

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Land Resource Regulation
17 State House Station
Augusta, Maine 04333
Telephone: 207-287-7688

FOR DEP USE
ATS # _____
#L- _____
Fees Paid _____
Date Fees Received _____

**APPLICATION FOR
WATER QUALITY CERTIFICATION
(U.S. P.L. 92-500, SECTION 401)**

HYDROPOWER PROJECT LICENSING/RELICENSING ONLY

This form shall be used to request Water Quality Certification for the proposed FERC licensing or relicensing of an existing hydropower generating or storage project where no construction, reconstruction or structural alteration of project facilities which would affect water levels or flows is proposed.

All required fees must be paid before application processing will begin. Please contact the Department for current fee schedule information. Fees are payable to Treasurer, State of Maine.

APPLICANT INFORMATION

Name of Applicant: Green Lake Water Power Co.

Mailing Address: 120 Hatchery Way

Ellsworth, Maine 04605

Name of Contact or Agent: Caroline Kleinschmidt

Telephone: (207) 667-3322

PROJECT INFORMATION

Name of Project: Green Lake Project FERC No. P-7189

Address (use "911" address, if available): 120 Hatchery Way

Ellsworth, Maine 04605

Name of Waterbody Affected: Green Lake & Reeds Brook

Municipality or Township: Ellsworth, Dedham, Otis County: Hancock

GPS Coordinates, if known: 44°37'33.56"N 68°26'40.80"W

REQUIRED INFORMATION

1. Provide all the information requested by this application form.
2. If applicant is a registered corporation, provide either a *Certificate of Good Standing* (available from the Secretary of State) or a statement signed by a corporate officer affirming that the corporation is in good standing.
3. A signed Certification of Publication and a completed Notice of Intent to File an application for Water Quality Certification.

NOTE: All supporting documents summarized above must be attached to this form and sent to the DEP Office listed below:

Department of Environmental Protection
Bureau of Land Resource Regulation
17 State House Station
Augusta, ME 04333
Tel: (207) 287-7688

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

DATE: 18 May 2023

(IF SIGNATURE IS OTHER THAN APPLICANT,
ATTACH LETTER OF AGENT AUTHORIZATION
SIGNED BY APPLICANT)



SIGNATURE OF APPLICANT

Caroline Kleinschmidt, Relicensing Coordinator

PRINTED NAME & TITLE

WATER QUALITY CERTIFICATION APPLICATION

GENERAL INFORMATION

1. By submitting this application, an applicant requests Water Quality Certification pursuant to Section 401 of the Federal Clean Water Act for the continued operation of an existing hydropower generating or storage project under the terms of an initial or a new license from the Federal Energy Regulatory Commission. Certification must be obtained for any activity requiring a federal license or permit which may result in a discharge into the navigable waters of the United States.
2. The purpose of this application form is to obtain from the applicant a thorough description of project facilities and operation and the impacts of the continued operation of the project on water quality.

The Department's Regulations provide that the applicant bears the burden of proof in the application process. This is the burden of presenting sufficient evidence for the Department to make the affirmative findings required by law regarding matters about which no questions are raised and the burden of presenting a preponderance of the evidence regarding matters about which questions are raised.

3. In order to grant certification, the Department must conclude that there is a reasonable assurance that the continued operation of a hydropower generating or storage project will not violate applicable Water Quality Standards. These standards have been established in the State's Water Classification Program (Title 38 MRSA Sections 464-469). These standards designate the uses and related characteristics of those uses for each class of water and establish water quality criteria necessary to protect those uses and related characteristics.
4. Any applicant for a FERC license must complete a three stage consultation process with appropriate state and federal agencies. The purpose of this process is to identify and analyze the potential environmental and socioeconomic impacts of a project.

The consultation process requires an applicant to have either requested or obtained water quality certification at the time of filing with FERC. The process also requires that an applicant serve a copy of its FERC application, including any revisions, supplements or amendments thereto, on each of the agencies consulted.

WATER QUALITY CERTIFICATION APPLICATION

FILING INSTRUCTIONS AND PROCEDURES

1. When filing, send an original paper copy plus one (1) electronic copy of a completed Application for Water Quality Certification to the Department, along with two (2) copies of the Application for Initial License or New License that has been or will be filed with FERC. The State filing can be made prior to or concurrent with the FERC filing.
2. The Department is required by law to assess fees for processing applications and for monitoring permit compliance. Application processing will not begin until all required fees have been paid. When filing, submit full fee payment as shown on the [DEP fee schedule](#). Please make checks payable to: Treasurer, State of Maine.
3. A number of consulting agencies will be involved in the State review process of hydropower projects. Distribution of copies of the FERC application to these agencies may be coordinated by DEP or may be handled directly by the applicant. When filing, please notify the DEP staff to discuss distribution procedures.
4. Most information requested by this application form can be provided by making reference to the appropriate exhibit of the FERC license application. Space is provided on the form for such references.
5. Within 15 working days of receiving an application and all required fees, the DEP shall determine whether the application as filed is acceptable for processing.
6. Additional information may be required during the review process on any aspect of the project relating to compliance with applicable statutory criteria.

WATER QUALITY CERTIFICATION APPLICATION

1. **NATURE OF ACTIVITY.** Check appropriate item:

Application for Initial License.

Application for New License (Relicense).

A COPY OF A COMPLETED FERC APPLICATION FOR LICENSE (THIRD STAGE CONSULTATION) MUST ACCOMPANY THIS FORM.

NOTE: A copy of any document revising, supplementing, amending, or correcting deficiencies in the application as originally filed with FERC must also be filed with D.E.P.

2. **EXISTING ENVIRONMENT.** Provide a description of the physical environment of the project site and its immediate vicinity. The project site includes all land and water areas affected by the project.

REFERENCE: FERC EXHIBIT(S) Exhibit E (see FLA-Files.pdf for file list)

3. **PROJECT DESCRIPTION.** Provide a detailed description of the existing project. A hydropower project includes all powerhouses, dams, water conduits, transmission lines, water impoundments, roads, and other appurtenant works and structures that are part of the development. This description must include:

- A. The physical composition, dimensions, and general configuration of all project structures;
- B. The normal maximum surface area and elevation, gross storage capacity, and usable storage capacity of any impoundments;
- C. The number, type, and rated capacity of any turbines or generators; and
- D. The number, length, and voltage of any primary transmission lines.

REFERENCE: FERC EXHIBIT(S) Exhibit A

4. **PROJECT OPERATION.** Provide a description of project operation, to include:

- A. The mode of project operation during low, mean, and high water years, including extent and duration of flow release and impoundment fluctuations;
- B. An estimate of the dependable capacity and average annual energy production, in kilowatt hours, of the project;
- C. An estimate of minimum, mean, and maximum flows, in cubic feet per second, at the project site, including a flow duration curve;
- D. An estimate of the maximum and minimum hydraulic capacities, in cubic feet per second, of any powerplant; and
- E. A statement of the manner in which the power generated at the project is utilized.

REFERENCE: FERC EXHIBIT(S) Exhibit A

5. **PROJECT PLANS.** Provide general design drawings showing all major project structures in sufficient detail to provide a full understanding of the project, including:
- A. Plans (overhead view);
 - B. Elevations (front view); and
 - C. Sections (side view).

REFERENCE: FERC EXHIBIT(S) Exhibit F

6. **PROJECT MAPS.** Provide maps of the project showing:
- A. The location of the project, including principal project structures and features, with reference to local geographic features; and
 - B. A project boundary enclosing all principal project structures and features proposed to be licensed.

REFERENCE: FERC EXHIBIT(S) Exhibit G

7. **TITLE, RIGHT OR INTEREST.** The Department's Regulations require that any applicant must possess sufficient title, right or interest in all project lands and waters in order to have standing to seek a permit, license, or certification. Please complete the appropriate item(s) below establishing title, right or interest and attach a copy of the indicated document(s):

- Deed.
- Option to buy.
- Lease.
- Valid FERC License (including all amendments/modifications).
- Exercise of flowage rights through operation of the Mill Act (12 MRSA Section 651).
- Exercise of eminent domain under FERC License.

8. **WATER QUALITY.** Provide a description of the impact of the project on water quality, including:
- A. A description of the applicable water quality standards and stream segment classification for the project impoundment and downstream waters, including a description of designated uses;
 - B. A description of existing water quality in the project impoundment and downstream waters affected by the project, including a description of existing in-stream water uses;
 - C. A statement of the existing measures to be continued and new measures proposed for the purpose of protecting and improving water quality, including measures for the mitigation of project impacts on the designated uses of project waters; and
 - D. A description of any anticipated continuing impact on water quality from the continued operation of the project, including impacts on the designated uses of project waters.

9. **PUBLIC NOTICE.** The Department requires that an applicant provide public notice describing the location and nature of the activity proposed for approval. The public notice requirements that apply to this application are described in the Certification of Publication below, which must be signed and dated by the applicant or authorized agent.

The following information must be submitted with this form:

- A copy of a completed Notice of Intent to File.
- A list of abutters to whom notice was provided. [For the purposes of public notice of this application, an "abutter" is any person who owns property that is both (1) adjoining and (2) within 1 mile of the delineated project boundary, including owners of property directly across a public or private right of way.]

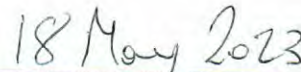
CERTIFICATION OF PUBLICATION

By signing below, the applicant (or authorized agent) certifies that he or she has:

1. Published a Notice of Intent to File once in a newspaper circulated in the area where the project site is located, within 30 days prior to filing the application;
2. Sent a completed copy of the Notice of Intent to File by certified mail or Certificate of Mailing to abutters, as determined by local tax records or other means, within 30 days prior to filing the application; and
3. Sent a copy of the Notice of Intent to File by certified mail or Certificate of Mailing and filed a duplicate of this application with the town clerk of the municipality(ies) where the project is located, within 30 days prior to filing the application.



Signature of Applicant



Date

Caroline Kleinschmidt, Relicensing Coordinator

Name and title of applicant

If signature is other than that of the applicant, attach letter of agent authorization signed by the applicant.

Certificate of Good Standing



MAINE

Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

[Subscriber activity report](#)

This record contains information from the CEC database and is accurate as of: Fri Apr 07 2023 12:09:15. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
GREEN LAKE WATER POWER COMPANY	19831346 D	BUSINESS CORPORATION	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
03/22/1983	N/A	MAINE

Other Names	(A=Assumed ; F=Former)
NONE	

Clerk/Registered Agent

S. PETER MILLS
218 WATER STREET
SKOWHEGAN, ME 04976

[New Search](#)

Click on a link to obtain additional information.

List of Filings

[View list of filings](#)

Obtain additional information:

Certificate of Existence [\(more info\)](#)

Short Form without amendments (\$30.00)	Long Form with amendments (\$30.00)
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Ellsworth American
Newspaper Publication

Abutter Notice Cover Letter



120 Hatchery Way, Ellsworth, ME 04605

May 8, 2023

VIA USPS

Re: Notice of Water Quality Certification Application to Owners of Property Adjoining the Green Lake Hydroelectric Project (FERC No. 7189)

Dear Recipient,

Green Lake Water Power Company (GLWP) holds a license issued by the Federal Energy Regulatory Commission (FERC) for the Green Lake Hydroelectric Project (FERC No. 7189) located in Hancock County, Maine on Green Lake and Reeds Brook in the City of Ellsworth and the towns of Dedham and Otis. GLWP is in the process of obtaining a new license from FERC.

In order for FERC to issue a new license, GLWP must also apply for and obtain a Water Quality Certification (WQC) from the State of Maine Department of Environmental Protection (MDEP) under the provisions of the Clean Water Act. The MDEP WQC application process requires that GLWP provide notice of the WQC application to those landowners whose property abuts the Green Lake Hydroelectric Project, which is why you are receiving this letter. Notice of the WQC application is attached.

If you have any questions regarding this notice please contact me at 207-667-3322 or at caroline@greenlakewaterpower.com

Sincerely,

A handwritten signature in cursive script, appearing to read "Caroline Kleinschmidt".

Caroline Kleinschmidt
Relicensing Coordinator
Green Lake Water Power Company

Attachment: Notice

Abutter Notice

NOTICE OF INTENT TO FILE

MAINE WATER QUALITY CERTIFICATION APPLICATION

Please take notice that Green Lake Water Power Company of 120 Hatchery Way, Ellsworth, Maine 04605 – Phone: (207) 667-3322, is intending to file an application with the Maine Department of Environmental Protection for a Water Quality Certification pursuant to the provisions of the Federal Clean Water Act, Section 401. The application is for the Federal Energy Regulatory Commission (FERC) relicensing for the continued operation of the Green Lake Hydroelectric Project (FERC No. 7189), located in Hancock County Maine on Green Lake and Reeds Brook in the City of Ellsworth and the towns of Dedham and Otis, under the terms of an initial or new license from the Federal Energy Regulatory Commission.

The application will be filed on or about May 22, 2023, and will be available for public inspection at the MDEP's offices in Augusta during normal working hours. A copy of the application may also be seen at the municipal offices in Ellsworth, Dedham and Otis, Maine.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. Public comment on the application will be accepted throughout the processing of the application.

The review of and decision on this application, which concerns federally licensed activities in the Coastal Zone, shall also provide a basis for the State's consistency decision in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. § 1456. All public comments received shall be considered for consistency review purposes provided that the period for consistency review shall not begin until the applicant has filed the pertinent federal application and provided its consistency certification.

Written public comments may be sent to the Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333.

Notice of Intent to File
Distribution List

Green Lake Hydroelectric Project (FERC No. 7189)
Abutter List for Water Quality Certification Application
(includes Clerks for Municipalities Ellsworth, Dedham & Otis)

PORTER RANDALL VITTONÉ DANIELLE 148 BALANCE ROCK PITTSFIELD, MA 01201	MCCALLISTER CYNTHIA S 52 RIVER STREET GREAT BEARRINGTON, MA 01230	MILLOT ROBERT L MILLOT HELEN L BOX 238 SO EGREMONT, MA 01258	EVANS MICHAEL EVANS VALERIE 132 GEORGE HILL ROAD GRAFTON, MA 01519
SMITH FAMILY TRUST 30 SWIFT ROAD FRAMINGHAM, MA 01702	KATHERYN E RUDERSHAUSEN 23 CRESCENT AVENUE BEDFORD, MA 01730	ROBERT & LINDA RONAN 51 WEDGEWOOD DRIVE HOPKINTON, MA 01748	BRYANT ROBERT & LINDA LUDDEN ALISON & JAYNES REBECCA REMAINDERMAN 21 RICE STREET HUDSON, MA 01749-1332
MACMANNIS RUSSELL MACMANNIS KENNETH ROBERT & SCOTT WARD BONNIE 8 DANIEL R DRIVE, MILFORD, MA 01757	AMANDA T BROWER PO BOX 242 LINCOLN, MA 01773	SACRA DOUGLAS A SACRA DEIDRE C 55 GIEZEN LANE WAYLAND, MA 01778	DOWNEAST WOODLANDS LLC 11 JEBEKA LANE GLOUCESTER, MA 01930
MACK GAIL R ROSEN DANIEL 32 ROCKAWAY AVE MARBLEHEAD, MA 01945	BROWN JR JOEL P KOFEL DONIEL L 153 HIGH STREET NEWBURY PORT, MA 01950	MCDOWELL JOHN B MCDOWELL KIMBERLY S 60 LINCOLN STREET HINGHAM, MA 02043	IDMAN JEAN B ETAL 100 BILLINGS STREET SHARON, MA 02067
SICAL HUGO L SICAL ANGELES R 79 REVERE STREET MALDEN, MA 02148	GREG & JUDITH OLSON 5 THOREAU ROAD LEXINGTON, MA 02420	FERGUS NANCY S FERGUS ANDREW & JEFFREY 78 CANDLEWOOD DRIVE WALTHAM, MA 02451	MICHAEL F MOONEY 1045 SOUTH RD EAST GREENWICH, RI 02818
ANN MARIE SORTOR, KATHLEEN BAILEY PETER JOSEPH ELLEN JOHN T JR & MICHAEL F MOONEY 34 SACHEM RD, TIVERTON, RI 02878	CURTIS BRIAN K SR CURTIS DENISE C JT 208 BOSTON POST RD AMHERST, NH 03031	RAND SCOTT C NANCY S HUSARIK 15 WINSLOW LANE CANDIA, NH 03034	VOSS DOUGLAS A VOSS WILLIAM C 9 FEDERAL HILL ROAD NASHUA, NH 03062
CAMP CLEMENT LLC PO BOX 686 CAMPION, OH 03223	THEODORE G & KATHERINE S GEKAS 155 WINDMILL HILL ROAD DUBLIN, NH 03444	NESTER STEPHEN D ET AL C/O NESTER JEFF PO BOX 285 GEORGES MILLS, NH 03751	LITTLEFIELD TRUST OF 2022 384 UNION STREET, UNIT 4 PORTSMOUTH, NH 03801
MCDOWELL WILLIAM HUNTER II MCDOWELL MARGARET CRAWFORD 30 JAMES FARM ROAD LEE, NH 03824	FLEGAL HEATHER JEAN FLEGAL JENNIFER MADELON TC 75 DEARBORN AVE HAMPTON, NH 03842	PAUL S ROBICHAUD 6 BAY ROAD UNIT 11 NEWMARKET, NH 03857	SIGHINOLFI PAUL H SIDOU VICKIE 14 BRADLEY LANE NORTH HAMPTON, NH 03862
FLEGAL JOHN R FLEGAL DIANE 1055 GORE ROAD ALFRED, ME 04002	BALDWIN CHRISTOPHER BALDWIN THERESA A 3 LAUREL ROAD BRUNSWICK, ME 04011	CLARK ROBERT T CLARK JODY E 6 BLUEBERRY LANE BRUNSWICK, ME 04011	KING SANDRA E 16 HIGH VIEW ROAD FREEPORT, ME 04032
REGAN JENNIFER REGAN JACK D 23 CHATAQUA HILL FRYEBURG, ME 04037	EMERY MICHAEL P HICKSON CHERYL A 11 MCQUILLIANS HILL DRIVE GORHAM, ME 04038	CROWELL GARY CROWELL RUTH H 34 HOUSELY ROAD HARRISON, ME 04040	CROSS LORI E 52 WILD DUNES WAY 16A OLD ORCHARD BEACH, ME 04064
GERALD J & CANDACE SCRIPTURE 77 RAYMOND HILL RD RAYMOND, ME 04071	VOGELL KRITIN 12 FENGLER RD SCARBOROUGH, ME 04074	COLE GARRET E 12 FENGLER ROAD SCARBOROUGH, ME 04074	COLE CROSS JANET 2 ALDEN LANE SCARBOROUGH, ME 04074
DOANE ERIC C DOANE KIMBERLY C 7 ROCKY HILL ROAD SCARBOROUGH, ME 04074	MARTIN THOMAS A MARTIN TRACIE L JT 15 CARLSON STREET WESTBROOK, ME 04092	ISRAEL HENRY 544 WALNUT HILL ROAD NORTH YARMOUTH, ME 04097	DAIGLER DAVID J DAIGLER KAREN P 16 CUMBERLAND AVE PORTLAND, ME 04101
COLLINS THOMAS P COLLINS MARILYN H 48 RIDGEWOOD DRIVE AUGUSTA, ME 04330	HORAN DONALD C HORAN ELLEN B 62 LONGWOOD AVENUE AUGUSTA, ME 04330	FRANCINI WILLIAM FRANCINI ANNE 78 FAIRWAYS BANGOR, ME 04401	DUNLAP ROBERT D DUNLAP CYNTHIA C 932 OHIO STREET, APT 229 BANGOR, ME 04401
MCSORLEY LAURIE-ANN & JOLEEN A MCSORLEY MICHAEL LAWRENCE TC 116 BRIARWOOD EXT BANGOR, ME 04401	JOHNSON PAMELA W 12 STONE STREET BANGOR, ME 04401	JOCELYNN PRIESTLEY LAURA PRIESTLEY 131 SILVER RD BANGOR, ME 04401	ROWE MATTHEW W 15 MONTGOMERY STREET BANGOR, ME 04401
PIER PLEASURE LLC 18 PENN PLAZA SUITE 23 A BANGOR, ME 04401	ROBICHEAU MICHAEL ROBICHEAU JENNIFER 251 7TH STREET BANGOR, ME 04401	HAMILTON PARKIN HAMILTON PATRICIA 27 PLAISTED STREET BANGOR, ME 04401	JOHN T & J WILLIAM QUINN QUINN IRREVOCABLE TRUSTS 292 HAMMOND ST BANGOR, ME 04401
BRETT M & GEORGE L PARKE 344 FOX HOLLOW BANGOR, ME 04401	MATHIS JENNIFER 35 LANE STREET BANGOR, ME 04401	OSCAR R BATLLE CATHERINE G HOWARD 461 GARLAND ST BANGOR, ME 04401	MCCORMACK CORPORATION C/O SUSAN KESARIS TRES. 48 BEECHER PARK BANGOR, ME 04401
MCGUIRE DANIEL MCGUIRE CAROLYN 50 NORFOLK ST BANGOR, ME 04401	MROZ PAULA L MROZ MATTHEW F 52 BRIGHTON AVENUE BANGOR, ME 04401	MELVIN FLOYD W JR MELVIN BETTY A 65 BUNKER LANE BANGOR, ME 04401	STEVENSON LEROY O STEVENSON PRISCILLA E 66 THIRD STREET BANGOR, ME 04401
HESS RHONDA 68 HEMPSTEAD AVENUE BANGOR, ME 04401	HENDERSON JOHN HENDERSON KIMBERLY B 71 LAUREL CIRCLE BANGOR, ME 04401	STEPHEN D WINKLER 85 A CENTER ST BANGOR, ME 04401	KIMBERLY DICKSON & STEPHEN AVERILL 88 HILLVIEW DR BANGOR, ME 04401

**Green Lake Hydroelectric Project (FERC No. 7189)
 Abutter List for Water Quality Certification Application
 (includes Clerks for Municipalities Ellsworth, Dedham & Otis)**

BOWLAN LAWRENCE J BOWLAN MICHELE M 88 LAUREL CIRCLE BANGOR, ME 04401	HOLZWARTH JOAN H 920 STATE STREET BANGOR, ME 04401	LAWSON KATHLEEN RAE 96 KENDUSKEAG AVENUE BANGOR, ME 04401	WHISTLER LANDS, LLC C/O WILLIAM C VOSS 499 BROADWAY PMB 390 BANGOR, ME 04401
BURNS JOHN E III BURNS KAREN TC 51 ASH LANE HERMON, ME 04401	EVANS THOMAS E EVANS KIMBERLY D 536 BLACKSTREAM RD HERMON, ME 04401	ROGERSON BRUCE W 7 WENDY ACRES DRIVE HERMON, ME 04401	AHOLA DAVID T AHOLA BRIGITTE TC 10 HILLSIDE DRIVE VEAZIE, ME 04401
SKACEL MAREK SKACEKOVA ANNAMARIA JT 26 HILLSIDE DR VEAZIE, ME 04401	JOSEPH A GARLAND PO BOX 2069 BANGOR, ME 04402	M & M TRUCK SALES INC. 23 TIMBERVIEW DRIVE HERMON, ME 04402	R D FAULKNER 146 PARKWAY SOUTH BREWER, ME 04412
JORDAN ROBERT J KING MIRIAM J 155 OAK GROVE DRIVE BREWER, ME 04412	BROOKS WILLIAM C BROOKS CAROL 22 HARLOW STREET BREWER, ME 04412	KOTREDES JAMES F ET AL 23 TREMONT STREET BREWER, ME 04412	TARDIFF LINDA G 30 LORRAINE AVENUE BREWER, ME 04412
LOUISE CROSS TRUST 31 ROCKLAND CT BREWER, ME 04412	GIROUX JUDY 388 SOUTH MAIN ST BREWER, ME 04412	BUBAR BENJAMIN C BUBAR BRITTANY L 71 SILK STREET BREWER, ME 04412	JOHN & DEBORAH UTTERBACK - LIFE ESTATE C/O DAVID G UTTERBACK 75 PARKWAY N BREWER, ME 04412
TIMOTHY J & DAWN MACKAY 77 CENTURY ST BREWER, ME 04412	WADE DAVID WADE RAMONA R 20 FLANDERS WAY BUCKSPORT, ME 04416	ROBINA M HARTT 38 MUNSON WAY CARMEL, ME 04419	DUNN PROPERTIES LLC 284 EXETER RD CORINTH, ME 04427
SHERWOOD ROBERT E SHERWOOD RUTH B 634 MAIN ROAD EDDINGTON, ME 04428	TOWN OF DEDHAM TOWN CLERK 2073 MAIN ROAD, SUITE A DEDHAM, MAINE 04429	ROBERT K & KATHLEEN M TAYLOR 128 BIRCH POINT RD DEDHAM, ME 04429	POWER DAVID J POWER BRENDA M 147 HURD POINT ROAD DEDHAM, ME 04429
MICHAEL E & PENNY M WEINSTEIN 15 CHAPMAN LANE DEDHAM, ME 04429	MALVIN C DRIVER JR 166 BIRCH POINT RD DEDHAM, ME 04429	HEATHER N MASTERS & CHRISTOPHER M TURNER 17 ROCKY POINT WAY DEDHAM, ME 04429	CHARLES H & VIVIAN SCRIBNER 18 BIRCH POINT ROAD DEDHAM, ME 04429
JARED L & LIZBETH C RICHARDS 18 ROCKY POINT WAY DEDHAM, ME 04429	ALFRED A VIOLETTE C/O PAUL VIOLETTE 19 THE LANDING DEDHAM, ME 04429	FRANK J ROBERTS JR 20 SANDY ROCK DR DEDHAM, ME 04429	ROBERT W & BONNIE S FARRAR 21 CHAPMAN LANE DEDHAM, ME 04429
R&A CROSS LLC 21 THE LANDING DEDHAM, ME 04429	ROCHELLE D MILLER & POLLY C SPARHAWK 217 GREEN LAKE RD DEDHAM, ME 04429	LESLIE ANN BRYAN 26 GERRY LANE DEDHAM, ME 04429	LISA A FLOYD & MICHAEL D SCHOLL 26 SANDY ROCK DR DEDHAM, ME 04429
KENNETH L HUITT 263 GREEN LAKE RD DEDHAM, ME 04429	NICOLE C STEVENS 269 GREEN LAKE RD DEDHAM, ME 04429	PERRI HUITT 273 GREEN LAKE RD DEDHAM, ME 04429	JOHN D KIRKPATRICK 275 GREEN LAKE RD DEDHAM, ME 04429
MATTHEW SCHRODER SCHRODER INVESTMENT TRUST 38 NORTHERN WAY DEDHAM, ME 04429	PAUL E & JUDITH J HUSSON 40 CHAPEL DRIVE DEDHAM, ME 04429	CHAPMAN BEAR LODGE LLC 42 CHAPMAN LANE DEDHAM, ME 04429	ATHENA V COX C/O ATHENA COX DUDDY 43 TUNNEY DR DEDHAM, ME 04429
DAVID C NOBLE 518 UPPER DEDHAM ROAD DEDHAM, ME 04429	J DANIEL ROBINSON 535 GREEN LAKE ROAD DEDHAM, ME 04429	TIMOTHY R ROBINSON 571 GREEN LAKE ROAD DEDHAM, ME 04429	BEN SIDAWAY & BONNIE D MOORE 577 GREEN LAKE RD DEDHAM, ME 04429
SHERLEEN F LAILER 599 GREEN LAKE RD DEDHAM, ME 04429	VIRGINIA J HAZEN 6 CASTLE ROCK DRIVE DEDHAM, ME 04429	WALDRON E SAWYER LLC 6 SAWYER DRIVE DEDHAM, ME 04429	KIM L GRAHAM 613 GREEN LAKE RD DEDHAM, ME 04429
ROBIN LAYMAN & BRECK W JOHNSON 769 GREEN LAKE RD DEDHAM, ME 04429	DAVID J & JUNE E LAPLANTE 775 GREEN LAKE RD DEDHAM, ME 04429	CHRISTOPHER INTRONE 802 GREEN LAKE RD DEDHAM, ME 04429	DALE L & BARBARA M JELLISON 803 GREEN LAKE RD DEDHAM, ME 04429
CINDY BENSON 809 GREEN LAKE RD DEDHAM, ME 04429	VALERIE TRIPP 811 GREEN LAKE RD DEDHAM, ME 04429	VICTORIA & BRAD KENYON 817 GREEN LAKE RD DEDHAM, ME 04429	PETER & DONNA ALLEN & VICTORIA & BRAD KENYON 819 GREEN LAKE RD DEDHAM, ME 04429
MALCOM & LINDSEY WILLEY 9 COLMAN DRIVE DEDHAM, ME 04429	ROBERT & EMILY CAMBRIA 9 SUNRISE DR DEDHAM, ME 04429	FOX LARRY W FOX CAROLYN J RR 13 Box 1615 DEDHAM, ME 04429	RONAN JOHN K RR 13 Box 1686 DEDHAM, ME 04429
MORRISON SCOTT RR 3 Box 1655 DEDHAM, ME 04429	MICHAUD VINCENT E MICHAUD JANINE H RR Box 1802 DEDHAM, ME 04429	BERTHA LONGFELLOW ANTHONY MCCHESNEY RR 13 Box 1699 DEDHAM, ME 04429	TERRY MELANSON ROBERT MELANSON RR 13 Box 1770 DEDHAM, ME 04429

**Green Lake Hydroelectric Project (FERC No. 7189)
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NICHOLAS S ROBERTSON 99 RIDER BLUFF RD HOLDEN, MA 04429	BARROWS GREGORY J BARROWS NANCY R 178 EATON RIDGE ROAD HOLDEN, ME 04429	BRUCE G NICKERSON & KRIS N SUMMIT 28 GILMORE LANE HOLDEN, ME 04429	PETERSON HANS PETERSON ANDREA 370 LEVENSELLER ROAD HOLDEN, ME 04429
PELLETIER JULIE M 7 BROOKFIELD ESTATES HOLDEN, ME 04429	POMROY RONALD L POMROY GERALDINE 74 COPELAND HILL ROAD HOLDEN, ME 04429	ADAMS BRADFORD N ADAMS MARJORIE F JT 83 DOLE HILL ROAD HOLDEN, ME 04429	BRIAN D FLANDERS PO BOX 1116 HOLDEN, ME 04429
WILLEY JR LLOYD E WILLEY JENNIFER A PO BOX 1183 HOLDEN, ME 04429	PETER H & LINDA B JENSEN PO BOX 1254 HOLDEN, ME 04429	TIMOTHY R SR DEBORAH S & LARGAY PO BOX 211 HOLDEN, ME 04429	COOK RICHARD C PO BOX 224 HOLDEN, ME 04429
COHEN JAMES M PO BOX 241 HOLDEN, ME 04429	CHRISTY LANE STOUT & MARGARET A BECKMAN PO BOX 817 HOLDEN, ME 04429	JENKINS KIRSTEN PO BOX 845 HOLDEN, ME 04429	JAMIESON MICHELE R JAMIESON CHAD E PO BOX 85 HOLDEN, ME 04429
DAWES SUSAN M RR 13 BOX 1618 HOLDEN, ME 04429	ODELL KEITH RR 13 BOX 1640 HOLDEN, ME 04429	RICE MICHAEL R RICE CAROL A RR 13 BOX 1677 HOLDEN, ME 04429	LENFEST RICHARD D LENFEST LOIS M RR 13 BOX 1685 HOLDEN, ME 04429
CYNTHIA GAMMONS MAYNARD RR 13 BOX 1730 HOLDEN, ME 04429	GAMMONS ROBERT & FRANCES (LIFE ESTATE) C/O CYNTHIA MAYNARD RR 13 BOX 1730 HOLDEN, ME 04429	FARWELL EDWARD F FARWELL MARCIA E RR 13 BOX 1740 HOLDEN, ME 04429	KENNY GREGORY M KENNY DARLENE M RR 13 BOX 1755 HOLDEN, ME 04429
KOERNER KARL KOERNER SUSAN JT RR 13 BOX 1800 HOLDEN, ME 04429	PAUL KEVIN J PAUL SUSAN V RR 13 BOX 1803 HOLDEN, ME 04429	OXLEY SCOTT A OXLEY DONNA L JT RR 13 BOX 1808 HOLDEN, ME 04429	ENGLAND RANDY K ENGLAND LESLIE W JT RR 13 BOX 1810 HOLDEN, ME 04429
TAKEUCHI AI BRYNE CHRISTOPHER 100 FOSTER AVENUE HAMPDEN, ME 04444	COLE GARRET E 107 HEATHER WAY HAMPDEN, ME 04444	ARBO JEANNE F ARBO RALPH E & WAYNE E JT 1253 WESTERN AVENUE HAMPDEN, ME 04444	ROBERT A & SHIRLEY Z JUCIUS 36 GRIFFIN ROAD HAMPDEN, ME 04444
ROBICHAUD PHILLIP L 696 MAIN ROAD NORTH HAMPDEN, ME 04444	PHYLLIS KELLEY PO BOX 150 HAMPDEN, ME 04444	TRASK REBECCA D PO BOX 67 HAMPDEN, ME 04444	BRUCE A HAMEL 7 GROVE ST MILFORD, ME 04461
FRANCES MOONEY APARTMENTS LLC 40 BALSAM DRIVE MILLINOCKET , ME 04462	CAROL CROSS 195 FOREST AVE ORONO, ME 04473	SCOTT D & JOANN C HALL 20 JOHNNY MACK LANE ORONO, ME 04473	SILVER BARNEY W SILVER ROBIN LB P O BOX 22 ORONO, ME 04473
NICOLAS & KATHLEEN HEBER 134 SNOWS CORNER RD ORRINGTON, ME 04474	SHUMAKER PAUL J OF THE PAUL SHUMAKER TRUST 19 BIRCH HILL DRIVE ORRINGTON, ME 04474	SCOTT A & BARBARA A YOUNGS 86 ARCTIC STATION RD ORRINGTON, ME 04474	ROBERT J & CAROL A JANKOWSKI 82 OAK HILL ROAD ORRINGTON, ME 04474
JAMES A & GERALDINE V BOTTI PO BOX 662 BOOTHBAY HARBOR, ME 04538	HILARY FOLGER & PHOEBE MACLEOD FOLGER 234 BLACKBEAR WAY ELLSWORTH , ME 04605	SILVERMAN DAVID, SILVERMAN JAYNE 271 KEISER WAY ELLSWORTH , ME 04605	TESTA JAMES F TESTA LINDA A JT 817 NICOLIN ROAD ELLSWORTH , ME 04605
CITY OF ELLSWORTH CITY CLERK 1 CITY HALL PLAZA ELLSWORTH, ME 04605	UNITED STATES DEPT INTERIOR U S FISH AND WILDLIFE SERVICE GREEN LAKE FISH HATCHERY 1 HATCHERY WAY, ELLSWORTH, ME 04605	SCOTT E FOX & MELANIE OMLOR FOX 103 GUPTIL FARM ROAD ELLSWORTH, ME 04605	ERIC E & MARION E BARON 134 GARY MOORE ROAD ELLSWORTH, ME 04605
JORDAN BRIDGET 16 HARMONY WAY ELLSWORTH, ME 04605	NATHANIEL D & SHIREEN T MELVIN 17 MARGARITA WAY ELLSWORTH, ME 04605	KENNETH R & HOLLY B SHEA 18 SUNSET PARK ROAD ELLSWORTH, ME 04605	GWEN DEWITT 1802 BANGOR RD ELLSWORTH, ME 04605
KERRY D & JUDY G OLSEN 21 BALSAM WAY ELLSWORTH, ME 04605	THE McLAUGHLIN FAMILY REAL EST 218 BLACK BEAR WAY ELLSWORTH, ME 04605	BLANCHARD PAMELA J BLANCHARD TODD A 226 BRANCH POND ROAD ELLSWORTH, ME 04605	GRANT ROSS E GRANT ANNE W 24 McDONALD AVE ELLSWORTH, ME 04605
HENDERSON LLC 25 RIVERSIDE LANE ELLSWORTH, ME 04605	RUSSELL RONALD E RUSSELL ROXANNE J 287 NEVELLS WAY ELLSWORTH, ME 04605	RIZZOTTI GEORGE RIZZOTTI SANDRA 32 HARMONY WAY ELLSWORTH, ME 04605	GREEN LAKE LLC C/O AUDREY TUNNEY 35 GRANT STREET ELLSWORTH, ME 04605
BAXTER MARK W BAXTER BRIGETTE C 357 NICOLIN ROAD ELLSWORTH, ME 04605	PRESSON BARBARA D 36 LAFFIN WAY ELLSWORTH, ME 04605	COCHRANE KELLY A COCHRANE RICHARD DONALD 38 CHAPEL STREET ELLSWORTH, ME 04605	TITCOMB JOSHUA TITCOMB ELIZABETH 4 BROOKS END WAY ELLSWORTH, ME 04605
FISHBURGER LLC C/O ROBERT J RAMSEUR JR 41 LAFFIN WAY ELLSWORTH, ME 04605	PATTERSON NANCY C M 41 WEYMOUTH WAY ELLSWORTH, ME 04605	NAOMI S FINLAY 42 HARMONY WAY ELLSWORTH, ME 04605	GRINDLE EVERETT JR GRINDLE SUSAN E 485 NORTH STREET ELLSWORTH, ME 04605

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PHINNEY MICHAEL E PHINNEY LYNN M JT 5 PEACEFUL ACRES WAY ELLSWORTH, ME 04605	KITCHEN JOSEPH L KITCHEN DONNA R 52 HARMONY WAY ELLSWORTH, ME 04605	HACKELBERG GLEN TODD 534 SURRY ROAD ELLSWORTH, ME 04605	KUNTZ ERIC W KUNTZ AURORA M JT 56 HARMONY WAY ELLSWORTH, ME 04605
WALLS TRAVIS K ROSBOROUGH ASHLEY M 571 NICOLIN ROAD ELLSWORTH, ME 04605	HUFFMAN MICHAEL W 583 NICOLIN ROAD ELLSWORTH, ME 04605	MEGQUIER DAVID M MEGQUIER DONNA J JT 603 NICOLIN ROAD ELLSWORTH, ME 04605	ENMAN STEVEN W ENMAN LISA W 622 NICOLIN ROAD ELLSWORTH, ME 04605
HARRY G & ELLEN E MOORE 64 HARMONY WAY ELLSWORTH, ME 04605	MOOERS LORRAINE 643 NICOLIN ROAD ELLSWORTH, ME 04605	NEEDHAM JEFFREY R NEEDHAM TERRI M 653 NICOLIN ROAD ELLSWORTH, ME 04605	HUDSON DAWN 667 MARIVILLE ROAD ELLSWORTH, ME 04605
THIBODEAU CYNTHIA S IHLE PHYLISS S 677 MARIVILLE ROAD ELLSWORTH, ME 04605	KIMBALL SCOTT A 683 NICOLIN ROAD ELLSWORTH, ME 04605	SPECHT FRITHJOF 687 NICOLIN ROAD ELLSWORTH, ME 04605	ROSINSKI CAROL ROSINSKI JANE T/C 69 HANSONS LANDING ROAD ELLSWORTH, ME 04605
DUDLEY SCOTT A 7 PINE TASSEL WAY ELLSWORTH, ME 04605	MOODY HAROLD G 70 HARMONY WAY ELLSWORTH, ME 04605	SHEA ROBERT E II SHEA KAREN F 70 SUNSET PARK ROAD ELLSWORTH, ME 04605	PERKINS CLAIR E PERKINS CHARLENE A 715 NICOLIN ROAD ELLSWORTH, ME 04605
KING DOUGLAS E 72 STONEY RODGE ROAD ELLSWORTH, ME 04605	LEBRUN LEBRUN H LEBRUN CAROLYN G 757 NICOLIN ROAD ELLSWORTH, ME 04605	INGRAM KEVIN J & MARY M THE INGRAM TRUST 77 SANDY POINT ROAD ELLSWORTH, ME 04605	KETCHUM FRED 795 NICOLIN ROAD ELLSWORTH, ME 04605
JORDAN RHONDA D 8 HARMONY WAY ELLSWORTH, ME 04605	LAKEMAN MICHELLE D 8 PEACEFUL ACRES ELLSWORTH, ME 04605	GREEN LAKE CABIN #3 LLC 81 JORDANS WAY ELLSWORTH, ME 04605	MARTIN RICHARD J MARTIN CAROLINE J JT 83 BLACK ISLAND WAY ELLSWORTH, ME 04605
BOSWORTH JANET 84 GATOR WAY ELLSWORTH, ME 04605	SMITH DONALD J SMITH KATHERINE 861 NICOLIN ROAD ELLSWORTH, ME 04605	ROBERT F & KATHLEEN M BAILEY 893 NICOLIN RD ELLSWORTH, ME 04605	TOOTHAKER ALAN K DORR MICHELLE 9 TOOTHAKER LANE ELLSWORTH, ME 04605
BROWN DWIGHT A JR 94 PATRIOT ROAD ELLSWORTH, ME 04605	SPENCER MICHAEL BECHARD LYNNE A JT P O BOX 1034 ELLSWORTH, ME 04605	RAYMOND L JENKINS PO BOX 155 ELLSWORTH, ME 04605	FOX MARTHA L PO BOX 416 ELLSWORTH, ME 04605
DELONG DANIEL B DELONG MARY E PO BOX 483 ELLSWORTH, ME 04605	BRAGDON WAYNE L PO BOX 52 ELLSWORTH, ME 04605	ALLEN ROY & JASON T ALLEN GREGORY G & ALICE P/R PO BOX 536 ELLSWORTH, ME 04605	CORBETT DAWN M PO BOX 68 ELLSWORTH, ME 04605
FRIEND COOPER F FRIEND MEREDITH A PO BOX 688 ELLSWORTH, ME 04605	W W WOOD PROPERTIES LLC PO BOX 88 ELLSWORTH, ME 04605	ROBERT SCOTT JR & RENEE MADRELL 124 WINDSOR WAY ELLSWORTH, ME 04605	HODGKINS LUCILLE S HODGKINS PAUL A 371 LAMOINE BEACH ROAD LAMOINE, ME 04605
JORDAN LAWSEUR JEANNIE COFFIN SUSAN J 478 DOUGLAS HIGHWAY LAMOINE, ME 04605	TOWN OF OTIS TOWN CLERK 132 OTIS ROAD OTIS, ME 04605	ANTHONY & JOSETTE PETTEGROW 1237 BAR HARBOR ROAD TRENTON, ME 04605	MCDOWELL JOHN B C/O THOMAS G MCDOWELL 64 KEBO RIDGE ROAD BAR HARBOR, ME 04609
KELLEY ERIC M KELLEY ALLISION M 33 HADLEY POINT ROAD BAR HARBOR, ME 04609	MAXWELL JANE P 452 NORTH STREET CALAIS, ME 04619	CROWLEY BRUCE J CROWLEY CINDY L 140 CROWLEY ISLAND COREA, ME 04624	JORDAN CAITLIN JORDAN NOAH RR3 BOX 1720 HOLDEN, ME 04629
HARMON DENNIS C HARMON PAMELA L 5 COOMBS WHARF ROAD FRANKLIN, ME 04634	MILES JR RICHARD F MILES MICHELLE G 224 US HIGHWAY 1 HANCOCK, ME 04640	COOPER STEVEN D COOPER LAURA J JT 120 FERRY ROAD HANCOCK, ME 04640	ATWATER WAYNE ATWATER MEGHAN E 30 HILLCREST DRIVE HANCOCK, ME 04640
CHRISTOPHER JORDAN SARAH JORDAN PO BOX 25 HANCOCK, ME 04640	DENNIS C & PAMELA L HARMON C/O SALVATORE DENISE 162 PRETTY MASH ROAD MOUNT DESERT, ME 04660	SONOMA PROPERTIES LLC P O BOX 81 MOUNT DESERT, ME 04660	ROBERT A & MARYANNE YOUNG PO BOX 226 MOUNT DESERT, ME 04660
PITTS KAREN F GILMAN CHRISTINE A PO BOX 333 MOUNT DESERT, ME 04660	KING MERCHANT LYNN A MERCHANT WAYNE PO BOX 325 MT DESERT, ME 04660	NORBERG ERIC W NORBERG KAREN L PO BOX 1078 SOUTHWEST HARBOR, ME 04679	PELLETIER RAY R PELLETIER MAE A 449 SUMMER STREET MADDAWASKA, ME 04756
GEISLER MICHAEL T GEISLER AUDRA L 34 GEISLER SHORE RD LINCOLNVILLE, ME 04849	LINDSAY L MARCOUX MARY ANN LIBBY 5 FRANKWOOD DRIVE WINSLOW, ME 04901	COFFIN PHILIP MILTON III 6005 NIBLIK WAY L 24 CARRABASSETT VALLEY, ME 04947	JOHN ROBERT MOTT C/O MARSANSKIS PAMELA J 146 HIGGINS HILL ROAD MORRILL, ME 04952
NEW ENGLAND LAND DESIGN 39 PALMER RD NEWPORT, ME 04953	LORI A WHITE 146 MAIN ST SKOWHEGAN, ME 04976	KEANE TIMOTHY KEANE BLYTHE 523 TUCKER HILL ROAD THETFORD CENTER, VT 05075	SCAMMAN MARK RHODES OREN 403 RICHMOND ROAD BRANDON, VT 05733

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LEWIS R WELCH JR 438 FOOTE RD SOUTH GLASTONBURY, CT 06073	POLO ROBERT 566 FERN STREET WEST HARTFORD, CT 06107	YEOMANS ALLISON 421 DUGG HILL ROAD WOODSTOCK, CT 06281	HERITAGE PROFESSIONAL CENTER LLC 159 SACHEM STREET NORWICK, CT 06360
DAVID HARRIS 1749 BOSTON POST RD DARIAN, CT 06820	SILL THOMAS R SILLSHARON C 20 PARK PLACE NEW CANNAN, CT 06840	VOTEY PATRICIA T 407 HARBOR LIGHTS TINTON FALLS, NJ 07753	MORRIS FRANCIS J MORRIS T SUSANN 116 PEYTON AVENUE HADDONFIELD, NJ 08033
TEICHMAN RICHARD A III TEICHMAN JEAN J 61 WOODHURST DRIVE VOORHEES, NJ 08043	BOALES JEFFREY A BOALES ELLEN 86 MYRTLE AVENUE MICKLETON, NJ 08056	PAPOTTO LISA M 614 SARATOGA DRIVE MOORESTOWN, NJ 08057	COSENZA MATTHEW COSENZA STEPHANIE 2642 SHERIDAN AVENUE FRANKLINVILLE, NJ 08322
WILLIAM L LINVILLE 1021 TULLOR FARM ROAD BRIDGEWATER, NJ 08807	GREEN LAKE LLC C/O CATHERINE FINNEGAN 37 PILGRIM DR PORT CHESTER, NY 10573	SINGH GUY MAUTNER POLLY JT 67 IRON MOUNTAIN RD WARWICK, NY 10990	HILL A ROSS SCHARF DEBORAH 27 PROSPECT PARK WEST APT 3A BROOKLYN, NY 11215
NISHA SHARBO 7422 PARK LANE SO WOODHAVEN, NY 11421	MOORE JAMES G 759 LANDING RD NORTH ROCHESTER, NY 14625	WAYNESBORO CONSTRUCTION CORP PO BOX 229 WAYNESBORO, PA 17268	KULP SHARON D 698 LINCOLN GARDEN ROAD EPRHATA, PA 17522
GREGORY A KROHN & BARBARA G KROHN 118 BROWN STREET LEWISBURG, PA 17837	JAMES P JR & JANE S COSGROVE PO BOX 313 WHITE HAVEN, PA 18661	ERIC S VORCHHEIMER MARDI J VORCHHEIMER PO BOX 867 AMBLER, PA 19002	BT BROOK TRUST 3020 GLENN AVENUE BENSALEM, PA 19020
HOUSER STEVEN R BAILEY BETH A 1168 KENYON DRIVE FORT WASHINGTON, PA 19034	NELL T HALLORAN 4 PORTER LANE ROSE WILLEY, PA 19086	ROBERT HOBBS III 114 GLENN LANE ST DAVIDS, PA 19087	BUCKLEY EDGAR R 226 NOTTINGHAM ROAD NOTTINGHAM, PA 19362
GENERATIONAL HOLDINGS LLC 9 SERENITY LANE WILMINGTON, DE 19803	CARUSO PETER J CARUSO JEAN K 712 BRIDGEVILLE HIGHWAY SEAFORD, DE 19973	GILMORE JOSEPH M III GILMORE RAWLEY M 36298 PAXTON ROAD PURCELVILLE, VA 20132	GIBB G MARK GIBB CLAUDIA 3285 WILLOW GLEN DRIVE HERNDON, VA 20171
MATTHEW KIRTLAND & NORA GARDNER 4709 DRUMMOND AVE BETHESDA, MD 20815	CELESTE WARD & MARY CAULFIELD 5602 PIONEER LANE BETHESDA, MD 20816	RAND FAMILY TRUST C/O CLIFFORD M RAND 1604 SANFORD ROAD SILVER SPRING, MD 20902	DURGIN RICHARD J DURGIN NELSON W 308 GEORGE STREET SW VIENNA, VA 22180
NORMA DODGE 160 CASTLE HILL DR FREDERICKSBURG, VA 22405	TIEDEMANN JON-DAVID TIEDEMANN MARTHA 124 THRESHER LANE STAFFORD, VA 22554	IGNASZEWSKI MABELLE C ET AL 11070 WHISPERING PINES DR BARBOURSVILLE, VA 22923	MOISSETT FAMILY TRUST 1213 WHITESTONE WAY VIRGINIA BEACH, VA 23454
GUELICH CONNIE 1401 FRANKLIN ROAD ROANOKE, VA 24016	SCOTT DUNNING & KELLEY ANDREWS PO BOX 2063 SALEM, VA 24153	DELONG DAVID M DELONG ELIZABETH R 205 SOMERSET DRIVE CHAPEL HILL, NC 27514	MCBRIDE NANCY R 1916 REID STREET RALEIGH, NC 27608
DONALD S ROBINSON 118 GREAT OAK DR HAMPSTEAD, NC 28443	BERNARD D LAKE C/O BERNARD R LAKE 3978 GUNNIN RD NORCROSS, GA 30092	CHIPMUNK PROPERTY LLC 1736 COUNTRY WALK DRIVE FLEMING ISLAND, FL 32003	KEITH & CONNIE COKER 1151 POPOLEE RD FRUIT COVE, FL 32259
WATSON FAMILY TRUST BARBARA A WATSON 665 BERWICK DRIVE WINER PARK, FL 32792	STANLEY M & DOROTHY L FISH C/O KENNETH FISH 772 LOCKWOOD DR ORLANDO, FL 32833	KAMIENSKI WALTER ET AL 926 VANGI LANE NE PALM BAY, FL 32905	REYNOLDS SCOTT REYNOLDS SUSAN 300 COLUMBIA DRIVE APT 2404 CAPE CANAVERAL, FL 32920
JEFFERY H LAMOTHE 206 MCGUIRE BLVD INDIAN HARBOR, FL 32937	SHINDLER LOUISE E 22563 ESPLANADA CIRCLE WEST BOCA RATON, FL 33433	FULL CIRCLE LLC 455 NE 5TH AVENUE SUITE D383 DELRAY BEACH, FL 33483	DEL GUIDICE MARY ROBIN 12108 GLENCLIFF CIRCLE TAMPA, FL 33626
ESTES LAURA L HUNTER CATHERINE J 5215 25TH AVENUE S GULFPORT, FL 33707	MORROW DANIEL J MORROW THERESA K 1363 22ND STREET N, SUITE B ST PETERSBURG, FL 33713	PHILIPS MERITT L SAUNDERS WADE J 7246 CONCH BLVD SEMINOLE, FL 33777	STEIN DOUGLAS J STEIN MARY T 3657 FRENTRESS DRIVE LAKELAND, FL 33812
GEORGE L AND PATRICIA M BARTLETT 4658 MYSTIC BLUE WAY FT MYERS, FL 33966	ELIZABETH G REESE & STUART H REESE 1625 LUDLOW ROAD MARCO ISLAND, FL 34145	BILL DEBORA PRAISS PAMELA CUSHING TODD PHILBRICK ALECIA 5316-53 AVENUE EAST #C-18 BRADENTON, FL 34203	DRYSDALE ROBERT N DRYSDALE SANDRA H 4729 STEVENS DRIVE SARASOTA, FL 34234
SCAMMON ROBERT P SCAMMON WENDY L 3653 SE FORECASTLE CT STUART, FL 34997	TULLY JENNIFER K KNUDSEN FAMILY REAL ESTATE TRUST 1168 PALACE AVE SAINT PAUL, MN 55105	THE DAVID B MOSENA TRUST 4824 SOUTH WOODLAWN AVE CHICAGO, IL 60615	KEVIN & JUDITH KOSTER 1405 NE 92ND ST KANSAS CITY, MI 64155
THOMAS F & CHRISTINA M FLOYD 1309 DUMONT DR RICHARDSON, TX 75080	ABEL D & MARJORIE C LAJOIE FAMILY TRUST 2409 ARBOR TRAIL COLLEYVILLE, TX 76034	HYATT STEPHEN HYATT ELIZABETH A 2827 DIXON CREEK COURT FORT COLLINS, CO 80526	NORTH MATTHEW E & NORTH ANDREA J 8101 NORTH COMO DRIVE TUCSON, AZ 85742

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RICHARDS GARY C
2116 MARBLE GORGE DRIVE
LAS VEGAS, NV 89117

ENMAN FAMILY TRUST
C/O ANDREW ENMAN
1528 CHAUMONT DRIVE
SAN JOSE, CA 95118

TRAINER LAWRENCE E
TRAINER DIANE M
PO BOX 205
BRYANTVILLE, MA 02327-0205

SMITH SALLY L
P O BOX 187
ELLSWORTH, ME 04605-0187

SUPERIOR RECREATIONAL RETREATS
LLC
AM KONIGSWEINGARTEN 21, 78351
BODMAN, GERMANY

SCOTT A ARNOLD SPECIAL NEEDS
TRUST
555 S FLOWER ST 12TH FL
LOS ANGELES, CA 90071

GRANT RICHARD A &
GRANT ROBERT A
13760 56 AVENUE SOUTH, APT G 304
TUKWILA, WA 98168

WASHINGTON TRUST CO
OF THE PATRICIA GIBSON TRUST
23 BROAD STREET
WESTERLY, RI 02891-1868

HUNT MARY ELLEN
587 NICOLIN ROAD
ELLSWORTH, ME 04605-3117

SHUTE WILLIAM
SHUTE NANCY
31795 RANCHO ADARME ROAD
SAN DIEGO, CA 92028

GRANT RICHARD A &
GRANT ROBERT A
13760 56 AVENUE SOUTH, APT H 204
TUKWILA, WA 98168

BARKER STEVEN E
MORIN MARIE M JT
1080 AIRLINE ROAD
CLIFTON, ME 04428-0670

CRAWFORD JESS H
RAND ELIZABETH J JT
13200 ZEKIAH DR
WALDORF, MD 20601-2218

JJS FAMILY LTD
71164 CYPRESS LANE
RANCHO MIRAGE, CA 92270

ANNE GRAY
747 O ST
ANCHORAGE, AK 99501

WHISENANT ELBERT E
WHISENANT DANIELLE M JT
RR 13 BOX 1673
HOLDEN, ME 04429-9409

LUDDEN SHARON A
1130 N LAKE PARKER AVENUE, APT B-
217
LAKELAND, FL 33805-4733

Project No. P-7189

Valid FERC License

(Including all amendments/modifications)

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Green Lake Water Power Company) Project No. 7189-001

ORDER ISSUING LICENSE (MINOR)

APR - 5 1984

Green Lake Water Power Company (GLWP) filed on April 1, 1983, an application for license under Part I of the Federal Power Act (Act) for the construction, operation and maintenance of the Green Lake Project No. 7189. ^{1/} The project would be located at an existing dam on Green Lake, near the City of Ellsworth, Hancock County, Maine. The project would utilize approximately 2 acres of the Green Lake National Fish Hatchery.

Notice of the application has been published and comments have been received from interested Federal, state and local agencies. No protests were received. Two motions to intervene were filed and subsequently granted. Those motions were filed by the U.S. Department of the Interior (Interior), the agency which administers the U.S. lands involved and the hatchery, and by Mrs. Thomas Dodge, a property owner and summer resident at Green Lake. Both motions sought representation in the license proceeding.

Fish and wildlife resources and recreational use of Green Lake are discussed below.

The Green Lake Project would utilize an existing 7.5-foot-high, 270-foot-long dry stone and timber crib dam with an integral 15-foot-long concrete gravity gate section containing two lift gates. The gate section controls discharges from Green Lake into Reeds Brook. Reeds Brook empties into Graham Lake approximately 2,000 feet below Green Lake. Graham Lake is part of FERC Project No. 2727, licensed to Bangor Hydro-Electric

^{1/} Authority to act on this matter is delegated to the Director, Office of Electric Power Regulation, under §375.308 of the Commission's regulations, 18 C.F.R. §375.308 (1983). This order may be appealed to the Commission by any party within 30 days of its issuance pursuant to Rule 1902, 18 C.F.R. §385.1902 (1983). Filing an appeal and final Commission action on that appeal are prerequisites for filing an application for rehearing as provided in Section 313(a) of the Act. Filing an appeal does not operate as a stay of the effective date of this order or of any other date specified in this order, except as specifically directed by the Commission.

Company. The proposed project will not affect Project No. 2727. Green Lake has a surface area of 2,989 acres with a usable storage capacity of approximately 10,000 acre feet with 3.2 feet of drawdown from elevation 160.7 feet U.S.G.S. datum.

GLWP proposes to construct a 15-foot-long intake structure located at the southwest side of the gate section, a 1,700-foot-long, 4-foot-diameter concrete and wood stave penstock, a powerhouse containing two turbine-generators with a total rated capacity of 375 kW, and a 1,000-foot-long underground transmission line. The project would produce up to 1,100,000 kWh annually saving the equivalent of 1,800 barrels of oil or 510 tons of coal. Energy produced at the project would be sold to Bangor Hydro-Electric Company and supplied free to the fish hatchery during power outages.

Minimum Flow

Interior and the Maine Department of Environmental Protection (MDEP), in the water quality certificate, issued July 13, 1983, recommended that a continuous minimum flow of 1 cubic foot per second (cfs) be released from the project dam to maintain aquatic habitat in Reeds Brook. GLWP agreed to maintain 1 cfs in Reeds Brook at all times. It is concluded that a continuous minimum flow of 1 cfs would protect fishery resources in Reeds Brook. Article 27, requires the Licensee to provide a continuous minimum flow of 1 cfs from the project dam.

Fish Passage Barriers

Fish passage is not recommended by Interior because of the possibility of alewife being introduced into Green Lake and contaminating water withdrawn for the Green Lake National Fish Hatchery (GLNFH) with alewife-borne diseases. To prevent fish from migrating upstream over the dam into Green Lake, GLWP proposed, with concurrence from Interior and MDEP, to maintain the existing fish screens at the crest of the project dam. GLWP also proposed, at the request of Interior and MDEP, to install screens at the project intake with a maximum mesh size of 2 inches to prevent adult salmonids from moving out of Green Lake.

Article 28 requires the Licensee to install screens at the project intake to minimize mortality due to entrainment and to prevent out-migration of adult salmonids from Green Lake.

Salmonid Redds

Interior and MDEP stated that lake trout and Sunapee charr redds, which are established along the shoreline of Green Lake in the fall, should be protected from dewatering during project operation. These agencies recommended that the fall drawdown be completed by October 15 each year, and that the following spring drawdown not result in a water surface elevation lower than that which occurred on the previous October 15. GLWP agreed to conduct the drawdowns as recommended above by Interior and MDEP.

It is concluded that the drawdown schedule agreed upon by GLWP, Interior, and MDEP is necessary to protect salmonid redds from being dewatered. Article 30 requires the Licensee to regulate the fall and spring reservoir drawdowns as agreed upon with the resource agencies.

Hatchery Water Supply

Interior stated that GLNFH, which obtains up to 30 cfs from Green Lake, the project reservoir, could be impacted by project operation. GLNFH, which is operated by the U.S. Fish and Wildlife Service, rears Atlantic salmon for restoration programs in Maine and other New England states. Water from Green Lake is treated in a filtration plant whose location and design require the maintenance of sufficient water pressure for operation. Because the water level of Green Lake determines the water pressure at the filtration plant, Interior recommended that the reservoir elevation be maintained above 158.0 feet (U.S.G.S. datum), from October 1 through May 15, the period of highest water needs at the hatchery, and above 157.5 feet for the remainder of the year. MDEP, through the state water quality certificate, requires the reservoir water level to be maintained between elevation 157.7 and 160.7 feet from Labor Day to June 1 of the following year.

GLWP believes that semi-annual drawdowns to elevation 157.5 feet should be allowed as proposed because the additional 6 inches of drawdown below 158.0 feet is crucial to the project's economic feasibility. To ensure that there will be a continuous water supply of 30 cfs to the hatchery, GLWP proposes to install a penstock tap and water supply line to the filtration plant to be used when sufficient pressure cannot be maintained through GLNFH's existing intake.

The reservoir water level first recommended by Interior for the period October 1 through May 15 is 0.5 feet higher and for a slightly different time period than proposed by GLWP and required by the state water quality certificate. However Interior, in later comments has agreed that installation of a penstock tap and conduit to the hatchery's filtration plant would allow GLWP to utilize the

storage capability of Green Lake from September through May, as proposed, while providing year-round protection of GLNFH's water supply. Articles 30 and 32 require the Licensee to limit the fall and spring reservoir drawdowns to elevation 157.5 feet and to consult with Interior and enter into an agreement to provide up to 30 cfs to the GLNFH.

Recreational Values

MDEP stated that the significant recreational values of Green Lake would be adversely affected if the reservoir water level is not maintained during the summer months. GLWP proposed, with concurrence from MDEP, to maintain the reservoir water level between elevation 159.7 feet and 160.7 feet from June 1 through Labor Day weekend.

GLWP's proposal to maintain reservoir water levels from June 1 through Labor Day is compatible with Interior's recommendation for protection of GLNFH's water supply.

Staff concurs with GLWP's proposal to maintain the reservoir's surface level during the summer months when recreational use on Green Lake is heaviest. Article 30 requires the Licensee to maintain the reservoir surface level between elevations 159.7 feet and 160.7 feet from June 1 through the Labor Day weekend.

Threatened and Endangered Species

Bald eagles, a Federally listed endangered species, occur in the project area from mid-April through mid-May. As a result of consultation with the U.S. Fish and Wildlife Service (USFWS), GLWP proposes to: (1) maintain a minimum flow of 1 cfs in Reeds Brook where the eagles feed; (2) refrain from major construction activity, particularly blasting, from mid-April to mid-May; (3) bury the transmission line; and (4) design and locate the powerhouse to allow continued access to Reeds Brook by bald eagles. Interior commented that implementation of the proposed mitigative measures would prevent adverse impacts to bald eagles. A minimum flow of 1 cfs (item 1) is required by Article 27. Licensing of the project as proposed would ensure that the powerhouse is designed and located to prevent adverse impacts to bald eagles. Article 31 requires the Licensee to protect bald eagles by limiting timing of construction activity, and burying the transmission line.

Other Environmental Concerns

Other environmental concerns raised by Interior relate to preventing adverse impacts due to project construction and operation on the facilities and operations of GLNFH. Such concerns include access to Federal lands, continued entitlement to 30 cfs from Green

Lake, dam maintenance, and approval of project structures. Interior and GLWP are finalizing a memorandum of agreement that would address these concerns. Article 32 requires the Licensee, prior to the start of project construction, to enter into an agreement for coordinating its plans for access to and construction activities on lands and property administered by USFWS so that Federal facilities are protected. Article 29 requires provisions for up to 30 cfs through a penstock tap to the GLNFH.

Evaluation of Project Design, Construction and Performance

The Commission's New York Regional Office Staff inspected the project and reports that the dam is in fair condition. Because of the proximity of the dam to a downstream highway, the dam has been classified as having a significant hazard potential. The highway may be inundated in the event of dam failure. The dam is safe under normal operational conditions. Because the dam is a dry rockfilled type, it may unravel gradually when overtopped by flood waters and the incremental increase in flood water would have little or no effect on Reeds Brook. The failure of the dam during an extreme flood would not create an additional hazard to downstream life or property. The spillway is adequate. It is concluded that the project would be safe and adequate if constructed in accordance with sound engineering practices.

Other Aspects of Comprehensive Development

The proposed project would make good use of the flow and fall of Green Lake and Reeds Brook. The project is not in conflict with any planned or authorized development, and will be best adapted to the comprehensive development of the Union River basin/Graham Lake system upon compliance with the terms and conditions of this license.

Economic Feasibility

GLWP proposes to sell all power produced to Bangor Hydro-Electric Company except for a negligible amount given to the GLNFH during power outages. Staff has analyzed the economic feasibility of the proposed project. It is concluded that the project is economically feasible to develop based upon revenues derived from the sale of power at the avoided cost in the State of Maine adjusted for escalation.

License Term

The proposed scale of development is less than that which would warrant a full 50-year term since the majority of the project facilities currently exist. Therefore, pursuant to the

Commission's policy for licensing project involving moderate redevelopment 2/ this license term will be for a period of 40 years.

Protection of the Fish Hatchery

Interior has indicated that licensing the project will provide protection to the GLNFH water supply which does not now exist. Staff agrees with this point, and further concludes that licensing the project, as conditioned, will cause no adverse impact on the GLNFH. Staff has found that many of the measures Interior recommended in its March 12, 1984 letter merit inclusion in the license. Details of protective measures are best left to the memorandum of agreement mandated by Article 32. In light of these measures, it is concluded that issuing the license will not interfere or be inconsistent with the purpose of the GLNFH, and will in fact further that purpose.

ENVIRONMENTAL IMPACTS

Construction of the project would result in short-term increases in noise levels, engine exhaust emissions, dust levels, and erosion and sedimentation. Project operation would potentially affect operation of the Green Lake National Fish Hatchery, the salmonid fishery in Green Lake, bald eagle feeding in Reeds Brook, and recreational values of Green Lake. Implementation of appropriate measures recommended herein, would ensure protection and enhancement of the fishery resources, bald eagles and recreational values of Green Lake and Reeds Brook. No sites listed on or eligible for inclusion in the National Register of Historic Places would be affected by project construction and operation. Article 39 of this license requires cultural resources protection measures in the event of any future construction or development at the project, other than the original project development considered and authorized here.

On the basis of the record and Staff's independent analysis, it is concluded that issuance of a license for the project, as conditioned herein, would not constitute a major Federal action significantly affecting the quality of the human environment.

2/ Lyndonville Electric Department, 7 FERC ¶61,324 (June 29, 1979).

It is ordered that:

(A) This license is issued to Green Lake Water Power Company (Licensee) under Part I of the Federal Power Act (Act), for a period of 40 years, effective the first day of the month in which this order is issued, for the construction, operation and maintenance of the Green Lake Project No. 7189 located on Green Lake and Reeds Brook, near the City of Ellsworth, Hancock County, Maine and affecting lands of the United States administered by the U.S. Department of the Interior, Green Lake National Fish Hatchery. This license is subject to the terms and conditions of the Act, which are incorporated by reference as part of this license, and subject to the regulations the Commission issues under the provisions of the Act.

(B) The Green Lake Project No. 7189 consists of:

(1) all lands, to the extent of the Licensee's interest in those lands, constituting the project area. The project area is shown and described by a certain exhibit that forms part of the application for license and that is designated and described as:

<u>Exhibit</u>	<u>FERC No. 7189</u>	<u>Showing</u>
G Sheet 1	6	General Location Map
G sheet 2	7	Project Plan and Profile

(2) Project works consisting of: (1) a 7.5-foot-high, 270-foot-long dry stone and timber dam with an integral 15-foot-long gate section containing two lift gates; (2) fish screening devices; (3) a 2,989-acre reservoir with a usable storage capacity of approximately 10,000 acre-feet at elevation 160.7 feet U.S.G.datum; (4) a 1,700-foot-long, 4-foot-diameter concrete and wood stave penstock; (5) a powerhouse containing two turbine-generators with a total rated capacity of 375 kW; (6) the 4.16-kV generator leads, the 500-kVA 4.16/12.47-kV transformer, and the 1,000-foot-long, 12.47-kV underground transmission line; and (7) appurtenant facilities.

The location nature, and character of these project works are generally shown and described by the exhibit cited above and more specifically shown and described by certain other exhibits and reports that also form part of the application for license and that are designated and described as:

<u>Exhibit</u>	<u>FERC No. 7189</u>	<u>Showing</u>
F Sheet 1	1	Powerhouse Floor Plans
F Sheet 2	2	Powerhouse Elevations
F Sheet 3	3	Powerhouse Sections
F Sheet 4	4	Powerhouse Site Plan
F Sheet 5	5	Dam and Intake Plans, Sections and Elevations

(3) Exhibit A - Entitled "Project Description" pages A-1 to A-7 incorporating the mechanical, electrical and transmission equipment.

(4) All structures, fixtures, equipment, or facilities used or useful in the operation or maintenance of the project and located within the project boundary, all portable property that may be employed in connection with the project, located within or outside the project boundary, as approved by the Commission, and all riparian or other rights that are necessary or appropriate in the operation or maintenance of the project.

(C) Pursuant to Section 10(i) of the Act, it is in the public interest to waive the following Sections of Part I of the Act, and they are excluded from the license:

Section 4(b), except the second sentence; 4(e), insofar as it relates to approval of plans by the Chief of Engineers and the Secretary of the Army; 6, insofar as it relates to public notice and to the acceptance and expression in the license of terms and conditions of the Act that are waived here; 10(c), insofar as it relates to depreciation reserves; 10(d); 10(f), 14, except insofar as the power of condemnation is reserved; 15; 16; 19; 20; and 22.

(D) Exhibits A, F, and G designated in Ordering Paragraph (B) above, are approved and made a part of the license.

(E) The license is also subject to the terms and conditions set forth in Form L-17 (revised October, 1975), designated Articles 1 through 14 and 16 through 26 and entitled "Terms and Conditions of License for Unconstructed Minor Project Affecting Lands of the United States," attached to and made a part of this license. The license is also subject to the following additional articles.

Article 27. Licensee shall release from the Green Lake Project, a continuous minimum flow of 1.0 cubic foot per second, as measured immediately downstream from the project dam, or the

inflow to the reservoir, whichever is less, for the protection and enhancement of fish and wildlife resources in Reeds Brook. This flow may be temporarily modified if required by operating emergencies beyond the control of the Licensee, for inspections and maintenance and for short periods upon mutual agreement between the Licensee and the Maine Department of Environmental Protection.

Article 28. The Licensee shall continue to consult with the U.S. Fish and Wildlife Service and the Maine Department of Environmental Protection, and within 6 months from the date of issuance of this license, file, for Commission approval, functional design drawings and a schedule for construction of an intake screen that would minimize fish mortality due to entrainment, and prevent downstream movement of adult salmonids from Green Lake. Comments on the drawings from the consulted agencies shall be included in the filing. Further, within 90 days after completion of project construction, Licensee shall file as-built drawings with the Commission.

Article 29: The licensee shall make adequate provision for a penstock tap in order to provide up to 30 cfs from the Green Lake to the Green Lake National Fish Hatchery.

Article 30. The Licensee shall, to protect salmonid redds, complete the fall reservoir drawdown no later than October 15 of each year, and shall reduce the reservoir water level during the spring drawdown to no lower than the reservoir water level attained on the previous October 15. Further, the Licensee shall operate the project in such a manner that the water level in Green Lake is maintained between elevations 159.7 feet (U.S.G.S. datum) and 160.7 feet during the period from June 1 through Labor Day weekend to protect recreational values of Green Lake, and between elevations 157.5 and 160.7 feet during the remainder of the year. These elevations may be temporarily modified if required by conditions beyond the control of the Licensee, for inspections and maintenance and for short periods upon mutual agreement between the Licensee, the U.S. Fish and Wildlife Service, and the Maine Department of Environmental Protection. Until the proposed penstock tap to provide up to 30 cfs from Green Lake to the hatchery becomes operational, the minimum reservoir water level shall be no lower than elevation 158.0.

Article 31. The Licensee shall: (1) refrain from major construction activity, particularly blasting, that may disturb the feeding activities of the bald eagle in the vicinity of the project from April 15 to May 15 of each year; and (2) bury the project transmission line to avoid adverse impacts on bald eagles in the project area.

Article 32. The Licensee shall enter into an agreement with the U.S. Department of the Interior (Interior) to coordinate Licensee's plans for access to and construction-related activities on Federal lands administered by the U.S. Fish and Wildlife Service, and for establishment of construction and operational procedures to ensure the protection of the Green Lake National Fish Hatchery (GLNFH). This agreement shall include, but not be limited to, these provisions: (1) for coordination of the final design of the penstock tap to the GLNFH for supplying up to 30 cubic feet per second of water from Green Lake at any time this flow is required for hatchery operations; and (2) for coordination of the final design of the emergency power supply interconnection. Further, Licensee shall file with the Commission, for its approval, a copy of the agreement within 3 months from the date of issuance of this license. Should the Licensee and Interior fail to reach an agreement, the Licensee shall refer the matter to the Commission for resolution prior to project construction.

Article 33. The Licensee shall file with the Commission's Regional Engineer and the Director, Office of Electric Power Regulation and the Regional Director, U.S. Fish and Wildlife Service one copy each of the final contract drawings and specifications for pertinent features of the project, such as water retention structures, powerhouse, and water conveyance structures, at least 60 days prior to start of construction. The Director, Office of Electric Power Regulation, may require changes in the plans and specifications to assure a safe and adequate project.

Article 34. The Licensee shall within 90 days of completion of construction file for approval of the Director, Office of Electric Power Regulation revised Exhibits A, F, and G to describe and show the project as-built.

Article 35. The Licensee shall commence construction of the project within 2 years from the effective date of the license and shall thereafter in good faith and with due diligence prosecute such construction and shall complete construction of such project works within 4 years from the effective date of the license.

Article 36. The Licensee shall review and approve the design of contractor-designed cofferdams and deep excavations prior to the start of construction and shall ensure that construction of cofferdams and deep excavations are consistent with the approved design. At least 30 days prior to start of construction of the cofferdam the Licensee shall file with the Commission's Regional Engineer and Director, Office of Electric Power Regulation and the Regional Director, U.S. Fish and Wildlife Service one copy of the approved cofferdam construction drawings and specifications and a copy of the letter(s) of approval.

Article 37. (a) In accordance with the provisions of this article, the Licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for certain other types of use and occupancy, without prior Commission approval. The Licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the Licensee shall also have continuing responsibility to supervise and control the uses and occupancies for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed, under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the Licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the Licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy, that action includes, if necessary, cancelling the permission to use and occupy the project lands and waters and requiring the removal of any non-complying structures and facilities.

(b) The types of use and occupancy of project lands and waters for which the Licensee may grant permission without prior Commission approval are: (1) landscape plantings; (2) non-commercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 watercraft at a time where said facility is intended to serve single-family type dwellings; and (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the Licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The Licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the uses and occupancies for which it grants permission are maintained in good repair and comply with applicable State and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the Licensee shall: (1) inspect the site of the proposed construction, (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site, and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the Licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the Licensee's costs of administering the permit program. The Commission reserves the

right to require the Licensee to file a description of its standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.

(c) The Licensee may convey easements or rights-of-way across, or leases of, project lands for: (1) replacement, expansion, realignment, or maintenance of bridges and roads for which all necessary State and Federal approvals have been obtained; (2) storm rains and water mains; (3) sewers that do not discharge into project waters; (4) minor access roads; (5) telephone, gas, and electric utility distribution lines; (6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary; (7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69-kV or less); and (8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir. No later than January 31 of each year, the Licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the prior calendar year, the type of interest conveyed, the location of the lands subject to the conveyance, and the nature of the use for which the interest was conveyed.

(d) The Licensee may convey fee titles to, easements or rights-of-way across, or leases of project lands for: (1) construction of new bridges or roads for which all necessary State and Federal approvals have been obtained; (2) sewer or effluent lines that discharge into project waters, for which all necessary Federal and State water quality certificates or permits have been obtained; (3) other pipelines that cross project lands or waters but do not discharge into project waters; (4) non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary Federal and State approvals have been obtained; (5) private or public marinas that can accommodate no more than 10 watercraft at a time and are located at least one-half mile from any other private or public marina; (6) recreational development consistent with an approved Exhibit R or approved report on recreational resources of an Exhibit E; and (7) other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from the edge of the project reservoir at normal maximum surface elevation; and (iii) no more than 50 total acres of project lands for each project development are conveyed under this clause (d)(7) in any calendar year. At least 45 days before conveying any interest in project lands under this paragraph (d), the Licensee must file a letter to the Director, Office of Electric Power Regulation, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked Exhibit G or K map may be used), the nature of the proposed use, the identity

of any Federal or State agency official consulted, and any Federal or State approvals required for the proposed use. Unless the Director, within 45 days from the filing date, requires the Licensee to file an application for prior approval, the Licensee may convey the intended interest at the end of that period.

(e) The following additional conditions apply to any intended conveyance under paragraphs (c) or (d) of this article:

(1) Before conveying the interest, the Licensee shall consult with Federal and State fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.

(2) Before conveying the interest, the Licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any approved Exhibit R or approved report on recreational resources of an Exhibit E; or, if the project does not have an approved Exhibit R or approved report on recreational resources, that the lands to be conveyed do not have recreational value.

(3) The instrument of conveyance must include covenants running with the land adequate to ensure that: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; and (ii) the grantee shall take all reasonable precautions to ensure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project.

(4) The Commission reserves the right to require the Licensee to take reasonable remedial action to correct any violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.

(f) The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be changed to exclude land conveyed under this article only upon approval of revised Exhibit G or K drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposals to exclude lands conveyed under this article from the project shall be consolidated for consideration when revised Exhibit G or K drawings would be filed for approval for other purposes.

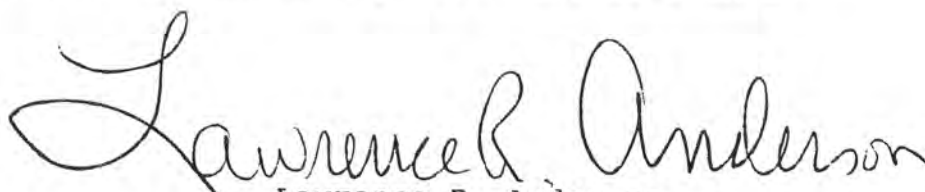
Article 38. The Licensee shall pay the United States the following annual charge, effective the first day of the month in which this license is issued:

(a) For the purpose of reimbursing the United States for the cost of administration of Part I of the Act, a reasonable amount as determined in accordance with the provisions of the Commission's regulations in effect from time to time. The authorized installed capacity for that purpose is 500 horsepower.

(b) For the purpose of recompensing the United States for use, occupancy, and enjoyment of 2 acres of its lands, a reasonable amount as determined in accordance with the provisions of the Commission's regulations in effect from time to time.

Article 39. The Licensee shall, prior to the commencement of any future construction at the project, consult with the Maine State Historic Preservation Officer (SHPO) about the need for any cultural resource survey and salvage work. The Licensee shall make available funds in a reasonable amount for any such work as required. If any previously unrecorded archeological or historical sites are discovered during the course of construction or development of any project works or other facilities at the project, construction activity in the vicinity shall be halted, a qualified archeologist shall be consulted to determine the significance of the sites, and the Licensee shall consult with the SHPO to develop a mitigation plan for the protection of significant archeological or historic resources. If the Licensee and the SHPO cannot agree on the amount of money to be expended on archeological or historic work related to the project, the Commission reserves the right to require the Licensee to conduct, at its own expense, any such work found necessary.

(F) The Licensee's failure to file a petition appealing this order to the Commission shall constitute acceptance of this license. In acknowledgment of acceptance of this order and its terms and conditions, it shall be signed by the Licensee and returned to the Commission within 60 days from the date this order is issued.



Lawrence R. Anderson
Director, Office of Electric
Power Regulation

Project No. 7189-001

IN TESTIMONY of its acknowledgement of acceptance of all of the terms and conditions of this Order, Green Lake Water Power Company, ^{AS AMENDED BY ORDER OF MAY 25, 1984} this 7th day of JUNE, 1984, has caused its corporate name to be signed hereto by R STEVENS WILSON, its CORPORATE President, and its corporate seal to be affixed hereto and attested by PETER MILLS its CLERK AND Secretary, pursuant to a resolution of its Board of Directors duly adopted on the 17th day of JUNE, 1984, a certified copy of the record of which is attached hereto.

By R STEVENS WILSON
President

Attest:

Peter Mills
Secretary

(Executed in quadruplicate)

SPECIAL DIRECTOR MEETING

At a meeting duly and specially called at 10:00 a.m. on June 7, 1984 at 218 Water Street in Skowhegan, Maine, with the following persons in attendance:

R. Stevens Kleinschmidt, sole Director and Shareholder
S. Peter Mills, Clerk

the following resolution was duly presented and adopted:

WHEREAS, the Federal Energy Regulatory Commission of the United States of America has promulgated an Order Issuing License dated April 5, 1984, as amended by an Order on Appeal from the same Commission issued May 25, 1984, and

WHEREAS, said orders of the Commission require acceptance by this Corporation before the license which is the subject of those orders can be made effective, and

WHEREAS, it is deemed by the Green Lake Water Power Company to be in the best interests of this Corporation to accept the terms and conditions of the license which has been authorized and ordered by the Federal Energy Regulatory Commission,

NOW THEREFORE, it is hereby

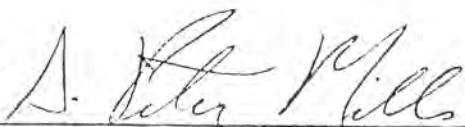
VOTED: That the Green Lake Water Power Company accept the license, including all of its terms and conditions, issued by the Federal Energy Regulatory Commission of the United States of America pursuant to orders issued by said Commission in connection with Project No. 7189-001 under dates of April 5, 1984 and May 25, 1984.

There being no further business to come before the meeting, it was

VOTED: To Adjourn.

Adjourned accordingly.

Attest:




S. Peter Mills, Clerk

I, R. Stevens Kleinschmidt, as incorporator, sole shareholder and sole director of the Green Lake Water Power Company, hereby consent to all matters adopted in the above minutes of the Special Director Meeting held on June 7, 1984.



R. Stevens Kleinschmidt

Certified to be a true copy.



S. Peter Mills, Clerk

FEDERAL ENERGY REGULATORY COMMISSION

TERMS AND CONDITIONS OF LICENSE FOR UNCONSTRUCTED
MINOR PROJECT AFFECTING LANDS
OF THE UNITED STATES

Article 1. The entire project, as described in this order of the Commission, shall be subject to all of the provisions, terms, and conditions of the license.

Article 2. No substantial change shall be made in the maps, plans, specifications, and statements described and designated as exhibits and approved by the Commission in its order as a part of the license until such change shall have been approved by the Commission: Provided, however, That if the Licensee or the Commission deems it necessary or desirable that said approved exhibits, or any of them, be changed, there shall be submitted to the Commission for approval a revised, or additional exhibit or exhibits covering the proposed changes which, upon approval by the Commission, shall become a part of the license and shall supersede, in whole or in part, such exhibit or exhibits theretofore made a part of the license as may be specified by the Commission.

Article 3. The project works shall be constructed in substantial conformity with the approved exhibits referred to in Article 2 herein or as changed in accordance with the provisions of said article. Except when emergency shall require for the protection of navigation, life, health, or property, there shall not be made without prior approval of the Commission any substantial alteration or addition not in conformity with the approved plans to any dam or other project works under the license or any substantial use of project lands and waters not authorized herein; and any emergency alteration, addition, or use so made shall thereafter be subject to such modification and change as the Commission may direct. Minor changes in project works, or in uses of project lands and waters, or divergence from such approved exhibits may be made if such changes will not result in a decrease in efficiency, in a material increase in cost, in an adverse environmental impact, or in impairment of

the general scheme of development; but any of such minor changes made without the prior approval of the Commission which in its judgment have produced or will produce any of such results, shall be subject to such alteration as the Commission may direct.

Upon the completion of the project, or at such other time as the Commission may direct, the Licensee shall submit to the Commission for approval revised exhibits insofar as necessary to show any divergence from or variations in the project area and project boundary as finally located or in the project works as actually constructed when compared with the area and boundary shown and the works described in the license or in the exhibits approved by the Commission, together with a statement in writing setting forth the reasons which in the opinion of the Licensee necessitated or justified variation in or divergence from the approved exhibits. Such revised exhibits shall, if and when approved by the Commission, be made a part of the license under the provisions of Article 2 hereof.

Article 4. The construction, operation, and maintenance of the project and any work incidental to additions or alterations shall be subject to the inspection and supervision of the Regional Engineer, Federal Power Commission, in the region wherein the project is located, or of such other officer or agent as the Commission may designate, who shall be the authorized representative of the Commission for such purposes. The Licensee shall cooperate fully with said representative and shall furnish him a detailed program of inspection by the Licensee that will provide for an adequate and qualified inspection force for construction of the project and for any subsequent alterations to the project. Construction of the project works or any feature or alteration thereof shall not be initiated until the program of inspection for the project works or any such feature thereof has been approved by said representative. The Licensee shall also furnish to said representative such further information as he may require concerning the construction, operation, and maintenance of the project, and of any alteration thereof, and shall notify him of the date upon which work will begin, as far in advance thereof as said representative may reasonably specify, and shall notify him promptly in writing of any suspension of work for a period of more than one week, and of its resumption and completion. The Licensee shall allow said representative and other

officers or employees of the United States, showing proper credentials, free and unrestricted access to, through, and across the project lands and project works in the performance of their official duties. The Licensee shall comply with such rules and regulations of general or special applicability as the Commission may prescribe from time to time for the protection of life, health, or property.

Article 5. The Licensee, within five years from the date of issuance of the license, shall acquire title in fee or the right to use in perpetuity all lands, other than lands of the United States, necessary or appropriate for the construction, maintenance, and operation of the project. The Licensee or its successors and assigns shall, during the period of the license, retain the possession of all project property covered by the license as issued or as later amended, including the project area, the project works, and all franchises, easements, water rights, and rights of occupancy and use; and none of such properties shall be voluntarily sold, leased, transferred, abandoned, or otherwise disposed of without the prior written approval of the Commission, except that the Licensee may lease or otherwise dispose of interests in project lands or property without specific written approval of the Commission pursuant to the then current regulations of the Commission. The provisions of this article are not intended to prevent the abandonment or the retirement from service of structures, equipment, or other project works in connection with replacements thereof when they become obsolete, inadequate, or inefficient for further service due to wear and tear; and mortgage or trust deeds or judicial sales made thereunder, or tax sales, shall not be deemed voluntary transfers within the meaning of this article.

Article 6. The Licensee shall install and thereafter maintain gages and stream-gaging stations for the purpose of determining the stage and flow of the stream or streams on which the project is located, the amount of water held in and withdrawn from storage, and the effective head on the turbines; shall provide for the required reading of such gages and for the adequate rating of such stations; and shall install and maintain standard meters adequate for the determination of the amount of electric energy generated by the project works. The number, character, and location of gages, meters, or other measuring devices, and the method of operation thereof, shall at all times be satisfactory to the Commission or its authorized representative.

The Commission reserves the right, after notice and opportunity for hearing, to require such alterations in the number, character, and location of gages, meters, or other measuring devices, and the method of operation thereof, as are necessary to secure adequate determinations. The installation of gages, the rating of said stream or streams, and the determination of the flow thereof, shall be under the supervision of, or in cooperation with, the District Engineer of the United States Geological Survey having charge of stream-gaging operations in the region of the project, and the Licensee shall advance to the United States Geological Survey the amount of funds estimated to be necessary for such supervision, or cooperation for such periods as may be mutually agreed upon. The Licensee shall keep accurate and sufficient records of the foregoing determinations to the satisfaction of the Commission, and shall make return of such records annually at such time and in such form as the Commission may prescribe.

Article 7. The Licensee shall, after notice and opportunity for hearing, install additional capacity or make other changes in the project as directed by the Commission, to the extent that it is economically sound and in the public interest to do so.

Article 8. The Licensee shall, after notice and opportunity for hearing, coordinate the operation of the project, electrically and hydraulically, with such other projects or power systems and in such manner as the Commission may direct in the interest of power and other beneficial public uses of water resources, and on such conditions concerning the equitable sharing of benefits by the Licensee as the Commission may order.

Article 9. The operations of the Licensee, so far as they affect the use, storage and discharge from storage of waters affected by the license, shall at all times be controlled by such reasonable rules and regulations as the Commission may prescribe for the protection of life, health, and property, and in the interest of the fullest practicable conservation and utilization of such waters for power purposes and for other beneficial public uses, including recreational purposes, and the Licensee shall release water from the project reservoir at such rate in cubic feet per second, or such volume in acre-feet per specified period of time, as the Commission may prescribe for the purposes hereinbefore mentioned.

Article 10. On the application of any person, association, corporation, Federal agency, State or municipality, the Licensee shall permit such reasonable use of its reservoir or other project properties, including works, lands and water rights, or parts thereof, as may be ordered by the Commission, after notice and opportunity for hearing, in the interests of comprehensive development of the waterway or waterways involved and the conservation and utilization of the water resources of the region for water supply or for the purposes of steam-electric, irrigation, industrial, municipal or similar uses. The Licensee shall receive reasonable compensation for use of its reservoir or other project properties or parts thereof for such purposes, to include at least full reimbursement for any damages or expenses which the joint use causes the Licensee to incur. Any such compensation shall be fixed by the Commission either by approval of an agreement between the Licensee and the party or parties benefiting or after notice and opportunity for hearing. Applications shall contain information in sufficient detail to afford a full understanding of the proposed use, including satisfactory evidence that the applicant possesses necessary water rights pursuant to applicable State law, or a showing of cause why such evidence cannot concurrently be submitted, and a statement as to the relationship of the proposed use to any State or municipal plans or orders which may have been adopted with respect to the use of such waters.

Article 11. The Licensee shall, for the conservation and development of fish and wildlife resources, construct, maintain, and operate, or arrange for the construction, maintenance, and operation of such reasonable facilities, and comply with such reasonable modifications of the project structures and operation, as may be ordered by the Commission upon its own motion or upon the recommendation of the Secretary of the Interior or the fish and wildlife agency or agencies of any State in which the project or a part thereof is located, after notice and opportunity for hearing.

Article 12. Whenever the United States shall desire, in connection with the project, to construct fish and wildlife facilities or to improve the existing fish and wildlife facilities at its own expense, the Licensee shall permit the United States or its designated agency to use,

free of cost, such of the Licensee's lands and interests in lands, reservoirs, waterways and project works as may be reasonably required to complete such facilities or such improvements thereof. In addition, after notice and opportunity for hearing, the Licensee shall modify the project operation as may be reasonably prescribed by the Commission in order to permit the maintenance and operation of the fish and wildlife facilities constructed or improved by the United States under the provisions of this article. This article shall not be interpreted to place any obligation on the United States to construct or improve fish and wildlife facilities or to relieve the Licensee of any obligation under this license.

Article 13. So far as is consistent with proper operation of the project, the Licensee shall allow the public free access, to a reasonable extent, to project waters and adjacent project lands owned by the Licensee for the purpose of full public utilization of such lands and waters for navigation and for outdoor recreational purposes, including fishing and hunting: Provided, That the Licensee may reserve from public access such portions of the project waters, adjacent lands, and project facilities as may be necessary for the protection of life, health, and property:

Article 14. In the construction, maintenance, or operation of the project, the Licensee shall be responsible for, and shall take reasonable measures to prevent, soil erosion on lands adjacent to streams or other waters, stream sedimentation, and any form of water or air pollution. The Commission, upon request or upon its own motion, may order the Licensee to take such measures as the Commission finds to be necessary for these purposes, after notice and opportunity for hearing.

Article 15. The Licensee shall consult with the appropriate State and Federal agencies and, within one year of the date of issuance of this license, shall submit for Commission approval a plan for clearing the reservoir area. Further, the Licensee shall clear and keep clear to an adequate width lands along open conduits and shall dispose of all temporary structures, unused timber, brush, refuse, or other material unnecessary for the purposes of the project which results from the clearing of lands or from the maintenance or alteration of the project works. In addition, all trees along the periphery of project reservoirs which may

die during operations of the project shall be removed. Upon approval of the clearing plan all clearing of the lands and disposal of the unnecessary material shall be done with due diligence and to the satisfaction of the authorized representative of the Commission and in accordance with appropriate Federal, State, and local statutes and regulations.

Article 16. Timber on lands of the United States cut, used, or destroyed in the construction and maintenance of the project works, or in the clearing of said lands, shall be paid for, and the resulting slash and debris disposed of, in accordance with the requirements of the agency of the United States having jurisdiction over said lands. Payment for merchantable timber shall be at current stumpage rates, and payment for young growth timber below merchantable size shall be at current damage appraisal values. However, the agency of the United States having jurisdiction may sell or dispose of the merchantable timber to others than the Licensee: Provided, That timber so sold or disposed of shall be cut and removed from the area prior to, or without undue interference with, clearing operations of the Licensee and in coordination with the Licensee's project construction schedules. Such sale or disposal to others shall not relieve the Licensee of responsibility for the clearing and disposal of all slash and debris from project lands.

Article 17. The Licensee shall do everything reasonably within its power, and shall require its employees, contractors, and employees of contractors to do everything reasonably within their power, both independently and upon the request of officers of the agency concerned, to prevent, to make advance preparations for suppression of, and to suppress fires on the lands to be occupied or used under the license. The Licensee shall be liable for and shall pay the costs incurred by the United States in suppressing fires caused from the construction, operation, or maintenance of the project works or of the works appurtenant or accessory thereto under the license.

Article 18. The Licensee shall interpose no objection to, and shall in no way prevent, the use by the agency of the United States having jurisdiction over the lands of the United States affected, or by persons or corporations occupying lands of the United States under permit, of water for fire suppression from any stream,

conduit, or body of water, natural or artificial, used by the Licensee in the operation of the project works covered by the license, or the use by said parties of water for sanitary and domestic purposes from any stream, conduit, or body of water, natural or artificial, used by the Licensee in the operation of the project works covered by the license.

Article 19. The Licensee shall be liable for injury to, or destruction of, any buildings, bridges, roads, trails, lands, or other property of the United States, occasioned by the construction, maintenance, or operation of the project works or of the works appurtenant or accessory thereto under the license. Arrangements to meet such liability, either by compensation for such injury or destruction, or by reconstruction or repair of damaged property, or otherwise, shall be made with the appropriate department or agency of the United States.

Article 20. The Licensee shall allow any agency of the United States, without charge, to construct or permit to be constructed on, through, and across those project lands which are lands of the United States such conduits, chutes, ditches, railroads, roads, trails, telephone and power lines, and other routes or means of transportation and communication as are not inconsistent with the enjoyment of said lands by the Licensee for the purposes of the license. This license shall not be construed as conferring upon the Licensee any right of use, occupancy, or enjoyment of the lands of the United States other than for the construction, operation, and maintenance of the project as stated in the license.

Article 21. In the construction and maintenance of the project, the location and standards of roads and trails on lands of the United States and other uses of lands of the United States, including the location and condition of quarries, borrow pits, and spoil disposal areas, shall be subject to the approval of the department or agency of the United States having supervision over the lands involved.

Article 22. The Licensee shall make provision, or shall bear the reasonable cost, as determined by the agency of the United States affected, of making provision for avoiding inductive interference between any project

transmission line or other project facility constructed, operated, or maintained under the license, and any radio installation, telephone line, or other communication facility installed or constructed before or after construction of such project transmission line or other project facility and owned, operated, or used by such agency of the United States in administering the lands under its jurisdiction.

Article 23. The Licensee shall make use of the Commission's guidelines and other recognized guidelines for treatment of transmission line rights-of-way, and shall clear such portions of transmission line rights-of-way across lands of the United States as are designated by the officer of the United States in charge of the lands; shall keep the areas so designated clear of new growth, all refuse, and inflammable material to the satisfaction of such officer; shall trim all branches of trees in contact with or liable to contact the transmission lines; shall cut and remove all dead or leaning trees which might fall in contact with the transmission lines; and shall take such other precautions against fire as may be required by such officer. No fires for the burning of waste material shall be set except with the prior written consent of the officer of the United States in charge of the lands as to time and place.

Article 24. If the Licensee shall cause or suffer essential project property to be removed or destroyed or to become unfit for use, without adequate replacement, or shall abandon or discontinue good faith operation of the project or refuse or neglect to comply with the terms of the license and the lawful orders of the Commission mailed to the record address of the Licensee or its agent, the Commission will deem it to be the intent of the Licensee to surrender the license. The Commission, after notice and opportunity for hearing, may require the Licensee to remove any or all structures, equipment and power lines within the project boundary and to take any such other action necessary to restore the project waters, lands, and facilities remaining within the project boundary to a condition satisfactory to the United States agency having jurisdiction over its lands or the Commission's authorized representative, as appropriate, or to provide for the continued operation and maintenance of nonpower facilities and fulfill such other obligations under the license as the Commission

may prescribe. In addition, the Commission in its discretion, after notice and opportunity for hearing, may also agree to the surrender of the license when the Commission, for the reasons recited herein, deems it to be the intent of the Licensee to surrender the license.

Article 25. The right of the Licensee and of its successors and assigns to use or occupy waters over which the United States has jurisdiction, or lands of the United States under the license, for the purpose of maintaining the project works or otherwise, shall absolutely cease at the end of the license period, unless the Licensee has obtained a new license pursuant to the then existing laws and regulations, or an annual license under the terms and conditions of this license.

Article 26. The terms and conditions expressly set forth in the license shall not be construed as impairing any terms and conditions of the Federal Power Act which are not expressly set forth herein.

27 FERC 161, 311

LICENSE
TERMS AND CONDITIONS

Project No. 7189-001

-2-

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Raymond J. O'Connor, Chairman;
Georgiana Sheldon, J. David Hughes,
A. G. Sousa and Oliver G. Richard III.

Green Lake Water Power Company) Project No. 7189-001

ORDER ON APPEAL

(Issued May 25, 1984)

The United States Department of the Interior ("Interior") has appealed the Director, Office of Electric Power Regulation's order issuing a license to the Green Lake Water Power Company ("Licensee") for the Green Lake Project No. 7189. In its appeal, Interior submits that an agreement it reached with the Licensee with respect to Interior's Green Lake National Fish Hatchery ^{1/} be incorporated into the license as a condition deemed necessary by Interior for the adequate protection and utilization of the hatchery in accordance with Section 4(e) of the Federal Power Act, 16 U.S.C § 797(e).

As issued, the license articles reflect certain substantive parts of the agreement and direct the Licensee to submit a new agreement with Interior to detail remaining provisions deemed necessary for protection of the hatchery.

Consultation between the Commission's and Interior's staff has led to proposed modification of certain terms of the license. ^{2/} Accordingly, a number of new provisions will be added to the license to cover details previously required by Article 32 to be the subject of a further agreement. Among the major changes, Article 29 now includes precise provisions for a penstock tap to ensure that the hatchery always has enough water, and also includes the drawdown schedule previously found in Article 30. Article 32 no longer requires the Licensee to submit a further agreement with Interior. Rather, it sets forth Interior's authority to inspect the project works and operations for threats to or adverse effects on the

- ^{1/} The agreement has not been executed, but Interior represents that both it and the Licensee are ready to sign.
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hatchery, and to modify them as needed to protect the hatchery. Article 37 has been altered so it does not apply to U.S. lands within the hatchery. Under new Article 38, inasmuch as the project, subject to the terms and conditions of this license and the agreement between the U.S. Department of the Interior and the Licensee, entails a certain benefit to the United States, the Commission in its discretion under Section 10(i) of the Act, 16 U.S.C. § 803(i), waives Section 10(e) of the Act, 16 U.S.C. § 803(e), insofar as it relates to annual charges for recompensing the United States for use of its property. New Article 40 provides that the Licensee shall supply emergency power to the hatchery under certain circumstances, and new Article 41 gives Interior approval authority over project design, construction, and materials, insofar as they affect the hatchery. New Article 42 indemnifies Interior against any liability arising out of project construction, operation, or maintenance, and directs the Licensee to obtain insurance to that effect. Finally, new Article 43 forbids the Licensee from using license terms and conditions to avoid any obligations under the agreement.

It is ordered that:

The ordering paragraphs of the license order issued by delegated authority for the Green Lake Project No. 7189 are modified to read as follows:

(A) This license is issued to Green Lake Water Power Company (Licensee), under Part I of the Federal Power Act (Act), for a period of 40 years, effective the first day of the month in which this order is issued, for the construction, operation and maintenance of the Green Lake Project No. 7189 located on Green Lake and Reeds Brook, near the City of Ellsworth, Hancock County, Maine, and located in part on and affecting lands of the United States administered by the U.S. Department of the Interior, Green Lake National Fish Hatchery. This license is subject to the terms and conditions of the Act, which are incorporated by reference as part of this license, and subject to the regulations the Commission issues under the provisions of the Act.

(B) The Green Lake Project No. 7189 consists of:

(1) all lands, to the extent of the Licensee's interest in those lands, constituting the project area. The project area is shown and described by a certain exhibit that forms part of the application for license and that is designated and described as:

<u>Exhibit</u>	<u>FERC No. 7189</u>	<u>Showing</u>
G Sheet 1	6	General Location Map
G Sheet 2	7	Project Plan and Profile

LICENSE
TERMS AND CONDITIONS

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Raymond J. O'Connor, Chairman;
Georgiana Sheldon, J. David Hughes,
A. G. Sousa and Oliver G. Richard III.

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Consultation between the Commission's and Interior's staff has led to proposed modification of certain terms of the license. 2/ Accordingly, a number of new provisions will be added to the license to cover details previously required by Article 32 to be the subject of a further agreement. Among the major changes, Article 29 now includes precise provisions for a penstock tap to ensure that the hatchery always has enough water, and also includes the drawdown schedule previously found in Article 30. Article 32 no longer requires the Licensee to submit a further agreement with Interior. Rather, it sets forth Interior's authority to inspect the project works and operations for threats to or adverse effects on the

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(B) The Green Lake Project No. 7189 consists of:

(1) all lands, to the extent of the Licensee's interest in those lands, constituting the project area. The project area is shown and described by a certain exhibit that forms part of the application for license and that is designated and described as:

<u>Exhibit</u>	<u>FERC No. 7189</u>	<u>Showing</u>
G Sheet 1	6	General Location Map
G Sheet 2	7	Project Plan and Profile

(2) Project works consisting of: (1) a 7.5 foot-high, 270-foot-long dry stone and timber dam with an integral 15-foot-long gate section containing two lift gates; (2) fish screening devices; (3) a 2,989-acre reservoir with a usable storage capacity of approximately 10,000 acre-feet at elevation 160.7 feet U.S.G.datum; (4) a 1,700-foot-long, 4-foot-diameter concrete and wood stave penstock; (5) a powerhouse containing two turbine-generators with a total rated capacity of 375 kW; (6) the 4.16 kv generator leads, the 500-kVA 4.16/12.47-kv transformer, and the 1,000-foot-long, 12.47-kv underground transmission line; and (7) appurtenant facilities.

The location, nature, and character of these project works are generally shown and described by the exhibit cited above and more specifically shown and described by certain other exhibits and reports that also form part of the application for license and that are designated and described as:

<u>Exhibit</u>	<u>FERC No. 7189</u>	<u>Showing</u>
F Sheet 1	1	Powerhouse Floor Plan
F Sheet 2	2	Powerhouse Elevations
F Sheet 3	3	Powerhouse Sections
F Sheet 4	4	Powerhouse Site Plan
F Sheet 5	5	Dam and Intake Plans, Sections and Elevations

- (3) Exhibit A - Entitled "Project Description" pages A-1 to A-7 incorporating the mechanical, electrical and transmission equipment.
- (4) All structures, fixtures, equipment, or facilities used or useful in the operation or maintenance of the project and located within the project boundary, all portable property that may be employed in connection with the project, located within or outside the project boundary, as approved by the Commission, and all riparian or other rights that are necessary or appropriate in the operation or maintenance of the project.

(C) Pursuant to Section 10(i) of the Act, it is in the public interest to waive the following Sections of Part I of the Act, and they are excluded from the license:

Section 4(b), except the second sentence; 4(e), insofar as it relates to approval of plans by the Chief of Engineers and the Secretary of the Army; 6, insofar as it relates to

public notice and to the acceptance and expression in the license of terms and conditions of the Act that are waived here; 10(c), insofar as it relates to depreciation reserves; 10(d); 10(e), insofar as it relates to recompensing the United States for the use of its property; 10(f), 14, except insofar as the power of condemnation is reserved; 15; 16; 19; 20; and 22.

(D) Exhibits A, F, and G designated in Ordering Paragraph (B) above, are approved and made a part of the license.

(E) The license is also subject to the terms and conditions set forth in Form L-17 (revised October, 1975), designated Articles 1 through 14 and 16 through 26 and entitled "Terms and Conditions of License for Unconstructed Minor Project Affecting Lands of the United States," attached to and made a part of this license. The license is also subject to the following additional articles.

Article 27. Licensee shall release from the Green Lake Project, a continuous minimum flow of 1.0 cubic foot per second, as measured immediately downstream from the project dam, or the inflow to the reservoir, whichever is less, for the protection and enhancement of fish and wildlife resources in Reeds Brook. This flow may be temporarily modified if required by operating emergencies beyond the control of the Licensee, for inspections and maintenance and for short periods upon mutual agreement among the Licensee, U.S. Fish and Wildlife Service, and the Maine Department of Environmental Protection.

Article 28. The Licensee shall continue to consult with the U.S. Fish and Wildlife Service and the Maine Department of Environmental Protection, and within 6 months from the date of issuance of this license, file, for Commission approval, functional design drawings and a schedule for construction of an intake screen that would minimize fish mortality due to entrainment, and prevent downstream movement of adult salmonids from Green Lake. Comments on the drawings from the consulted agencies shall be included in the filing. Further, within 90 days after completion of project construction, Licensee shall file as-built drawings with the Commission.

Article 29. (a) The Licensee shall, in order to ensure that operation of the Project will not interfere with the ability of the hatchery to draw water in an amount up to thirty (30) cubic feet per second (cfs) from the Lake at any time, cause to be installed at its own expense, and at no expense to Interior, a 24-inch diameter pipe from the penstock, with suitable control devices, to supply, along with existing water supply lines, a total of 30 cfs to the hatchery's filtration plan. This inter-connection shall be constructed in such a manner so that the flow in the existing 30-inch supply pipe to the hatchery remains un-

interrupted and unimpaired except for a period as designated by the hatchery manager not exceeding 5 days between May 15 and June 15, provided that until said interconnection is operational, the Licensee shall limit the drawdown of Green Lake to no lower than elevation 158 feet (U.S.G.S. datum), subject to further limitation of drawdown between June 1 and September 1 as indicated below. Said interconnection shall be utilized as follows:

- i) The Licensee shall limit the drawdown of Green Lake for power generation to no lower than elevation 157.5 feet in compliance with the conditions of Water Quality Certification issued by the Maine Department of Environmental Protection on July 13, 1983, provided that the Licensee shall further limit said drawdown in order that the lake level remain between elevations 159.7 feet and 160.7 feet between June 1 and September 1. The above notwithstanding, the hatchery manager may in his discretion permit the temporary drawdown of Green Lake below the limit set forth in this subsection for normal maintenance purposes upon the request of the Licensee and with the express written approval of the Maine Department of Environmental Protection. The hatchery manager retains the absolute discretion to restrict the time and duration of any such temporary drawdown, and moreover, retains the absolute discretion to totally deny any such drawdown.
- ii) The Licensee shall limit power generation if necessary to assure that the proper pressure gradient exists on the penstock to allow water from the penstock tap to be withdrawn at the filtration plant by the hatchery whenever the hatchery's priority use of up to 30 cfs is unavailable through its existing water supply lines; provided, however, that the hatchery shall not draw water through the penstock tap as an alternative to proper, continued maintenance and use of its existing water supply lines.
- iii) The Licensee shall construct and install at its own expense the pipeline and any valves associated with the penstock tap beyond the valve box, which box is between the concrete penstock and the hatchery's iron pipeline, however, the same shall not be considered a part of the project works and shall not be included within the project boundary or any right-of-way easement. The Licensee shall, at its own expense, maintain the penstock tap up to and including the valve and valve box, but shall not be responsible for maintenance of any part of

the penstock tap between the valve box and the hatchery's filtration plant.

(h) Unless required by operating emergencies beyond the control of the Licensee, the Licensee shall at no time maintain water levels at abnormally high levels so as to pose a threat of damage to Interior land and hatchery structures, and in the event of any operating emergencies beyond the control of the Licensee, Licensee shall use its best efforts to act as promptly as possible to prevent such circumstance from affecting hatchery operations.

Article 30. The Licensee shall, to protect salmonid redds, complete the fall reservoir drawdown no later than October 15 of each year, and shall reduce the reservoir water level during the spring drawdown to no lower than the reservoir water level attained on the previous October 15.

Article 31. The Licensee shall: (1) refrain from major construction activity, particularly blasting, that may disturb the feeding activities of the bald eagle in the vicinity of the project from April 15 to May 15 of each year; and (2) bury the project transmission line to avoid adverse impacts on bald eagles in the project area. Any and all blasting necessitated by said construction shall be conducted on a schedule approved by the hatchery manager.

Article 32. The Fish and Wildlife Service shall have the right to inspect the dam and project structures affecting hatchery operations to determine if the physical condition of the dam or such project structures threaten or are adversely affecting hatchery operation, and if such threats or adverse effects are occurring, to enter and correct, or order the Licensee to correct, at the Licensee's expense, such conditions as promptly as possible, and further, to refer the matter to the Commission for appropriate action. In the event of emergency, and if the Fish and Wildlife Service finds that project operations pose an immediate threat to the hatchery and its operations, the Licensee shall cease project operations immediately and notify the Commission.

Article 33. The Licensee shall file with the Commission's Regional Engineer and the Director, Office of Electric Power Regulation and the Regional Director, U.S. Fish and Wildlife Service, one copy each of the final contract drawings and specifications for pertinent features of the project, such as water retention structures, powerhouse, and water conveyance structures, at least 60 days prior to start of construction. The Director, Office of Electric Power Regulation, may require changes in the plans and specifications to assure a safe and adequate project. The Regional Director, U.S. Fish and Wildlife Service, may require such changes to be modified when

and as he deems necessary for the adequate protection and utilization of the Green Lake National Fish Hatchery.

Article 34. The Licensee shall within 90 days of completion of construction file for approval of the Director, Office of Electric Power Regulation, and the Regional Director, U.S. Fish and Wildlife Service, revised Exhibits A, F, and G to describe and show the project as-built.

Article 35. The Licensee shall commence construction of the project within 2 years from the effective date of the license and shall thereafter in good faith and with due diligence prosecute such construction and shall complete construction of such project works within 4 years from the effective date of the license.

Article 36. The Licensee shall review and approve the design of contractor-designed cofferdams and deep excavations prior to the start of construction and shall ensure that construction of cofferdams and deep excavations are consistent with the approved design. At least 30 days prior to start of construction of the cofferdam the Licensee shall file with the Commission's Regional Engineer and Director, Office of Electric Power Regulation and the Regional Director, U.S. Fish and Wildlife Service one copy of the approved cofferdam construction drawings and specifications and a copy of the letter(s) of approval.

Article 37. (a) In accordance with the provisions of this article, the Licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for approval. The Licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project, including the purposes of the Green Lake National Fish Hatchery. For those purposes, the Licensee shall also have continuing responsibility to supervise and control the uses and occupancies for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed, under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the Licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the Licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy, that action includes, if necessary, cancelling the permission to use and occupy the project lands and waters and requiring the removal of any non-complying structures and facilities.

(b) The types of use and occupancy of project lands and waters for which the Licensee may grant permission without prior Commission approval are: (1) landscape plantings; (2) non-commercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 watercraft at a time where said facility is intended to serve single family-type dwellings; and (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the Licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The Licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the uses and occupancies for which it grants permission are maintained in good repair and comply with applicable State and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the Licensee shall: (1) inspect the site of the proposed construction, (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site, and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the Licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the Licensee's costs of administering the permit program. The Commission reserves the right to require the Licensee to file a description of its standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.

(c) The Licensee may convey easements or rights-of-way across, or leases of, project lands for: (1) replacement, expansion, realignment, or maintenance of bridges and roads for which all necessary State and Federal approvals have been obtained; (2) storm drains and water mains; (3) sewers that do not discharge into project waters; (4) minor access roads; (5) telephone, gas, and electric utility distribution lines; (6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary; (7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69-kV or less); and (8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir. No later than January 31 of each year, the Licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the prior calendar year, the type of interest conveyed, the location of the lands subject to the conveyance, and the nature of the use for which the interest was conveyed.

(d) The Licensee may convey fee title to, easements or rights-of-way across, or leases of project lands for: (1) construction of new bridges or roads for which all necessary State and Federal approvals have been obtained; (2) sewer or effluent lines that discharge into project water, for which all necessary Federal and State water quality certificates or permits have been obtained; (3) other pipelines that cross project lands or waters but do not discharge into project waters; (4) non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary Federal and State approvals have been obtained; (5) private or public marinas that can accommodate no more than 10 watercraft at a time and are located at least one-half mile from any other private or public marina; (6) recreational development consistent with an approved Exhibit R or approved report on recreational resources of an Exhibit E; and (7) other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from the edge of the project reservoir at normal maximum surface elevation; and (iii) no more than 50 total acres of project lands for each project development are conveyed under this clause (d)(7) in any calendar year. At least 45 days before conveying any interest in project lands under this paragraph (d), the Licensee must file a letter to the Director, Office of Electric Power Regulation, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked Exhibit G or K map may be used), the nature of the proposed use, the identity of any Federal or State agency official consulted, and any Federal or State approvals required for the proposed use. Unless the Director, within 45 days from the filing date, requires the Licensee to file an application for prior approval, the Licensee may convey the intended interest at the end of that period.

(e) The following additional conditions apply to any intended conveyance under paragraphs (c) or (d) of this article.

(1) Before conveying the interest, the Licensee shall consult with Federal and State fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.

(2) Before conveying the interest, the Licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any approved Exhibit R or approved report on recreational resources of an Exhibit E; or, if the project does not have an approved Exhibit R or approved report on recreational resources, that the lands to be conveyed do not have recreational value.

(3) The instrument of conveyance must include covenants running with the land adequate to ensure that: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; and (ii) the grantee shall take all reasonable precautions to ensure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project.

(4) The Commission reserves the right to require the Licensee to take reasonable remedial action to correct any violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.

(E) The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be changed to exclude land conveyed under this article only upon approval of revised Exhibit G or K drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposals to exclude lands conveyed under this article from the project shall be consolidated for consideration when revised Exhibit G or K drawings would be filed for approval for other purposes.

(g) This article does not authorize the Licensee to exercise any authority whatsoever over uses of United States lands within the Green Lake National Fish Hatchery.

Article 38. The Licensee shall pay the United States the following annual charge, effective the first day of the month in which the license is issued:

For the purpose of reimbursing the United States for the cost of administration of Part I of the Act, a reasonable amount as determined in accordance with the provisions of the Commission's regulations in effect from time to time. The authorized installed capacity for that purpose is 500 horsepower.

Article 39. The Licensee shall, prior to the commencement of any future construction at the project, consult with the Maine State Historic Preservation Officer (SHPO) about the need for any cultural resource survey and salvage work. The Licensee shall make available funds in a reasonable amount for any such work as required. If any previously unrecorded archeological or historical sites are discovered during the course of construction or development of any project works or other facilities at the project, construction activity in the vicinity shall be halted, a qualified archeologist shall be consulted to determine the significance of the sites, and the Licensee shall consult with the SHPO to develop a mitigation plan for the protection of significant archeological or historical resources. If the Licensee and the SHPO cannot agree on the amount of money to be expended on archeological or historic work related to the project, the Commission reserves the right to require the Licensee to conduct, at its own expense, any such work found necessary.

Article 40. (a) The Licensee will provide, at its own expense, an appropriate connection at the proposed powerhouse for the transmission of electric power between the proposed powerhouse and the hatchery, capable of providing emergency electric power to serve the hatchery if regular commercial sources of electricity are disrupted. The Licensee shall also provide and maintain, at its own expense, that portion of the underground transmission line to the hatchery that lies within the proposed project boundary. Interior will provide and maintain, at its own expense, connection and transformer equipment at the hatchery, and that portion of underground transmission line that lies outside the proposed project boundary, provided that nothing in this license shall be interpreted to obligate Interior actually to install or maintain such connection or transformer equipment.

(b) In the event that regular commercial sources of electricity to the hatchery are disrupted, the Licensee shall, unless prevented by operating emergencies beyond the Licensee's control, supply up to 75 kW of emergency power to the hatchery, provided that the hatchery takes all practicable steps to re-establish its commercial sources of energy as quickly as possible, and provided that the Licensee shall not be obligated to furnish emergency power in an amount which would impair the integrity of the Project, or require the Licensee to draw the level of Green Lake below the level specified in Article 29, unless Interior expressly authorizes the Licensee to draw the level of Green Lake below that point, and the Licensee has received all other necessary governmental approvals, and provided further that the hatchery pays the Licensee for all said emergency power supplied hereunder at a charge to be determined in accordance with the agreement between the U.S. Department of Interior and the Licensee.

Article 41. Insofar as project construction, design, or materials may affect the hatchery or its purposes, the Licensee shall obtain the approval of the Regional Director, Region 5, Fish and Wildlife Service, before construction commences, provided that the Regional Director may reasonably modify such approval if new information, of which the Regional Director was unaware at the time approval was granted, becomes available, and provided that Interior cooperates to the extent possible with the Licensee and in any further construction or alterations which the Licensee may deem necessary, and provided further that the U.S. Department of Interior has no obligation hereunder to provide manpower, equipment, or funds. Such approval includes the right of the Regional Director to approve of or require modification to the design and material used in the penstock and all other project structures to be constructed by the Licensee and the contractor or contractors who will construct the project structures. The Licensee shall provide such approval or required modification by the Regional Director to the Commission, with a copy to the Commission's Regional Engineer, which shall be requested to incorporate it into any Commission approval of the Licensee's plans, specifications, and contract documents.

Article 42. Aside from operating emergencies beyond the control of the Licensee, the Licensee will indemnify and hold harmless the U.S. Department of the Interior from and against any and all loss, liability or expense arising out of the construction, operation and maintenance of the project. The Licensee's indemnification of the U.S. Department of the Interior shall continue and apply beyond the term and termination of this License so long as any of said loss, liability, or expense arose out of the construction, operation or maintenance of the project occurring during the term of this License. The Licensee shall procure and maintain insurance in an amount and form satisfactory to the Regional Director, insuring the hatchery and its operations against loss or damage resulting from project construction, operation, and maintenance. The Licensee shall list the U.S. Department of the Interior as an additional insured in such insurance.

Article 43. Inasmuch as the agreement between the U.S. Department of the Interior and the Licensee regarding protection of the hatchery is deemed necessary by Interior for the adequate protection and utilization of the Green Lake National Fish Hatchery under Section 4(e) of the Federal Power Act, and is recognized by the Commission as fully binding and enforceable between Interior and the Licensee, and since the provisions of said agreement are not inconsistent with the terms and conditions of this license, the Licensee shall not use the terms and conditions of this license as giving the Licensee any defense whatsoever against the U.S. Department of the Interior in Interior's enforcement of the agreement. In the event any of the language in Articles 1 through 26 is read to be inconsistent with other articles in this license, the language in Articles 27 through 43 shall govern.

(P) This order is final unless an application for rehearing is filed 30 days from the date of issuance, as provided in Section 313(a) of the Act. The filing of an application for rehearing does not operate as a stay of the effective date of this license, except as specifically ordered by the Commission. Failure of the Licensee to file an application for rehearing shall constitute acceptance of this license. In acknowledgment of acceptance of the license, the license shall be signed for the Licensee and returned to the Commission within 60 days from the date of issuance of this order.

By the Commission,

(S E A L)



Kenneth F. Plumb,
Secretary.

46 FERC 162.139

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Green Lake Water Power Company

Project No. 7189-005
Maine

ORDER APPROVING REVISED EXHIBIT F DRAWINGS
AND AMENDING LICENSE
(Issued February 8, 1989)

On January 19, 1989, on behalf of the licensee, Green Lake Water Power Company, Kleinschmidt Associates filed revised Exhibit F drawings and a description of the modifications to the Green Lake Water Power Project, FERC No. 7189. The proposed upgrading was approved by letters dated November 12, 1986 from the New York Regional Director, and November 20, 1986 from the Director, Division of Inspections.

The revised Exhibit F drawings conform to the Commission's rules and regulations.

The Director orders:

(A) The following Exhibit F drawings are approved and made a part of the license:

<u>Exhibit</u>	<u>FERC No.</u>	<u>Drawing Title</u>	<u>Superseding</u>
F-4	7189-15	Dam and Intake Plans, Sections and Elevations	7189-11
F-5	7189-16	Dam Upgrade Plan and Elevations	- -
F-6	7189-17	Dam Upgrade Sections and Details	- -

(B) The superseded Exhibit F drawing is removed from the license.

(C) The license for the Green Lake Water Power Project, FERC No. 7189, is amended as provided in this order, effective the first day of the month in which this order is issued.

DC-A-13

FERC - DOCKETED
FEB 8 1989

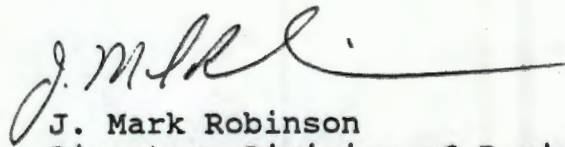
8902150043

(D) Order Paragraph (B)(2) is revised in part to read as follows:

"(2) Project works consisting of: (1) a 7.5 ft high by 273-ft-long dam, including a 157-foot-long dry stone and timber dam section, a 22-foot-long gate section containing two lift gates, a 12-foot-long intake structure, and an 82-foot-long concrete gravity dam section with a concrete spillway channel; (2)..."

(E) Within 90 days of the date of issuance of this order, the licensee shall file an original of the approved Exhibit F drawings reproduced on silver or gelatine 35mm microfilm mounted on Type D (3 1/4" x 7 3/8") aperture cards for each drawing. In addition, the licensee shall file two Diazo-type duplicate aperture cards. The original set and one duplicate set of aperture cards should be filed with the Secretary of the Commission. The remaining duplicate set of aperture cards should be filed with the Commission's New York Regional Office. The FERC drawing numbers (7189-15 through 7189-17) shall be shown in the margin below the title block of the microfilmed drawing and also in the upper right corner of each aperture card. The top lines of the aperture cards shall show the FERC Exhibit (i.e., F-1, F-2), Project Number, Drawing Title, and date of this order.

(F) This order is issued under authority delegated to the Director and is final unless appealed to the Commission under Rule 1902 within 30 days from the date of this order. Failure to file a petition appealing this order to the Commission shall constitute acceptance of this order.



J. Mark Robinson
Director, Division of Project
Compliance and Administration

FEDERAL ENERGY REGULATORY COMMISSION

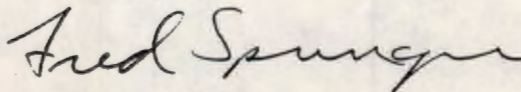
WASHINGTON, D.C. 20426

Project No. P-7189-005 2/8/89
Green Lake Water Power Co.

R. Kleinschmidt
Green Lake Water Pwr. Co.
P. O. Box 1084
Ellsworth, ME 04605

Gentlemen:

Enclosed is the order designated Instrument No. 4 in the
above-entitled matter.



Fred E. Springer
Director, Office of
Hydropower Licensing

USPS Mailing Certification
Notice of Intent to File to Abutters

The scan of 48 pages from the mailing certification causes the application to go well over the 20mb limit, consequently only the first few pages are included here.

Caroline Kleinschmidt

From: DoNotReply@ereceipt.usps.gov
Sent: Wednesday, May 10, 2023 12:48 PM
To: Caroline Kleinschmidt
Subject: USPS eReceipt



ELLSWORTH
199 MAIN ST
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(800)275-8777

05/10/2023 12:47 PM

Product	Qty	Unit Price	Price
U.S. Flags Coil	3	\$63.00	\$189.00
US Flags Bklt/20	3	\$12.60	\$37.80
Global Afrn Daisy	1	\$1.45	\$1.45
CTOM - Firm - Domestic	49		\$26.46
CTOM - Firm - Domestic	49		\$26.46
CTOM - Firm - Domestic	49		\$26.46
CTOM - Firm - Domestic	49		\$26.46
CTOM - Firm - Domestic	49		\$26.46
CTOM - Firm - Domestic	49		\$26.46
CTOM - Firm - Domestic	49		\$26.46
CTOM - Firm - Domestic	49		\$26.46
CTOM - Firm - Domestic	33		\$17.82

Grand Total: \$431.29

Credit Card Remit \$431.29

Card Name: MasterCard
Account #: XXXXXXXXXXXX4591
Approval #: 329922
Transaction #: 181
AID: A0000000042203 Chip
AL: US DEBIT



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USPS Tracking/Article Number	Address (Name, Street, City, State, & ZIP Code™)	Postage	Affix Stamp Here (for additional cc Postmark with)	SH Fee
1.	Porter Randall Vitone Danielle 148 Balance Kock Pittsfield, MA 01201			U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10 23 AMOUNT \$26.46 R2305P151388-19
2.	McCallister Cynthia S 52 River Street Great Barrington, MA 01230			U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10 23 AMOUNT \$26.46 R2305P151388-19
3.	Millot Robert L Millot Helen L Box 238 So Egremont, MA 01258			U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10 23 AMOUNT \$26.46 R2305P151388-19
4.	Evans Michael Evans Valerie 132 George Hill Road Grafton, MA 01519			U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10 23 AMOUNT \$26.46 R2305P151388-19
5.	Smith Family Trust 30 Swift Road Frammingham, MA 01702			U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10 23 AMOUNT \$26.46 R2305P151388-19
6.	Katheryn E Rudershausen 23 Crescent Avenue Bedford, MA 01730			U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10 23 AMOUNT \$26.46 R2305P151388-19
7.	Robert & Linda Ronan 51 Wedgewood Drive Hopkinton, MA 01748			U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10 23 AMOUNT \$26.46 R2305P151388-19
8.	Bryant Robert & Linda Ludden Alison & Jaynes Rebecca Remainderman 21 Rice Street Hudson, MA 01749-1332			U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10 23 AMOUNT \$26.46 R2305P151388-19

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3.	Sacra Douglas A Sacra Deidre C 55 Grezen Lane Wayland, MA 01778		Downeast Woodlands LLC 11 Jeheka Lane Gloucester, MA 01930		U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10, 23 AMOUNT \$26.46 R2305P151388-19	0000
4.	Mack Gail R Rosen Daniel 32 Rockaway Ave Marblehead, MA 01945		Brown Jr Joel P Kofel Doniel L 153 High Street Newbury Port, MA 01950		U.S. POSTAGE PAID ELLSWORTH, ME 04605 MAY 10, 23 AMOUNT \$26.46 R2305P151388-19	0000
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Check type of mail or service

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- Priority Mail
- Priority Mail Express
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Affix Stamp Here
(for additional copies of this receipt).
Postmark with Date of Receipt.

USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge - if Registered and over \$50,000 in value	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.	Sical Hugo L. Sical Angeles R. 79 Revore Street Malden, MA 02148													
2.	Greg & Judith Olson 5 Thoreau Road Lexington, MA 02420													
3.	Fergus Nancy S Fergus Andrew & Jeffrey 78 Candlewood Drive Walham, MA 02451													
4.	Michael F Mooney 1045 South Rd East Greenwich, RI 02818													
5.	Ann Marie Sortor, Kathleen Bailey Peter Joseph Ellen John T Jr & Michael F Mooney 34 Sachem Rd, Tiverton, RI 02878													
6.	Curtis Brian K Sr Curtis Denise C Jr 208 Boston Post Rd Amherst, NH 03031													
7.	Rand Scott C Nancy S Husarik 15 Winslow Lane Candia, NH 03034													
8.	Voss Douglas A Voss William C 9 Federal Hill Road Nashua, NH 03062													
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)												



PS Form 3877, January 2017 (Page 1 of 2)

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