Friends of Merrymeeting Bay

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Comments on Proposed Study Plan (PSP), Brunswick, Hydroelectric Project, Androscoggin River, Maine
P-2284

11/1/24

VIA E-FILING

Debbie-Ann A. Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, DC 20426

Secretary Reese,

On 6/20/24 Friends of Merrymeeting Bay (FOMB) submitted extensive comments on Brookfield White Pine Hydro's (BWPH) Preliminary Application Document for their FERC project P-2284, the first dam on the Androscoggin River, spanning between Brunswick and Topsham, Maine. In those comments we requested BWPH conduct four studies:

A. Dam decommissioning and removal with site restoration

B. Passage improvements/alternatives to include fish lift (s) and nature-like passage

C. Temperature & DO profile in the project area upstream of the dam

D. Benthic Macroinvertebrate profile in the project area upstream of the dam

BWPH will be conducting a modified version of C as they explain in their 8/2/24 PSP at 4.1.1, limiting further TDO data to a vertical profile in the deepest section of impoundment. They have rejected our request for more complete constant longitudinal monitoring. Our requested monitoring would provide more detailed information for the impoundment length which would better establish a baseline reference profile to monitor in guaranteed future conditions of higher temperatures and lower oxygen. The rationale for this they cite as FERC's: "if existing information is sufficient to understand Project effects on a resource, then additional study is not needed." While BWPH is using years of FOMB water quality data from the impoundment, these are only from two points so while technically perhaps compliant with FERC specifications, they provide a bare minimum of data we'd like to see exceeded, particularly given the rate of climate change and the challenges this will present to aquatic life and dam operation.

Again with D, in 4.2.4, BWPH is relying on FOMB and DEP data when this information could and should be expanded.

When it comes to our request for inclusion in the study of decommissioning/dam removal and site restoration, in PSP Section 4.2.3 BWPH pretty much shifts the responsibility to FERC:

> "As part of the relicensing process, FERC will conduct its environmental analysis under the National Environmental Policy Act (NEPA) and is expected to consider reasonable alternatives to the proposed federal action. The Council on Environmental Quality defines "Reasonable Alternatives" in its regulations at 40 CFR 1508.1(a) as the "reasonable range of alternatives that are technically and economically feasible, meet the purpose and need for the proposed action, and, where applicable, meet the goals of the applicant."

There are by now many relicensing cases where the cost of upgrading to satisfactory fish passage and incorporating other necessary 40 year changes make decommissioning/removal/restoration the cost effective alternative, particularly when measured against newer solar or wind energy sources. Note decommissioning need not be a goal of the applicant for it to be investigated. To us it seems intuitively obvious that cost/benefits of suitable fish passage can't be evaluated unless all alternatives are first studied including dam removal. We actually agree that technically BWPH as a party with the obvious vested interest should not be doing such analyses. This should be and hopefully will be done by FERC as part of the agency evaluation.

Upstream and downstream fish passage alternatives/improvements (our "B" above) are a core issue for most parties and are addressed at 5.2.2 in the PSP. Generally the PSP focus seems to be on tweaking the existing facility rather than studying alternatives. While the PSP at 5.2.2.5 does say:

> "BWPH will perform a literature review to identify several upstream and downstream passage alternatives and/or modifications that have been utilized at other hydroelectric projects for passage of the diadromous species that are found at the Project. Additionally, any applicable new technologies will also be described as part of the literature review. A preliminary report will be developed that includes the results of the alternatives analysis."

This PSP language lacks any specifics in terms of alternatives. FOMB feels strongly that not only at minimum must fish lifts and nature-like passage be specifically named (i.e. "study alternatives to include…") but their study must extend beyond a literature review to detailed investigations of how these specific technologies might fit and perform <u>at this dam</u>. Only then can a realistic evaluation and comparison be made of passage alternatives. Downstream passage alternatives also need serious and specific study and our 6/20 comments address both this issue and upstream passage. The current dam is a disaster in both regards. Brunswick's shortcomings are all the more acute since it is gatekeeper to the entire river, Maine's third largest and one that historically was amazingly productive as far as fisheries go and could be again.

Thank you for your consideration.

Sincerely,

Ed Friedman, Chair