



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

July 23, 2024

Katherine Joyce
Bernstein, Shur, Sawyer & Nelson, P.A.
100 Middle Street
Portland, ME 04104
Via email
kjoyce@bernsteinshur.com

RE: Deficient Petitions for Release from Dam Ownership

Dear Ms. Joyce:

The Maine Department of Environmental Protection (Department) has reviewed your combined submission of three Petitions for Release from Dam Ownership on behalf of: 1) your client Bucksport Mill, LLC, with respect to its ownership of the dam and impoundment at Silver Lake; and 2) your client AIM Demolition USA LLC, with respect to its ownership of the dams and impoundments at Alamoosook Lake and Toddy Pond (collectively, the Petitions). The Department cannot accept your combined submission or any of the individual Petitions for processing until the petitioners address the following deficiencies:

- The Petitions do not include the names and locations of all waterways downstream of their respective dams. Please provide such information for all downstream waterways:
 - Between the Silver Lake Dam and the Tannery Brook Dam;
 - Between Toddy Pond Dam and Alamoosook Lake; and
 - Between the Alamoosook Dam and the Orland Village River Dam.
- Page 5 of your submission, with respect to Toddy Pond, states that “the dam or the impoundment is located in the Town of Orland.” Toddy Pond is also located in the towns of Surry, Penobscot, and Blue Hill. Please clarify that aspect of the Toddy Pond Petition.
- Page 12 of your submission states that the Alamoosook Lake Dam is a significant hazard dam, but according to the 2021 dam safety inspection report by the Acting State Dam Safety Inspector, the dam is classified as High Hazard. Please clarify that aspect of the Alamoosook Petition.
- Page 13 of your submission states that the Toddy Pond Dam is a significant hazard dam, but according to the 2021 dam safety inspection report by the Acting State Dam Safety Inspector, the dam is classified as High Hazard. Please clarify that aspect of the Toddy Pond Petition.
- Page 13 of your submission states that “the dam continued to supply Alamoosook Lake, from which water was pumped across the watershed into Silver Lake for use by the Town of Bucksport.”

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
207-941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

- Please describe this water supply system in more detail, including the condition, capacity, and any inspections or flow measurements of any pumps or aqueducts at Alamoosook Lake, Silver Lake, or Toddy Pond.
- Please provide all operations or maintenance plans for Alamoosook Lake, Silver Lake, and Toddy Pond Dams.
 - See, for example, the “operations and maintenance manual” referenced on page 13 for Toddy Pond.
- Deficiencies in Notice Requirements (38 M.R.S. § 901(2)):
 - Your submission and the Toddy Pond Petition do not provide evidence that notice was sent to municipal officers in the towns of Surry, Penobscot, or Blue Hill. Portions of the Toddy Pond impoundment are located in these towns.
 - Relatedly, the Department requests clarification regarding whether notice was sent to property owners abutting Toddy Pond in Surry, Penobscot, and Blue Hill.
 - Your submission and the Petitions do not provide evidence that notice was sent to the Commissioner of the Department of Agriculture, Conservation, and Forestry.
 - Your submission and the Petitions do not provide evidence that notice was sent to the pond or lake associations for Alamoosook Lake, Silver Lake, or Toddy Pond.
 - The Department requests clarification on whether notice was sent to property owners on the waterways immediately downstream of each of the dams listed above, including:
 - Property owners downstream of the Silver Lake Dam to the Tannery Brook Dam;
 - Property owners abutting the waterway between Toddy Pond Dam and Alamoosook Lake; and
 - Property owners abutting the Narramissic River from the Alamoosook Dam to the Orland Village River Dam.

The 15-day acceptance period ends at 5:00 PM on July 30, 2024. Please send all of the above requested information before then or your application will be returned.

If you have any questions about this matter, please contact me at laura.paye@maine.gov or (207) 219-9563.

Sincerely,



Laura Paye
Hydropower Coordinator
Maine Department of Environmental Protection