

Notification of Intent (NOI)

Pursuant to 18 CFR § 5.5

Federal Energy Regulatory Commission (FERC)

Preliminary Permit Issued on: 10.April.2007

Project No. 12704-000 / Half-Moon Cove Tidal Power

Tidewalker Associates
46 Place Cove Road
Trescott, Maine 04652

(a) Notification of Intent

Tidewalker Associates has the intent to file a new license application for the construction and operation of a tidal power facility at the entrance to Half-Moon Cove as described in this document.

(b) Notice of Intent

Tidewalker Associates possesses a preliminary permit for the Half-Moon Cove project as summarized in the permit issued by FERC on 10.April.2007. The intent of this announcement is to file a license application for the proposed facility in accordance with the requirements outlined in 18 CFR § 5.5 by submitting an original and eight (8) copies of this letter. On 12.April.2008, Tidewalker Associates requested a one year extension to submit a Notification of Intent (NOI). On 23.April.2008, FERC approved the one year extension as part of our efforts to fully investigate the potential of tidal power generation. This NOI refers directly to the construction of a barrage (dam) at the entrance to Half-Moon Cove. The purpose of this NOI is to continue the planning and consultation process for the construction and operation of a tidal barrage at the entrance of Half-Moon Cove.

- (1) Tidewalker Associates
(Normand Laberge)
46 Place Cove Road
Trescott, Maine 04652
- (2) Preliminary Project No. P-12704
- (3) Project does not possess a license and involves the construction of new facilities.
- (4) Based on preliminary information derived after the issuance of the preliminary permit, Tidewalker Associates unequivocally intends to file a license application for the

construction of this proposed facility after completing consultation requirements under the Integrated Licensing Process (ILP) and other engineering, operational, technical, and environmental studies required to comply with regulatory (local, Federal, and State of Maine) standards for this project.

(5) The project is being proposed for new construction and subsequent operation and does not presently have a FERC license for any component of the proposed facility.

(6) The proposed project is located in the State of Maine, Washington County, and is situated between the communities of Eastport and Perry. Half-Moon Cove is a tidal basin with a minor amount of fresh water flow and is bordered by the communities of Perry, Eastport, and the Passamaquoddy Reservation at Pleasant Point.

(7) N / A (proposed installed capacity of 16 megawatts – MWs)

(8) Names and mailing addresses of the following categories:

(i) Washington County Commissioners
[attn: Ms. Linda Pagels-Wentworth, County Manager]
47 Court Street
Machias, Maine 04654

(ii) City of Eastport
[attn: Mr. George Finch, City Manager]
High Street
Eastport, Maine 04631

Town of Perry
[attn: Chairperson Board of Selectmen]
Municipal Building
U.S. Route One
Perry, Maine 04667

Passamaquoddy Native American Nation
Tribal Office Building
Route No. 190
Pleasant Point Reservation
Perry, Maine 04667

State of Maine
Bureau of Public Lands
Submerged Lands Division
State Office Station No. 13
Augusta, Maine 04333

State of Maine
Department of Transportation
State House Station No. 27
Augusta, Maine 04333

Note: *A community with a population greater than 5,000 residents is not located within fifteen (15) miles of the proposed project dam.*

- (iii) An irrigation district, drainage district, or similar special purpose political subdivision is not located within project boundaries. Existing facilities are not part of project plans for any entity listed in this project. A possibility exists to place a roadway across the barrage which would require agreements and compliance with various institutional standards. An existing transmission corridor under the control of Bangor Hydroelectric Company will be used to upgrade capacity between the power house at the entrance to Half-Moon Cove to a substation in Pembroke, Maine, a distance of approximately seven (7) miles.
- (iv) Tidewalker Associates is not aware of any other political subdivision in the general area of the proposed project that would be interested in, or affected by, the notification of intent.
- (v) Affected Indian Tribes – Passamaquoddy Native American Nation as previously listed above would be slightly impacted by the control of the tidal basin within the impoundment at the upper reaches of Half-Moon Cove.

(c) Requirement to Distribute:

Tidewalker Associates will distribute copies of the Notification of Intent (NOI) to all relevant Federal, State, and interstate resource agencies, Indian Tribes, and interested members of the public in accordance with FERC guidance. Before filing any application for an original, new, or subsequent license, Tidewalker Associates will comply with the requirement to distribute the notification of intent to entities identified under 18 CFR § 4.34(i). A list of individuals / entities which will receive the NOI and subsequent information is provided below in electronic format.

(d) When to Notify:

Since an existing license does not exist for this proposed site, time limitations for this clause do not apply to this NOI. Tidewalker Associates will continue to comply with terms of its preliminary permit.

(e) Non-Federal Representative:

Tidewalker Associates wishes to be designated as the Commission's non-Federal representative for purposes of consultation under Section 7 of the Endangered Species Act and the joint agency regulations thereunder of 50 CFR part 402, Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and the implementing regulations at 50 CFR 600.920. Tidewalker Associates also wishes to initiate consultation under section 106 of the Natural Historic Preservation Act and the implementing regulations of 36 CFR 800.2(c)(4).

(f) Procedural Matters:

Tidewalker Associates understands that the provisions of subpart F of Part 1 of this chapter apply to projects to which this part applies.

(g) Construction of Regulations:

Tidewalker Associates understands that provisions of this Part and Parts 4 and 16 shall be construed in a manner that best implements the purposes of each part and gives full effect to applicable provisions of the Federal Power Act.

Signed by Normand Laberge

Signed for: Tidewalker Associates
46 Place Cove Road
Trescott, Maine 04652

Date: 27.March.2009

List of Stakeholders [Electronic version]

<Jay.L.Clement@usace.army.mil>; "Atlantic Salmon Federation" <asfjb@blazenetme.net>;
"Bangor Hydro Electric Company: Gerry Chasse" <gchasse@bhe.com>; "Bangor Hydro Electric
Company: Peter E. Dawes" <pdawes@bhe.com>; "BRM: Linda Mercer"
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