

NOTICE OF INTENT TO FILE

MAINE WATERWAY DEVELOPMENT AND CONSERVATION ACT APPLICATION

Please take notice that

**Brookfield White Pine Hydro, LLC
150 Main Street, Lewiston, Maine 04240
c/o Miranda Kessel 207-522-4147**

is intending to file an application with the Land Use Planning Commission for a permit and Water Quality Certification pursuant to the provisions of the Maine Waterway Development and Conservation Act and the Federal Clean Water Act, Section 401.

This application is for the repair of Middle Dam which impounds Upper and Lower Richardson Lakes and serves as the headwaters for the Rapid River. In order to meet current Federal Energy Regulatory Commission (FERC) dam safety standards, Brookfield proposes to repair numerous structural components of the dam. All repairs will be within the existing dam footprint and work below the Normal High-Water Line will be completed during the March to early April “low water” period when upstream water levels are normally drawn. However, a one-foot drawdown of the lake below the Normal Low Water elevation will be required during this period and after agency and NGO consultation was approved the by FERC on February 25, 2020. Repair activities will include repairing all piers, reinforcing the earthen embankments, replacing wood apron, and bridge replacement. Post-construction pedestrian access to the piers will be improved including reopening piers that have been previously closed to the public though some access to the piers may be temporarily restricted or closed during construction activities. Public access to the lake, river, and adjacent camp sites will be maintained throughout construction. Normal flows and releases as required by the FERC license will be maintained. Brookfield will construct two temporary laydown areas near Middle Dam to facilitate construction. Much of the routine repair work is not subject to LUPC permitting requirements, although much of the earthwork, both permanent and temporary is subject to permitting. Work will begin in the late winter of 2020 and should be completed by the summer of 2024.

Middle Dam is located in “Township C” of Oxford County.

The application will be filed on or about **April 3, 2020** and will be available for public inspection at the **LUPC offices in Farmington (133 Fyfe Road, West Farmington) and Augusta (18 Elkins Lane)** during normal working hours.

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

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State’s consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act.

Written public comments may be sent to **LUPC, 22 State House Station, Augusta, Maine 04333-0022.**