

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 2710-066-Maine
Orono Hydroelectric Project

Project No. 2712-084--Maine
Stillwater Hydroelectric Project
Black Bear Hydro Partners, LLC

July 24, 2015

Mr. Kevin Bernier
Senior Compliance Specialist
Black Bear Hydro Partners LLC
26 Katherine Drive
Hallowell, ME 04347

Subject: 2014 Dissolved Oxygen Monitoring Reports

Dear Mr. Bernier:

This letter acknowledges receipt of your 2014 Dissolved Oxygen Monitoring Reports, filed with the Federal Energy Regulatory Commission (Commission) on April 10, 2015, for the Orono (FERC No. 2710) and Stillwater (FERC No. 2712) Hydroelectric Projects. The reports were filed pursuant to license Article 408¹ of the Orono Project and license Article 415² of the Stillwater Project.

Both Article 408 and 415 required you to file a dissolved oxygen (DO) monitoring plan to monitor DO downstream of the projects from June 1 through September 30 for at least the first year of operation of the new powerhouses. The intent of the plan was to determine if the increased hydraulic capacity of the generating facilities at the projects, and reduced spill volumes, contribute to DO concentrations downstream of the projects being below the state water quality standards during the summer and early fall. If the

¹ Order Amending License and Revising Annual Charges. 140 FERC ¶ 62,194 (issued September 14, 2012).

² Order Amending License and Revising Annual Charges. 140 FERC ¶ 62,195 (issued September 14, 2012).

monitoring results indicate that DO standards are not being met, you are required to develop measures for addressing low DO conditions. The Commission on October 15, 2013 approved your DO monitoring plan for the Orono Project.³ The Commission on October 29, 2013 approved your DO monitoring plan for the Stillwater Project.⁴

The water quality standards downstream of both projects require DO to be at least 7 milligrams per liter (mg/L) and 75 percent of saturation. Pursuant to your approved plans you monitored DO during 2014 to document DO concentrations immediately downstream of the new Orono and Stillwater powerhouses. Dissolved oxygen in the Orono tailrace ranged from 7.49 mg/L and 92.2 percent saturation to 10.1 mg/L and 102.9 percent saturation during the monitoring period. Dissolved oxygen in the Stillwater tailrace ranged from 7.56 mg/L and 91.0 percent saturation to 10.2 mg/L and 103.6 percent saturation during the monitoring period. Since the DO concentration and percent saturation immediately downstream of the Orono and Stillwater powerhouses exceeded Maine's water quality standard during the entire 2014 monitoring period, you propose that the requirements of Article 408 and 415 have been completed and that no additional DO monitoring is warranted.

You provided the draft DO Monitoring Reports to the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Penobscot Indian Nation, Maine Department of Marine Resources, Maine Department of Environmental Protection, and Maine Department of Inland Fisheries and Wildlife. On February 27, 2015, National Marine Fisheries Service stated they have no comment. No other agencies provided comment.

Review of your DO Monitoring Reports indicates that DO concentrations and percent saturations downstream of the project powerhouses exceeded Maine's standards during the entire monitoring period. Based on these results you are not required to develop measures for addressing low DO conditions. Your reports fulfill the requirements of Article 408 for the Orono Project and Article 415 of the Stillwater Project.

³ Order Modifying and Approving Dissolved Oxygen Monitoring Plan Pursuant to License Article 408. 145 FERC ¶ 62,036.

⁴ Order Modifying and Approving Dissolved Oxygen Monitoring Plan Pursuant to License Article 415. 145 FERC ¶ 62,071.

Thank you for your cooperation. If you have any questions regarding this letter, please contact me at (202) 502-8171.

Sincerely,

Andrea Claros
Ecologist, Aquatic Resources Branch
Division of Hydropower Administration
and Compliance