

March 29, 2019

**VIA E-FILING**

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

Green Lake Dam  
Filing of Notice of Intent and Pre-Application Document

Dear Secretary Bose:

Green Lake Water Power Company (Green Lake) or Applicant is filing with the Federal Energy Regulatory Commission (FERC or Commission) its Notification of Intent (NOI) to relicense and the required Pre-Application Document (PAD) for the 500 kW Green Lake Dam (FERC No. 7189) (Project). The Project is located on Green Lake and Reeds Brook in the City of Ellsworth, Hancock County, Maine. Green Lake hereby electronically files with the Commission the Notice of Intent to file a license application and accompanying Pre-Application Document for the Project. These documents are being filed pursuant to 18 CFR §5.5 and §5.6 of the Commission's regulations and are being simultaneously distributed to agencies and stakeholders listed in the attached Distribution List.

We are also utilizing this cover letter, as identified in the NOI, to request designation as the non-federal representative under Section 7 of the Endangered Species Act and under Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act; to request the authority to initiate consultation pursuant to Section 106 of the National Historic Preservation Act; and to request to use the Traditional Licensing Process (TLP) for the Project.

**DOCUMENT DISTRIBUTION**

In accordance with 18 CFR §5.5 and §16.8 of the Commission's regulations, we are transmitting this letter and the referenced attachments to relevant and known resource agencies, Tribes, non-governmental organizations and stakeholders that we believe may have an interest in the Project (see attached Distribution List). All materials related to the current license as well as other materials related to this NOI and PAD are available for inspection on the Green Lake Water Power Company website at <https://greenlakewaterpower.com>.

We have also published notice of this filing in the March 28<sup>th</sup> issue of the Ellsworth American Newspaper, a weekly newspaper whose circulation encompasses the project area.

In accordance with 18 CFR §5.6, we are providing a courtesy copy (in hardcopy) of the NOI, PAD (Volume I Public and Volume II CEII), this cover letter and proof of electronic filing of these documents to the FERC Office of Energy Projects (Room 61-02) and the FERC Office of General Counsel - Energy Projects (Room 101-56). We are also providing a courtesy copy of these documents (in hardcopy) to the FERC New York Regional Office.

## **NON FEDERAL REPRESENTATIVE**

In accordance with 18 CFR §5.5(e) and in order to identify potential issues earlier in the process so that they can be addressed prior to filing of the license application with the Commission, Green Lake hereby requests that the Commission designate Green Lake as a non-federal representative under Section 7 of the Endangered Species Act and the joint agency regulation there under 50 CFR §402 to undertake formal consultation with applicable federal and state agencies regarding federally threatened and endangered species that may be impacted by the Project.

## **CONSULTATION AUTHORITY**

Green Lake requests that it be granted authority to initiate consultation with the Maine State Historic Preservation Officer (SHPO), appropriate federally-recognized Tribes and other consulting parties pursuant to 36 CFR §800.2(c)(4) of the regulations implementing Section 106 of the National Historic Preservation Act.

## **REQUEST TO UTILIZE THE TRADITIONAL LICENSING PROCESS**

The following sections outline how use of the TLP will: a) comply with the criteria outlined in 18 CFR Section 5.3 (C)(1)(ii)(A-F); b) benefit the participants to the process, and c) provide FERC with the information it needs to complete its licensing obligations.

- *Likelihood of on-time license issuance (§5.3A)*  
The Green Lake Project is a small hydroelectric project located on Green Lake and Reeds Brook in Ellsworth Maine. The project consists of a 2,989-acre reservoir with a usable storage capacity of approximately 10,000 acre-feet, an existing dam and powerhouse containing two turbine-generators with a total capacity of 425 kW, a 1,740-foot penstock, a 650-foot underground transmission line, and various related equipment. The Licensee is not proposing to change the existing mode of operation or to change the existing project facilities which have provided a reliable source of energy for local customers. The resource agencies that will be involved in the relicensing process for the Project have substantial knowledge of the Gulf of Maine Rivers. Therefore, the agencies and Licensee are well aware of the issues that are likely to be raised at the Project. In addition, the agencies' familiarity with the process and informational needs should allow for the timely issuance of the project license on or before the expiration date of the existing license.
- *Complexity of the Resource Issues (§5.3B)*  
Based upon past experience with resource agencies and stakeholders during consultation efforts the following issues may need to be addressed in some fashion during the relicensing process:
  - Water quality and habitat above and below the Project
  - RTE species and habitat
  - Cultural resources at the Project

These issues have been addressed at other projects that have undergone relicensing in the basin and are common to hydroelectric projects in the state of Maine. Green Lake's proposed data gathering and study efforts are summarized in Section 6.0 of the PAD. The primary issues specific to the project are coordination of operations to provide water supply to the USFWS Green Lake National Fish Hatchery and lake management.

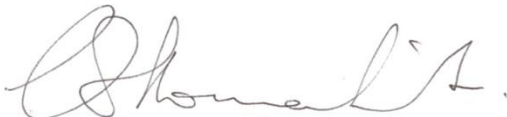
- *Level of Anticipated Controversy (§5.3C)*  
To date, the cooperative relationship between the Licensee and the USFWS and the Green Lake Association has been generally positive. Given the low complexity of issues already identified at the Project, it is not currently anticipated that the project will result in any significant controversy that cannot be overcome through a cooperative TLP process.
- *The amount of available information and potential for significant disputes over studies (§5.3E)*  
Baseline information exists for environmental resources in the Union River basin. Within the project area, Green Lake and the resource agencies have identified existing information and data sources. Green Lake will work with the resource agencies and stakeholders on sufficient data collection efforts to address resource concerns associated with the Project. Should a significant dispute arise during the process, Green Lake would initiate FERC's dispute resolution process outlined in 18CFR §16.8 (b)(6)(i).
- *Other Factors*  
Green Lake has published notice of our Intent to Use the TLP in the March 28<sup>th</sup>, 2019 edition of Ellsworth American, the newspaper having local distribution. That notice requests that any comments in response to this request be filed with the Commission **by April 30<sup>th</sup> 2019**.

By copy of this letter, Green Lake also requests that agencies and interested parties to which the request has been distributed (see attached distribution list) provide comments on the request to the Commission **within 30 days, by April 30<sup>th</sup>, 2019**. Please note that comments on the PAD and study request will then be required after Green Lake's Scoping Meeting later this year, pending FERC approval of the TLP.

Green Lake hereby respectfully requests that the Commission notice the filing of the NOI, approve the filing of its PAD, grant non-federal representative status and consultation authority to Green Lake and grant the request to use the TLP.

If there are any questions or comments related to the NOI, PAD or any of the other information presented above, please contact me at (425) 553-6718 or by email at [caroline@greenlakewaterpower.com](mailto:caroline@greenlakewaterpower.com)

Sincerely,

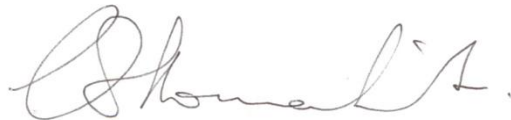


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Green Lake Water Power Company  
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Direct Line: (425) 553-6718

**CERTIFICATE OF SERVICE FOR THE  
GREEN LAKE DAM (FERC No. 7189)**

**CERTIFICATE OF SERVICE**

I hereby certify that Green Lake Water Power Company's Pre-Application Document for the Green Lake Dam (FERC No. 7189) was sent to all parties on the attached Distribution List on or about the 29<sup>th</sup> day of March, 2019.



By: \_\_\_\_\_  
Caroline Kleinschmidt  
Relicensing Coordinator  
Green Lake Water Power Company