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July 7, 2020

VIA E-FILING

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

**Subject: Rumford Falls Hydroelectric Project (FERC No. 2333)
Revised Study Plan**

Dear Secretary Bose:

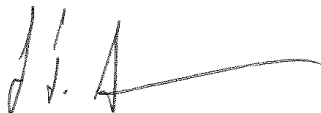
In accordance with 18 CFR §5.13(a), Rumford Falls Hydro LLC (RFH), a subsidiary of Brookfield Renewable (Brookfield), is submitting to the Federal Energy Regulatory Commission (FERC) the Revised Study Plan (RSP) for the Rumford Falls Hydroelectric Project (Project) (FERC No. 2333). The Project is a two-development hydroelectric facility on the Androscoggin River in the Town of Rumford, Oxford County, Maine.

The purpose of this filing is to provide FERC, the resource agencies, and interested parties with an RSP providing descriptions of the studies proposed by RFH.

All interested parties may obtain a copy of the RSP electronically through FERC's eLibrary system at <https://elibrary.ferc.gov/idmws/search/fercgensearch.asp> under docket number P-2333.

If there are any questions or comments regarding the RSP, please contact me by phone (207) 755-5613 or at luke.anderson@brookfieldrenewable.com.

Sincerely,



Luke Anderson
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Enclosures

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Rumford Falls Hydroelectric Project, FERC No. 2333
Revised Study Plan
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RUMFORD FALLS HYDROELECTRIC PROJECT FERC PROJECT NO. 2333

REVISED STUDY PLAN



RUMFORD FALLS HYDRO LLC
Rumford, Maine

JULY 2020

**REVISED STUDY PLAN
RUMFORD FALLS HYDROELECTRIC PROJECT
FERC PROJECT NO. 2333**

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**REVISED STUDY PLAN
RUMFORD FALLS PROJECT
FERC PROJECT NO. 2333**

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Acronym List

APE	Area of Potential Effects
Brookfield	Brookfield Renewable
CFR	Code of Federal Regulations
cfs	cubic feet per second
EA	Environmental Assessment
FERC	Federal Energy Regulatory Commission or Commission
ILP	Integrated Licensing Process
ISR	Initial Study Report
kV	kilovolt
kW	kilowatt
LIHI	Low Impact Hydro Institute
MDACF	Maine Department of Agriculture, Conservation, and Forestry
MDEP	Maine Department of Environmental Protection
MDIFW	Maine Department of Inland Fisheries and Wildlife
MHPC	Maine Historic Preservation Commission
MW	megawatt
NEPA	National Environmental Policy Act
NGOs	non-governmental organizations
NGVD29	National Geodetic Vertical Datum of 1929
NOI	Notice of Intent
PAD	Pre-Application Document
PHABSIM	Physical Habitat Simulation
PM&E	protection, mitigation and enhancement
PSP	Proposed Study Plan
RFH	Rumford Falls Hydro LLC
RM	River Mile
RSP	Revised Study Plan
SD1	Scoping Document 1
SHPO	State Historic Preservation Office

Acronym List

SPD	Study Plan Determination
TU	Trout Unlimited
U.S.C.	United States Code
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
USR	Updated Study Report

Section 1

Introduction and Background

Rumford Falls Hydro LLC (“RFH” or “Licensee”), a subsidiary of Brookfield Renewable (Brookfield), is the Licensee of the 44.5 megawatt (MW) Rumford Falls Hydroelectric Project (FERC No. 2333) (Project), a multi-development hydroelectric facility located on the Androscoggin River in Rumford, Maine. As discussed below, the Project is operated in a run-of-river mode and generates renewable energy. The Project is a certified Low Impact Hydro Institute (LIHI) facility¹ (LIHI 2020).

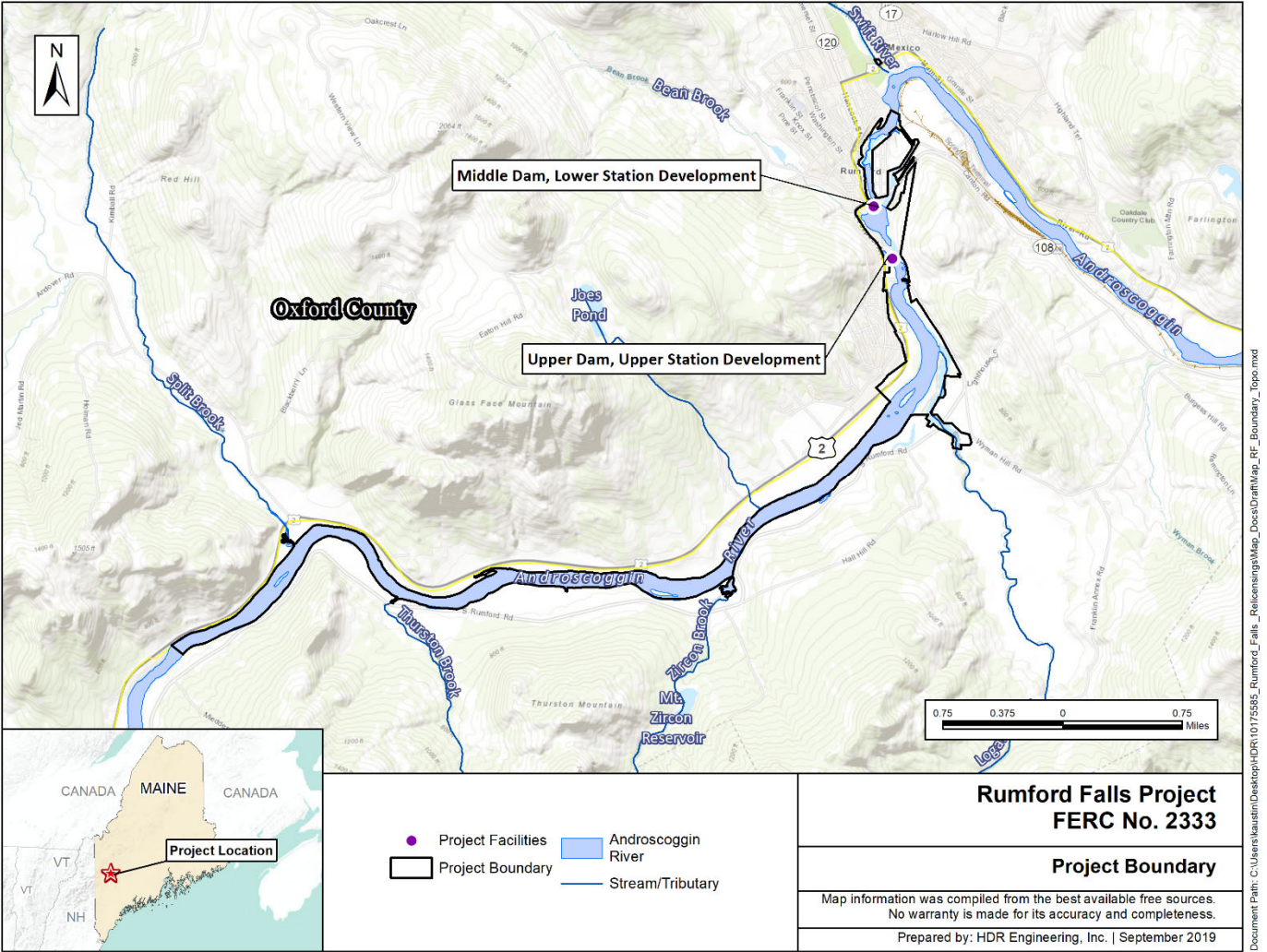
1.1 General Project Location and Description

The Project is located at River Mile (RM) 80 on the Androscoggin River in Oxford County in the Town of Rumford, Maine. A Project location map is provided in Figure 1-1. The Project consists of two discrete developments, the Upper Station Development and the Lower Station Development. The total nameplate capacity of the Project is 44.5 MW. The Upper Station Development’s total installed nameplate capacity is 29.3 MW, with a maximum hydraulic capacity of 4,550 cubic feet per second (cfs). The Lower Station Development’s total nameplate capacity is 15.2 MW with a maximum hydraulic capacity of 3,100 cfs.

Consistent with the Project’s existing Federal Energy Regulatory Commission (“FERC” or “Commission”) license, the Project is operated in a run-of-river mode within 1 foot of full pond elevation (elevation 601.24 feet U.S. Geological Survey [USGS] at the Upper Dam impoundment and elevation 502.74 feet USGS at the Middle Dam impoundment) and shall at all times act to minimize the fluctuations of the reservoir surface elevation (i.e., maintain a discharge from the Project so that, at any point in time, flows immediately downstream from the Project tailraces approximate the sum of the inflows to the Project reservoirs, minus withdrawals). During low flows, the Licensee releases a minimum flow of 1 cfs from the Upper Dam and 21 cfs from the Middle Dam into the bypass reaches per Article 402. No changes to the Project’s current operations are being proposed at this time.

¹ On June 24, 2019, the Project was recertified by LIHI through December 9, 2023.

FIGURE 1-1
PROJECT LOCATION



1.1.1 Upper Station Development

The Upper Station Development's principal features consist of the Upper Dam, a forebay, a gatehouse, four short penstocks, a powerhouse, an impoundment, two overhead transmission lines, and appurtenant facilities. The Upper Station Development has a total installed nameplate capacity of 29.3 MW and a maximum hydraulic capacity of 4,550 cfs.

The Upper Station Development consists of: 1) a concrete gravity dam having a 464-foot-long by 37-foot-high, ogee-type spillway section with a crest elevation of 598.74 feet National Geodetic Vertical Datum of 1929² (NGVD29), topped with 32-inch-high, pin-supported, wooden flashboards and an Obermeyer spillway system; (2) a forebay about 2,300 feet long by 150 feet wide; (3) a gatehouse with eight headgates (two headgates for each of the four penstocks)³, trashracks, and other appurtenant equipment; (4) four underground, steel-plate penstocks, each about 110 feet long, three of which are 12 feet in diameter and one 13 feet in diameter; (5) a masonry powerhouse integral with the dam, which includes two stations: (a) the older station, about 30 feet wide by 110 feet long by 92 feet high, equipped with one horizontal generating unit with a capacity of 4,300 kilowatt (kW), and (b) the newer station, about 60 feet wide by 140 feet long by 76 feet high, equipped with three vertical generating units, two with a capacity of 8,100 kW each and one with a capacity of 8,800 kW; (6) an impoundment with a gross storage capacity of 2,900 acre-feet, surface area of about 419 acres, normal maximum headwater elevation of 601.24 feet, and tailwater elevation of 502.74 feet; (7) four overhead 11.5 kilovolt (kV) transmission lines; and (8) appurtenant facilities.

1.1.2 Lower Station Development

The principal features of the Lower Station Development consist of the Middle Dam, the Middle Canal headgate structure with a waste weir, the Middle Canal, a gatehouse, two penstocks, a powerhouse, an impoundment, a short transmission line, and appurtenant facilities. The existing

² RFH is currently reviewing and updating Project elevations to a new datum. These changes will be reflected in the Final License Application.

³ There are also two additional unused gates associated with a retired fifth penstock.

development has a total nameplate capacity of 15.2 MW and a total maximum hydraulic capacity of 3,100 cfs.

The Lower Station Development consists of: (1) a rock-filled, wooden-cribbed, and concrete-capped Middle Dam, having a 328.6-foot-long by 20-foot-high gravity spillway section, with a crest elevation at 502.74 feet with 16-inch-high, pin-supported, wooden flashboards; (2) a Middle Canal concrete headgate structure, located adjacent to the dam, about 120 feet long, with 10 steel headgates and a waste weir section perpendicular to the headgate structure, about 120 feet long, with a crest elevation of 502.6 feet with 12-inch-high flashboards; (3) a Middle Canal, about 2,400 feet long with the width ranging from 75 to 175 feet and the depth from 8 to 16 feet; (4) a gatehouse containing two headgates, trashracks, and other appurtenant equipment; (5) two 12-foot-diameter, steel-plate penstocks, each extending about 815 feet to two cylindrical surge tanks, each about 36 feet in diameter by 50.5 feet high, and the penstocks continuing 77 feet to the powerhouse; (6) a masonry powerhouse equipped with two identical vertical units, each with 7,600 kW capacity; (7) an impoundment with a gross storage capacity of 141 acre-feet, surface area of about 21 acres, normal maximum headwater elevation of 502.74 feet, and tailwater elevation of 423.24 feet; (8) 600-foot-long, 11.5 kV generator leads; and (9) appurtenant facilities.

1.2 Background

On October 18, 1994, FERC issued a new 30-year license for the Project in accordance with the Commission's authority under the Federal Power Act.⁴ The current operating license for the Project expires on September 30, 2024. Consequently, RFH is pursuing a new license for the Project through the Commission's Integrated Licensing Process (ILP), detailed at 18 Code of Federal Regulations (CFR) Part 5 of the Commission's regulations.

On September 27, 2019, RFH filed a Pre-Application Document (PAD) and associated Notice of Intent (NOI) to initiate the ILP. The PAD provides a comprehensive description of the Project and summarizes existing, relevant, and reasonably available information to assist the Commission, resource agencies, Indian tribes, non-governmental organizations (NGOs), and other stakeholders

⁴ 16 United States Code (U.S.C.) §791(a), *et seq.*

in identifying issues, determining information needs, preparing study requests, and analyzing the license application. A preliminary list of potential studies and information needs was included in Section 6 of the PAD, which included studies or surveys that may provide additional information regarding the Project's effects on specific resources.

The National Environmental Policy Act of 1969 (NEPA), the Commission's regulations, and other applicable statutes require the Commission to independently evaluate the environmental effects of relicensing the Project and to consider reasonable alternatives to relicensing. At this time, the Commission has expressed its intent to prepare an Environmental Assessment (EA) that describes and evaluates the site-specific and cumulative potential effects of relicensing (if any) and other alternatives (FERC 2019). The EA will be supported by the Commission's scoping process to identify issues, concerns, and opportunities for enhancement or mitigation associated with the proposed action (FERC 2019). Accordingly, the Commission issued Scoping Document 1 (SD1) for the Rumford Falls Project on November 19, 2019. SD1 advises resource agencies, Indian tribes, NGOs, and other stakeholders as to the proposed scope of the EA and to seek additional information pertinent to the Commission's analysis. As provided in 18 CFR §§5.8(a) and 5.8(c), the Commission issued a notice of commencement of proceeding concurrent with SD1.

On December 17, 2019, the Commission held two public scoping meetings in Rumford, Maine, to solicit comments regarding the scope of issues and analysis for the EA. The Commission typically conducts a site visit in conjunction with the scoping meetings. However, due to potential issues with access to Project facilities during the winter season, the Commission conducted a site visit on October 24, 2019.

FERC requested that resource agencies, Indian tribes, and other interested parties request studies and provide comments on the PAD and SD1. The comment period was initiated with the Commission's November 19, 2019 notice issuance and concluded on January 25, 2020. Comments and study requests were received through January 28, 2020. A total of five comment letters were received from the following stakeholders: FERC, the Maine Department of Environmental Protection (MDEP), the Maine Department of Inland Fisheries and Wildlife (MDIFW), Trout Unlimited (TU), and the Town of Rumford. Although some comments were received following

the Commission's deadline, all comments were considered in the development of the Proposed Study Plan (PSP).

RFH filed the PSP with the Commission on March 10, 2020, and a PSP meeting was held on April 7, 2020, per 18 CFR §5.11(e) to provide stakeholders the opportunity to review, comment, and ask questions related to the PSP. Subsequent to the meeting, and pursuant to 18 CFR §5.12, stakeholder comments on the PSP were due on June 8, 2020. Comment letters were received up to June 12, 2020, and although comments were received after the regulatory deadline, all comments were reviewed and considered during development of this Revised Study Plan (RSP). Additional information regarding the comments is presented in Section 2, as well as Appendices A and B of this RSP. This RSP is being filed with the Commission pursuant to 18 CFR §5.13, and notice of this RSP is being distributed to the stakeholders and interested parties identified on the distribution list.

Section 2 Stakeholder Comments on the Proposed Study Plan

RFH received 60 comment letters (45 of the 60 comments were provided via FERC's eComment system) which are listed in Table 2-1 and are included in Appendix A of this RSP. Forty-three of the comment letters were from members of the public⁵. The majority of these comments were focused on recreation in and around the Project area, including the reopening of the Rumford Falls Trail and the West Viewing Area⁶. Many comments were not related to study requests, but rather requests for Project area enhancements or opportunities, or general comments. Additional recreational aspects referenced in the comment letters included the aesthetic attributes of Rumford Falls, improving fishing opportunities within the Project area, potential paddling/whitewater opportunities in the Middle Dam bypass reach, canoe portage, and general aesthetic enhancements to Project facilities.

Additionally, there was a comment requesting enhancements to the Maine Department of Agriculture, Conservation, and Forestry (MDACF) boat launch in Rumford, a comment requesting American eel passage, and two comments related to noise associated with the Project's public safety sirens.

With a focus on recreation, the comment letters also referenced additional recreational features beyond those identified in the PAD, including the Rumford Information Center, the aforementioned West Viewing Area, Chisholm Park and Trail, Chisholm Overlook, Logan Brook Access, and MDACF Boat Launch in Mexico.

A number of the recreation-focused comment letters requested a recreation study or provided requests related to the implementation of the study (including use of social media, electronic surveys, and a focus group). In addition, a number of comments were consistent with the Town of Rumford's request for a Recreation Study and a recreation plan.

⁵ Some members of the public filed more than one comment letter.

⁶ RFH notes while the Rumford Falls is visible from the visitor center and other areas in town, that historical viewing areas have been limited due to public safety concerns associated with the Rumford Falls Trail, as well as public safety and security concerns near the powerhouse at the West Viewing Area.

Within the 43 letters from the public, some stakeholders supported the studies requested by the MDEP and MDIFW (Appendix A), and indicated that a study should be conducted regarding habitat, flow, economic, and cultural (archaeological and historic architectural) resources. In general, these requests were limited relative to the recreation-related comments and requests.

Regarding the majority of the comments provided by the public, of importance is that the purpose for providing PSP comments at this stage of the relicensing proceeding is to provide comments regarding the studies to be performed and the methodologies to be implemented in support of developing the RSP. Many of the comments were more general in nature (e.g., related to the Project or measures to be addressed in the Project's new license), as compared to comments specific to the studies to be performed or the study methodologies.

TABLE 2-1
COMMENT LETTERS RECEIVED ON THE RUMFORD FALLS PROJECT
PROPOSED STUDY PLAN

Sender	Sender Organization	Date of Letter
Jenna Ginsberg	Town of Rumford Resident	April 13, 2020
Karen Wilson	Town of Rumford Resident	April 13, 2020
John Preble	Town of Rumford Resident	April 15, 2020
Linda Pepin	Town of Rumford Resident	April 18, 2020
Stacy Carter, Town Manager	Town of Rumford	April. 21, 2020
John Preble	Town of Rumford Resident	April 26, 2020
Kirk F. Mohnery	Maine Historic Preservation Commission	May 7, 2020
David Turner	FERC	May 8, 2020
John Bernard	Town of Rumford Resident	May 9, 2020
Glenn Gordon	Town of Rumford Resident	May 10, 2020
Robert Stickney	Town of Rumford Resident	May 10, 2020
Vicki Broomhall Amoroso	Town of Rumford Resident	May 10, 2020
Vickie Kuhl	Town of Rumford Resident	May 10, 2020
Sharon Wilbraham	--	May 11, 2020
Kristine Keeney	--	May 12, 2020
Kristen Giberson	--	May 13, 2020
Beverly Ann Soucy	Town of Rumford Resident	May 13, 2020
James Radmore	--	May 14, 2020
Dr. Richard Kent	Town of Rumford Resident	May 16, 2020
Seth Carey	Town of Rumford Resident	May 16, 2020

Section 2

Stakeholder Comments on the Proposed Study Plan

Sender	Sender Organization	Date of Letter
Craig Zurhorst	Town of Rumford Resident	May 18, 2020
Peter Wright	Town of Rumford Resident	May 19, 2020
Tony Carter, President	Pennacook Falls Investments, Ltd.	May 18, 2020
Mia Purcell	--	May 21, 2020
Curtis Rice	Town of Rumford Resident	May 22, 2020
Shane Smith	--	May 26, 2020
Anthony Mazza	Town of Rumford Resident	May 26, 2020
Sarah Marshall	Town of Rumford Resident	May 26, 2020
Dennis Blanchard	--	May 27, 2020
John and Laurie Soucy	Town of Rumford Residents	May 28, 2020
Kirk Siegel	Mahoosuc Land Trust	May 28, 2020
Philip Blampied	Town of Rumford Resident	June 1, 2020
Stephen G. Heinz	TU	June 1, 2020
Allie Burke	River Valley Healthy Communities Coalition	June 2, 2020
David Turner	FERC	June 2, 2020
Lisa Arsenault	--	June 2, 2020
Senator Lisa Keim	Maine State Senate, District 18	June 2, 2020
Jolan Ippolito	Town of Rumford Resident	June 3, 2020
Landis Hudson	--	June 5, 2020
Stacy Carter, Town Manager	Town of Rumford	June 5, 2020
Landis Hudson	Maine Rivers	June 5, 2020
Alexander Kerney	--	June 6, 2020
Brie Weisman	Town of Rumford Resident	June 7, 2020
Jonathan Starr	Town of Rumford Resident	June 7, 2020
John Preble	--	June 7, 2020
Craig Zurhorst	Town of Rumford Resident	June 8, 2020
Dieter Kreckel	Town of Rumford Resident	June 8, 2020
Jennifer Kreckel	EnvisionRumford	June 8, 2020
Jennifer Deraspe	Nurture Through Nature	June 8, 2020
Jennifer Kreckel	Town of Rumford Resident	June 8, 2020
Jolan Ippolito	Town of Rumford Resident	June 8, 2020
Karen Wilson	Town of Rumford Resident	June 8, 2020
Kevin Kaulback	Town of Rumford Resident	June 8, 2020
Laurie Soucy	Town of Rumford Resident	June 8, 2020
Gabe Perkins	Mahoosuc Pathways	June 8, 2020
Kathy Davis Howatt	MDEP	June 8, 2020
John Perry	MDIFW	June 8, 2020

Section 2

Stakeholder Comments on the Proposed Study Plan

Sender	Sender Organization	Date of Letter
Jim Vogel	MDACF	June 8, 2020
Stephanie Reed	Town of Rumford Resident	June 8, 2020
Todd Papianou	Town of Rumford Resident	June 8, 2020

-- indicates no affiliation identified.

Six letters were received from Federal or State agencies including FERC (two letters), Maine Historic Preservation Commission (MHPC), MDEP, MDIFW, and MDACF. Additionally, comments were filed by the Town of Rumford, NGOs (i.e., TU, Mahoosuc Pathways, Mahoosuc Land Trust, River Valley Healthy Communities Coalition, EnvisionRumford, Nurture Through Nature, and Maine Rivers), Pennacook Falls Investments, Ltd., and the District 18 Maine State Senator. Copies of the letters are provided in Appendix A. In order to track the comments in a systematic manner, a comment-response matrix is presented in Appendix B of this RSP.

As noted above, RFH reviewed all 60 comment letters in support of developing this RSP pursuant to 18 CFR §5.13. All study requests were evaluated to determine the appropriateness and relevancy of a proposed study to the proposed action per FERC's seven study plan criteria in 18 CFR §5.9(b), which are as follows:

- (1) *Describe the goals and objectives of each study and the information to be obtained (§5.9(b) (1));*

This section describes why the study is being requested and what the study is intended to accomplish, including the goals, objectives, and specific information to be obtained. The goals of the study should clearly relate to the need to evaluate the effects of the Project on a particular resource. The objectives are the specific information that needs to be gathered to allow achievement of the study goal.

- (2) *If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied (§5.9(b) (2));*

This section should clearly establish the connection between the study request and management goals or resource of interest. A statement by an agency connecting its study request to a legal,

regulatory, or policy mandate needs to be included that thoroughly explains how the mandate relates to the study request, as well as the Project impacts.

- (3) *If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study (§5.9(b) (3));*

This section is for non-agency or Indian tribes to establish the relationship between the study request and the relevant public interest considerations.

- (4) *Describe existing information concerning the subject of the study proposal, and the need for additional information (§5.9(b) (4));*

This section should discuss any gaps in existing data by reviewing the available information presented in the PAD or information relative to the Project that is known from other sources. This section should explain the need for additional information and why the existing information is inadequate.

- (5) *Explain any nexus between project operation and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements (§5.9(b) (5));*

This section should clearly connect Project operations and Project effects on the applicable resource. This section can also explain how the study results would be used to develop protection, mitigation, and enhancement (PM&E) measures. The PM&E measures should include those related to any mandatory conditioning authority under Section 401 of the Clean Water Act⁷ or Sections 4(e) and Section 18 of the Federal Power Act, as applicable.

- (6) *Explain how any proposed study methodology is consistent with generally accepted practices in the scientific community or, as appropriate, considers relevant tribal values and knowledge. This includes any preferred data collection and analysis techniques, or*

⁷ 33 U.S.C. §1251 *et seq.*

objectively quantified information, and a schedule including appropriate field season(s) and the duration (§5.9(b) (6));

This section should provide a detailed explanation of the study methodology. The methodology may be described by outlining specific methods to be implemented or by referencing an approved and established study protocol and methodology.

(7) Describe considerations of level of effort and cost, as applicable, and why any proposed alternative studies would not be sufficient to meet the stated information needs (§5.9(b)(7));

This section should describe the expected level of cost and effort to conduct the study. If there are proposed alternative studies, this section should address why the alternatives would not meet the stated information needs.

Section 3

Overview of Revised Study Plan

RFH has evaluated all of the study requests submitted by stakeholders that addressed the seven criteria set forth in §5.9(b) of the Commission’s ILP regulations. Within the PSP, RFH proposed and provided the associated study plans for four studies – Water Quality Study (Appendix C), Angler Creel Survey Study Plan (Appendix D), Recreation Study (Appendix E), and the Historic Architectural Survey (Appendix F). RFH is still proposing to conduct these studies, and as presented in this RSP, RFH has provided additional clarification and revised these four study plans, as appropriate, in response to the comments.

In addition, based on the comments, RFH is also proposing to conduct an Aesthetic Flow Study (Appendix G), an Impoundment Bass Spawning Survey (Appendix H), and a Flow Study for Aquatic Habitat Evaluation (Appendix I).

As indicated in the PAD, given the archaeological resource surveys that been performed to date⁸, and the ongoing implementation of the approved Cultural Resource Management Plan, RFH is not proposing any additional archaeological studies at this time, other than as indicated above, RFH has proposed a Historic Architectural Survey. However, while not proposed as a relicensing study, RFH will be completing the archaeological Phase III report dated October 15, 2000⁹ undertaken by the Licensee’s predecessor, Rumford Falls Power, Co., a division of Mead Corporation, in response to the MHPC’s comments, as indicated in the comment-response matrix in Appendix B

⁸ As a result of the previous relicensing, a Project-specific Programmatic Agreement, Cultural Resources Management Plan, and Cultural Resources Contingency Plan were developed and implemented. Consistent with the requirements of these documents, archaeological resource areas of interest within the Project’s Area of Potential Effects (APE) have been routinely monitored since issuance of the Project’s existing license. Upon commencement of the monitoring program, the monitoring was performed on an annual basis. Following eight years of monitoring, the applicable parties agreed that the monitoring schedule could be adjusted to a biennial cycle. RFH continues to perform this monitoring, which includes the development of a report that is filed with FERC on a routine basis.

⁹ Hamilton, Nathan D. and John P. Mosher. 2000. Rumford Falls: A Holocene Cultural Sequence in Northwestern Maine. Nathan D. Hamilton, Ph.D. Associate Professor of Archaeology, Department of Geography and Anthropology, University of Southern ME, Gorham, Maine, and John P. Mosher, M.A., Maine Historic Preservation Commission, Augusta, Maine. Submitted to Rumford Falls Power, Co. a division of Mead Corporation, Rumford, Maine. October 15, 2000.

of this RSP. This effort does not preclude any of the ongoing activities associated with the Licensee's approved Cultural Resource Management Plan.

In summary, RFH is proposing seven studies, of which a Water Quality Study and Recreation Study were proposed in the PAD in September of last year. The Water Quality Study includes the following components: an impoundment trophic state study, a temperature and dissolved oxygen monitoring study, a benthic macroinvertebrate study, and an outlet stream aquatic habitat study. The Recreation Study was proposed based on the initial interest expressed by the MDIFW and the Town of Rumford in its response to the PAD Questionnaire. Based on study requests and comments on the PAD, two additional studies, the Angler Creel Survey Study and Historic Architectural Study, were included in the PSP. Based on additional study requests and comments on the PSP, the scope of the Recreation Study has been expanded substantially, and an Aesthetic Flow Study, Impoundment Bass Spawning Study, and Flow Study for Aquatic Habitat Evaluation have been added and included in this RSP. In addition, RFH plans to use the results of the Recreation Study to develop a recreation plan which will be included in the license application.

For the reasons discussed in Section 4 of this RSP and consistent with the PSP, respectfully and after additional consideration, RFH is not proposing to conduct a Brown Trout and Rainbow Trout Telemetry Study. The Town of Rumford requested a Whitewater Study in its follow-up comment letter on the PSP. Also after careful consideration, RFH respectfully is not proposing to do this study as discussed in Section 4.

Per the option presented to RFH in the MDEP study request, RFH has provided three years of impoundment elevation and flow data for the Upper Dam impoundment in lieu of conducting an Impoundment Aquatic Habitat Study.

RFH's proposed studies are attached as Appendices C through I to this RSP.

3.1 Comments on Revised Study Plan and Study Plan Determination

Pursuant 18 CFR §5.13(b), stakeholders have until July 23, 2020, to file comments on this RSP with the Commission. FERC's Director of Hydropower Licensing will then issue a Study Plan Determination (SPD) on or before August 7, 2020.

Section 4

Requested Studies Not Adopted

4.1 Studies Not Adopted

As previously stated, RFH has developed seven study plans to inform the development of license requirements in the Project's new license. A number of the study plans (e.g., Water Quality Study Plan) combine similar stakeholder study requests into a single study plan. Beyond the study requests that have been incorporated into a study plan, there are two study requests that have been deemed by RFH to not meet one or more of the seven criteria required by FERC, as defined by Section 5.9(b) of the Commission's ILP regulations.

In reviewing each of the individual study requests, those not deemed appropriate to undertake within the context of the relicensing of the Project are not being incorporated into a study plan for one or more of the following five reasons:

Lack of connection between Project operations and an effect on a resource: Under FERC policy and regulations, a study requestor must substantiate a connection between Project operations and effects on the resource in question. This "nexus" between the Project's operation and a resource impact must be supported by some evidence of a specific resource impact, not just a belief that an impact might be occurring. Additionally, the study request should not be a request to search for an impact in the absence of any evidence that one is occurring. In the *Centralia* decision (*City of Centralia v FERC*, 213 F.3d 742, 749 (D.C. Cir., 2000)), the Court of Appeals held that while "FERC is certainly empowered to require an applicant to conduct a study when there is some evidence of a problem and a study is necessary to determine the extent of the harm," an applicant does not have "a duty to determine if a problem exists." Since the *Centralia* decision, FERC has consistently noted that "where evidence of a problem has not been shown, the licensee does not have a duty to perform studies to determine whether a problem exists." *City of Jackson, Ohio*, 105 F.E.R.C. ¶61,136 n. 9 (2003); see *FPL Energy Maine Hydro, LLC*, 95 F.E.R.C. ¶61,106 n.15 (2001); *Allegheny Energy Supply Company, LLC*, 109 F.E.R.C. ¶61,028, 61,117 (2004).

There is no evidence of a problem and/or the study request is an attempt to search for the existence of a "nexus": This is related to the reasoning above in that the requestor indicates the

possibility of or suspects there is a resource impact, but needs a study to determine if a Project effect actually exists. If the study request is an attempt to search for a Project effect, then it does not meet the criteria for a study request. As indicated above, the courts have found that an applicant could be required to conduct a study when there is evidence of a problem and a study is necessary to determine the extent of the impact. The Court of Appeals further held in *Centralia v FERC* that it is not enough to speculate that a problem may exist or that the “evidence” of a problem is simply based on a “prediction based on opinions.”

Study request constitutes basic research and/or is not likely to inform the development of license conditions: FERC policy and regulations indicate that a study requestor must specify how the results of the study will inform the development of license conditions. It is not the purpose of relicensing to begin or support programs of multi-year research at an applicant’s expense, and studies should recognize the timeframes available under the ILP. A study request must show how the results of the study will provide information relevant to potential PM&E measures and not just contribute to general knowledge of a resource.

Study request does not propose a specific methodology, proposes a methodology that is untried or uncertain, or proposes a methodology that will not meet the stated objective or yield the intended results: A study request should identify a specific methodology for performing the requested work. If such methodology is untried, or is unlikely to obtain the information needed, then the study request is not able to be adopted because of a lack of a clear scope of effort, or an alternate methodology may be proposed by the applicant.

Study request is not necessary because existing information is sufficient to answer the questions posed: FERC policy and regulations indicate that if existing information is sufficient to understand the Project effects on the subject resource, then additional study is not needed.

Specifically related to the Rumford Falls Project, the following requested studies were deemed by RFH as not appropriate for study for the reasons explained below.

4.1.1 Brown Trout and Rainbow Trout Telemetry Study

The MDIFW requested a telemetry study to document the seasonal movements of stocked trout in the Androscoggin River sections immediately above and below the Project site. As specified in the MDIFW comments, Brown and Rainbow Trout presence within the Androscoggin River in the vicinity of the Project is driven by annual stockings with some contribution from holdover fish from the previous year's stocking events. MDIFW annually stocks Brown and Rainbow Trout in the Androscoggin River outside of the Rumford Falls Project boundary, both upstream (Gilead, Bethel, and Hanover) and downstream (Mexico). Specifically, the MDIFW study request looks to (1) collect biometric data to characterize Brown and Rainbow Trout population dynamics, (2) evaluate movement and behavior of newly stocked Brown and Rainbow Trout, (3) evaluate movement and behavior of older-age Brown and Rainbow Trout, (4) evaluate potential Project effects on movement and behavior of stocked Brown and Rainbow Trout, and (5) aid fisheries managers in determining cause of decline in Brown and Rainbow Trout above and below the Project.

As stated in the PSP, RFH respectfully disagrees with the need to conduct this study since the study request does not meet FERC's seven study criteria in 18 CFR §5.9(b). Specifically, there is no nexus (Criteria No. 5) between Project operations and effects to the presence or abundance of seasonally stocked trout in the Project area. In their June 8, 2020 comments on the PSP, MDIFW characterized the study nexus as the potential of Project operations to impact the post-release survival of hatchery-reared trout stocked upstream of the Project impoundment (3,000 trout stocked annually in Hanover) and accessibility by recreational anglers of, and habitat for, hatchery-reared trout stocked downstream of the Project boundary in Mexico (1,850 trout stocked annually).

Article 401 of the current FERC license requires the Licensee to operate in a run-of-river mode within 1 foot of full pond elevation at the Upper and Middle Dam impoundments. The current Licensee and its predecessors have operated the Project in this manner since the last license was issued in 1994. In their original study request, the MDIFW stated that Brown and Rainbow Trout fisheries in the upper Androscoggin River collapsed in 2005 and have been unable to rebound since that time. It was suggested by MDIFW that changes in Project discharges over time could be

a contributing factor to that decline. In its June 8, 2020 letter, MDIFW has since clarified that it was *not* likely due to Project operations, stating:

“While the trout fishery *did* decline around 2005 in the upper river, it was *not* likely due to Project operations. However, it may have also occurred in the Rumford reach, too. Regardless, the possible Project impacts from operations noted above remain, and a telemetry study may shed some insight into Project impacts.”

However, there is no evidence provided to suggest that the trout fishery declined in the Rumford reach, and the seasonal pattern of Project discharges has not changed since 1994 (i.e., the Project’s current license period). As noted earlier, in the *Centralia* decision (*City of Centralia v FERC*, 213 F.3d 742, 749 (D.C. Cir., 2000)), the Court of Appeals held that while “FERC is certainly empowered to require an applicant to conduct a study when there is some evidence of a problem and a study is necessary to determine the extent of the harm,” an applicant does not have “a duty to determine if a problem exists.”

RFH maintains that the information provided by MDIFW in the original study request and in its June 8, 2020 comments on the PSP do not provide a clear connection between the Project operations and suspected movements of hatchery-reared trout stocked for the purposes of a put-and-take fishery. Further, it is unclear how a telemetry study of fish, following stocking into the Androscoggin River outside of the FERC Project boundary, would be used to develop future license requirements as defined in 18 CFR 5.9(b)(5).

4.1.2 Whitewater Recreation Use Study

The Town of Rumford requested a “Whitewater Rafting Study that would also include all other whitewater activities to include but not to be limited to rafting, kayaking, canoeing, other small boating and tubing around and through the Lower Falls area between the Upper Development and the Lower Development.” Specifically, the goals provided in the Town of Rumford’s study request is to determine the feasibility of allowing whitewater recreation on the lower falls as a means to assist the economic development of the Rumford area. The objectives of the study request were to

(1) study the operational requirements related to whitewater recreation, and (2) determine if the Androscoggin River can be safely used by certified whitewater rafting guides and advanced kayakers with guides for whitewater activities between the Upper Development and the Lower Development from a point just below the Middle Dam (J. Eugene Boivin Park) to the Mexico boat launch, of which about 0.6 mile is the Middle Dam bypass reach (Figure 4-1).

RFH does not believe that whitewater activities are safe or commercially feasible at the Project for the reasons described below. The Town of Rumford places specific emphasis on use of the area by commercial whitewater outfitters (kayaker and rafters). However, the reach described is approximately one mile in length with only one relatively short rapid (Figures 4-2 and 4-3), providing a very limited opportunity that is unlikely to be economically viable as a commercial run. Nevertheless, the particular concern of using this reach in support of whitewater recreation is the public safety aspects given the Project's existing and likely future operations and the fact that the bypass reach, which is the primary river reach of interest for this study, serves as the spillway for the Lower Development. In addition, the steep and developed nature of this reach, including steep banks and gated and fenced private property, result in difficult access for potential boaters and rescue personnel.

FIGURE 4-1
REACH FROM J. EUGENE BOIVIN PARK TO THE MEXICO BOAT LAUNCH,
PROPOSED TO BE EVALUATED FOR WHITEWATER BOATING BY THE TOWN
OF RUMFORD

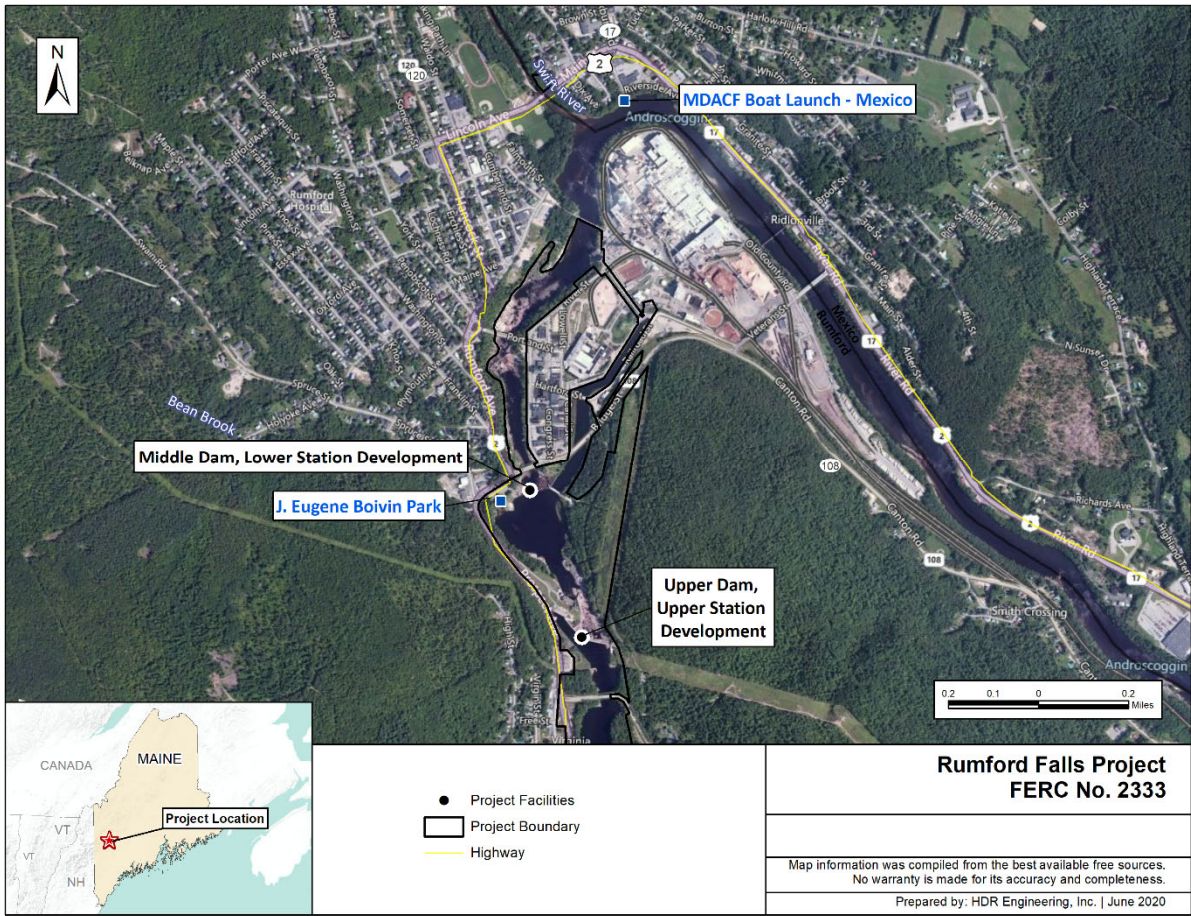


FIGURE 4-2
PHOTOS AND CAPTIONS FROM THE TOWN OF RUMFORD, SHOWING THEIR PROPOSED LOCATION FOR WHITEWATER ACTIVITIES BELOW MIDDLE DAM (TOP) AND FALLS OF MIDDLE DAM BYPASS REACH (BOTTOM)

Information Center/Boivin
Park Launch site as
photographed on May 27,
2020

Purple arrow shows carry to
launch pathway, clearance
of debris is assumed,
stairway with floating
platform in backwater
anchored to ledge is
assumed

[Note: Paint on rock is
previous graffiti]



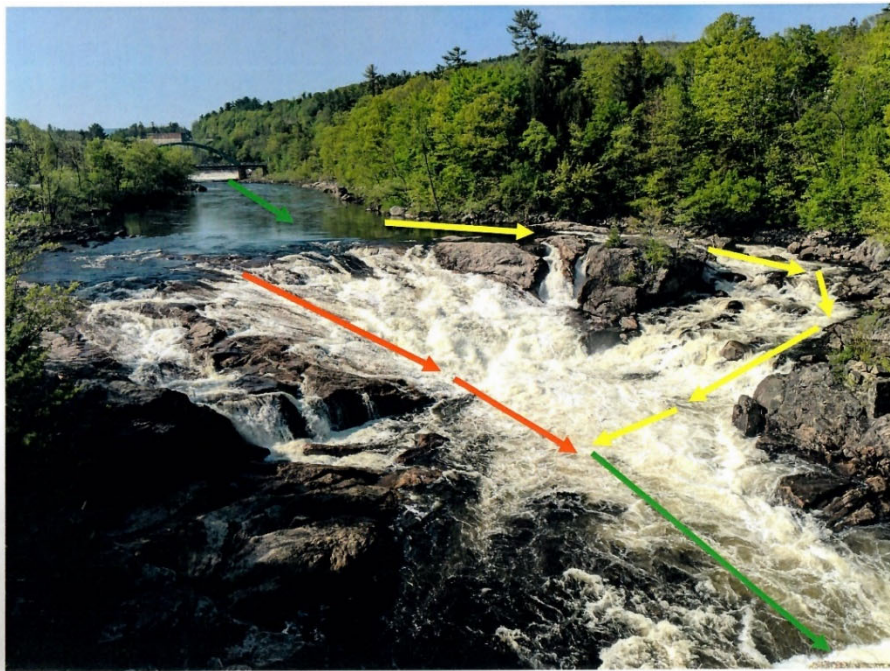
Source: letter from Town of Rumford to FERC dated June 5, 2020.

The Lower Falls as
photographed on May 27,
2020.

Red arrow illustrates
possible rafting run.

Yellow arrows illustrate
possible kayak run

Green arrow illustrates safe
approach and exit lanes



Source: letter from Town of Rumford to FERC dated June 5, 2020.

FIGURE 4-3
PHOTOS OF MIDDLE DAM BYPASS REACH LOOKING DOWNSTREAM AND
UPSTREAM FROM PORTLAND STREET BRIDGE



As noted above, RFH has significant concerns regarding the safety of the public related to whitewater boating in the proposed reach, which as stated above is 0.6 miles, due to the function of the bypass reach at the Middle Dam as the Project's spillway. The capacity of the Lower Development is approximately 3,000 cfs. Should one or both of the units trip off-line when boaters and recreators are present in the reach of the river downstream of Middle Dam, this section can be subject to near immediate changes in discharge estimated at approximately 1,500 cfs to 3,000 cfs. Due to the steep gradient of the Middle Dam bypass reach and shorelines (Figure 4-3), as well as other factors such as width of the river and potential to further manage risk associated with potential obstructions that may be present in that reach (more prevalent in urban settings), this could significantly change the whitewater classification of the reach and expose paddlers, or tubers as also proposed by the Town, to unanticipated challenges and hazards. For perspective, RFH estimates the river flow in the photo in Figure 4-3, in which the Town illustrates potential paddling

routes, is approximately 2,000 cfs. A unit trip could potentially increase the flow substantially in a short amount of time.

The area of the proposed whitewater reach is an urban/industrial area that includes the two Project dams and associated facilities of the Rumford Project; the Nine Dragons Paper mill, which includes a permitted wastewater outflow adjacent to the Rumford Falls lower powerhouse; and difficult access associated with the steep river banks and urban setting of downtown Rumford.

RFH personnel do not enter into the Middle Dam bypass reach without proper and systematic planning and coordination. Responding to injuries within this reach would likewise pose safety concerns, with rescue personnel likely encountering difficult river access, including steep banks and gated and fenced private property.

There are nearby whitewater opportunities in the area that include a 13 mile reach of the Swift River from the town of Roxbury to the Project's Carry-in Launch. The nearby Swift River is an established reach and is classified as Class II-III whitewater (American Whitewater 2020). Given these factors, the Middle Dam bypass reach does not seem suitable or safe for commercial/recreational whitewater activities and, therefore, RFH is not proposing to conduct the proposed Whitewater Rafting Study.

Section 5

Schedule for Conducting Proposed Studies

RFH proposes to conduct the studies described in this RSP in accordance with the study schedule presented in Table 5-1. The activities planned for 2020 assume ongoing consultation with the agencies. In light of the COVID-19 pandemic, the associated State mandates and Federal guidelines, and the resulting effect on recreational usage, as well as potential exposure of the field staff and focus group participation to pandemic-related risks, RFH has proposed to postpone the Recreational Study and the Angler Creel Survey until 2021. RFH anticipates that these, as well as the other proposed studies, will be able to proceed as proposed as long as they meet Federal, State, and corporate safety guidelines and mandates. RFH will provide FERC with a revised study implementation schedule in the event the proposed schedule changes due to COVID-19.

As indicated below, RFH will distribute a progress report required pursuant to 18 CFR §5.15(b) to appropriate resource agencies, Project stakeholders, and the Commission. The final technical study reports prepared for each study will be filed with the Commission in the Initial Study Report (ISR) on or before August 7, 2021. Results of any studies occurring in study year two would be reported in the Updated Study Report (USR) on or before August 7, 2022. Addendum reports may need to be filed with FERC separately from the ISR and USR depending on the survey timing and ILP schedule.

TABLE 5-1
SCHEDULE FOR CONDUCTING PROPOSED STUDIES

Activity	Date
RFH Files RSP	July 8, 2020
Stakeholders File Comments on RSP	July 23, 2020
FERC Issues Study Plan Determination	August 7, 2020
RFH Conducts Impoundment Bass Spawning Survey ¹	2020
RFH Conducts Water Quality Study	2020
RFH Conducts Flow Study for Aquatic Habitat Evaluation (Part 1)	2020
RFH Conducts Historic Architectural Survey ²	2020
RFH Provides First Quarterly Progress Report	November 1, 2020
RFH Conducts Aesthetic Flow Study	2021
RFH Conducts First Year of Angler Creel Survey	2021
RFH Conducts Recreation Study	2021

Section 5

Schedule for Conducting Proposed Studies

Activity	Date
RFH Conducts Flow Study for Aquatic Habitat Evaluation (Part 2)	2021
RFH Files ISR	August 7, 2021
RFH Holds ISR Meeting	August 22, 2021
RFH Files ISR Meeting Summary	September 6, 2021
RFH Conducts Second Season of Studies (if necessary)	2022
RFH Conducts Second Year of Angler Creel Survey	2022
RFH Files USR	August 7, 2022
RFH Holds USR Meeting	August 22, 2022
RFH Files USR Meeting Summary	September 6, 2022
RFH Files Preliminary Licensing Proposal or Draft License Application	May 3, 2022
Stakeholders File Comments on Preliminary Licensing Proposal or Draft License Application	August 1, 2022
RFH Files Final License Application	September 30, 2022
RFH Issues Public Notice of Final License Application Filing	October 14, 2022

¹ Following review of the 2020 findings, RFH will consult with MDIFW regarding the usefulness of a second year of evaluation during 2021.

² Completion of the Historic Architectural Survey in 2020 is dependent on consultation and concurrence with the MHPC.

Section 6

Literature Cited

American Whitewater. 2020. Swift River Rt 17 Bridge to Mexico. Online [URL]: <https://www.americanwhitewater.org/content/River/detail/id/913/> (Accessed June 26, 2020).

Federal Energy Regulatory Commission (FERC). 2019. Scoping Document 1 for the Rumford Falls (P-2333-091) Hydroelectric Project. November 19, 2019.

Hamilton, Nathan D. and John P. Mosher. 2000. Rumford Falls: A Holocene Cultural Sequence in Northwestern Maine. Nathan D. Hamilton, Ph.D. Associate Professor of Archaeology, Department of Geography and Anthropology, University of Southern ME, Gorham, Maine and John P. Mosher, M.A., Maine Historic Preservation Commission, Augusta, ME. Submitted to Rumford Falls Power, Co. a division of Mead Corporation, Rumford, ME. October 15, 2000.

Low Impact Hydro Institute (LIHI). 2020. LIHI Certificate #38 – Rumford Falls Project, Maine. Online [URL]: <https://lowimpacthydro.org/lihi-certificate-38-rumford-falls-project-maine-ferc-2333/> (Accessed June 18, 2020.)

APPENDIX A
STAKEHOLDER COMMENT LETTERS

Rumford Falls

Revised Study Plan Correspondence Log

Sender	Sender Organization	Date of Letter
Jenna Ginsberg	Town of Rumford Resident	April 13, 2020
Karen Wilson	Town of Rumford Resident	April 13, 2020
John Preble	Town of Rumford Resident	April 15, 2020
Linda Pepin	Town of Rumford Resident	April 18, 2020
Stacy Carter, Town Manager	Town of Rumford	April. 21, 2020
John Preble	Town of Rumford Resident	April 26, 2020
Kirk F. Mohnery	Maine Historic Preservation Commission	May 7, 2020
David Turner	FERC	May 8, 2020
John Bernard	Town of Rumford Resident	May 9, 2020
Glenn Gordon	Town of Rumford Resident	May 10, 2020
Robert Stickney	Town of Rumford Resident	May 10, 2020
Vicki Broomhall Amoroso	Town of Rumford Resident	May 10, 2020
Vickie Kuhl	Town of Rumford Resident	May 10, 2020
Sharon Wilbraham	--	May 11, 2020
Kristine Keeney	--	May 12, 2020
Kristen Giberson	--	May 13, 2020
Beverly Ann Soucy	Town of Rumford Resident	May 13, 2020
James Radmore	--	May 14, 2020
Dr. Richard Kent	Town of Rumford Resident	May 16, 2020
Seth Carey	Town of Rumford Resident	May 16, 2020
Craig Zurhorst	Town of Rumford Resident	May 18, 2020
Peter Wright	Town of Rumford Resident	May 19, 2020
Tony Carter, President	Pennacook Falls Investments, Ltd.	May 18, 2020
Mia Purcell	--	May 21, 2020
Curtis Rice	Town of Rumford Resident	May 22, 2020
Shane Smith	--	May 26, 2020
Anthony Mazza	Town of Rumford Resident	May 26, 2020
Sarah Marshall	Town of Rumford Resident	May 26, 2020
Dennis Blanchard	--	May 27, 2020
John and Laurie Soucy	Town of Rumford Residents	May 28, 2020
Kirk Siegel	Mahoosuc Land Trust	May 28, 2020
Philip Blampied	Town of Rumford Resident	June 1, 2020
Stephen G. Heinz	TU	June 1, 2020
Allie Burke	River Valley Healthy Communities Coalition	June 2, 2020
David Turner	FERC	June 2, 2020
Lisa Arsenault	--	June 2, 2020
Senator Lisa Keim	Maine State Senate, District 18	June 2, 2020

Sender	Sender Organization	Date of Letter
Jolan Ippolito	Town of Rumford Resident	June 3, 2020
Landis Hudson	--	June 5, 2020
Stacy Carter, Town Manager	Town of Rumford	June 5, 2020
Landis Hudson	Maine Rivers	June 5, 2020
Alexander Kerney	--	June 6, 2020
Brie Weisman	Town of Rumford Resident	June 7, 2020
Jonathan Starr	Town of Rumford Resident	June 7, 2020
John Preble	--	June 7, 2020
Craig Zurhorst	Town of Rumford Resident	June 8, 2020
Dieter Kreckel	Town of Rumford Resident	June 8, 2020
Jennifer Kreckel	EnvisionRumford	June 8, 2020
Jennifer Deraspe	Nurture Through Nature	June 8, 2020
Jennifer Kreckel	Town of Rumford Resident	June 8, 2020
Jolan Ippolito	Town of Rumford Resident	June 8, 2020
Karen Wilson	Town of Rumford Resident	June 8, 2020
Kevin Kaulback	Town of Rumford Resident	June 8, 2020
Laurie Soucy	Town of Rumford Resident	June 8, 2020
Gabe Perkins	Mahoosuc Pathways	June 8, 2020
Kathy Davis Howatt	MDEP	June 8, 2020
John Perry	MDIFW	June 8, 2020
Jim Vogel	MDACF	June 8, 2020
Stephanie Reed	Town of Rumford Resident	June 8, 2020
Todd Papianou	Town of Rumford Resident	June 8, 2020

-- indicates no affiliation identified.

Jenna Ginsberg, Rumford, ME.

Brookfield is shirking their responsibilities to maintain recreational opportunities around their damn in Rumford. They should be required to immediately meet the previous operating lease requirements and only be provided a renewal if penalties are implemented for not maintaining the required recreational opportunities including the walking trail and picnic area.

Karen Wilson, Rumford, ME.

As many of you know, Brookfield closed the walking trail on the southern side of the river, when that had been a mainstay in the community for years. Brookfield made the decision to close the trail, saying it was no longer safe, but refused to maintain the trail for safety using their own money. Two local efforts were made to write grants to obtain the money to fix the safety issues on the trail, and both proposals were denied. The grants were not successful because Brookfield only obtained one cost estimate for repairs, and federal grants require several cost estimates.

The opening of this trail is crucial for the citizens of our town for recreation, and the draw of tourists to see Rumford Falls, one of the largest waterfalls in the east. FERC requires hydro projects to create recreational plans around dams so citizens can utilize the property and the public benefits from the commercial hydro operation. Currently Brookfield is not following the past license plan, and there are concerns they do not see the trail as important for the town and their relicensing plan. Brookfield has a history in the United States of severely limiting access to their facilities due to fears of litigation.

In addition to the trail, citizens used to be able to access the property on the north side of the river which has amazing architecture and views of the falls and the reflection pool. This was a picnic area and a place to relax and walk near the river. This access has also been closed by Brookfield, and should be open to the public.

The Androscoggin is not the river it used to be. It is cleaner and very beautiful. It is becoming a place to boat and fish. There is rumor that huge trout live in the reflection pool, and Maine Fish and Wildlife is considering how to improve the fishery. Brookfield is reluctant to do the fishery studies Maine Fish and Wildlife requests, and they need to be required to do so.

John M Preble, Rumford, ME.
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

April 15, 2020

Regarding: Study Plan Commentary
Docket: P-2333

Fisheries Study Plan

a. Habitat studies are needed for the upper pool, canal, lower pool, upper dam impoundments and middle dam discharge drainage to determine viability for stocking of fish to enhance and provide for reliable fishery within and near the project boundaries. Applicant is reluctant to perform such studies.

Recreation Study Plan:

a. Applicant proposes a usage survey. This is totally inadequate as nearly all recreational usage areas have been closed and posted for no trespassing. This situation demonstrates the applicants lack of attention and disregard of the community that surrounds the project. The applicant has repeatedly been requested to open the trail on the eastern shoreline and refuses to do so. Applicant has hidden behind stated safety, liability and maintenance concerns and is unwilling to make any expenditure to remediate.

b. An independently run citizens focal group study should be undertaken at the expense of the applicant to determine appropriate access, usage, locations, and operational maintenance requirements. The focus group should consist of community leaders, recreational managers & organizations, civic organizations, and individual citizens users. The application should be mandated to comply with reasonable request from the focal group or license denied.

Water Flow Study

a. Applicant has suggested that no study is necessary and that historical license approvals should be renewed. Current license allows for minimum flow over the upper dam to be 1CFS and middle dam to be 20 CFS. Again this proposal from the applicant demonstrates a total disregard of impact to the community and the public at large. There is no fish way on the applicants dam and during long periods each year there is little or no water flow over the upper dam and limited flow below middle dam.

b. Fish migrating from above the upper Dam during summer month have no means in which to gain access to a natural flowage channel. Fish subsequently migrate downstream are forced thru the turbines (they are pulverized)- no further explanation needed. Flows below middle dam could be reduced to levels that would be inadequate to maintain fishery sustainable habitat and water quality.

c. Minimum flow levels should be accessed and approved that will provide natural flow migrate from above the upper dam to the lower pool and at the same time provide for sustainable habitat below middle dam.

Further the flow below middle dam should be great enough so there is no odor emitted from the exposed river bed.

Respectfully submitted

John M. Preble
Resident Town of Rumford

Linda Pepin, Rumford, ME.

Thank you for the opportunity to comment on Brookfield's licensing application. I would like to add my voice to those of other area citizens who would like Brookfield to open the trails around the Rumford Falls to local citizens and visitors for recreation. There are prime walking trails/sidewalks in the vicinity with unique vistas of the falls, but these are currently closed to the public--apparently a Brookfield decision.

When I moved here five years ago, I was out picking up trash along area roadways, and in doing so, was following the path of litter and unknowingly ended up on the Brookfield access road on the north side of the falls (which leads to their building that abuts the dam). The view from that road was beautiful, and the viewing area with historic lamp posts was like stepping into the town's history. Imagine my disappointment when I discovered that I had actually strayed onto their private property, and this vantage point is not one where I or other townspeople or visitors are welcome.

There is also a trail on the south side of the falls, although it is blocked off and not open to the public, so I have not been on it, though I drive past that trailhead on my way to work every day. Opening that trail would make it possible for people to walk a complete circuit around the falls. As the country emerges from the pandemic and is looking to heal economically, it would speak very well for Brookfield to open access to this trail, which would put people on a path through woods, alongside the falls, and past Rumford's downtown. With a new hotel opening near the bottom of the falls, Brookfield would have a golden opportunity to be part of making this a pleasant tourist stop...and has the opportunity to enhance its community relations with informational signage along the trails that could inform passers-by of their mission and their contributions to the local area.

I understand Brookfield has made the decision to deny access to the recreational trails because they want to limit their risk. However, the company risks its reputation in the community by continuing to resist reopening access to trails historically accessible to citizens. As Lincoln is purported to have said, "In this age, in this country, public sentiment is everything. With it, nothing can fail; against it, nothing can succeed. Whoever molds public sentiment goes deeper than he who enacts statutes, or pronounces judicial decisions." Thank you for the opportunity to comment, and thank you to Brookfield for considering the desires of the citizens in its host community.



OFFICE OF THE TOWN MANAGER

145 Congress Street
Rumford, Maine 04276
(207) 364-4576 Ext. 212
(207) 364-5642 FAX
town@rumfordme.org

Mr. Ryan Hansen
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426
Docket Number: P-2333-091

April 21, 2020

Dear Mr. Hansen,

The following written comment is submitted for record by the Town of Rumford, Maine with regards to the relicensing process of the Rumford Falls Hydro Project (FERC No. 2333).

The Town notes our continued interest in the creation of a formal recreational plan for the Rumford Falls Hydro Project. We especially note the greatly improved air and water environmental conditions on the Androscoggin River since the project was last relicensed circa 1994. These improved air and water environmental conditions strongly support the use of the Androscoggin River as a recreational asset.

The Town also notes that this licensure will be the first time that the Project will be licensed while owned and operated by an entity not under the control of the Rumford Mill. The Town believes that this change in ownership structure has significance to the differing approaches to operation which include closure of recreational facilities and is a supporting factor in justification for the requirement of a formal recreation plan.

The Town notes based on the historic record in our possession and elsewhere that recreation on the Androscoggin River was a significant part of our economy until pollution of the River made it unsuitable for recreational use. At the time of the construction of the Project circa 1916 there was still substantial recreational activity on the River as noted in available historical records and artifacts.

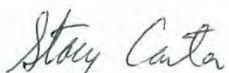
The Town memorializes for the record our observation made during the most recent hearing that in any upcoming study census counts for use of the recreational facilities currently closed in whole or in part are likely to be "0" due to the inability of users to access these facilities.

The Town repeats and reinforces our interest in the reopening of the Falls Hill Trail, the restoration of the West Viewing Area, built as an integral community feature of the Project, and the aesthetic restoration of Veterans Park which was also built as an integral community feature of the Project.

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The Town notes that other issues may arise over the course of the relicensing process. We appreciate your consideration and concern for the needs of our community.

Sincerely,

A handwritten signature in cursive script that reads "Stacy Carter".

Stacy Carter
Town Manager
Town of Rumford
Maine

20200427-5032 FERC PDF (Unofficial) 4/26/2020 10:54:10 AM

John M Preble, Rumford, ME.
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

April 26, 2020

Regarding: Recreation Study Plan Citizen Focus Workshop Request
Docket: P-2333

Based on lack of substance of the Recreational Study Plan proposed by applicant I formally request that FERC formally conduct an Independent Recreational Study that in addition to a physical site usage survey that a Citizens Focus Workshop be conducted by FERC or an Independent Facilitator to be chosen by either FERC or Mahoosuc Pathways in conjunction with the Town of Rumford be contracted to conduct said workshop and report recommendations directly to FERC.

The Focus group workshop is necessary as the applicant closed and posted no trespassing signs on a large areas of previously existing public recreational trails and access points.

Further more FERC is to require the applicant to pay for any and all reasonable expenses to pay the typical and reasonable fees of the independent facilitator and reasonable out of pocket expenses necessary to the conducting of such a citizen's workshop.

Respectfully submitted

John M. Preble
Resident Town of Rumford
Director Mahoosuc Pathways



JANET T. MILLS
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

ORIGINAL

2020 MAY 27 P 2:29

KIRK F. MOHNEY
DIRECTOR

RECEIVED
May 7, 2020

Secretary Kimberly D. Bose
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington DC 20426

p-2333

Project: MHPC# 0100-19 FERC 2333; Rumford Falls Hydroelectric Project
Proposed Study Plan
Town: Rumford, ME

Dear Secretary Bose:

I am writing in response to Brookfield's Proposed Study Plan for Rumford Falls FERC 2333. Our office was not included on the mailing list for the pre-application document and the proposed study plan. Our office was not made aware of the Proposed Study Plan for Rumford Falls until April 1, 2020.

With regard to archaeological resources, There are a number of errors related to archaeological sites in the Pre-Application Document and the Proposed Study Plan that need correction, the most important being the absence of archaeological studies in the Proposed Study Plan. (One archaeological study report needs to be completed.)

The Pre-Application document (Volume I) of September 2019 on page 5-54 mistakenly states that eight archaeological sites were judged "National Register-eligible." In fact, five of these sites were listed in the National Register on 14 November 1992.

The discussion of the APE (area of potential effect) for the Rumford Falls project on page 5-53 of the Pre-Application document is inconsistent with FERC practice and policy. After quoting the FERC definition of APE as "... all lands within the Project Boundary ... (including) any lands outside the Project Boundary where cultural resources may be affected by Project-related activities" (section 5.10.1, paragraph 1) the second paragraph proposed definition of the APE fails to take into account the issue of archaeological site erosion where the archaeological sites may be located on the river bank above the elevation defined as the Project Boundary. Paragraph 2 of 5.10.1 states in error that "The proposed APE, therefore, is the Project Boundary." Upstream from Wheeler Island the Project Boundary is defined as an elevation that runs along the immediate edge of the impoundment. There is at least one National Register-listed site (Town of Rumford site 49:20) and several sites that are judged eligible for listing that are located on the river bank above the elevation defined as the Project Boundary that are located upstream from Wheeler Island. The Pre-Application Document acknowledges the successful Cultural Resources Contingency Plan program for periodic monitoring of these sites for erosion (p 5-54), a program that must continue. *Therefore, the APE can not be the same as the Project Boundary.*

The Pre-Application document states (5-54) that Phase III (archaeological mitigation) for the Rumford Project included data recovery excavation of six sites. The Pre-Application document fails to state that the report on that data recovery work was submitted to the SHPO office as a text-only draft (Hamilton and

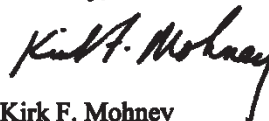
MHPC # 0100-19
May 7, 2020

Mosher 2000). It was never completed and never accepted as a final report. There is extensive correspondence with Robert Stickney (environmental manager, Mead Paper Corp, then owner of the dam, for example Spiess to Stickney 12_11_2000) in an effort to get this report completed. Mead Paper Co. applied pressure to the University of Southern Maine, also without success. The problem is that the archaeological report, and thus the archaeological data recovery project, was never completed. (Both SHPO and Mead Paper gave up attempting to get the report completed after a couple of years.) *Therefore, the current Study Plan for relicensing must include a provision for another effort to complete the archaeological data recovery report study.* This is an unfinished relicensing archaeological issue where the majority of the public benefit of the archaeological study for the project resides.

With regard to above ground resources, the scope and methodology for undertaking an architectural survey meet our requirements. However, no consultation regarding APE has been initiated with our office. The Project APE is defined as the lands enclosed by the Project's boundary and the lands or properties outside of the Project's boundary where project construction and operation or project-related recreational development or other enhancements may cause changes in the character or use of historic properties, if any historic properties exist. Please submit a draft APE for our office to concur with for architectural properties prior to commencing the study.

We look forward to continuing consultation with you. Please contact Megan M. Rideout and Dr. Arthur Spiess of our office if we can be of further assistance in this matter.

Sincerely,



Kirk F. Mohny
State Historic Preservation Officer

Cc: Luke Anderson, Brookfield Renewable

20200508-3003 FERC PDF (Unofficial) 05/08/2020

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426
May 8, 2020

OFFICE OF ENERGY PROJECTS

Project No. 2333-091 – New Hampshire
Rumford Falls Hydroelectric Project
Rumford Falls Hydro, LLC

Luke Anderson
Brookfield Renewable
150 Main Street
Lewiston, ME 04240

VIA FERC Service

Reference: Comments on Proposed Studies

Dear Mr. Anderson:

After reviewing the proposed study plan for the Rumford Falls (P- 2333-091) Hydroelectric Project, and participating in the April 7, 2020, study plan meeting, Commission staff has comments on the proposed Angler Creel Survey and Recreation Study Plan. The comments on the proposed studies are included in the enclosed Schedule A.

If you have any questions, please contact Ryan Hansen at (202) 502-8074, or via e-mail at ryan.hansen@ferc.gov.

Sincerely,

David Turner, Chief
Northwest Branch
Division of Hydropower Licensing

Enclosure: Schedule A

ADDITIONAL INFORMATION AND COMMENTS ON PROPOSED STUDIES

Angler Creel Survey Study

The proposed angler creel survey lacks certain details that would help us evaluate and you to implement the proposed study. For example, the proposed study plan indicates that a predetermined list of index sites will be determined for use during the study in consultation with Maine Department of Inland Fisheries and Wildlife prior to the first sampling date. Please include the list of index sites that will be surveyed in your revised study plan.

Also, please include the times of day surveyors will visit sites; how many times surveyors would visit each site (e.g., once a day, multiple times a day), and how long surveyors will spend at each site. Please explain the basis of the proposed study effort.

You stated during the proposed study plan meeting of April 7, 2020, that this study would be postponed until 2021 due to the COVID-19 pandemic. Please revise the study plan to reflect this change.

Recreation Study Plan

Comments for Task 2 –Condition Assessment

Assessment Methods

The proposed recreation study plan lacks enough detail to be able to evaluate whether the study would achieve the study objectives. The objective of Task 2 is to assess the condition of the FERC-approved recreation facility (i.e., Carry-In Launch) and four other RFH-owned/operated recreation facilities and identify potential improvements to enhance recreation at the project. However, the proposed study plan does not describe how this assessment would be conducted. For example, the criteria or methodology that would be used to identify needed recreation improvements are not identified in the study proposal. We recommend conducting an onsite condition assessment, which can be combined with Task 1. The objective of Task 1 is to conduct an inventory of recreational facilities to summarize existing recreation opportunities. In addition to what is included in the facilities inventory form, the condition assessment should include detailed observations about the condition, site use, and accessibility of the site and facilities. We suggest using a condition rating scale to support your observations and show consistency with the ratings throughout the various recreation sites. Erosion and vegetation condition should be noted, including impacts of recreation use on vegetation.

An estimate of parking capacity that can be accommodated at each facility should also be included in the information collected for the condition assessment.

Focus Groups/Interviews

While an onsite condition assessment would help describe the physical conditions of project recreation sites that contribute to the recreational experience, it would not gather information on the desires of the public on recreational needs. This is particularly true where, as here, some recreation facilities are inaccessible to users. Gathering information (through interviews, focus groups, meetings, intercept surveys, etc.) from users and other stakeholders such as municipalities, federal/state agencies, and non-profit organizations would help characterize current recreational use and expected future demand of recreational facilities. Such discussions should elicit participation from the public as well as stakeholder groups in order to obtain their perspectives on existing and expected future use and access needs. If you do not believe such efforts are warranted here, please explain why.

Sites to be Surveyed

As proposed, site conditions and usage would only be assessed at the FERC-approved recreation facility (i.e., Carry-In Launch) and four other RFH-owned/operated recreation facilities. Collecting condition information through assessments at all recreation sites, including J. Eugene Boivin Park, Hastings Boat Launch, the entire Rumford Falls trail (including the closed portion) and the viewing area at the Upper Development of Rumford Falls would provide a more informed indication of need at the project.

Task 3 – Recreation observations

Sampling Effort

Under the proposed study, you would conduct spot counts, or recreational observations to collect information on recreational use and future demand of site facilities. Spot counts only provide a snapshot of the number of people at a site recreating. Recreational user intercept surveys would help gather user information and perspectives on existing and expected future use, access, and facility needs. Combining spot counts with recreational user intercept surveys and meetings, as you propose for your New Hampshire Androscoggin River projects would provide more useful information on existing and future recreation needs at the project. Such survey efforts should be conducted at the following recreation sites: ATV Trail, Carry-in Launch at Carlton Bridge Site, Veteran's Park, Wheeler Island, J. Eugene Boivin Park, Rumford Falls Trail, and Hastings Boat Launch.

Task 3 is intended to characterize current recreational use and future demand of the FERC-approved recreational site, and other RHF-owned/operated recreation facilities. To accomplish this, you propose to obtain recreational use data from late May through early

September, the primary recreation season. Recreational use observations would be conducted at the FERC-approved recreation facility, and other RFH-owned/operated recreation facilities, during other relicensing field studies (e.g., Water Quality Study and Angler Creel Survey) as well as during the daily activities of RFH operators. Use data would be obtained on a minimum of two randomized weekdays, two randomized weekend days per month, and major holidays.

However, it is unclear how much sampling effort would be conducted at each recreation site and whether the proposed sampling would adequately inventory existing uses or determine future demand. For example, the proposed study plan indicates that the surveyor's efforts would be divided among other tasks, including other field studies and normal daily hydro facility operations. This suggests that the survey may not be implemented consistently. We recommend the study be implemented by a dedicated person(s) focused on the recreation study. Incidental observations of recreation use by other staff conducting other studies and RFH operators would be useful. However, such efforts should not supplant the requirements for the dedicated recreation study. Please make clear who will be conducting the dedicated recreation surveys and if any incidental observations will be made in addition to the official, dedicated surveys.

The proposed study states that two weekend days and two weekdays will be surveyed per month, in addition to major holidays. Please define which major holidays will be surveyed throughout the study period and if surveyors will visit the sites on the actual holiday or throughout the holiday weekend.

The proposed survey effort does not speak to how the survey would be partitioned throughout the recreation day to cover the hours of the week that recreationists are expected to use the site. Also, please include the times of day surveyors will visit sites; how many times surveyors would visit each site (e.g., once a day, multiple times a day), and how long surveyors will spend at each site. Please include this information in your revised study plan.

The Proposed Study Plan states that 'the number of people or cars observed' will be part of the information collected during the recreational observations. FERC suggests collecting information on both the number of cars and people at each recreation site so the capacity of the parking lot can be assessed along with usage data and capacity of the recreation facilities. It is also important to collect usage data with the number of people so that consideration can be taken for those who have arrived at the site from other modes of transportation, such as walking or biking.

John Bernard, Rumford, ME.

I am writing as a citizen of Rumford, Maine who is concerned about having recreational activities curtailed along the Androscoggin River, in particular the area near the Rumford Falls. This area is one of the most beautiful areas in the River Valley Area, if not the entire state of Maine.

Brookfield owns and operates Rumford Falls Hydro, generating power from the tremendous power of the river at the Falls. My concern is that the local citizens and visitors will loose access to hiking and fishing opportunities in the area due to restrictions put in place and proposed by Brookfield.

There is a walking trail along the river that offers a beautiful view of the Falls and surrounding area. Brookfield has closed this off to visitors. Below the Falls is what is known as Reflection Pool, a favorite area for fishing from Boivin Park, which is adjacent to the river. This park has been developed by the town and is near the local information booth. This park offers great tremendous views of the Falls and has a memorial to the late Ed Muskie, a Rumford native and sponsor of the 1972 Clean Water Act. I fear that Brookfield will close access to this Park as well.

As an avid fly fisherman and lifetime area resident, I am troubled by Brookfield's history of limiting fishing access around prime areas as witnessed with their reconstruction of Upper Dam at the outlet of Mooselookmeguntic Lake. Prime fishing areas below Upper Dam have now been fenced off, preventing access to areas that Brookfield promised to protect. The Androscoggin River, once disgustingly polluted, is not the river of my youth. The town of Rumford, trying to redefine itself to take advantage of the tremendous recreation opportunities available in this area, would benefit greatly by being guaranteed access to these areas around its majestic Falls.

I would welcome Brookfield a commitment to work with the Town of Rumford and the Maine Fish and Wildlife Department to ensure that recreational access will be given to citizens before any relicense is granted.

I thank you for taking the time to read this.

Glenn R Gordon, Rumford, ME.
Sunday, May 10, 2020

To Whom It May Concern:

I am writing to you as a resident and small business owner from Rumford, Maine.

My wife and I are small business owners in downtown Rumford. We are located on Congress Street, a short distance to the Rumford Falls on the Androscoggin River. We are located in the western mountains of Maine, an area that is heavily reliant on tourism.

The Rumford Falls is one of the most beautiful natural resources we have in our region. There was a time when residents of the area had access to walking trails on both sides of the river. Access has been limited over the past several years and that has discouraged people from coming to the downtown area for recreation purposes. This affects businesses like mine which rely partially on attracting pedestrian traffic.

Rumford Falls has tremendous scenic value which can contribute to the downtown economy if enough flow is maintained throughout the year. The falls are easily accessible as they are located running parallel to Route 2, which is the major route of east-west travel from the coast of Maine to the northern parts of Vermont and New Hampshire. Canadian tourists also come through the area. But tourists must have access for parking, walking trails and clear views of the Falls.

At this time, a 60 room hotel is under construction near the base of the Falls. Access to the Falls would make the local hotel an attractive place for a stay-over when traveling west-east across northern New England.

Tourism related to sport-fishing, hiking, skiing, mountain biking, 4 wheeling and snowmobiling would all benefit from access to the Rumford Falls area.

I am asking the Federal Energy Regulatory Commission to require that Brookfield Renewable Partners open access to the areas surrounding the Rumford Falls for recreation purposes that we have traditionally enjoyed in the area and to also give our area an necessary economic boost to support the tourist economy.

Sincerely,

Glenn and Sandee Gordon
72 Congress St.
Rumford, ME 04276

Robert Stickney, Rumford, ME.

There is a public boat launch facility on the Androscoggin River in Rumford, Maine. It is located two miles upstream of Rumford Falls Hydro's hydroelectric plant, FERC project no. P-2333, on the north bank of the project's impoundment. Rumford Falls Hydro, LLC considers the boat launch to be part of its recreational plan even though the facility is owned and maintained by the Town of Rumford.

The site is many years old. It is small and the boat ramp was poorly engineered when it was built. The ramp is oriented so that boats are unloaded in an upstream direction and are fighting the current. This makes for an unsafe and unsatisfactory boat launching situation. In addition, the parking lot is much too small to accommodate the number of boaters and anglers who would like to access the river on any given day.

A group of energetic citizens are working with the Town to rebuild the facility to better serve the public's needs. Engineering plans have been drafted. Archaeology assessment has been performed. The major hurdle for the project going forward is funding. This is only going to get worse as State and local revenue streams are strained due to the coronavirus pandemic.

Rumford Falls Hydro, LLC is currently in the process of seeking a new FERC license to operate its project, docket no. P-2333-091. I urge the FERC to consider requiring Rumford Falls Hydro to provide leadership and funding to make the boat launch a more accessible and safer site. This will allow the public to make better use of the resources of the Androscoggin River located in the project boundary.

20200511-5007 FERC PDF (Unofficial) 5/10/2020 2:20:58 PM

Vicki, Rumford, ME.

I am writing to ask that you consider opening the park near the top of Falls Hill to the public. It would be a wonderful way to share the beauty of the Rumford Falls with the Residents of Rumford as well as the wider River Valley Community. A walking trail could be developed so visitors could walk from the Information Booth and/or our soon to be built Best Western to enjoy a wonderful view of the falls. The Falls are part of our town history and is beloved by those of us who live here as well as by visitors to the area. It would also be nice if the Falls were lit up at night as they look so beautiful when you do that occasionally.

Thank you for considering this request.

Sincerely,

Vicki Broomhall Amoroso
Lifelong Resident of Rumford, ME

Vickie Kuhl, Rumford, ME.

You probably don't want to read a long discourse, so, please keep walking trails around to Falls for the public to use.

Sharon Wilbraham, Carrabassett Valley, ME.
Take down the fences and give the community their park back.

Kristine Keeney, Greenwood, ME.

I live in Western Maine, only a few towns from Rumford where we do some shopping and my fiancé works. I am submitting this to urge FERC to require Brookfield/Rumford Falls Hydro LLC to open up access around the hydro project that existed for years before they bought the property that allow resident and visitors to a use a trail adjacent to the hydro dam to be able to enjoy the falls and the surrounding area. People in Rumford are very poor and have had access to good food and exercise opportunities. If this trail access is restored, it would be connected to the downtown "Island" area and would be more accessible to people who live, work, and visit Rumford. This is critical to the citizens and economy of our area. This access use to exist, so there must be a way to restore the access in a safe way for everyone to enjoy and the company to be able to manage the operation of the dam. Thank you.

Kristen Giberson, Dixfield, ME.

For many, many years the people of the River Valley and the many tourists who visited the little town of Rumford, Maine enjoyed the falls at the hydro dam from several locations. The falls are downright impressive and a glimpse of them often causes people that are just passing through to stop in town, often providing valuable income to the businesses near the falls. The view from the information booth area is excellent, but there used to be other ways to take in the views of the falls. When Brookfield took possession of the hydro dam they shut down much of the access to the river in the area. There is a beautiful overlook on the side of Falls Hill that is closed. There are hiking trails on the opposite side of the river that are closed. Brookfield is preventing residents and tourists alike from enjoying the river, the falls and all it has to offer. Brookfield should GIVE BACK access to these areas. Brookfield should also maintain an adequate flow over the falls, especially during peak tourist months in Maine. Rumford and the surrounding communities depend on the income that tourists generate in our area. The people who live in the area should be able to enjoy the river and the falls the way we had for so many years before Brookfield took ownership and closed it all down.

Beverly Ann Soucy, Rumford, ME.

I am writing today as a private citizen born and raised in Rumford, Maine to implore you to reconsider your stance on our walking trail up over Rumford Falls to South Rumford and in reopening the scenic picnic area on the Route Two side of the Falls.

There is no valid reason for this trail not to be reopened as this community has a long history of access to this particular trail system dating back for over a century, in being opened to the general public. It is a crucial scenic trail that winds up over the Falls and connects an entire trail system from the downtown area, and onto additional trails for four season recreation! It would be a vary valuable resource for many future generations to come as it has always been for the preceding generations.

I also feel that our community deserves to have our scenic view back on the Route Two side of Rumford Falls, as this too has always been a part of our community in the past. I truly believe that in keeping this area closed to the public that you are hindering the growth of a community that has a very bright future with pending economic growth! Especially with the fact that at the base of the Falls a brand new hotel is being built and will be the future model to which all other Best Western Hotels will follow. It would not only make an entire area more viable as a wonderful resource for a destination spot with lodging, but would put Brookfield in a unique position to be widely recognized for their participation in helping to develop recognition for this module in supporting a scenic overlook along with a walking trail within distance.

Simply put, this would be great PR for Brookfield to partner with our community. Having these two choices for recreation is not only vital for future growth but it would show our community and the entire Western Maine area that Brookfield really wants to grow with a community in partnership and it wants to have a greater impact for future generations in bringing tourist to our area as a destination place. This will in turn support our rebirth within the community with small business growth. It is a win win for everyone involved.

Our founding fathers had great vision for the beauty that surrounds us here in the River Valley and in the natural resources here. As a hard hit blue collar community we have been working very hard to bring that vision back around in the form of economic growth, and four season recreation along the Androscoggin River. Not to mention that we are home to the largest waterfalls second only to Niagra Falls in this part of the country!

It is my hope that you will reconsider your place in our community and will willingly partner with us to rebuild and maintain two of our incredible natural resources.

Thank you for your time and for your serious consideration in both matters.

I speak for all of our community members in saying that we encourage your vision for the future for us all in supporting and partnering in our growth!

Best Regards,
Beverly Ann Soucy

James Radmore, Littleton, NH.

In considering the application for Renewel please include language to open up the land on the east side of the falls for public use. I lived in that area for 38 years and always loved to use that trail to walk with my dogs. It was a shame when public access was denied. There really is no reason that the public should be denied use of that path and restricted from enjoying the beauty of the falls.

Thank you

James Radmore

20200518-5003 FERC PDF (Unofficial) 5/16/2020 10:44:26 AM

Dr. Richard Kent, Rumford, ME.

Please re-open the Rumford Falls walking and fitness trail by the waterfall dam across from the power station. Brookfield Power put a fence up to block the walking trail in violation of the community recreation clause in their license. Such a change would be beneficial to our community and, perhaps, offer yet another attraction for visitors. Thank you for your thoughtful consideration.

Sincerely,

Dr. Richard Kent

20200518-5002 FERC PDF (Unofficial) 5/16/2020 10:13:05 AM

Seth Carey, Rumford, ME.
FERC app

I would like to inform FERC that Brookfield does not deserve to have its license in Rumford, Maine renewed at this time under these disrespectful treatments of its citizens and our recreation. They have made every effort to thwart our recreation. The trail on the east side of the project that connects the South Rumford Rd to 108 by the canal was been illegally been closed. The gates were added by Brookfield to keep public out. This trail was open to the public until around 2015.

The viewing area on the west side of the falls off of Falls Hill that has been closed to public access since Brookfield purchased the project within the past 10 years. This was a spot you could view the falls and have picnics. This is one of the most beautiful trails in all of America and it was closed by this company in violation of their license. I have fished in the reflection pool across from the information booth and caught wild trout. This has been restricted now.

I am also concerned about Brookfield fighting the citizens about a proposed zip line that will travel over the river (not over the waterfall) that Brookfield somehow has dominion over according to their license. This is an overreach and FERC should clawback them controlling downriver a mile away from their power dam. To their credit, after fighting them for many years on this topic, they did relent a few years ago and said they wouldn't oppose the project. However, we are concerned they will revoke this permission once they get their license or if new executives change their mind. I would like this addressed during their licensing process and get assurance that they will not ruin yet another recreational activity.

Also, above the falls there is a swimming area above the bridge of the south rumford rd. There's a parking area and people can walk down to the river and swim. I am concerned about Brookfield limiting this area once they get their license.

Lastly, I live in the neighborhood across from Brookfield. There are times in the summer and fall when their sirens go on incessantly for several minutes in the middle of the night every 15 minutes. I have had to call the police to make a noise complaint. They need to be more mindful of their neighbors. No one is swimming near the falls in the middle of the night in November. It's common sense.

Craig Zurhorst, Rumford, ME.

I am writing to request that FERC and Brookfield Renewable Partners / Rumford Falls Hydro LLC, for the purposes of non-motorized recreational travel, grant open public access to the land east of, and adjacent to, the Androscoggin River, canal and basin and along the trail/access roadway/easement known locally and variously as the Rumford Falls Access Road, the Power Company Easement, the Rumford Falls Trail, and other names, which runs between Maine Route 108, east of the Rumford Canal, generally southward, and uphill, to its conclusion at South Rumford Road.

I am also requesting that FERC and Brookfield Renewable Partners / Rumford Falls Hydro LLC, grant open public access to the area on the west of the falls and basin, adjacent to US Route 2, for use as a park, a scenic overlook and for non-motorized recreation.

These are both absolutely beautiful areas that once were accessible to the public. It is tragic that they are not able to be used and are currently wasted valuable resources.

The ability to include the Rumford Falls Trail in the area's growing recreational trail system, especially with its ideal 2/3-mile length and gradual climb, would be ideal for many walkers, runners and bikers, whether local or visiting.

The upper Rumford falls and the basin, because of their setting, at the junction of Maine Route 108 and US Route 2, are the centerpieces of the town and, after Niagara Falls, Rumford Falls is the second highest falls east of the Mississippi River.

One of the most beautiful vantage points from which to see the basin, the upper falls, the town of Rumford, a portion of the middle falls and the Swift River Valley is the viewing platform on the west side of the basin and falls.

Locals and tourists alike have been frustrated at the lack of access to this beautiful overlook. I was lucky enough to be able to take in this view on a number of occasions when I worked for the Rumford Mill and when the dam and generating facility were still owned by the mill, but I have often wanted to share this wonderful place with family and friends and have been unable to do so. I know I am not alone in this sentiment. This area was designed to be a public park and it would be the natural "crown" for the western shore of the Androscoggin River that already includes Rumford Public Library, Chisholm Park with its short River Walk Trail and Boivin Park with the Edmund Muskie memorial, the information booth and access to the basin.

If these two distinct but related areas of the Rumford Falls Trail and the overlook and park were open to the public, they would each contribute significantly to the recreational assets and resources the town possesses and is actively developing. In turn, they would assist Rumford in attracting visitors and, perhaps, recruiting individuals, families and businesses to settle in our town and help bolster its economic

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revitalization. The potential value of these two areas to both recreational and economic development of Rumford truly can't be overstated.

To facilitate and validate these requests, I recommend commissioning a more thorough and expanded recreational study than the one currently proposed, which I am concerned may not reveal and reflect the needs of the community and the opportunities available to the Town of Rumford.

Thank you for your consideration of these requests and please contact me with any questions you may.

Sincerely

Craig G. Zurhorst

757 Hancock St.
Rumford, ME 04276
207-357-9102
craig.zurhorst@gmail.com

May 18, 2020

Pennacook Falls Investments, Ltd.
PO Box 35
Rumford ME 04276



Mr. Ryan Hansen
Federal Energy Regulatory Commission
888 First Street NE
Washington DC 20426

Re: Project P-2333-091 (Brookfield Renewable Energy Group)

Dear Mr. Hansen,

Thank you for the opportunity to comment on Brookfield's relicensing.

Pennacook Falls Investments, Ltd, was formed in December 2015 to help jumpstart the local economy by building a brand-name hotel in Rumford. The desire to create a positive domino effect to benefit the entire region unites the group's 29 investors, all of whom live, recreate, and make a living locally or have local ties.

Construction is underway for the 63-room Best Western Plus – Rumford Falls hotel at the bottom of Falls Hill, across the road from the tourist information booth at the base of Rumford Falls. The facility, projected to open in late 2020, is expected to serve business travelers as well as tourists visiting to take advantage of the area's diverse and growing outdoor recreation opportunities including canoeing/kayaking, hiking, fishing, biking, 4-wheeling, snowmobiling, and skiing.

The areas owned or managed by Brookfield include the trails and vantage points around the falls, the Veterans Park downtown, and the downtown area along the canal. The falls, which are visible from the property, are central to attracting leisure travelers.

Our request is two-fold:

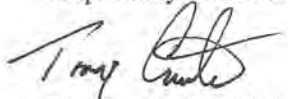
1. Open access to hikers/bikers on existing trails and lookout vantage points on both sides of the Rumford Falls—access that was historically available to the public.
2. Allow for water to flow over the falls year-round; currently zero summer flow over the falls seriously detracts from this landmark's appeal.

The above will improve the town aesthetically, economically, and recreationally. The river, the falls, and everything associated with them are inextricably intertwined with Rumford's future.

As we look to partner with the River Valley community to increase the area's profile as a recreational destination, we respectfully request Brookfield do the same: make accessible to the public the areas surrounding the Rumford Falls, and restore flow to the falls during summer and fall months. Doing so not only makes the area a better place to live for the residents but improves the region's collective lot by setting positive conditions for economic growth as well.

Brookfield has the opportunity to be a constructive part of the local effort to make the region a recreational and leisure destination for visitors; we look forward to their partnership on this.

Respectfully submitted,


Tony Carter, President

Peter Wright, Rumford, ME.

While this project is critical to the local economy on many different levels, I feel compelled to state that I believe it is the obligation of Rumford Falls Hydro to reopen the recreation trails in and around the falls and its adjacent property. Allowing Rumford Falls Hydro to profit from the use of a natural resource is acceptable so long as the organization invests back in the community in a manner that will support the growth, vitality and over health of the citizens in the region. This responsibility and obligation has been overlooked for a number of years and it is time to change.

There are countless clinical studies that undisputedly support access to outdoor recreation such as recreation trails improves the overall health of the surround community that has access to those areas. Rumford Falls Hydro has numerous recreation trails in and around the falls project that are extremely valuable to the advancement of health in the region. The 2018 Community Health Needs assessment (CHNA) has identified the needs for access to recreations trails. The Rumford region has spoken loudly and clearly that it has a desire to increase its activity and movement to improve health. Opening the trails would be of minimal investment and risk to Rumford Falls Hydro and yet would have an exponential positive health impacts. It is with these facts in mind that I as President of Rumford Hospital, Rumford Community Home and senior executive of Central Maine Healthcare respectfully request that this commission make the relicensing of Rumford Falls Hydro contingent of the reopening and unlimited access to these trails.

I would be happy to speak with you in more detail should that be beneficial for your evaluation. Thank you for taking the time to read my comments.

Mia Purcell, S. Paris, ME.

I am writing to express support for opening the trail on the south side of the Pennacook Falls in Rumford, known as the Falls Hill Trail, and making it safe for the public to enjoy it. This trail offers the best views of the falls, the Androscoggin River and Rumford's historic downtown. Opening the Falls Hill Trail to the public would create a loop for visitors and residents that would take them over two bridges, past the visitor center and veteran's park, and across the street from the entrance to Rumford's historic downtown and a new 60-room Best Western hotel, under construction across from the visitor center. It would also support improved health and wellness for walking, running and biking.

The Falls are a unique feature and natural attraction in Rumford and western Maine as the highest falls east of Niagra Falls. And, they figure prominently in Rumford's history as the inspiration for Hugh Chisholm to build a paper mill in Rumford which led to his founding the world's largest paper company, International Paper. I urge Brookfield to open the Falls Hill Trail to the public and include it in a recreational plan as part of relicensing the Rumford Falls Hydro Project so that area residents and visitors can enjoy viewing and recreating near the Androscoggin River and the Falls.

Curtis Rice, Rumford, ME.

I write to beg that FERC require Brookfield to stop blocking access to the trails around the Rumford Falls. For at least 10 years prior to the fencing, I had enjoyed almost daily walks through this trail. When visitors came to visit us in Rumford, I would encourage them to join me on walks around this hidden gem. People who were sometimes dismissive of the Rumford area left with a different impression of the livability and beauty which surrounds us.

I well remember the distress and disappointment I experienced when it was first blocked off. Then, it was posted as a temporary measure due to a rock fall. Later, it would become apparent that this had been a disingenuous first step to cutting off all access and privatizing what had been a well-used and public right of way.

Prior to the cut-off, I would often take my two oldest children on walks behind the falls. This amazing trail started no less than 5 minutes by foot from our home and was a great source of daily physical exercise and mental health maintenance. It was great for bonding and sharing nature. My last two children have never been able to take these walks with me. This is a very real tragedy, I believe, and I can only guess how many others have missed out on this valuable family time.

The amazing experience of being able to be up right next to the falls, especially during the dramatic spring melt, should continue to be available to everyone in the area. The same experience at a distance of several hundred yards is truly a pathetically poor substitute.

Although Brookfield may have some financial or other benefit that would come from denying the citizens recreational access, the benefit lost to the people and economy of the area would be far greater. The thought of it should be disturbing. If the current situation is allowed to continue, it would stand as a symbol of government power being used to protect corporate interests over the long term rights of local citizens. If you rule in favor of community access, it would reinforce the idea that government works for the good of the people of this area and is not just a rubber stamp for bottom-line corporate greed.

Please help us and the future of our community by keeping this access open.

Curtis Rice
Rumford, Maine

Shane Smith, Mexico, ME.

How can we simply lease away all rights to the crown jewel of Rumford, the Falls, without assuring our community has access to it? The next generation deserves to access the Falls as a resource for recreation--picnics, fishing, walking, and biking. As we look to the future, and strive to create a positive environment to raise families in--while considering our economic reality--it's imperative that we utilize our natural resources to the best of our ability, as oppose to gating and blocking them off.

Anthony mazza, Rumford, ME.

I really enjoyed walking the trail on the backside of the falls in the past. It is a shame that it is all gated. It's a great mountain biking trail as well. Who likes biking down falls hill, no one!

Sarah Marshall, Rumford, ME.

I feel very strongly that this land should be left to the public for access. If the land is leased to a company that will close access, the River Valley area will suffer a great loss of public access. As a taxpayer and resident of Rumford, I believe this land should remain as an area for all to enjoy.

20200527-5063 FERC PDF (Unofficial) 5/27/2020 11:19:13 AM

Dennis BLANCHARD, CANDIA, NH.

The Rumford area needs all it's got going for it. Having no access to the falls area does not contribute to that.

Laurie Soucy, Rumford, ME.

I have been a Rumford Resident for nearly 50 years, and my husband and family have been business owners for more than 50 years. I remember when I moved to Maine and Rumford years ago the river was so polluted no one wanted to spend time near the river. The Androscoggin River has now been cleaned up and people fish, boat and kayak along the river in various places. It is a river people want to enjoy and recreate on.

As you know, Rumford used to solely rely on paper making for its economy, but that has also changed. Now the mill is just one part of Rumford, and the economy of the area has declined. However, there is hope that the renewed beauty of the river and the recreational possibilities of the area will help the town prosper again. We need to leverage our natural assets to bring people here who want to recreate, but also want to live.

One recreational asset was a walking trail I enjoyed using frequently in my youth, which Brookfield closed on the southern side of the river. This trail has been used in the community for years. People of all ages walked it to see the falls, kids from the high school biked it for fun, the high school physical education program used it for their bike safety unit, area citizens used it as a way to get to the commercial part of town while avoiding busy Route 2, fisherman used it to walk the river. Suddenly, a decision was made to close the trail, saying it was no longer safe. There was some indication of erosion, and also a large rock above the trail they were worried about. Understanding the concern, there were two local efforts made by Rumford Citizens to write grants to obtain the money to fix the safety issues on the trail, both proposals were denied. The grants were not successful because Brookfield had only obtained one cost estimate for repairs, and federal grants require several cost estimates.

The opening of this trail is crucial for the citizens of our town for recreation, and the draw of tourists to see Rumford Falls, one of the largest waterfalls in the east. I understand, FERC requires hydro projects to create recreational plans around dams so citizens can utilize the property and the public benefits from the commercial hydro operation. Currently Brookfield is not following the past license plan, and there are many concerned citizens, myself included, that worry Brookfield does not see the trail as important for the town and their relicensing plan. As a citizen, I would like to see Brookfield put out a digital survey to town residents. The survey can be distributed through social media, and should include questions about the trail and how it was used before it was closed. There should also be survey questions about how the trail could be used in the future to benefit the town.

In addition to the trail, citizens used to be able to access the property on the north side of the river which has amazing architecture and views of the falls and the reflection pool. This was a picnic area and a place to relax and walk near the river. This access has also been closed by Brookfield, and should be open to the public. I have been there many times as a young girl, when the falls were raging. Everyone who visits should have the opportunity to feel the vibrations from the power of the

falls, and the thunderous sound and awe inspiring perspective of Rumford's amazing waterfall.

The Androscoggin is not the river it used to be. It is cleaner and very beautiful. It is becoming a popular place to boat and fish. There is rumor that huge trout live in the reflection pool, and Maine Fish and Wildlife is considering how to improve the fishery. Maine residents, and those visiting love to fish, and fishing would help boost the economy of the area and improve life for people who live here. This should always be part of the recreation plan for the dam.

Finally, as the Androscoggin becomes more popular for boating, canoeing, kayaking and paddle boarding, these uses should be part of any recreational study. This should be part of the electronic survey put out to local residents. Brookfield should be looking at how to improve boating access, how to improve portaging around the dam, and how to provide access for whitewater kayakers below the bypass. Whitewater kayaking was not part of the recreational plan the last time the license was renewed, but has become a new use of the river and should be included. Recreational river releases may even need to be considered, and would be a summer draw for folks to come to Rumford as a recreational destination.

Rumford is a town defined by the river and the falls, therefore it only makes sense that the business making money from the falls has the best interest of the residents in mind. As a citizen, I hope Brookfield can do the most comprehensive study possible, and the dam relicensing plan can include the most positive recreational plan for the citizens. We all need to work together to make Rumford and the River Valley the best it can be.

Sincerely,
John and Laurie Soucy
Rumford Resident

To: Federal Energy Regulatory Commission
Fr: Kirk Siegel, Executive Director, Mahoosuc Land Trust
Re: Brookfield 30-year Hydropower License Rumford, ME (Docket P-2333-091)
Da: May 28, 2020

I am writing to support expanded recreation around the Hydropower Station in Rumford. I understand that Brookfield's 30-year Hydropower License is up for renewal, and part of this process requires Brookfield to do recreational studies to see what residents want for recreation around the property. Results of these studies help FERC draft a license agreement that requires recreational access to suit the needs of the study findings, so residents can enjoy the property around the project for the next 30 years.

Mahoosuc Land Trust has dedicated very significant energy and cost over the last 30 years to acquire and make accessible multiple recreational access points between Shelburne, NH and Rumford. We request that Brookfield do a thorough recreational study with respect to the Rumford facility. Rumford residents have told us that they are specifically interested in:

1. The walking trail on the southern side of the river, which had been a mainstay in the community for years, and which has been closed.
2. Access to the property on the north side of the river with views of important architectural features, the falls, and the reflection pool. This was a picnic area and a place to relax and walk near the river and has also been closed.
3. As mentioned above, a thorough recreational study with respect to the Rumford facility.
4. A study by Brookfield of the Androscoggin River fishery, which Maine Fish and Wildlife apparently believes to be an important public resource, to understand the resource and the potential effect of reducing or “dewatering” the falls as part of the hydropower operation.

Thank you for the opportunity to comment, and please do not hesitate to contact me should you wish me to expand on any of the above topics.

Philip Blampied, Rumford, ME.

I am concerned about some of the impacts the company managing the hydro plant has had on the community. Two are particularly a nuisance. The company consistently runs a loud siren every time a certain amount of water is released from the dam. This is supposedly to warn anyone who might be at the water's edge just below the dam. The sirens run day and night, often for 10 minutes at a time. For instance, it is not uncommon for a siren to run at 100 decibels plus for 10 minutes at 3 am in the morning. People rarely if ever stand at the water's edge just below the dam and certainly not at 3 am. However, there is an extensive residential area just up the hill from the dam in which the full volume of the siren is audible. This is an unnecessary and disruptive practice and must stop. Another bad impact on the community was the company's closing of a well used and popular walking trail alongside the river on the undeveloped side of the Falls. It seems as if the slightest risk of liability is a greater concern to the company than disrupting and disadvantaging the community.

June 1, 2020

Ms. Kimberly D. Bose
Secretary Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426



Via online submission to: <http://www.ferc.gov>

Subject: Comments of Maine Council of Trout Unlimited on the Proposed Study Plan (PSP) for the Rumford Falls Hydroelectric Project (FERC No. 2333)

Dear Secretary Bose:

On behalf of its chapters and their over 2,000 members, Maine Council of Trout Unlimited (TU) submits these comments on Brookfield's Rumford Falls Hydro LLC Proposed Study Plan (PSP) for the Rumford Falls Project (P-2333-0091) on the Androscoggin River in Rumford Maine.

The project contains the third largest generation capacity of any single generation facility in Maine. Located on the site of Maine's largest waterfall --the largest falls in the United States east of Niagara Falls -- the two dams the project includes marginalize views of the falls, and under low flow conditions, currently authorized minimum flows dewater the falls and the bypass.

The response by the people of Rumford and the surrounding area to Brookfield's fencing off of walking paths that have provided views of the falls for many years has been overwhelming. The people of Rumford see the falls as the heart of their community and resent being denied the views that they formerly enjoyed. Many of them have posted comments to that effect to the FERC Rumford Falls Project docket.

This is the first relicensing of the Rumford Falls Project to occur after the pollution that formerly characterized the Androscoggin River as it flowed through Rumford was cleaned up and the recreational and aesthetic potential of the area began to become recognized. For that reason, the Rumford Falls Project is likely the most poorly mitigated project in Maine. Brookfield's Proposed Study Plan would not even have considered the most basic studies: Renewed recreational use of the closed paths and flow studies for the two dams that dewater the falls with minimum flows of 0 CFS and 21 CFS. Additionally, the recent filing by the Maine Historical Preservation Commission (MHPC)¹ confirmed (as TU stated during the Proposed Study Plan Teleconference) that the archaeology studies Brookfield had submitted were incomplete:

"With regard to archaeological resources, there are a number of errors related archaeological sites in the Pre Application Document and the Proposed Study Plan that need correction, the most important being the absence of archaeological studies in the Proposed Study Plan. (One archaeology report needs to be completed.)"

¹ Maine Historical Preservation Commission letter Subject: FERC 2333; Rumford Falls Hydroelectric Project Proposed Study Plan dated May 7, 2020

The filing goes on to say:

“... the current Study Plan for relicensing must include a provision for another effort to complete the archaeological data recovery report study. This is an unfinished relicensing archaeological issue where the majority of the public benefit of the archaeological study for the project resides.”

The incomplete study includes reference to fish bones identified as to anatomical feature but not as to species that TU believes could bear on potential fish passage requirements for the project.

We feel compelled to note that while Brookfield was economizing on relicensing studies in Maine, the information from which would allow them to appropriately mitigate the effects of the project on the Town of Rumford and the surrounding area, Brookfield Renewable was filing documents with the Securities and Exchange Commission indicating they are planning a public offering of new Limited Partnership Units that could generate approximately \$575 million in additional capital.² Brookfield Renewable Energy appears to be valued in excess of \$30.6 billion, based on the stated capitalization of its holding company. Compare Brookfield’s resources with the Town of Rumford’s, 2018 population 5,687 - there is no comparison.

The Town of Rumford is asking for a comprehensive recreational plan to be part of the conditions of relicensing. This would include the paths, viewing opportunities and aesthetics, whitewater opportunities, fishing, parks and other potential recreational uses of the Rumford Falls vicinity. TU strongly supports this.

TU also supports Brookfield’s preparation of a draft Area of Potential Effect (APE) per the previously referenced MHPS filing.

We reiterate our support previously stated in our comments on the PAD³ for the following studies:

- Minimum Flow Analysis
- Brown Trout and Rainbow Trout Telemetry Study
- Comprehensive Angler Creel Survey

As previously stated, we think that it is especially important that the Minimum Flow Analysis and the Telemetry Study be conducted together to adequately assess the impact of the low flows on trout and other fish species in the project area, and determine future flow prescriptions to replace those currently in place that are harmful to aquatic habitat.

The Brown Trout and Rainbow Trout Telemetry Study is appropriate. PAD describes brown trout habitat: *“Brown Trout prefer medium-to-large streams with swift riffles and large, deep pools”*⁴ and the project floods over 400 acres of this type of habitat. The effects of project operation are unknown and need to be determined. Telemetry is the best science available to make that determination.

² Brookfield Renewable Partners L.P. Prospectus Supplement to Prospectus dated February 19, 2020 posted at <https://www.sec.gov/Archives/edgar/data/1533232/000119312520154170/d916732d424b7.htm>

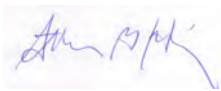
³ Comments of Maine Council of Trout Unlimited on the Pre-application Document for the Rumford Falls Hydroelectric Project (FERC No. 2333) dated January 28, 2020.

⁴ Brookfield Renewable Rumford Falls Hydroelectric Project (FERC No. 2333) Notice of Intent to File Application for a New License and Pre-Application Document, page 5-24

Lastly, Maine Department of Marine Resources will be submitting a request for studies pertaining to American eel passage. TU had previously requested that American eels be included with the Brown Trout and Rainbow Trout Telemetry Study,⁵ but this request was ignored in the PSP. Currently, the lowest dam in the Androscoggin Watershed, Brookfield's Brunswick Project, provides no eel passage. Up for relicensing in 2029, eel passage at Brunswick will allow more American eels to access the watershed.

Maine TU Council appreciates the opportunity to comment on this project and looks forward to proceeding under the ILP process.

Respectfully,

A handwritten signature in blue ink, appearing to read "Stephen G. Heinz", is placed over a light blue rectangular background.

Stephen G. Heinz
Maine TU Council FERC Coordinator

⁵ Comments of Maine Council of Trout Unlimited on the Pre-application Document for the Rumford Falls Hydroelectric Project (FERC No. 2333) dated January 28, 2020.

Allie Burke, Rumford, ME.

On the behalf of River Valley Healthy Communities Coalition, located in Rumford, it would be a huge benefit to the community to have trail access once again around the falls. It would be great for citizens to be able to access the property on the north side of the river which has amazing views of the falls and reflection pool.

In a time of uncertainty it would be wonderful for Brookfield to offer the community a place to relax and walk near the river. This would help decrease anxiety, boost mental health and many other health factors that so many people are dealing with right now.

The opening of this trail is crucial for the citizens of our town for recreation, and an economic boost to the town as it would help draw tourists to see Rumford Falls, one of the largest waterfalls in the east.

Thank you for taking the time to read our comments and concerns.

Allie Burke, Executive Director to River Valley Healthy Communities Coalition

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
June 2, 2020

OFFICE OF ENERGY PROJECTS

Project No. 2333-091—Maine
Rumford Falls Hydroelectric Project
Rumford Falls Hydro, LLC

Mr. Luke Anderson
Brookfield Renewable
150 Main Street
Lewiston, ME 04240

VIA FERC Service

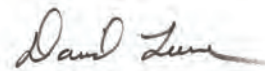
Reference: Staff Study Request

Dear Mr. Anderson:

On January 21, 2020, Commission staff requested studies for water quality and cultural resources to support the relicensing for the Rumford Falls Hydroelectric Project. On May 11, 2020, Commission staff submitted comments on the proposed Angler Creel Survey and Recreation Plan. However, since our last letter, several comments have been filed suggesting the potential need for flow releases to enhance the aesthetics of Rumford Falls. There is insufficient information in the record to evaluate the need and benefit and cost of such releases. Therefore, we are now requesting that you conduct an aesthetic flow study described in the attached schedule A.

If you have any questions, please contact Ryan Hansen at (202) 502-8074 or ryan.hansen@ferc.gov.

Sincerely,



David Turner, Chief
Northwest Branch

Enclosures: Schedule A

Project No. P-2333-091

Schedule A

Study Request

Aesthetic Flow Study

Criterion (1) – Describe the goals and objectives of each study proposal and the information to be obtained.

The goal of this study is to describe and evaluate the effects of project operations on aesthetic flows over Rumford Falls and to evaluate potential measures to alleviate those effects. This would be accomplished by evaluating the aesthetic benefit of various flows released from the upper dam over Rumford Falls. The objectives of this study are to:

- (1) Document the existing aesthetic character and conditions over Rumford Falls;
- (2) Identify key observation points;
- (3) Collect photo and video documentation under various existing and controlled flow conditions over the falls;
- (4) Conduct a focus group assessment of controlled flow conditions at key observation points;
- (5) Determine the operational feasibility, effects on generation, and cost of providing aesthetic flow releases;
- (6) Evaluate the potential effects of aesthetic flow releases on other resources including recreational uses, aquatic resources, water quality, and project generation.

Criterion (2) – If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied.

Not applicable.

Criterion (3) – if the requester is not a resource agency, explain any relevant public interest considerations in regards to the proposed study.

Section 4(e) and 10(a) of the Federal Power Act require that the Commission give equal consideration to all uses of the waterway on which a project is located. When reviewing a proposed action, the Commission must consider the environmental,

Project No. P-2333-091

recreational, fish and wildlife, and other non-developmental values of the project, as well as power generation and other developmental values.

Members of the public and the business community provided comments during scoping and in response to Rumford Falls Hydro's proposed study plan that indicate a desire to improve the aesthetic flow over Rumford Falls. Aesthetic changes can affect public use and enjoyment of the project area. Rumford Falls are visible from downtown and several recreation sites around the project area and several commenters have suggested that the falls are the main attraction for the Town of Rumford. Thus, to fully evaluate the project's effect on aesthetic flows over the falls and to balance potential enhancement opportunities with their costs, a controlled-flow aesthetic study is relevant to the Commission's public interest determination.

Criterion (4) – Describe existing information concerning the subject of the study proposal, and the need for additional information.

The PAD generally describes the visual characteristics of project facilities and surrounding project lands. The PAD mentions a 1989 field investigation of the bypassed reach that was conducted to evaluate the appropriate flow requirements needed to protect the quality of aquatic habitat of the bypassed reaches. The PAD states that this study showed that increased flows would not result in an appreciable aesthetic benefit, however it did not provide the data collected from this study nor explain the basis for this conclusion.

As noted above, members of the public and business community have indicated the need for more flow over the falls. There is no information in the record to evaluate the need, availability, or aesthetic benefits of various flows over the falls.

Information on the aesthetic conditions collected during this study would inform a decision on whether additional releases from the upper dam to the upper bypassed reach would be warranted to improve aesthetic flows over the falls.

Criterion (5) - Explain any nexus between project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements.

Project operation affects available flows over Rumford Falls by diverting flows through the upper development for power generation. The maximum hydraulic capacity of the upper development is 4,550 cfs. Based on monthly average flows, all flow, except for leakage, is diverted from the falls and through the powerhouse every month except March through June, when average monthly flows range from 4,617 cfs in March to 9,273 cfs in June. During these months flow over the falls would on average range from 67 cfs to 4,723 cfs. High flows during all months can exceed the maximum hydraulic

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capacity resulting in significantly higher flows over the falls; however, these events are rare (10 percent exceedance), particularly during the low flow periods of winter and summer.

There is no information in the record to gage the aesthetic quality of available flows over the falls. An analysis of project operations relative to a range of flows over the falls would help form the basis for determining the project's ability to enhance the aesthetic quality of the falls.

Criterion (6) – Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge.

The aesthetic flow study should follow the methods outlined in *Flows and Aesthetics: A Guideline to Concepts and Methods* (Whittaker and Shelby 2017). These guidelines recommend a progressive approach with phased efforts of increasing resolution.

Phase 1 (desktop analysis and reconnaissance assessment) includes the characterization and documentation of key viewing locations and key viewing characteristics (i.e., waterfalls, vegetation, distance, etc.) during both a leaf-on and a leaf-off period. Potential use and access to these key viewing locations would be studied. From the information gathered during Phase 1, a controlled flow evaluation form would be created. In Phase 2 (documentation and assessment of controlled flow releases), Rumford Falls Hydro would release target flows selected in consultation with a focus group that would evaluate the flows.

The 2017 guidelines provide considerations and recommendations on how to best identify key observation points, collaborate with the public, and conduct surveys, among other study components.

Characterization of Aesthetic Features and Conditions (Phase 1)

Focus Group

A focus group composed of interested stakeholders (a minimum of 10) should be assembled to provide assistance and input. These stakeholders should include, to the extent that they are willing and able to participate, members from the public, Town of Rumford, Pencacook Falls Investment, Mahoosuc Pathways, and Maine Bureau of Parks and Lands, among others. The focus group members should allow for collaboration and agreement on multiple decision points regarding the development of the study.

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Key Observation Points

In consultation with the focus group, identify key observation points to represent important landscape perspectives and viewing opportunities of Rumford Falls. Key observation points should include at least the following sites: Veteran's Park, Rumford Falls Trail, the viewing area of Rumford Falls at the upper development, and J. Eugene Boivin Park. Characterize and document (photograph) key observation points during both a leaf-on period and leaf-off period. The assessment should include identification of key viewing characteristics (e.g., key features/structures, waterfalls, vegetation, in-channel geologic features) and characterization of potential use and access of these areas (e.g., special event activities) based on existing available information and information obtained as part of the Recreation Study.

Historic Data Gathering

Assess and characterize the timing and flow ranges of historic flow exceedance events to characterize existing flow conditions as they relate to the aesthetic character of Rumford Falls.

Documentation and Assessment of Controlled Flow Release (Phase 2)

Controlled Flow Conditions and Evaluation Form

With the assistance of the focus group, determine the number of releases and appropriate aesthetic flow levels for conducting a review/evaluation of identified flows from the key observation points. An explanation of the targeted aesthetic flows should be included in a study progress report provided to the Commission and interested stakeholders. A broad range of flows would allow evaluators to conduct a meaningful evaluation and identify a minimum acceptable flow and an optimal aesthetic flow. At least four flows should be evaluated as part of the flow study: a leakage flow, and a low, moderate, and high flow.

A numeric rating (e.g., Likert scale) evaluation form of the overall view and specific elements (e.g., sound level, amount of turbulence) should be developed. The form should include questions pertaining to the evaluation of the aesthetic conditions for each key observation point location under the targeted flow ranges.

Controlled Flow Assessment

The focus group should review the flows on-site at the key observation points, complete the evaluation form, and participate in a focus group discussion (off-site). Photo and video (with sound), documentation of the observed flows reviewed by the

Project No. P-2333-091

focus group should be documented.

Data Analysis and Report Preparation

Rumford Falls Hydro should prepare a report that includes discussion of the study methodology, study area, analysis and results of the Aesthetic Flow Study. The report should document the information compiled from the above efforts, including analysis and summary of the focus group evaluation form responses and discussions. The report should also include an assessment of potential effects of providing aesthetic flows on other resources, such as recreation opportunities, aquatic resources and project power generation.

The proposed aesthetic study follows methods outlined in *Flows and Aesthetics: A Guideline to Concepts and Methods* (Whittaker and Shelby 2017). Therefore, these methods are consistent with generally accepted methods for conducting an aesthetic flow study.

Criterion (7) – Describe considerations of level of effort and cost, as applicable, and why any proposed alternative studies would not be sufficient to meet the stated information needs.

The anticipated cost for the aesthetic flow study request is estimated to be approximately within the range of \$30,000 to \$40,000.

Project No. P-2333-091

Literature Cited

Whittaker, D. and B. Shelby. 2017. Flows and Aesthetics: A Guide to Concepts and Methods. Accessible at: https://www.hydroreform.org/sites/default/files/Flows%20and%20aesthetics--%20A%20guide%20to%20concepts%20and%20methods%202017_Final_web.pdf

Lisa Arsenault, Mexico, ME.

As an active outdoors 'man' (woman) in the River Valley Community, I am appealing to you to require Brookfield to open up access around the hydro project. The trail on the backside of the falls existed for years before they bought the property.

We live in such a beautiful area and the Rumford Falls brings tourists to the area for recreation of all kinds. How cool is it that we have the beauty of the falls right in our downtown!?! Please give some thoughts to having the trail opened again for all to enjoy.

Also, as a lifelong resident, I've always admired the viewing area in the driveway to Brookfield. Any chance that could be opened for walkers to enjoy too?

Thank-you for considering my thoughts, Lisa



To Whom It May Concern,

As the Maine State Senator for District 18, I have the distinct honor of representing the people of Rumford, Maine. It has come to my attention that Brookfield Energy is seeking a renewal of their Federal Energy Regulatory Commission (FERC) license on the Middle Dam. It is my hope that as part of the license renewal, public access to the site will be considered.

The dam was originally built in 1916 alongside the Falls Hill Trail. Rumford Falls Power Company, which owned and operated the dam as a subsidiary of Oxford Paper Company, allowed public access to the trail and the picturesque 'West Viewing Area'. In 1994, when the dam was last relicensed, it was still under the ownership of the Rumford Falls Power Company. Public access on the property existed until 2014 when Brookfield closed access with very little explanation.

Despite this long history of public access and use, the Falls Hill Trail and 'West Viewing Area' has never been included in the FERC licensing as a recreational asset of the project. In the past, this may have been less vexing due to the river's pollution, however, after years of expansive cleanup effort, this deterrent is thankfully no longer an issue. Public interest in the trail and viewing area has greatly increased. The people of Rumford, and the surrounding River Valley Area live in Western Maine, in part, because of their love of the outdoors. The recreational areas situated at Brookfield dam could be a real asset to the River Valley area, positively impacting the area's attractiveness, and the community's health and wellbeing.

It is in the public interest of the citizens of the greater River Valley area that a formal recreation plan be created by Brookfield, and attached to the license in perpetuity to ensure that access to these resources is not compromised in the future.

I support the study requests of the Town of Rumford and those of the Maine Department of Inland Fisheries and Wildlife with regards to fisheries studies. It is critically important to preserve our existing resources and work together to ensure that access to the Maine outdoors, and its unique settings, is readily available.

Sincerely,

A handwritten signature in blue ink that reads "Lisa M. Keim".

Lisa Keim
State Senator

Jolan Ippolito, Rumford, ME.

Please include a provision in the permit to reinstate and allow what was once public access to areas around the hydro project. I am not sure when the ownership changed hands that the community realized it would have to request the access it originally had throughout the history of this hydro project. I believe that safe public access is possible. I believe that Brookfield is trying to be a community player and should not object to making public access possible again.

Landis Hudson, Yarmouth, ME.

Thank you for the opportunity to comment on the Proposed Study Plan (PSP) for the Rumford Falls Hydroelectric Project (Docket P- 2333-091) in Rumford, ME. The Project is located on the Androscoggin River in the Town of Rumford, Oxford County, Maine.

We are strongly in favor of requiring the application to complete a full recreational study. We understand that the Town of Rumford is requesting a comprehensive recreational plan to be completed to include trails and pathways, viewing opportunities and aesthetics, whitewater opportunities, fishing, and as well as other possible recreational uses of the Rumford Falls vicinity. We fully support this request. We are aware of reports that travelling by canoe through the area is extremely challenging because of poorly maintained and inadequate trails, and poor signage for portaging around the project area. We believe that these problems need to be addressed.

As noted by Maine State Senator Lisa Keim in a letter posted to the FERC website on June 2, 2020:

Public access on the property existed until 2014 when Brookfield closed access with very little explanation. Despite this long history of public access and use, the Falls Hill Trail and 'West Viewing Area' has never been included in the FERC licensing as a recreational asset of the project. In the past, this may have been less vexing due to the river's pollution, however, after years of expansive cleanup effort, this deterrent is thankfully no longer an issue. Public interest in the trail and viewing area has greatly increased. The people of Rumford, and the surrounding River Valley Area live in Western Maine, in part, because of their love of the outdoors. The recreational areas situated at Brookfield dam could be a real asset to the River Valley area, positively impacting the area's attractiveness, and the community's health and wellbeing.

It is in the public interest of the citizens of the greater River Valley area that a formal recreation plan be created by Brookfield, and attached to the license in perpetuity to ensure that access to these resources is not compromised in the future.

We firmly support the request made by Maine Inland Fisheries and Wildlife for a Minimum Flow Analysis to determine recommended minimum flows, specifically in the reach from Middle Dam downstream to the confluence with the Lower Station tailrace. We see the value in ensuring that any agreed upon minimum flow releases meet inland fisheries needs and assure attainment of water quality standards, to support the future health of this important community resource. We understand that this work will evaluate how various minimum flows influence the fishable aquatic habitat lotic and lentic reaches of the Androscoggin River. This minimum flow analysis should also address recreational interests.

Further, we believe that there is potential for American eel and we would like to see safe, timely and effective passage for American eel at this site.



OFFICE OF THE TOWN MANAGER

145 Congress Street
Rumford, Maine 04276
(207) 364-4576 Ext. 212
(207) 364-5642 FAX
town@rumfordme.org

Mr. Ryan Hansen

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

VIA FERC SERVICE

Reference: Docket Number: P-2333-091

June 5, 2020

Dear Mr. Hansen,

The Town of Rumford, a body corporate and politic in the County of Oxford, in the State of Maine hereby submits to the Federal Energy Regulatory Commission (FERC) the following comments and two (2) study requests as part of the Integrated Licensing Process for the Rumford Falls Hydro Project currently owned and operated by Rumford Falls Hydro, LLC a wholly owned subsidiary of Brookfield Renewable Partners LP.

The Town has written these requests in accordance with the information contained in the "Guide to Understanding and Applying the Integrated Licensing Process Study Criteria" published by FERC in March of 2012 along with the FERC "Handbook for Project Licensing and 5 MW Exemptions from Licensing" published in April of 2004. The Town also references and expects application of the principles and methodologies from Manning's, "Studies in outdoor recreation: Search and research for satisfaction" (2010, Oregon State University Press) and Whittaker et. al., "Flows and Aesthetics: A Guide to Concepts and Methods." (2017, Oregon State University) as the accepted scientific methodologies for both study requests. Cost estimates were made using best available information, resources and experience.

The Town of Rumford notes its support for the following comments, requests and formal study requests: the letter of State Senator Lisa Keim submitted June 2, 2020; all comments made by citizens and organizations of the Town of Rumford to date; comments made by Pennacook Falls Investments Ltd., dated May 18, 2020; The Maine Department of Environmental Protection, dated January 25, 2020; The Maine Department of Inland Fisheries and Wildlife, dated January 28, 2020; the Mahoosuc Land Trust, dated May 28, 2020; and the Maine Council of Trout Unlimited dated June 1, 2020.

The Town also specifically and specially notes its support for the Staff Study Request made by FERC dated June 2, 2020. The Town of Rumford has recently adopted an Outdoor Recreation Plan and attaches the plan for reference to this transmittal. The Plan considers the creation of additional hiking, walking and biking trails as an immediate need for the Town of Rumford and makes specific reference to the Falls Hill Trail.

The Town of Rumford is requesting two studies. The first study is a comprehensive recreation study that would encompass all potential recreation resources around the Project. It is specifically intended to include all steps necessary to move forward with the restoration, rehabilitation and improvement of the existing recreation resources at the project and any future recreation resources at the project. The Town's most fundamental expectation for this study is that it will assist in the restoration of the Rumford Falls Hydro Project to its historic and originally intended aesthetics and design as an energy producer located within a semi-urban setting next to Rumford Falls. The Upper Development in particular was never intended to be set aside as an isolated cantonment of industry, fenced off from the natural setting and those who seek to enjoy it. Changes made over the years to public access at the project have incrementally pushed citizens away from their enjoyment of the Falls as the single most scenic natural resource of Western Maine.

The Town believes that these actions have been taken without regard to their impact on the local economy, the public interest or the historic recreational uses of the facility. The fundamental rights of the public to access the Falls and the associated recreation resources first established in the original design have eroded to a point of insignificance in comparison to the current management scheme.

The Town recognizes the tremendous economic value of the energy resources harnessed at the Rumford Falls Hydro Project and seeks to ensure its long term viability through the restoration of the recreation assets and resources which have helped generate continued public support for the Project in the past. The Town believes that the current management scheme is not only damaging to the public interest in recreation but also damaging to the public interest in energy production. Specifically, the gradual institution of incrementally restrictive facility access policies have made continued public support for the Project untenable. This is a fundamental management error of the resource both for recreation and energy due to the exceptional levels of conflict created between the public interest and the operator.

The Town believes that the best means to reduce conflict between the operator and the public interest is for the institution of a wide-ranging resource management regime that will ensure the protection of the public interest in both recreation and energy production while also providing long term stability to the operator. The Town specifically seeks the creation of a recreation plan to be included as part of the license in perpetuity. The Town believes that the attachment of a recreation plan to the license presents a minimal burden to the operator while creating very significant benefits to the public interest.

The second study the Town is requesting is for a Whitewater Rafting Study that would also include all other whitewater activities to include but not be limited to rafting, kayaking, canoeing, other small boating and tubing around and through the Lower Falls area between the

Upper Development and the Lower Development. This new recreation activity which has never before been considered for the Lower Falls appears to have tremendous economic potential and minimal attendant requirements for the operator. The Lower Falls would already support significant amounts of whitewater activities now and depending on future operations schemes as part of other studies could support more.

The Town would like to acknowledge its appreciation for the letter received from Brookfield - Rumford Hydro dated May 20, 2020 with regards to a potential evaluation of the Falls Hill Trail and their acknowledgement that "access to walking paths and trails bring many recreation benefits and build a community culture of health". The Town believes that this engineering evaluation should be acknowledged within the Integrated Licensing Process along with any other studies or outcomes of studies to include consideration of the rehabilitation and improvement of other existing recreational resources. Further additional dialogue with Brookfield - Rumford Hydro remains key to the success the relicensing process and the Town welcomes any invitation from Brookfield - Rumford Hydro to dialogue in Rumford.

Finally, the Town notes that aesthetic improvements and considerations are present through various study requests and aspects of the licensing process. With specific regards to improvements in fencing, landscaping, cleaning and painting of buildings or doors and general upkeep the Town would welcome a plan proposal from Rumford Hydro that addresses these issues. The potential construction of a new clinic for the United States Department of Veterans Affairs at 1 Railroad Street has brought additional significance and importance to the aesthetic aspects of the Middle Canal in and around the Canal Bridge at Hartford Street. Replacement of chain link fencing throughout all areas of the entire project is requested along with improved upkeep and appearance of facilities. The Town has not submitted this request as a formal study for two specific reasons, first to lessen the burden on the Commission and the operator and second because these practices are generally accepted and understood as part of everyday operations. It seems both unnecessary and burdensome to study what should be common sense.

With our gratitude for the Commission's regard for our Town,

Sincerely,


Stacy Carter

Town Manager

Rumford, Maine

Enclosures: Schedule A, Study Requests of the Town of Rumford
Outdoor Recreation Plan of the Town of Rumford

Page 3 of 3



Town of Rumford
Study Requests
Rumford Falls Hydro Project
Federal Energy Regulatory Commission Docket: P-2333-091
As Adopted by the Select Board June 4, 2020

Schedule A

The Town of Rumford hereby submits the following study requests in accordance with the FERC criteria:

Study Request 1: Recreational Use Study

1. Goals and Objectives

Goal: To complete an inventory of all recreational resources at the Rumford Falls Hydro Project in particular those associated with the historic original design. To identify any new recreational resources or interests which may be significant to members of the public in the community and/or tourists from outside the Rumford area.

Objective 1: To identify the steps necessary to rehabilitate and reopen recreational resources to the public in particular those which were part of the original historic design and construction.

Objective 2: To identify the steps necessary to offer new recreational opportunities at the Rumford Falls Hydro project to members of the public in the community and/or tourists from outside the Rumford area.

Data to Be Obtained: A complete inventory of existing recreational resources and a task list necessary to reopen and rehabilitate existing recreational resources to the public. A complete inventory and consideration of new recreational opportunities and a list of changes or procedures necessary to support the creation or growth of new recreational resources.

2. Criterion 2 is not applicable.

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3. Relevant Resource Management Goals and Public Interest Considerations

The public interest considerations at the Rumford Falls Hydro Project are substantial. The project is situated within a built up area of the Town and is directly adjacent to the highest density area of population and the highest intensity area of economic activity. The project as originally designed and built consisted of the dam, and generating facilities nestled among multiple parks and the scenic Rumford Falls. It is notable to the Town that the original design and construction deliberately maintained the scenic Rumford Falls with clear acknowledgment of its aesthetic value through the creation and maintenance by the dam operator of numerous vantage points and parks. (See Figure 1¹ and Figure 2²)

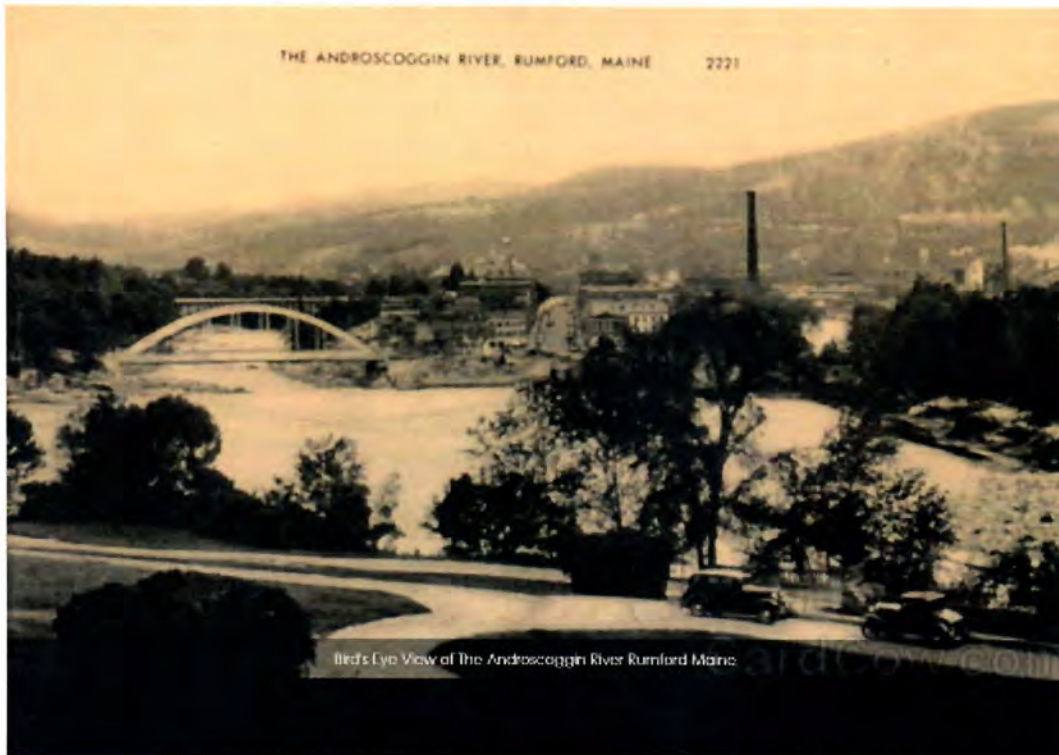


Figure 1: Digital scan of postcard showing West Viewing Area in foreground ca. 1920

¹ Digital scan of postcard showing West Viewing Area in foreground: <https://www.cardcow.com/462759/birds-eye-view-androscoggin-river-rumford-maine/>; Accessed on June 3, 2020.

² Digital scan of map Rumford Falls Power Company Map (1894): <https://digitalmaine.com/maps/238/>; Accessed on June 3, 2020.

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Figure 2: Digital scan of Rumford Falls Power Company (previous project owner and operator) Map dated 1894 showing park features at the dam prior to construction of existing Upper Development but after initial construction at Rumford Falls.

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The Town of Rumford Comprehensive Plan as updated in November of 2013 identifies the following significant policies for the Economy which support the public interest considerations of this study request³:

- ❖ Maintain and enhance the unique character and business viability of Shopper's Island.
- ❖ Develop new areas for commercial/business development while maintaining the viability of existing business locations.
- ❖ Support the full use of Black Mt. of Maine and other recreation resources and opportunities to encourage economic diversification and growth.
- ❖ That Rumford is seen [sic] aesthetically pleasing to residents, businesses, business patrons and tourists.

The Town of Rumford Comprehensive Plan also states the following with regards to Outdoor Recreation⁴:

“Outdoor recreation assets and opportunities can play a role in the economic diversification in Rumford and [sic] region.”

The recreation use study will support the ability of the Town of Rumford to enhance economic activity and economic opportunity through the identification of recreation facilities and amenities associated with the Rumford Falls Hydro Project that could be reasonably rehabilitated, reopened or improved. This information is specific to Brookfield's property and facilities and the Town has no reasonable means to inform the public with regards to the development of recreation assets within the project without complete technical information that can be obtained by this study.

4. Existing Information and Need for Additional Information

There is no comprehensive inventory of recreational resources within the project however numerous recreational resources are known and have been identified. These include the Boivin Park, the Falls Hill Trail, the “West Viewing Area” and Veterans Park. There is no information available on use of these resources or their exact dimensions, locations or other technical characteristics that would allow for the Town to plan for recreation use of the facilities within the context of FERC licensing or general economic development.

³ Rumford Comprehensive Plan Update, Adopted November 5, 2013, p. 34-35

⁴ Rumford Comprehensive Plan Update, Adopted November 5, 2013, p. 104

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5. Project Nexus

All of the existing facilities described in this study request are within the holdings of Brookfield Renewable. The existence of the project and in particular recent changes to permitted uses of the park features has impacted the ability of the Town to gain economic diversification and economic opportunity from the natural assets of the Rumford Falls. These impacts include a loss of development opportunities gained from recreation interests and a loss of business opportunities gained from tourism.

Development opportunities associated with the project could include but are not limited to the creation of additional lodging and dining, and recreation related businesses. Business opportunities gained from tourism include but are not limited to real estate services, recreation services and goods, travel services and goods and consumer retail.

Information provided by the study will enable FERC, Brookfield Renewable, the Town of Rumford, and other stakeholder agencies to consider the relevant questions of public interest in recreation in and around the Rumford Falls Hydro Project.

6. Proposed Methodology

The FERC Handbook for Project Licensing and 5 MW Exemptions from Licensing (April 2004)⁵ provides the following generally accepted practice: "Recreation studies should be designed to identify current and future recreational needs and how those needs can best be met."

Based on historic use the Town proposes that all of the existing recreational facilities at the Rumford Falls Hydro Project, including those that are closed, altered or in need of rehabilitation, are intended to partially meet current recreational needs.

Phase 1 of the recreation study should include characterization and documentation of key recreation assets and characteristics. Past and current uses of the key recreation assets would be studied including potential future use with needed rehabilitation or improvement. A strong focus would be placed on consideration of historic features, amenities and aesthetics.

Phase 2 of the recreation study would include guided community tours of the facilities to examine suitability for use and to assist in the identification of rehabilitation and improvements necessary to reopen recreation facilities to the public.

⁵ FERC Handbook for Project Licensing and 5 MW Exemptions from Licensing (April 2004): https://www.ferc.gov/industries/hydropower/gen-info/handbooks/licensing_handbook.pdf; Accessed June 3, 2020

Town of Rumford
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During Phase 1 a focus group composed of interested stakeholders (minimum of 10) should be assembled to provide assistance and input. These stakeholders should include to the extent that they are willing and able to participate members from the public, Town of Rumford, EnvisionRumford, Mahoosuc Pathways, Maine Bureau of Parks and Lands, and the River Valley Chamber of Commerce among others. The focus group members should allow for collaboration and agreement on multiple decision points regarding the development of the study.

In consultation with the focus group, identify key recreation assets including at a minimum the following: Rumford Falls Hill Trail, Veteran's Park, Boivin Park and the "West Viewing Area". Characterize and document key recreation assets including consideration of different seasonal uses. The assessment should include identification of key recreation asset characteristics and characterization of potential use, previous use and access to these areas based on existing information and information obtained as part of the study.

During Phase 2 a series of community events shall be planned and executed allowing members of the public to receive access to the existing recreational assets with any safety precautions as needed. Every effort should be made to allow the public to traverse the full length of the Falls Hill Trail using acceptable temporary safety barriers and signage as needed.

Rumford Falls Hydro will then prepare a report that includes discussion of the study methodology, study area, analysis and results of the Recreation Study. The report should document the information compiled from the above efforts, including analysis and summary of the focus group discussions and feedback received during the public access events. The report should also include an assessment of potential effects of reopening or rehabilitating existing recreation facilities on other resources, such as scenic resources, aquatic resources and project power generation.

Consideration of any new recreation opportunities or facilities identified by the focus group and discussed for further study.

7. Level of Effort and Cost

The anticipated cost for the recreation study request is estimated to be approximately within the range of \$30,000 to \$40,000 based on other comparable study requests.

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Study Request 2: Whitewater Recreation Use Study

1. Goals and Objectives

Goal: to determine the feasibility of allowing whitewater recreation on the lower falls as a means to assist the economic development of the Rumford area

Objective: to study the operational requirements related to whitewater recreation

Data to be obtained: determine if the Androscoggin river can be safely used by certified whitewater rafting guides and advanced kayakers with guides for whitewater activities between the upper development and the lower development from a point just below the middle dam to the Mexico boat launch. This determination will specifically include evaluation of potential runs on the river with consideration to project operations and safety of participants.

2. Criterion 2 is not applicable.

3. Relevant Resource Management Goals and Public Interest Considerations

The public interest considerations at the Rumford Falls Hydro Project are substantial. The project is situated within a built up area of the Town and is directly adjacent to the highest density area of population and the highest intensity area of economic activity. The project as originally designed and built consisted of the dam, and generating facilities nestled among multiple parks and the scenic Rumford Falls.

Whitewater rafting and kayaking would be a new addition of recreation opportunities to the Rumford area. When the project was last licensed 1994 pollution of the Androscoggin River was still bad enough to act as a deterrent to most historic and emerging recreational uses. Prior to the period of greatest impact by pollution whitewater rafting or kayaking as it is generally known today was not a widely practiced form of recreation. It was therefore highly unlikely or impossible that whitewater rafting or kayaking could have ever been considered as a recreational activity at the Rumford Falls Hydro Project because of pollution and no prior historic use or knowledge.

Based on input from members of the public and the general interest in continued economic diversification of the Town this study request constitutes the first ever attempt to quantify potential economic benefits and operational feasibility of whitewater rafting and kayaking activities within the Rumford Falls. There are extraordinary potential economic development opportunities should this concept be determined to be operationally feasible.

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The Town of Rumford Comprehensive Plan as updated in November of 2013 identifies the following significant policies for the Economy which support the public interest considerations of this study request⁶:

- ❖ Maintain and enhance the unique character and business viability of Shopper's Island.
- ❖ Develop new areas for commercial/business development while maintaining the viability of existing business locations.
- ❖ Support the full use of Black Mt. of Maine and other recreation resources and opportunities to encourage economic diversification and growth.

The Town of Rumford Comprehensive Plan also states the following with regards to Outdoor Recreation⁷:

"Outdoor recreation assets and opportunities can play a role in the economic diversification in Rumford and [sic] region."

The whitewater recreation study will support the ability of the Town of Rumford to enhance economic activity and economic opportunity through the identification of whitewater recreation opportunities associated with the Rumford Falls Hydro Project that could be reasonably used within the current operations scheme or a new operations scheme. This information is specific to Brookfield's property and facilities and the Town has no reasonable means to inform the public with regards to the development of whitewater recreation assets within the project without complete technical information that can be obtained by this study.

4. Existing Information and Need for Additional Information

Beyond the conceptual report provided as Appendix 1 to Study Request 2 (see attached) there is no information available on potential uses of whitewater recreation resources or their exact technical characteristics that would allow for the Town to plan for whitewater recreation use of the Rumford Falls within the context of FERC licensing or general economic development.

5. Project Nexus

The Information Center, Lower Falls and the Mexico Boat Launch are all within the project boundaries. A previous history of pollution and a lack of further study have

⁶ Rumford Comprehensive Plan Update, Adopted November 5, 2013, p. 34-35

⁷ Rumford Comprehensive Plan Update, Adopted November 5, 2013, p. 104

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hindered any potential consideration of whitewater recreation uses of the Rumford Falls.

Development opportunities associated with the whitewater recreation opportunities could include but are not limited to the creation of additional lodging and dining, and recreation related businesses. Business opportunities gained from tourism include but are not limited to real estate services, recreation services and goods, travel services and goods and consumer retail.

Information provided by the study will enable FERC, Brookfield Renewable, the Town of Rumford, and other stakeholder agencies to consider the relevant questions of public interest in whitewater recreation in and around the Rumford Falls Hydro Project.

6. Proposed Methodology

The FERC Handbook for Project Licensing and 5 MW Exemptions from Licensing (April 2004)⁸ provides the following generally accepted practice: “Recreation studies should be designed to identify current and future recreational needs and how those needs can best be met.”

Rumford Falls Hydro should by mutual agreement with the Town of Rumford, hire a whitewater consultant based in Maine and with experience in and on Maine rivers to examine the feasibility of navigating the segment of the Androscoggin river in question by whitewater raft and kayak. This consultant will produce a report discussing potential feasibility of whitewater recreation with regards to operations and safety of whitewater rafting. The consultant will also identify water level conditions considered satisfactory for safe operations based on flow rates experienced in the current operations scheme or any future operations scheme.

If the consultant finds that there are satisfactory conditions for whitewater rafting the applicant will then develop and provide their own operations criteria for use of the whitewater rafting corridor by certified whitewater rafting guides and kayakers. These criteria will serve as the basis for the addition of a whitewater rafting component of a recreation plan as part of the relicensing of the Rumford falls hydro project. The report will also characterize likely economic benefits to the Town.

The use of the very lowest area of the lower falls, just above the Lower Development will be considered for use by beginning and intermediate level kayakers seeking experience in the lightest whitewater conditions. This potential use will be considered

⁸ FERC Handbook for Project Licensing and 5 MW Exemptions from Licensing (April 2004): https://www.ferc.gov/industries/hydropower/gen-info/handbooks/licensing_handbook.pdf; Accessed June 3, 2020

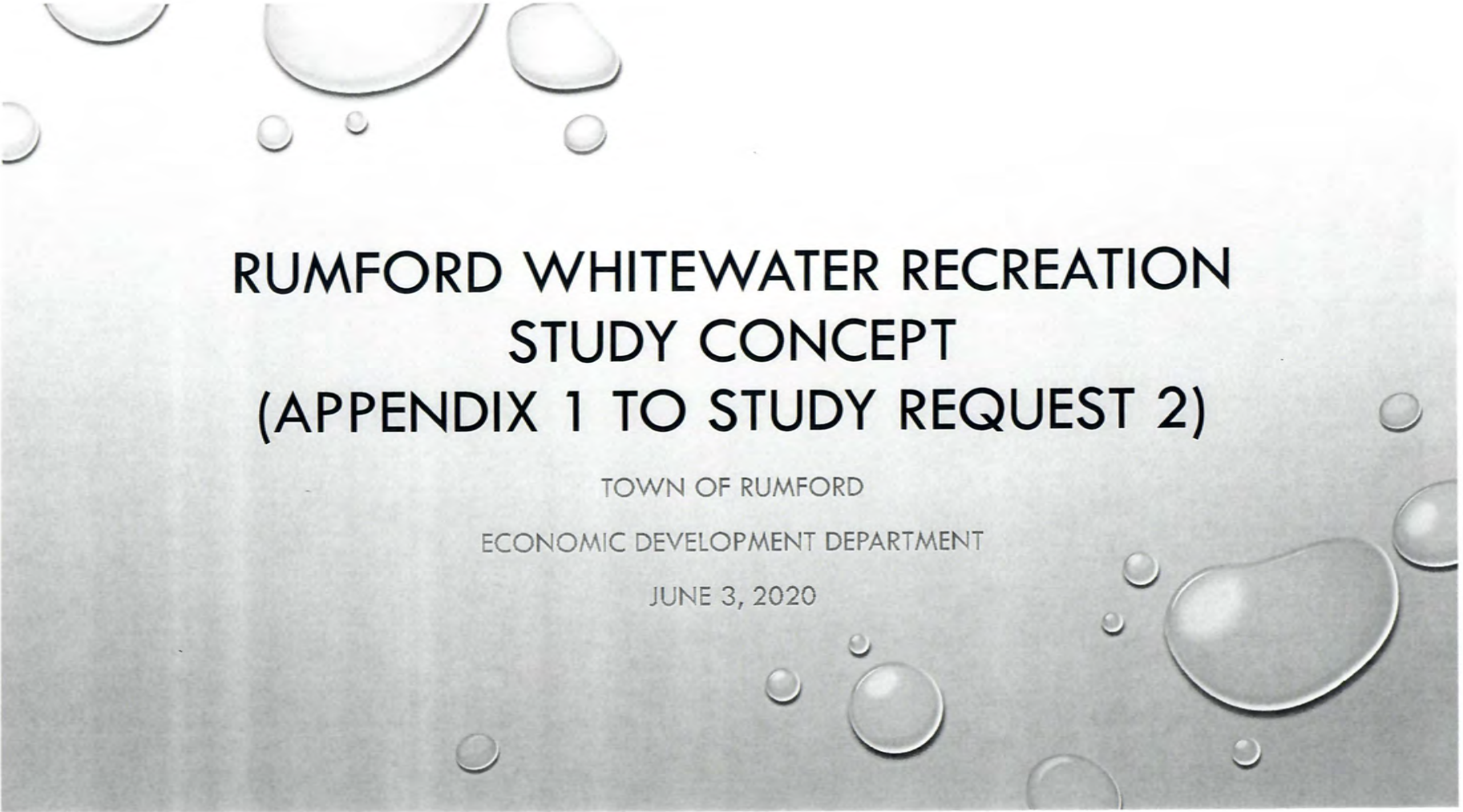
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separately from the feasibility of whitewater rafting and kayaking over the Lower Falls as described.

7. Level of Effort and Cost

The anticipated cost for the whitewater recreation study is estimated to be \$18,000 per the following:

- Whitewater Rafting corridor safety and operations survey: \$10,000
 - Consultant time: \$2,500 @ 25 hours, \$100/hour
 - Equipment and manpower for on water surveys: \$5,000 @ 10 hours, \$500/hour
 - Report production: \$2,500 @ 25 hours, \$100/hour
 - Sub Total 1: \$10,000
- Rumford Falls Hydro whitewater rafting recreation operations criteria development
 - Applicant Staff time: \$8,000 @ 80 hours, \$100/hour
 - Sub Total 2: \$8,000
- Total proposed cost to Rumford Falls Hydro: \$18,000



RUMFORD WHITEWATER RECREATION STUDY CONCEPT (APPENDIX 1 TO STUDY REQUEST 2)

TOWN OF RUMFORD
ECONOMIC DEVELOPMENT DEPARTMENT

JUNE 3, 2020

Information Center/Boivin
Park Launch site as
photographed on May 27,
2020



Information Center/Boivin
Park Launch site as
photographed on May 27,
2020

Purple arrow shows carry to
launch pathway, stairway as
needed is assumed.



Information Center/Boivin
Park Launch site as
photographed on May 27,
2020

Purple arrow shows carry to
launch pathway, clearance
of debris is assumed



Information Center/Boivin
Park Launch site as
photographed on May 27,
2020

Purple arrow shows carry to
launch pathway, clearance
of debris is assumed



Information Center/Boivin
Park Launch site as
photographed on May 27,
2020

Purple arrow shows carry to
launch pathway, clearance
of debris is assumed



Information Center/Boivin
Park Launch site as
photographed on May 27,
2020

Purple arrow shows carry to
launch pathway, clearance
of debris is assumed,
stairway with floating
platform in backwater
anchored to ledge is
assumed

[Note: Paint on rock is
previous graffiti]

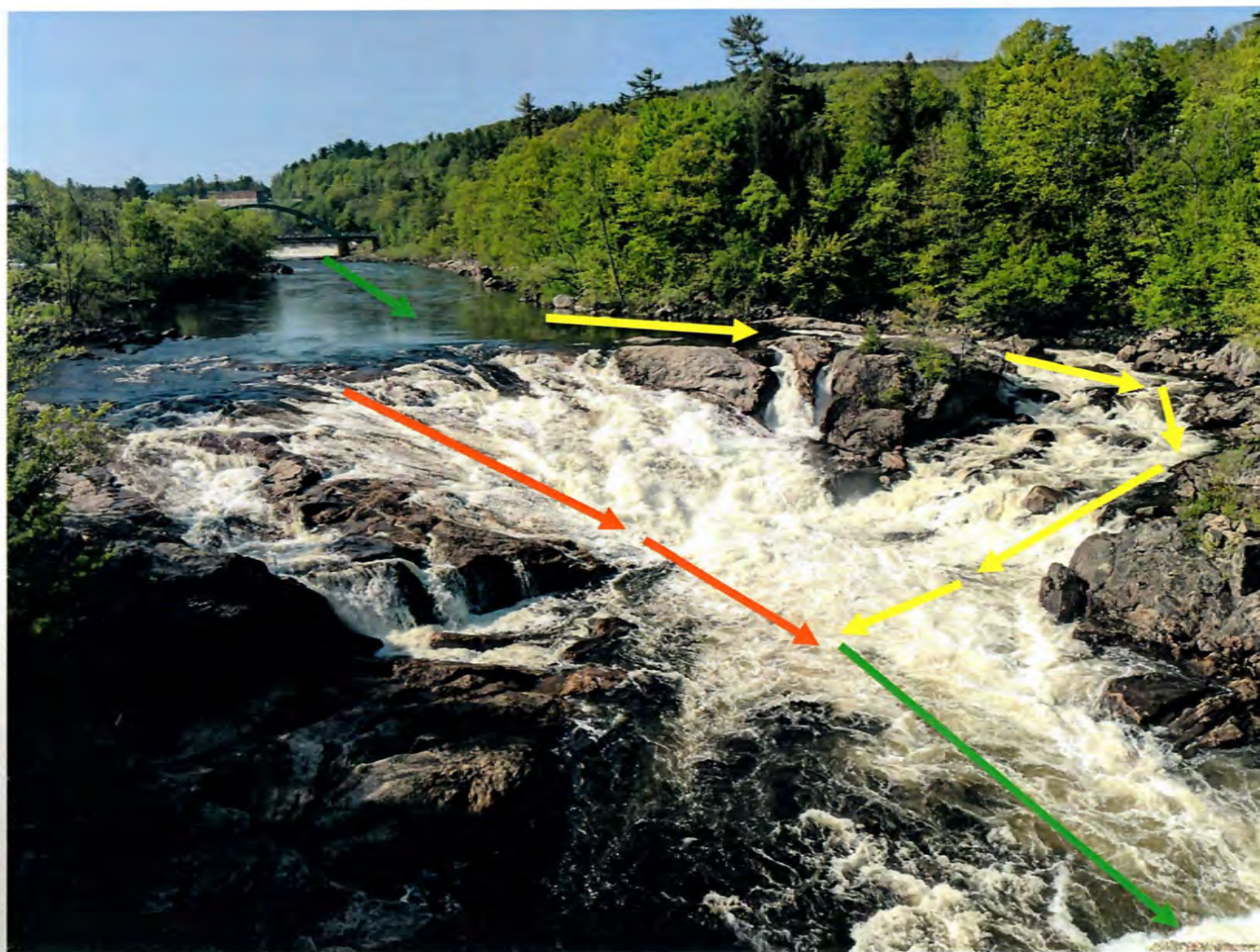


The Lower Falls as
photographed on May 27,
2020.

Red arrow illustrates
possible rafting run.

Yellow arrows illustrate
possible kayak run

Green arrow illustrates safe
approach and exit lanes



The Lower Falls as
photographed on May 27,
2020.

Red arrow illustrates
possible rafting run.

Yellow arrows illustrate
possible kayak run

Green arrow illustrates safe
approach and exit lanes

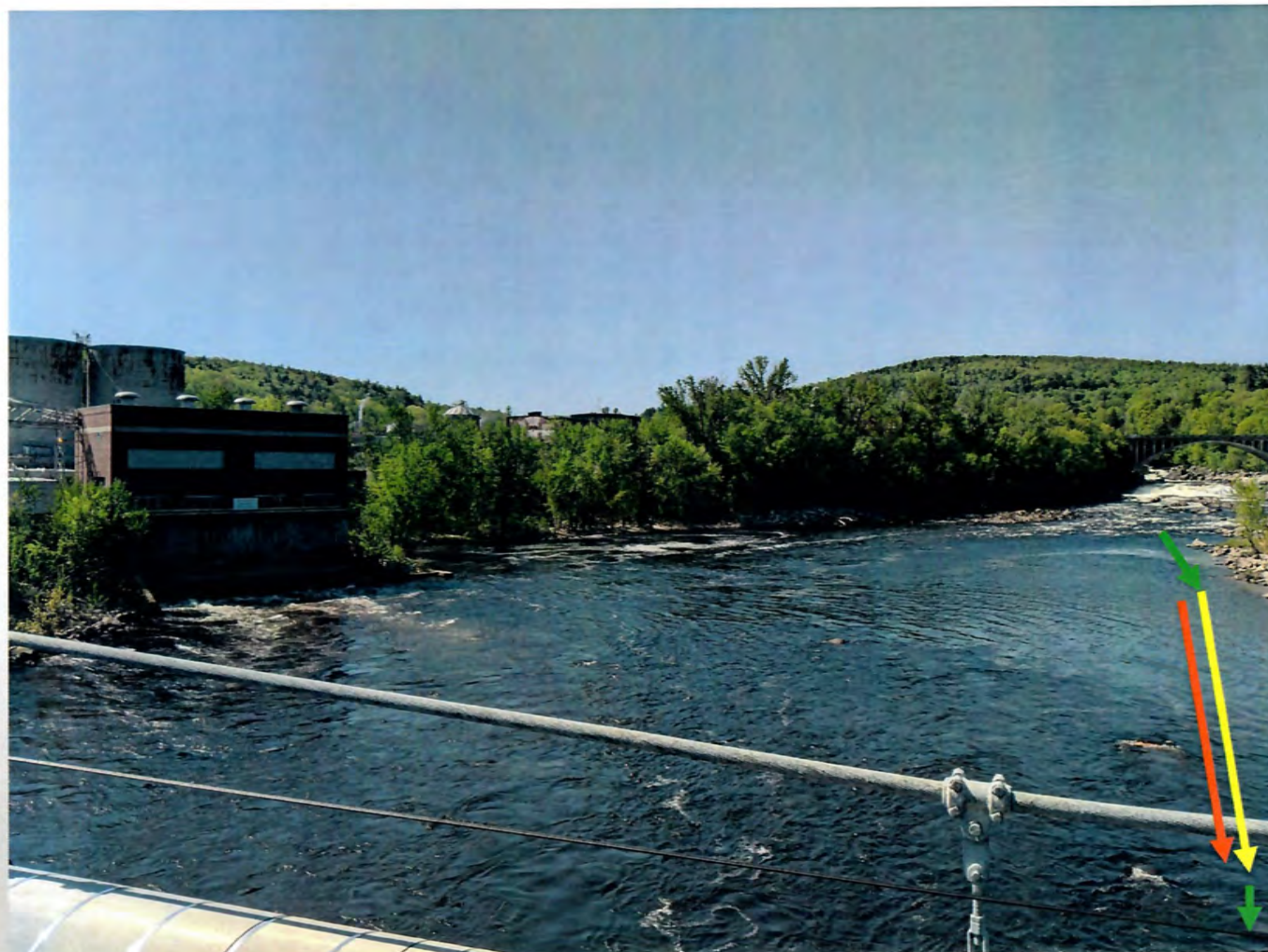


The Lower Falls and Lower Development as photographed on May 27, 2020.

Red arrow illustrates possible rafting run.

Yellow arrows illustrate possible kayak run

Green arrow illustrates safe approach and exit lanes

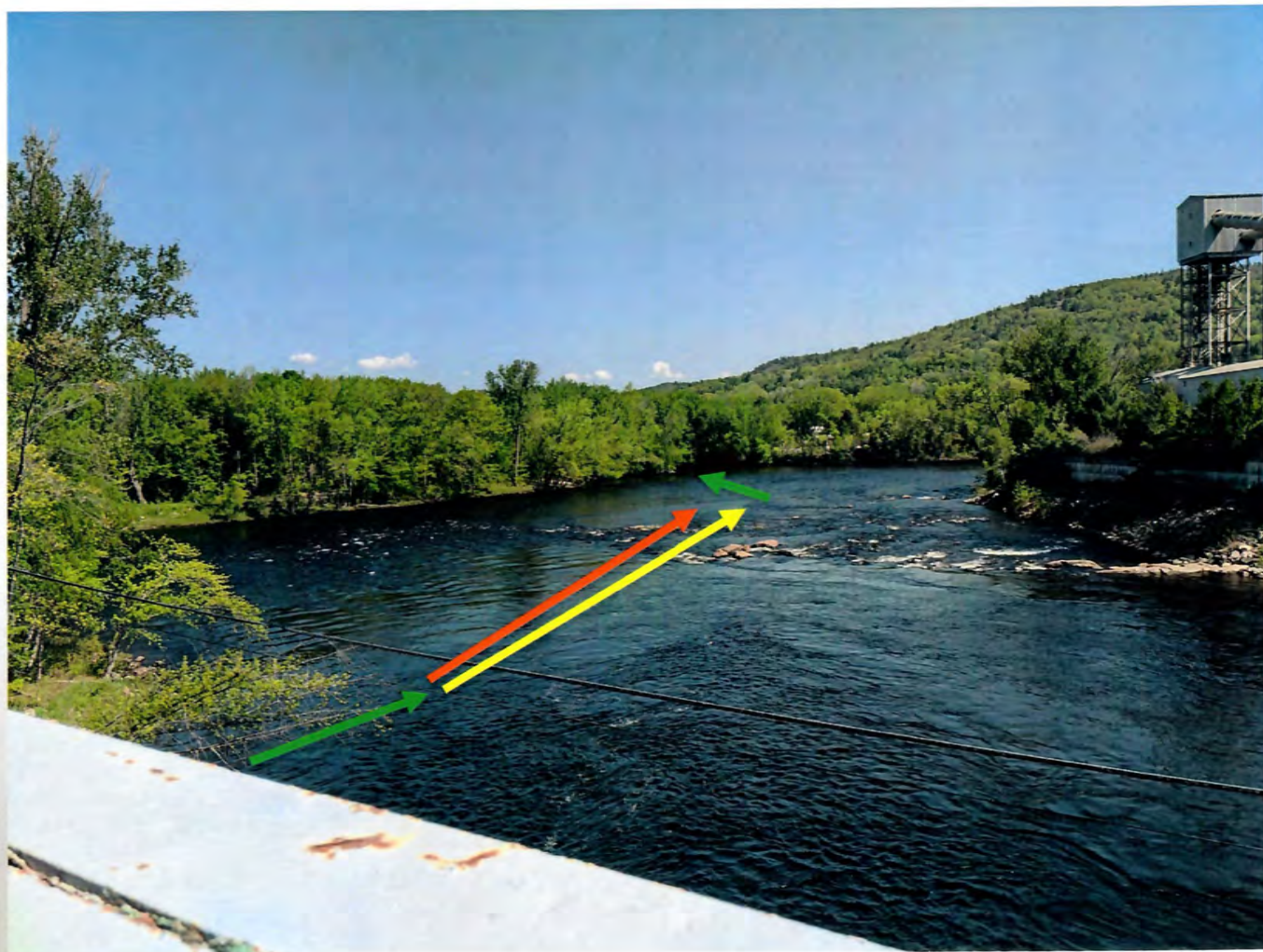


The Lower Falls and Lower Development as photographed on May 27, 2020.

Red arrow illustrates possible rafting run.

Yellow arrows illustrate possible kayak run

Green arrow illustrates safe approach and exit lanes





The confluence of the Swift River and Androscoggin River as photographed on May 27, 2020.

Red arrow illustrates possible rafting run.

Yellow arrows illustrate possible kayak run

Green arrow illustrates safe approach and exit lanes

Upstream travel is likely feasible due to minimal current from the Swift River



Mexico Boat Launch Site as
photographed on May 27,
2020

Green arrow illustrates safe
approach and exit lanes

Upstream travel is likely
feasible due to minimal
current from the Swift River



Mexico Boat Launch Site as
photographed on May 27,
2020



Total Estimated River
Mileage Boivin Park to
Mexico Boat Launch: 1.01
miles



Map showing return trip time of 4-5 minutes to launch site created on May 27, 2020 in Google Maps.

Short distance allows shuttling by whitewater rafting companies that could accommodate more than one run over the falls per day.

Due to ease of loading and unloading kayak runs in particular could be accommodated at very high frequency.



Town of Rumford
Outdoor Recreation Plan
As Accepted by the Select Board on May 21, 2020

Introduction

This plan is promulgated by the Select Board for the Town of Rumford with the intent to provide for the execution of the updated comprehensive plan as adopted on November 5, 2013. This is a working document which will be updated periodically in order to ensure accuracy and completeness.

This plan is written as a means to execute the policy from the Comprehensive Plan which makes the following key findings and conclusions¹:

- ❖ Outdoor recreation assets and opportunities can play a role in the economic diversification in Rumford and region.
- ❖ Black Mountain is known as one of the best Nordic skiing venues in North America
- ❖ The Androscoggin River has become an important sport fishery as the result of significantly improved water quality

Growth Strategy for Outdoor Recreation

In support of the above three key findings and conclusions and the continued strong support of the public for growth in outdoor recreation opportunities the Select Board for the Town of Rumford adopts the following growth strategy for outdoor recreation.

1. To every extent possible the Town shall pursue new opportunities for outdoor recreation that are sustainable, feasible and realistic with the private and public sectors, to include the Town's Parks and Recreation Department.
2. Pursuit of new opportunities for outdoor recreation may include but is not limited to Town staff support and engagement with outdoor recreation developers, non-profit and advocacy groups and property owners.
3. Pursuit of grant and/or loan opportunities from either the private or public sector for funds that may be used to improve public facilities owned and operated by the Parks and Recreation Department of the Town of Rumford.
4. Identification and development of new outdoor recreation opportunities to include those which may consider acquisition of land or facilities by the Town of Rumford or those which may be of interest to private sector recreation developers to include those which may consider the sale of land or facilities by the Town of Rumford.
5. Pursuit of new opportunities for outdoor recreation that may involve the creation of new facilities or land acquisition by the state or federal government keeping in mind potential impacts on property tax revenues.

¹ Rumford Comprehensive Plan Update, Page 104, Town of Rumford,
https://rumfordme.org/media_category/comprehensive-plans/

Town of Rumford
Outdoor Recreation Plan

As Accepted by the Select Board on May 21, 2020

Consideration of Environmental Impact

In pursuing the "Growth Strategy for Outdoor Recreation" the Select Board and all Departments and staff of the Town of Rumford will consider potential environmental impacts with a special focus on impacts to water quality resulting from increased potential for soil erosion or ground water contamination.

The Select Board recognizes the broad array of outdoor recreational activities which take place in the Town to include those activities which are motor powered and those which are unpowered. Powered recreation activities are of substantial interest to a large part of the community and represent an essential means of access to outdoor recreation for many citizens. Powered activities may have a higher level of impact on the natural environment than unpowered activities due to the higher risk of air and water pollution.

The Town strongly supports sustainable growth in powered outdoor recreation activities that minimize environmental impact from motor fuels, motor noise, motor emissions, or other causes.

The Town strongly supports sustainable growth in non-powered outdoor recreation activities that minimize environmental impact from crowding at public facilities, or other causes.

In considering outdoor recreation growth opportunities which may involve powered, unpowered or a mix of both activities the Town does not favor powered or unpowered activities over each other but rather seeks to develop a balanced mix of both which can best meet the needs of all citizens. Some outdoor recreation opportunities may be exclusively for powered activities and others for unpowered. Both are acceptable in the context of their respective contributions to the overall mix of available outdoor recreation opportunities.

Examples of outdoor recreation activities which might result in a higher risk of soil erosion and ground water contamination include operation of mud-running venues both for powered vehicles and for human endurance competitions, creation of powered or unpowered trail systems which traverse wetlands without mitigation measures, operation of motor fueling or parking areas without spill or runoff management, operation of facilities lacking adequate trash collection and sanitary systems.

Immediate Needs for Outdoor Recreation

The Select Board recognizes the following immediate needs for outdoor recreation in the Town of Rumford. Projects which help meet these needs in full or in part will be considered a priority matter for the Town.

1. Seasonal Outdoor Swimming Venue or Area Accessible to the General Public: At present the Town does not have a swimming venue or area which provide access to swimming as an outdoor recreation activity for members of the public. There are a limited number of areas where the public may access the Swift River for swimming but conditions are far less than ideal and are fundamentally inaccessible to individuals with even minimal ambulatory handicaps.
2. Hiking, Walking and Biking Trails Accessible to the General Public: Due to the current closure of the Falls Hill Trail the Town has an immediate need for additional hiking, walking and biking trails which have reasonable grades, good scenic views and provisions for car parking.
3. Neighborhood Playgrounds for Children: The Town has some neighborhood playgrounds for children but in many cases these are located at school facilities or at Hosmer Field, neither of which are always safely accessible to young children in their immediate neighborhoods.

Town of Rumford
Outdoor Recreation Plan

As Accepted by the Select Board on May 21, 2020

Future Needs for Outdoor Recreation

The Select Board recognizes the following future needs for outdoor recreation in the Town of Rumford. Project which help meet these needs in full or in part will be considered a priority matter for the Town after consideration of immediate needs.

1. Sidewalk Repair, Rehabilitation and Construction: The Town has a significant network of public sidewalks which provide recreational walking opportunities in residential and commercial neighborhoods. Sidewalks represent some of the most accessible and functional forms of recreation facilities available which also take advantage of natural features and beauty of scenic areas in Town. Multiple sidewalk corridors throughout the Town could benefit from paving repairs, sub-grade rehabilitation, landscaping enhancement or new construction to connect or reconnect isolated sidewalk segments or to enhance existing sidewalk networks and parks or recreation facilities.
2. Replacement of Recreation Facilities Associated with Rumford Elementary School: The Rumford Elementary School appears very likely to be replaced within the next five years by a new facility that is unlikely to be built at the existing site. Recreation facilities on site will need to be evaluated and potentially replaced or relocated in a manner that takes into consideration the needs of the community and in particular the Strathglass Park neighborhood which has a very high density of young children living there.
3. Enclosed Dog Park: Pet owners in Rumford currently do not have an "off leash" type park facility with a fence enclosure that can be used for recreation by canine companion pets. Pet ownership rates in Town are very high with a reported dog to person ratio of approximately 1 dog for every 5.7 people. Dog parks are also potentially distinguishing amenities for relocating individuals coming in to the Town.

Implementation

The Select Board recommends implantation of action steps to meet the identified immediate and future needs as follows:

1. Swimming: The Board recommends consideration of construction of a seasonal swimming facility to be located at the Hosmer Field complex and operated by the Parks and Recreation Department of the Town of Rumford supported in whole or in part by operating funds received from user fees from both residents and out of town guests.
2. Hiking, Walking and Biking Trails: The Board recommends continued cooperation with the Pennacook Area Community Trails group and Mahoosuc Pathways along with local snowmobile and ATV clubs in order to identify, enhance and support the maintenance and creation of additional trails and also to identify a plan forward to assist in the reopening of the Falls Hill Trail.
3. Neighborhood Playgrounds for Children: The Board recommends consideration of construction of a playground facility to be located on Town owned land inside Strathglass Park and additional planning and enhancement of playground facilities to be located in the Falmouth Street area.

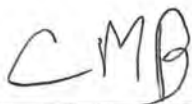
Town of Rumford
Outdoor Recreation Plan

As Accepted by the Select Board on May 21, 2020

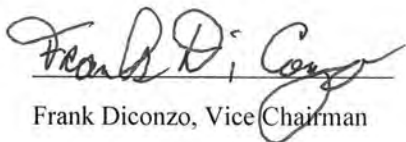
4. Sidewalks: The Board recommends identification of sidewalk corridors used extensively for recreation and consideration within capital plans for repair, rehabilitation and construction of sidewalks that support recreation.
5. Replacement of Recreation Facilities Associated with Rumford Elementary School: The Rumford Elementary School recreation facilities help provide for neighborhood access to playgrounds especially for children from Strathglass Park. Constructing a new playground facility in Strathglass Park not only enhances quality of life for young children there through better accessibility to outdoor recreation but also mitigates any potential impact to these children from the loss or relocation of facilities at the Rumford Elementary School.
6. Dog Park: The Board recommends identifying a suitable location at an existing public park that could be readily enclosed with fencing and properly signed for use by owners of dogs.

Periodic Plan Review

The Board shall consider this plan at least annually or more often if necessary and update it according to need.

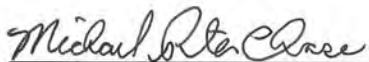


Chris Brennick, Chairman



Frank Diconzo, Vice Chairman

Mark Belanger



Peter Chase



John Pepin



Maine



Rivers

**OUR MISSION IS TO
PROTECT, RESTORE AND
ENHANCE THE ECOLOGICAL
HEALTH OF MAINE'S RIVER
SYSTEMS**

EXECUTIVE DIRECTOR

LANDIS HUDSON

PROJECT MANAGER

MATT STREETER

BOARD OF DIRECTORS

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ORIGINAL

June 5, 2020

Ms. Kimberly D. Bose
Secretary Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Subject: Proposed Study Plan (PSP) for the Rumford Falls
Hydroelectric Project (FERC No. 2333)

Dear Secretary Bose:

Thank you for the opportunity to comment on the Proposed Study Plan (PSP) for the Rumford Falls Hydroelectric Project (Docket P-2333-091) in Rumford, ME. The Project is located on the Androscoggin River in the Town of Rumford, Oxford County, Maine.

We are strongly in favor of requiring the application to complete a full recreational study. We understand that the Town of Rumford is requesting a comprehensive recreational plan to be completed to include trails and pathways, viewing opportunities and aesthetics, whitewater opportunities, fishing, and as well as other possible recreational uses of the Rumford Falls vicinity. We fully support this request. We are aware of reports that travelling by canoe through the area is extremely challenging because of poorly maintained and inadequate trails, and poor signage for portaging around the project area. We believe that these problems need to be addressed.

As noted by Maine State Senator Lisa Keim in a letter posted to the FERC website on June 2, 2020:

Public access on the property existed until 2014 when Brookfield closed access with very little explanation. Despite this long history of public access and use, the Falls Hill Trail and 'West Viewing Area' has never been included in the FERC licensing as a recreational asset of the project. In the past, this may have been less vexing due to the river's pollution, however, after years of expansive cleanup effort, this deterrent is thankfully no longer an issue. Public interest in the trail and viewing area has greatly increased. The people of Rumford, and the surrounding River Valley Area live in Western Maine, in part, because of their love of the outdoors. The recreational areas situated at Brookfield dam could be a real asset to the River Valley area, positively impacting the area's attractiveness, and the community's health and wellbeing.

It is in the public interest of the citizens of the greater River Valley area that a formal recreation plan be created by Brookfield, and

attached to the license in perpetuity to ensure that access to these resources is not compromised in the future.

We firmly support the request made by Maine Inland Fisheries and Wildlife for a Minimum Flow Analysis to determine recommended minimum flows, specifically in the reach from Middle Dam downstream to the confluence with the Lower Station tailrace. We see the value in ensuring that any agreed upon minimum flow releases meet inland fisheries needs and assure attainment of water quality standards, to support the future health of this important community resource. We understand that this work will evaluate how various minimum flows influence the fishable aquatic habitat lotic and lentic reaches of the Androscoggin River. This minimum flow analysis should also address recreational interests.

Further, we believe that there is potential for American eel and we would like to see safe, timely and effective passage for American eel at this site.

Sincerely,

A handwritten signature in black ink that reads "Landis Hudson". The signature is written in a cursive, slightly slanted style.

Landis Hudson
Maine Rivers, Executive Director

Alexander Kerney, West Boothbay Harbor, ME.

I grew up along the banks of the Andro. Exploring the ecosystems on shore and the power of water had a huge role who I am today. Cutting off recreational access around falls and rapids removes the chance to feel that power. Please restore recreational access to the river corridor for people of all ages to explore.

Brie Weisman, Rumford, ME.

A resident of Rumford since 2000, I was drawn here by the area's beauty. In 2014, I started walking the trail that connects Route 108 with South Rumford Rd. I was astonished to see a remarkable view of the Rumford Falls that one can only view from this path. Although the path was closed to traffic by gates, locals told me that this has been a beloved trail for generations, having been the South Rumford road prior to its redirection over the bridge above the falls. Despite the gates and fences, hardy local seniors, men and women in their 70s and 80s were still using it as a valuable town feature. Sadly, soon after Brookfield Renewables discovered that this was the case (ironically during a discussion with the town about the possibility of reopening the path) "no trespassing" signs appeared on the gates, closing it to pedestrians as well as vehicles.

I crafted a letter to Brookfield Renewables back in 2015 asking if they could please remove the fences so that locals can continue to enjoy the views unencumbered. The response was that FERC would not allow them because it was dangerous due to the potential of rocks falling from a cliff onto the trail. I could not find any documentation that FERC had expressed such a concern. They also cited concerns about people falling into the falls or river. My research about Rumford Falls history, found no death attributed to falling into the river.

A Straw vote on the town docket in the summer of 2016, "Do the voters support having restored public access to the areas surrounding Rumford Falls with the intent of creating a public trail system". It passed with Yes votes 808 and No votes 288.

Rumford is an economically depressed mill town that has lost half its population due to automation. In order to survive, Rumford will need to turn to the attraction that first brought people here-the falls. The Androscoggin River has become a recreational mecca, providing canoeing, kayaking, stand up paddle boarding, and fishing opportunities in the summer, and snowmobiling, snow shoeing and cross country skiing in the winter. Reopening the trail along the falls would reinforce both the scenic and recreational opportunities we are becoming known for.

It cannot be denied that the falls are a critical attraction for the town and region. The Rumford information booth sits upon the opposite side of a broad pond at the base of the falls. Cars from many states and Canada are routinely seen in its parking lot, especially in the Spring when the melting snow yields awesome view of raging, misting falls spilling over boulders, roaring with raw power. I stop in to see this spectacle whenever it occurs, and tourists will often ask me how to get closer to the Falls. I have seen cars from as far away as California parked at the South Rumford Rd end of the closed trail, stopping to figure out if that trail might offer a better look, and whether it is wise to ignore the trespassing signs for the spectacle they hope to see. These falls are some of the largest in the East. We should be able to capitalize on them and get people to stop in town and perhaps spend some money in our local

shops. Being able to see the falls up close, or hike the 1.6 mile loop around the falls would encourage that. Across from that same information center, a new hotel is being built; providing a walking trail that offers majestic views of the falls for guests would be a great attraction that would encourage visitors to spread word of Rumford's unique natural beauty.

Brookfield is also denying citizens access to a beautiful historic picnic area that allows a better intimate view of the refection pond and the falls. We are asking that the the picnic area and the falls trail be included in Brookfield recreational plan so that citizens and visitors alike can enjoy this unique, valuable natural wonder.

Thank you for your consideration
Brie Weisman
Rumford Resident.

Jonathan Starr, Rumford, ME.

Rumford Falls is a natural wonder. The largest falls by volume east of Niagara Falls in the U.S., when water is high it engulfs an island at its base, casting mists high in the air as solid cascades of whitewater spill roaring about boulders and dwarf the four-story, hundred-plus year old hydro plant. In ages past, a park with picnic tables and cast iron lamp posts offered locals and visitors alike a means of enjoying this natural asset. Across the river from the park and busy Rte 2, a trail connected South Rumford Rd above the falls to Rte 108 below it. This trail not only offered an up-close, dramatic view of the falls, it also offered perspectives unavailable to the public elsewhere, even at a distance. In no small measure, these two features historically made the falls a social and recreational center of the town, a place for lunches and lunchtime walks, an exercise loop, a dog walk, a path free of vehicles for kids on bikes. For the communities above the falls, the trail offers a path for bicycles and pedestrians that is shorter, safer, and a far more pleasant route into Rumford's downtown business district than the sidewalk along Rte 2. That sidewalk is on a steep hill, icy in the winter and unshaded in the summer, squeezed up against a busy east-west route through Maine that is travelled by far more large vehicles than just the many logging trucks serving the Rumford Mill. The path, by contrast, is tree-shaded, less steep, quiet, beautiful. Brookfield Renewables has closed both those invaluable assets to the public, and the town is the worse for it. It has lost a safe and convenient and scenic footpath; it has lost a valuable, park-like picnic area. It has lost part of the charm and beauty, and even identity and pride of the town. Why? Brookfield has said it is because of liability. A small rock outcropping along the trail, they say, may crumble onto the path. People, they say, may wander down to the river. I have worked on several trail crews over the years; my wife has worked a summer on one in Baxter State Park. We, frankly, find the worry over the outcropping more laughable than credible. Any stone will fall beside the path, not into it. For most of the length of the trail the path is separated from the river by more than a hundred feet of steep, forested woods. If people want to get to the river that badly, a "no trespassing" sign on a closed gate will serve no better than a "keep on the path" sign on an open trail. If the path were to be reopened, the town would not only recover all these benefits, it would also gain a visitor attraction that might benefit local businesses. Currently, the popular method of viewing the falls is the information center parking lot, where the falls can be seen from a distance of perhaps more than the length of a football field. It is a nice view, but people want more. The path and picnic area would both provide that, one giving a place to eat lunches bought in town, the other providing unique views and a scenic walk that begins at one end of Rumford's downtown shop district. Despite being closed, the trail is still on a Maine trail finder website. The falls are touted on websites about falls in New England.

Reopening the trail and picnic area, both owned by Brookfield, would be a terrific morale boost to a struggling town, a benefit to pedestrians, cyclists, walkers, sight-seers, and paddlers seeking a portage route

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around the falls. It would help increase tourist visits to the area and thereby provide an economic boost to the town. I sincerely hope to see the reopening of these valuable resources included in the recreational section of Brookfield's dam relicensing plan. Sincerely,

Jonathan Starr, Rumford Resident.

John M Preble, Rumford, ME.
revised and updated

Mr. Ryan Hansen
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

FERC Docket p-2333-091

June 7, 2020

Dear Mr. Hansen,

I officially request that a formal Public Recreational Study Plan Focus Group be authorized and mandated for inclusion in the Final Recreational Study Plan to be completed for this Docket.

This requestor respectfully and with due cause believes that the creation of an independent Public Focus Group is necessary to assure that an objective recreational study evaluation is conducted and reflects the best interests of the Town of Rumford, residents, and visitors to the River Valley, nearby vicinities and the State of Maine.

Respectfully,

John M Preble
Senior Vice President TD Bank - Retired
Finance Director- Bank of Boston / Bank of America
Director Mahoosuc Pathways
Treasurer and Director Friends of Richardson Lake

Recreational Study Plan - Public Recreation Study Plan Focus Group (PFG)
- Rumford Falls Hydro (RFH)

Brookfield's plan submission lacks sufficient detail or appropriate methodology to archive the goals of a comprehensive Recreational Study Plan. Brookfield is one of the world's largest owners and managers of renewal energy. Brookfield's staff has vast experience with and knowledge of the complex process of Hydro Licensing. Yet they chose to submit a Study Plan that FERC has sighted lacks the context necessary to complete an appropriate analysis to put forth reasonable Recreational and Scenic development opportunities. Brookfield chose not to incorporate public and agency material observations expressed by participants in the workshop held to solicit Study Plan recommendations. Additionally, in other similar applications in the State of Maine Brookfield has demonstrated an unreasonable reluctance to allow public access. "We will take it under consideration" has a whole new meaning. For those experienced with dealing with Brookfield it equates to: " when Hell freezes over "- while to the uninformed local governments ,Non-profits, and the general public it is met with false optimism ; only to be discovered after the licenses have been approved and the promises made

have not materialized and or have been degraded from prior accessibility. Brookfield's internal corporate bias precludes it from performing an objective Recreation Study Plan.

The Town of Rumford's Study Plan Request(s) endorses the establishment of a Public Focus Group but did not comment on specific roles and responsibilities.

This respondent contends that without such clearly defined roles and responsibilities the applicant could minimalize and or exclude substantive observations and request of the Public Focus Group. To ensure objective input and evaluation FERC must mandate the creation of a Public Recreational Study Plan Focus Group (PRSPFG) with similar defined roles and responsibilities as put forth in this request.

1) Goals and Objectives

The goal of this Public Recreation Study Plan Focus Group is to identify, inventory, and propose reasonable Recreation and Scenic access needs for determination by FERC as to which items are to be included in Rumford Falls Hydro's operating License. Furthermore, implementation to be completed within a reasonable timeline of license issuance. The License should also mandate that the Recreational Plan provides for on-going updates and enhancements as appropriate and complements the Town of Rumford's Comprehensive Recreation Plan and recreational desires of the River Valley vicinity.

2) Study Area

The study area will include Lands denoted by the Project Boundary and the Project vicinity.

3) Background and existing Information

Background

Hiking, biking, canoeing, boating, ATV/snowmobiling, fishing, public concerts, Tourist Information Center, scenic falls observation, Veterans Memorial, public gatherings, Rumford Community Housing outdoor access, fitness and wellness access by local residents and visiting tourist alike are just some of the many public uses of properties within the project boundary.

Existing Information - Existing Mandated

Current license has two mandates: 1) Creation of a boating Carry-in facility near the Carlton Bridge 2) a canoe Carry-in launch at Rumford Point which was never created and is a violation of the license requirement.

Existing RFH owned/ controlled sites

1. Falls trail - East shore upper Dam closed - historically allowed public access until Brookfield ownership
2. Scenic Observation Deck - west shore Falls Hill - historically allowed public access - closed with Brookfield ownership

3. Wheeler Island - up stream of Upper Dam - unimproved river island - rarely used - no physical improvements.
4. Logan - South Rumford Road - unimproved boat launch, fisheries access, winter skating
5. Boivin Park- at base of Falls Hill - public scenic observation site, tourist info center, picnic area / rest area - Maintained by Town of Rumford
6. Veterans Park - foot of Congress street - Veterans Memorial, public concert stand, benches and gardens maintained by Town of Rumford.
7. 7) Falls Hill ATV/ Snowmobile trail - East side of river - small section of trail is on RFH land - majority on land owned by the mill
8. Carlton Bridge boat carry-in launch - launch ramp accessible from street

Existing - non RFH sites

1. Hanover Boat Launch - improved ramp and parking accessible by car - Maintained by Mahoosuc Land Trust
2. Rumford Center Hastings Landing - improved canoe put-in - step landing and parking maintained by Mahoosuc Land trust
3. East Rumford Boat launch improved boat ramp and parking - maintained by Town of Rumford.
4. Citizen Park and walkway - west side of river between Bridge Street and Memorial Bridge - scenic walkway, benches and overlooks, local memorial seating - maintained by Town of Rumford
5. Scenic Library grounds - behind town Library - Maintained by Town-parking
6. White Water Surf Hole - downstream Memorial Bridge access via Library parking lot
7. White Water play area - rapids between upper Memorial Bridge and Carlton Boat launch - access via Carlton Boat launch and Library Parking lot
8. Lower Power Station fisheries pool - adjacent to and downstream of lower powerhouse.
9. Westside Swift River - rough-in river side trail from Carlton Bridge to Mountain Valley High School - owned by Town of Rumford and private citizens
10. Eastside Swiftriver - ATV/ snowmobile trail Carlton Bridge and north - Town of Mexico and private citizens
11. Canal Street - fishing access - Town and mill owned lands

4) Nexus

The Project currently comprises of one mandated access site and numerous unimproved sites with high potential and benefit. Prior to Brookfield ownership access was open and unencumbered and unquestioned. The mill was and is a generous financial and in-kind supporter of numerous civic and non-profit organizations in the River Valley. Brookfield's community involvement and financial support report card is dismal at best. Brookfield will tell you they reach out to local organizations but have only done so in recent months and their offers have been minimal small dollar donations in a weak effort to display Community engagement.

5) Process Observations

Study plans are to provides for a series of tasks, methodologies, and evaluations to 1) identify current use 2) enhancements to existing developed and underdeveloped sites 3) need for new access 4) identification of new opportunities 5) maintenance responsibilities of existing 6) actionable recommendations 7) binding on going access commitments 8) periodic Recreation Plan effectiveness reviews 10) methods to mitigate non- compliance to Recreational Final Plan 11) process to periodically update Recreational Plan and Plan enhancements 12) establishment of mandatory penalties and fines for noncompliance 13) should require Brookfield to conduct formal Recreational Plan reviews and updates for all subsequent Low Impact Hydro Institute Certification renewals.

1. Establish Recreation Study Plan Focus Group

A. Membership will be comprised of one or two individuals from each of the following groups and or organizations plus an independent facilitator to be named jointly by (FERC, Maine DEP, and Town of Rumford plus two members at large.

- a. FERC
- b. Maine DEP
- c. Town of Rumford
- d. Mahoosuc Pathways
- e. Envision Rumford
- f. Town of Mexico
- g. River Valley Voice
- h. Rumford Falls Hydro
- i. Plus, two citizens at large

B. Recreation Study Group Coordinator / facilitator

- a. An Individual to be named as independent facilitator - credible project management certified facilitator with prior experience in Recreation Planning to oversee and organize the Public Recreation Study Focus Group
- b. Individual selected to be jointly approved by a panel comprised of one individual each from: FEREC, Maine DEP, and Town of Rumford
- c. Recommendations for independent facilitator to be solicited from interested parties and agencies formally engaged in the project and from other sources as the panel may chose.

C. Public Recreational Study Plan Focus Group roles and responsibilities:

- i. Review lists of existing sites identified in existing information contained within this request.
- ii. identify additional current need sites, potential future sites.
- iii. PFG to classify each site as immediate consideration, near term enhancement (within two to five years), and potential future enhancement or development.
- iv. PFG to utilize but not be limited by the Town of Rumford's Comprehensive Plan in determining classification and site identification.
- v. Sites classified as immediate and near term are to undergo detailed site inventory and evaluation by applicant.

- vi. PFG will submit to applicant the list of sites classified as immediate and near term to be evaluated.
- vii. Applicant will recommend method(s) to be utilized for each site evaluation identified by the PFG to PFG.
- viii. PFG will instruct applicant of additional methodology requirements as they deem necessary.
- ix. PFG is to be provided with detailed site reviews and evaluations performed by applicant.
- x. PFG may require applicant to perform additional site evaluation if deemed appropriate when info is determined to be insufficient
- xi. PFG may require "second opinions" on highly technical or engineering type evaluations - second opinions expert to be selected by PFG.
- xii. Applicant will conduct the additional evaluation methods as requested by PFG.
- xiii. Brookfield to submit revised analysis to PRSPFG.

- xiv. Applicant will inform PFG of the scheduling of each site evaluation. Members of the PFG may wish to
- xv. PFG members may request to accompany applicant during site inspection.
- xvi. PFG to compile and remit recommendations to FERC for License application.

Craig Zurhorst, Rumford, ME.
Good evening,

I am requesting that FERC accept the Town of Rumford's Recreation Study Proposal in place of Brookfield's.

The Town of Rumford's Recreation Study Proposal is far more comprehensive, and asks for what the town truly needs to address its economic and recreational development goals associated with the Rumford Falls.

Thank you very much and please feel free to contact me with questions about this project that you believe I may be able to answer.

Sincerely,

Craig G. Zurhorst

757 Hancock St.
Rumford, ME 04276
207-357-9102
craig.zurhorst@gmail.com

Dieter Kreckel, Rumford, ME.

I am writing to support the opening up to the public the trail around the Rumford Falls. For decades the trail was open to the public and when Brookfield Power took over the Hydroelectric plant they closed it. The area is steeped in history with the plant being the first step that Hugh Chisholm made to make Rumford an industrial center for wood products. Maine is known for its natural beauty and the falls are a real part of that. They are the highest falls east of Niagara. The trail would allow local and visitors to the area to appreciate the beauty of the falls. We are trying to rebuild our town with both businesses and tourism.

We are building a Hotel at the foot of the falls to give visitors a place to stay. The falls and any means to enjoy them even more are a huge attraction.

As a physician in town the benefit of outdoor activities including a walk around the falls is extremely important. Walking around a track is ok but pales when one can benefit from walking/running around an area of natural beauty such as the falls.

The reopening of the trail is an important part of our town's future for the population that lives here, our business/economic growth and our health and well being.

Please help us open this area to the public for its enjoyment once again. The benefits to our community cannot be underestimated.

Thank you



Preserving our past . . . Working for Rumford's future

June 8, 2020

I am the President of EnvisionRumford, a non-profit organization whose goal and mission are to promote the improvement of the Town of Rumford. EnvisionRumford is a downtown networking partner in the Maine Street Program administered by the Maine Development Foundation ("MDF") and works closely with MDF to advance our community. We would like to convey our hopes to the Commission that the Rumford Falls Trail and the Viewing Area at the upper development of the Rumford Falls power plant property be re-opened to the public. EnvisionRumford and the downtown merchants and businesses are united in their interest to reopen the Rumford Falls viewing area and trail.

Historically, these properties were open to the public and were part of the development of the power plant over 100 years ago. The areas known as the Falls Trail and the Viewing Area were incorporated as recreational spaces as part of the transformation of Rumford from an agrarian community to an industrial force in the early 1900s. Hugh Chisholm, who is truly responsible for this transformation, planned comprehensively to include recreational areas and opportunities for Rumford's citizens. Parks were very important in Chisholm's plans for the development of Rumford. Chisholm included recreational areas specifically in his plans for the Rumford power plant. Over the course of more than a century, the public enjoyed using these areas despite multiple changes of ownership in the Rumford Paper Mill, which controlled the Rumford Falls Power Co. as its wholly owned subsidiary. Under Hugh Chisholm's plans, the Falls Trail and Viewing Area were developed and maintained by the Rumford Falls Power Co. After the current owner, Brookfield, took over the Rumford Falls power plant, it closed off these areas to the public, defeating the intentions and aspirations of Rumford Falls power plant's creator.

The Falls Trail and the Viewing Area are important to the citizens of the Town of Rumford and having these historically accessible recreational areas removed from the inventory of assets of outdoor recreation has been devastating to citizens and visitors alike.

Our volunteer organization strongly supports re-opening these areas to the public again and hope that FERC will provide further encouragement to Brookfield to re-open them.

Respectfully submitted,

JENNIFER F. KRECKEL
President, EnvisionRumford

P.O. Drawer L – Rumford, Maine 04276

jennifer deraspe, Denmark, ME.

I was born and raised in Mexico, Maine, often exploring and rambling along the Swift and Androscoggin Rivers. Because of my appreciation for the outdoors and the beauty of these connected rivers, my chosen field has been to bring folks into the outdoor arena as a Registered Maine Guide. I am a small business owner and founder of Nurture Through Nature, an eco-retreat center located in Denmark, in the south western region of Oxford County. I have been a Recreational Maine Guide for over 20 years. Taking people paddling in Maine has proven to be very satisfying and viable as a chosen career.

In June, 2019, I was inspired to paddle the full length of the Androscoggin River, from Errol to Topsham, on a solo journey to learn more about my home river and its value to the communities it passes through. On that 13 day quest, I experienced a majestic, beautiful river way, with incredible natural beauty and deep quietude.

I could image a great river trail with parks, resting places, amenities, camp grounds, shuttle services, outfitters and guides finding quality work and providing an amazing Maine experience to both Maine residents and tourists, alike. Honestly, I was surprised it has not already happened.

The Androscoggin River is an untapped resource for eco-tourism and nature-based economic opportunities for the State of Maine. Because of the great work of organizations such as the Mahoosuc Land Trust, Androscoggin Landtrust, Maine Rivers.org and the Androscoggin River Watershed Council; the shores and waters are becoming more accessible for outdoor enthusiasts and the water quality is being restored. Industry and governmental organizations have also played a significant role in river restoration. The water is remarkably cleaner since the days when I grew up. Wildlife was abundant and there was very little development along her shores.

Having accessible open green spaces in our town is valuable for the local citizens sense of place and pride as well as their health and wellbeing. The dam owners ought to find a way to make the trails and parks open, safe and accessible for the communities they are tapping into for resources. Use would be at the community-member's own risk and full responsibility falls on the person choosing to be on this land owned by the dam. Keeping and creating parks and trails shows the dam owner's commitment to being a good neighbor and honoring the community they are in business with. In addition, having safe, well-maintained and marked/mapped portage trails around the dams is the right thing to do in sharing the river with the community. Having the portage trail be the shortest possible length makes the river trail for accessible and user-friendly for the through paddler. I feel the owners of dams ought to make these efforts to be in alignment with the fact that the river is not owned by anyone group, organization, town or corporation.

I feel this river offers a significant opportunity as a paddling river trail, for canoers, kayakers, white water enthusiasts and anglers, alike.

Bringing greater signage, mapping, portage and access points to the river opens up a whole world for the economic development to the towns in which the river travels through, especially in the Rumford Falls area around the Island, canal and business district of Rumford as a White Water paddlers' destination.

Sincerely yours,

Jennifer A Deraspe, owner
Nurture Through Nature
77 Warren Rd
Denmark, ME, 04022
207-595-8260

Jennifer F Kreckel, Rumford, ME.

I am a downtown business owner and have been a resident of the Rumford for over 25 years. It is very sad to me and my family that our community has been denied access to one of our significant natural beauties which is currently owned by Brookfield. Many people in our community have fond memories from the times that they were able to go on the Falls Trail and the picnic area which was historically open to public. Rumford Falls Power Co. developed and maintained the Falls Trail and picnic area for the citizens of Rumford and its visitors. These areas only recently were closed to the public when Brookfield acquired the property. My family and my fellow business owners in Downtown Rumford strongly encourage FERC to require Brookfield to restore the public's access to this natural wonder which will benefit our citizens and which will assist our progress in becoming a recreational destination. Our community leaders have invested in building a Best Western Hotel which will be in close proximity to the Falls Trail. The Falls Trail is also in close proximity to our downtown. Our area has great interest in developing a trail all along the Androscoggin River to connect with our neighboring communities and establish a unified trail system along this great river of Maine. Edmund Muskie was born in Rumford and helped to clean our waterways with his legislation. The Androscoggin River has become a clean water again and the public's use of the Androscoggin should be encouraged as part of our natural heritage. Please restore the public's access to the Falls Trail and the Viewing Area. Thank you for your consideration and for the opportunity to comment.

Jolan Ippolito, Rumford, ME.

When filing my original comment, I was unaware that there are two study proposals on the table related to this permit and public access. The Town of Rumford has submitted a comprehensive proposal that reflects specific needs that will help the Town of Rumford reestablish itself after years of dwindling population related to its main industry which is a paper mill. Recreation and tourism are a natural affinity for Rumford. The trails around the Rumford Falls are a part of the natural resources that will help the Town in its re-invention.

Karen Wilson, Rumford, ME.

I would like to recommend that FERC accepts the Town of Rumford's Recreation Study Proposal over Brookfield's. The citizens should get the Recreation Study they deserve based on the needs of the people who live here.

Kevin Kaulback, Rumford, ME.
To Whom It May Concern:

Good day and thank you for the opportunity to speak about the concerns with Brookfield Power and the lack of opportunity they pose on the River Valley Community by closing off participation of land surrounding the Pennacook Falls located in Rumford Maine.

I personally write to you today as an investor in the area hospitality industry, business owner, Chamber of Commerce President and lifelong citizen in the River Valley, specifically Rumford Maine.

It is of grave concern that a business like Brookfield Power is able to close down recreational activates surrounding the Rumford Falls and is detrimental to the economic surroundings of our community. I feel it is their responsibility to not only allow the use of the land surrounding the falls for tourism and recreation but to also act as a good community steward and promote that area and what it can to help with attracting tourism and recreation to the most majestic falls in the northeast. They should also use Town's Recreation Study Proposal. Please take the time to realize that these decisions have a very negative impact on our area at a time when it is needed most and the economy in this area is in a continuous struggle for survival for all of us, not to mention the loss of recreational resources for the citizens in the area.

Please consider these negative impacts on the area when making your decisions and help us sustain the gem we have in Western Maine.

Sincerely,
Kevin Kaulback

Laurie Soucy, Rumford, ME.

I would like to encourage you to accept the Towns Recreation Study Proposal.



June 8, 2020

To: Federal Energy Regulatory Commission

Fr: Gabe Perkins, Executive Director, Mahoosuc Pathways

Re: Brookfield 30-year Hydropower License Rumford, ME (Docket P-2333-091)

I am writing to support expanded recreation around the Hydropower Station in Rumford. I understand that Brookfield's 30-year Hydropower License is up for renewal, and part of this process requires Brookfield to do recreational studies to see what residents of the area want for recreation around the property. Results of these studies help FERC draft a license agreement that requires recreational access to suit the needs of the study findings, so residents can enjoy the property around the project for the next 30 years.

Mahoosuc Pathways is dedicated to ensuring economic and community vitality through recreation exists in the River Valley region surrounding Rumford. In the past four years we have made significant strides in expanding recreational activities for all people just up river in the Bethel area. We now turn our attention equally to the River Valley and know that success only comes from working together towards a common goal. The relicensing of the dam in Rumford is the perfect time for the community, the businesses, organizations, and the municipality to come together and achieve commonly held goals. To that end we request that Brookfield work with us and complete a thorough recreational study with respect to the area around the Falls Dam Rumford facility. Residents and municipal employees have told us for years that they are interested in the following:

- Reopening the multiuse trail along the east side of the falls and river. Reopening this trail will provide safe and direct access from downtown to the Virginia neighborhood just above the falls.
- Access to the property on the north side of the river with views of important architectural features, the island historic district, the falls themselves, and the reflection pool. Now more than ever before people need places to reflect and unwind safely and utilize recreation as recovery.
- Completing a broad recreational study that encompasses all potential users with respect to the Rumford facility.
- A study by Brookfield of the Androscoggin River fishery.

Thank you for the opportunity to work with you and to comment on matters pertinent and important to the citizens, businesses, organizations and the municipality.

Do not hesitate to reach out with any questions or comments.

Thank you and take care,

A handwritten signature in blue ink, appearing to read 'Gabe Perkins'.

Gabe Perkins
Executive Director



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



GERALD D. REID
COMMISSIONER

June 8, 2020

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

RE: Comments on the Proposed Study Plan for the Rumford Falls Hydroelectric Project (FERC No. 2333)

Dear Secretary Bose:

The Maine Department of Environmental Protection (Department) received and reviewed the Proposed Study Plan (PSP), submitted on March 10, 2020 by Brookfield Renewable (Applicant), for the Rumford Falls Hydropower Project (Project) (FERC No. 2333). Department staff attended a virtual Study Plan meeting on March 24, 2020, and reviewed appropriate Project documents to prepare the following comments and recommendations.

As identified in Department comments on the Pre-Application Document for the Project, the proposed relicensing of the Rumford Falls Project is subject to water quality certification provisions under Section 401 of the Federal Water Pollution Control Act (a.k.a. Clean Water Act). By Executive Order of the Governor of the State of Maine, the Department is the certifying agency for Projects located wholly or partially in organized towns and cities and, as such, has jurisdiction over the Project.

Comments on the Proposed Relicensing Study Plans

The Department appreciates the effort of the Applicant to prepare the PSP. Project study plans must be designed to evaluate the impact of project operations with respect to all of Maine's water quality standards, including designated uses and both narrative and numeric criteria. After review of the available documents, the Department has the following comments on the PSP:

Existing Data – The PSP discusses certain data collected in the vicinity of the Project, including a 2018 Aquatic Life Classification Attainment Report which analyzed the macroinvertebrate community in the Androscoggin River in Mexico, Maine, downstream of the Project site; various monitoring data collected along the Androscoggin River from 1995 to 2008; and impoundment elevation and flow data. In addition to the data provided in the PSP, the Applicant proposes to conduct the following studies and provide the following data, at the Department's request.

MEDEP Study Requests

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

website: www.maine.gov/dep

Impoundment Trophic State Study - - This study will allow the Department to determine if operation of the Project adversely affects water quality in the Project impoundments. The Trophic State Study initial data collection must occur twice monthly for five consecutive months during the open water season¹ and must be collected from the deepest location within each of the two impoundments. The Department also requires a late summer sampling event in addition to the open water season sampling, again, in each impoundment. As presented in the PSP, the Applicant indicates that water quality parameters and methods for sampling will be in accordance with MDEP's *Sampling Protocol for Hydropower Studies* (September 2019).

Impoundment Aquatic Habitat Study The purpose of this study is to determine the effect of impoundment drawdowns on the littoral zone of the water body and the ability of the impoundment to support fish and other aquatic life. In its Study Request included with the PAD, the Department indicated that the impoundment aquatic habitat study will not be required if the Project operates in Run-of-River operational mode and the Applicant submits at least three years of impoundment elevation and inflow/outflow data for the Rumford Falls Project. The Applicant included in its PSP a table showing the requested impoundment elevation and inflow/outflow data, however the Department requests here that the raw data be submitted as well, for Department analysis.

Downstream Benthic Macroinvertebrate (BMI) Study - Assessment of the benthic macroinvertebrate community is required to determine whether current in-stream flow releases affect attainment of habitat and aquatic life criteria, particularly in the bypassed reach below Middle Dam as well as downstream of the Project tailrace. The BMI study will assess the current macroinvertebrate community structure and evaluate any impacts caused by Project operations. The Department recommends the Applicant select two sampling locations for the study. The first should be located in the Androscoggin River bypass reach downstream of Middle dam, and the second should be located downstream of the powerhouse tailrace. The Applicant's consultant is working with Department staff to meet at the Project to confer on sample locations, to ensure that sample location selected by the Applicant can be approved by the Department prior to initiating the study. As described in the PSP, the Applicant indicates that it will conduct the benthic macroinvertebrate study following the MDEP's standard protocol in *Methods for Biological Sampling and Analysis of Maine's Rivers and Streams* (April 2014).

Downstream Temperature and Dissolved Oxygen (DO) Study - Temperature and DO must be monitored downstream of the Project to demonstrate whether the Project meets Maine's DO numeric criteria. The Applicant should select two sampling stations in accordance with to the "Rivers and Streams" section in the MDEP *Sampling Protocol for Hydropower Studies* (September 2019). One station should be located in the Androscoggin River bypass reach below Middle Dam and one should be located in the tailrace downstream of the Project powerhouse. As described in the PSP, the Applicant indicates that it will conduct the "Temperature and Dissolved Oxygen Study" in accordance with protocol provided under "Rivers and Streams" in the MDEP *Sampling Protocol for Hydropower Studies* (September 2019).

Downstream Aquatic Habitat Cross-Section Flow Study - Assessment of aquatic habitat downstream of the Middle Dam is required to determine whether current in-stream flow releases

¹ MDEP's *Sampling Protocol for Hydropower Studies* (September 2019)

meet Maine habitat and aquatic life criteria in the bypass reach. An aquatic habitat cross-sectional flow study will inform whether downstream flows in the bypass reach provide sufficient riverine habitat for fish and other aquatic organisms. This study requires measuring width and depth at various flows to determine the flow at which at least 75% of the bank full cross-sectional area of the river or stream is continuously watered. The Applicant proposes to select sampling transects and conduct river bed and bank profile surveys, measure river width and water depth across each transect, gage river flow to determine the amount of water released from the dam during the study, estimate full bank conditions, and use a HEC-RAS model to determine at which flow 75 % of the bank full cross-sectional area of the river is continuously watered. As described in the PSP, the Department believes the study will be conducted in accordance with the “Habitat and Aquatic Life Studies” protocol under “Rivers and Streams” in the MDEP *Sampling Protocol for Hydropower Studies* (September 2019).

Thank you for the opportunity to comment on the PSP for the Rumford Falls Hydroelectric Project. Please feel free to contact me at (207) 446-2642 or via email at Kathy.Howatt@maine.gov if you have any questions regarding these comments.

Sincerely,



Kathy Davis Howatt
Hydropower Coordinator
Maine Department of Environmental Protection

Cc: Luke Anderson, Brookfield Renewable
Project File

Via Electronic Filing

June 8, 2020

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

**Re: Rumford Falls Hydroelectric Project (FERC No. 2333-091)
Proposed Study Plan – Maine Department of Inland Fisheries and Wildlife Comments**

Dear Secretary Bose:

On March 10, 2020, Rumford Falls Hydro LLC (RFH or Licensee), a subsidiary of Brookfield Renewable (Brookfield), submitted their Proposed Study Plan (PSP) to the Federal Energy Regulatory Commission (FERC) for the Rumford Falls Hydroelectric Project (Project) (FERC No. 2333). The Maine Department of Inland Fisheries and Wildlife (MDIFW) has reviewed the PSP. MDIFW also participated in the remote PSP Meeting held on April 7, 2020 and had an informal phone meeting with the Licensee regarding partnering on the Angler Creel Survey. While some questions were addressed during the PSP Meeting, several of the concerns expressed by the agencies of other interested parties were not adequately addressed or resolved during the meeting. The Licensee suggested written comments be filed with FERC; consequently, MDIFW offers the following comments on the PSP for FERC consideration, which supplement our comments filed on January 28, 2020.

MDIFW Impoundment Water Level Data Request

On page 2-2 of the PSP, the Licensee responded to MDIFW's request for five years of impoundment drawdown data in excess of 1-foot. MDIFW thanks RFH for supplying that information. The intent of that request was to assess seasonality and frequency of drawdowns for emergency or maintenance purposes to determine if drawdowns were occurring during the bass spawning season (generally 5/15-6/30 depending on bass species and geographic location). Impoundment drawdowns during this critical life history stage can result in year class failures for these and other species. Based on the five years of data, one drawdown (June 17, 2017) occurred during the bass spawning season for flashboard maintenance.

On May 31, 2020, MDIFW was contacted by RFH via e-mail regarding a drawdown request for flashboard repairs. For reference, those e-mail discussions are attached. RFH indicated a willingness to explore bass spawning times in the impoundment(s), as well as other to collect other data including nest depth, nest locations, and water temperature. This "extra" informal study may benefit the bass fishery resource, and the Licensee as well as it may allow the broad

spawning window to be further refined and narrowed to allow more timing flexibility for future drawdowns.

We recommend the Licensee formalize this study by adding it to the revised PSP.

Brown and Rainbow Trout Radio Telemetry

On page 3-2 of the PSP, RFH rejects MDIFW's study request citing the following (italicized):

“there is no nexus between Project operations and effects to the presence or abundance of seasonally stocked trout in the Project area.”

MDIFW response: Although it may not have been specifically defined in detail, MDIFW believes the nexus for this study is relatively strong. First, MDIFW and the State of Maine have a relatively large investment in stocking the impoundment with 3,000 fish annually. The behavior of these trout and their returns to the angler are an important part of managing this fishery, and Project operations may be impacting their survival. For example, the diversion of most of the flows through the canal and into the powerhouse turbines with 3-inch bar grating could result in significant mortalities to stocked trout if they tend to migrate downstream post-stocking, which has been documented in several research papers.

In addition to the impoundment stockings, the tailrace is stocked with 1,850 trout annually--another significant investment in the local fishery resources. The lack of suitable flows and warm water temperatures in the bypass reach likely prevents trout from utilizing that very fishable area. In addition, stocked trout may be attracted towards the powerhouse outflow where there is little to no angler accessibility.

Lastly, under Maine Department of Environmental Protection water quality standards angling is a designated use of the resource, and as noted above Project operations are likely having some level of impact on the fishery. The telemetry study would help to answer these questions, as well as, other additional behavioral information that may lead to fishery management changes that would benefit the fishery resource and angler opportunities.

“Article 401 of the current FERC license requires the Licensee to operate in a run-of-river mode within 1 foot of full pond elevation at the Upper and Middle Dam impoundments. The Licensee has operated the Project in this manner since the last license was issued in 1994. The MDIFW states that brown and rainbow trout fisheries in the upper Androscoggin River collapsed in 2005 and have been unable to rebound since that time. MDIFW suggests that changes in Project discharges over time could be a contributing factor to that decline. However, the seasonal pattern of Project discharges has not changed during the current license period since 1994.”

MDIFW response: The above interpretation/suggestion was not MDIFW's intent and was partially due to an internal wordsmithing oversight. While the trout fishery *did* decline around 2005 in the upper river, it was *not* likely due to Project operations. However, it may have also occurred in the Rumford reach, too. Regardless, the possible Project impacts from operations noted above remain, and a telemetry study may shed some insight into Project impacts.

“it remains unclear how this study would inform the development of license requirements as defined in 18 CFR 5.9(b)(5).”

MDIFW response: If trout behavior(s) are problematic then the resource agencies and RFH can work towards viable solutions such as smaller bar grating, reduction in attraction flows towards the canal during certain times, stocking changes (i.e. timing, location, fish size); bypass flow improvements, and the development of better angler access. The latter two scenarios will be further elaborated on later in this document.

Minimum Flow Analysis

On page 3-3 of the PSP, RFH states, “an Instream Flow Study proposed by MDIFW is not justified, for the reasons discussed below.” Those reasons include (italicized):

“The C.T. Main (1989) study⁵ involved an assessment of fish habitat values in the lower bypass reach of the Project (FERC No. 2333). Downstream of Middle Dam, the longer (920 feet) bedrock falls and cascades located in the middle of the lower bypass reach does not contain any suitable or persistent habitat for rearing or spawning life-stages of any game or non-game fish species inhabiting the Project area. For the reach from this bedrock falls and cascade, upstream to Middle Dam, the Main (1989) assessment further concluded that this 1,400-foot pool habitat does not provide quality habitat for fish or for recreational fishing. Although RFH believes this pool habitat does in fact provide some suitable juvenile or adult rearing habitat for various pool-dwelling species, this habitat lacks suitable spawning habitat, such as clean gravel substrates for trout, bass, and fallfish, or rooted aquatic vegetation for perch or pickerel. Given that conditions have remained unchanged, this lack of suitable spawning habitat, in combination with the migration barriers upstream (i.e., the dam) and downstream (i.e., the lower bedrock falls and cascades) of the pool, restricts the development of a healthy and stable resident population.”

MDIFW response: The 1989 C.T. Main study largely assessed the bypass reaches for spawning and rearing habitat potential over 30 years ago. While the habitat remains the same, fishery management has evolved and trout stocking programs, including put-and-take and put-grow-take stockings, have produced some excellent fisheries in many similar bypass/tailrace situations that lack notable spawning and rearing habitat for trout species. The key to creating these fisheries is to have adequate flow conditions and suitable angler access. In fact, this site has produced some quality trout in recent years, as noted by the photo below of a holdover brown trout taken from the Project area. In 1989, MDIFW & USFWS agreed that the habitat assessment was adequate; however, it should be noted at that time the river was still heavily polluted, had almost no recreational use or value, and that the agencies had largely written off the river. Times have changed in the past 30 years: the river is cleaner, recreational use has exploded, and the river is producing good trout fishing in certain areas and a very high-quality bass fishery, all of which were nearly unimaginable back in the 1980's.



RFH frequently cites the lack of rearing, spawning habitat, and an inability to produce healthy and stable resident fisheries. While the habitat does have its limitations, with appropriate minimum flows, stocking, and angler access the bypass has some potential to produce a very valuable fishery asset for the local area. In addition, spawning and rearing habitat within the mainstem bypass reach is irrelevant. The Androscoggin River has numerous cold-water tributaries that support spawning and rearing habitats, and successful spawning/rearing has been documented in these tributaries by MDIFW.

“As noted in Main (1989), the limited access and steep banks of this habitat also restricts angler use and safety in comparison to more accessible locations outside of the Project bypass reaches. Access conditions remain unchanged since the initial assessment.”

MDIFW response: As part of this licensing process, improved access conditions should be more thoroughly explored and developed and is discussed in more detail later in this document.

“Assessing flow requirements in this pool habitat using Physical Habitat Simulation (PHABSIM) or other quantitative flow analysis is also unjustified because of the relatively insensitive nature of pools to managed flow releases. The abrupt and dramatic change in habitat formed by the bedrock lip of the cascade will effectively constrain water surface elevations in the upstream pool habitat. Minor to moderate changes in flow will have minimal effect on the depth and velocity characteristics of the pool habitat due to this dominating hydraulic control, and this insensitivity to flow changes makes the application of an incremental instream flow study of limited utility. Only very large changes in flow, akin to spill events, would be expected to result in significant changes in the amount or quality of fish habitat, and such changes are beyond the scope of this Project.”

MDIFW response: MDIFW agrees a flow analysis for fisheries would not be meaningful in the uppermost pool (Area 1). This was an error: it was our intention to only request such a study from Lower Dam downstream to the confluence with the Lower Station tailrace, with primary areas for transect analysis to be Sections 2 and 3 of the image below. However, MDIFW does support the Aesthetic Flow Study requested by FERC. In addition to aesthetics, MDIFW

contends that some minimum flows over the Upper Falls would likely benefit American Eel and provide an alternative and potentially safer flow path for downstream drift of biota including fish.



“Unlike the Main (1989) assessment, the downstream 350 feet of the lower bypass reach (from the bedrock falls and cascades to the Lower Station [powerhouse]) may contain suitable habitat for juvenile and adult rearing for several fish species. In particular, the lowermost bedrock pool along the northwest river bank may provide both habitat and fishing opportunities for bass and sunfish, and the riffle habitat on the southeast river bank may provide habitat for white suckers or trout; however, neither habitat is likely to contain suitable spawning habitat for bass, fallfish, or trout.

Although assessing flow habitat relationships in this lower end of the lower bypass reach is feasible, the short length (350 feet) and the small overall percentage that this habitat represents in the Project area (11% by length, or approximately 15% by area) does not, in RFH’s view, justify the utility of an incremental flow study, such as the PHABSIM analysis requested by MDIFW (2020).”

MDIFW response: MDIFW concurs that Area 3 has the best potential; however, Area 1 and Area 2 have some fishery potential with stocking and acceptable access. Areas 2 and 3 should be assessed for minimum flows, and MDIFW calculates the length of these areas to be approximately 1,244 feet and approximately 1,108 feet, respectively. MDIFW is unclear how the 350 feet length was derived. In addition, the 11% by length appears to be misleading. MDIFW measured the entire bypass reach to be approximately 5,053 feet, and the reach from Lower Dam to the tailrace to be approximately 3,213 feet. MDIFW is asking for an assessment from Lower Dam downstream to the tailrace, which would equate to approximately 73% of the potential habitat (Areas 2 and 3) by length, or 34% if only including Area 3.

In addition, for clarification MDIFW is asking RFH to conduct various incremental flows (i.e. 20 cfs, 40 cfs, 60 cfs, 80 cfs, etc.—actual increments to be determined) and that transects be quantitatively assessed with the same transect data requested by the Maine Department of Environmental Protection's (MDEP) request for an Aquatic Habitat Cross-Section Flow Study. The only addition would be the need for HSI analyses for adult trout and Smallmouth Bass. MDIFW would also like to be present during the incremental flows to do some qualitative analysis and to evaluate angler wade-ability/safety at various flows. MDIFW believes that this request dovetails very nicely with MDEP's Aquatic Habitat-Cross Section Flow Study and FERC's Aesthetic Flow Study, with very limited additional effort by RFH. In addition, MDIFW recommends this approach over RFH's HECWRAS modification to MDEP's request.

Lastly, MDIFW contends the current minimum flows are extremely low given the aesthetics, physical character, length, area, biota, and fisheries potential of the bypass reach, and that a valid assessment is necessary for improvement.

Angler Creel Survey

On Page 5-1, Table 5-1 Schedule for Conducting Proposed Studies has the Angler Creel Survey slated for 2020.

MDIFW Response: This date will need to be changed to 2021 and should include at least one additional year of data collection due to high year-to-year variability noted with other Maine Angler Creel Surveys on other river systems.

Appendix C on page C-1 of the PSP describes the proposed Angler Creel Survey.

MDIFW Response: RFH and MDIFW have had discussions about partnering on the Creel Survey, and there are still many details to work out. One of the major hurdles is that this area is at the northern border of MDIFW's regional boundaries, and travel time from our regional office would be challenging, time consuming, and expensive. In addition, MDIFW has historically had a difficult time finding staff for these types of projects, due to the part-time nature of the position, flexibility in work schedule requirements, and that seasonality of the fishing season does not coincide with typical seasonal help (i.e. college students). MDIFW has expressed that utilization of the right local person for this project, and personal or RFH vehicle use, will likely be key for a successful partnering. If these details cannot be worked through, then RFH would be required to handle the entire study.

Under the proposed partnering, RFH would supply significantly less funding (30-40%) than the projected \$61,000 cost in the PSP. RFH has asked MDIFW to train staff, manage staff including payroll, and to enter/analyze/report on the data. It should be noted that MDIFW believes a similar partnering and the savings realized by RFH for the Angler Creel Survey could likely cover the cost of the telemetry study mentioned above.

Recreation Study Plan

Page D-1 of the PSP states the goals and objectives of the study are:

“to determine if there is a need for enhancements to existing recreation facilities or the need for additional recreational facilities to support the current and future demand for public recreation at the Project and Project vicinity. The objectives of this study are to:

- *Conduct an inventory of recreational facilities at the Project and within the Project vicinity to summarize existing recreational opportunities;*
- *Assess the condition of RFH’s Federal Energy Regulatory Commission (FERC)-approved recreation facility and other RFH-owned and operated recreation facilities to identify any need for improvements; and*
- *Characterize current recreational use and future demand of the FERC-approved recreational facility and other RFH-owned and operated recreation facilities.”*

MDIFW response: The goals and objectives *appear* to lack any commitment by RFH to explore expanded access and angling opportunities. MDIFW believes the area has more potential, and that additional access to the impoundment and the bypass reaches should be fully explored as part of the licensing process. Conversations with local anglers and people from the Town indicate that a fair amount of shore angling occurs in the canals and bypass areas. MDIFW believes there should be better access provisions for these areas, even it that includes improved accessibility measures such as stairways and/or safety railings. For example, the west shore above the lowermost tailrace provides an excellent angling opportunity, but current access provisions and low flows discourage angler use. At least two other areas of the bypass might provide beneficial angling opportunities with some revised stocking locations that MDIFW would be willing to explore and discuss with the Town and RFH. Lastly, the distance between the upstream launch and the boater barrier is approximately 1.9 miles. As many users float the river with nonmotorized watercraft from launch to launch, a new carry-in launch should be explored in the area just upstream of the boater barrier. We suggest that the best way to explore new access opportunities would be for RFH, the Town, MDIFW, and other interested parties to meet on-site. A field visit, discussions, and visual observations of site characteristics are critical as this area does have some challenging terrain and legitimate safety issues in some locations.

Task 3 on page D-5 of PSP, indicates recreational use will only be assessed at Brookfield Recreational Sites. RFH confirmed this during the April 7, 2020 remote meeting. In addition, Schedule on page D-6 indicates that use will be assessed from May-September 2020.

MDIFW response: Ignoring recreational activity at non-Brookfield Recreational Sites fails to give a complete understanding of the extent of recreational use and needs related to areas within the Project boundary. MDIFW believes use should be assessed at all of the sites denoted in Figure 1 on Page D-3. In addition, Figure 1 should be modified to: (1) include the informal access site to the Logans off South Rumford Road; (2) the trailered launch just downstream of the Swift River off Riverside Avenue; and (3) launch site on Figure 1 between Hastings Boat Launch and Wheeler Island should be labeled.

The assessment schedule should be extended until at least the end of October to account for likely additional use in early fall related to fall stockings and fall foliage.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,



John Perry
Environmental Review Coordinator

Cc: Francis Brautigam, Joe Overlock--MDIFW Fisheries Division, Augusta Headquarters
James Pellerin, Nicholas Kalejs--MDIFW Fisheries Division, Region A
Kathy Howatt, Christopher Sferra--MDEP
Jim Vogel--Bureau of Parks and Lands
Anna Harris, Mark McCollough--USFWS

Attachment 1

Thank you.

James Pellerin
Regional Fisheries Biologist
Maine Dept of Inland Fisheries & Wildlife
Sebago Lake Regional Headquarters
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From: Murphy, Kyle <Kyle.Murphy@brookfieldrenewable.com>
Sent: Tuesday, June 02, 2020 3:02 PM
To: Pellerin, James <James.Pellerin@maine.gov>
Cc: Perry, John <John.Perry@maine.gov>; Howatt, Kathy <Kathy.Howatt@maine.gov>; Perry, John <John.Perry@maine.gov>; Harris, Anna <anna_harris@fws.gov>; Maloney, Kelly <Kelly.Maloney@brookfieldrenewable.com>; Seyfried, Jason <Jason.Seyfried@brookfieldrenewable.com>; Anderson, Luke <Luke.Anderson@brookfieldrenewable.com>
Subject: RE: Rumford Falls (FERC No. 2333-ME) Upper and Middle Development Flashboard Repair/Boat Barrier Installation Notification

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Thank you Jim for your response. To follow up on yesterday's discussions, we were able to get on the Upper Rumford head pond today and got a good look at the shallow shorelines and coves from just upstream of the dam (boat barrier location) all the way to Rumford Point and didn't see any active nests. Water temps were 11 degrees in the mainstem. To help address this, we are contracting with Normandeau Assoc. to assist us in additional surveys through the month of June and will keep you posted. I appreciate the assistance on this and understanding that this required maintenance work is completed as soon as mother nature will allow and if not repaired, the pond would continue to drop and remain down at dam crest all summer creating many other resource related concerns. Let me know if you have any questions/concerns and we will keep you posted on this as we proceed. Thanks again and catch up later. Kyle.

Kyle Murphy
Compliance Specialist

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From: Pellerin, James <James.Pellerin@maine.gov>

Sent: Tuesday, June 2, 2020 9:51 AM

To: Murphy, Kyle <Kyle.Murphy@brookfieldrenewable.com>

Cc: Perry, John <John.Perry@maine.gov>; Howatt, Kathy <Kathy.Howatt@maine.gov>; Perry, John <John.Perry@maine.gov>; Harris, Anna <anna_harris@fws.gov>; Anderson, Luke <Luke.Anderson@brookfieldrenewable.com>; Mapletoft, Thomas <Thomas.Mapletoft@brookfieldrenewable.com>; GRP NSCC Shift Supervisors <GRPNSSCCShiftSupervisors@brookfieldrenewable.com>; McDonough, Patrick <Patrick.McDonough@brookfieldrenewable.com>; Gregg, Shawn <Shawn.Gregg@brookfieldrenewable.com>; Maloney, Kelly <Kelly.Maloney@brookfieldrenewable.com>; Seyfried, Jason <Jason.Seyfried@brookfieldrenewable.com>

Subject: RE: Rumford Falls (FERC No. 2333-ME) Upper and Middle Development Flashboard Repair/Boat Barrier Installation Notification

Kyle –

MDIFW is generally not supportive of nonemergency drawdowns in excess of 1 foot on impoundments during the bass spawning season (generally 5/15-6/30 for both Small and Largemouth Bass). Drawdowns of this nature can result in year class failures for these species. For the Rumford impoundment, Smallmouth Bass are the primary concern and this location is at the northern end of our Region, as discussed on the phone some additional evidence may allow you to narrow down that window. I would suggest either as part of or in lieu of the current relicensing you:

- (1) Look at historical operations data (at least 15-20 years) to see how often drawdowns during the spawning period noted above exceeded 1 foot; and
- (2) conduct a spawning survey to determine the time frame when bass begin and stop nesting behaviors in the Rumford Impoundment;
- (3) and provide that information to MDIFW and other interested resource agencies.

For this event, MDIFW will allow the drawdown for the proposed maintenance activities but in the future we will likely not be supportive of drawdowns during the bass spawning season. However, providing the information above may result in data that allows more flexibility in performing such activities at the Rumford facility. Thank you.

James Pellerin

Regional Fisheries Biologist

Maine Dept of Inland Fisheries & Wildlife

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From: Murphy, Kyle <Kyle.Murphy@brookfieldrenewable.com>
Sent: Sunday, May 31, 2020 9:46 PM
To: Pellerin, James <James.Pellerin@maine.gov>; Howatt, Kathy <Kathy.Howatt@maine.gov>; Perry, John <John.Perry@maine.gov>; Harris, Anna <anna_harris@fws.gov>
Cc: Anderson, Luke <Luke.Anderson@brookfieldrenewable.com>; Mapletoft, Thomas <thomas.mapletoft@brookfieldrenewable.com>; GRP NSCC Shift Supervisors <GRPNSSCCShiftSupervisors@brookfieldrenewable.com>; McDonough, Patrick <Patrick.McDonough@brookfieldrenewable.com>; Gregg, Shawn <Shawn.Gregg@brookfieldrenewable.com>; Maloney, Kelly <Kelly.Maloney@brookfieldrenewable.com>; Seyfried, Jason <Jason.Seyfried@brookfieldrenewable.com>
Subject: Rumford Falls (FERC No. 2333-ME) Upper and Middle Development Flashboard Repair/Boat Barrier Installation Notification

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Good evening all. I am emailing your agency to notify you that the river conditions have receded enough to safely install the Rumford Safety Boater barriers and make needed repairs to damaged flash boards at Rumford Upper and Middle Projects. Flows up until now have not allowed for this work to be scheduled and if repairs are not done to the flashboards, the pond levels will continue to decrease having potential impact to spawning SMB later in June. As in the past, a slow drawdown is scheduled and will begin Monday June 1 and will be reduce Rumford Upper by approximately 2.7 ft to allow for the safe flash board repairs. The pond will be down by Thursday June 4, 2020 and the work will be completed in one day, once completed, the project will be refilled. After Upper Rumford flash board repairs are completed, Middle flashboard repairs will follow with an approximate 2.24 ft drawdown of Rumford Middle beginning on June 4 and the flash board repairs being completed on June 5, 2020. Project operations are anticipated to be back to normal levels by approximately June 7, 2020. In the event of a station trip, minimum flow will be provided at Upper Dam with water passing over the dam crest and minimum flow at Middle Dam will be provided through leakage and pipes (21cfs). As always, feel free to contact me with any question or concerns. As I mentioned above, this required maintenance work has not been able to be safely completed any earlier due to high flow conditions. Thank you for your time. Kyle.

Kyle Murphy
Compliance Specialist

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Filed via “eFiling”

June 8, 2020

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Division
888 First Street, N.E.
Washington, D.C. 20426

RE: Comment on Proposed Study Plan, Rumford Falls Project (FERC No. 2333)

Dear Secretary Bose,

The Maine Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands has reviewed the Proposed Study Plan for the Rumford Falls Project and offers the comments below. We preface these comments by noting, as has the Town of Rumford, Trout Unlimited, the Maine Department of Inland Fisheries and Wildlife (IF&W) and several other agencies, NGOs and individual stakeholders, that the recreation opportunities available on the Androscoggin River are generating increasing interest due to greatly improved environmental conditions, far different from conditions when the current license was issued. We encourage Rumford Falls Hydro, LLC (RFH) to work through the relicensing process to develop with the local community a common vision for the river-oriented recreation and access sites, including the now-closed Rumford Falls Trail, managed for a high-quality experience. The Bureau supports a partnership approach for the management of RFH project facilities along the river and the adjacent community-based facilities.

Recreation Study Plan

The Bureau supports the requests of the Commission, dated May 8, 2020, for a more detailed study plan and more robust data collection methodology. In particular, we believe that collecting data through focus groups or interviews, and to include all recreation sites in the project vicinity, not just those owned/operated by RFH, are necessary to acquire adequate data for assessing recreation needs.

More specifically, the Bureau believes the inventory portion of the study should include all lands associated with the Project waters (including lands presently owned by RFH and lands it does not own) to identify areas needed for project purposes, including existing and potential public recreation and access sites, and areas needed for scenic protections. The Bureau further believes

the assessment portion of the study should incorporate the scenic and aesthetic values associated with each site, particularly as regards Rumford Falls, given its primary importance as a scenic feature in the community and attraction to those from outside the community and its close relation to the Rumford Falls Trail. In addition to characterizing recreation use and future demand, we believe the results of the study should inform an evaluation by FERC as to whether the Project boundary should be expanded to include all of the now-closed Rumford Falls Trail, only part of which is on lands owned by RFH and only part of which is currently within the Project boundary, and potentially other recreation facilities.

The Bureau also wishes to go on record as supporting the requests made by IF&W in their comments on the Pre-Application Document (PAD), dated January 28, 2020, to consider various put-in and take-out relationships among the access sites above and below the dam areas, including necessary portage trail(s), in the Recreation Study. We also appreciate the addition of an Angler Creel Survey by RFH in response to the IF&W study request, which will complement the Recreation Study.

Additional Comments

The Bureau supports the requests made by the Town of Rumford, and supported by Trout Unlimited, for a comprehensive recreational plan to be part of the conditions of relicensing. This would include the parks, paths, viewing opportunities and aesthetics, whitewater opportunities, fishing, and other potential recreational uses of the Rumford Falls Project vicinity. The Recreation Study should be conducted with the objective to fully inform such a comprehensive recreation plan.

Thank you for the opportunity to submit these comments. Please feel free to contact me at (207) 287-2163 or via email at Jim.Vogel@maine.gov if you have any questions regarding these comments.

Sincerely,



Jim Vogel, FERC Coordinator
Bureau of Parks and Lands

Cc: Andrew Cutko, Director
John Perry, Maine Department of Inland Fisheries and Wildlife
Luke Anderson, Brookfield Renewable

Stephanie Reed, Rumford, ME.

Please support the Town of Rumford's recreational proposal instead of the inadequate farce that has been proposed by Brookfield. This is what is truly meant by the idea of requiring these proposals. Many community groups, residents and visitors alike support & would benefit from better access to the recreational opportunities that Brookfield has denied us while profiting from our resources.

Todd Papianou, Rumford, ME.
To Whom it May Concern,

I'm a Physical Education teacher at Mountain Valley High School in Rumford and had been using the old rail bed/ road on the South Easterly side of the Rumford Falls for teaching several classes before it was closed. I teach a class called "LifeTime Pursuits." During a Commuter Bike Unit and Intro to Trail Riding Unit, the class would be tasked with riding up the graded dirt road. The fact that it is an old railbed and was perfectly graded at the same consistent pitch was perfect to discuss shifting and or the need to not shift on this even pitch. Our class was treated to the magnificent roar and thump of the Falls in the Spring. We would ride to the top and assemble on the concrete pad at the top of the dam and I would proceed with my lesson.

I would cover many topics from that location as it was relevant to the history of our region.

An example of this teaching was about the existence of the Dam and its relationship to the Mill, in the days before good roads when rivers were used as highways and transportation systems.

Our classes would later do a Canoe Unit and connect the "BoomPiers" above the dam and how the different lots of logs could be penned up and processed through the Saw Mill above the Falls and then put on Trains to run down the railbed and toward Portland. We learned about how our community was historically designed as a Walking Town. If the town was viewed from a plane it's clear the Mill and the Island are the hubs of networks of pathways that lead to the homes, churches, schools, and other community centers.

Our Physical Education classes also include a Walking For Fitness elective. For this class we used the areas adjacent to and surrounding the Dam, talking about history. Imagine a lovely stroll after dinner on the Island to end up at the scenic overlook under with its ornate stone benches and turrets that hang over the water and beneath the Falls. Walking under the gaslights that lit this walkway was a daily part of life for many.

The trail I used for my LifeTime Pursuits, and Walking for Fitness classes are now neglected and chained off. A metal fence greets anyone wishing to enjoy viewing the Falls. The area has become unattractive and has morphed into a sterile industrial waste of space. Our community needs to have walking opportunities for its health and wellness. The return of these precious areas that enable a close connection to the Falls and the grand cascade is vital to preserving the history and culture of the town Hugh Chisholm built for the people that lived and worked in the town.

Beyond our community, this Falls is a significant geographic phenomenon that folks from farther away come to see. They deserve to see it and feel it from the original access points.

The emerging recreational tourist sector relies heavily on natural attractions like the Great Falls of Rumford. I also have been a

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Registered Maine Guide since 1989. Restricting this area and letting the assets fall to disrepair is not being a "Good Neighbor"

The citizens of Rumford ask for several things:

#1: Comprehensive studies of recreational, fishing, streamflow, and economic cultural significance be performed.

#2: Repair and reopening of the Picnic Grounds and the Gaslight Balcony and Gaslight Pathway

#3: A consistent approach to facility management and recreational promotion that other Brookfield facilities have in Quebec. When visiting a Dam in Canada, Brookfield had spent time and effort to make the area welcoming and engaging to the public.

#4 Walking or riding a bike should be a right that is restored to the public around the hydro facility.

I trust FERC and Brookfield will do the right thing for the people of Rumford.

Sincerely,
Todd Papianou

APPENDIX B
COMMENT RESPONSE MATRIX

No	Study/Topic	Comment	Response to Comment
Town of Rumford – April 21, 2020			
1	Recreation	The Town notes our continued interest in the creation of a formal recreation plan for the Rumford Falls Hydro Project.	As indicated in the Revised Study Plan (RSP), Rumford Falls Hydro (RFH) is proposing to develop a recreation plan during the relicensing of the Project. The Recreation Study will be conducted in 2021 and will provide information that is useful for development of a recreation plan. There is not an existing recreation plan for the Project.
2	Recreation	The Town notes that this license will be the first time that the Project will be licensed while owned and operated by an entity not under the control of the Rumford Mill. The town believes that this change in ownership structure has significance to the differing approaches to the operation which include closure of recreational facilities and is supporting factor in justification for the requirement of a formal recreation plan.	See previous comment response (#1). Further, no licensed recreational facilities have been closed. There is only one recreation site that is operated and maintained under the Project's current license, which is the Carry-In Launch on the Swift River. Access to a portion of Rumford Falls Trail and the West Viewing Area have been discontinued due to RFH's concern regarding public safety and security. RFH supports recreational use and features within the Project area including the ATV trail, Veteran's Park, and Logan Brook Access.
3	Recreation	The Town notes based on the historic record in our possession and elsewhere that recreation on the Androscoggin River was a significant part of our economy until pollution of the River made it unsuitable for recreational use. At the time of construction of the Project circa 1916 there was still substantial recreational activity on the River as noted in available historical records and artifacts.	While the historic information in the Town's possession and elsewhere was not substantiated nor provided specifics as to the economic drivers at that time relative to the local economy today and the current businesses, the comment is acknowledged. RFH proposes to conduct a Recreation Study to assess current recreation usage and future recreation needs in the Project area. This study plan can be found in Appendix E of the RSP.
4	Recreation	...in any upcoming study census counts for use of the recreational facilities currently closed in whole or in part are like to be "0" due to the inability of users to access these facilities.	Information to characterize current recreation use and future demand of recreation facilities will include holding a site visit and a focus group discussion with stakeholders to discuss existing and future recreational opportunities, recreation observations at recreation facilities, and visitor as well as online surveys. These efforts will include those sites that are currently not accessible to the users. RFH will indicate if a particular site is not accessible to users within the Recreation Study report.
5	Recreation	The Town repeats and reinforces our interest in the reopening of the Falls Hill Trail, the restoration of the West Viewing Area, built as an integral community feature of the Project, and aesthetic restoration of Veterans Park, which was also built as an integral community feature of the Project.	For clarification, Veterans Park was developed on land which RFH owns and provides access to the Town. The Town maintains its use as Veteran's Park. See previous comment responses regarding recreation studies and plan.
Maine Historic Preservation Commission – May 7, 2020			
1	General	Our office was not included on the mailing list for the pre-application document and the proposed study plan. Our office was not made aware of the Proposed Study Plan for Rumford Falls until April 1, 2020.	On March 30, 2020, RFH notified the Maine Historic Preservation Commission (MHPC) that it unintentionally left the agency off of the distribution list. That same day, RFH called the MHPC to discuss the Project, made MHPC aware of the pending PSP meeting, and mailed a hard copy of the Notice of Intent (NOI)/Pre-Application Document (PAD) as well as the Proposed Study Plan (PSP) to the agency, which were received by MHPC on April 1, 2020. The MHPC has been added to the distribution list.
2	Archaeological Resources	With regard to archaeological resources, there are a number of errors related to archaeological sites in the Pre-Application Document and the Proposed Study Plan that need correction, the most important being the absence of archaeological studies in the PSP (One archaeological study report needs to be completed).	RFH was unaware that the archaeological Phase III report was never finalized by Mead Paper. RFH has and continues to adhere to the Cultural Resource Management Plan approved by the MHPC. RFH has consulted with the MHPC and developed a plan to finalize the draft Phase III report (Hamilton and Mosher 2000) as described in item 5 below.
3	General	The Pre-Application document (Volume I) of September 2019 on page 5-54 mistakenly states that eight archaeological sites were judged "National Register-eligible." In fact, five of these sites <i>were listed in the National Register on 14 November 1992</i> .	In the PAD, we referenced the 1993 Programmatic Agreement, which states that eight of the sites were National Register-eligible. RFH appreciates the MHPC's clarification that five of these sites were listed in the National Register on 14 November 1992.

No	Study/Topic	Comment	Response to Comment
4	APE	The discussion of the APE (area of potential effect) for the Rumford Falls project on page 5-53 of the Pre-Application document is inconsistent with FERC practice and policy. After quoting the FERC definition of APE as “...all lands within the Project Boundary... (including) any lands outside the Project Boundary where cultural resources may be affected by Project-related activities” (section 5.10.1, paragraph 1) the second paragraph proposed definition of the APE fails to take into account the issue of archaeological site erosion where the archaeological sites may be located on the river bank above the elevation defined as the Project Boundary. Paragraph 2 of 5.10.1 states in error that “The proposed APE, therefore, is the Project Boundary.” Upstream from Wheeler Island the Project Boundary is defined as an elevation that runs along the immediate edge of the impoundment. There is at least one National Register listed site (Town of Rumford site 49:20) and several sites that are judged eligible for listing that are located on the river bank above the elevation defined as the Project Boundary that are located upstream from Wheeler Island. The Pre-Application Document acknowledges the successful Cultural Resources Contingency Plan program for periodic monitoring of these sites for erosion (p 5-54), a program that must continue. <i>Therefore, the APE cannot be the same as the Project Boundary.</i>	<p>In response to MHPC’s comment, RFH proposes that the area of potential effects (APE) for archaeological resources is all lands within the Project Boundary and any lands outside the Project boundary where cultural resources may be affected by Project-related activities that are conducted in accordance with the Federal Energy Regulatory Commission (FERC) license. This would account for potential site erosion at an archaeological site located on the river bank.</p> <p>RFH will continue to conduct biennial monitoring of archaeological sites for changes caused by erosion per the FERC order issued March 26, 2019. As required by the Programmatic Agreement, RFH consulted with the MHPC regarding the proposed change in monitoring from an annual to biennial basis. The Licensee included with its request, a copy of a January 29, 2019 email from the MHPC indicating its support for the proposal.</p>
5	Archaeological Resources	The Pre-Application document states (5-54) that Phase III (archaeological mitigation) for the Rumford Project included data recovery excavation of six sites. The Pre-Application document fails to state that the report on that data recovery work was submitted to SHPO office as a text-only draft (Hamilton and Mosher 2000). It was never completed and never accepted as a final report. There is extensive correspondence with Robert Stickney environmental manager, Mead Paper Corp, then owner of the dam, for example Spiess to Stickney 12_11_2000) in an effort to get this report completed. Mead Paper Co. applied pressure to the University of Southern Maine, also without success. The problem is that the archaeological report, and thus the archaeological data recovery project, was never completed. (Both SHPO and Mead Paper gave up attempting to get the report completed after a couple of years.) <i>Therefore, the current Study Plan for relicensing must include a provision for another effort to complete the archaeological data recovery report study.</i> This is an unfinished relicensing archaeological issue where the majority of the public benefit of the archaeological study for the project resides.	<p>As stated above, RFH was unaware that this report was never finalized from MHPC’s perspective and that MHPC and Mead Paper had discontinued pursuing its completion. TRC archaeologists, who have been conducting long-term monitoring of cultural sites at the Project, consulted with the MHPC on June 8, 2020, on behalf of RFH, to further discuss items raised by MHPC (pers. comm. Karen Mack and Rick Will, TRC with Dr. Arthur Spiess, MHPC). The archaeological Phase III studies were not completed to the MHPC’s satisfaction and despite good faith efforts by MHPC and Mead Paper, were never remedied. The following approach was discussed to address the MHPC comments related to the Phase III report (Hamilton and Mosher 2000¹⁰):</p> <p>2020 - TRC, on behalf of RFH, will review the existing Phase III report and identify what additional data analyses and recording issues that MHPC wants addressed before accepting the final report. TRC will work with the report authors (Dr. Nathan Hamilton of the University of Southern Maine and John Mosher of MHPC), as practicable, to secure artifact collections that have not been analyzed or poorly analyzed. A specific scope-of-work will be developed for MHPC approval.</p> <p>2021 - TRC will complete analyses in consultation with authors, as practicable.</p> <p>2022 - TRC will prepare a final report as an addendum that addresses all topics identified in the Year 1 scope-of-work and submit it to MHPC for review, comment, and approval.</p> <p>RFH proposes to complete this work to address MHPC concerns related to the Phase III report.</p>
6	Historic Architectural Survey APE	With regard to above ground resources, the scope and methodology for undertaking an architectural survey meet our requirements. However, no consultation regarding APE has been initiated with our office. The Project APE is defined as the lands enclosed by the Project’s boundary and the lands or properties outside of the Project’s boundary where project construction and operation of project-related recreational development or other enhancements may cause changes in the character or use of historic	For the Historic Architectural Survey, the APE is proposed as the Project boundary and any lands outside the Project boundary where resources may be affected by Project-related activities that are conducted in accordance with the FERC license. The Project boundary encompasses lands that are necessary for Project purposes, Project-related operations, potential enhancement measures, and routine maintenance activities associated with the

¹⁰ Hamilton, Nathan D. and John P. Mosher. 2000. Rumford Falls: A Holocene Cultural Sequence in Northwestern Maine. Nathan D. Hamilton, Ph.D. Associate Professor of Archaeology, Department of Geography and Anthropology, University of Southern ME, Gorham, Maine, and John P. Mosher, M.A., Maine Historic Preservation Commission, Augusta, Maine. Submitted to Rumford Falls Power, Co. a division of Mead Corporation, Rumford, Maine. October 15, 2000.

No	Study/Topic	Comment	Response to Comment
		properties, if any historic properties exist. Please submit a draft APE for our office to occur with for architectural properties prior to commencing the study.	implementation of a license issued by FERC. The Project boundary and adjacent lands that may be subject to erosion as a result of Project operation represent the APE for direct effects. The Project's APE for indirect effects includes the areas where Project construction, operation, or development may cause changes in the character or use of historic properties outside of the direct APE. The nature and extent of the indirect APE will be defined in consultation with MHPC. Background research will cover a two-mile radius around the direct APE and will inform consultation on indirect Project effects.
Federal Energy Regulatory Commission – May 8, 2020			
1	Angler Creel	...the proposed study plan indicates that a predetermined list of index sites will be determined for use during the study in consultation with Maine Department of Inland Fisheries and Wildlife prior to the first sampling date. Please include the list of index sites that will be surveyed in your revised study plan.	RFH has developed a list of recreational angler access sites and has included those locations in the RSP.
2	Angler Creel	...please include the times of day surveyors will visit sites; how many times surveyors would visit each site (e.g., once a day, multiple times a day), and how long surveyors will spend at each site. Please explain the basis of the proposed study effort.	RFH has included additional detail within the RSP to address this comment related to the timing and duration of creel activities.
3	Angler Creel	You stated during the proposed study plan meeting of April 7, 2020, that this study would be postponed until 2021 due to the COVID-19 pandemic. Please revise the study plan to reflect this change.	The study plan has been revised to reflect the updated study timing agreed to by RFH and Maine Department of Inland Fisheries and Wildlife (MDIFW).
4	Recreation	The proposed recreation study plans lacks enough detail to be able to evaluate whether the study would achieve the study objectives. The objective of Task 2 is to assess the condition of the FERC-approved recreation facility (i.e., Carry-In Launch) and four other RFH-owned/operated recreation facilities and identify potential improvements to enhance recreation at the project. However, the proposed study plan does not describe how this assessment would be conducted. For example, the criteria or methodology that would be used to identify needed recreation improvements are not identified in the study proposal. We recommend conducting an onsite condition assessment, which can be combined with Task 1. The objective of Task 1 is to conduct an inventory of recreational facilities to summarize existing recreation opportunities. In addition to what is included in the facilities inventory form, the condition assessment should include detailed observations about the condition, site use, and accessibility of the site and facilities. We suggest using a condition rating scale to support your observations and show consistency with the ratings throughout the various recreation sites. Erosion and vegetation condition should be noted, including impacts of recreation use on vegetation.	RFH has included additional methodology to address this comment in the Recreation Study Plan. Per FERC's request, RFH will conduct an onsite condition assessment, which will include detailed observations about the condition, site use, and accessibility of the site recreation and recreation facilities. Erosion and vegetation condition will be noted, including impacts of recreation use on vegetation.
5	Recreation	An estimate of parking capacity that can be accommodated at each facility should also be included in the information collected for the condition assessment.	As indicated in the RSP, RFH has provided clarification within the Recreation Study Plan that parking capacity information will be obtained.
6	Recreation	While an onsite condition assessment would help describe the physical conditions of project recreation sites that contribute to the recreational experience, it would not gather information on the desires of the public on recreational needs. This is particularly true where, as here, some recreation facilities are inaccessible to users. Gathering information (through interviews, focus groups, meetings, intercept surveys, etc.) from users and other stakeholders such as municipalities, federal/state agencies, and non-profit organizations would help characterize current recreational use and expected future demand of recreational facilities. Such discussions should elicit participation from the public as well as stakeholder groups in order to obtain their perspectives on existing and expected future use and access needs. If you do not believe such efforts are warranted here, please explain why.	As indicated in the RSP, RFH has revised the Recreation Study Plan to include a site visit and focus group discussion with stakeholders and visitor as well as online surveys to help characterize current recreational use and expected future demand of recreational facilities.

No	Study/Topic	Comment	Response to Comment
7	Recreation	As proposed, site conditions and usage would only be assessed at the FERC-approved recreation facility (i.e., Carry-In Launch) and four other RFH-owned/operated recreation facilities. Collecting condition information through assessments at all recreation sites, including J. Eugene Boivin Park, Hastings Boat Launch, the entire Rumford Falls trail (including the closed portion) and the viewing area at the Upper Development of Rumford Falls would provide a more informed indication of need at the project.	RFH has revised the Recreation Study Plan to assess site conditions and usage at the sites identified by FERC as well as other facilities identified by stakeholders as specified in the revised Recreation Study Plan.
8	Recreation	Combining spot counts with recreational user intercept surveys and meetings, as you propose for your New Hampshire Androscoggin River projects would provide more useful information on existing and future recreation needs at the project. Such survey efforts should be conducted at the following recreation sites: ATV Trail, Carry-in Launch at Carlton Bridge Site, Veteran's Park, Wheeler Island, J. Eugene Boivin Park, Rumford Falls Trail, and Hastings Boat Launch.	As indicated in the RSP, RFH has revised the Recreation Study Plan to include a site visit and focus group discussion with stakeholders and visitor as well as online surveys to help characterize current recreational use and expected future demand of recreational facilities. Additionally, RFH is including additional recreation sites in the survey as discussed in the previous comment and the RSP (#7).
9	Recreation	...it is unclear how much sampling effort would be conducted at each recreation site and whether the proposed sampling would adequately inventory existing uses or determine future demand. For example, the proposed study plan indicates that the surveyor's efforts would be divided among other tasks, including other field studies and normal daily hydro facility operations. This suggests that the survey may not be implemented consistently. We recommend the study be implemented by a dedicated person(s) focused on the recreation study. Incidental observations of recreation use by other staff conducting other studies and RFH operators would be useful. However, such efforts should not supplant the requirements for the dedicated recreation study. Please make clear who will be conducting the dedicated recreation surveys and if any incidental observations will be made in addition to the official, dedicated surveys.	RFH has updated the Recreation Study Plan to include dedicated persons for recreation observations and has provided additional clarification regarding sampling efforts consistent with FERC suggestions.
10	Recreation	Please define which major holidays will be surveyed throughout the study period and if surveyors will visit the sites on the actual holiday or throughout the holiday weekend.	RFH has updated the Recreation Study Plan to provide clarity regarding holidays. The following holidays will be included in the observation and survey schedule: <ul style="list-style-type: none"> • Memorial Day (Monday, May 31, 2021) • Fourth of July (Sunday, July 4, 2021) • Labor Day (Monday, September 6, 2021) Recreation observations will occur on the holiday and one day during the holiday weekend, which will count towards the required survey days for the associated month.
11	Recreation	The proposed survey effort does not speak to how the survey would be partitioned throughout the recreation day to cover the hours of the week that recreationists are expected to use the site. Also, please include the times of day surveyors will visit sites; how many times surveyors would visit each site (e.g., once a day, multiple times a day), and how long surveyors will spend at each site.	RFH has revised the Recreation Study Plan to specify that recreation observations will occur from 8 AM to 6 PM, with one hour spent at a recreation facility before rotating to the next facility. Additional detail is provided in the study plan.
12	Recreation	FERC suggests collecting information on both the number of cars and people at each recreation site so the capacity of the parking lot can be assessed along with usage data and capacity of the recreation facilities. It is also important to collect usage data with the number of people so that consideration can be taken for those who have arrived at the site from other modes of transportation, such as walking or biking.	RFH has updated the Recreation Study Plan to collect information on both the number of cars and people at the recreation sites.

20200708-5007 FERC Comment #11
7/7/2020 7:07:12 PM

No	Study/Topic	Comment	Response to Comment
Pennacook Falls Investments, Ltd. – May 18, 2020			
1	General/Aesthetic Flows	The falls, which are visible from the property, are central to attracting leisure travelers.	As indicated in the RSP, RFH is proposing to conduct an Aesthetic Flow Study, which will allow RFH to gather information on the existing aesthetic character and potential aesthetic flow viewing opportunities of Rumford Falls. This study plan can be found in Appendix G of the RSP.
2	Recreation	Open access to hikers/bikers on existing trails and lookout vantage points on both sides of the Rumford Falls – access that was historically available to the public.	As indicated in the RSP, RFH proposes to conduct a Recreation Study to evaluate recreation sites in the Project area.
3	Aesthetic Flows	Allow for water to flow over the falls year-round; currently zero summer flow over the falls seriously detracts from this landmark’s appeal.	Please see the response to the first comment provided by this stakeholder.
Mahoosuc Land Trust – May 29, 2020			
1	Recreation	We request that Brookfield do a thorough recreational study with respect to the Rumford facility.	The Recreation Study Plan has been revised to include recommendations by FERC as well as other stakeholders.
2	Recreation	Rumford residents have told us that they are specifically interested in the walking trail on the southern side of the river, which had been a mainstay in the community for years, and which has been closed.	As indicated in the RSP, the Rumford Falls Trail will be included in the Recreation Study.
3	Recreation	Rumford residents are interested in... access to the property on the north side of the river with views of important architectural features, the falls, and the reflection pool. This was a picnic area and a place to relax and walk near the river and has also been closed.	As indicated in the RSP, the West Viewing Area will be included in the Recreation Study.
4	Fisheries	Rumford residents are interested in... a study... of the Androscoggin River fishery, which Maine Fish and Wildlife apparently believes to be an important public resource, to understand the resource and the potential effect of reducing or “dewatering” the falls as part of the hydropower operation.	As indicated in the RSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation, a two-year Angler Creel Survey, an Impoundment Bass Spawning Survey, and a Water Quality Study. RFH is not proposing the Brown Trout and Rainbow Trout Telemetry Study for the reasons specified in Section 4 of the RSP.
Trout Unlimited – June 1, 2020			
1	Aesthetics	the two dams the project includes marginalize views of the falls, and under low flow conditions, currently authorized minimum flows dewater the falls and the bypass	The current license requires the Licensee to release a minimum flow of 1 cfs from the Upper Dam and 21 cfs from the Middle Dam into the bypass reaches. As indicated in the RSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation and an Aesthetic Flow Study, the latter of which will allow RFH to gather information on the existing aesthetic character and potential aesthetic flow viewing opportunities of Rumford Falls.
2	Recreation/ Flow Study for Aquatic Habitat Evaluation	Brookfield’s Proposed Study Plan would not even have considered the most basic studies: Renewed recreational use of the closed paths and flow studies for the two dams that dewater the falls with minimum flows of 0 CFS and 21 CFS	The PSP included the Rumford Falls Trails as well as other recreational features in the Recreation Study. The Recreation Study Plan has been revised to include recommendations by FERC as well as other stakeholders. See previous comment response (#1) regarding the Aesthetic Flow Study (Upper Dam bypass reach). RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation (Middle Dam bypass reach).
3	Archaeological	Additionally, the recent filing by the Maine Historical Preservation Commission (MHPC)1 confirmed (as TU stated during the Proposed Study Plan Teleconference) that the archaeology studies Brookfield had submitted were incomplete	RFH maintains an MHPC-approved Cultural Resources Management Plan. RFH was unaware that the archaeological Phase III joint report prepared by MHPC and the University of Southern Maine (Hamilton and Mosher 2000) was never finalized. RFH has consulted with the MHPC regarding this issue to work to resolve it as described above in RFH’s response to the comments of MHPC.
4	Archaeological	The incomplete (archaeological) study includes reference to fish bones identified as to anatomical feature but not as to species that TU believes could bear on potential fish passage requirements for the project.	RFH was not provided specific reference by TU to this information as it relates to fish bone studies. In addition, see previous comment response (#3).

No	Study/Topic	Comment	Response to Comment
5	Recreation	The Town of Rumford is asking for a comprehensive recreational plan to be part of the conditions of relicensing. This would include the paths, viewing opportunities and aesthetics, whitewater opportunities, fishing, parks and other potential recreational uses of the Rumford Falls vicinity. TU strongly supports this.	As indicated in the RSP, RFH is proposing to develop a recreation plan during the relicensing of the Project. The Recreation Study will be conducted in 2021 and will provide information that is useful for development of a recreation plan.
6	Archaeological	TU also supports Brookfield's preparation of a draft Area of Potential Effect (APE) per the previously referenced MHPS filing.	<p>In response to MHPC's comment, RFH proposes that the APE for archaeological resources is all lands within the Project boundary and any lands outside the Project boundary where cultural resources may be affected by Project-related activities that are conducted in accordance with the FERC license. This would account for potential site erosion at an archaeological site located on the river bank.</p> <p>RFH will continue to conduct biennial monitoring of archaeological sites for changes caused by erosion per the FERC order issued March 26, 2019. As required by the Programmatic Agreement, RFH consulted with the MHPC regarding the proposed change in monitoring from an annual to biennial basis. The Licensee included with its request, a copy of a January 29, 2019 email from the MHPC indicating its support for the proposal.</p> <p>For the Historic Architectural Survey, the APE is proposed as the Project boundary and any lands outside the Project boundary where resources may be affected by Project-related activities that are conducted in accordance with the FERC license. The Project boundary encompasses lands that are necessary for Project purposes, Project-related operations, potential enhancement measures, and routine maintenance activities associated with the implementation of a license issued by FERC. The Project boundary and adjacent lands that may be subject to erosion as a result of Project operation represent the APE for direct effects. The Project's APE for indirect effects includes the areas where Project construction, operation, or development may cause changes in the character or use of historic properties outside of the direct APE. The nature and extent of the indirect APE will be defined in consultation with MHPC. Background research will cover a two-mile radius around the direct APE and will inform consultation on indirect Project effects.</p>
7	Flow Study for Aquatic Habitat Evaluation / Brown Trout and Rainbow Trout Telemetry/Angler Creel	We reiterate our support previously stated in our comments on the PAD for the following studies: Minimum Flow Analysis, Brown Trout and Rainbow Trout Telemetry Study, and Comprehensive Angler Creel Survey	Respectfully, RFH is not proposing the Brown Trout and Rainbow Trout Telemetry Study for the reasons specified in Section 4 of the RSP. RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation and a two-year Angler Creel Survey.
8	Flow Study for Aquatic Habitat Evaluation/ Brown Trout and Rainbow Trout Telemetry	We think that it is especially important that the Minimum Flow Analysis and the Telemetry Study be conducted together to adequately assess the impact of the low flows on trout and other fish species in the project area, and determine future flow prescriptions to replace those currently in place that are harmful to aquatic habitat.	RFH is proposing to conduct a flow study as part of the aquatic habitat evaluation. See previous comment response and Section 4 of the RSP.

No	Study/Topic	Comment	Response to Comment
9	Brown Trout and Rainbow Trout Telemetry	The Brown Trout and Rainbow Trout Telemetry Study is appropriate. PAD describes brown trout habitat: “Brown Trout prefer medium-to-large streams with swift riffles and large, deep pools” and the project floods over 400 acres of this type of habitat. The effects of project operation are unknown and need to be determined. Telemetry is the best science available to make that determination.	See previous comment response (#7) and Section 4 of the RSP.
10	Fisheries	In TUs comment letter, TU stated that the Maine Department of Marine Resources will be submitting a request for studies pertaining to American eel passage. TU had previously requested that American eels be included with the Brown Trout and Rainbow Trout Telemetry Study, but this request was ignored in the PSP. Currently, the lowest dam in the Androscoggin Watershed, Brookfield’s Brunswick Project, provides no eel passage. Up for relicensing in 2029, eel passage at Brunswick will allow more American eels to access the watershed.	<p>All comments received have been reviewed and evaluated as described in the PSP and RSP. The Maine Department of Marine Resources attended the PSP Meeting, no comments were filed by the agency on the PSP or the PAD. As described in the PAD, existing documentation suggests that Rumford Falls was the historical upstream extent for the American eel. Records for eel presence upstream of the Project are limited to a single anecdotal record from a tributary pond. Based on limited observations of American eels in the Project area, densities of that species are expected to be very low downstream of the dam.</p> <p>In comments on the PAD in a letter dated January 28, 2020, MDIFW noted the following:</p> <p><i>“Although relatively rare, a review of our regional records indicate that American eel have been documented above the Town of Auburn in several waters including: East Branch of the Nezinscot River, South Pond in Buckfield, Bunganut Pond in Hartford, and Canton Lake in Canton. This data certainly suggest American eel can reach the base of Rumford Falls. More interestingly, our records suggest Gerald Cooper reported the presence of American eel in South, Round, and North Ponds in Greenwood in the 1940’s. If true, this would place them above Rumford Falls.</i></p> <p><i>The Yoder data on the upper Androscoggin River provides a good sense of species presence but lacks the more recent presence of the very invasive Rock Bass. MDIFW has observed or received reports of this species from Gilead to Brunswick.”</i></p>
River Valley Healthy Communities Coalition – June 2, 2020			
1	Recreation	...it would be a huge benefit to the community to have trail access once again around the falls. It would be great for citizens to be able to access the property on the north side of the river which has amazing views of the falls and reflection pool.	As indicated in the RSP, the Rumford Falls Trail is included in Recreation Study.
Federal Energy Regulatory Commission – June 2, 2020			
1	Aesthetic Flows	Request to conduct an Aesthetic Flow Study	As indicated in the RSP, RFH is proposing to conduct an Aesthetic Flow Study, which is consistent with the requests made by FERC, and will allow RFH to gather information on the existing aesthetic character and potential aesthetic flow viewing opportunities of Rumford Falls.
Maine State Senate, District 18 – June 2, 2020			
1	Recreation	<p>Despite this long history of public access and use, the Falls Hill Trail and ‘West Viewing Area’ has never been included in the FERC licensing as a recreational asset of the project...Public interest in the trail and viewing area has greatly increased.</p> <p>The recreational areas situated at Brookfield dam could be a real asset to the River Valley area, positively impacting the area’s attractiveness, and the community’s health and wellbeing.</p>	Access to a portion of the Rumford Falls Trail and the West Viewing Area have been discontinued due to RFH’s concern regarding public safety and security. As indicated in the RSP, these recreation sites are included in the Recreation Study.

No	Study/Topic	Comment	Response to Comment
2	Recreation	It is in the public interest of the citizens of the greater River Valley area that a formal recreation plan be created by Brookfield, and attached to the license in perpetuity to ensure that access to these resources is not compromised in the future.	RFH is proposing to develop a recreation plan in support of the relicensing of the Project. The Recreation Study will be conducted in 2021 and will provide information that is useful for development of a recreation plan.
3	Fisheries	I support the study requests of the Town of Rumford and those of the Maine Department of Inland Fisheries and Wildlife with regards to fisheries studies. It is critically important to preserve our existing resources and work together to ensure that access to the Maine outdoors, and its unique settings, is readily available.	Respectfully, RFH is not proposing the Brown Trout and Rainbow Trout Telemetry Study for the reasons specified in Section 4 of the RSP. RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation, a two-year Angler Creel Survey, and an Impoundment Bass Spawning Survey.
Town of Rumford – June 5, 2020			
1	Recreation	Request to conduct a Comprehensive Recreation Study	The Recreation Study Plan has been revised to include recommendations by FERC as well as other stakeholders.
2	Whitewater Rafting	Request to conduct a Whitewater Rafting Study	Respectfully, RFH is not proposing to conduct the Whitewater Rafting Study for the reasons specified in Section 4 of the RSP.
3	Aesthetics (General)	With specific regards to improvements in fencing, landscaping, cleaning and painting of buildings or doors and general upkeep the Town would welcome a plan proposal from Rumford Hydro that addresses these issues. The potential construction of a new clinic for the United States Department of Veterans Affairs at 1 Railroad Street has brought additional significance and importance to the aesthetic aspects of the Middle Canal in and around the Canal Bridge at Hartford Street. Replacement of chain link fencing throughout all areas of the entire project is requested along with improved upkeep and appearance of facilities.	These comments are not specifically related to a study. While not necessarily agreeing with these characterizations and comments, RFH will consider these remarks independent of the licensing process.
EnvisionRumford – June 8, 2020			
1	Recreation	The Falls Trail and the Viewing Area are important to the citizens of the Town of Rumford and having these historically accessible recreational areas removed from the inventory of assets of outdoor recreation has been devastating to citizens and visitors alike. Our volunteer organization strongly supports re-opening these areas to the public again and hope that FERC will provide further encouragement to Brookfield to re-open them.	As indicated in the RSP, the Rumford Falls Trail and West Viewing Area are included in the Recreation Study.
Nurture Through Nature – June 8, 2020			
1	Recreation	Having accessible open green spaces in our town is valuable for the local citizens' sense of place and pride as well as their health and wellbeing. The dam owners ought to find a way to make the trails and parks open, safe and accessible for the communities they are tapping into for resources.	As indicated in the RSP, the Rumford Falls Trail, Veteran's Park, and other recreational features are included in the Recreation Study.
2	Recreation	Having safe, well-maintained and marked/mapped portage trails around the dams is the right thing to do in sharing the river with the community. Having the portage trail be the shortest possible length makes the river trail for accessible and user-friendly for the through paddler. I feel this river offers a significant opportunity as a paddling river trail, for canoers, kayakers, white water enthusiasts and anglers, alike. Bringing greater signage, mapping, portage and access points to the river opens up a whole world for the economic development to the towns in which the river travels through, especially in the Rumford Falls area around the Island, canal and business district of Rumford as a White Water paddlers' destination.	The Recreation Study will inventory and assess recreation sites within the Project area, as specified in the RSP.

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No	Study/Topic	Comment	Response to Comment
Mahoosuc Pathways – June 8, 2020			
1	Recreation	Residents and municipal employees have told us for years that they are interested in the Reopening the multiuse trail along the east side of the falls and river. Reopening this trail will provide safe and direct access from downtown to the Virginia neighborhood just above the falls.	As indicated in the RSP, the Rumford Falls Trail is included in the Recreation Study.
2	Recreation	Residents and municipal employees are interested in... Access to the property on the north side of the river with views of important architectural features, the island historic district, the falls themselves, and the reflection pool. Now more than ever before people need places to reflect and unwind safely and utilize recreation as recovery.	The Recreation Study will inventory and assess recreation sites within the Project area, as specified in the RSP. As indicated in the RSP, RFH is proposing to conduct an Aesthetic Flow Study, which will allow RFH to gather information on the existing aesthetic character and potential aesthetic flow viewing opportunities of Rumford Falls.
3	Recreation	Residents and municipal employees are interested in... Completing a broad recreational study that encompasses all potential users with respect to the Rumford facility.	The Recreation Study Plan has been revised to include recommendations by FERC as well as other stakeholders.
4	Fisheries	Residents and municipal employees are interested in... A study by Brookfield of the Androscoggin River fishery.	As indicated in the RSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation, a two-year Angler Creel Survey, and an Impoundment Bass Spawning Survey.
Maine Department of Environmental Protection – June 8, 2020			
1	Water Quality (Impoundment Trophic State)	The Trophic State Study initial data collection must occur twice monthly for five consecutive months during the open water season and must be collected from the deepest location within each of the two impoundments.	RFH will conduct the trophic sampling at the deepest location within the two impoundments outside of existing safety barriers. For safety reasons, sampling will need to occur outside of the boat buoys located upstream of the Upper Dam.
2	Water Quality (Impoundment Aquatic Habitat)	In its Study Request included with the PAD, the Department indicated that the impoundment aquatic habitat study will not be required if the Project operates in Run-of-River operational mode and the Applicant submits at least three years of impoundment elevation and inflow/outflow data for the Rumford Falls Project The Applicant included in its PSP a table showing the requested impoundment elevation and inflow/outflow data, however the Department requests here that the raw data be submitted as well, for Department analysis.	RFH provided the Maine Department of Environmental Protection (MDEP) with an excel spreadsheet containing three years of water surface elevation data for the Upper Dam impoundment and flow data. As of June 11, 2020, MDEP review of that data was underway. RFH is not planning an Upper Impoundment Aquatic Habitat Study as part of the 2020 study season.
Maine Department of Inland Fisheries and Wildlife – June 8, 2020			
1	Impoundment Bass Spawning	On page 2-2 of the PSP, the Licensee responded to MDIFW’s request for five years of impoundment drawdown data in excess of 1-foot. MDIFW thanks RFH for supplying that information. The intent of that request was to assess seasonality and frequency of drawdowns for emergency or maintenance purposes to determine if drawdowns were occurring during the bass spawning season (generally 5/15-6/30 depending on bass species and geographic location). Impoundment drawdowns during this critical life history stage can result in year class failures for these and other species. Based on the five years of data, one drawdown (June 17, 2017) occurred during the bass spawning season for flashboard maintenance.	As indicated in the RSP, RFH is proposing to conduct an Impoundment Bass Spawning Survey to collect data related to the MDIFW concerns of Project operational drawdowns during the spawning window (May 15-June 30) for bass in the Upper Impoundment. This study plan can be found in Appendix H of the RSP.
2	Impoundment Bass Spawning	On May 31, 2020, MDIFW was contacted by RFH via e-mail regarding a drawdown request for flashboard repairs...RFH indicated a willingness to explore bass spawning times in the impoundment(s), as well as to collect other data including nest depth, nest locations, and water temperature. This “extra” informal study may benefit the bass fishery resource, and the Licensee as well as it may allow the broad spawning window to be further refined and narrowed to allow more timing flexibility for future drawdowns. We recommend the Licensee formalize this study by adding it to the revised PSP.	See previous comment response.
3	Brown and Rainbow Trout Telemetry	...MDIFW and the State of Maine have a relatively large investment in stocking the impoundment with 3,000 fish annually. The behavior of these trout and their returns to the angler are an important part of managing this fishery, and Project operations may be impacting their survival. For example, the diversion of most of the flows through the canal and into the powerhouse turbines with 3-inch bar grating could result in significant mortalities to stocked trout if they tend to migrate downstream post-stocking, which has been documented in several research papers.	RFH has included additional discussion that there is a lack of nexus between the Project and suspected movements of hatchery-reared trout stocked for the purposes of a put-and-take fishery. Please see Section 4 of the RSP.

No	Study/Topic	Comment	Response to Comment
4	Brown and Rainbow Trout Telemetry	In addition to the impoundment stockings, the tailrace is stocked with 1,850 trout annually-another significant investment in the local fishery resources. The lack of suitable flows and warm water temperatures in the bypass reach likely prevents trout from utilizing that very fishable area. In addition, stocked trout may be attracted towards the powerhouse outflow where there is little to no angler accessibility.	Please see response to preceding comment.
5	Brown and Rainbow Trout Telemetry	...under Maine Department of Environmental Protection water quality standards angling is a designated use of the resource, and as noted above Project operations are likely having some level of impact on the fishery. The telemetry study would help to answer these questions, as well as, other additional behavioral information that may lead to fishery management changes that would benefit the fishery resource and angler opportunities.	Please see responses to preceding comments related to this study request (#3 and #4). RFH has committed to assessing the potential impacts of Project operations on angling as part of the proposed creel and recreational use surveys. Detailed study plans for those two surveys can be found in Appendix D and E of the RSP, respectively. Additionally, RFH is conducting a Water Quality Study consistent with the MDEP methodology to evaluate if the Project meets Maine's water quality standards.
6	Brown and Rainbow Trout Telemetry	The above interpretation/suggestion was not MDIFW's intent and was partially due to an internal wordsmithing oversight. While the trout fishery <i>did</i> decline around 2005 in the upper river, it was <i>not</i> likely due to Project operations. However, it may have also occurred in the Rumford reach, too. Regardless, the possible Project impacts from operations noted above remain, and a telemetry study may shed some insight into Project impacts.	There is no evidence provided to suggest that the trout fishery declined in the Rumford reach, and the seasonal pattern of Project discharges has not changed during the current license period since 1994. Further, as noted in the RSP, in the Centralia decision (City of Centralia v. FERC, 213 F.3d 742, 749 (D.C Cir., 2000)), the Court of Appeals held that while "FERC is certainly empowered to require an applicant to conduct a study when there is some evidence of a problem and a study is necessary to determine the extent of the harm," an applicant does not have "a duty to determine if a problem exists."
7	Brown and Rainbow Trout Telemetry	If trout behavior(s) are problematic then the resource agencies and RFH can work towards viable solutions such as smaller bar grating, reduction in attraction flows towards the canal during certain times, stocking changes (i.e. timing, location, fish size); bypass flow improvements, and the development of better angler access.	Please see response to the initial comment related to the requested Brown and Rainbow Trout Telemetry.
8	Flow Study for Aquatic Habitat Evaluation	RFH frequently cites the lack of rearing, spawning habitat, and an inability to produce healthy and stable resident fisheries. While the habitat does have its limitations, with appropriate minimum flows, stocking, and angler access the bypass has some potential to produce a very valuable fishery asset for the local area. In addition, spawning and rearing habitat within the mainstem bypass reach is irrelevant. The Androscoggin River has numerous cold-water tributaries that support spawning and rearing habitats, and successful spawning/rearing has been documented in these tributaries by MDIFW.	In response to comments on the PSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation.
9	Flow Study for Aquatic Habitat Evaluation	As part of this licensing process, improved access conditions should be more thoroughly explored and developed	RFH will be conducting a Recreation Study which will include a stakeholder focus group discussion of existing and future recreational opportunities in the Project area.
10	Flow Study for Aquatic Habitat Evaluation	MDIFW agrees a flow analysis for fisheries would not be meaningful in the uppermost pool (Area 1). This was an error: it was our intention to only request such a study from Lower Dam downstream to the confluence with the Lower Station tailrace, with primary areas for transect analysis to be Sections 2 and 3 of the image below.	As indicated in the RSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation.
11	Aesthetic Flows	MDIFW does support the Aesthetic Flow Study requested by FERC	As indicated in the RSP, RFH is proposing to conduct an Aesthetic Flow Study, which will allow RFH to gather information on the existing aesthetic character and potential aesthetic flow viewing opportunities of Rumford Falls.
12	General/Fisheries	MDIFW contends that some minimum flows over the Upper Falls would likely benefit American Eel and provide an alternative and potentially safer flow path for downstream drift of biota including fish.	Per the license, RFH provides a minimum flow of 1 cubic feet per second (cfs) from the Upper Dam into the bypass reach. As described in the PAD, existing documentation suggests that Rumford Falls was the historical upstream extent for the American eel. Records for eel presence upstream of the Project are limited to a single anecdotal record

No	Study/Topic	Comment	Response to Comment
			<p>from a tributary pond. Based on limited observations of American eels in the Project area, densities of that species are expected to be very low downstream of the dam.</p> <p>In comments on the PAD in a letter dated January 28, 2020, MDIFW noted the following:</p> <p><i>“Although relatively rare, a review of our regional records indicate that American eel have been documented above the Town of Auburn in several waters including: East Branch of the Nezinscot River, South Pond in Buckfield, Bunganut Pond in Hartford, and Canton Lake in Canton. This data certainly suggest American eel can reach the base of Rumford Falls. More interestingly, our records suggest Gerald Cooper reported the presence of American eel in South, Round, and North Ponds in Greenwood in the 1940’s. If true, this would place them above Rumford Falls.</i></p> <p><i>The Yoder data on the upper Androscoggin River provides a good sense of species presence but lacks the more recent presence of the very invasive Rock Bass. MDIFW has observed or received reports of this species from Gilead to Brunswick.”</i></p>
13	Flow Study for Aquatic Habitat Evaluation	MDIFW concurs that Area 3 has the best potential; however, Area 1 and Area 2 have some fishery potential with stocking and acceptable access. Areas 2 and 3 should be assessed for minimum flows, and MDIFW calculates the length of these areas to be approximately 1,244 feet and approximately 1,108 feet, respectively. MDIFW is unclear how the 350 feet length was derived. In addition, the 11% by length appears to be misleading. MDIFW measured the entire bypass reach to be approximately 5,053 feet, and the reach from Lower Dam to the tailrace to be approximately 3,213 feet. MDIFW is asking for an assessment from Lower Dam downstream to the tailrace, which would equate to approximately 73% of the potential habitat (Areas 2 and 3) by length, or 34% if only including Area 3.	As indicated in the RSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation.
14	Flow Study for Aquatic Habitat Evaluation	...MDIFW is asking RFH to conduct various incremental flows (i.e. 20 cfs, 40 cfs, 60 cfs, 80 cfs, etc.—actual increments to be determined) and that transects be quantitatively assessed with the same transect data requested by the Maine Department of Environmental Protection’s (MDEP) request for an Aquatic Habitat Cross-Section Flow Study. The only addition would be the need for HSI analyses for adult trout and Smallmouth Bass. MDIFW would also like to be present during the incremental flows to do some qualitative analysis and to evaluate angler wade-ability/safety at various flows. MDIFW believes that this request dovetails very nicely with MDEP’s Aquatic Habitat-Cross Section Flow Study and FERC’s Aesthetic Flow Study, with very limited additional effort by RFH. In addition, MDIFW recommends this approach over RFH’s HECWRAS modification to MDEP’s request.	As indicated in the RSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation.
15	Flow Study for Aquatic Habitat Evaluation	MDIFW contends the current minimum flows are extremely low given the aesthetics, physical character, length, area, biota, and fisheries potential of the bypass reach, and that a valid assessment is necessary for improvement.	As indicated in the RSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation.
16	Angler Creel	This date will need to be changed to 2021 and should include at least one additional year of data collection due to high year-to-year variability noted with other Maine Angler Creel Surveys on other river systems.	Per the request from MDIFW, RFH has updated the RSP to include the change in year one of the creel survey from 2020 to 2021. A second year of study will occur in 2022.

No	Study/Topic	Comment	Response to Comment
17	Angler Creel	RFH and MDIFW have had discussions about partnering on the Creel Survey, and there are still many details to work out... If these details cannot be worked through, then RFH would be required to handle the entire study.	RFH has updated the Angler Creel Survey (Appendix D) to reflect requests for additional detail from FERC and other resource agencies. RFH is prepared to continue to look for ways to collaborate with MDIFW on the angler surveys. In the event MDIFW is logistically unable to participate, RFH will conduct the Angler Creel Survey as described in the RSP.
18	Angler Creel	Under the proposed partnering, RFH would supply significantly less funding (30-40%) than the projected \$61,000 cost in the PSP. RFH has asked MDIFW to train staff, manage staff including payroll, and to enter/analyze/report on the data. It should be noted that MDIFW believes a similar partnering and the savings realized by RFH for the Angler Creel Survey could likely cover the cost of the telemetry study mentioned above.	The study value presented in the PSP represents a preliminary cost estimate to RFH in the event it is required to seek an outside consultant to perform the study.
19	Recreation	...additional access to the impoundment and the bypass reaches should be fully explored as part of the licensing process. Conversations with local anglers and people from the Town indicate that a fair amount of shore angling occurs in the canals and bypass areas. MDIFW believes there should be better access provisions for these areas, even it that includes improved accessibility measures such as stairways and/or safety railings. For example, the west shore above the lowermost tailrace provides an excellent angling opportunity, but current access provisions and low flows discourage angler use. At least two other areas of the bypass might provide beneficial angling opportunities with some revised stocking locations that MDIFW would be willing to explore and discuss with the Town and RFH.	As indicated in the RSP, RFH is proposing to conduct a two-year Angler Creel Survey to obtain information on the status of the recreational fishery in the Project area, including the Middle Dam bypass reach.
20	Recreation	...the distance between the upstream launch and the boater barrier is approximately 1.9 miles. As many users float the river with nonmotorized watercraft from launch to launch, a new carry-in launch should be explored in the area just upstream of the boater barrier. We suggest that the best way to explore new access opportunities would be for RFH, the Town, MDIFW, and other interested parties to meet on-site. A field visit, discussions, and visual observations of site characteristics are critical as this area does have some challenging terrain and legitimate safety issues in some locations.	The Recreation Study will inventory and assess recreation sites within the Project area. The Recreation Study Plan has been revised to include a site visit and focus group discussion with stakeholders to discuss existing and future recreational opportunities. RFH also points to Figure 1 in Appendix E of the RSP and the numerous existing boat launches on the Androscoggin River upstream and downstream of the Project. These boat launches will be included in the Recreation Study.
21	Recreation	use should be assessed at all of the sites denoted in Figure 1 on Page D-3	RFH has revised the Recreation Study Plan to include all sites identified in Figure 1 in the PSP as well as additional sites that were identified by stakeholder comments on the PSP. As noted above, these Project and non-Project recreation sites provide significant recreation opportunities for the community.
22	Recreation	Figure 1 should be modified to: (1) include the informal access site to the Logans off South Rumford Road; (2) the trailered launch just downstream of the Swift River off Riverside Avenue; and (3) launch site on Figure 1 between Hastings Boat Launch and Wheeler Island should be labeled.	RFH has included these sites (i.e., Logan Brook Access, MDACF Boat Launch in Mexico, and the MDACF Boat Launch in Rumford) in the recreation facilities map in the Recreation Study Plan in the RSP.
23	Recreation	The assessment schedule should be extended until at least the end of October to account for likely additional use in early fall related to fall stockings and fall foliage.	As indicated in the PSP and RSP, the Angler Creel Survey will occur from April-November in 2021 and 2022.
Maine Department of Agriculture, Conservation & Forestry – June 8, 2020			
1	Recreation	The Bureau supports the requests of the Commission, dated May 8, 2020, for a more detailed study plan and more robust data collection methodology. In particular, collecting data through focus groups or interviews, and to include all recreation sites in the project vicinity, not just those owned/operated by RFH, are necessary to acquire adequate data for assessing recreation needs.	The Recreation Study Plan has been revised to include a site visit and focus group discussion with stakeholders to discuss existing and future recreational opportunities. RFH will inventory, assess, and conduct user observations at recreation sites as identified in the Recreation Study Plan in the RSP. RFH also looks forward to further understanding what current activities are underway supporting recreation in the community by the interested parties including NGOs, town government, and local business owners who have expressed an interest in recreation.

No	Study/Topic	Comment	Response to Comment
2	Recreation	...the inventory portion of the study should include all lands associated with the Project waters (including lands presently owned by RFH and lands it does not own) to identify areas needed for project purposes, including existing and potential public recreation and access sites, and areas needed for scenic protections.	See previous comment response (#1).
3	Recreation	...the assessment portion of the study should incorporate the scenic and aesthetic values associated with each site, particularly as regards Rumford Falls	The recreation facility inventory and assessment will address some elements of scenic/aesthetic values; however, RFH is proposing to conduct an Aesthetic Flow Study, which will allow RFH to gather information on the existing aesthetic character and potential aesthetic flow viewing opportunities of Rumford Falls.
4	Recreation	...the results of the study should inform an evaluation by FERC as to whether the Project boundary should be expanded to include all of the now-closed Rumford Falls Trail, only part of which is on lands owned by RFH and only part of which is currently within the Project boundary, and potentially other recreation facilities	As indicated in the RSP, the Recreation Study will include an assessment of where recreation sites are located in relation to the Project boundary. Any modification of the Project boundary (reduction or expansion) would be based on FERC's applicable regulations and guidance.
5	Recreation	The Bureau also wishes to go on record as supporting the requests made by IF&W in their comments on the Pre-Application Document (PAD), dated January 28, 2020, to consider various put-in and take-out relationships among the access sites above and below the dam areas, including necessary portage trail(s), in the Recreation Study.	The Recreation Study will inventory and assess recreation sites within the Project area, as specified in the RSP, and as noted above, will help to exhibit the numerous existing boat launches on the Androscoggin River upstream and downstream of the Project. These boat launches will be included in the Recreation Study.
6	Recreation	...supports the requests made by the Town of Rumford, and supported by Trout Unlimited, for a comprehensive recreational plan to be part of the conditions of relicensing. This would include the parks, paths, viewing opportunities and aesthetics, whitewater opportunities, fishing, and other potential recreational uses of the Rumford Falls Project vicinity. The Recreation Study should be conducted with the objective to fully inform such a comprehensive recreation plan.	As indicated in the RSP, RFH is proposing to develop a recreation plan during the relicensing of the Project. The Recreation Study will be conducted in 2021 and will provide information that is useful for development of a recreation plan.
Maine Rivers – June 5, 2020			
1	Recreation	We are strongly in favor of requiring the application to complete a full recreational study. We understand that the Town of Rumford is requesting a comprehensive recreational plan to be completed to include trails and pathways, viewing opportunities and aesthetics, whitewater opportunities, fishing, and as well as other possible recreational uses of the Rumford Falls vicinity. We fully support this request.	The Recreation Study Plan has been revised to include recommendations by FERC as well as other stakeholders. As indicated in the RSP, RFH is proposing to develop a recreation plan during the relicensing of the Project. The Recreation Study will be conducted in 2021 and will provide information that is useful for development of a recreation plan.
2	Recreation	We are aware of reports that travelling by canoe through the area is extremely challenging because of poorly maintained and inadequate trails, and poor signage for portaging around the project area. We believe that these problems need to be addressed.	The Recreation Study will inventory and assess recreation sites within the Project area, as specified in the RSP.
3	Flow Study for Aquatic Habitat Evaluation	We firmly support the request made by Maine Inland Fisheries and Wildlife for a Minimum Flow Analysis to determine recommended minimum flows, specifically in the reach from Middle Dam downstream to the confluence with the Lower Station tailrace. We see the value in ensure that any agreed upon minimum flow releases meet inland fisheries needs and assure attainment of water quality standards; to support the future health of this important community resource. We understand that this work will evaluate how various minimum flows influence the fishable aquatic habitat lotic and lentic reaches of the Androscoggin River. This minimum flow analysis should also address recreational interests.	As indicated in the RSP, RFH is proposing to conduct a Flow Study for Aquatic Habitat Evaluation.

Comments provided by the non-agency and non-NGO relicensing participants

The following table provides a summary of the 43 comment letters provided by the non-agency and non-NGO relicensing participants. The full comment letters are presented in Appendix A to this RSP. This table has been created to ensure that each comment has been thoroughly reviewed and considered. Of importance, is that the purpose for providing PSP comments at this stage of the relicensing proceeding is to provide comments regarding the studies to be performed and the methodologies to be implemented in support of developing the RSP. Many of the comments presented in the following table are more general in nature (e.g., related to the Project or measures to be addressed in the Project's new license), as compared to comments specific to the studies to be performed or the study methodologies. In addition, given the overlap between the study-related comments presented in the following table and similar comments provided by agencies and NGOs, the reader is directed to the table above for information regarding comments related to the Recreation Study, the Aesthetic Flow Study, fish and habitat-related studies, and the requested Whitewater Flow Study.

As noted in Section 2 of the RSP, the majority of the comments from the public were focused on recreation in and around the Project area, including the reopening of the Rumford Falls Trail and the West Viewing Area¹¹. Additional recreational aspects referenced in the comment letters included the aesthetic attributes of Rumford Falls, improving fishing opportunities within the Project area, potential paddling/whitewater opportunities in the Middle Dam bypass reach, canoe portage, and general aesthetic enhancements to Project facilities. A number of the recreation-focused comment letters requested a recreation study or provided requests related to the implementation of the study (including use of social media, electronic surveys, and a focus group). Commenters also requested the development of a recreation plan. Some stakeholders also supported the studies requested by the MDEP and MDIFW, and indicated that a study should be conducted regarding fisheries habitat, flow, economic, and cultural (archaeological and historic architectural) resources.

As noted in Section 3 of the RSP, based on the comments received, RFH is proposing seven studies, of which a Water Quality Study and Recreation Study were proposed in the PAD in September 2019. The

¹¹ While the Rumford Falls is visible from the visitor center and other areas in town, historical viewing areas have been limited due to public safety concerns associated with the Rumford Falls Trail, as well as public safety and security concerns near the powerhouse at the West Viewing Area.

Recreation Study was proposed based on the initial interest expressed by the MDIFW and the Town of Rumford in its response to the PAD Questionnaire. Based on the study requests and comments on the PAD, two additional studies, the Angler Creel Survey and Historic Architectural Study, were included in the PSP. Based on additional study requests and comments on the PSP, a Flow Study for Aquatic Habitat Evaluation, an Aesthetic Flow Study, and an Impoundment Bass Spawning Study have been added and included in the RSP. Further, RFH has expanded the Recreation Survey and approach and has committed to developing a recreation management plan.

As noted, please refer to the RSP and responses in the previous table for additional detail on these topics.

Comment/Response Matrix

No	Sender, Sender Organization Date of Letter	Comment
1	Jenna Ginsberg, Town of Rumford Resident April 13, 2020	Brookfield is shirking their responsibilities to maintain recreational opportunities around their dam in Rumford. They should be required to immediately meet the previous operating lease requirements and only be provided a renewal if penalties are implemented for not maintaining the required recreational opportunities including the walking trail and picnic area.
2	Karen Wilson, Town of Rumford Resident April 13, 2020	<p>As many of you know, Brookfield closed the walking trail on the southern side of the river, when that had been a mainstay in the community for years. Brookfield made the decision to close the trail, saying it was no longer safe, but refused to maintain the trail for safety using their own money. ...</p> <p>The opening of this trail is crucial for the citizens of our town for recreation, and the draw of tourists to see Rumford Falls, one of the largest waterfalls in the east. FERC requires hydro projects to create recreational plans around dams so citizens can utilize the property and the public benefits from the commercial hydro operation. Currently Brookfield is not following the past license plan, and there are concerns they do not see the trail as important for the town and their relicensing plan. ...</p> <p>In addition to the trail, citizens used to be able to access the property on the north side of the river which has amazing architecture and views of the falls and the reflection pool. This was a picnic area and a place to relax and walk near the river. This access has also been closed by Brookfield, and should be open to the public.</p> <p>The Androscoggin is not the river it used to be. It is cleaner and very beautiful. It is becoming a place to boat and fish. There is rumor that huge trout live in the reflection pool, and Maine Fish and Wildlife is considering how to improve the fishery. Brookfield is reluctant to do the fishery studies Maine Fish and Wildlife requests, and they need to be required to do so.</p>

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No	Sender, Sender Organization Date of Letter	Comment
3	John Preble, Town of Rumford Resident April 15, 2020	<p>...Fisheries Study Plan</p> <p>a. Habitat studies are needed for the upper pool, canal, lower pool, upper dam impoundments and middle dam discharge drainage to determine viability for stocking of fish to enhance and provide for reliable fishery within and near the project boundaries. Applicant is reluctant to perform such studies.</p> <p>Recreation Study Plan:</p> <p>a. Applicant proposes a usage survey. This is totally inadequate as nearly all recreational usage areas have been closed and posted for no trespassing. This situation demonstrates the applicants lack of attention and disregard of the community that surrounds the project. The applicant has repeatedly been requested to open the trail on the eastern shoreline and refuses to do so. Applicant has hidden behind stated safety, liability and maintenance concerns and is unwilling to make any expenditure to remediate.</p> <p>b. An independently run citizens focal group study should be undertaken at the expense of the applicant to determine appropriate access, usage, locations, and operational maintenance requirements. The focus group should consist of community leaders, recreational managers & organizations, civic organizations, and individual citizens users. The application should be mandated to comply with reasonable request from the focal group or license denied.</p> <p>Water Flow Study:</p> <p>a. Applicant has suggested that no study is necessary and that historical license approvals should be renewed. Current license allows for minimum flow over the upper dam to be 1CFS and middle dam to be 20 CFS. Again this proposal from the applicant demonstrates a total disregard of impact to the community and the public at large. There is no fish way on the applicants dam and during long periods each</p>

Comment/Response Matrix

No	Sender, Sender Organization Date of Letter	Comment
		<p>year there is little or no water flow over the upper dam and limited flow below middle dam.</p> <p>b. Fish migrating from above the upper Dam during summer month have no means in which to gain access to a natural flowage channel. Fish subsequently migrate downstream are forced thru the turbines (they are pulverized)— no further explanation needed. Flows below middle dam could be reduced to levels that would be inadequate to maintain fishery sustainable habitat and water quality.</p> <p>c. Minimum flow levels should be accessed and approved that will provide natural flow migrate from above the upper dam to the lower pool and at the same time provide for sustainable habitat below middle dam. Further the flow below middle dam should be great enough so there is no odor emitted from the exposed river bed.</p>
4	Linda Pepin, Town of Rumford Resident April 18, 2020	<p>...There are prime walking trails/sidewalks in the vicinity with unique vistas of the falls, but these are currently closed to the public—apparently a Brookfield decision.</p> <p>...There is also a trail on the south side of the falls, although it is blocked off and not open to the public.... Opening that trail would make it possible for people to walk a complete circuit around the falls. As the country emerges from the pandemic and is looking to heal economically, it would speak very well for Brookfield to open access to this trail, which would put people on a path through woods, alongside the falls, and past Rumford's downtown. With a new hotel opening near the bottom of the falls, Brookfield would have a golden opportunity to be part of making this a pleasant tourist stop... and has the opportunity to enhance its community relations with informational signage along the trails that could inform passers-by of their mission and their contributions to the local area.</p> <p>I understand Brookfield has made the decision to deny access to the recreational trails because they want to limit their risk. However, the company risks its</p>

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Comment/Response Matrix

No	Sender, Sender Organization Date of Letter	Comment
		reputation in the community by continuing to resist reopening access to trails historically accessible to citizens. ...
5	John Preble, Town of Rumford Resident April 26, 2020	<p>Based on lack of substance of the Recreational Study Plan proposed by applicant I formally request that FERC formally conduct an Independent Recreational Study that in addition to a physical site usage survey that a Citizens Focus Workshop be conducted by FERC or an Independent Facilitator to be chosen by either FERC or Mahoosuc Pathways in conjunction with the Town of Rumford be contracted to conduct said workshop and report recommendations directly to FERC.</p> <p>The Focus group workshop is necessary as the applicant closed and posted no trespassing signs on a large areas of previously existing public recreational trails and access points.</p> <p>Furthermore, FERC is to require the applicant to pay for any and all reasonable expenses to pay the typical and reasonable fees of the independent facilitator and reasonable out of pocket expenses necessary to the conducting of such a citizen's workshop.</p>
6	John Bernard, Town of Rumford Resident May 9, 2020	<p>I am writing as a citizen of Rumford, Maine who is concerned about having recreational activities curtailed along the Androscoggin River, in particular the area near the Rumford Falls. This area is one of the most beautiful areas in the River Valley Area, if not the entire state of Maine... Brookfield owns and operates Rumford Falls Hydro, generating power from the tremendous power of the river at the Falls. My concern is that the local citizens and visitors will loose access to hiking and fishing opportunities in the area due to restrictions put in place and proposed by Brookfield.</p> <p>There is a walking trail along the river that offers a beautiful view of the Falls and surrounding area. Brookfield has closed this off to visitors. Below the Falls is what</p>

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		<p>is known as Reflection Pool, a favorite area for fishing from Boivin Park, which is adjacent to the river. This park has been developed by the town and is near the local information booth. This park offers great tremendous views of the Falls and has a memorial to the late Ed Muskie, a Rumford native and sponsor of the 1972 Clean Water Act. I fear that Brookfield will close access to this Park as well.</p> <p>As an avid fly fisherman and lifetime area resident, I am troubled by Brookfield's history of limiting fishing access around prime areas as witnessed with their reconstruction of Upper Dam at the outlet of Mooselookmeguntic Lake. Prime fishing areas below Upper Dam have now been fenced off, preventing access to areas that Brookfield promised to protect....</p> <p>I would welcome Brookfield a commitment to work with the Town of Rumford and the Maine Fish and Wildlife Department to ensure that recreational access will be given to citizens before any relicense is granted.</p>
7	<p>Glenn Gordon, Town of Rumford Resident May 10, 2020</p>	<p>...The Rumford Falls is one of the most beautiful natural resources we have in our region. There was a time when residents of the area had access to walking trails on both sides of the river. Access has been limited over the past several years and that has discouraged people from coming to the downtown area for recreation purposes. This affects businesses like mine which rely partially on attracting pedestrian traffic.</p> <p>Rumford Falls has tremendous scenic value which can contribute to the downtown economy if enough flow is maintained throughout the year. The falls are easily accessible as they are located running parallel to Route 2, which is the major route of east-west travel from the coast of Maine to the northern parts of Vermont and New Hampshire. Canadian tourists also come through the area. But tourists must have access for parking, walking trails and clear views of the Falls.</p>

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		<p>At this time, a 60 room hotel is under construction near the base of the Falls. Access to the Falls would make the local hotel an attractive place for a stay-over when traveling west-east across northern New England.</p> <p>Tourism related to sport-fishing, hiking, skiing, mountain biking, 4 wheeling and snowmobiling would all benefit from access to the Rumford Falls area.</p> <p>I am asking the Federal Energy Regulatory Commission to require that Brookfield Renewable Partners open access to the areas surrounding the Rumford Falls for recreation purposes that we have traditionally enjoyed in the area and to also give our area a necessary economic boost to support the tourist economy.</p>
8	Robert Stickney, Town of Rumford Resident May 10, 2020	<p>There is a public boat launch facility on the Androscoggin River in Rumford, Maine. It is located two miles upstream of Rumford Falls Hydro's hydroelectric plant, FERC project no. P-2333, on the north bank of the project's impoundment. Rumford Falls Hydro, LLC considers the boat launch to be part of its recreational plan even though the facility is owned and maintained by the Town of Rumford.</p> <p>The site is many years old. It is small and the boat ramp was poorly engineered when it was built. The ramp is oriented so that boats are unloaded in an upstream direction and are fighting the current. This makes for an unsafe and unsatisfactory boat launching situation. In addition, the parking lot is much too small to accommodate the number of boaters and anglers who would like to access the river on any given day.</p> <p>A group of energetic citizens are working with the Town to rebuild the facility to better serve the public's needs. Engineering plans have been drafted. Archaeology assessment has been performed. The major hurdle for the project going forward is</p>

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		<p>funding. This is only going to get worse as State and local revenue streams are strained due to the coronavirus pandemic.</p> <p>...I urge the FERC to consider requiring Rumford Falls Hydro to provide leadership and funding to make the boat launch a more accessible and safer site. This will allow the public to make better use of the resources of the Androscoggin River located in the Project boundary.</p>
9	<p>Vicki Broomhall Amoroso, Town of Rumford Resident May 10, 2020</p>	<p>I am writing to ask that you consider opening the park near the top of Falls Hill to the public. It would be a wonderful way to share the beauty of the Rumford Falls with the Residents of Rumford as well as the wider River Valley Community. A walking trail could be developed so visitors could walk from the Information Booth and/or our soon to be built Best Western to enjoy a wonderful view of the falls. The Falls are part of our town history and is beloved by those of us who live here as well as by visitors to the area. It would also be nice if the Falls were lit up at night as they look so beautiful when you do that occasionally.</p>
10	<p>Vickie Kuhl, Town of Rumford Resident May 10, 2020</p>	<p>You probably don't want to read a long discourse, so, please keep walking trails around to Falls for the public to use.</p>
11	<p>Sharon Wilbraham May 11, 2020</p>	<p>Take down the fences and give the community their park back.</p>
12	<p>Kristine Keeney May 12, 2020</p>	<p>...I am submitting this to urge FERC to require Brookfield/Rumford Falls Hydro LLC to open up access around the hydro project that existed for years before they bought the property that allow resident and visitors to a use a trail adjacent to the hydro dam to be able to enjoy the falls and the surrounding area. People in Rumford are very poor and have bad access to good food and exercise opportunities. ...If this trail access is restored, it would be connected to the downtown "Island" area and would be more accessible to people who live, work, and visit Rumford. This is critical to the citizens and economy of our area. This access used to exist, so there</p>

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		must be a way to restore the access in a safe way for everyone to enjoy and the company to be able to manage the operation of the dam. ...
13	Kristen Giberson May 13, 2020	<p>For many, many years the people of the River Valley and the many tourists who visited the little town of Rumford, Maine enjoyed the falls at the hydro dam from several locations. The falls are downright impressive and a glimpse of them often causes people that are just passing through to stop in town, often providing valuable income to the businesses near the falls. The view from the information booth area is excellent, but there used to be other ways to take in the views of the falls. When Brookfield took possession of the hydro dam they shut down much of the access to the river in the area. There is a beautiful overlook on the side of Falls Hill that is closed. There are hiking trails on the opposite side of the river that are closed. Brookfield is preventing residents and tourists alike from enjoying the river, the falls and all it has to offer. Brookfield should GIVE BACK access to these areas. Brookfield should also maintain an adequate flow over the falls, especially during peak tourist months in Maine. Rumford and the surrounding communities depend on the income that tourists generate in our area. The people who live in the area should be able to enjoy the river and the falls the way we had for so many years before Brookfield took ownership and closed it all down.</p>
14	Beverly Ann Soucy, Town of Rumford Resident May 13, 2020	<p>...There is no valid reason for this trail not to be reopened as this community has a long history of access to this particular trail system dating back for over a century, in being opened to the general public. It is a crucial scenic trail that winds up over the Falls and connects an entire trail system from the downtown area, and onto additional trails for four season recreation! It would be a very valuable resource for many future generations to come as it has always been for the preceding generations.</p> <p>I also feel that our community deserves to have our scenic view back on the Route Two side of Rumford Falls, as this too has always been a part of our community in the past. I truly believe that in keeping this area closed to the public that you are</p>

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		<p>hindering the growth of a community that has a very bright future with pending economic growth!</p> <p>Especially with the fact that at the base of the Falls a brand new hotel is being built and will be the future model to which all other Best Western Hotels will follow. It would not only make an entire area more viable as a wonderful resource for a destination spot with lodging, but would put Brookfield in a unique position to be widely recognized for their participation in helping to develop recognition for this module in supporting a scenic overlook along with a walking trail within distance. ...</p>
15	James Radmore May 14, 2020	In considering the application for Renewel please include language to open up the land on the east side of the falls for public use. I lived in that area for 38 years and always loved to use that trail to walk with my dogs. It was a shame when public access was denied. There really is no reason that the public should be denied use of that path and restricted from enjoying the beauty of the falls.
16	Dr. Richard Kent, Town of Rumford Resident May 16, 2020	Please re-open the Rumford Falls walking and fitness trail by the waterfall dam across from the power station. Brookfield Power put a fence up to block the walking trail in violation of the community recreation clause in their license. Such a change would be beneficial to our community and, perhaps, offer yet another attraction for visitors....
17	Seth Carey, Town of Rumford Resident May 16, 2020	<p>I would like to inform FERC that Brookfield does not deserve to have its license in Rumford, Maine renewed at this time under these disrespectful treatments of its citizens and our recreation. They have made every effort to thwart our recreation. The trail on the east side of the project that connects the South Rumford Rd to 108 by the canal was been illegally been closed. The gates were added by Brookfield to keep public out. This trail was open to the public until around 2015.</p> <p>The viewing area on the west side of the falls off of Falls Hill that has been closed to public access since Brookfield purchased the project within the past 10 years. This</p>

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		<p>was a spot you could view the falls and have picnics. This is one of the most beautiful trails in all of America and it was closed by this company in violation of their license. I have fished in the reflection pool across from the information booth and caught wild trout. This has been restricted now.</p> <p>I am also concerned about Brookfield fighting the citizens about a proposed zip line that will travel over the river (not over the waterfall) that Brookfield somehow has dominion over according to their license. This is an overreach and FERC should clawback them controlling downriver a mile away from their power dam....</p> <p>Also, above the falls there is a swimming area above the bridge of the south Rumford Road. There's a parking area and people can walk down to the river and swim. I am concerned about Brookfield limiting this area once they get their license.</p> <p>Lastly, I live in the neighborhood across from Brookfield. There are times in the summer and fall when their sirens go on incessantly for several minutes in the middle of the night every 15 minutes. I have had to call the police to make a noise complaint. They need to be more mindful of their neighbors. No one is swimming near the falls in the middle of the night in November. It's common sense.</p>
18	<p>Craig Zurhorst, Town of Rumford Resident</p> <p>May 18, 2020</p>	<p>I am writing to request that FERC and Brookfield Renewable Partners / Rumford Falls Hydro LLC, for the purposes of non-motorized recreational travel, grant open public access to the land east of, and adjacent to, the Androscoggin River, canal and basin and along the trail/access roadway/easement known locally and variously as the Rumford Falls Access Road, the Power Company Easement, the Rumford Falls Trail, and other names, which runs between Maine Route 108, east of the Rumford Canal, generally southward, and uphill, to its conclusion at South Rumford Road.</p>

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		<p>I am also requesting that FERC and Brookfield Renewable Partners / Rumford Falls Hydro LLC, grant open public access to the area on the west of the falls and basin, adjacent to US Route 2, for use as a park, a scenic overlook and for non-motorized recreation.</p> <p>...Locals and tourists alike have been frustrated at the lack of access to this beautiful overlook. ...This area was designed to be a public park and it would be the natural “crown” for the western shore of the Androscoggin River that already includes Rumford Public Library, Chisholm Park with its short River Walk Trail and Boivin Park with the Edmund Muskie memorial, the information booth and access to the basin.</p> <p>If these two distinct but related areas of the Rumford Falls Trail and the overlook and park were open to the public, they would each contribute significantly to the recreational assets and resources the town possesses and is actively developing. In turn, they would assist Rumford in attracting visitors and, perhaps, recruiting individuals, families and businesses to settle in our town and help bolster its economic revitalization. The potential value of these two areas to both recreational and economic development of Rumford truly can't be overstated.</p> <p>To facilitate and validate these requests, I recommend commissioning a more thorough and expanded recreational study than the one currently proposed, which I am concerned may not reveal and reflect the needs of the community and the opportunities available to the Town of Rumford.</p>
19	Peter Wright, Town of Rumford Resident May 19, 2020	<p>While this project is critical to the local economy on many different levels, I feel compelled to state that I believe it is the obligation of Rumford Falls Hydro to reopen the recreation trails in and around the falls and its adjacent property. Allowing Rumford Falls Hydro to profit from the use of a natural resource is</p>

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		<p>acceptable so long as the organization invests back in the community in a manner that will support the growth, vitality and over health of the citizens in the region. This responsibility and obligation has been overlooked for a number of years and it is time to change.</p> <p>There are countless clinical studies that undisputedly support access to outdoor recreation such as recreation trails improves the overall health of the surround community that has access to those areas. Rumford Falls Hydro has numerous recreation trails in and around the falls project that are extremely valuable to the advancement of health in the region. The 2018 Community Health Needs assessment (CHNA) has identified the needs for access to recreations trails. The Rumford region has spoken loudly and clearly that it has a desire to increase its activity and movement to improve health. Opening the trails would be of minimal investment and risk to Rumford Falls Hydro and yet would have an exponential positive health impacts. It is with these facts in mind that I as President of Rumford Hospital, Rumford Community Home and senior executive of Central Maine Healthcare respectfully request that this commission make the relicensing of Rumford Falls Hydro contingent of the reopening and unlimited access to these trails.</p>
20	Mia Purcell May 21, 2020	I am writing to express support for opening the trail on the south side of the Pennacook Falls in Rumford, known as the Falls Hill Trail, and making it safe for the public to enjoy it. This trail offers the best views of the falls, the Androscoggin River and Rumford's historic downtown. Opening the Falls Hill Trail to the public would create a loop for visitors and residents that would take them over two bridges, past the visitor center and veteran's park, and across the street from the entrance to Rumford's historic downtown and a new 60-room Best Western hotel, under construction across from the visitor center. It would also support improved health and wellness for walking, running and biking... The Falls are a unique feature and natural attraction in Rumford and western Maine as the highest falls east of Niagra

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		Falls. And, they figure prominently in Rumford's history as the inspiration for Hugh Chisholm to build a paper mill in Rumford which led to his founding the world's largest paper company, International Paper. I urge Brookfield to open the Falls Hill Trail to the public and include it in a recreational plan as part of relicensing the Rumford Falls Hydro Project so that area residents and visitors can enjoy viewing and recreating near the Androscoggin River and the Falls.
21	Curtis Rice, Town of Rumford Resident May 22, 2020	I write to beg that FERC require Brookfield to stop blocking access to the trails around the Rumford Falls. For at least 10 years prior to the fencing, I had enjoyed almost daily walks through this trail. When visitors came to visit us in Rumford, I would encourage them to join me on walks around this hidden gem. People who were sometimes dismissive of the Rumford area left with a different impression of the livability and beauty which surrounds us. ...
22	Shane Smith May 26, 2020	How can we simply lease away all rights to the crown jewel of Rumford, the Falls, without assuring our community has access to it? The next generation deserves to access the Falls as a resource for recreation-- picnics, fishing, walking, and biking. As we look to the future, and strive to create a positive environment to raise families in--while considering our economic reality--it's imperative that we utilize our natural resources to the best of our ability, as oppose to gating and blocking them off.
23	Anthony Mazza, Town of Rumford Resident May 26, 2020	I really enjoyed walking the trail on the backside of the falls in the past. It is a shame that it is all gated. It's a great mountain biking trail as well. Who likes biking down falls hill, no one!
24	Sarah Marshall, Town of Rumford Resident May 26, 2020	I feel very strongly that this land should be left to the public for access. If the land is leased to a company that will close access, the River Valley area will suffer a great loss of public access...
25	Dennis Blanchard May 27, 2020	The Rumford area needs all it's got going for it. Having no access to the falls area does not contribute to that.

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26	John and Laurie Soucy, Town of Rumford Residents May 28, 2020	<p>...The Androscoggin River has now been cleaned up and people fish, boat and kayak along the river in various places. It is a river people want to enjoy and recreate on.</p> <p>As you know, Rumford used to solely rely on paper making for its economy, but that has also changed. Now the mill is just one part of Rumford, and the economy of the area has declined. However, there is hope that the renewed beauty of the river and the recreational possibilities of the area will help the town prosper again. We need to leverage our natural assets to bring people here who want to recreate, but also want to live.</p> <p>One recreational asset was a walking trail I enjoyed using frequently in my youth, which Brookfield closed on the southern side of the river. This trail has been used in the community for years. People of all ages walked it to see the falls, kids from the high school biked it for fun, the high school physical education program used it for their bike safety unit, area citizens used it as a way to get to the commercial part of town while avoiding busy Route 2, fisherman used it to walk the river. Suddenly, a decision was made to close the trail, saying it was no longer safe. There was some indication of erosion, and also a large rock above the trail they were worried about. Understanding the concern, there were two local efforts made by Rumford Citizens to write grants to obtain the money to fix the safety issues on the trail, both proposals were denied. The grants were not successful because Brookfield had only obtained one cost estimate for repairs, and Federal grants require several cost estimates.</p> <p>The opening of this trail is crucial for the citizens of our town for recreation, and the draw of tourists to see Rumford Falls, one of the largest waterfalls in the east. I understand, FERC requires hydro projects to create recreational plans around dams so citizens can utilize the property and the public benefits from the commercial</p>

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		<p>hydro operation. Currently Brookfield is not following the past license plan, and there are many concerned citizens, myself included, that worry Brookfield does not see the trail as important for the town and their relicensing plan.</p> <p>As a citizen, I would like to see Brookfield put out a digital survey to town residents. The survey can be distributed through social media, and should include questions about the trail and how it was used before it was closed. There should also be survey questions about how the trail could be used in the future to benefit the town.</p> <p>In addition to the trail, citizens used to be able to access the property on the north side of the river which has amazing architecture and views of the falls and the reflection pool. This was a picnic area and a place to relax and walk near the river. This access has also been closed by Brookfield, and should be open to the public. ...</p> <p>The Androscoggin is not the river it used to be. It is cleaner and very beautiful. It is becoming a popular place to boat and fish. There is rumor that huge trout live in the reflection pool, and Maine Fish and Wildlife is considering how to improve the fishery. Maine residents, and those visiting love to fish, and fishing would help boost the economy of the area and improve life for people who live here. This should always be part of the recreation plan for the dam.</p> <p>Finally, as the Androscoggin becomes more popular for boating, canoeing, kayaking and paddle boarding, these uses should be part of any recreational study. This should be part of the electronic survey put out to local residents. Brookfield should be looking at how to improve boating access, how to improve portaging around the dam, and how to provide access for whitewater kayakers below the bypass. Whitewater kayaking was not part of the recreational plan the last time the license was renewed, but has become a new use of the river and should be included. Recreational river releases may even need to be considered, and would be a summer</p>

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		draw for folks to come to Rumford as a recreational destination. Rumford is a town defined by the river and the falls, therefore it only makes sense that the business making money from the falls has the best interest of the residents in mind. As a citizen, I hope Brookfield can do the most comprehensive study possible, and the dam relicensing plan can include the most positive recreational plan for the citizens. We all need to work together to make Rumford and the River Valley the best it can be.
27	Philip Blampied, Town of Rumford Resident June 1, 2020	...The company consistently runs a loud siren every time a certain amount of water is released from the dam. This is supposedly to warn anyone who might be at the water's edge just below the dam. The sirens run day and night, often for 10 minutes at a time. For instance, it is not uncommon for a siren to run at 100 decibels plus for 10 minutes at 3 am in the morning. People rarely if ever stand at the water's edge just below the dam and certainly not at 3 am. However, there is an extensive residential area just up the hill from the dam in which the full volume of the siren is audible. This is an unnecessary and disruptive practice and must stop. Another bad impact on the community was the company's closing of a well used and popular walking trail alongside the river on the undeveloped side of the Falls. ...
28	Lisa Arsenault June 2, 2020	<p>As an active outdoors'man'(woman) in the River Valley Community, I am appealing to you to require Brookfield to open up access around the hydro project. The trail on the backside of the falls existed for years before they bought the property.</p> <p>We live in such a beautiful area and the Rumford Falls brings tourists to the area for recreation of all kinds. How cool is it that we have the beauty of the falls right in our downtown!?! Please give some thoughts to having the trail opened again for all to enjoy.</p> <p>Also, as a lifelong resident, I've always admired the viewing area in the driveway to Brookfield. Any chance that could be opened for walkers to enjoy too?</p>

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29	Jolan Ippolito, Town of Rumford Resident June 3, 2020	Please include a provision in the permit to reinstate and allow what was once public access to areas around the hydro project. I am not sure when the ownership changed hands that the community realized it would have to request the access it originally had throughout the history of this hydro project. I believe that safe public access is possible. I believe that Brookfield is trying to be a community player and should not object to making public access possible again.
30	Landis Hudson June 5, 2020	<p>...We are strongly in favor of requiring the application to complete a full recreational study. We understand that the Town of Rumford is requesting a comprehensive recreational plan to be completed to include trails and pathways, viewing opportunities and aesthetics, whitewater opportunities, fishing, and as well as other possible recreational uses of the Rumford Falls vicinity. We fully support this request. We are aware of reports that travelling by canoe through the area is extremely challenging because of poorly maintained and inadequate trails, and poor signage for portaging around the project area. We believe that these problems need to be addressed....</p> <p>...We firmly support the request made by Maine Inland Fisheries and Wildlife for a Minimum Flow Analysis to determine recommended minimum flows, specifically in the reach from Middle Dam downstream to the confluence with the Lower Station tailrace. We see the value in ensuring that any agreed upon minimum flow releases meet inland fisheries needs and assure attainment of water quality standards, to support the future health of this important community resource. We understand that this work will evaluate how various minimum flows influence the fishable aquatic habitat lotic and lentic reaches of the Androscoggin River. This minimum flow analysis should also address recreational interests.</p> <p>Further, we believe that there is potential for American eel and we would like to see safe, timely and effective passage for American eel at this site.</p>

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31	Alexander Kerney June 6, 2020	I grew up along the banks of the Andro. Exploring the ecosystems on shore and the power of water had a huge role who I am today. Cutting off recreational access around falls and rapids removes the chance to feel that power. Please restore recreational access to the river corridor for people of all ages to explore.
32	Brie Weisman, Town of Rumford Resident June 7, 2020	<p>...I crafted a letter to Brookfield Renewables back in 2015 asking if they could please remove the fences so that locals can continue to enjoy the views unencumbered. The response was that FERC would not allow them because it was dangerous due to the potential of rocks falling from a cliff onto the trail. I could not find any documentation that FERC had expressed such a concern. They also cited concerns about people falling into the falls or river. My research about Rumford Falls history, found no death attributed to falling into the river.</p> <p>A Straw vote on the town docket in the summer of 2016, “Do the voters support having restored public access to the areas surrounding Rumford Falls with the intent of creating a public trail system”. It passed with Yes votes 808 and No votes 288.</p> <p>Rumford is an economically depressed mill town that has lost half its population due to automation. In order to survive, Rumford will need to turn to the attraction that first brought people here-the falls. The Androscoggin River has become a recreational mecca, providing canoeing, kayaking, stand up paddle boarding, and fishing opportunities in the summer, and snowmobiling, snow shoeing and cross country skiing in the winter. Reopening the trail along the falls would reinforce both the scenic and recreational opportunities we are becoming known for.</p> <p>It cannot be denied that the falls are a critical attraction for the town and region. The Rumford information booth sits upon the opposite side of a broad pond at the base of the falls. Cars from many states and Canada are routinely seen in its parking lot, especially in the Spring when the melting snow yields awesome view of raging,</p>

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		<p>misting falls spilling over boulders, roaring with raw power... ...Across from that same information center, a new hotel is being built; providing a walking trail that offers majestic views of the falls for guests would be a great attraction that would encourage visitors to spread word of Rumford's unique natural beauty.</p> <p>Brookfield is also denying citizens access to a beautiful historic picnic area that allows a better intimate view of the refection pond and the falls. We are asking that the the picnic area and the falls trail be included in Brookfield recreational plan so that citizens and visitors alike can enjoy this unique, valuable natural wonder.</p>
33	Jonathan Starr, Town of Rumford Resident June 7, 2020	<p>Rumford Falls is a natural wonder. The largest falls by volume east of Niagara Falls in the U.S., when water is high it engulfs an island at its base, casting mists high in the air as solid cascades of whitewater spill roaring about boulders and dwarf the four-story, hundred-plus year old hydro plant. In ages past, a park with picnic tables and cast iron lamp posts offered locals and visitors alike a means of enjoying this natural asset. Across the river from the park and busy Rte 2, a trail connected South Rumford Rd above the falls to Rte 108 below it. This trail not only offered an up-close, dramatic view of the falls, it also offered perspectives unavailable to the public elsewhere, even at a distance. In no small measure, these two features historically made the falls a social and recreational center of the town, a place for lunches and lunchtime walks, an exercise loop, a dog walk, a path free of vehicles for kids on bikes. For the communities above the falls, the trail offers a path for bicycles and pedestrians that is shorter, safer, and a far more pleasant route into Rumford's downtown business district than the sidewalk along Rte 2. That sidewalk is on a steep hill, icy in the winter and unshaded in the summer, squeezed up against a busy east-west route through Maine that is travelled by far more large vehicles than just the many logging trucks serving the Rumford Mill. The path, by contrast, is tree-shaded, less steep, quiet, beautiful. Brookfield Renewables has closed both those invaluable assets to the public, and the town is the worse for it. It has lost a safe and convenient and scenic footpath; it has lost a valuable, park-like picnic area.</p>

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		<p>It has lost part of the charm and beauty, and even identity and pride of the town. Why? Brookfield has said it is because of liability. A small rock outcropping along the trail, they say, may crumble onto the path. People, they say, may wander down to the river. I have worked on several trail crews over the years; my wife has worked a summer on one in Baxter State Park. We, frankly, find the worry over the outcropping more laughable than credible. Any stone will fall beside the path, not into it. For most of the length of the trail the path is separated from the river by more than a hundred feet of steep, forested woods. If people want to get to the river that badly, a “no trespassing” sign on a closed gate will serve no better than a “keep on the path” sign on an open trail. If the path were to be reopened, the town would not only recover all these benefits, it would also gain a visitor attraction that might benefit local businesses. Currently, the popular method of viewing the falls is the information center parking lot, where the falls can be seen from a distance of perhaps more than the length of a football field. It is a nice view, but people want more. The path and picnic area would both provide that, one giving a place to eat lunches bought in town, the other providing unique views and a scenic walk that begins at one end of Rumford’s downtown shop district. Despite being closed, the trail is still on a Maine trail finder website. The falls are touted on websites about falls in New England.</p> <p>Reopening the trail and picnic area, both owned by Brookfield, would be a terrific morale boost to a struggling town, a benefit to pedestrians, cyclists, walkers, sight-seers, and paddlers seeking a portage route around the falls. It would help increase tourist visits to the area and thereby provide an economic boost to the town. I sincerely hope to see the reopening of these valuable resources included in the recreational section of Brookfield’s dam relicensing plan.</p>

No	Sender, Sender Organization Date of Letter	Comment
34	John Preble, June 7, 2020	<p>I officially request that a formal Public Recreational Study Plan Focus Group be authorized and mandated for inclusion in the Final Recreational Study Plan to be completed for this Docket.</p> <p>This requestor respectfully and with due cause believes that the creation of an independent Public Focus Group is necessary to assure that an objective recreational study evaluation is conducted and reflects the best interests of the Town of Rumford, residents, and visitors to the River Valley, nearby vicinities and the State of Maine. Recreational Study Plan – Public Recreation Study Plan Focus Group (PFG) - Rumford Falls Hydro (RFH)</p> <p>Brookfield’s plan submission lacks sufficient detail or appropriate methodology to archive the goals of a comprehensive Recreational Study Plan. ...they chose to submit a Study Plan that FERC has sighted lacks the context necessary to complete an appropriate analysis to put forth reasonable Recreational and Scenic development opportunities. Brookfield chose not to incorporate public and agency material observations expressed by participants in the workshop held to solicit Study Plan recommendations. ...</p> <p>This respondent contends that without such clearly defined roles and responsibilities the applicant could minimize and or exclude substantive observations and request of the Public Focus Group.</p> <p>To ensure objective input and evaluation FERC must mandate the creation of a Public Recreational Study Plan Focus Group (PRSPFG) with similar defined roles and responsibilities as put forth in this request.</p> <p>1) Goals and Objectives</p> <p>The goal of this Public Recreation Study Plan Focus Group is to identify, inventory, and propose reasonable Recreation and Scenic access needs for determination by FERC as to which items are to be included in Rumford Falls Hydro’s operating</p>

No	Sender, Sender Organization Date of Letter	Comment
		<p>License. Furthermore, implementation to be completed within a reasonable timeline of license issuance. The License should also mandate that the Recreational Plan provides for on-going updates and enhancements as appropriate and complements the Town of Rumford's Comprehensive Recreation Plan and recreational desires of the River Valley vicinity.</p> <p>2) Study Area The study area will include Lands denoted by the Project Boundary and the Project vicinity.</p> <p>3) Background and existing Information Background Hiking, biking, canoeing, boating, ATV/snowmobiling, fishing, public concerts, Tourist Information Center, scenic falls observation, Veterans Memorial, public gatherings, Rumford Community Housing outdoor access, fitness and wellness access by local residents and visiting tourist alike are just some of the many public uses of properties within the Project boundary.</p> <p>Existing Information – Existing Mandated Current license has two mandates: 1) Creation of a boating Carry-in facility near the Carlton Bridge 2) a canoe Carry-in launch at Rumford Point which was never created and is a violation of the license requirement.</p> <p>Existing RFH owned/ controlled sites</p> <ol style="list-style-type: none"> 1. Falls trail – East shore upper Dam closed – historically allowed public access until Brookfield ownership 2. Scenic Observation Deck – west shore Falls Hill – historically allowed public access – closed with Brookfield ownership 3. Wheeler Island – up stream of Upper Dam – unimproved river island – rarely used – no physical improvements.

No	Sender, Sender Organization Date of Letter	Comment
		<p>4. Logan – South Rumford Road – unimproved boat launch, fisheries access, winter skating</p> <p>5. Boivin Park- at base of Falls Hill – public scenic observation site, tourist info center, picnic area / rest area – Maintained by Town of Rumford</p> <p>6. Veterans Park – foot of Congress street – Veterans Memorial, public concert stand, benches and gardens maintained by Town of Rumford.</p> <p>7. 7) Falls Hill ATV/ Snowmobile trail – East side of river – small section of trail is on RFH land – majority on land owned by the mill</p> <p>8. Carlton Bridge boat carry-in launch – launch ramp accessible from street</p> <p>Existing – non RFH sites</p> <p>1. Hanover Boat Launch – improved ramp and parking accessible by car – Maintained by Mahoosuc Land Trust</p> <p>2. Rumford Center Hastings Landing – improved canoe put-in – step landing and parking maintained by Mahoosuc Land trust</p> <p>3. East Rumford Boat launch improved boat ramp and parking – maintained by Town of Rumford.</p> <p>4. Citizen Park and walkway – west side of river between Bridge Street and Memorial Bridge – scenic walkway, benches and overlooks, local memorial seating - maintained by Town of Rumford</p> <p>5. Scenic Library grounds – behind town Library – Maintained by Town- parking</p> <p>6. White Water Surf Hole – downstream Memorial Bridge access via Library parking lot</p> <p>7. White Water play a (sic)</p>

Comment/Response Matrix

No	Sender, Sender Organization Date of Letter	Comment
34	Craig Zurhorst, Town of Rumford Resident June 8, 2020	<p>I am requesting that FERC accept the Town of Rumford's Recreation Study Proposal in place of Brookfield's.</p> <p>The Town of Rumford's Recreation Study Proposal is far more comprehensive, and asks for what the town truly needs to address its economic and recreational development goals associated with the Rumford Falls.</p>
35	Dieter Kreckel, Town of Rumford Resident June 8, 2020	<p>I am writing to support the opening up to the public the trail around the Rumford Falls... ..The trail would allow local and visitors to the area to appreciate the beauty of the falls. We are trying to rebuild our town with both businesses and tourism.</p> <p>We are building a Hotel at the foot of the falls to give visitors a place to stay. The falls and any means to enjoy them even more are a huge attraction. ...</p>
36	Jennifer Kreckel, Town of Rumford Resident June 8, 2020	<p>...Rumford Falls Power Co. developed and maintained the Falls Trail and picnic area for the citizens of Rumford and its visitors. These areas only recently were closed to the public when Brookfield acquired the property. My family and my fellow business owners in Downtown Rumford strongly encourage FERC to require Brookfield to restore the public's access to this natural wonder which will benefit our citizens and which will assist our progress in becoming a recreational destination. Our community leaders have invested in building a Best Western Hotel which will be in close proximity to the Falls Trail. The Falls Trail is also in close proximity to our downtown. Our area has great interest in developing a trail all along the Androscoggin River to connect with our neighboring communities and establish a unified trail system along this great river of Maine. ...</p>
37	Jolan Ippolito, Town of Rumford Resident June 8, 2020	<p>...The Town of Rumford has submitted a comprehensive proposal that reflects specific needs that will help the Town of Rumford reestablish itself after years of dwindling population related to its main industry which is a paper mill. Recreation</p>

Comment/Response Matrix

No	Sender, Sender Organization Date of Letter	Comment
		and tourism are a natural affinity for Rumford. The trails around the Rumford Falls are a part of the natural resources that will help the Town in its re-invention.
38	Karen Wilson, Town of Rumford Resident June 8, 2020	I would like to recommend that FERC accepts the Town of Rumford's Recreation Study Proposal over Brookfield's. The citizens should get the Recreation Study they deserve based on the needs of the people who live here.
39	Kevin Kaulback, Town of Rumford Resident June 8, 2020	...It is of grave concern that a business like Brookfield Power is able to close down recreational activities surrounding the Rumford Falls and is detrimental to the economic surroundings of our community. I feel it is their responsibility to not only allow the use of the land surrounding the falls for tourism and recreation but to also act as a good community steward and promote that area and what it can do to help with attracting tourism and recreation to the most majestic falls in the northeast. They should also use Town's Recreation Study Proposal. Please take the time to realize that these decisions have a very negative impact on our area at a time when it is needed most and the economy in this area is in a continuous struggle for survival for all of us, not to mention the loss of recreational resources for the citizens in the area.
40	Laurie Soucy, Town of Rumford Resident June 8, 2020	I would like to encourage you to accept the Town's Recreation Study Proposal.
41	Stephanie Reed, Town of Rumford Resident June 8, 2020	Please support the Town of Rumford's recreational proposal instead of the inadequate farce that has been proposed by Brookfield. This is what is truly meant by the idea of requiring these proposals. Many community groups, residents and visitors alike support & would benefit from better access to the recreational opportunities that Brookfield has denied us while profiting from our resources.
42	Todd Papianou, Town of Rumford Resident June 8, 2020	I'm a Physical Education teacher at Mountain Valley High School in Rumford and had been using the old rail bed/ road on the South Easterly side of the Rumford Falls for teaching several classes before it was closed. I teach a class called "LifeTime Pursuits."...The trail I used for my LifeTime Pursuits, and Walking for Fitness

Appendix B-40

No	Sender, Sender Organization Date of Letter	Comment
		<p>classes are now neglected and chained off. A metal fence greets anyone wishing to enjoy viewing the Falls. The area has become unattractive and has morphed into a sterile industrial waste of space. Our community needs to have walking opportunities for its health and wellness. The return of these precious areas that enable a close connection to the Falls and the grand cascade is vital to preserving the history and culture of the town Hugh Chisholm built for the people that lived and worked in the town.</p> <p>Beyond our community, this Falls is a significant geographic phenomenon that folks from farther away come to see. They deserve to see it and feel it from the original access points. The emerging recreational tourist sector relies heavily on natural attractions like the Great Falls of Rumford....</p> <p>The citizens of Rumford ask for several things:</p> <p>#1: Comprehensive studies of recreational, fishing, streamflow, and economic cultural significance be performed.</p> <p>#2: Repair and reopening of the Picnic Grounds and the Gaslight Balcony and Gaslight Pathway.</p> <p>#3: A consistent approach to facility management and recreational promotion that other Brookfield facilities have in Quebec. When visiting a Dam in Canada, Brookfield had spent time and effort to make the area welcoming and engaging to the public.</p> <p>#4 Walking or riding a bike should be a right that is restored to the public around the hydro facility.</p>

Note – some commenters did not provide an organization or residence.

APPENDIX C
WATER QUALITY STUDY PLAN

Water Quality Study

The Licensee is proposing to conduct a Water Quality Study on the Androscoggin River in the vicinity of the Rumford Falls Hydroelectric Project (Project) developments. The Maine Department of Environmental Protection (MDEP) requested a Water Quality Study for the Rumford Falls Project (Project) because existing and available water quality information provided in the Pre-Application Document (PAD) were determined to be insufficient to demonstrate attainment of Maine's water quality standards and to inform the water quality certification process under Section 401 of the Clean Water Act. The proposed Water Quality Study plan addresses five of the MDEP's study requests and one of FERC's study requests.

The MDEP requested RFH either conduct an Impoundment Aquatic Habitat Study and an Outlet Stream Aquatic Habitat Study in the Middle Dam bypass reach or provide three years of impoundment elevation data for the Upper Dam impoundment and inflow/outflow data for MDEP analysis. In lieu of conducting an Impoundment Aquatic Habitat Study, RFH provided the requested data. This data was graphically provided in the PSP, and in the RSP, and was submitted to the MDEP concurrent with the filing of the PSP. As of June 11, 2020, the MDEP review of that data was underway. Based on comments received during the PSP Meeting, RFH has agreed to conduct the Outlet Stream Aquatic Habitat Study in the Middle Dam bypass reach as identified within this study plan.

RFH met at the Project on June 24, 2020, with representatives from MDEP to review the monitoring locations proposed in the PSP and in this RSP. The sampling locations identified in this study plan for the temperature and dissolved oxygen monitoring and the Outlet Stream Aquatic Habitat Study were discussed and agreed to during that meeting. RFH and MDEP also agreed on the benthic macroinvertebrate sample site in the Middle Dam bypass reach; however, the MDEP indicated that placement of macroinvertebrate samplers in the free-flowing tailwater reach downstream of the lower powerhouse would potentially not provide representative conditions independent of the permitted effluent from the Nine Dragons Paper mill. RFH will continue to coordinate with MDEP to identify an appropriate site in this reach.

This study plan is consistent with MDEP protocol for hydropower studies (MDEP 2019a).

1.0 Goals and Objectives

The goal of the study is to demonstrate that the Project meets water quality standards. The objectives of the study are to complete the following:

- An Impoundment Trophic State Study within the deepest locations of the upper and lower impoundments;
- Temperature and dissolved oxygen (DO) monitoring within the Middle Dam bypass reach and in the lower powerhouse discharge¹²;
- A Benthic Macroinvertebrate Study in the Middle Dam bypass reach¹³; and,
- An Outlet Stream Aquatic Habitat Study conducted in the Project's Middle Dam bypass reach.

2.0 Study Area

The study area includes the Androscoggin River in the vicinity of the Project.

3.0 Background and Existing Information

3.1 Water Quality Standards

The Androscoggin River is classified by MDEP as a Class C water “from its confluence with the Ellis River to a line formed by the extension of the Bath-Brunswick boundary across Merrymeeting Bay in a northwesterly direction” and includes all Project affected waters. Class C waters must be of such quality that they are suitable for the designated uses of drinking water supply after treatment, fishing, agriculture, recreation, industrial process and cooling water supply, hydroelectric power generation (except as prohibited under Title 12, section 403), navigation, and as habitat for fish and other aquatic life.

¹² Based on consultation with the MDEP, a site was selected at the downstream end of the Middle Canal adjacent to the lower powerhouse intake to be representative of the discharge from the lower powerhouse due to the proximity of the Nine Dragons Paper mill discharge.

¹³ RFH will continue to coordinate with MDEP to identify an appropriate site in the free-flowing tailwater reach downstream of the lower powerhouse.

Class C waters must meet an instantaneous DO standard of 5.0 parts per million (ppm) or 60 percent saturation, whichever is higher. In identified salmonid spawning areas where water quality is sufficient to ensure spawning, egg incubation, and survival of early life stages, the water quality sufficient for these purposes must be maintained. In addition, DO must meet a 30-day average 6.5 ppm requirement using a temperature of 24 degrees centigrade or the ambient temperature of the water body, whichever is less. Discharges to Class C waters may cause some changes to aquatic life, except the receiving waters must be of sufficient quality to support all species of fish indigenous to the receiving waters and maintain the structure and function of the resident biological community.

3.2 Existing Water Quality Data

The Androscoggin River has a history of industrial and municipal use over the last 200 years (MDEP 2019b). The Androscoggin River historically experienced substantial pollution and low DO levels caused by the discharge of paper mills and untreated or partially treated municipal sewage; however, water quality has since improved substantially (Rumford Falls Power Co. 1991).

During the previous relicensing, a Water Quality Study was conducted to characterize the DO within the Project vicinity (Rumford Falls Power Co. 1991). The study revealed that DO concentrations were consistently high within the entire Project vicinity. It also showed that there was little, if any, horizontal or vertical stratification of DO concentrations within the Project vicinity. Thermal stratification and preferential withdrawals from low-DO strata are the primary mechanism for causing downstream DO impairments at hydropower facilities (Sale et al. 1991). Therefore, it was determined that significant DO increases could not be realized from modifying the operating mode of the Project because the existing DO concentrations were consistently high. The MDEP concurred and stated that “based upon the data collected for this report, together with MDEP’s data, it appears that the DO requirements for Class C are being met above and immediately below the Rumford Falls Project....Because of relatively high DO levels (relative to percent saturation) above the Project, only a small increase in DO (<1 milligram per liter [mg/L]) can be realized even with substantial (50%) spillage. Spillage (or turbine venting) does not appear to be required to meet current Class C limits.” The U.S. Fish and Wildlife Service (USFWS) and Maine Department of Inland Fisheries and Wildlife (MDIFW) also concurred with the conclusions

of the report. Immediately below the Project vicinity, the velocity of the Androscoggin River is swift and natural aeration is good (Rumford Falls Power Co. 1991).

Recent water quality data collected within the Project vicinity were obtained from the following sources for the PAD and provide a more recent indication that water quality within the Project vicinity meets applicable water quality standards. A summary of these sources are provided below. In addition, in support of a turbine upgrade at the Project, the MDEP issued a new water quality certificate for the Project in 2009.

- Upon request from RFH, the MDEP provided the:
 - 2018 Aquatic Life Classification Attainment Report by the Biological Monitoring Program, which analyzed the macroinvertebrate community in the Androscoggin River in Mexico, Maine (the Town abuts Rumford to the east), to determine aquatic life classification; and
 - Various monitoring data collected at numerous sample sites along the Androscoggin River from 1995 to 2008. A portion of these data were collected by the Androscoggin River Watershed Council (ARWC) in collaboration with the MDEP.
- ARWC water quality data were available from 2013 to 2017 (MDEP 2019b).

Table 1 provides the discrete water quality data obtained from the MDEP and the ARWC. Sites AR2 and the Rt. 232 sample sites were located approximately 10 river miles (RM) upstream from the Upper Dam. Sample Site AR6 was located approximately 2 RM upstream from the Upper Dam. Veterans Bridge was located approximately 1 RM downstream from the Lower Station powerhouse. The water quality data reviewed showed no evidence of impairment, and DO levels met applicable water quality standards.

The Aquatic Life Classification Attainment Report for 2018, which includes macroinvertebrate data collected on the Androscoggin River in the Town of Mexico, attains Class A aquatic life criteria (see Appendix E of the PAD). Water quality data were collected during the deployment and retrieval of rock baskets and met water quality standards (Table 2).

TABLE 1
DISCRETE WATER QUALITY DATA COLLECTED WITHIN RUMFORD FALLS
PROJECT VICINITY, 1995-2017 (MDEP 2019C).

Site*	Year (June - September)	Parameter	Water temperature	DO (ppm)	DO (%)	pH	Specific Conductance (microsiemens per centimeter [μS/cm])
AR2 – Rumford Point	2013	No. Sample Days	4	4	4	-	1
		Mean	19.2	7.8	87.4	-	30
		Minimum	22.0	8.3	90.3	-	30
		Maximum	20.4	8.0	89.1	-	30
Rt. 232	2008	No. Sample Days	-	4	4	4	4
		Mean	-	6.8	73.5	-	29
		Minimum	-	6.1	71.4	6.1	20
		Maximum	-	7.4	76.4	6.3	37
Rt. 232	1999	No. Sample Days	9	9	-	9	-
		Mean	20.4	8.1	-	-	-
		Minimum	17.5	7.7	-	6.8	-
		Maximum	23.0	8.5	-	7.1	-
Rt. 232	1995	No. Sample Days	11	11	-	-	-
		Mean	18.1	8.9	-	-	-
		Minimum	12.0	7.8	-	-	-
		Maximum	23.0	11.6	-	-	-
AR6 – Rumford Boat Launch	2017	No. Sample Days	7	7	7	-	7
		Mean	20.1	8.2	89.9	-	32
		Minimum	16.1	7.5	84.2	-	22
		Maximum	21.7	9.3	98.0	-	38
Veterans Bridge Mexico, ME	2008	No. Sample Days	-	4	4	4	4
		Mean	-	6.7	75.0	-	42
		Minimum	-	6.5	73.5	6.0	27
		Maximum	-	6.9	76.8	6.3	55
Minimum			12.0	6.1	71.4	6.0	20.0
Maximum			23.0	11.6	98.0	7.1	55.3

*Sites AR2 and the Rt. 232 sample sites were located approximately 10 RM upstream from the Upper Dam. Sample Site AR6 was located approximately 2 RM upstream from the Upper Dam. Veterans Bridge was located approximately 1 RM downstream from the Lower Station powerhouse.

TABLE 2
WATER QUALITY DATA COLLECTED DURING THE DEPLOYMENT (7/23/2018)
AND RETRIEVAL (8/20/2018) OF MACROINVERTEBRATE ROCK BASKETS FROM
THE ANDROSCOGGIN RIVER IN MEXICO, MAINE (MEXICO ABUTS RUMFORD
TO THE EAST)

Parameter	7/23/2018	8/20/2018
Water temperature (degrees Celsius [°C])	23.2	22.8
Dissolved oxygen (mg/L)	9.3	10.0
Dissolved oxygen (%)	107.2	114.3
Specific conductance (µS/cm)	79.4	70.3
pH	7.3	7.3

3.3 Impoundment Elevation and Project Flow Data

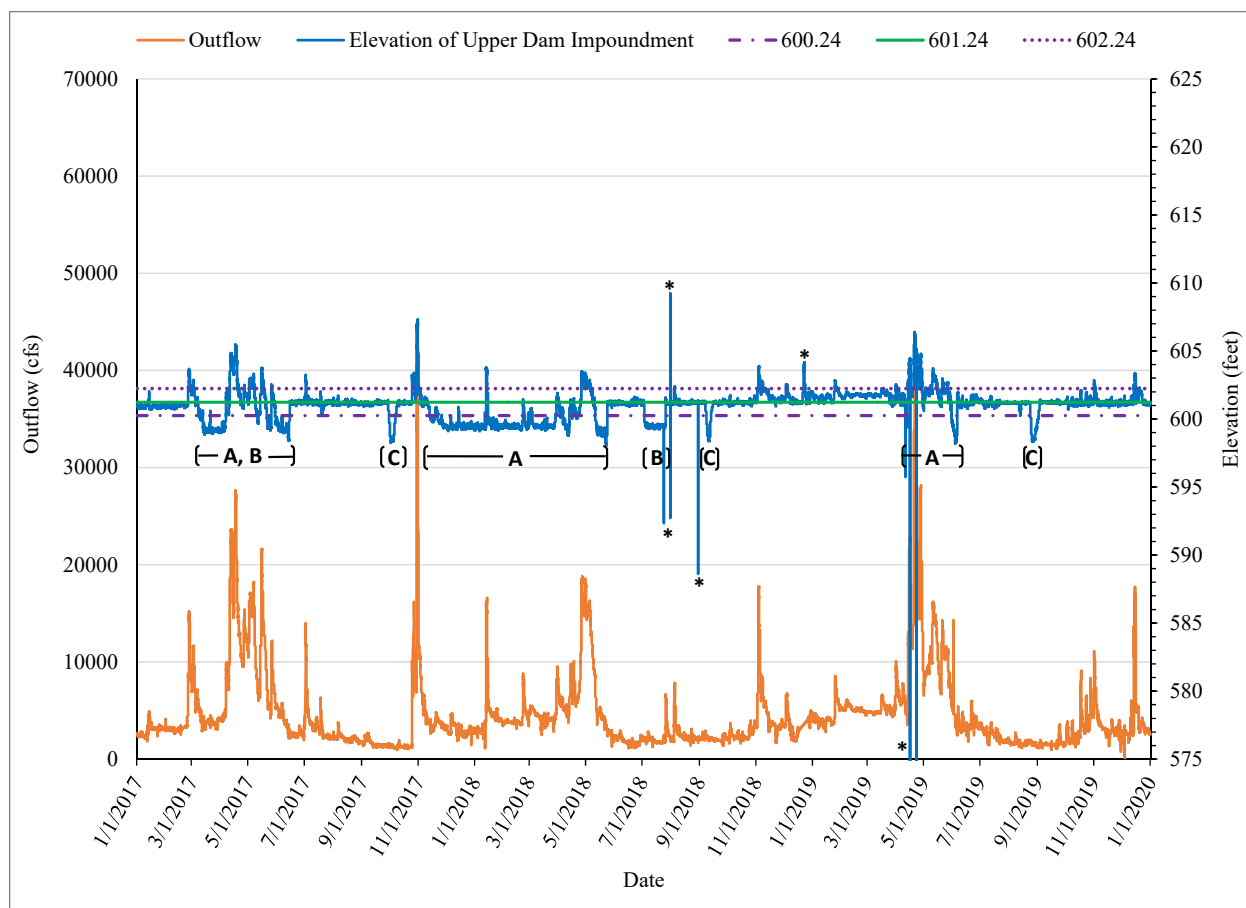
As discussed previously, RFH provided three years of impoundment elevation data for the Upper Dam impoundment and flow data for the Project in lieu of conducting an Impoundment Aquatic Habitat Study. The data is graphically displayed below in Figure 1 and the electronic data was submitted to the MDEP for analysis concurrent with the filing of the PSP.

The Project is required to operate in a run-of-river mode within 1 foot of full pond elevation (elevation 601.24 feet) at the Upper Dam impoundment and shall at all times act to minimize the fluctuations of the reservoir surface elevation (i.e., maintain a discharge from the Project so that, at any point in time, flows immediately downstream from the Project tailraces approximate the sum of the inflows to the Project reservoirs). Consequently, as shown in Figure 1, the elevations of the Upper Dam impoundment often mimic flow.

Per Article 401 of the current license, run-of-river operations may be temporarily modified if required by an operating emergency beyond the control of the Licensee. Periodically, the Project has experienced high flow events, which have removed flashboards and precluded repairs until water levels were safe. Run-of-river operations may also be temporarily modified for short periods upon mutual agreement between the Licensee and the USFWS, MDEP, and MDIFW. RFH has drawn down the Upper Dam impoundment for maintenance and repairs as well as FERC-required inspections or agency studies as described in Section 2 of the PSP. RFH has conducted these scheduled drawdowns in coordination with the USFWS, MDEP, and MDIFW. Impoundments

were gradually drawn down and minimum flows were maintained to avoid potential impacts to resources during these periods.

FIGURE 1
IMPOUNDMENT ELEVATION OF THE UPPER DAM IMPOUNDMENT AND FLOW
DATA FOR THE RUMFORD FALLS PROJECT, 2017 - 2019



Notes:

A – High flows removed flashboards and precluded repairs until water levels were safe.

B – Repair or maintenance activities were conducted.

C – FERC-required inspections were conducted.

* – Instrumentation error

4.0 Project Nexus

The Project is operated in a run-of-river mode and continued operation of the Project is not expected to negatively impact water quality in affected waterbodies. The information obtained from this study will help confirm the Project meets Maine's Class C water quality standards and supports MDEP's water quality certification process under Section 401 of the Clean Water Act.

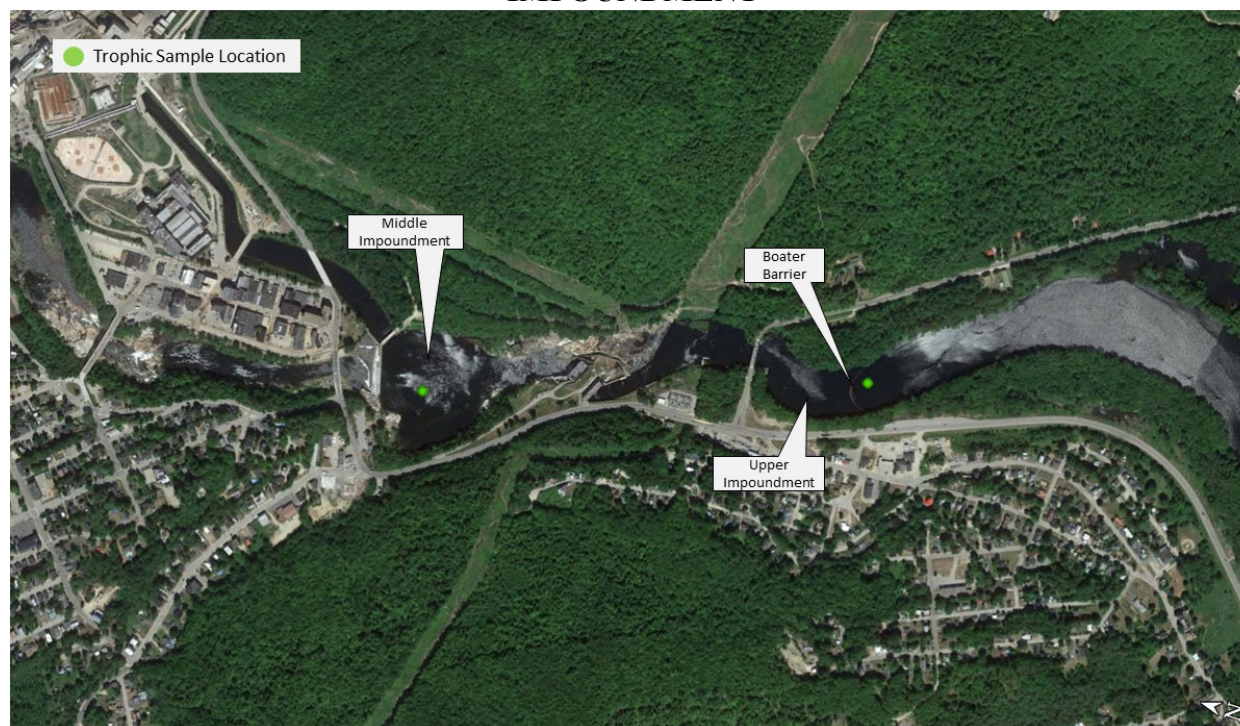
5.0 Methodology

The Water Quality Study will include the following four independent assessments: impoundment trophic state, temperature and DO, benthic macroinvertebrates, and outlet stream aquatic habitat as requested by MDEP and consistent with MDEP guidance for hydropower studies (MDEP 2019a).

5.1 Impoundment Trophic State Study

The proposed Impoundment Trophic State Study will be conducted in the deepest spot of each of the two Project impoundments (Figure 2) as requested by MDEP, and will be conducted consistent with the latest MDEP protocol for hydropower studies (MDEP 2019a). The Impoundment Trophic State Study will consist of water quality sampling twice per month for a consecutive five-month period within the timeframe of June through October 2020. During the initial site reconnaissance for the study, a survey of the two impoundments will be made by boat to determine the deepest spot in each impoundment using a depth finder and confirmed with a weighted tape measure. The final field-identified sampling locations will need to be located upstream of any boat barriers and will need to be safely accessible. For safety reasons, the Middle Dam impoundment will be drawn down two feet prior to sampling. Sampling locations will be recorded and relocated using a Global Positioning System (GPS) position. Field personnel involved with this study will be certified by MDEP's Division of Environmental Assessment Lakes Section for the sampling protocol.

FIGURE 2
TROPHIC SAMPLING LOCATION IN THE UPPER AND MIDDLE DAM
IMPOUNDMENT



Sampling parameters for the Impoundment Trophic State Study are summarized in Table 3. The listed detection limits are based on MDEP guidance (MDEP 2019a); however, the final detection limits will be determined by the contracted laboratory. The contracted laboratory(s) will hold a current certification with the State of Maine for each of the sampling parameters identified in Tables 3 and 4 and will meet the detection limits requested by the MDEP.

TABLE 3
IMPOUNDMENT TROPHIC STATE STUDY SAMPLING PARAMETERS, METHODS,
AND DETECTION LIMITS

Parameter	Sampling method	Detection Limits
Secchi Disk Transparency	Water scope	0.1 meter
Temperature	Profile	0.1 °C
Dissolved Oxygen	Profile	0.1 mg/L
Total Phosphorus	Integrated core	0.001 mg/L
Chlorophyll <i>a</i>	Integrated core	0.001 mg/L

Parameter	Sampling method	Detection Limits
Color	Integrated core	1.0 Standard Platinum Units (SPU)
pH	Integrated core	0.1 Standard Units (SU)
Total Alkalinity	Integrated core	1.0 mg/L

Water clarity will be measured with a Secchi disk and a viewscope following standard methods. The reported depth will be the average of at least two separate readings. To obtain a reading, a Secchi disk is lowered on the sunny side of the boat while looking through the viewscope until the disk disappears from view. The disk is then slowly raised until the white portion of the disk is just visible and the depth noted from the chain or rope markers.

Water quality profiles of temperature and DO will be measured using a YSI ProDSS or equivalent water quality meter with the required sensor accuracy. The YSI ProDSS has a DO sensor accuracy of +/- 0.1 mg/L or 1 percent of reading (whichever is greater) and a temperature accuracy of +/- 0.2°C. The water quality instrument will be calibrated for DO on site prior to use and post-calibrated at the end of the field day with all calibration data recorded in a field book or field data sheet. Profiles will be conducted by lowering the water quality meter to the desired depth, then allowing the instrument to stabilize, and recording the water quality readings on a field data sheet. Measurements will be taken from just below the water surface (0.1 meter [m]) and then at 1 m intervals to 0.5 m from the bottom depth. At depths below 15 m, readings will be taken every other meter, and at depths below 25 m, readings will be taken every 5 meters.

Water samples will be collected using an integrated core method conducted by lowering a weighted tube to the desired water depth, sealing (e.g., crimping) the open end of the tube at the water surface, extracting the water core and transferring to a sample container. In thermally stratified waters ($\Delta T \geq 1^\circ\text{C}/\text{m}$ below 3 m depth) an integrated core sample will be taken from the epilimnion. If the thermally stratified impoundment also features a spike in DO at depths below the epilimnion, then the integrated core sample will be extended to the depth of the increased DO. In non-thermally stratified waters, the integrated core sample will be extended to twice the Secchi disk depth, 1 m from the bottom, or 10 m, whichever is less.

The monthly sampling from June through October will be supplemented with an additional sample collected from each of the two impoundment sample sites in late summer 2020 (mid – late August) and analyzed for an expanded set of water quality parameters. If the water is thermally stratified, three samples will be collected (with the exception of chlorophyll *a*) from an epilimnetic core, at the top of the hypolimnion, and at one meter above the sediment. Chlorophyll *a* will be collected as an epilimnetic core. If thermal stratification is not present, an integrated core sample will be collected from a depth equivalent to twice the Secchi disk depth, 1 m from the bottom, or 10 m, whichever is less. Water samples will be collected using an integrated core sampler (weighted tubing, as discussed previously) and a Kemmerer type sampler for collecting samples from discrete depths, if required. Samples will be analyzed for the list of parameters and detection limits presented in Table 4.

TABLE 4
IMPOUNDMENT TROPHIC STATE STUDY ADDITIONAL LATE SUMMER
SAMPLING PARAMETERS, METHODS, AND DETECTION LIMITS

Parameter	Sampling method	Detection Limits
Total Phosphorus	Integrated core/Kemmerer	0.001 mg/L
Nitrate	Integrated core/Kemmerer	0.01 mg/L
Chlorophyll <i>a</i>	Integrated core	0.001 mg/L
Color	Integrated core/Kemmerer	1.0 SPU
DOC	Integrated core/Kemmerer	0.25 mg/L
pH	Integrated core/Kemmerer	0.1 SU
Total Alkalinity	Integrated core/Kemmerer	1.0 mg/L
Total Iron	Integrated core/Kemmerer	0.005 mg/L
Total and Dissolved Aluminum	Integrated core/Kemmerer	0.010 mg/L
Total Calcium	Integrated core/Kemmerer	1.0 mg/L
Total Magnesium	Integrated core/Kemmerer	0.1 mg/L
Total Sodium	Integrated core/Kemmerer	0.05 mg/L
Total Potassium	Integrated core/Kemmerer	0.05 mg/L
Total Silica	Integrated core/Kemmerer	0.05 mg/L
Specific Conductance	Integrated core/Kemmerer	1 mS/cm
Chloride	Integrated core/Kemmerer	1.0 mg/L
Sulfate	Integrated core/Kemmerer	0.5 mg/L

All samples will be collected and preserved in accordance with MDEP sampling protocol, laboratory protocols, and analytical method protocols and will be transferred to the contracted laboratory within the required hold times. A final report will be produced for the Impoundment Trophic State Study, including contracting laboratory reports, that details the methods and results of the study, quality control (QC) results, comparison with water quality standards, and any deviations from the study plan, if applicable.

5.2 Temperature and Dissolved Oxygen Monitoring

A Temperature and DO Study will be completed at two stations in July and August 2020 as requested by MDEP and will be conducted in accordance with the MDEP sampling protocol for hydropower studies (MDEP 2019a). The stations proposed for temperature and DO monitoring are located in the Middle Dam bypass reach and in the Middle Canal adjacent to the intake at the lower powerhouse (Figure 3 and 4). During the June 24, 2020 site visit with representatives from RFH and MDEP, it was determined that installation of a temperature and DO logger that was (1) within the free-flowing tailwater reach downstream from the confluence of the Middle Dam bypass reach with the lower powerhouse discharge and (2) outside of the area of influence of the Nine Dragons Paper mill discharge at the Project's tailrace was not achievable. In lieu of placing a temperature and DO logger in the free-flowing tailwater reach downstream of the lower powerhouse, it was agreed that placement of the logger at the downstream end of the Middle Canal (adjacent to the intake at the lower powerhouse) would provide MDEP with continuous water quality data representative of discharge from lower powerhouse. Preliminary temperature and DO measurements will be made at the proposed site along a transect across the river at the first, second, and third quarter points across the width. If there is no violation of DO criteria and no significant (<0.4 mg/L) difference in concentrations among the quarter points, subsequent measurements may be made at the location shown to be representative of the main flow. Otherwise, measurements will be made at the location of the lowest DO concentration and the location of the main flow. Temperature and DO will be sampled at mid-depth if the depth is less than 2 m deep or in a profile of 1 m increments if depth is greater than 2 m deep.

Sampling will be planned to be conducted during the summer low-flow, high-temperature period, tentatively July – August 2020. If high flows well above seasonal median flows occur, the study

may need to be delayed (e.g., August – September) to capture low DO and high temperature conditions. The proposed study will utilize HOBO Dissolved Oxygen Data Loggers deployed with an anchor and buoy system to record temperature and DO once per hour for the duration of the study period. Five trips will be planned to deploy, maintain, and retrieve the water quality sondes, with approximately a two-week period between site visits. Water quality data sondes will be field calibrated prior to deployment and will be QC checked, maintained, downloaded of data, and recalibrated during subsequent site visits. QC checks (e.g., side-by-side comparison readings with another field meter, pre- and post- calibration readings of calibration standards/ sample water) will be recorded. QC data will be compared to acceptance criteria (typically 2.5 times the reported sensor accuracy) to determine whether data are valid and/or require flagging or correction due to measured instrument drift.

A final report will be produced for the study that details the methods and results, QC results, comparison with water quality standards, and any deviations from the study plan, if applicable.

FIGURE 3
APPROXIMATE PREFERRED AND ALTERNATE DEPLOYMENT LOCATIONS
DOWNSTREAM OF THE MIDDLE DAM FOR TEMPERATURE/DO MONITORING
AND MACROINVERTEBRATE SAMPLING

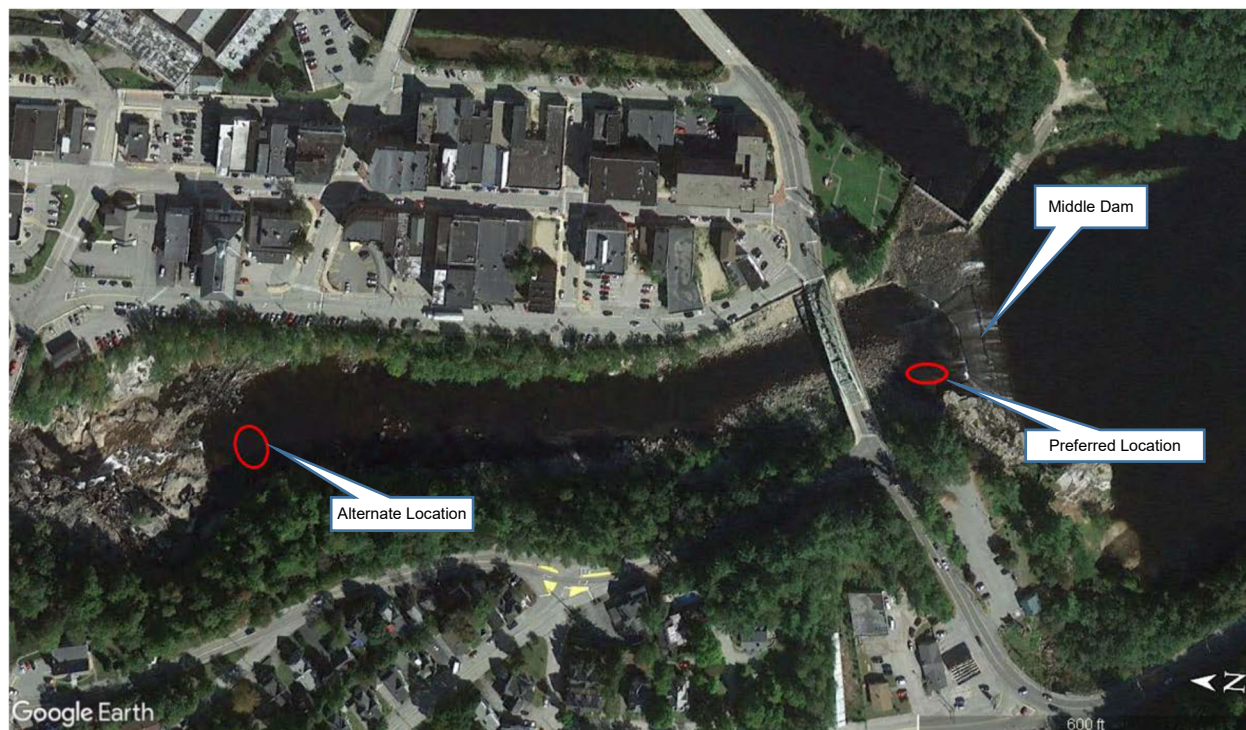
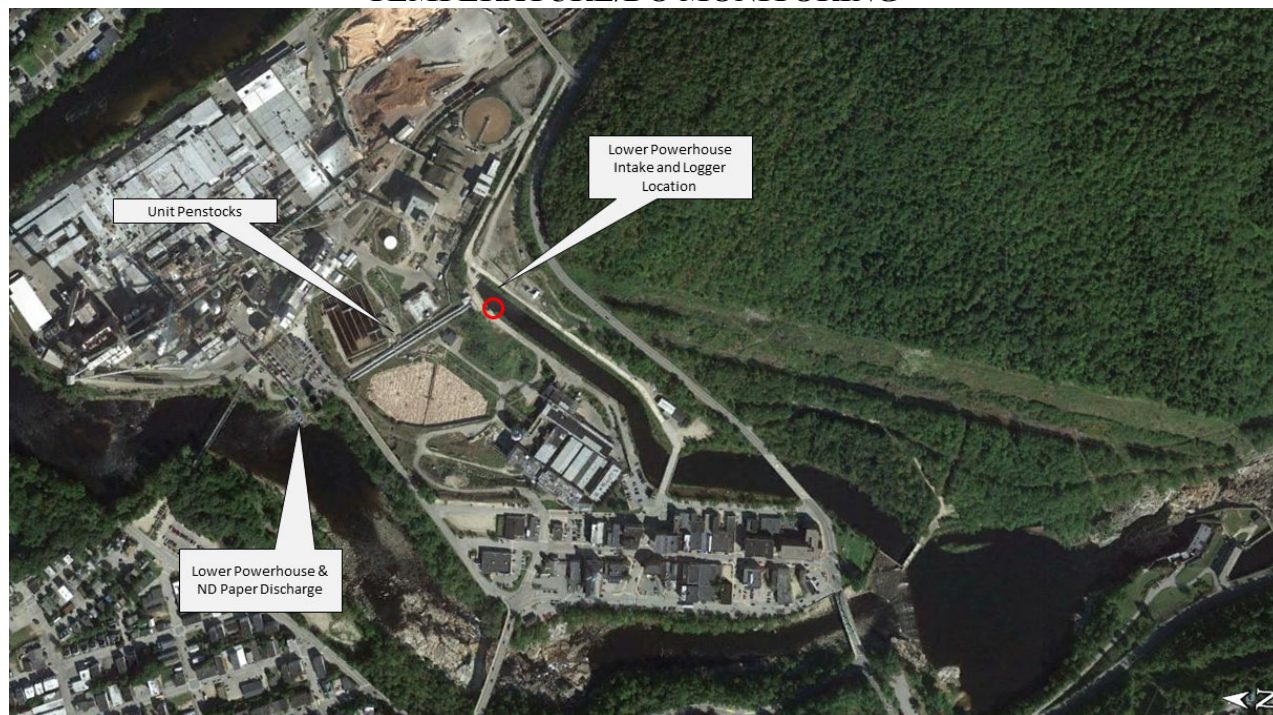


FIGURE 4
APPROXIMATE DEPLOYMENT LOCATION IN THE MIDDLE CANAL FOR
TEMPERATURE/DO MONITORING



5.3 Benthic Macroinvertebrate Study

Assessment of the macroinvertebrate community is commonly used to determine whether current in-stream flows are affecting attainment of classification standards for habitat and aquatic life below dams. MDEP requested a Benthic Macroinvertebrate Study as part of their evaluation of whether water quality standards are being attained and in support of the water quality certification process under Section 401 of the Clean Water Act. To ensure data meets water quality criteria compliance objectives, the study plan will be adopted from the MDEP Methods for Biological Sampling and Analysis of Maine's Rivers and Streams (MDEP 2014). Benthic macroinvertebrate monitoring will be conducted in the Middle Dam bypass reach.

In their original study request, MDEP indicated that an additional macroinvertebrate sampling location should be placed within the free-flowing tailwater reach downstream of the confluence of the Middle Dam bypass reach and the lower powerhouse discharge. During the June 24, 2020 site visit, MDEP notified RFH that placement of macroinvertebrate samplers in the free-flowing

tailwater reach downstream of the lower powerhouse would potentially not provide representative conditions independent of the permitted effluent from the Nine Dragons Paper mill. RFH will continue to coordinate with MDEP to identify an appropriate site in this reach. MDEP recently collected macroinvertebrate community data from the Androscoggin River in the Town of Mexico, Maine (immediately east of Rumford) in 2018. The results of that study were provided to the Licensee by MDEP and are included in Appendix E of the PAD. The sample results from that study were analyzed by MDEP and determined that the aquatic community attained the Class A water quality standard within the Class C reach of the Androscoggin River.

The proposed Middle Dam bypass reach Benthic Macroinvertebrate Study will be conducted in conformance with MDEP's Methods for Biological Sampling and Analysis of Maine's Rivers and Streams (MDEP 2014). One sampling station will be established in an accessible location of the Middle Dam bypass reach (See Figure 3 above). Rock-filled wire baskets will be deployed for macroinvertebrate collection if the total water depth is adequate; otherwise mesh bags or cone samplers will be used if the water is too shallow or deep (respectively) for deployment of rock baskets. A total of three samplers will be deployed at the site with their long axis parallel to water flow. Sampling will be conducted during the summer low-flow period, typically in the timeframe of July 1 – September 30, with a deployment period of 28 days +/- 4 days. Site conditions and deployment details will be recorded on standard field data sheets in accordance with MDEP protocols.

At retrieval, the samplers will be approached from downstream to avoid disturbance. A 600-micron mesh aquatic net will be positioned downstream of a sampler prior to collection. The sampler will then be placed quickly into the net. If rock baskets are used, the basket will be opened and all contents will carefully be transferred into a 600-micron sieve bucket. The wire cages will be rinsed into the sieve bucket before removing, rinsing, and placing each rock back into the basket. All sieve bucket contents will then be transferred into sample jars and preserved with approximately 70 percent ethyl alcohol. Samples will be labeled in the field immediately upon collection and will include the date of retrieval, waterbody, and sampler number. A slip of rite-in-the-rain paper with the same information (written in pencil) will also be placed into each sample jar. Each sample will be treated as consistently as possible. Sample jars will be transferred to the Normandeau taxonomy

laboratory for evaluation by a professional freshwater macroinvertebrate taxonomist who is certified by the Society of Freshwater Science.

Results from the taxonomic analysis will be provided to the MDEP for further analysis using the Department's linear discriminant analysis to assess the attainment of aquatic life standards. A final report will be produced summarizing the study methods and results, QC results, and any deviations from the study plan, if applicable.

5.4 Outlet Stream Aquatic Habitat Study

Hydropower operations have the potential to affect downstream habitats through fluctuations in flows and water levels. The Project is operated in a run-of-river mode and is not expected to significantly affect downstream habitat. MDEP has requested the Licensee complete an Outlet Stream Aquatic Habitat Study in the form of a cross-section flow study as described in the "Habitat and Aquatic Life Studies" section under "Rivers and Streams" in the Sampling Protocol for Hydropower Studies (MDEP 2019a). The proposed study addresses the request from MDEP and, as proposed, will help determine attainment of habitat standards and support water quality certification under Section 401 of the Clean Water Act and is consistent with MDEP protocols for hydropower studies (MDEP 2019a). MDEP has determined that, generally, flows providing wetted conditions in a weighted average of 3/4 of the cross-sectional area of the affected river or stream, as measured from bank full conditions, are sufficient to meet aquatic life and habitat standards (MDEP 2020).

The Outlet Stream Aquatic Habitat Study will be conducted within the Middle Dam bypass reach to demonstrate that minimum flows in that section are adequate to provide habitat for fish and other aquatic species. Although the Middle Dam bypass reach consists of three identifiable habitat areas; an upper pool (Area B in Figure 5), a bedrock falls and cascade (see Area C in Figure 5), and a riffle/run area between the bedrock falls and cascades to the upper extent of the backwater associated with the Lower Station powerhouse tailrace (see Area D Figure 5), RFH and MDEP agreed to the placement of two transects to evaluate wetted habitat. Figure 6 presents the proposed transect locations in the Middle Dam bypass reach in areas B and D. A transect was not placed in the bedrock falls and cascade habitat (Area C) due to the lack of a defined "bankfull" condition in

that section with which to base a determination of percent wetted habitat. An Outlet Stream Aquatic Habitat Study was not requested from MDEP in the upper bypass reach because the reach primarily consists of very steep ledge and habitat is limited, with no free-flowing reach between the ledge and impoundment.

FIGURE 5
RUMFORD FALLS MIDDLE DAM BYPASS REACH



FIGURE 6
APPROXIMATE TRANSECT LOCATIONS FOR THE OUTLET STREAM AQUATIC
HABITAT STUDY IN THE MIDDLE DAM BYPASS REACH



The Licensee proposes to complete a Transect-Based Habitat Study in combination with HEC-RAS modeling to determine whether operations meet the MDEP guideline (i.e., maintain 75% of bank full cross-sectional area). The proposed methods include:

- Establish transects in the Androscoggin River within the Middle Dam bypass reach – transects were selected in consultation with the MDEP on June 24, 2020;
- Performing river bed and bank profile surveys at the transects up to the bank full elevation;
- Measuring river width and water depth across each transect at approximately 20 stations at a low-flow release from the dam to characterize the river bed cross-sectional profile and water surface elevation;
- Gaging river flow to determine the amount of water released from the dam during the study;

- Estimating bank full conditions based on physical stream bank characteristics (e.g., top of flat depositional benches; lower extent of persistent woody debris) – bank full conditions will be determined in consultation with the MDEP; and
- Using a HEC-RAS model to determine at which flow 75 percent of the bank full cross-sectional area of the river is continuously watered.

These data will be used to determine if the current minimum flows meet the MDEP requirements.

6.0 Schedule

The proposed schedule for the Water Quality Study is presented in Table 5. Completion of the Water Quality Study in 2020 is dependent on consultation and concurrence with MDEP on sample site locations, as needed, with sufficient time to plan and execute the required studies and is also dependent on flow and weather conditions. If there is insufficient time to plan and execute one or more of the components of the Water Quality Study, it may be necessary to delay parts or all of the Water Quality Study until 2021.

TABLE 5
PROPOSED WATER QUALITY STUDY SCHEDULE

Water Quality Study Component	Anticipate Start	Anticipated Completion
Impoundment Trophic State Study – Field Work	June 2020	October 2020
Temperature and DO Monitoring – Field Work	July 2020	September 2020
Benthic Macroinvertebrate Study – Field Work	July 2020	September 2020
Outlet Stream Aquatic Habitat Study – Field Work	September 2020	October 2020
Initial Study Report Filing	-	August 7, 2021

7.0 Level of Effort

The estimated cost for the Water Quality Study is \$65,000. The proposed level of effort is adequate to obtain the information needed to determine whether the Androscoggin River meets Maine’s water quality standards in the Project area.

8.0 References

- Maine Department of Environmental Protection (MDEP). 2014. Methods for Biological Sampling and Analysis of Maine's Rivers and Streams. DEP LW0387-C2014. Revised April, 2014
- _____. 2019a. DEP Sampling Protocol for Hydropower Studies. September, 2019.
- _____. 2019b. VRMP Reports. Online [URL]: https://www.maine.gov/dep/water/monitoring/rivers_and_streams/vrmp/reports.html (Accessed July 26, 2019).
- _____. 2019c. Personal communication between B. Mower of MDEP and R. Dorman of Brookfield Renewable dated June 21, 2019.
- _____. 2020. Comment on Pre-Application Document and Study Request Rumford Falls Hydroelectric Project (FERC No. 2333).
- Rumford Falls Power Company. 1991. Final License Application for Rumford Falls Hydroelectric Project (FERC NO. 2333). December 23.
- Sale, M. J., Cada, G. F., Chang, L. H., Christensen, S. W., Railsback, S. F., Francfort, J. E., Rinehart, B. N., and Sommers, G. L. 1991. Environmental mitigation at hydroelectric projects: Volume 1. Current practices for instream flow needs, dissolved oxygen, and fish passage. Web. doi:10.2172/1218135.

APPENDIX D
ANGLER CREEL SURVEY STUDY PLAN

Angler Creel Survey

1.0 Goals and Objectives

The goal of the Angler Creel Survey is to provide information on the status of the recreational fishery both above and below the Project. Specifically, this study seeks to:

- Derive an overall estimate of angler use;
- Derive estimates of angler success (harvest, catch rates, etc.);
- Collect biometric data on harvested fish; and
- Provide information related to overall status of the fishery.

2.0 Study Area

The survey reach will cover areas upstream and downstream of the Project. It will run from the upper extent of the Upper Dam impoundment downstream to the confluence of the Androscoggin and Webb Rivers, located in Dixfield, Maine, approximately 5.7 miles downstream of Middle Dam.

3.0 Background and Existing Information

The current recreational trout fishery is dependent upon annual stocking of hatchery Brook Trout, Rainbow Trout, and Brown Trout (MDIFW 2014). Brown Trout and Rainbow Trout have been the focus of Maine Department of Inland Fisheries and Wildlife's (MDIFW's) trout management on the upper river, partly because these species are more tolerant of elevated water temperatures that occur during much of the angling season. Habitat within the Gilead to Bethel reach, which is upstream of the Project, has been considered more suitable for Rainbow Trout, while habitat from Bethel to Rumford Falls has been considered more suitable for Brown Trout and bass (MDIFW 2014). MDIFW performs annual fish stocking of Brook, Brown, and Rainbow Trout in the mainstem of the upper Androscoggin River at three locations upstream of the Project (Gilead, Bethel, and Hanover) and one location downstream of the Project (Mexico). Stocking locations in Gilead, Bethel, and Hanover sit approximately 26, 20, and 5 miles above the upstream extent of the Rumford Falls Project boundary. The downstream stocking location at the MDACF boat launch in Mexico sits approximately 0.25 miles downstream of the Rumford Falls Project boundary. Fish stocking records for the last five years are presented in Table 1 below.

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TABLE 1
MDIFW FISH STOCKING IN THE MAINSTEM OF THE ANDROSCOGGIN RIVER
FOR THE LAST 5 YEARS (GILEAD, BETHEL, HANOVER, AND MEXICO, MAINE)

City/Town	Species	Number of Fish Stocked				
		2015	2016	2017	2018	2019
Gilead	Brook Trout	1,145	1,700	1,100	1,075	1,075
Gilead	Brown Trout	750	750	750	750	750
Gilead	Rainbow Trout	1,000	1,180	1,105	1,300	1,500
Bethel	Brook Trout	675	745	700	675	675
Bethel	Brown Trout	1,600	1,600	1,600	1,600	1,600
Bethel	Rainbow Trout	700	616	595	700	-
Hanover	Brook Trout	1,000	1,150	1,100	1,000	1,000
Hanover	Brown Trout	2,000	2,000	2,000	2,000	2,000
Mexico	Brook Trout	250	260	270	250	250
Mexico	Brown Trout	250	250	250	250	250
Mexico	Rainbow Trout	1,350	1,188	1,148	1,350	940

Source: MDIFW 2019.

4.0 Project Nexus

This study will provide baseline information on recreational angling relative to Project facilities.

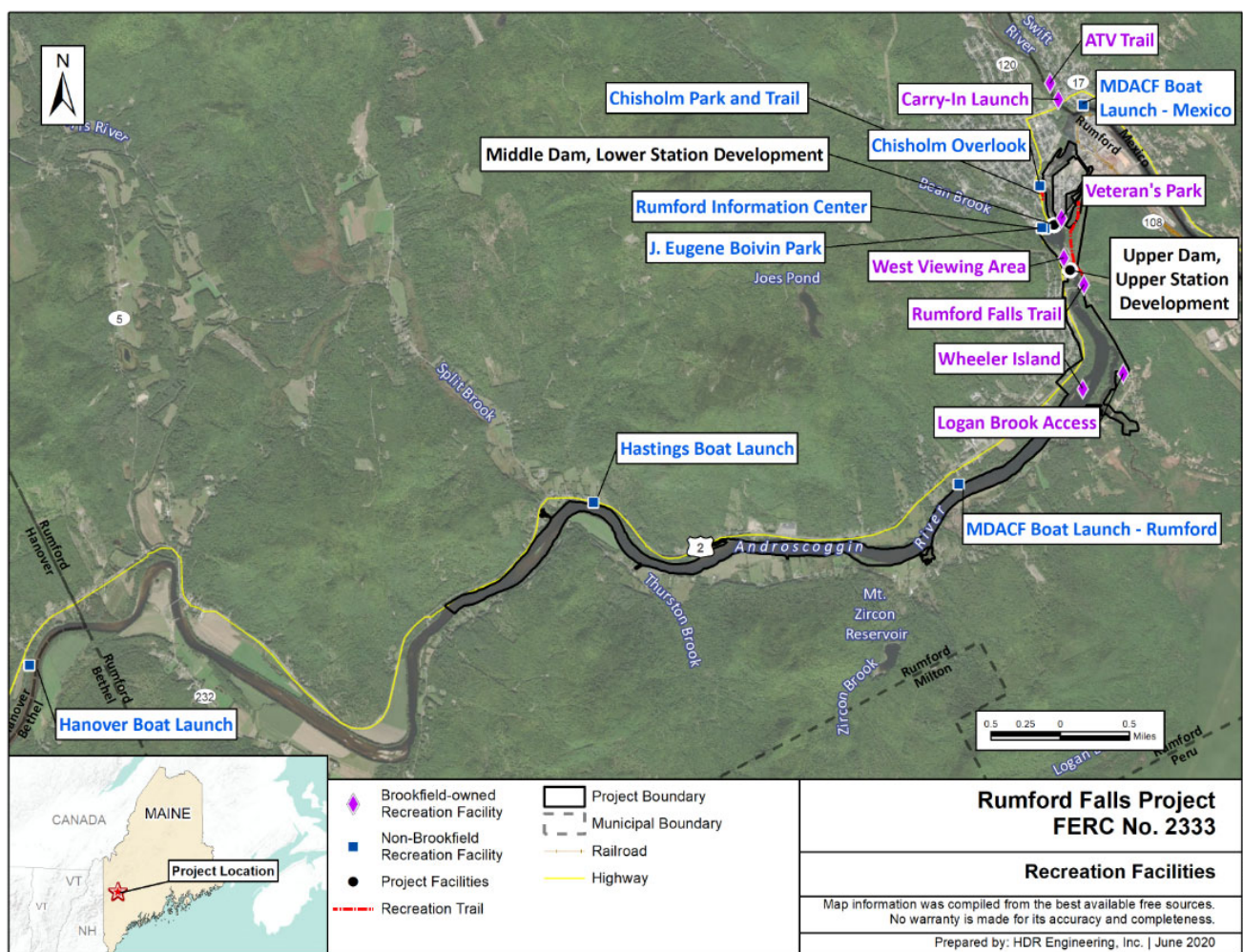
5.0 Methodology

This study will employ a stratified random survey design to conduct roving creel surveys of specific index sites within the targeted study area. Table 2 provides a proposed preliminary list of index sites for the Angler Creel Survey (See Figure 1). **This list will be further refined in consultation with MDIFW and in the field**, but it is anticipated that index sites will include at least those identified in Table 2.

TABLE 2
PRELIMINARY LIST OF CREEL SURVEY INDEX SITES

Index Site	Position Relative to Project
Hastings Boat Launch	Upper Dam impoundment
MDACF Boat Launch in Rumford	Upper Dam impoundment
J. Eugene Boivin Park	Middle Dam Bypass
Chisholm Overlook	Middle Dam Bypass
Veteran's Park	Middle Dam Bypass/Middle Canal
MDACF Boat Launch in Mexico	Androscoggin River Downstream of Project
Dixfield Opera House Carry	Androscoggin River Downstream of Project

FIGURE 1
RECREATION FACILITIES IN THE PROJECT BOUNDARY AND PROJECT VICINITY*



*Access to the West Viewing Area has been limited due to public safety and security concerns associated with proximity of the site to the powerhouse. The Dixfield Opera House Carry is located near the confluence with the Webb River, approximately 5.7 miles RM downstream of the Middle Dam.

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Prior to conducting any surveys, a schedule for the period of interest (April-November) will be developed and reviewed with MDIFW. The survey will be stratified by day-type (weekday or weekend) and two sample days will be selected per week consisting of one randomly selected weekday and one weekend day. A start time will be selected for each sample date, which will consist of an eight-hour work day (including drive time between sites) between sunrise and sunset.

Once a set of randomized sample dates has been selected, each survey date will be sampled in the form of two main activities: effort counts and angler interviews. Effort count information will be obtained at index sites by a creel clerk. At each index site, an effort count will result in a count of each active fishing rod being used by an angler from a boat or shore. Counts will be recorded to document (1) the total number of people observed, (2) the number of anglers observed, and (3) the number of fishing rods in use. After the effort counts are collected, the creel clerk will return to index sites to conduct interviews to obtain catch rate information. Effort counts will provide an estimate of angler pressure (i.e., how many people are targeting the resource) and angler interviews will provide information on rates of success.

Within a survey date, morning and afternoon observation periods will be defined as:

- Morning (AM) – local time of sunrise to 1200.
- Afternoon (PM) – 1201 to local time of sunset.

On each scheduled survey date, one observation period (AM or PM) will be randomly selected. Within each observation period, three observation hours will be randomly selected to conduct instantaneous effort counts of anglers. Observation hours will be randomly selected with equal probability from the seven available morning hours (i.e., 0500, 0600, 0700, 0800, 0900, 1000, or 1100) or the eight afternoon hours (i.e., 1200, 1300, 1400, 1500, 1600, 1700, 1800, or 1900). The observation hours will be adjusted seasonally depending on day length and local time of sunrise and sunset. For example, in September it may get dark at 0500 and, therefore, this hour would not be a potential observation hour.

Three instantaneous effort counts will be conducted at all index sites during each of the three observational hours to assess fishing pressure. During effort counts, the creel clerk will count all

visible shoreline or boat-based anglers. Care will be taken not to double count anglers that may be visible from more than one index site. Effort count data will include the number of visible boats, number of individuals observed in boats or angling from shore, and the number of active fishing rods. Supporting data collected during the instantaneous effort counts will include the number of boat trailers parked at the surveyed access sites, when applicable.

Once the effort counts are completed, the creel clerk will return to each index location and will conduct angler interviews with accessible and cooperative anglers. Information collected during these interviews may include, but are not limited to, angler type (local or from out of town), access type (shore or boat), the number of anglers within a group, angling start time, interview time, status of trip (finished or still fishing), fishing location, and number of fish caught. In the event an angler reports catch, the creel technician will attempt to record species, fate (i.e., catch and release, harvest), and other biological information.

6.0 Schedule

The first year of the creel survey effort will be conducted during the period from April to November 2021. RFH will conduct a second year of the creel effort during this period in 2022 to address the potential for year-to-year variability often experienced during these types of surveys.

7.0 Level of Effort

The estimated annual cost for the proposed stratified random roving creel survey ranges from \$30,000 to \$60,000. The exact project cost will be a function of the availability of qualified individual(s) from the local area or out of town to serve as the creel clerk for the Project. The proposed level of effort is sufficient to provide baseline information on recreational angling in the Project area.

8.0 References

Maine Department of Inland Fisheries and Wildlife (MDIFW). 2014. Upper Androscoggin River Fishery Management Plan. January 2014.

_____. 2019. Fish Stocking Reports. Online [URL]: <https://www.maine.gov/ifw/fishing-boating/fishing/fishing-resources/fish-stocking-report.html>. (Accessed February 6, 2020).

APPENDIX E
RECREATION STUDY PLAN

Recreation Study

There is one FERC-approved recreation facility at the Project, a carry-in canoe facility at the Carlton Bridge, located on the eastern edge of the Swift River just upstream of its confluence with the Androscoggin River. Rumford Falls Hydro (RFH) proposed to conduct a Recreation Study in the PSP. Comments on the proposed Recreation Study were received from the Federal Energy Regulatory Commission (FERC), Maine Department of Inland Fisheries and Wildlife (MDIFW), Maine Department of Agriculture, Conservation, and Forestry (MDACF), and other stakeholders (Appendix A of the RSP). A recreation study request was also made by the Town of Rumford as well as a member of Mahoosuc Pathways, which was supported in the comments by a number of stakeholders. RFH has revised the study plan in response to these comments.

1.0 Goals and Objectives

The goal of this study is to determine if there is a need for enhancements to the Project's existing formal recreation facility in support of a new license or the need for additional recreation facilities to support the current and future demand for public recreation at the Project.

The objectives of this study are to accomplish the following:

- Conduct an inventory of the existing recreation facilities to summarize current recreation opportunities;
- Assess the condition of the existing recreation facilities;
- Characterize current recreation use and future demand of recreation facilities; and
- Collect user feedback on existing recreation facilities and existing or anticipated future needs.

2.0 Study Area

The study area will include the Project boundary and recreation facilities identified in Figure 1.

3.0 Background and Existing Information

Boating and fishing are the primary recreation activities that occur within the Project boundary; however, recreation use in the Project vicinity is limited and typically comprised of local residents.

Due to the small size of the Middle Dam impoundment (21 acres), most of the recreation use occurs on the Upper Dam impoundment (FERC 1993).

There is one FERC-approved recreation facility at the Project, a carry-in canoe facility at the Carlton Bridge, located on the eastern edge of the Swift River just upstream of its confluence with the Androscoggin River (Figures 1 and 2). In addition, RFH-owned sites or facilities, which are non-FERC approved recreation facilities include:

- Rumford Falls Trail – a trail through the Project area¹⁴;
- Logan Brook Access – boat access off of Logan Brook near its confluence with the Androscoggin River;
- West Viewing Area – overlook located at the Upper Dam powerhouse¹⁵;
- ATV trail – trail used to pass by foot, ATV, or snowmobile;
- Veteran’s Park – park in the Town of Rumford; and
- Wheeler Island – an island located in the Upper Dam impoundment.

Non-FERC approved recreation sites identified in Figure 1, which do not appear to be owned or operated by RFH, and provide access to Project lands and waters include (Figures 1 and 2):

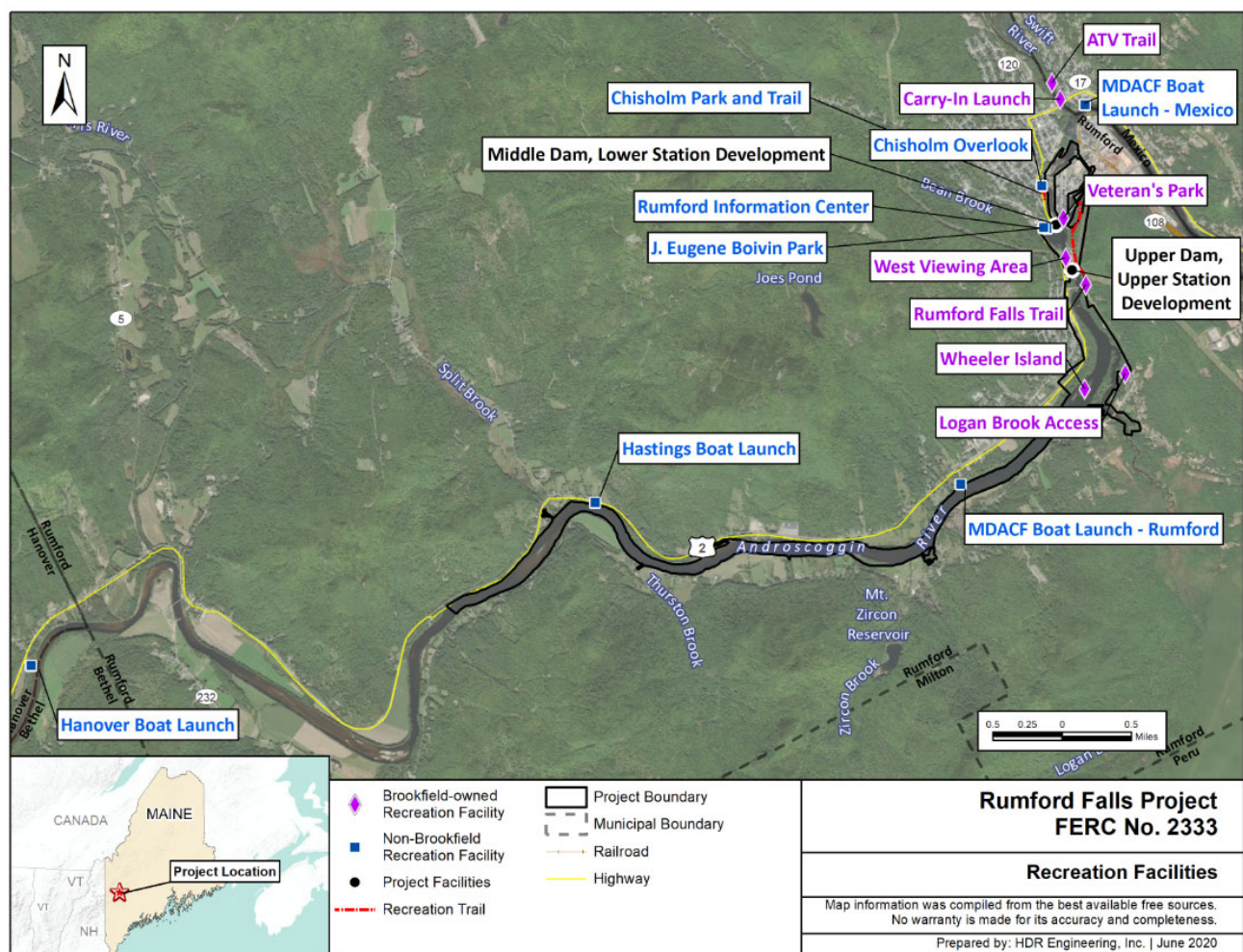
- Hanover Boat Launch¹⁶;
- Hastings Boat Launch;
- MDACF Boat Launch in Rumford;
- J. Eugene Boivin Park;
- Rumford Information Center;
- Chisholm Park and Trail;
- Chisholm Overlook; and
- MDACF Boat Launch in Mexico.

¹⁴ Access to a portion of the Rumford Falls Trail has been limited due to public safety concerns. The trail connects to town roads at the north and south ends.

¹⁵ Access to the West Viewing Area has been limited due to public safety and security concerns associated with the sites proximity to the powerhouse.

¹⁶ This site was required under Article 408 of the existing license, which was sold by RFPC to the MDIFW and Town of Hanover in 1999-2000.

FIGURE 1
RECREATION FACILITIES IN THE PROJECT BOUNDARY AND PROJECT VICINITY*

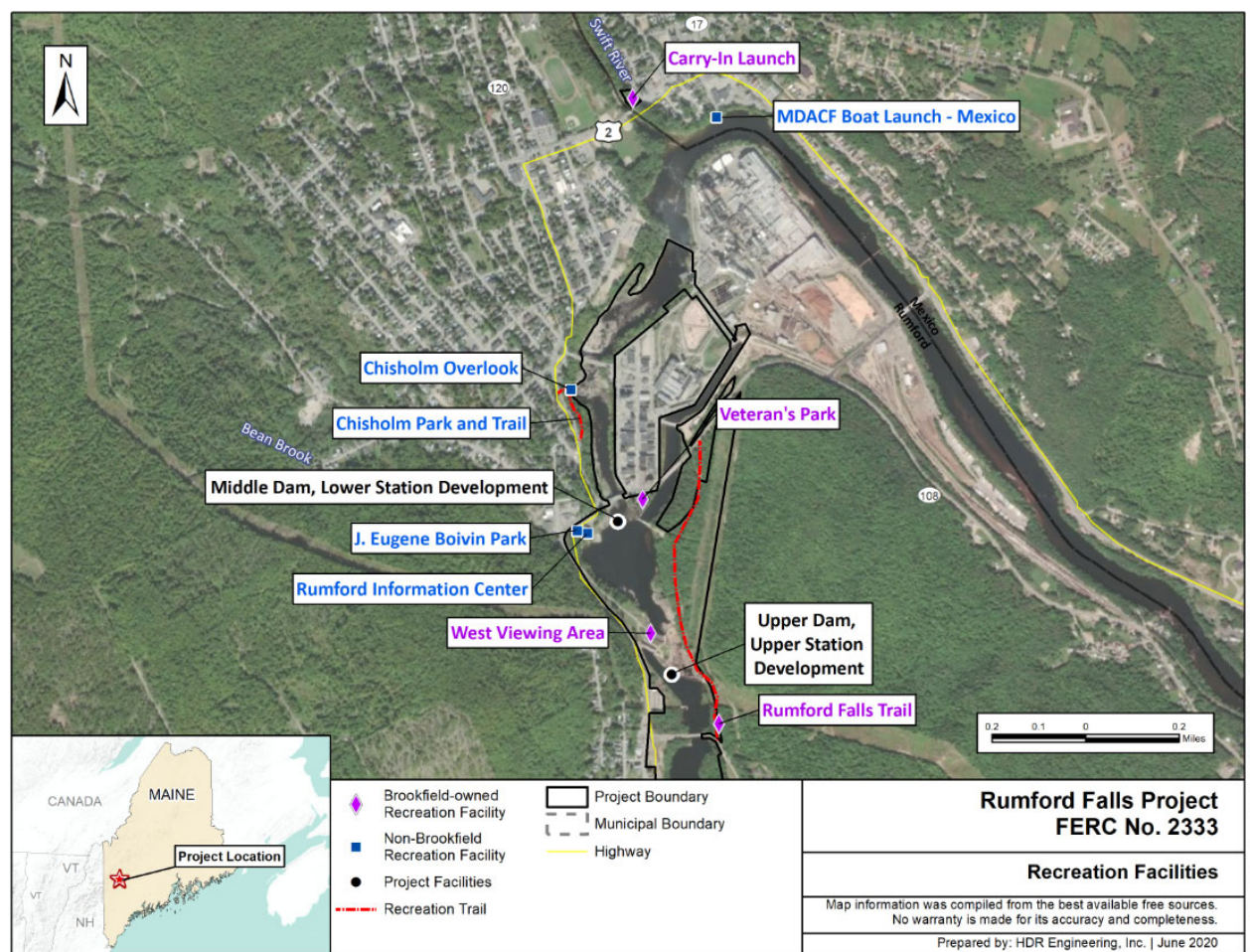


*Access to the Rumford Falls Trail and West Viewing Area have been limited due to public safety concerns. There are also security concerns regarding the West Viewing Area due to the proximity of the site to the powerhouse.

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FIGURE 2
RECREATION FACILITIES IN THE PROJECT BOUNDARY AND PROJECT VICINITY
PROJECT AND TOWN FOCUS*



*Access to the Rumford Falls Trail and West Viewing Area have been limited due to public safety concerns. There are also security concerns regarding the West Viewing Area due to the proximity of the site to the powerhouse.

Appendix E-4

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4.0 Project Nexus

The Project currently provides public recreation opportunities. The results of this study, in conjunction with existing information, will be used to inform analysis in, and recommendations for, the license application regarding potential Project effects on public recreation and potential protection, mitigation, and enhancement (PM&E) measures to be included in the new license, as needed. The results of this study will also be useful for development of a recreation plan, which RFH is proposing to develop.

5.0 Methodology

This study contains three primary tasks: 1) conducting an inventory and assessment of recreation facilities at the Project and within the Project vicinity to summarize existing recreation opportunities; 2) characterizing current recreation use and future demand and/or need of recreation facilities at the Project and within the Project vicinity (i.e., convening a site visit and focus group discussion with stakeholders and administering on-site visitor and online surveys); 3) compiling information into a final study report. Note, the evaluation of the Rumford Falls Trail will be limited to the portion of the trail that occurs on RFH land, as shown in Figure 1 (the trail connects to town roads at the north and south ends).

Task 1 – Conduct an Inventory and Assessment of Recreation Facilities at the Project and within the Project Vicinity (i.e., recreation sites identified in Figure 1)

A recreation facility inventory and assessment will be conducted of the existing key Project and non-Project recreation sites identified in Figure 1. RFH will record the following information at the sites:

- Site location information with GPS coordinates;
- Location and type of access in relation to the Project boundary;
- Type and number/capacity of amenities at each site (e.g., parking, restroom facilities, picnic tables, and signage);
- Condition of the facilities/amenities;
- Identification of whether the facility is a Project or non-Project recreation facility;

- Entity responsible for the operation and maintenance of each site;
- Hour/seasons of operation; and
- Photographs of each site.

In addition, erosion and vegetation condition will be noted, including impacts of recreation use on vegetation. RFH will identify areas with forms of instability (e.g., erosion, slumping) and limitations on the ability to enhance the site conditions (e.g., safety considerations). The facility inventory and assessment form is included as Attachment 1.

Task 2 – Characterizing Current Recreation Use and Future Demand of Recreation Facilities at the Project and within the Project Vicinity

Information to characterize current recreation use and future demand of recreation facilities will be gathered using the following methods:

- Convene a site visit and focus group discussion with stakeholders to discuss existing and future recreational opportunities;
- Recreation observations at recreation facilities;
- Visitor surveys; and
- Online surveys.

Convene a Site Visit and Focus Group Discussion with Stakeholders to Discuss Existing and Future Recreational Opportunities

RFH proposes to convene a site visit with interested stakeholders to visit the recreation facilities identified in Figure 1¹⁷ and to discuss existing and future recreational opportunities in the Project area. These stakeholders would include, to the extent that they are willing and able to participate, the Town of Rumford, resource agencies, NGOs, and members of the public.

Following visiting the sites, a focus group meeting will be held to further discuss recreational resources in the Project area and identify current and future recreational needs. The site visit and

¹⁷ Wheeler Island is a small forested island without good access or areas to view from shore and it will, therefore, not be visited during the stakeholder site visit.

the focus group meeting will be held on the same day. Topics to be discussed include key recreation assets, different seasonal uses, historic and present uses, access, suitability for use of existing resources, and potential needs for rehabilitation and improvements. This site visit with stakeholders will take place in spring 2021. RFH will summarize results of the site visit and focus group discussion into a summary document and share it with the meeting participants. Information from the summary document will be incorporated into the larger recreation study report (Task 4).

Recreation Observations at Recreation Facilities

Recreation use data will be obtained from late May through early September 2021 to capture the primary peak recreation season, particularly in light of the fact that these facilities provide amenities supporting summer recreation activities. Recreation use observations will be conducted at the following sites:

1. ATV Trail (various points within or near the Project)
2. Carry-In Launch
3. MDACF Boat Launch in Mexico
4. Chisholm Overlook and Chisholm Park and Trail¹⁸
5. Rumford Information Center and J. Eugene Boivin Park¹⁹
6. Hastings Boat Launch
7. Hanover Boat Launch
8. MDACF Boat Launch in Rumford
9. Logan Brook Access
10. Rumford Falls Trail
11. Veteran's Park

¹⁸ Observations at Chisholm Overlook and Chisholm Park and Trail will be conducted concurrently due to site proximity.

¹⁹ Observations at Rumford Information Center and J. Eugene Boivin Park will be conducted concurrently due to site proximity.

Note, Wheeler Island is a small forested island without good access, or areas to view, from shore; therefore, RFH will not conduct recreational use surveys of this site. However, a site inventory and assessment will be conducted at this site.

RFH proposes to conduct spot counts four days per month from late May through early September 2021 for a total of 20 survey days. These days will consist of two randomized week days and two randomized weekend days per month. For months with holidays (Memorial Day, Fourth of July, and Labor Day). Recreation observations will occur on the holiday and one day during the holiday weekend, which will count towards the required survey days for the associated month. Observations will be conducted during daylight hours from 8 AM through 6 PM by one team consisting of two dedicated recreation survey technicians (no incidental observations will be conducted by RFH operations staff, etc.). The team will spend up to one hour at each recreation facility before rotating to the next facility. Due to the amount of sites to be surveyed, and the expected amount of time to perform the surveys, each of the 11 listed sites will not be visited during the course of one survey day. However, all rotations (order of sites visited) will be randomized, which will allow for surveying each recreation facility at varying times over the course of the study. In addition, in order to evaluate each site equally, each of the 11 sites will be visited in the random sequence prior to revisiting a site with the next random site. An observation form will be completed and will include the following information (observation form is included as Attachment 2):

- Date and time;
- Observer;
- Weather conditions;
- Number of people observed;
- Number of cars observed (other modes of transportation to be noted);
- Observed recreation activities; and
- Additional pertinent notes.

Visitor Surveys

Visitor surveys will be administered concurrently with recreational observations discussed above with the same team consisting of two technicians. The survey will be structured to collect information on user characteristics (place of residency, age, group size, length of visit), frequency of visits, primary activities, and perceptions of the level of use, condition of amenities, number and type of available amenities, and the need for improvements to river access. A copy of the proposed survey form is provided in Attachment 3.

Online Survey

In addition to the administered visitor surveys, RFH will develop an online version of the visitor survey that will allow respondents to provide survey responses electronically. The online survey will allow RFH to capture information on recreational use from individuals who do not wish to complete an interview or survey in the field.

To inform the recreating public about the availability of the online survey, RFH will provide handouts to recreationists with the relevant information on how to complete the online survey. Signage with information on how to complete the only survey will be posted at the recreational facilities listed above. RFH will also invite interested stakeholders to share a link to the online survey and instructions on their respective websites and to notify their constituents and customers about the survey. The survey will be available online from late May through early September 2021.

Task 3 – Reporting

Results from this study, including the inventory and assessment of the recreation facilities as well as characterizing current recreation use and future demand, will be summarized in a study report.

6.0 Schedule

The site visit and focus group discussion with stakeholders to discuss existing and future recreational opportunities will occur in the spring of 2021. The recreational surveys will be conducted and online surveys will be accepted from late May through early September 2021.

7.0 Level of Effort

Based on presently-available information, this study is estimated to cost approximately \$80,000. The level of effort proposed is consistent with other Recreation Studies approved by FERC for projects of this scope and size.

8.0 References

Federal Energy Regulatory Commission (FERC). 1993. Environmental Assessment for the Rumford Falls Hydroelectric Project (FERC Project No. 2333). March 25, 1993.

Attachment 1 - Facility Inventory and Assessment Form

RUMFORD FALLS HYDROELECTRIC PROJECT PUBLIC RECREATION SITE INVENTORY FORM

Observed by: _____ Date/Time: _____

Site Name and Location: _____

Latitude: _____ Longitude: _____

Facility Type (Primary Purpose):

Developed Facilities: ☐ Boat Launch ☐ Park ☐ Angling Access

☐ Trail ☐ Overlook

☐ Other Day Use: _____

Undeveloped Facilities: ☐ Primitive Campsite ☐ Informal Boat Launch ☐ Informal Angling ☐ Other

Road Access: Condition Description: _____

☐ Paved access # entrances _____ # lanes _____ ☐ Circular entrance/exit ☐ Signage

☐ Unpaved access # entrances _____ # lanes _____ ☐ Circular entrance/exit ☐ Signage

Parking Lots: Condition Description: _____

Type	# Paved	# Gravel	Space Delineation		
ADA Spaces	_____	_____	<input type="checkbox"/> Painted	<input type="checkbox"/> Curbs	<input type="checkbox"/> Signage
Regular Spaces	_____	_____	<input type="checkbox"/> Painted	<input type="checkbox"/> Curbs	<input type="checkbox"/> Signage
Vehicle & Trailer Spaces	_____	_____	<input type="checkbox"/> Painted	<input type="checkbox"/> Curbs	<input type="checkbox"/> Signage

Operations:

☐ Staffed ☐ Unstaffed ☐ Seasonal (From _____ To _____)

☐ Fee: (Site \$ _____; Parking \$ _____) ☐ Year Round

Operating Hours _____ Owner/Manager _____

Project Facility: _____ Within FERC Project Boundary? _____

Day Use Site Amenities (total # of all amenities per site; provide additional specifications on next page):

#	Type	#	Type	#	Type
_____	Picnic Shelter	_____	Overlook	_____	Boat Launch/Access
_____	Picnic Tables	_____	Hiking/Walking Trail	_____	Boating Prep Area
_____	Trash Cans	_____	Fishing Trail	_____	Designated Swim Area
_____	Grills	_____	Fishing Pier/Platform	_____	Informational Signage
_____	Firepit/ring	_____	Safety Signage		
_____	Restrooms	_____	Information Kiosk		
_____	Other (specify) _____				

Boat Launch Facilities: Condition Description: _____

Craft Type: ☐ Motorized ☐ Carry In ☐ Boat Prep Area
Launch Type: ☐ Hard surface ☐ Gravel ☐ Informal (undeveloped)
 ☐ ADA Compliant ☐ Turn-around area _____ # of Lanes

Fishing Prep Area/Docks: Condition Description: _____

☐ Prep Area ☐ Fishing Dimensions: _____ ☐ ADA Compliant
☐ Prep Area ☐ Fishing Dimensions: _____ ☐ ADA Compliant

Trails: Condition Description: _____

Type: _____ Length (ft): _____ Condition: _____ ☐ ADA Compliant
 Type: _____ Length (ft): _____ Condition: _____ ☐ ADA Compliant
 Type: _____ Length (ft): _____ Condition: _____ ☐ ADA Compliant

Interpretive/Site Information Condition Description: _____

Display Type: ☐ None ☐ Kiosk ☐ Other _____ No. of Displays
Information Type: ☐ Boating Safety ☐ Invasive Species ☐ Fishing Regulations ☐ Fish Type
 ☐ Regional Events ☐ Other (specify) _____

Sanitation Facilities: Condition Description: _____

	# Flush	(# ADA)	# Portable	(# ADA)
Unisex	_____	(_____)	_____	(_____)
Women	_____	(_____)	_____	(_____)
Men	_____	(_____)	_____	(_____)

Campsite: Condition Description: _____

	RV sites	Tent sites	Cabins/Cottages	Group sites	Primitive sites
Total # of sites	_____	_____	_____	_____	_____
ADA compliant	_____	_____	_____	_____	_____

Notes (including general condition, any restrictions/alerts, such as boating use, invasive species, etc.):
Condition Assessment Scaling System:
N – Needs replacement (broken or missing components, or non-functional)

R – Needs repair (structural damage or otherwise in obvious disrepair)

M – Needs maintenance (ongoing maintenance issue, primarily cleaning)

G – Good condition (functional and well-maintained)

If a facility is given a rating of “N”, “R”, or “M”, provide specific details.

Attachment 2 – Recreation Observation Form

Rumford Falls Hydroelectric Project

RECREATION STUDY - SPOT COUNT FORM

Date _____ Temp _____ (°F) Observer Initials _____

Weather Sunny Part Cloudy Cloudy Light Rain Heavy Rain (Note any weather changes during site visits)

Site Location	Start Time	End Time	Elapsed Time	No. of Vehicles		Vehicle State Origin	Type/Number of Boat(s)			No. of People Participating in												Total No. of People at Site	Comments/ General Description
				Without Trailers	With Trailers		Canoe/ Kayak/ Stand Up Paddle Board	Fishing	Motor	Bank Fishing	Fly/Wade Fishing	Boat Fishing	Boating (canoeing, kayaking)	Tubing/ Water Skiing	Picnicking	Swimming	Run/ Jogging	Hiking/ Walking	Wildlife Viewing	Bicycling	Other (Specify)		
ATV Trail																							
Carry-In Launch (Off Carlton Avenue in the Town of Mexico, ME)																							
Chisholm Overlook and Chisholm Park and Trail																							
Rumford Information Center and J. Eugene Boivin Park																							
West Viewing Area																							
Hastings Boat Launch																							
Hanover Boat Launch																							
MDACF Boat Launch in Rumford																							
Logan Brook Access																							
Rumford Falls Trail																							
Veteran's Park																							
MDACF Boat Launch in Mexico																							

Contact Information:
Additional notes/comments:

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Attachment 3 – Visitor Survey Form

ON-SITE/IN-PERSON RECREATION INTERVIEW**Rumford Falls Hydroelectric Project (FERC No. 2333)****Recreation Survey**

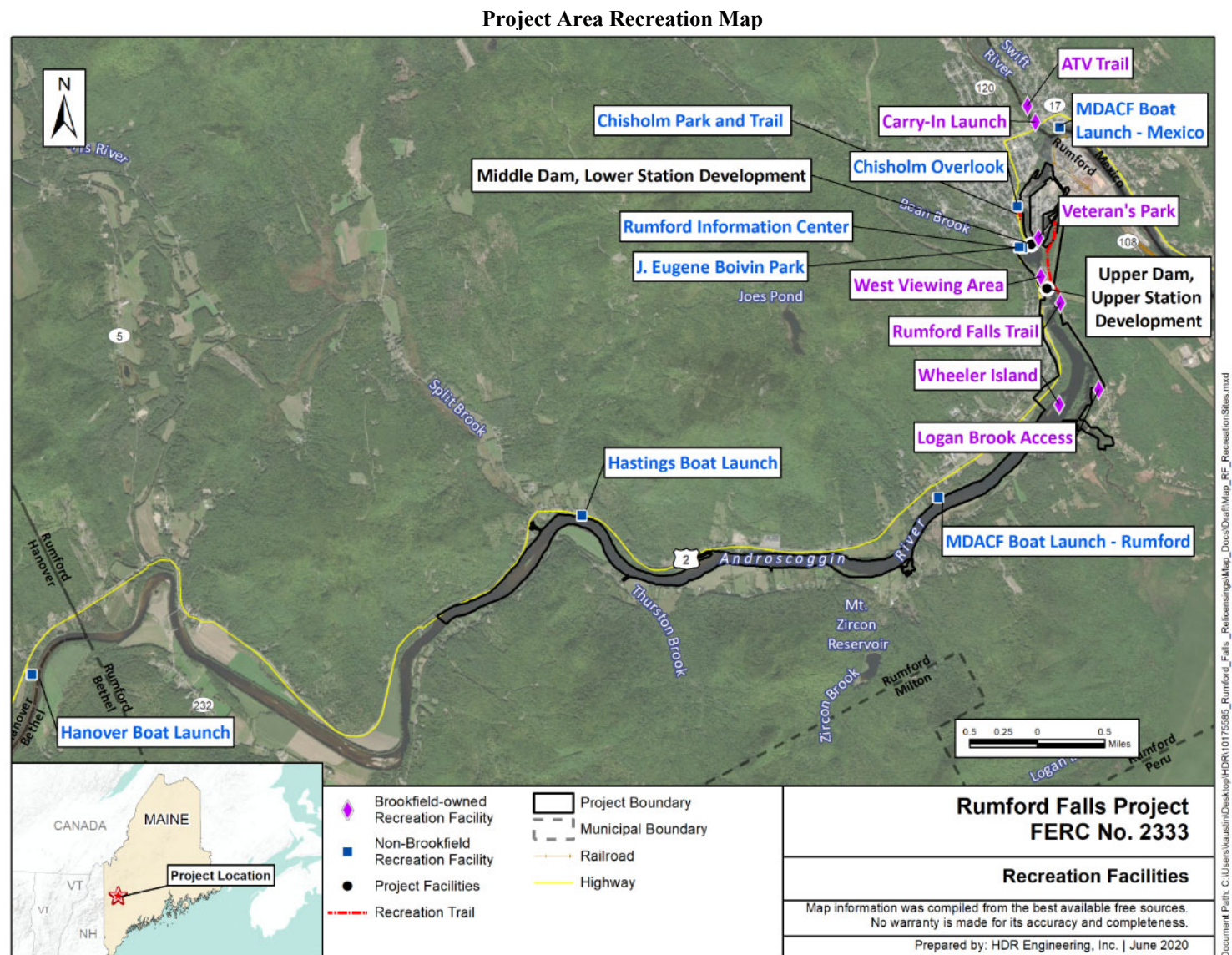
Rumford Falls Hydro, LLC (RFH), a subsidiary of Brookfield Renewable (Brookfield), owns and operates the Rumford Falls Hydroelectric Project, which is licensed by the Federal Energy Regulatory Commission (FERC). The current operating license for the Project was issued on October 18, 1994, and expires on September 30, 2024. RFH will file its application with FERC for a new license for continued Project operation no later than September 30, 2022. As part of this relicensing process, RFH is conducting a series of resource studies to enable FERC to prepare its environmental review document and develop a new operating license. The purpose of this survey is to gather information regarding participation in outdoor recreation activities at the Rumford Falls Project.

Interview Location:

- | | |
|--------------------------------------------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> 1. ATV Trail | <input type="checkbox"/> 7. Hanover Boat Launch |
| <input type="checkbox"/> 2. Carry-In Launch (off Carlton Avenue in the town of Mexico, ME) | <input type="checkbox"/> 8. MDACF Boat Launch in Rumford |
| <input type="checkbox"/> 3. MDACF Boat Launch in Mexico | <input type="checkbox"/> 9. Logan Brook Access |
| <input type="checkbox"/> 4. Chisholm Overlook and Chisholm Park and Trail | <input type="checkbox"/> 10. Rumford Falls Trail |
| <input type="checkbox"/> 5. Rumford Information Center and J. Eugene Boivin Park | Specify Location on Trail: _____ |
| <input type="checkbox"/> 6. Hastings Boat Launch | <input type="checkbox"/> 11. Veteran's Park |

Home Zip Code: _____**Date:** _____**Age:** _____**Time:** _____**River Conditions:** _____**Are you:** Male ☐ Female ☐ Prefer not to answer ☐**Interviewer:****Weather:** ☐ Sunny ☐ Partly Cloudy ☐ Cloudy ☐ Light Rain ☐ Heavy Rain**Declined Survey** ☐ Reason: _____**Q-1.** Regarding the Rumford Falls Project area, do you consider yourself: **(Please circle one)**

1. A regular visitor to this area (*3 or more times per year*)
2. An occasional visitor (*1-2 times per year*)
3. An infrequent visitor (*Less than 1 time per year*)
4. This is my first visit



Note: Access to the Rumford Falls Trail and West Viewing Area have been limited due to public safety concerns. There are also security concerns regarding the West Viewing Area due to the proximity of the site to the powerhouse.

Q-2. If visiting, when did you arrive in the Rumford Falls Project Area?

Arrival Date

Arrival Time

____/____/____

_____AM/PM

When did you, or do you, expect to leave the Rumford Falls Project area?

Departure Date

Departure Time

____/____/____

_____AM/PM

Q-3. If visiting, which month(s) did you visit the Rumford Falls Project area during the last 12 months (including this trip)?

A. _____

Q-4. Which of the following recreation areas at or near the Rumford Falls Project did you utilize for recreation during the past 12 months? **(Please circle all that apply)**

1. ATV Trail
2. Carry-In Launch (off Carlton Avenue in the town of Mexico, ME)
3. MDACF Boat Launch in Mexico
4. Chisholm Overlook and Chisholm Park and Trail
5. Rumford Information Center and J. Eugene Boivin Park
6. Wheeler Island
7. Hastings Boat Launch
8. Hanover Boat Launch
9. MDACF Boat Launch in Rumford
10. Logan Brook Access
11. Rumford Falls Trail
12. Veteran's Park
13. None of the above
14. Other (Please list)

Q-5. On your last trip, about how many miles did you travel to get to the Rumford Falls Project?

A. _____ miles

Q-6. How many people (including you) are in your group?

A. _____ people

Q-7. On this trip to the Rumford Falls Project area, in which of the following activities have you, or do you expect to, participate? **(Please circle all that apply)**

- | | | |
|----------------------------------|-----------------------------------------|------------------------------|
| 1. Bank / Wading fishing | 9. Canoeing | 17. Camping |
| 2. Boat fishing | 10. Kayaking | 18. Relaxing |
| 3. Hiking | 11. Swimming | 19. Sunbathing |
| 4. Walking | 12. Off-highway vehicle (dirt bike/ATV) | 20. Dog walking |
| 5. Running, jogging, and fitness | 13. Off-road mountain biking | 21. Painting/drawing |
| 6. Picnicking | 14. Road cycling | 22. Other (please describe): |
| 7. Tubing / Water Skiing | 15. Geo-caching | 23. No response |
| 8. Wildlife Viewing | 16. Stand Up Paddle Board | |

Q-8. Of the activities you circled in **Q-7** above, what is the primary activity that you participated in, or expect to participate in, on this visit? **(Please write in the corresponding number from above)**

A. Primary activity # _____

Q-9. On previous trips to the Project, please rate the following:

	Accessibility	Parking	Crowding	Condition of Recreation Facilities	Available Amenities	Overall Experience
ATV Trail						
Carry-In Launch (off Carlton Avenue in the town of Mexico, ME)						
MDACF Boat Launch in Mexico						
Chisholm Overlook and Chisholm Park and Trail						
Rumford Information Center and J. Eugene Boivin Park						
Wheeler Island						
Hastings Boat Launch						
Hanover Boat Launch						
MDACF Boat Launch in Rumford						
Logan Brook Access						
Rumford Falls Trail						
Veteran's Park						
Please use the following numerical scale to rate the formal recreation areas at the Rumford Falls Project: 1) Totally Unacceptable; 2) Unacceptable; 3) Neutral; 4) Acceptable; 5) Totally Acceptable						

Q-10. If you use a boat (all types of watercraft) to access the Androscoggin River, have you experienced any difficulty launching or retrieving your boat?

- ☐ Yes – Hand Carry
- ☐ No – Hand Carry
- ☐ No Response
- ☐ Yes – Motorized
- ☐ No - Motorized

If yes, please explain: _____

Q-11. Please tell us what type(s) of recreation enhancements you believe are needed and at what specific location(s) at the Rumford Falls Project.

1. Type of recreation enhancement: _____

Location(s): _____

2. Type of recreation enhancement: _____

Location(s): _____

3. Type of recreation enhancement: _____

Location(s): _____

Q-12. Please share any other comments that you have regarding recreation at the Rumford Falls Project: _____

Thank you for completing the Recreation Survey!

APPENDIX F
HISTORIC ARCHITECTURAL SURVEY STUDY PLAN

Historic Architectural Survey

1.0 Goals and Objectives

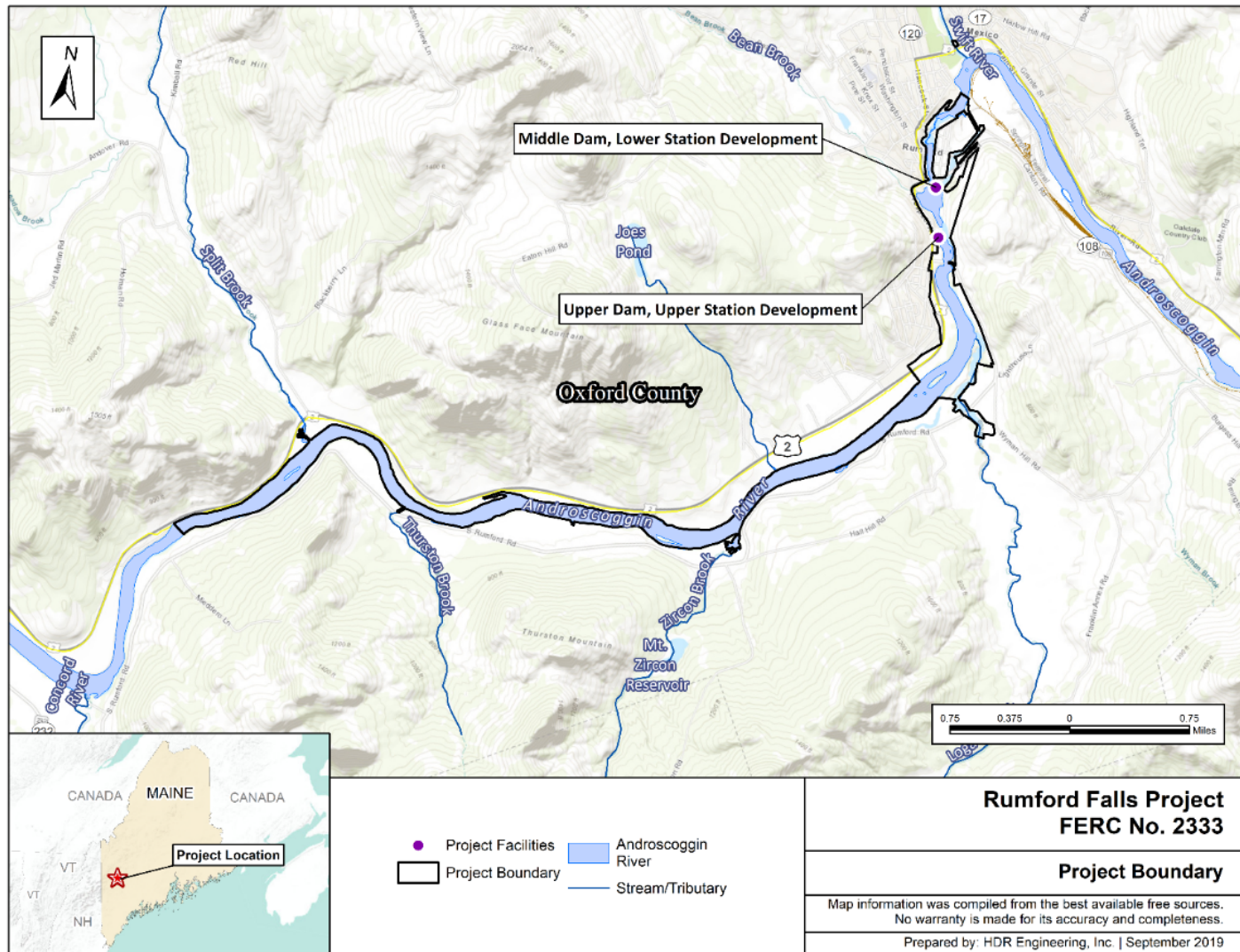
Pursuant to Section 106 of the National Historic Preservation Act (NHPA) (Section 106), the licensing of the Project would be a Federal undertaking and a license issued by the Federal Energy Regulatory Commission (FERC) would permit activities that may “...cause changes in the character or use of historic properties, if such properties exist...” The goal of the Historic Architectural Survey is to identify and determine the potential effects of continued Project operation and maintenance on historic architectural resources eligible for the National Register of Historic Places (NRHP). The specific objectives of the study and subsequent report are to: conduct a historic architectural survey of Project components 45 years of age or older (threshold used by the State Historic Preservation Office and the Maine Historic Preservation Commission [MHPC]); assess the NRHP eligibility of each identified component; and evaluate the potential effects of continued operation and maintenance on each component so that the nature and extent of potential Project effects and measures to avoid, lessen, or mitigate adverse effects can be properly determined.

As discussed below, the Historic Architectural Survey will be conducted in consultation with the FERC, MHPC, and other interested parties. The nature and extent of the Project’s Area of Potential Effect (APE) will be defined in consultation with MHPC.

2.0 Study Area

The study area for historic architectural resources will be composed of the Project’s Area of Potential Effect (APE). The APE is proposed as the Project boundary (see Figure 1) and any lands outside the Project boundary where resources may be affected by Project-related activities that are conducted in accordance with the FERC license. The Project boundary encompasses lands that are necessary for Project purposes, Project-related operations, potential enhancement measures, and routine maintenance activities associated with the implementation of a license issued by FERC. The Project boundary and adjacent lands that may be subject to erosion as a result of Project operation represent the APE for direct effects. The Project’s APE for indirect effects includes the

**FIGURE 1
PROJECT LOCATION AND PROJECT BOUNDARY MAP**



Appendix F-2

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areas where Project construction, operation, or development may cause changes in the character or use of historic properties outside of the direct APE. The nature and extent of the indirect APE will be defined in consultation with MHPC. Background research will cover a two-mile radius around the direct APE and will inform consultation on indirect Project effects.

3.0 Background and Existing Information

No architectural historic properties listed on, or eligible for listing on, the NRHP have been identified in the Project boundary. The Project's facilities were evaluated during the previous relicensing and were determined not eligible for listing in the NRHP (MHPC 1993).

3.1 Need for Additional Information

Per MHPC guidelines, the previously recorded facility components need to be revisited to verify their current condition. The components of the Project that will be 45 years or older at the conclusion of the current license term will need to be identified and evaluated for NRHP eligibility, and if eligible, assessed for Project-related effects so that the nature and extent of potential Project effects and measures to avoid, lessen, or mitigate adverse effects can be properly determined.

4.0 Project Nexus

Section 106 requires that Federal agencies consider the effect of proposed undertakings on any district, site, building, structure, or object that is included in or eligible for the NRHP. Operation and maintenance of Project facilities could adversely affect historic properties through ground-disturbing activities and cause other indirect adverse effects on historic properties. An evaluation of the Project facilities for eligibility and Project effects will provide updated information on historic resources located at the Project sites.

5.0 Methodology

5.1 Consistency with Generally Accepted Scientific Practice

The methodology for this proposed study is consistent with FERC and MHPC regulations and guidance for conducting historic architectural investigations. The proposed methodology also complies with Section 106. The Historic Architectural Survey will be conducted in consultation with the FERC, MHPC, and other interested parties.

5.2 Identifying Historic Architectural Resources

Background research and an inventory for architectural resources will be conducted by architectural historians that meet or exceed the Secretary of the Interior's *Professional Qualification Standards* for Architectural History (36 CFR 800.2(a)(1)). The requisite scope of work for the Historic Architectural Survey will be identified through consultation with MHPC and other interested parties. Prior to conducting the survey and completing a survey report, the following will be decided in consultation with MHPC: methods and techniques on how the survey should be conducted, anticipated effects (direct and indirect) on each Project component, whether each identified Project component is considered eligible for the NRHP, and other relevant details involving the survey and report. Methods used to conduct the survey and NRHP eligibility evaluations will conform to MHPC guidelines. Assumptions regarding the scope of work based on MHPC guidelines are provided below, but are subject to change pending consultation with the MHPC.

Background research will consist of a review of previously conducted studies in the area and a review of literature describing the development of hydroelectric facilities with a focus on activities in western Maine. A copy of existing resources recorded in MHPC's Cultural and Architectural Resource Management Archive (CARMA) will be obtained and reviewed in order to identify the location of previously recorded resources. Site file research will be conducted at MHPC's file room to determine previous surveys conducted in the Project area. Remote and local research sufficient to complete MHPC reconnaissance survey forms for each resource and make NRHP eligibility recommendations will be conducted at repositories including, but not limited to, the

Rumford Area Historical Society, Rumford Falls Hydro (RFH) archives, and the Maine Memory Network.

Architectural historians will conduct the field survey of the existing hydropower facilities and other architectural resources identified in the field and will follow MHPC's guidelines for previously surveyed resources in the *Above Ground Cultural Resources Survey Manual* (MHPC 2006). Documentation will include photographic overviews of the Project area and photographic documentation of extant buildings and structures 45 years of age or older. Photographs taken during site visits and included in the CARMA Survey Forms will follow MHPC photograph and form policies.

Mapping of the facilities will require development of an overview map of the property and boundaries on a U.S. Geological Survey (USGS) topographic quadrangle map, as well as a "site plan" map of the property. The maps required for the form will be developed using a Geographic Information System (GIS) to manage and display resource data.

A preliminary survey report will be completed after the field inventory phase according to MHPC guidelines for reconnaissance survey reporting. The report will be submitted to MHPC and FERC for review and comment. The report will be kept confidential and filed with FERC and other consulting parties as "privileged," a non-public document.

5.3 Evaluating Historic Architectural Resources

The NRHP Criteria of Evaluation will be applied to historic architectural resources identified during field survey. These criteria are described more fully below.

Criterion A: Resources are associated with events that have made a significant contribution to the broad patterns of our history; or

Criterion B: Resources are associated with the lives of persons significant in our past; or

Criterion C: Resources embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that

represent a significant and distinguishable entity whose components may lack individual distinction; or

Criterion D: Resources yield, or may be likely to yield, information important in prehistory or history (36 CFR Part 60).

In order to be eligible for the NRHP, a resource must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. Following the background research, field survey, and resource evaluation, a survey report containing applicable determinations of eligibility will be prepared and submitted to MHPC and FERC. Evaluations will consider the individual Project components as well as the assemblage as an integrated whole or larger district. Concurrence on recommendations of NRHP eligibility will be requested from MHPC.

5.4 Assessing Effects

For historic properties, the Criteria of Adverse Effect (as outlined in 36 CFR 800.5) will be applied to Project activities that have the potential to affect historic properties. Project effects include direct or indirect alterations to the historic characteristics of a historic property that qualify the property for inclusion in the NRHP in a manner that diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Types of effects to historic properties caused by the Project may include:

- Development or Project operation proposals developed during the FERC relicensing process that involve soil disturbance.
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's historic features.
- Changes of the character of the property's use or of physical features within the property's setting that contribute to its historic significance.
- Demolition or Alteration of a Property: Demolition or extensive alteration of all or part of the resource.
- Isolation/Alteration of Surrounding Environment: Temporary or permanent restrictions of access to a historic resource or a change in the setting of the property.

- **Introduction of New Construction:** Addition of new construction that is not compatible with the existing architecture of historic resources.
- **Noise:** Introduction of audible elements that are out of character with the historic resource and its established use such that its use may be altered or abandoned.
- **Vibration:** Construction or operation techniques that would create vibrations such that a resource may experience damages such as the loosening of paint or mortar, cracking of mortar or plaster, weakening of structural elements, or crumbling masonry.
- **Neglect:** Neglect of a resource resulting in its deterioration or demolition. This is a potential effect under no-build alternatives.

The effects will be described in the survey report and provided for review by MHPC and FERC. Concurrence on recommendations of assessment of effects will be requested from MHPC.

6.0 Schedule

The schedule will be consistent with Table 1 but may be modified on an as-needed basis. FERC will be notified when changes to the relicensing schedule are made. Schedule may be affected by study disputes and/or Project description modifications.

**TABLE 1
HISTORIC ARCHITECTURAL SURVEY SCHEDULE**

Component	Completion Date
Historic Architectural Resources Inventory	September 2020
Evaluation	February 2021
Assessment of Project Effects	February 2021
Initial Study Report filed with FERC	August 2021
Final Technical Report	December 2021

7.0 Level of Effort

In accordance with 36 CFR 800.4, RFH will make a reasonable and good faith effort to carry out appropriate identification efforts for historic architectural resources, including background research and field survey. RFH will take into account past planning, research, and studies; the likely nature and location of historic properties within the APE; and the nature and extent of potential Project effects on historic properties. This consideration will also include applicable professional, state, and Federal guidelines, regulations, and standards. Further, the level of effort will be commensurate with the size of the Project and its limited potential for effects on historic properties. The cost of the Historic Architectural Survey is estimated at \$30,000.

8.0 References

Maine Historic Preservation Commission (MHPC).1993. Programmatic Agreement Among the Federal Energy Regulatory Commission, the Maine Historic Preservation Commission, and the Advisory Council on Historic Preservation for Licensing the Continued Operation of the Rumford Falls Hydroelectric Project. April 9, 2007.

_____. 2006. Above Ground Cultural Resource Survey Manual: Guidelines for Identification: Architecture and Cultural Landscapes. Historic Preservation Documents. Paper 1. Online [URL]: http://digitalmaine.com/mhpc_docs11.

APPENDIX G
AESTHETIC FLOW STUDY PLAN

Aesthetic Flow Study

In a letter dated June 2, 2020, FERC requested RFH conduct an aesthetic flow study, which was supported by MDIFW and additional stakeholders (Appendix A). As described below, this study plan is consistent with FERC's study request.

1.0 Goals and Objectives

The goal of the Aesthetic Flow Study is to obtain information on the existing aesthetic character of water flowing over Rumford Falls and potential aesthetic flow viewing opportunities of Rumford Falls.

The study was designed to achieve the following objectives:

- (1) Document the existing aesthetic character and conditions over Rumford Falls;
- (2) Identify key observation points (KOPs) used to evaluate acceptable aesthetically flows;
- (3) Collect photo and video documentation under various existing and controlled flow conditions over Rumford Falls;
- (4) Conduct focus group assessments of controlled flow conditions at KOPs;
- (5) Summarize the timing and ranges of historical flows to characterize existing flow conditions as they relate to the aesthetic character of Rumford Falls;
- (6) Determine the operational feasibility, effects on generation, and cost of providing acceptable aesthetic flow releases;
- (7) Evaluate the potential effects of aesthetic flow releases on other resources including recreational uses, aquatic resources, water quality, and project generation.

2.0 Study Area

The study area is Rumford Falls, which are the natural falls located immediately below the Project's Upper Dam, the Project's 650-foot-long upper bypass reach, and the KOPs that will be developed in consultation with the focus group.

3.0 Background and Existing Information

RFH is required to operate within certain limitations based on the Project's existing FERC license, which include:

- Operating within 1 foot of full pond elevation at the Upper Dam impoundment;
- Minimize the fluctuations of the reservoir surface elevation at all times, and;
- Minimum flow releases of 1 cubic feet per second (cfs) in the upper bypass reach.

Additionally, the maximum hydraulic capacity of the Upper Station Development is 4,550 cfs. Flows that exceed the maximum hydraulic capacity are typically spilled over the Project's Upper Dam and Rumford Falls.

Lighting at the West Viewing Area at the base of Rumford Falls automatically operates at flows of 7,500 cfs and greater between 8 PM and 12 AM. The lighting was installed and is operated based on a request from the Town of Rumford. RFH recognizes that while visible from the visitor center and other areas in town, that historical viewing areas have been limited due to public safety concerns associated with the Rumford Falls Trail, as well as a public safety and security near the powerhouse, specifically at West Viewing Area.

4.0 Project Nexus

Project operations divert flows from Rumford Falls to the Upper Station Development in support of renewable power generation.

5.0 Methodology

The aesthetic flow study will follow the methods outlined in *Flows and Aesthetics: A Guide to Concepts and Methods* (Whittaker and Shelby 2017), as logistically feasible. The study will be conducted in three Phases. Phase 1 will include a desktop analysis to develop a summary analysis of historic flows. Phase 2 will include identification of KOPs, key viewing characteristics (e.g., key features/structures, waterfalls, vegetation, in-channel geologic features), and target flows, as well as development of a field evaluation form in collaboration with focus group participants through a series of meetings. RFH anticipates this will occur over the course of two focus group meetings. Phase 3 will include an on-site controlled flow assessment to review targeted flows and complete the flow evaluation forms by focus group participants. As part of the on-site flow evaluation, RFH will lead a focus group discussion to review the results of the flow assessment and then RFH will develop a written summary of the Phase 3 activities.

Phase 1 - Desktop Analysis

RFH will assess and summarize the timing and ranges of historic flows to characterize existing flow conditions as they relate to the aesthetic character of Rumford Falls. The analysis will provide a summary of the flows that occur over Rumford Falls based on the Project's existing FERC license and natural river hydrology, as well as operational aspects associated with KOP identified to date.

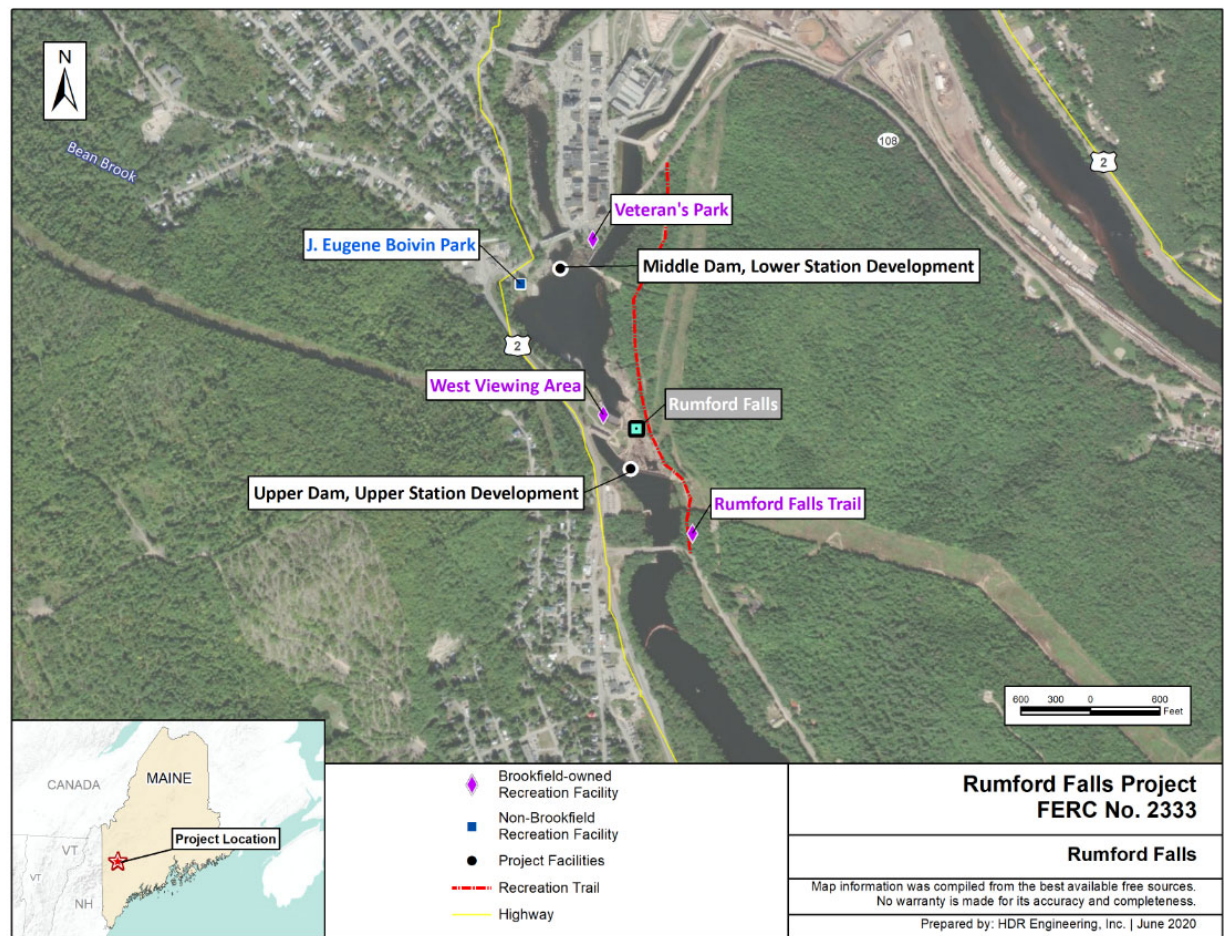
Phase 2 – Identification of Key Observation Points, Key Viewing Characteristics, Target Flows, and Evaluation Form

RFH will assemble a focus group consisting of interested stakeholders to obtain assistance and input to identify key observation points, key viewing characteristics, and targeted flows. As requested by the FERC, the focus group will include a minimum of 10 stakeholders, to the extent that they are willing to participate in all flow evaluations and meetings, from the Town of Rumford, Penacook Falls Investment, Mahoosuc Pathways, and Maine Bureau of Parks and Lands, among others.

Key Observation Points and Viewing Characteristics

RFH proposes that KOPs will include Veteran’s Park, Rumford Falls Trail, the viewing area of Rumford Falls at the Upper Development (i.e., West Viewing Area), and J. Eugene Boivin Park (Figure 1). These will be confirmed, and refined if needed, in consultation with the focus group. The goal of selecting KOPs is to ensure they are manageable and reasonably represent the range of views and landscapes people see when visiting the river.

FIGURE 1
RUMFORD FALLS AND PRELIMINARY KOPS



Once the KOPs are established, each site will be characterized and documented (i.e., photographed) during leaf-on and leaf-off periods. Key viewing characteristics and views from each KOP will be identified. Additionally, the potential use and access of the KOPs (e.g., special

event activities) will be assessed using existing available information and information obtained through the Recreation Study.

Target Flows

In consultation with the focus group, RFH will determine the number of releases and appropriate aesthetic flow levels for conducting a review/evaluation of identified flows from KOPs. RFH anticipates that four flows will be evaluated consisting of leakage flow and three other flows (low, medium, and high within a defined range). RFH will provide a study progress report to the Commission and interested stakeholders once targeted aesthetic flows are identified.

Evaluation Form

A numeric rating evaluation form (i.e., Likert Scale, rating 1-7) of the overall view and specific landscape and environmental elements is included in (Attachment 1) and will be refined in coordination with the focus group. The survey form will be used for each KOP location under each of the targeted flow ranges.

Phase 3 - Controlled Flow Assessment and Focus Group Consultation

Following a focus group meeting to familiarize participants with the evaluation form and KOPs, RFH will hold an on-site visit for focus group participants to review the target flows and complete the evaluation form at each KOP. As part of the on-site flow evaluation, RFH will lead an off-site focus group discussion to review the results of the flow assessment and then RFH will develop a written summary of the Phase 3 activities. RFH will document the observed flows reviewed by the focus group using photo and video (with sound).

Data Analysis and Report Preparation

For each KOP, the range and average of individual scores for specific aesthetic attributes, as well as overall aesthetic quality, will be determined. These data will be used to develop flow evaluation curves showing the overall effect on perceived aesthetics through a range of flows.

RFH will develop a report which includes a discussion of the study area, methodology, analysis, and results from the Aesthetic Flow Study. The report will also include an assessment of the potential effects of providing aesthetic flows on other resources, such as recreation opportunities (including public safety), aquatic resources, and Project power generation (i.e., operational feasibility, effects on generation, and cost of providing aesthetic flow releases).

6.0 Schedule

RFH will assemble a focus group in the spring of 2021 to begin collaboration on this study and will conduct the controlled flow assessment in the late spring 2021. A report will be provided in the Initial Study Report on August 7, 2021.

7.0 Level of Effort

Based on presently-available information, this study is estimated to cost approximately \$80,000.

8.0 References

Whittaker, D. and B. Shelby. 2017. Flows and Aesthetics: A Guide to Concepts and Methods. Online [URL]: https://www.hydroreform.org/sites/default/files/Flows%20and%20aesthetics--%20A%20guide%20to%20concepts%20and%20methods%202017_Final_web.pdf. (Accessed June 2, 2020).

Attachment 1 – Aesthetic Flow Assessment Form

AESTHETIC FLOW ASSESSMENT FORM
RUMFORD FALLS HYDROELECTRIC PROJECT (FERC No. 2333)

Thank you for participating in the Aesthetic Flow Study controlled flow assessment for the Rumford Falls Hydroelectric Project. This controlled flow assessment will include evaluating four different established flows (i.e., leakage flow and three other flows [low, medium, and high] within a defined range) over the Rumford Falls at Key Observation Point (KOP) locations. KOP locations will include Veteran's Park, the J. Eugene Boivin Park, the West Viewing Area, and Rumford Falls Trail. A map is provided with these forms and identifies the Rumford Falls as well as the KOP locations. These data will be used for analysis in the Aesthetic Flow Study and we request that forms are filled out clearly and completely. Please do not hesitate to ask questions at any time during your assessment.

I. GENERAL INFORMATION

Date: _____

Participant Name: _____

Affiliation: _____

Home or Affiliation Zip Code: _____

Participant Email: _____

GENERAL QUESTIONS

1. Prior to this Project, have you ever participated in an aesthetic flow assessment?

☐ Yes ☐ No

2. Have you ever visited any of the following KOP locations to view the Rumford Falls? (*Check all that apply.*)

☐ Veteran's Park Approximately, how many times per year? _____

☐ J. Eugene Boivin Park Approximately, how many times per year? _____

☐ West Viewing Area Approximately, how many times per year? _____

☐ Rumford Falls Trail Approximately, how many times per year? _____

AESTHETIC FLOW ASSESSMENT FORM
RUMFORD FALLS HYDROELECTRIC PROJECT (FERC No. 2333)

II. AESTHETIC CHARACTERISTICS

KOP Location: _____ **Flow:** _____

Weather:

☐ Sunny

☐ Light Rain

☐ Partly Cloudy

☐ Heavy Rain

☐ Cloudy

1. Please identify any unique aesthetic features of this KOP viewing location: _____

2. Please evaluate each of the following attributes under this flow (*Circle one number for each item*).

Attribute	Very Unappealing	Unappealing	Slightly Unappealing	Neutral	Slightly Appealing	Appealing	Very Appealing
Water fall size/volume (amount of water going over the falls)	1	2	3	4	5	6	7
Amount of exposed rock at falls	1	2	3	4	5	6	7
Downstream wetted channel width (area of the river channel filled with water)	1	2	3	4	5	6	7
Contrast between pools and moving water	1	2	3	4	5	6	7
Amount of pools/still water in channel	1	2	3	4	5	6	7
Amount of turbulence (visibly moving water in channel)	1	2	3	4	5	6	7
Amount of exposed rocks/ streambed downstream	1	2	3	4	5	6	7
Sound level	1	2	3	4	5	6	7
Overall Aesthetic Rating	1	2	3	4	5	6	7

3. In general, would you prefer a flow that was higher, lower, or about the same as this one (*Check one*):

- ☐ Much lower flow
- ☐ Slightly higher flow
- ☐ Slightly lower flow
- ☐ Much higher flow
- ☐ About the same flow
- ☐ Does not matter

4. List specific positive attributes of this flow level: _____

5. List specific negative attributes of this flow level: _____

6. Are there any enhancements that could be implemented at this viewpoint to improve the aesthetic viewing experience? _____

AESTHETIC FLOW ASSESSMENT FORM
RUMFORD FALLS HYDROELECTRIC PROJECT (FERC No. 2333)

III. SUMMARY COMPARATIVE FLOW EVALUATION

1. Which flows did you participate in? (*Check all that apply.*)

☐ Leakage Flow

☐ Flow 3

☐ Flow 2

☐ Flow 4

2. Please provide an overall evaluation for the following flows at the Rumford Falls based on your experience during the controlled flow releases (*Circle one number for each item*).

Attribute	Very Unappealing	Unappealing	Slightly Unappealing	Neutral	Slightly Appealing	Appealing	Very Appealing
Leakage flow	1	2	3	4	5	6	7
Flow 2	1	2	3	4	5	6	7
Flow 3	1	2	3	4	5	6	7
Flow 4	1	2	3	4	5	6	7

3. Please answer the following questions based on your experience during the controlled flow releases. You may specify flows not observed during the controlled flow releases.

What is the lowest flow that you consider acceptable for a quality aesthetic viewing experience?

_____ Flow in cfs

What flow provides the highest quality (i.e., optimal flow) aesthetic viewing experience?

_____ Flow in cfs

4. Based on your evaluation of the controlled flow releases, please indicate the optimal flow for aesthetic viewing opportunities for the following KOP locations. Please consider all of the flow-dependent characteristics that contribute to the aesthetic experience (e.g., sound, rock exposure, flow in channel, volume of flow over falls). (*Please check one flow for each KOP location.*)

KOP Location	Leakage flow	Flow 2	Flow 3	Flow 4	Other (please specify)	Don't Know
Veteran's Park						
J. Eugene Boivin Park						
West Viewing Are						
Rumford Falls Trail						

5. Compared to other rivers with comparable scenic viewing locations, how would you rate the aesthetic viewing opportunity at the Rumford Falls (assume optimal flows). *(Circle one number for each.)*

Compared to river reaches of similar aesthetic quality	Very Unappealing	Unappealing	Slightly Unappealing	Neutral	Slightly Appealing	Appealing	Very Appealing
Other rivers within a one-hour drive	1	2	3	4	5	6	7
Other rivers in Maine	1	2	3	4	5	6	7
Other rivers in the Northeast	1	2	3	4	5	6	7

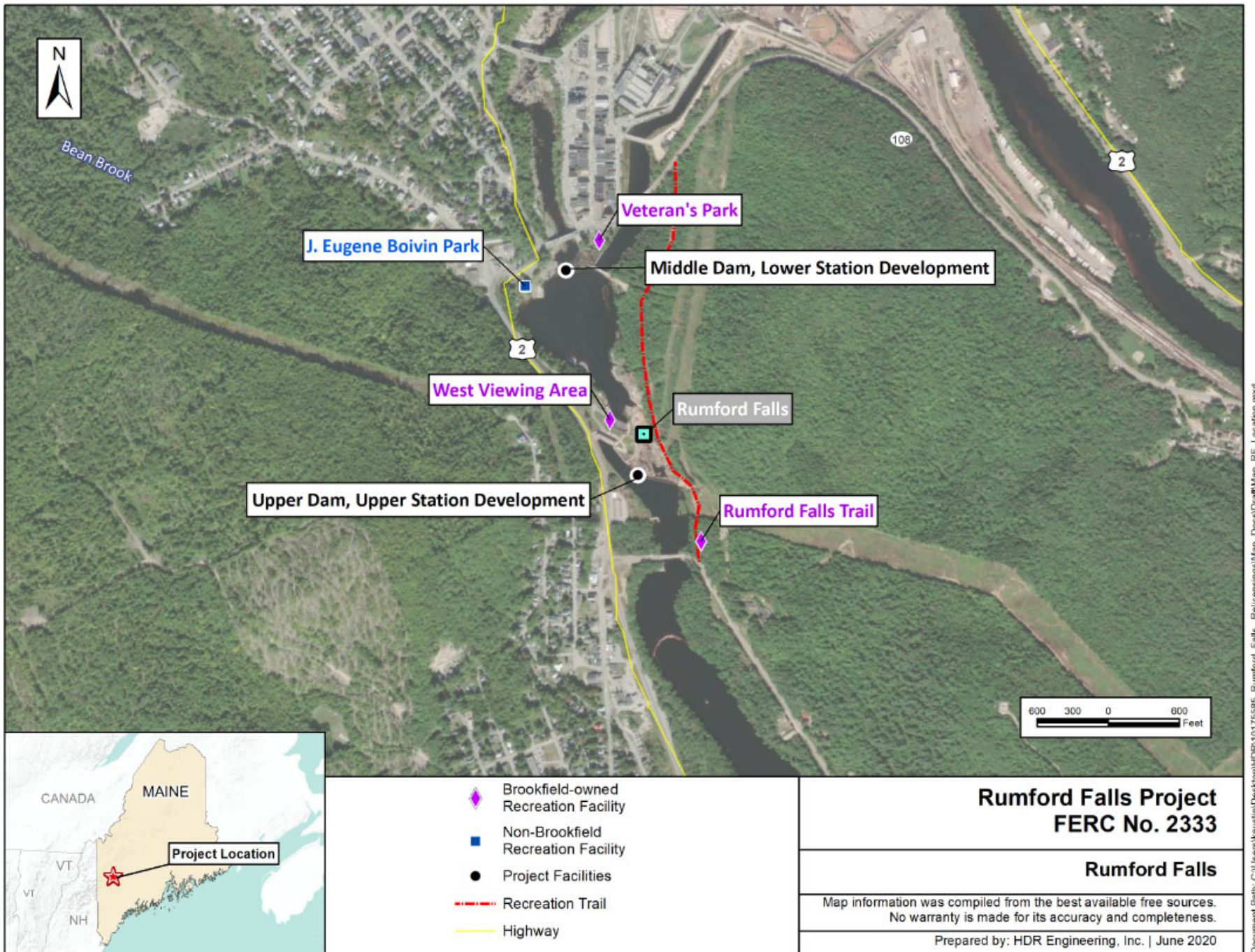
6. Please complete the following table indicating when you think flows should be released over the Rumford Falls for aesthetic viewing.

Month (Please check all that apply.)	Start Date During Month	End Date During Month	Day of Week During Identified Period (Please check all that apply.)		Time of Day During Identified Period (Please check all that apply.)	
<input type="checkbox"/> January			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> February			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> March			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> April			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> May			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night

Month <i>(Please check all that apply.)</i>	Start Date During Month	End Date During Month	Day of Week During Identified Period <i>(Please check all that apply.)</i>		Time of Day During Identified Period <i>(Please check all that apply.)</i>	
<input type="checkbox"/> June			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> July			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> August			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> September			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> October			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> November			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night
<input type="checkbox"/> December			<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday	<input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	<input type="checkbox"/> Dawn <input type="checkbox"/> Morning <input type="checkbox"/> Midday <input type="checkbox"/> Afternoon	<input type="checkbox"/> Evening <input type="checkbox"/> Dusk <input type="checkbox"/> Night

7. Please provide any additional comments or relevant information regarding the scenic views and flows that you observed today.

THANK YOU FOR YOUR PARTICIPATION!



APPENDIX H
IMPOUNDMENT BASS SPAWNING SURVEY

Impoundment Bass Spawning Survey

1.0 Goals and Objectives

The goal of the Impoundment Bass Spawning Survey is to assess bass spawning within the Project's routine maintenance drawdown zone of the Upper Dam impoundment, as well as the seasonality and frequency of routine maintenance impoundment drawdowns relative to the bass spawning season.

2.0 Study Area

The survey reach will cover the Upper Dam impoundment from the boater barrier, upstream approximately 6.0 miles, to the upstream extent of the FERC Project boundary.

3.0 Background and Existing Information

In Section 2 of the Proposed Study Plan (PSP), Rumford Falls Hydro (RFH) provided a summary of drawdown events for the five year period (2015 through 2019) in excess of one foot. In its letter providing comments on the PSP, the Maine Department of Inland Fisheries and Wildlife (MDIFW) indicated it had requested this information to assess the seasonality and frequency of drawdowns for emergency or maintenance purposes to determine if drawdowns are occurring during the bass spawning season (typically May 15 to June 30). Additional discussions regarding the potential for maintenance drawdowns in the Upper Dam impoundment took place with MDIFW during late-May 2020, following agency receipt of a drawdown request for flashboard repairs at the Project. During these discussions, RFH agreed with MDIFW that collecting information on bass nest depth location and water temperature may provide beneficial information related to the presence and spawning of bass in the Upper Dam impoundment. In its letter providing comments on the PSP, MDIFW requested that RFH include the Impoundment Bass Spawning Survey as part of the Revised Study Plan (RSP).

4.0 Project Nexus

The current license requires RFH to operate the Project in a run-of-river mode within 1 foot of full pond elevation (elevation 601.24 feet at the Upper Dam impoundment) and shall at all times act to minimize the fluctuations of the reservoir surface elevation (i.e., maintain a discharge from the

Project so that, at any point in time, flows immediately downstream from the Project tailraces approximate the sum of the inflows to the Project reservoirs, minus withdrawals). Run-of-river operations may be temporarily modified if required by operating emergencies beyond the control of the Licensee, or for short periods upon mutual agreement between the Licensee and the USFWS, MDEP, and MDIFW.

Drawdowns at the Project periodically occur for maintenance and repair activities, as described in Section 3 of this RSP. Drawdowns in excess of one foot have the potential to disrupt bass spawning during the spawning season from May 15 to June 30. The information obtained from this study will provide information on bass nesting within the study area and the frequency and duration of drawdown events during the spawning period.

5.0 Methodology

Task 1: Impoundment Elevation Review

During consultation with MDIFW on the specific study objectives for the Impoundment Bass Spawning Survey, MDIFW requested RFH conduct a review of historical operations data for the previous 15-20 years to evaluate the frequency of drawdowns within the Upper Dam impoundment during the bass spawning period (May 15 to June 30) in excess of one foot. RFH previously provided a summary of drawdown events exceeding one foot as part of the PSP for the years 2015-2019. The study report for this effort will restate the previously summarized drawdown events occurring during the bass spawning season. RFH will extend the period investigation to include 10-15 years of data prior to 2015 (15-20 years total), as practicable (depending on available operations data).

Task 2: Field Surveys

Weekly surveys will be conducted and will utilize a pair of biologists to visually scan the shoreline habitat to identify bass nests or spawning areas. The study area will encompass the Upper Dam impoundment from the boat barrier located above the Upper Dam to the upstream extent of the FERC Project boundary, approximately 6.0 miles upstream. The survey area will include the littoral zone of the Upper Dam impoundment relative to its normal elevation of 601.24 feet. This

will be a general guideline, as the observable characteristics of the littoral zone can vary with water clarity, water level, time of day, and the prevailing weather conditions.

Sampling will be conducted by systematically traversing the littoral zone of the Upper Dam impoundment via boat to visually identify bass nests and/or spawning areas (i.e., groups of nests within relative proximity to one another). Equipment and data collection during this effort will include:

- a view tube to identify spawning nests/areas in those instances where they cannot be easily identified from the surface;
- a digital camera to photo-document spawning nests/areas;
- a handheld Global Positioning System (GPS) unit to geo-reference the locations spawning nests/areas and to delineate general littoral zone substrate types (e.g., sand, boulder, etc.);
- a handheld water quality meter to measure water temperature at spawning nests/areas;
- a Marsh-McBirney flow meter to measure velocity at identified spawning nests/areas;
- a Secchi disk to estimate water clarity;
- a stadia rod for determining water depth at spawning nests/areas; and
- data sheets for recording water quality parameters, general observations, weather conditions, and other relevant descriptive information (e.g., sediment/grain sizes, embeddedness, and approximate diameter of identified nests, presence of fish and aquatic vegetation at nests, nest abandonment, sedimentation of eggs).

These data will be recorded on standardized field data sheets. Data necessary to develop a map of any observed fish nests within the survey area will be electronically transcribed. The study report will provide a summary of site parameters for each nest located as well as a geo-referenced map providing relative nest locations. Information will also be provided in electronic format (i.e., .kmz or ArcGIS format).

Surveys were conducted on June 2, 10, 15, 24, and 30, 2020.

6.0 Schedule

RFH will conduct bass surveys once weekly in the Rumford Upper Dam impoundment during June 2020. Following review of the 2020 findings, RFH will consult with MDIFW regarding the usefulness of a second year of evaluation during 2021.

7.0 Level of Effort

The annual estimated cost for the Impoundment Bass Spawning Survey is \$20,000.

APPENDIX I
FLOW STUDY FOR AQUATIC HABITAT EVALUATION

Flow Study for Aquatic Habitat Evaluation

1.0 Goals and Objectives

The goal of the Flow Study for Aquatic Habitat Evaluation is to inform the decision process for determining the appropriate timing and magnitude of minimum flow releases to optimize fisheries resources in terms of both aquatic habitat and safe recreational fishing opportunities. Specifically, this study will seek to:

- Evaluate the relationship between flow and available habitat within the Middle Dam bypass reach;
- Evaluate the relationship between flow and safe recreational fishing opportunities within the Middle Dam bypass reach; and
- Determine the flow needed to optimize aquatic habitat and safe recreational fishing opportunities within the Middle Dam bypass reach.

2.0 Study Area

The study area will consist of the Middle Dam bypass reach from the point downstream of the Middle Dam to the upstream extent of the tailwater effects from the Lower Powerhouse (Areas B, C, and D in Figure 1). Since the Rumford Project is operated as run-of-river, the existing minimum flow release at the Middle Dam (21 cubic feet per second [cfs]) does not control available habitat or access to the Middle Dam impoundment (Area A in Figure 1) or the habitat within the area backwatered by the Lower Powerhouse tailrace (Area E in Figure 1). As a result, these two areas will not be considered during this evaluation.

3.0 Background and Existing Information

During the previous relicensing and in coordination with the U.S. Fish and Wildlife Service (USFWS) and Maine Department of Inland Fisheries and Wildlife (MDIFW), a study was conducted to assess flows within the bypass reaches of the Project (Chas T. Main 1989, Rumford Falls Power Co. 1991). The Upper Dam bypass reach is steep and consists predominantly of

FIGURE 1
RUMFORD FALLS MIDDLE DAM BYPASS REACH



Appendix I-2

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bedrock substrate. Habitat within the lower bypass reach is also steep with cascades over bedrock and boulders. Based on the affected habitat and assessment of flows, the study found that modifying the flow regime within the bypass reaches would not enhance instream habitat. Resource agencies concurred with these findings and agreed that altering the existing flow regime was not warranted (Rumford Falls Power Co. 1991).

As part of the current relicensing process, in comments on the Pre-Application Document (PAD) and Proposed Study Plan (PSP), MDIFW has indicated that a minimum flow analysis for the reach from the Middle Dam downstream to the confluence with the lower station tailrace is warranted to evaluate available habitat and safe recreational fishing opportunities.

4.0 Project Nexus

The Project is operated in a run-of-river mode and the existing license requires that a minimum flow of 21 cfs be released through the Middle Dam bypass reach. The information obtained during this study will assist RFH and MDIFW to evaluate the minimum flow in the Middle Dam bypass reach as it relates to aquatic habitat and safe recreational fishing activity.

5.0 Methodology

MDIFW requested an Instream Flow Incremental Methodology employing a Physical Habitat Simulation Model (PHABSIM) to quantify flow-habitat relationships and develop estimates of weighted usable area for target species. As described in the PSP, the usefulness of a PHABSIM or other purely quantitative flow analysis conducted for the Middle Dam bypass reach would be limited to the downstream 350 feet of the Middle Dam bypass reach (Area D in Figure 1)²⁰. In lieu of constructing a PHABSIM model for a limited portion of the Middle Dam bypass reach, RFH

²⁰ Assessing flow requirements in pool habitat (Area B, Figure 1) using PHABSIM or other quantitative flow analysis is not highly useful because of the relatively insensitive nature of pools to managed flow releases. The abrupt and dramatic change in habitat formed by the bedrock lip of the cascade at the downstream end of Area B (Figure 1) will effectively constrain water surface elevations in the upstream pool habitat. Minor to moderate changes in flow will have minimal effect on the depth and velocity characteristics of the pool habitat due to this dominating hydraulic control, and this insensitivity to flow changes makes the application of an incremental instream flow study of limited utility. Only very large changes in flow, akin to storm events, would be expected to result in significant changes in the amount or quality of this pool habitat.

will instead evaluate the flow-habitat relationship for the full Middle Dam bypass reach via a semi-quantitative demonstration flow type assessment.

Selection of target species, lifestages, and habitat suitability criteria:

MDIFW identified three fish species of interest; Smallmouth Bass, Brown Trout, and Rainbow Trout. The adult life stage for all three species will be considered during this assessment. Habitat Suitability Criteria (HSC) characterize the range of suitable depths, velocities, substrate types, and/or cover types used by each target species and life-stage. Conventional HSC, which are typically continuous in nature, are difficult to apply in a demonstration flow type assessment. As a result, simple binary criteria (i.e., “suitable” vs. “unsuitable”) will be assembled on a species-specific basis for each habitat parameter (e.g., depth, velocity, substrate, cover). Table 1 shows an example of possible binary HSC criteria for adult smallmouth bass. RFH will consult with MDIFW to determine mutually agreeable binary HSC values for the target species prior to collection of field data.

TABLE 1
EXAMPLE OF BINARY HSC FOR SMALLMOUTH BASS

	Depth (ft)		Mean Column Velocity (fps)		Instream Cover	
Life-Stage	Suitable	Unsuitable	Suitable	Unsuitable	Suitable	Unsuitable
Adult	≥ 2.0	< 2.0	0.0-0.75	> 0.75	Cobble, Boulder, Woody Debris	Fines, Gravel, Bedrock

In their comments on the PSP, MDIFW indicated interest in assessing angler safety and wade-ability as part the Middle Dam bypass reach flow assessment. RFH will also consult with MDIFW to develop binary suitability criteria for safe wading conditions as part of this assessment.

Selection of Middle Dam bypass reach flows:

Determining an appropriate minimum flow release using a demonstration type flow evaluation approach cannot be accomplished with only one or two flow assessments, and establishing a flow:habitat trend can be difficult even with a third flow. Consequently, a four flow assessment approach is proposed. The existing minimum flow for the Middle Dam bypass reach is 21 cfs and

will serve as the starting condition for this analysis. Three additional target flow values will be identified through consultation with MDIFW. The identified target flow levels will be subject to possible revision as on-site inspection may reveal that one or more identified target flow conditions result in unsafe working conditions within the Middle Dam bypass reach. In the event one of the identified target flows results in hazardous conditions for field data collection, RFH will consult with MDIFW to revise the target flow to a lower discharge.

Transect Profiling:

Following agreement on appropriate HSC and target flow values, RFH will develop a mesohabitat type map of the Middle Dam bypass reach. A simple classification system, such as pool, run, glide, and riffle will be employed. If the bypass reach contains both high cover substrate elements (e.g., unimbedded cobbles and boulders) as well as low cover elements (e.g, smooth bedrock), the mesohabitat scheme may also include subcategories of “with” or “without” cover. The completed mesohabitat map will be provided to MDIFW as a Geographic Information System (GIS) or .kmz file and will help to facilitate the selection of 3-5 representative transects that will extend across the channel perpendicular to flow. Transects will be selected to characterize the full range of variability in the habitats present in the reach, while also considering the feasibility of collecting depth, velocity, and substrate/cover profiles at each of the assessment flows.

The selected transects will each be marked using a Global Positioning System (GPS) and surveyors flagging, and a temporary staff gage or fixed elevation benchmark will be installed at each transect endpoint on one or both banks for comparing stage heights at each of the assessment flows. Unlike a fully quantitative PHABSIM type flow assessment where the set of sampling transects must be linked via a closed-loop survey (i.e., known elevations relative to one another), this flow assessment will not require linked transects, and as a result, the actual (true) elevations are not necessary; nor is there a need for high-precision GPS or total-station technologies.

During the low flow assessment, each transect will be profiled to collect depth, mean column velocity, substrate type, and cover type. Depths and velocities will be measured using a top-setting wading rod and an electromagnetic flowmeter or an ADCP at each transect. Substrate type and cover will also be classified along each transect during the low flow assessment. For each of the

higher flows, the substrate and cover will remain constant and will not require remapping. Likewise, the depth profile will simply be adjusted according to the change in stage as read from each transects staff gage or from water surface elevation relative to the known benchmark. A new velocity profile will be conducted at each transect at each flow.

The depth, velocity, substrate and/or cover profiles will be compared to the HSC to determine the total length of each transect that qualifies as “suitable” for each species. Figure 2 represents a conceptual profile of a single transect using the example HSC for adult smallmouth bass listed in Table 1, with positive suitability for velocities <0.75 feet per second (fps) and for depths >2 feet. In this example transect of 380 feet, approximately 27 feet meets both depth and velocity criteria. Lengths of suitable habitat will thus be summed across all transects for each assessment flow; these values will then be compared among each flow to assess the flow:habitat relationship for each species.

6.0 Schedule

The Flow Study for Aquatic Habitat Evaluation will be conducted during 2021.

7.0 Level of Effort

The cost of the Flow Study for Aquatic Habitat Evaluation is estimated at \$35,000.

8.0 References

Main, C.T. 1989. Field Investigations at the Bypassed Reaches of the Rumford Falls Project FERC No. 2333. Prepared for Rumford Falls Power Company. July 1989.

Rumford Falls Power Co. 1991. Final License Application for Rumford Falls Hydroelectric Project (FERC NO. 2333). December 23.

FIGURE 2
EXAMPLE TRANSECT PROFILE SHOWING WATER SURFACE ELEVATION (WSE; BLUE LINE), LENGTHS OF
SUITABLE VELOCITIES (GREEN ABOVE BLUE SWE), SUITABLE DEPTHS (GREEN BELOW BLUE WSE), AND
SUITABLE COMBINATION OF DEPTH AND VELOCITY (STIPPLED). MAXIMUM VELOCITY SUITABILITY OF 0.75
FPS (RED DOTTED) AND MINIMUM DEPTH SUITABILITY OF 2 FT (BLACK DOTTED) ALSO SHOWN.



Document Content(s)

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