



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

June 4, 2026

Randy Dorman
Black Bear Hydro Partners, LLC
150 Main Street Lewiston, ME 04240
Randy.Dorman@brookfieldrenewable.com

RE: Black Bear Hydro Partners, LLC
Ellsworth Hydroelectric Project, Department Order #L-13256-33-M-N

Dear Mr. Dorman,

Enclosed, please find Department Order #L-13256-33-M-N, denying Black Bear Hydro Partners, LLC's (Black Bear, Applicant) application for Water Quality Certification for the Ellsworth Hydroelectric Project.

This denial is based on three independent grounds: the Applicant's failure to demonstrate attainment of aquatic life and habitat criteria in the Union River below Graham Lake and before Leonard Lake; its failure to demonstrate attainment of Class B dissolved oxygen (DO) criteria in Leonard Lake; and its failure to demonstrate safe, timely, and effective passage for Atlantic salmon, American shad, blueback herring, and alewife at the Project.

If the Applicant applies for Water Quality Certification for the Project again in the future, in addition to addressing all applicable standards, these deficiencies must be addressed through additional studies from the Applicant and specific proposals for operational changes at the Project.¹ These deficiencies, including additional studies and specific proposals that would be necessary to support a subsequent WQC application, are further described in the Order.

The Department is available to provide guidance on steps needed to meet water quality standards and achieve certification for the Project. If you have any questions, please contact me by phone at (207) 219-9563 or by email at laura.paye@maine.gov.

Sincerely,

Laura Paye
Hydropower Coordinator, Bureau of Land Resources
Maine Department of Environmental Protection

¹ Numeric DO standards have been amended by P.L. 2025, ch. 616. New DO standards will take effect July 29, 2026, and will apply to WQC applications accepted as complete for processing on or after that date.