



## City of Auburn, Maine

Office of Economic & Community Development  
[www.auburnmaine.gov](http://www.auburnmaine.gov) | 60 Court Street  
Auburn, Maine 04210  
207.333.6601

Date: July 27, 2017

To: Peter Crichton, City Manager

From: Eric Cousens, Deputy Director of Economic and Community Development

Re: LOWER BARKER MILL DAM – FERC License Process Update

The Barker Mill Dam uses the Little Androscoggin River to generate power and is operated by Kruger Energy Inc. (KEI). Hydropower has an impact on river flows, the environment and recreational opportunities. The FERC relicensing process takes those impacts and public input into consideration and attempts to mitigate some of them. The current license for the Lower Barker Mill Dam expires in 2019 and we have been actively engaged in the relicensing process since 2013. We only get a chance to comment on a license renewal every 30 to 50 years so it is important that we advocate for compatibility and even contribution to accomplishing community goals in exchange for using the public's river for private power generating revenues. We have also been engaged with other stakeholders including the Androscoggin Land Trust, American Whitewater, Maine DEP, National Park Service, Trout Unlimited, Maine IF&W, NOAA Fisheries Maine DMR and others interested in rivers, recreation and fisheries. During the past few years we have encouraged/helped the applicant to host public meetings at the Barker Mill Housing building and promoted the goals of the New Auburn Master Plan as part of the process. There is a strong interest in recreation within the project boundaries and the New Auburn Master Plan identifies increased river access as Recreation Goal # 1.

To date, the City has submitted comments at every available comment period and those comments and related documents are available at <http://www.auburnmaine.gov/pages/government/rivers-hydropower> . Below is a summary of the comments and history to date:

January 2014- KEI submits PAD to FERC

March 2014- FERC Grants approval for KEI to use Traditional License Process (TLP)

June 2014 – City submits comments on the Pre-Application Documents submitted by the licensee.

June 2014 – City submits study requests.

April 2015 – KEI submits proposed study plan.

May 2015 – City Submits comments on proposed study plan.

November 2015 – Bates College Recreational Potential Report for FERC Licensing Process



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August 2016 – KEI Submits Final Study Plan

January 2017 – City submits comments on Draft License Application and study plan

June 2017 – KEI Submits Whitewater Flow Study

June 2017 – KEI submits notice of Scoping Meetings for the public on Tuesday, August 29, 2017 at 7:00 p.m. at the Hilton Garden Inn and for stakeholder agencies on Wednesday, August 30, 2017 at 9:00 a.m.

June 2017 – FERC Files notice of application acceptance for filing and solicits motions to intervene, protest or requests for cooperating agency status by August 29, 2017.

July 2017 – City Preparing comments on Whitewater Flow Study for submittal by August 5<sup>th</sup>.

### Next Steps:

1. File Whitewater Flow Study Comments by August 5<sup>th</sup>. We have a good policy basis for comments based on past public input and Council direction.
2. Brief Council on status as part of Managers Report on August 7, 2017 and hear from Council on whether they want an additional workshop in this subject.
3. Determine if the City wishes to file a motion to intervene and secure standing as a cooperating agency to preserve the City's right to comment, protest or otherwise participate in the licensing process going forward. Staff recommends strongly that we do this.
4. Publicize and participate in public and agency scoping meetings on August 28 and 29<sup>th</sup> to reiterate existing policy positions and advocate for recreation in the project area.
5. Regroup and update status as needed in the fall of 2017.

So far in the process we have promoted substantial collaboration between local and national stakeholder agencies for such a small facility. This license process is important to fisheries groups/agencies because it is the first barrier to anadromous fish such as alewives and salmon between here and the Atlantic Ocean that has not been required to provide for upstream fish passage as part of an existing license. Fresh water fish stocking of trout within the project area was discontinued a number of years ago because of low flows limiting suitable habitat in the bypassed reach. The Little Androscoggin has existing downstream runs of alewives from stocking programs in the watershed, including Taylor Pond, but upstream runs are blocked by the Lower and Upper Barker Mill Dams. While we continue to advocate for recreational and community needs we should be aware that fisheries needs may impact the facility to a greater extent; It is likely that upstream fish passage will be required and that can be expensive. The Lower Barker Mill project appears to lose a small amount of money each year and it may have



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been maintained as part of a large hydropower portfolio of facilities just to avoid the expense of decommissioning. We continue to advocate for recreation requirements to be added to the license and the whitewater study comments filed by the City are attached.

On a related note the license for the Upper Barker Mill Dam expires in 2023 so we anticipate that KEI will start that licensing process in late 2017 or 2018 if they follow a similar process to the Lower Barker Dam.