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May 26, 2021

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

Via eFiling

**Subject: Brookfield Renewable – Abnormally Dry Hydrologic Conditions Potential
Abnormal Operating Conditions for:**

- **Upper and Middle Dams Storage Project (FERC No. 11834-ME)**
- **Flagstaff Project (FERC No. 2612-ME)**
- **Azisochos Project (FERC No. 4026-ME)**

Dear Ms. Bose:

Brookfield Renewable Partners L.P. (Brookfield), on behalf of Brookfield White Pine Hydro LLC (BWPH), the licensee for the Upper and Middle Storage Project, Kennebec Water Power Company, (KWP), the licensee for the Flagstaff Project and the Androscoggin Reservoir Company (ARCO) the licensee for the Azisochos Project, is providing this letter as a general notification that the Northeast region is experiencing abnormally dry hydrologic conditions that may affect project operations. Drought conditions from the summer and fall of 2020 and a 2020-2021 winter featuring below-average snowpack combined with spring rainfall deficits between 4 and 6 inches has triggered activation of the Drought Task Force (DTF) in the state of Maine. Pursuant to the DTF, weekly communication has begun between the Maine Emergency Management Agencies (MEMA), the US Geological Survey (USGS), National Weather Service (NWS), Drinking Water Programs and other drought monitoring partners, including Brookfield to monitor the abnormally dry conditions. As a result of these dry conditions, the aforementioned storage reservoirs are currently operating at a deficit that can only be remedied by precipitation.

Upper and Middle Dams Storage Project (FERC No. 11834-ME)

Current conditions and anticipated weather conditions indicate that both Mooselookmeguntic and Richardson Lake (Upper and Middle) elevations may be lower than normal for the 2021 open water season. As such, Brookfield may be required to revert to abnormal operations allowed under Article 401 of the FERC License and Section 1B and 4B of the Projects Water Quality Certification (WQC) and Section III of the Upper and Middle Settlement Agreement.

Condition 4A of the Projects WQC and Section III of the Upper and Middle Settlement Agreement reads as follows:

Mooselookmeguntic Lake

WATER LEVELS

- A. *Except as temporarily modified by (1) approved maintenance activities, (2) inflows to the project area, (3) operating emergencies beyond the applicant's control, as defined below, or (4) agreement between the applicant and appropriate state and/or federal agencies, water levels in Mooselookmeguntic Lake and Richardson Lake shall be managed in accordance with the provisions of the 1998 "Upper Androscoggin River*

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Storage Projects Settlement Agreement." Specifically, water levels shall be managed as follows:

- *From the start of the spring refill through June 1 annually, refill the lake in general conformity with historic operation of the lake, as defined by the Mooselookmeguntic Lake-Upper Dam Average Rule Curve, attached hereto as Exhibit 5, to attain a target lake level of elevation 1467 feet msl (one foot below full pond) by June 1, if at all possible;*
- *From June 1 through July 15 annually, if the lake achieves a level of elevation 1467 feet or higher by June 1, maintain the lake level within a range from a maximum of 0.5 feet above to a minimum of 1.0 feet below the elevation achieved on June 1 of that year, except that, during those years when the target level of elevation 1467 feet msl is not achieved by June 1, the lake may be allowed to fill up to elevation 1467 feet msl during this period;*
- *From July 16 through Labor Day annually, maintain lake levels above elevation 1465 feet msl (3 feet below full pond), except that, during those years when the level of Richardson Lake falls to elevation 1444 feet msl during this period, the level of Mooselookmeguntic Lake may drop to a minimum level of elevation 1464 feet msl (4 feet below full pond) during this period. In no event shall the level of Mooselookmeguntic Lake go below elevation 1464 feet msl during this period except as needed to meet the minimum flow requirements specified in Condition 1 above; and*
- *Beginning the day after Labor Day and continuing through the following May 31 annually, there are no specific lake level restrictions. However, the lake level will be drawn down gradually and in general conformity with historic operation of the lake, as defined by the Mooselookmeguntic Lake-Upper Dam Average Rule Curve, attached hereto as Exhibit 5, to a minimum level of elevation 1455.8 feet msl (12.2 feet below full pond) prior to the start of the spring refill.*

Richardson Lake

- *From July 16 through September 30 annually, maintain lake levels above elevation 1444 feet msl (6 feet below full pond), except that, during the period from June 1 through Labor Day, the lake may be permitted to go below elevation 1444 feet msl as necessary to maintain a minimum flow release of 310 cfs from Middle Dam to the Rapid River;*
- *Beginning October 1 and continuing through the following May 31 annually, and except as limited by the stipulations below, there are no specific lake level restrictions. However, the lake level will be drawn down gradually and in general conformity with historic operation of the lake, as defined by the Richardson Lakes-Middle Dam Average Rule Curve, attached hereto as Exhibit 6, to a minimum level of 1440 feet msl (10 feet below full pond) under open water conditions, and to a minimum level of elevation 1437 feet msl (13 feet below full pond) under ice-in conditions;*
- *Notwithstanding the restrictions above, after October 15 annually, the level of Richardson Lake shall be dropped at least 5 feet below the level achieved on October 1 of that year, in order to preclude togue spawning. This restriction shall remain in effect until such time as the Department of Inland Fisheries and Wildlife determines that the restriction is no longer needed to control togue populations;*
- *Notwithstanding the restrictions above, the drawdown of Richardson Lake under ice-in conditions may exceed 13 feet when excessive snowpack (defined as an average water equivalent greater than 8.5 inches as measured at the applicant's principal snow measuring stations during the March 1-15 period) requires an additional drawdown in order to maintain the historic level of flood protection on the Androscoggin River below*

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Errol Dam; and

- *From the start of the spring refill through July 15 annually, refill and manage lake levels in general conformity with historic operation of the lake, as defined by the Richardson Lakes Middle Dam Average Rule Curve, attached hereto as Exhibit 6.*

B. Operating emergencies beyond the applicant's control include, but may not be limited to: equipment failure or other temporary abnormal operating condition; project operation in anticipation of, or in response to, extreme runoff events, flood storage requirements, or ice conditions; project operation in response to power supply emergencies; orders from local, state or federal law enforcement or public safety authorities; and other conditions inconsistent with prudent and safe project operation.

While below average snowpack and the abnormally dry spring conditions predominantly resulted in a lack of spring refill at Mooselookmeguntic and Richardson Lakes, other extenuating circumstances such as necessary construction efforts in the region that were scheduled with the intention of minimizing impacts to stakeholders have also contributed to the impacted lake level elevations.

Currently the Upper and Middle Storage Projects are approximately 3 billion cubic feet (bcf) below normal. Upper Dam lake elevation on May 26, 2021 was 1465.8' and the target set by license and SA is to be at 1467' by June 1st. Richardson Lake elevation on May 26, 2021 was at 1442.4' which is approximately 6 feet below normal. Without above-average precipitation (currently not forecast), the reservoirs (operated jointly) will need to invoke low-flow caveats in the Settlement Agreements on June 1st, which requires notification by June 15th if we are unable to meet minimum elevations. Without above-average precipitation, this will have a cascading impact on reservoir releases, public recreation and elevation requirements that could last through the entire 2021 open water season. This may include impacts to the scheduled recreation releases.

Flagstaff Project (FERC No. 2612-ME)

Current conditions and anticipated precipitation indicate that the Flagstaff Lake elevation may be lower than normal for the 2021 open water season. Due to the same extremely dry hydrologic conditions, without significant precipitation Flagstaff Lake may not be able to maintain elevations as detailed under Article 402 of the FERC License and Section 3 of the WQC. As such, Brookfield may be required to revert to abnormal operations allowed under section 1B and 3B of the Projects WQC. Article 402 of the FERC License reads as follows:

Flagstaff License Article 402: Summer and Early Fall Lake Levels. In addition to general conformance with the long-term average operating curve, as required by Condition No. 3 of Appendix A, the licensee shall maintain water surface levels in Flagstaff Lake at or above 1 foot below full pond during June; 2 feet below full pond during July; 3 feet below full pond during August; and 4.5 feet below full pond during September, based on full pond elevation of 1,146 feet U.S. Geological Survey datum. Temporary exceptions may occur as provided in a Commission-approved Lake Management Plan as required by Article 404 or for approved maintenance activities; extreme hydrologic conditions as defined in Condition No. 3.B. in Appendix A; emergency electrical system conditions as defined in Condition No. 3.C. in Appendix A; or by agreement between the licensee and appropriate state and/or federal agencies, as required in Appendix A.

Condition 1B and 3B of the Flagstaff Project WQC reads as follows:

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B. *“Extreme Hydrologic Conditions” means the occurrence of events beyond the Licensee’s control such as, but not limited to, abnormal precipitation, extreme runoff, flood conditions, ice conditions or other hydrologic conditions such that the operational restrictions and requirements contained herein are impossible to achieve or are inconsistent with the safe operation of the project.*

Currently Flagstaff is currently in compliance at elevation 1145.3’ which is approximately .6’ from full pond however, under the current dry conditions and no precipitation in the forecast. Based on experience managing the Project the projects extremely tight flow and elevation requirement, without increased precipitation we anticipate conflicts in maintaining flow releases and lake elevations.

Aziscohos Project (FERC No. 4026-ME)

Current conditions and anticipated precipitation indicate that the Aziscohos Lake elevation may be lower than normal for the 2021 open water season. Due to the same extremely dry hydrologic conditions, without significant precipitation Aziscohos Lake may not be able to maintain elevations as detailed under Order Amending License (Article 32) and Establishing Permanent Minimum Flows dated December 19, 2002 of the FERC License. As such Brookfield may be required to revert to abnormal operations allowed under Ordering Paragraph A of the Order Amending License (Article 32) and Establishing Permanent Minimum Flows dated December 19, 2002 reads in part as follows:

On the 4th weekend of June, 1st weekend of July, and 1st weekend in September, the licensee release a flow of 900 cfs. On the 2nd weekend of July, and the 3rd and 4th weekend of August the licensee would release a flow of 1,200 cfs. These flow releases shall be made on the identified Saturdays and Sundays from 10:00am to 3pm.

These flows may be temporarily modified if required by operating emergencies beyond the control of the licensee or for short periods of time upon mutual agreement between the licensee, U.S. Fish and Wildlife Service, the Maine Department of Inland Fisheries and Wildlife, and the Maine Department of Environmental Protection. If the minimum flows or lake elevations are so modified, the licensee shall notify the Commission, the U.S. Fish and Wildlife Service, the Maine Department of Inland Fisheries and Wildlife, the Maine Department of Environmental Protection as soon as possible, but no later than 10 days after each such incident.

Currently Aziscohos Lake is currently at elevation 1515.1’, approximately 3’ below normal, 1 bcf below normal due to the lack of snow pack and dry conditions. Without significant precipitation, Brookfield will be challenged to maintain licensed required lake and flow requirements at the Project.

In addition to this letter notification, Brookfield Renewable will keep municipalities and stakeholders informed of these ongoing conditions. As always, we are striving to meet our license required obligations to prevent adverse impacts to the environment, public boat launches, residential docks and general recreational access.

If you have any questions, please contact Kelly Maloney (207) 755-5606 or kelly.maloney@brookfieldrenewable.com.

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Sincerely,



Kelly Maloney
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HSSE Managed System: 11834, 2612 and 4026|01