



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

FILED ELECTRONICALLY

October 7, 2015

RE: Addendum to 10/5/2015 Report of Fish Kill and License Violation. Ellsworth Project, Union River, Maine. FERC Project No. 2727. October 2015.

Dear Secretary,

This letter includes additional evidence regarding the fish kill documented by the Downeast Salmon Federation on Oct. 4, 2015 at the Ellsworth Project on the Union River in Ellsworth, Maine.

On Wednesday, Oct. 7, 2015, DSF received from the Maine DMR a copy of a weekly fishway and fish passage report from the Ellsworth Licensee dated Oct. 5, 2015 (attached). The narrative portion of the Licensee's report states in pertinent part:

"On Sunday, 10/4, the downstream fishway attraction pump went off-line and had to be pulled for repairs. Getting the pump back on-line is priority and a crew is currently working to make the repairs. During this week's shoreline walks, no fish mortalities were found."

As shown by the photographs submitted by DSF on Oct. 5, 2015, a large number of dead

alewives were found in shallow, still water along the shoreline directly below the turbine outfall of the project on Sunday, Oct. 4, 2015 at 10:30 a.m. by Mr. Dwayne Shaw of the DSF. During his brief visit Sunday morning, Mr. Shaw quickly noticed the dead alewives along the shore and pulled a large number of them out of the water and put them on a streamside boulder to be photographed. He also took photographs and video of them *in situ* in the water where they had initially come to rest. As Mr. Shaw's photographs show, the shoreline site where he found the dead alewives is only several hundred feet below the turbine outfall of the project and easily accessible to Licensee operations staff. The state of decomposition of the dead alewives on Sunday morning shows that they had been there for at least one day or more, ie. since Saturday or Friday. This means it would be virtually impossible for a competent, daily 'shoreline walk' by Licensee staff to have missed the large accumulation of dead alewives along the shoreline which Mr. Shaw observed and photographed on Sunday morning, Oct. 4, 2015.

The Licensee's weekly report of Oct. 5, 2015 states that at some time on Oct. 4, 2015 ...

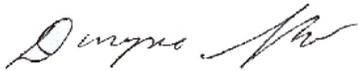
"The downstream passage attraction pump went off-line and had to be pulled for repairs. Getting the pump back on-line is priority and a crew is currently working to make the repairs."

This statement does not mesh with the Licensee's March 31, 2015 report to FERC which states at p. 4 and 5 that by Spring 2015 the Licensee had "... acquired and installed a back-up pump to be used to quickly return the [downstream] fishway to proper operation should the currently installed (and now repaired) pump fail."

The Licensee's Oct. 5, 2015 fish passage report makes no mention of the existence of this back-up pump or it being immediately put on-line when the main pump allegedly failed on Sunday, October 4. Presumably, if such a back-up pump existed, the Licensee Report would have noted that it was turned on immediately after the 'main' pump had failed on October 4. But the report does not say this. Furthermore, this report suggests that dam operation staff were at the site on October 4 but makes no mention of them seeing any alewife mortalities below the dam on Oct. 4, even though at the same time they were at the site repairing the pump, Mr. Shaw was directly below the dam collecting and photographing decapitated alewives.

For the reasons outlined above, DSF has doubts about the quality of the Licensee's due diligence and self-reporting at the site this fall regarding downstream passage performance under Article 406 of the existing operating license.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dwayne Shaw".

Dwayne Shaw
Executive Director
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att: Licensee weekly fish passage report dated Oct. 5, 2015.