

# Dam Removal/Hydropower: November 11th Settlement Agreement Addressing Maine River

## Arkansas Environmental, Energy, and Water Law Blog



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A November 11th Settlement Agreement ("Agreement") was entered into by various organizations/entities requiring the removal of two dams and the construction of a fish passage in relation to the Presumpscot River in Maine.

The parties to the Agreement include:

- Licensee S.D. Warren Company;
- U. S. Department of the Interior;
- U. S. Fish and Wildlife Service;
- Maine Department of Marine Resources;
- Conservation Law Foundation;
- Friends of the Presumpscot River;
- City of Westbrook, Maine.

The Agreement outlines the obligations of S. D. Warren Company ("Licensee") under the Federal Power Act, Clean Water Act, and the Maine Waterway Development and Conservation Act and other laws to meet fish passage and other objectives and responsibilities of all the parties.

The stated goal of the Agreement is stated to provide safe, timely and effective fish passage. The Agreement is expected to result in the construction of a fish passage and removal of two (2) dams at Big Saccarappa Falls in Westbrook, Maine.

The Agreement provides that the parties have addressed both power and non-power values and that the terms and conditions provide for the resolution of:

- Fisheries;
- Wetlands;
- Wildlife;
- Water quality;
- Recreational;
- Cultural and archeological;
- Aesthetic;
- Access;
- Planned use;
- Operations;
- Generation issues raised and analyzed by the parties.

The power and non-power values are stated to have been analyzed by the parties as they are applicable to the issuance of Federal Energy Regulatory Commission license to render for the Project and Amendment of the Federal Energy Regulatory Commission licenses for:

- Mellison Falls (P-2932);
- Little Falls (P-2941);
- Dundee (P-2942).

The Agreement is subject to approval by the Federal Energy Regulatory Commission and the Maine Department of Environmental Protection.

[A copy of the Settlement Agreement can be downloaded below.](#)