Brookfield
Renewable N.A.

August 3, 2026

Bear Swamp/Fife Brook
FERC No. 2669-MA

Debbie-Anne A. Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Subject: Bear Swamp/Fife Brook Project (FERC No. 2669-MA) – Update on Article 304 Public Safety Plan and Article 410 Recreation Facilities Site Improvements

Dear Secretary Reese:

Bear Swamp Power Company LLC (BSPC), a limited liability company jointly owned indirectly by Brookfield Renewable and Emera Inc., is the licensee, owner, and operator of the Bear Swamp Project (FERC Project No. 2669), located along the Deerfield River in Berkshire and Franklin Counties, Massachusetts. The Project includes the Bear Swamp Pumped Storage Development and the Fife Brook Development. The Federal Energy Regulatory Commission (Commission) issued a new 40-year license for the continued operation and maintenance of the Project on November 26, 2025[1].

The purpose of this letter is to provide the Commission with an update on compliance with Article 304 (Public Safety Plan) and Article 410 (Recreation Facilities Site Improvements). These articles are summarized below.

Article 304 *Public Safety Plan*

Within one year of license issuance, the licensee must install/implement the following Public Safety Plan improvements at the project:

(1) Install flow release warning systems at the Fife Brook Fishing and Boating Access Area, the Zoar Whitewater Access Area, the Zoar Picnic Area, Carbis Bend, and Bridge to Nowhere project recreation sites. These warning systems must utilize both audible siren and visual flashing light warnings and must be positioned on the bank of the river near the end of the access trail at each site, so as to be most visible and audible to people entering the water and those already in the river.

(2) Install signage of each warning system at the project recreation sites, in order to describe: (a) the flow releases from Fife Brook dam; (b) the safety warning system at the site, including the 15-minute pause in flow increases at 3 megawatts, as required by Article 403; and (c) how to react to the warning signals. Sequential activation of each warning unit should be timed to coincide with the downstream advancement of rising waters to provide a more accurate indication of when rising waters would arrive at a site. The licensee must also post a map at each project recreation site that displays the amount of time it takes for flows (e.g., whitewater flow releases of 800 cubic feet per second [cfs]) to reach each project recreation site downstream of the Fife Brook dam.

(3) Install either an emergency phone or dedicated Wi-Fi access for emergency communications at the Fife Brook Fishing and Boating Access Area, Zoar Whitewater Access Area, Zoar Picnic Area, Carbis Bend, and Bridge to Nowhere project recreation

[1] 193 FERC ¶ 62,119

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sites.

As the Commission noted in its order issuing the Bear Swamp license, during the relicensing process two separate entities had requested warning systems as required under Article 403:

> *The Franklin Regional Government recommends an improved warning system to effectively provide notice and time for recreation users and downstream anglers in the Deerfield River, downstream of the Fife Brook Development, to avoid the danger of increasing flow releases from the Fife Brook dam. Trout Unlimited recommends installing a flow release warning system using light installations at formal and informal recreational areas*[2]*.*

In anticipation of meeting the requirements of Article 304, BSPC conducted extensive planning, technical evaluations, and site assessments. BSPC engaged ATI Systems, a specialized emergency notification vendor, to assess available technologies and develop a deployment strategy. Beginning in the fall of 2025, BSPC and ATI Systems conducted multiple field visits and evaluated solar-powered speaker and communication systems for installation at six proposed locations extending from Fife Brook Dam downstream to the Zoar Picnic Area. This effort also included assessing site access requirements, identifying vegetation management needs—including tree trimming and removal necessary to maintain bucket-truck access—and evaluating applicable local, state, and federal permitting requirements associated with installation activities.

Beginning in early 2026, BSPC heard increasing expressions of concern from members of the public regarding the early warning system required by Article 304. To ensure a comprehensive understanding of stakeholder perspectives, BSPC distributed a stakeholder outreach letter on June 3, 2026, inviting input from local residents, community members, river users, local businesses, municipal officials, and other interested parties. BSPC specifically requested feedback regarding the potential benefits and adverse impacts of the proposed system, possible unintended consequences, environmental considerations, affected user groups, and alternative measures that could achieve the underlying public safety objectives.

During the 60-day comment period, BSPC received only one comment in support of installing the early warning system required under Article 304. In contrast, the overwhelming majority of stakeholders, representing a broad range of interests—including residents, abutting property owners, municipal officials, local businesses, whitewater outfitters, anglers, tubers, and Trout Unlimited—expressed clear and consistent opposition to the proposal.

In light of the substantial, consistent, and nearly unanimous stakeholder opposition, BSPC intends to file a non-capacity license amendment request later this year seeking modification of Article 304. BSPC believes the record presents a compelling basis for reconsideration of the currently required early warning system. Specifically, there is no documented history of flow-related rescue incidents, operationally induced public safety events, or other demonstrated safety concerns attributable to Project operations downstream of Fife Brook Dam. Copies of all stakeholder comments received will be included in the request for a license amendment for the Commission's review and consideration.

Accordingly, BSPC believes modification of Article 304 is both warranted and justified based

[2] See ordering paragraph 187.

on the Project's operating history and the overwhelming stakeholder input received during the public outreach process.

Article 410 *Recreation Facilities Site Improvements*

Within one year of license issuance, the licensee must construct the following recreation improvements:

(1) At the Fife Brook Impoundment: (a) construct and maintain a boater take-out site downstream of the Showtime rapid; (b) construct a new boater egress trail within the project boundary from the new boater take-out site downstream of the Showtime rapid and extending upstream to, but not including, the existing vehicle turnaround at Great River Hydro LLC's Dunbar Brook Picnic Area, in consultation with American Whitewater and New England FLOW; and (c) install signs along the river to guide boaters to the new boater take-out.

(2) At the Fife Brook Fishing and Boating Access Area: (a) create up to 10 additional parking spaces at the unpaved, overflow parking area by removing vegetation and placing gravel throughout the parking area; (b) mark the parking spaces at the overflow parking area to make the most efficient use of the space; and (c) install handrails at the existing staircases.

(3) At the Zoar Whitewater Access, widen the access trail to a width of 8 feet.

(4) At the Zoar Picnic Area, install and maintain: (a) at least two additional seasonal restrooms; (b) a changing facility with at least four changing stalls; (c) at least six seasonal trash receptacles, with five of them located near picnic tables and one at the exit; (d) a second staircase leading from the picnic area to the river; and (e) handrails at both the existing and proposed staircases.

BSPC was also required under Article 409 of the new license to file a Recreation Facilities Management Plan (within 1 year of license issuance). BSPC's Recreation Facilities Management Plan was distributed to resource agencies for review on July 14, 2026. BSPC respectfully requested that all comments on the plan be submitted no later than August 17, 2026. Following receipt of agency comments, BSPC will address all feedback and submit the finalized Recreation Facilities Management Plan to the Commission for review and approval.

BSPC will continue to actively advance all proposed recreational improvements while awaiting approval of the Recreation Facilities Management Plan from the resource agencies and the Commission. BSPC conducted a site visit with representatives from American Whitewater, New England FLOW[3], and Great River Hydro to review the proposed new boater take-out site downstream of the Showtime Rapid.

Following Plan approval and the commencement of enhancement activities, BSPC will provide the Commission with photographic documentation to demonstrate project progress. Based on current permitting schedules and contractor availability, BSPC anticipates that construction of the new boater take-out site downstream of Showtime Rapid, as well as the second river-access

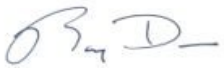
[3] New England FLOW submitted a letter to the Commission on December 18, 2023 noting that its Board of Directors voted to dissolve its organization on November 17, 2023 and assigned all of its rights, responsibility and authority to American Whitewater.

staircase from the Zoar Picnic Area may not be completed until 2027.

BSPC remains committed to implementing all recreation enhancements in a timely manner following approval of the Recreation Plan. BSPC will continue to work diligently with regulatory agencies and stakeholders to advance these projects as efficiently as possible while ensuring compliance with all applicable permitting requirements.

Should you have any questions regarding this update, please contact Jay Seyfried at Jason.Seyfried@brookfieldrenewable.com.

Sincerely,



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