

## **WATERSHED MANAGEMENT DISTRICTS FREQUENTLY ASKED QUESTIONS**

### **Why is the dam changing ownership now?**

The dams were built 100 years ago so that Toddy Pond and Alamoosook Lake could be used to supply water for the paper-making plant in Bucksport. Verso sold the dam to American Iron and Metal (AIM) in 2014 along with the three dams for Toddy Pond, Alamoosook Lake, and Silver Lake. The ownership of the properties was transferred to Bucksport Mill LLC (BuckMill) shortly after the sale. BuckMill is a demolition company and as they have finished taking apart the mill, they are looking to rid themselves of the dams.

### **Who is involved in crafting a solution to this regional problem?**

The Narramission Watershed Coalition (NWC) - formerly named the 4 Town dam Committee has been providing the leadership to address this situation that none of us ever wanted to have to resolve. The group consists of Orland, Surry, Penobscot, Blue Hill, Toddy Pond Association, and Alamoosook Lake Association. The NWC is actively reaching out to recruit volunteers who would like to help make sure the residents are well informed about the issues. Anyone interested in volunteering can contact either of the lake associations.

### **Other dams in Maine have been turned over to towns, why is this different?**

In 1996, the Maine legislation passed a Statute that provided for the divestiture of dams through a process of a petition to the Department of Environmental Protection (DEP) for release from dam ownership and water level management. This statute has NEVER been used until now. Other dams in Maine have been passed on under more cooperative circumstances. The process for relinquishing ownership of the dams we are currently navigating will set a precedent for the future.

### **The dam is in Orland, why can't they take the dams?**

Both Toddy and Alamoosook dams along with the Orland River dam (which Orland already owns) are all located in Orland. It was considered a huge burden for one small town to take over two additional dams, especially since more than half the residents on Toddy live in other towns. This was the reason the towns came together to collaborate to find a solution that includes all 4 towns.

## **What are the Watershed Management Districts?**

The two districts, the Alamoosook Watershed Management District and the Toddy Pond Watershed Management District, are quasi-municipal entities created by the legislature that give the entities many of the advantages of being a town. Each is protected from liability, can raise funds, and can apply for grants and funding like a town. Each will be governed by a board of town and waterfront owners. The towns have committed to asking their voters to pay for 50% of the operating costs of the dam, with the waterfront owners making up the balance.

## **What was the process for developing these Districts?**

To craft a potential ownership model for Alamoosook and Toddy dams, NWC has undertaken extensive efforts to assess the potential impacts of the lakes being drained as a result of Bucksport Mill LLC's dam abandonment petition. The group assessed the property tax loss implications, the impact on local businesses, and an estimation of the environmental and recreational impacts. With that information in hand, the group developed a robust effort to seek Community input into the design of the ownership entity through surveys and public input meetings.

Both the survey and the town meetings verified that the majority of participants wanted the lakes to be preserved. The other majority view was that the costs should be shared between the lakefront property owners and the Towns. What was less clear was the percentage split between those groups. The online survey appears to provide the most reliable data on the opinion of the largest voting group. That position favors a 50/50 split in funding.

At least one municipality must vote to form the district for it to be implemented. The voters will be asked to approve the first year's funding for operations and maintenance of the dam. If a town's voters opt not to approve funding, that town's share of the budget will shift to the lakefront owners

## **I already pay higher taxes because I live on the lake, so why do I have to pay more?**

There is one standard mill rate in each of the four towns (each town sets its own mill rate). In general, the waterfront owners pay more as the value of their property is higher because it's on a lake. While an argument can be made that the lakes are a public resource, enjoyed by many other people besides the owners, there are a significant number of people in the 4 towns who feel the

lakefront owners enjoy the lake to a higher degree and therefore don't feel the entire town should assume the cost of ownership of the dams. This admittedly imperfect compromise splits the cost of owning and maintaining the dams between the towns and the lakefront property owners.

**I never use the lakes. In fact, the only public access to either lake is in Orland, so why should I have to pay to preserve them?**

The lakes are a regional assets that provide far-reaching benefits

In our business survey, of the 28 businesses that responded to the survey, 93% indicated that the loss of the lakes would negatively impact their business. Nine businesses said they would be likely or somewhat likely to close if the lakes were lost

Estimation of lake level drops connected to water release (approximately 8 Ft)

- o This drop in water level would eliminate the public boat launches on both lakes
- o Initial finding indicates current shoreline locations could move 450' to 1,200' in certain areas of the lakes

Rough estimate of Town property tax revenue loss associated with water release

- o Orland - \$500K
- o Surry - \$250K
- o Penobscot - \$250K
- o Blue Hill - \$50K

Economic Impact: In addition to an estimated \$50 million reduction of waterfront property value, the release of the lake water would result in the potential loss of \$9 million of revenues in the local economy

Safety Impacts: Elimination of the lake water would negatively impact local fire department's ability to fight household, vehicle and business fires since water used to suppress fires is drawn from both lakes.

**Why can't lake user fees be collected to pay for the dam expenses?**

This is not a viable option for either Toddy or Alamoosook, as they are not privately owned/controlled lakes. Maine also guarantees public use of waters over 20 acres. Additionally, the boat launch on Alamoosook is on Federal property, and the launch on Toddy is a State launch. Thus, there is no legal way to implement a user fee system.

### **What happens if the towns don't approve the districts?**

The petition then advances to the state agencies.

### **The Statute provides for an assessment of ownership by three State agencies. Why not count on the State to take the dams?**

The State agencies only review possible ownership of the dams after no other party has come forward during the required consultation period. Their review is basically a last resort prior to the release of a water order by DEP. The three agencies include Inland Fish and Wildlife, Maine Emergency Management Agency and the Department of Agriculture, Conservation and Forestry. All three have indicated that with their limited resources, they would be highly unlikely to assume ownership of the dams.

### **The State will never let Toddy or Alamoosook be drained**

If the three agencies pass, it goes back to the DEP. The way the statute is written it is not the DEP's decision to dewater the lakes. The statute as written states the lake gets dewatered. It is uncertain if a last-ditch appeal would be entertained. The only provision for this requires BuckMill's PERMISSION to consider it.

### **The Craig Brook Fish Hatchery will make sure that the lakes won't be drained.**

The Hatchery is part of the US Fish and Wildlife Service (FWS). That Agency has taken the public position that dam removal is always the best option. Thus, they are not going to get involved in our efforts to preserve the dams.

### **Bucksport will need the water to supplement their town drinking water so they will step up and take Alamoosook and Toddy Dams**

Since the Bucksport Paper Mill was sold over a decade ago, there has not been any need for additional water in Bucksport. Maine Water, Bucksport Generation and the Town of Bucksport have publicly stated they do not foresee any need for additional water from Alamoosook Lake in the future.

## **What happens if any/all the towns decide to not share the cost of owning the dams?**

If joining and funding the Districts is approved by the voters in each town, the Alamoosook Lake Watershed District and the Toddy Pond Watershed District will be formed. Governance and costs will be shared between the towns and the lakefront property owners. If in future years any town opts out, the assessment for that town will be shifted to the lakefront property owners in that town. The rationale is that those owners would vigorously advocate for their municipality to continue to fund the Watershed District(s). If all the towns decide to not continue funding the district, the district would then consist of the lakefront property owners with one municipal representative from Orland. This would allow the district to continue as a quasi-municipal entity with the ability to raise money and have liability protection like any other town. Although this sounds frightening, it means that the lakefront property owners would have the final say in any budgets, projects, or decisions around the dams and lakes.

## **How much extra will this cost me?**

The NWC is working hard to answer that question. The group is working with an engineering firm to develop an independent cost estimate for the operations and management of the dam(s). The NWC is also developing an estimate of all of the administrative costs associated with dam ownership. To help understand how these costs will impact individual property owners, the group is developing a tool that individuals can use to estimate their additional tax and/or fee charges associated with ownership. This should help directly answer this key question.

More information should be available in the next few weeks.