten-year plan is involving an even broader representation of players from the watershed.

The Green Plan calls for the restoration of fish passage and Indigenous fish stocks throughout the watershed—and water quality suitable for sustaining the habitats that these fish and other native aquatic species require. This obviously includes diadromous fish which, as your draft order notes, have historically figured prominently in Reed's Brook and Green Lake to the extent of inspiring the location of the National Fish Hatchery on the brook. These fish are especially compromised by dams in the watershed despite efforts to transport them around dam obstructions.

We were glad to see in the draft order relating to the Green Lake dam that your Department is placing an emphasis on the importance of fish passage—including timely attention to safe eel passage and more general fish passage. This is consistent with the work of the Downeast Salmon Federation which has removed some impediments to fish passage in the watershed. It is also consistent with the strong consensus of attendees from across the watershed at the two-day Union River Watershed Summit held in April 2023. There was strong agreement that free fish passage in the Union River watershed needs to be restored, and after the Summit City of Ellsworth staff and Councillors, who had been in attendance, directed engineers involved in the remake of the Branch Lake dam to include fish passage in their plan.

Especially in that context, we want to request that this draft be amended to require the installation of full fish passage as conditional for this certificate and not dependent on changes in the fish passage situation downstream. Currently, thousands of fish are being transported above the Graham Lake dam annually, and Green Lake which has historically been a prime destination for those fish needs to be fully accessible to them—not simply for their benefit but also for the enrichment of the habitat that the influx of these fish will provide. Given the abundance of funding currently available for dam removal and remodeling and the willingness

of local organizations such as Downeast Salmon Federation, Downeast Trout Unlimited and the Hancock County Soil and Water District to assist dam owners in securing funds to assure fish passage where possible, we believe that this would not constitute an unreasonable hardship for the owners. If the owners must make adaptations for eels now, then it makes more financial as well as environmental sense for them to be required to make full fish passage changes now—not later. This would in fact put the owners in a better position to secure funding assistance for such a project

Thank you for the opportunity to comment on this draft order. I would like to note that our third Union River Watershed Summit will be held on May 17 (virtually) and 18 (in person at the Moore Community Center in Ellsworth). See details at: <https://www.greenellsworth.org/community-events>. Last year the participation of a DEP staff member as keynote for this Summit had an important impact on the direction the event took, and we would very much welcome further participation by DEP staff this year. The focus of this summit will be on examples from other locations of dam removals or alterations to allow fish passage and improve water quality.

Sincerely,

Mary A. Blackstone

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