

Letterhead

Memo

To: Claire Briggs, DEP Hydropower Coordinator

From: Lewiston or Auburn City Council *Grows LA River Working Group*

Re: Brookfield Lewiston Falls Relicensing Water Quality Certificate (FERC P-2302)

Date:

Via E-mail: Claire.Briggs@maine.gov

Ms. Briggs,

As you know, the LD 2187 Androscoggin classification upgrade amendment did not pass in the legislature this year despite support from the cities of Lewiston and Auburn, many environmental organizations and 100% support from ordinary citizens who testified on this issue. Nevertheless, we have every reason to believe this section of river between Worumbo dam in Lisbon Falls and Gulf Island Pond dam will be upgraded in the not too distant future, and certainly within the period of Lewiston Falls' renewed FERC license. It is in the best economic, environmental and social interests of our twin cities to lock in the improved actual Androscoggin water quality conditions of this section as soon as possible.

As you are working on a state water quality certificate (WQC) for the Lewiston Falls Project at this time and since FERC licenses are issued for 30-50 years, we want to be sure that conditions set forth in the WQC not only don't interfere with future upgrades that may intersect with the Project area but actually will facilitate compliance with a future upgrade when and if it occurs.

We have reviewed comments submitted to your office by Friends of Merrymeeting Bay on February 6, 2026 and concur with their analysis and with the language they have requested be included as a condition of the WQC:

"When and if a state water quality reclassification is upgraded by the Maine legislature becoming law, and inclusive of the water body of which licensee's project area is a part; licensee shall comply with the new classification requirements."

Or:

"Given the likelihood and possibility that water bodies within the project area may receive an upgraded water quality classification during the life of the renewed FERC license, this condition provides adaptive management flexibility ensuring the license and WQC holder will comply with improved federal or state water quality criteria, if and when they may be enacted. The license holder shall meet current Class C water quality standards until such time as a classification upgrade to B may occur at which time the

“upgraded conditions shall be met as soon as reasonably practicable but no later than one year following the reclassification change.”

The key principle is that the WQC must have a condition that ensures compliance with applicable changing water quality requirements as defined, upgraded and enacted by federal or state law. The flexibility in the language allows for adaptive management and response to regulatory updates with minimal additional regulatory processes, state or federal.

Please include such adaptive management language in the Lewiston Falls WQC.

Also in keeping with the environmental, economic and social well-being of our twin cities, we need to express our support for another WQC condition that will require maximum possible flows over Lewiston Falls. “Dead-looking” dry falls are detrimental to river life and the health of our cities.

Please acknowledge receipt of these comments.

Thank you for your consideration,

For the Lewiston City Council

For the Auburn City Council

Peter A. Rebin.
Chair: Gnow L + A River Working Group

4/8/2026

Ms. Briggs,

Grow L+A River Group and both cities of Lewiston, Auburn have been seeking Class B for the past three Triennials. Our data shows that the River meets Class B up to The Great Falls and the Monte Hydro, Brookfield (2302). We will continue our pursuit of class B.

Not only do we claim class B, but Brookfield in their PAD, see attached, reinforces our claim with their DO testing for this new license for the next 40 years. Please confirm our needs to see that the WQC is able to reclassify Brookfield's license when the time comes.

Regards, Peter Rubins

GROW L+A RIVER WORKING GROUP

prubins1@gmail.com

Brookfield WAD 2023

CLASS B - DISSOLVED O₂

Table 2-3 Vertical Profile Replicates – Comparison Sample and Replicate

Sample Date	Depth (m)	DO Sample (mg/L)	Temp Sample (°C)	DO Replicate (mg/L)	Temp Replicate (°C)	Δ Temp (°C)	Δ DO (mg/L)
5/31/2022	1	8.51	19.1	8.48	19.2	-0.1	0.03
6/15/2022	10	8.30	20.6	8.40	20.7	-0.1	-0.10
7/8/2022	7	7.85	23.6	7.75	23.4	0.2	0.10
7/20/2022	7	7.70	25.0	7.60	24.9	0.1	0.1
8/2/2022	7	7.00	26.2	6.97	26.4	-0.2	0.03
8/23/2022	7	7.77	23.4	7.76	23.4	0.0	0.01
9/8/2022	12	7.60	22.1	7.60	22.1	0.0	0.00
9/20/2022	12	8.20	19.6	8.20	19.6	0.0	0.00
10/6/2022	7	9.05	14.6	9.05	14.6	0.0	0.00
10/19/202	9	10.26	12.9	10.13	12.8	0.1	0.13