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GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

August 27, 2019

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: Lower Mousam Project (P-14856) Comments on Initial Study Report

Dear Secretary Bose:

The Maine Department of Marine Resources (MDMR) is writing to express concern about the lack of progress made by the Licensee toward completion of studies required by the study plan determination issued for Lower Mousam Project (P-14856) by the Federal Energy Regulatory Commission on July 20, 2018. American First Hydro (AFH) filed its Initial Study Report (ISR) for the Lower Mousam Project (P-14856) on July 19, 2019; held a public meeting to discuss the study results on July 30, 2019; and submitted an Updated Study Meeting Report (Meeting Report) and on August 15, 2019. The Meeting Report summarized the discussion from this public meeting and reiterated the Commission's schedule.

AFH's Initial Study Report clearly indicated that none of the seven required studies had been completed, and most had not been initiated as of July 20, 2019. The ISR includes two or three sentences describing efforts to conduct each of the seven studies, but contains no data. While some studies may have been hindered by high water in June, the desktop Downstream Passage and Fish Entrainment Study would not have been affected by "high water events and coordination between the utility and AFH for dam repairs" as asserted by AFH.

Finally, we concur with the comments and concerns raised in letter filed by the National Marine Fisheries Service on August 14, 2019 and by the U.S. Fish and Wildlife Service on August 19, 2019.

If you have any questions, please contact Casey Clark at 207-624-6594 or by email at casey.clark@maine.gov

Sincerely,

Patrick C. Keliher, Commissioner

cc: Sean Ledwin, MDMR
John Perry, James Pellerin, DIFW
Kathy Howatt, DEP
Anna Harris, Antonio Bentivoglio, USFWS
Sean McDermott, NMFS