

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426  
June 24, 2020

OFFICE OF ENERGY PROJECTS

Project No. 4784-095 – Maine  
Pejepscot Hydroelectric Project  
Topsham Hydro Partners Limited Partnership

**VIA FERC Service**

Randy Dorman  
Brookfield Renewable  
Topsham Hydro Partners Limited Partnership  
150 Main Street  
Lewiston, ME 04240

**Subject: Comments on Draft License Application for the Pejepscot Hydroelectric Project**

Dear Mr. Dorman:

Pursuant to 18 CFR § 5.16(e), this letter contains staff comments on your draft license application for the Pejepscot Hydroelectric Project No. 4784, filed on April 3, 2020.

In general, your draft license application describes the proposed project facilities and operation. However, it does not provide sufficient supporting documentation. Specific comments on the draft license application are discussed in Schedule A.

If you have any questions, please contact Ryan Hansen at (202) 502-8074.

Sincerely,

David Turner, Chief  
Northwest Branch  
Division of Hydropower Licensing

Enclosure: Schedule A

**Schedule A**  
**Comments on Draft License Application**

**Exhibit A**

1. Section 4.61(c)(1)(viii) of the Commission’s regulations require that the Exhibit A include the general configuration, sizes, capacities, and construction materials, as appropriate, of pipelines, ditches, flumes, canals, intake facilities, powerhouses, dams, transmission lines, and other appurtenances. The draft Exhibit A does not describe the material of the bascule gates; the general configuration, sizing, or materials of the old powerhouse; the material of the old powerhouse intake; the general configuration, sizing, or materials of the new powerhouse; the material of the new powerhouse intake; the material of the hopper and basket of the fish lift; or the length and material of the downstream fish passage facility. Please revise your application to include this information.

**Exhibit B**

2. Section 4.51(c)(2) of the Commission’s regulations require that the licensee provide the minimum river flow observed in the project area, as well as a curve showing powerplant capability versus head and specifying maximum, normal, and minimum heads. While you provided a curve showing powerplant capability versus head and stated that the “rated” or “gross” head of the plant is 24 feet, you did not specify the maximum, normal, or minimum head. Please include this information in the FLA.

**Exhibit C**

3. Section 4.51(d)(1) of the Commission’s regulations require that the licensee provide the date of commencement of commercial operation for the project. Please include this information in the FLA.

**Exhibit E**

*General Comments*

4. Section 5.18(b)(iii)(A)-(C) of the Commission’s regulations require that the Exhibit E include functional design drawings that conform to the specifications in Section 4.39 and depict any fish passage and collection facilities or any other facilities necessary for implementation of environmental measures, indicating whether the facilities depicted are existing or proposed; a description of maintenance procedures for the proposed project facilities; and a construction schedule for the facilities, showing the intervals following issuance of a license when construction of the facilities would be commenced and

completed. Additionally, Section 5.18(b)(5)(iii)(E) of the Commission's regulations require that the Exhibit E include a map or drawing that conforms to the size, scale, and legibility requirements of Section 4.39 showing by the use of shading, cross-hatching, or other symbols, the identity and location of any measures or facilities, and indicating whether each measure or facility is existing or proposed. Section 4.39(c)(2) requires that the drawings must have a scale in full-sized prints no smaller than: (1) one inch equals 50 feet for plans, elevations, and profiles; and (2) one inch equals 10 feet for sections.

While the draft application contained functional design drawings and a description of maintenance procedures for the fish lift, it did not include functional design drawings for the downstream fish passage facility, nor it did not include either of these items for the proposed eel ramp. Exhibit E did not contain a map or drawing conforming to Section 4.39 showing the locations of the proposed eel ramp. Additionally, sections A-A, B-B, and C-C on Sheet 1 of the functional drawings of the fish lift do not conform to Section 4.39(c)(2) as they are drawn to a scale smaller than one inch equal to 10 feet. Please update your Exhibit E accordingly.

### *Specific Comments*

### **Cultural Resources**

5. You state on page E-200 of the draft license application that a newly identified archaeological site, ME 14.174 within the project Area of Potential Effect (APE), has not been evaluated for eligibility for listing on the National Register of Historic Places (National Register). You propose to conduct a Phase II survey during year two of a new license to determine the site's eligibility as part of your proposed Historic Properties Management Plan (HPMP). The draft application does not explain why you propose to delay the eligibility evaluation. Typically, eligibility determinations with the concurrence of the Maine SHPO are needed in the final license application for Commission staff to fulfill its responsibilities under section 106 of the National Historic Preservation Act.

### **Exhibit G**

6. Section 4.61(f) of the Commission's regulations require an Exhibit G conforming to section 4.41(h). Section 4.41(h) also requires that Exhibit G maps conform to the specifications of section 4.39 of the Commission's regulations, which require Exhibit G maps to be stamped by a registered land surveyor. Your Exhibit G maps do not have a stamp from a registered land surveyor. Please correct this deficiency in the Exhibit G of your FLA. We remind you that section 4.41(h) requires that all applications for licenses include the project boundary data in a georeferenced electronic file format.

Georeferenced electronic file format includes ArcView shape files, GeoMedia files, MapInfo files, or a similar GIS format. The filing should include both polygon data and all reference points shown on the individual project boundary drawings. An electronic

boundary polygon data file(s) is required for each project development. Depending on the electronic file format, the polygon and point data can be included in single files with multiple layers. The georeferenced electronic boundary data file must be positionally accurate to  $\pm 40$  feet in order to comply with National Map Accuracy Standards for maps at a 1:24,000 scale. The file name(s) must include: the FERC Project Number, data description, and file extension in the following format [P-1234, boundary polygon/or point data, MM-DD-YYYY.SHP]. The data must be accompanied by a separate text file describing the spatial reference for the georeferenced data: map projection used (i.e., UTM, State Plane, Decimal Degrees, etc.), the map datum (i.e., North American 27, North American 83, etc.), and the units of measurement (i.e., feet, meters, miles, etc.). The text file name must include: the FERC Project Number, data description, and file extension in the following format [P-1234, project boundary metadata, MM-DD-YYYY.TXT]. Each map sheet must contain a minimum of three known reference points. The latitude and longitude coordinates, or state plane coordinates, of each reference point must be shown.

### **Exhibit H**

7. Section 5.18(c)(1)(i)(F)(3) of the Commission's regulations require that the Exhibit H include a detailed single-line electrical diagram. The single-line electrical diagram was filed as part of your Exhibit F as Critical Energy Infrastructure Information (CEII). Please revise your FLA to include this information in Exhibit H, which does not need to be filed as CEII.