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Admitted in: MA, ME, NH

July 23, 2021

**VIA ELECTRONIC MAIL**

Kathy Davis Howatt  
Hydropower Coordinator  
Bureau of Land Resources  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017

Re: Shawmut Hydroelectric Project FERC No. 2322  
Section 401 Water Quality Certification (DEP Application # L-19751-33-H-N)

Dear Kathy:

Please accept these comments on behalf of Sappi North America, Inc. ("Sappi") on the application for water quality certification for the Shawmut Hydroelectric Project. I have copied you on my letter today to the Federal Energy Regulatory Commission, commenting on FERC's Draft Environmental Assessment (DEA) issued on July 1, 2021, and I incorporate that letter herein by reference, so I will not repeat the entirety of that letter here. Suffice it to say that removal of the Shawmut Dam – or imposition of uneconomic conditions that would effectively require dam removal through license surrender – would have potentially devastating economic effects on Sappi's Somerset Mill, its employees, and its suppliers, and thus a similarly devastating impact on the surrounding communities whose economies rely to a large extent on the Somerset Mill. Sappi fully supports the DEA's conclusion that reasonable protection, mitigation, and enhancement measures can be fashioned – as outlined in the DEA – to support the recovery of diadromous fish in the basin and still provide for the generation of power, and that decommissioning therefore is not a reasonable alternative to relicensing.

For that reason, we are asking MDEP, in connection with its consideration of Brookfield's application for water quality certification, to conclude that the adverse impacts of removal of the Shawmut Dam would greatly outweigh any potential benefit to fish habitat, and that requiring Brookfield to construct effective and cost-effective fish passage facilities – as described in the DEA – would ensure compliance with state water quality standards, to the extent such water quality standards can be interpreted to require fish passage at the Shawmut Dam.

Pursuant to Title 38, Section 344(4-A)(A), I hereby request that the DEP provide me with a draft of the DEP's certification order for review and comment prior to finalizing the order. I also request that you add me to the DEP's list of interested persons for this application.

Kathy Davis Howatt  
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Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew D. Manahan", with a long horizontal flourish extending to the right.

Matthew D. Manahan

cc: James Brooks  
Briana O'Regan, Esq.