

July 29, 2021

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

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

Via eFiling

Subject: Upper and Middle Dams Storage Project (FERC No. 11834-ME) Temporary Variance to Article 403: Notification of Cancellation of Middle Dam August 2021 Whitewater Flow Releases due to Drought Conditions

Dear Ms. Bose:

Brookfield White Pine Hydro LLC (BWPH), the licensee for the Upper and Middle Storage Project, is providing notification of the continuation of the approved temporary variance and cancellation the required releases through August 2021 due to the severe drought conditions and regulatory agency requests. This notification is in response to the Commissions July 19, 2021 *Order Granting Temporary Variance of Whitewater Release Requirement Pursuant to Article 403*, which states:

(A) Brookfield White Pine Hydro, LLC's July 13, 2021 application for a temporary variance of the Middle Dam whitewater releases requirement, stipulated under license Article 403 for the Upper and Middle Dams Storage Hydroelectric Project No. 11834, is approved for July 2021 whitewater releases. In the event that conditions warrant the need to suspend the August whitewater releases, this temporary variance is extended to include the required releases through August 16, 2021, upon concurrence of appropriate state and/or federal agencies as specified in section 3(A)(4) of the Water Quality Certification and notification to the Commission that the licensee received concurrence from those agencies.

Due to the severe drought conditions, on July 23, 2021, BWPH notified the agencies and requested concurrence of the cancellation of the releases through August 2021 to ensure water is available for fisheries, wildlife and overall resource protections on the impoundment. BWPH discussed this matter with the Maine Department of Environmental Protection (MDEP) via telecom on July 20, 2021 and the potential for an August cancellation and the MDEP verbally concurred with this approach. BWPH also notified the whitewater community of the cancellation of whitewater releases for the month of August 2021 at Middle Dam (Rapid River). The region continues to be in "Severe Drought" conditions, per the U.S. Drought Monitor, which are not improving and there is no significant precipitation in the forecast ([Northeast | U.S. Drought Monitor \(unl.edu\)](#)). Unfortunately, recent rains did not significantly impact the region.

The Water Quality Certificate (Appendix A.3 A and B) of the FERC License allows for this temporary variance under the current extreme emergency conditions and the attached requests received from the appropriate state agencies ((Maine Department of Inland Fisheries and Wildlife (MDIFW) and MDEP) and federal agencies (United States Fish and Wildlife Service (USFWS)).

As mentioned above, it is extremely important to note that the region is currently experiencing drought conditions in the entire region and all reservoirs are experiencing lower than normal water

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conditions which are affecting all parties not only in the watershed but in all of northern New England. 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.

Sincerely,



Kelly Maloney
Manager, Compliance – Northeast

Attachments: Agency Correspondence

Cc: N. Stevens, C. Karam, J. Seyfried, S. Michaud, T. Mapletoft, N. Weaver, P. McDonough, S. Hofacker, M. Kessel, E. Deluca, K. Murphy; BWPH

J. Perry, E. Thorndike; MDIFW
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