



United States Department of the Interior



U.S. FISH AND WILDLIFE SERVICE

Ecological Services
Maine Field Office
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East Orland, Maine 04431
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December 13, 2024

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

Re: Comments on Revised Study Plan for the Brunswick Hydroelectric Project P-2284-052

Dear Secretary Reese:

This letter provides the U.S. Fish and Wildlife Service's (Service) comments on Brookfield White Pine Hydro, LLC's (Brookfield) Revised Study Plan (RSP) for the relicensing of the Brunswick Hydroelectric Project (Project) (P-2284-052). The Project is located on the Androscoggin River in the towns of Brunswick and Topsham, Cumberland and Sagadahoc Counties, Maine. Brookfield filed the RSP with the Federal Energy Regulatory Commission (FERC) on December 2, 2024.¹ We are providing comments pursuant to 18 CFR 5.13(b).

On June 20, 2024, the Service submitted eight study requests² consistent with the content required in FERC's regulations at 18 CFR 5.9(b). In its Proposed Study Plan (PSP), Brookfield adopted, in whole or in part, five of the Service's requests.³ The Service provided comments on the PSP on November 1, 2024.⁴ The Service's PSP comments are incorporated by reference into this letter. Below, the Service provides comments on the RSP.

¹ Accession Number 20241202-5108

² Accession Number 20240620-5294

³ Accession Number 20240802-5123

⁴ Accession Number 20241101-5067

Downstream American Eel Passage Assessment and Downstream Alosine Passage Assessment

In the RSP, Brookfield restated its rationale for not adopting the Service's requested studies of Project effects on downstream passage for American eel and alosines (American shad, alewife, and blueback herring). In summary, Brookfield continues to assert that downstream passage structures are likely inadequate but declines to modify its relicensing proposal to address the inadequacy. Instead, Brookfield proposes to operate the Project during the term of a new license, as currently operated, in a run-of-river mode and proposes no new or upgraded facilities, structural changes, operational changes, or environmental measures. The Service reiterates its comments on the PSP, which state that FERC must analyze the effects of the Project as proposed. Therefore, any environmental analysis of the effects of Project relicensing would be incomplete without information from the requested downstream passage studies. Additionally, information regarding fish behavior, passage success, route of passage, and survival is necessary to inform the development of appropriate protection, mitigation, or enhancement measures to address Project effects on the target species.

Visual Surveys of Upstream American Eel Movements

On page 4 of the RSP, Brookfield asserts that unspecified safety concerns related to traversing the Project spillway reach at night preclude direct visual observations of American eel below the Project dam. Brookfield also notes that lowering the Project headpond is a viable solution for eliminating the safety threat of sudden increases in flows below the Project dam, which it had previously noted as the primary safety concern. The Service reiterates its PSP comments, and notes that FERC licensees have conducted visual observations of upstream American eel movement at Projects throughout the species' entire range. The Service is not aware of any reason why the Brunswick Project poses a unique safety hazard. Additionally, the Service reiterates its PSP comment that, as proposed, the study will not provide sufficient information for FERC's analysis of the Project's effects or the development of appropriate protection, mitigation, and enhancement measures.

We appreciate this opportunity to comment and look forward to working with FERC, Brookfield, and other interested parties in the development of the license application. If you have any questions about this letter, please contact Kyle Olcott by telephone at 207-536-9541 or via email at dudley_olcott@fws.gov.

Sincerely,

Amanda S. Cross, Ph.D.
Field Supervisor
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cc: Mike Scarzello, Brookfield Renewable U.S. (via email)
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