

**America First Hydro LLC**

c/o Ian Clark, Managing Member

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August 15, 2019

**Via eFiling**

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

**RE:** Lower Mousam Project  
America First Hydro, LLC FERC Project No. 14856-000

**Updated Study Meeting Report -- Meetings and Conference Call No. 1  
Submitted Per Section 5.15(f)**

Dear Secretary Bose:

This letter summarizes the meeting and conference call that America First Hydro (AFH) hosted to update agencies and stakeholders on the Study Status for P-14856. The in-person meeting was held at Kennebunk Light & Power's (Licensee) main office building in Kennebunk, Maine on July 30, 2019. At the request of Michael Watts, AFH also held a conference call on August 2, 2019 for those who were not able to attend the in-person meeting.

***Summary of the 7/30/2019 Meeting:***

- The progress of the studies was described. There was discussion about certain studies and whether or not enough progress was made. AFH described the steps being taken and some of the factors that prevented studies from moving along quicker (inclement weather, excessive spilling at the dams, etc.). Consultant schedules slowed the progress of certain studies, a problem that has now since been resolved.
- Other issues being raised included: lack of study below Kesslen, recreational studies not progressing quick enough, and questions as to why a representative from FERC was not at the meeting.
- Study modifications were discussed with Maine Department of Environmental Protection (MeDEP). It was confirmed that no cross-section flow study was required as AFH proposes to operate the projects as run-of-river and that the existing 5 cfs flow regime is no longer needed. Note - MeDEP defines ROR with a one-foot operating band.
- MeDEP also found that there was a free-flowing section of the river in-between Kesslen and Twine Mill. Because of this on-site assessment, the macroinvertebrate study was modified in accordance with the Department's Methods for Biological Sampling and Analysis of Maine's River and Streams. AFH's consultants collaborated with MeDEP to make sure proper sampling sites were chosen prior to the

deployment of rock baskets

- There were questions about the eel study and the desktop study. AFH noted that the eel study was not feasible in the spring due to excessive spill conditions, exacerbated by the facilities not producing power. Note – AFH does not operate the developments and the current Licensee’s ability to control operations to accommodate studies is limited by the operating condition of the developments. Because AFH has no control over the facilities, the ability to conduct studies under specific flow conditions is beyond AFH’s control.
- Note - Eel studies will continue into September. The desktop studies will be completed by November according to AFH’s consultants tasked with this.

***Summary of the 8/2/2019 Conference Call:***

- Many of the issues brought up and discussed during the in-person meeting were presented during the call.
- There were questions about FERC’s lack of attendance at the in-person meeting. Discussion was had about the timeline of the FERC process, when reports/applications were due, and the general FERC licensing process.

***Attendance at the meeting and conference call is shown below.***

7/30/2019 Meeting

<b>Name</b>	<b>Affiliation</b>
Kathy Howatt	MEDEP
Chris Sferra	MEDEP
Todd Shea	KLPD
Scott Ducherne	KLPD
Dan Bartilucci	KLPD
Kenny DeCoster	Resident
Bjorn Lake	NOAA Fisheries
Bill Pasquill	Resident
Kevin Flynn	Resident
John Burrows	Resident
Pete Ashley	Resident
Brian Beaudette	Resident
David Wayne	Resident
Barbara Fleshman	Resident
Keith Schnaars	Resident
Don Pogh	Maine Rivers
Al Mendelsohn	Resident
Albert Kolff	Resident
Bev Freudenrich	Resident
Bob Wuerthner	Resident
Bill McDavitt	NOAA

Paul Beach	Resident
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Conference Call 8/2/2019

Name	Affiliation
Bill Grabin	Resident
Steve Kartalia	FERC
Paul Nolan	AFH
Mike Watts	FERC
Landis Hudson	Maine Rivers
Jeff Reardon	Trout Unlimited
Nik Charov	Wells Reserve
Chuck Verill	Maine Rivers
Albert Kolff	Resident
Genie Jennings	Resident
Don Pugh	Maine Rivers
Bill Pasquill	Resident
Brian Beaudette	Resident
Casey Clark	Maine Department of Marine Resources

**Conclusion:** AFH found both meetings to be productive and the feedback was welcomed. All studies are either done or underway and all are expected to be completed by the end of October with certain modifications to accommodate agency requests and weather delays.

**Next Steps:** Many of the participants asked for the license schedule to be sent around again. The schedule, set forth in the Commission's 2<sup>nd</sup> Scoping document (FERC eLibrary Accession No. 20180221-3039), is copied below.

America First Hydro	Updated Study Report Meeting Summary	8/19/20	5.15(f)
All stakeholders	Any Disputes/Requests to Amend Study Plan Due	9/18/20	5.15(f)
All stakeholders	Responses to Disputes/Amendment Requests Due	10/18/20	5.15(f)
FERC	Director's Determination on Disputes/Amendments	11/17/20	5.15(f)
America First Hydro	File Preliminary Licensing Proposal	11/2/19	5.16(a)
All	Preliminary Licensing Proposal	1/31/20	5.16(e)

stakeholders	Comments Due		
America First Hydro	File Final License Application	3/31/20 <sup>1</sup>	5.17
America First Hydro	Issue Public Notice of License Application Filing	4/14/20	5.17(d)(2)

***Notice – AFH intends to file a Preliminary Licensing Proposal (PLP) as soon as it has received and reviewed the results of ongoing studies. As of today, that date is expected to be November 20, 2019. AFH will request a waiver of Section 5.16(a) that will allow for the PLP to be filed with FERC and for stakeholder comment by December 5, 2019.***

Sincerely,

*Ian Clark*

Ian Clark  
 Managing Member,  
 America First Hydro LLC

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Cc: Maine Historic Preservation Commission (MeSHPO)  
 Maine Department of Environmental Protection (MeDEP)  
 Maine Department of Inland Fisheries & Wildlife (MeDIFW)  
 Maine Department of Marine Resources (MeDMR)  
 National Oceanic and Atmospheric Administration (NOAA)  
 U.S. Department of Interior / Fish and Wildlife Service (USFWS)  
 Keep the Kennebec Dams Save the Mousam, LLC (KKDSM)  
 Trout Unlimited / Sebago Chapter (TU/SC)  
 Trout Unlimited (TU)  
 KLP  
 Town  
 Paul V. Nolan

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<sup>1</sup> Pursuant to section 15 of the Federal Power Act and 18 C.F.R § 16.9, any application for a license for this project must be filed with the Commission at least 24 months prior to the expiration of the existing license. Because the current license expires on March 31, 2022, all applications for license for this project must be filed by March 31, 2020.

Document Content(s)

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