

[Fort Halifax Dam Removed](#)
[From the Maine Rivers Newsletter Making Waves, Fall 2008](#)

The Fort Halifax Dam in Winslow, Maine at the confluence of the Sebasticook River and the Kennebec River, was removed in July 2008.

As part of the 1998 Kennebec Hydro-Developer's Group (KHDG) Agreement, the dam owner, Florida Power and Light (FPL), was committed to having passage for anadromous fish in place at the Fort Halifax Dam by 2003. Central Maine Power Company, the dam's prior owner before sale to FPL, had requested as part of the KHDG Agreement that removal of the Fort Halifax Dam be an option, recognizing the uneconomical nature of the project.

The federal and state fishery agencies and the Kennebec River Coalition (American Rivers, Atlantic Salmon Federation, Natural Resources Council of Maine, and Trout Unlimited, with its Kennebec Valley Chapter) did not seek removal of the Fort Halifax Dam. They only sought that FPL provide fish passage in the agreed-upon time frame.

FPL also concluded that the dam could never generate sufficient power to repay the cost of constructing a fishway, and decided that removal of the dam would result in the required fish passage at the least cost to it. It was a business decision, pure and simple. FPL applied to the Federal Energy Regulatory Commission (FERC) and to the Maine Department of Environmental Protection for permission to partially breach the dam. The federal and state fishery agencies and Kennebec River Coalition supported this decision.

Enter Save Our Sebasticook (SOS), a small coterie of land owners with holdings on the 5 1/2 mile long impoundment created by the dam, who pronounced that removal of the dam would bring about disasters beyond human comprehension, and who fought FPL every step of the way.

FERC found that FPL was justified in seeking dam removal, as did the Maine Department of Environmental Protection. SOS brought numerous regulatory and court appeals, all the way to the Maine Supreme Judicial Court and the United States Supreme Court, but lost at every step of the proceedings. The Town of Winslow, working under its Shoreland Zoning jurisdiction, completed its work this past spring, opening the way for FPL to remove the dam.

Nonetheless, SOS succeeded in delaying dam removal and fish passage far past the time originally planned. When anadromous fish freely ascend the Sebasticook in 2009 for the first time in over 170 years, it will be six years later than the KHDG Agreement had contemplated. However, the experience from the Edwards Dam removal tells us that the Sebasticook River will soon be a more vibrant ecosystem, with improved water quality, restored runs of fish, and healthier birds and wildlife.

One positive result has come from the actions of SOS. As originally contemplated, the dam would have been breached, not fully removed, leaving open the possibility of future reconstruction. In the Shoreland Zoning proceedings, SOS requested full removal of the dam. This was granted. As a result, FPL needed to go back to FERC to obtain a revision of its order. SOS then objected to the proposed FERC revision. The order for full removal was promptly granted by FERC, and SOS was hoist with its own petard.