



The DEP accepted Canadian corporation Bucksport Mill LLC's petition to relinquish ownership of the Silver lake, Alamoosook Lake, and Toddy Pond dams. If new owners aren't found all three lakes could lose their water. Help us Save Our Ponds!

## **Frequently asked Questions about the proposed legislation.**

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

The dam was built 100 years ago so that the water in Toddy Pond could provide backup supply for the paper making industry. Verso sold the dam to AIM in 2014 along with the dams for Alamoosook lake and Silver lake. AIM is a demolition company and as they have finished taking apart the mill, they are looking to rid themselves of the dams.

### **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. This statute has NEVER been used until now. Other dams in Maine have been passed on under more cooperative circumstances. The process Toddy is undergoing will set a precedent for the future.

### **Why not let the State evaluate the petition now?**

The towns have to go first according to the Statute. It only goes to the state if the towns or some other group does not take it.

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

So is the dam for Alamoosook and the Orland River dam. It was considered a huge burden for one small town to take over both dams, especially since half the residents on Toddy live in other towns. This was the reason the towns came together to cooperate to find a solution that includes all 4 towns.

## **What is the Naramissic Watershed District?**

It is a quasi-municipal entity created by the legislature that grants the entity many of the advantages of being a town. It is protected from liability; it can raise funds, and it can apply for grants and funding like a town. It will be governed by a board of town and waterfront owners. The towns have committed to paying 50% of the operating costs of the dam with the waterfront owners making up the balance.

## **Will we have a say?**

If the legislature approves the draft, it goes back to the 4 towns for a vote by town residents. Each town has to vote to adopt the district. DEP granted the towns a 180-day extension to accommodate this process, this period ends in October 2025.

## **I already pay higher taxes because I live on the lake, 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 TPA agrees that Toddy Pond is 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.

## **The State can take it over.**

Maybe. Inland Fish and Wildlife has indicated that they are in no financial position to assume ownership of the lake. MEMA is a tiny department and owns no dams. DACF owns the boat ramp. They do own a few dams. They have not indicated how they might rule. Waiting for the state to consider ownership means rolling the dice.

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

The petition then advances to the state agencies.

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

If the three agencies pass, it goes back to the DEP. The way the statute is written it is not 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 AIM's PERMISSION to consider it.

## **What was TPA's role in writing this proposal?**

TPA recognized it did not have the financial depth to assume ownership. TPA worked to get the towns together as we felt this was the best chance to ensure the preservation of Toddy Pond, rather than leaving things to chance. The 4-town committee wrote the proposal now before the legislature. TPA representatives have been present from the beginning pushing the interests of the lakefront owners and we were successful in getting owner representation on the governing board. Would we have liked the towns to commit to permanent shared ownership? Absolutely! The draft originally called for a minimum two-year commitment from the towns but as that would require towns to appropriate two years' worth of funding up front, that requirement served as a potential stumbling block to passage at the town level. A longtime member of TPA and former board member suggested that the passage and acceptance of this legislation by all 4 towns was paramount to its success going forward and the two-year minimum was removed. But ultimately the draft had to be written by elected officials to create a legal entity that was acceptable to the Select Board in each town and would most likely be approved by the voters in those towns.

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

If the legislation passes and is approved by the voters in each town, the Alamoosook Lake Water District and the Toddy Pond Water District will be formed. Governance and costs will be shared between the 4 towns and the lakefront property owners. If after two years any town opts out, the assessment for that town will be shifted to the lakefront property owners in that town. The rationale was that those owners would vigorously advocate for their municipality to continue to fund the Water 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 dam and Toddy Pond.



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