

120 Hatchery Way, Ellsworth, ME 04605-3501

May 18, 2023

Kyle Olcott
Hydropower Coordinator
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

**Re: Green Lake Hydroelectric Project FERC No. 7189-015
Section 401 Water Quality Certification Request**

Dear Mr. Olcott:

Green Lake Water Power Company ("GLWP") is submitting to the Maine Department of Environmental Protection ("Department") an Application for Water Quality Certification ("WQC") for the Green Lake Hydroelectric Project ("Project") which is undergoing relicensing by the Federal Energy Regulatory Commission ("Commission") as FERC Project No. 7189. GLWP is the project proponent for certification under Section 401 of the Clean Water Act ("CWA"), the Commission is the federal agency, and the Department is the certifying agency. The Project is located in Hancock County in the State of Maine on Green Lake and Reeds Brook within the City of Ellsworth and the towns of Dedham and Otis.

On March 31, 2022, GLWP filed the Final License Application for the Project with the Commission, which issued the Notice of Application Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions (REA Notice) on March 23, 2023.

The Environmental Protection Agency (EPA) issued a final rule to streamline CWA Section 401 reviews, which went into effect on September 11, 2020 (the "Final Rule"). The Final Rule requires, among other things, an applicant to request a pre-filing meeting with the applicable State agency at least 30 days prior to filing for certification (40 CFR § 121.4). GLWP submitted a request for a pre-filing meeting with the Department on March 28, 2023, regarding its intent to file the WQC Application.

As required, GLWP is also sending a duplicate of the WQC Application to the Municipal Offices of Ellsworth, Dedham and Otis by Certificate of Mailing.

Further, in accordance with the Final Rule, GLWP provides the below information in connection with this Certification request (See Final Rule, at 40 CFR § 121.5):

a) A certification request shall be submitted to the certifying authority and to the Federal agency concurrently.

The application is being filed with the Commission concurrently.

b) A certification request for an individual license or permit shall:

(1) Identify the project proponent(s) and a point of contact;

GLWP is the project proponent, and the point of contact is:

Caroline Kleinschmidt
Relicensing Coordinator
Green Lake Water Power Co.
120 Hatchery Way, Ellsworth, Maine 04605

(2) Identify the proposed project;

Green Lake Hydroelectric Project

(3) Identify the applicable federal license or permit;

Application for New License for a Minor Water Power Project – Existing Dam, Green Lake Hydroelectric Project (FERC No. 7189)

(4) Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters;

The project discharges water from Green Lake through the hydroelectric turbine, and through the wastegates and over the spillway at the dam. The water is discharged into Reeds Brook in the City of Ellsworth. Water is discharged as needed to generate power, to control Green Lake levels, and to maintain minimum flows in Reeds Brook.

(5) Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge;

Natural lake water from Green Lake is discharged into Reeds Brook. No pollution is involved in this discharge, so no treatment of the water is proposed. Discharge volume is managed by natural flow over the dam spillway (no flash boards are used at the dam), manual wastegate openings to minimize unacceptably high water levels of Green Lake, and by starting and stopping the turbine (based on Green Lake levels and inflow into Green Lake). No gauging stations are present on the streams that flow into Green Lake nor on Reeds Brook. Minimum flows in Reeds Brook were measured during brook habitat studies performed during the summer of 2020.

- (6) **Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received;**

The Project requires a license from the Commission.

- (7) **Include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request;**

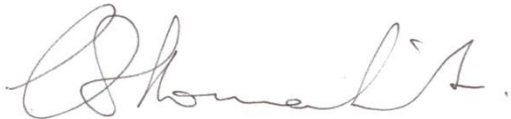
A copy of the request is attached to this cover letter.

- (8) and (9) Statement**

The Project's proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The Project's proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

GLWP respectfully requests that the Department provide a draft of the WQC for review 30 days before issuing the final WQC. If there are any questions or comments regarding this filing, please feel free to contact me by email at caroline@greenlakewaterpower.com or by phone at (207) 667-3322

Sincerely,



Caroline Kleinschmidt
Relicensing Coordinator
Green Lake Water Power Co.

Enclosures: Request for Pre-Filing Meeting
Water Quality Certification Application

Caroline Kleinschmidt

From: Olcott, Kyle <Kyle.Olcott@maine.gov>
Sent: Wednesday, March 29, 2023 7:11 AM
To: caroline@greenlakewaterpower.com
Subject: RE: Green Lake Project P-7189 Section 401 Water Quality Certification Request for Pre-Filing Meeting

Categories: GreenLakeWaterPower

Thanks Caroline. I live nearby (in Orland) so a site visit would be convenient.

As of today, I have pretty open availability on Wed 4/5, Tues 4/11, Tues 4/18, and Wed 4/19. Perhaps we could meet at the site on one of those days sometime around 10am?

Kyle Olcott
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
207 641 9012

From: caroline@greenlakewaterpower.com <caroline@greenlakewaterpower.com>
Sent: Tuesday, March 28, 2023 4:12 PM
To: Olcott, Kyle <Kyle.Olcott@maine.gov>
Subject: Green Lake Project P-7189 Section 401 Water Quality Certification Request for Pre-Filing Meeting

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kyle,

On March 31, 2022, Green Lake Water Power Co. (GLWP), filed its Final License Application for the Green Lake Hydroelectric Project (P-7189) with the Federal Energy Regulatory Commission (FERC). Responses to Deficiencies and AIRs were filed on July 27, 2022, September 12, 2022, November 10, 2022 and February 9, 2023. FERC issued the Notice of Application Accepted for Filing on March 23, 2023.

Per 40 CFR § 121.4 Pre-filing meeting request.

1. At least 30 days prior to submitting a certification request, the project proponent shall request a pre-filing meeting with the certifying authority.
2. The certifying authority is not obligated to grant or respond to the pre-filing meeting request.

...

Accordingly, we are hereby requesting a pre-filing meeting for the Green Lake Project.

As MDEP staff have changed since the original Project site visit (on June 26, 2019), we would like to extend an invitation to you for a site visit to gain familiarity with the Project. Let us know if you would like to do this and when you would be available.

Regards,

Caroline Kleinschmidt
Relicensing Coordinator
Green Lake Water Power Company