



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

IN THE MATTER OF

TIMOTHY DOWNING,)	REGULATION OF WATER LEVELS
SMITHFIELD, MERCER, ROME)	AND MINIMUM FLOWS
KENNEBEC AND SOMERSET COUNTIES)	
NORTH POND)	SIXTH PROCEDURAL ORDER
L-30629-36-A-N)	

As set forth in the First Procedural Order, the Maine Department of Environmental Protection (Department), pursuant to the *Maine Dam Registration, Abandonment, and Water Level Act*, 38 M.R.S. § 840(1), conducted an adjudicatory hearing (or, public hearing) regarding the establishment of a water level regime for North Pond in the Towns of Smithfield, Mercer and Rome. This proceeding was initiated as a result of a petition filed with the Department by 58 littoral/riparian owners (petitioners) along North Pond. The 58 petitioners represent more than 50 littoral or riparian proprietors of North Pond. The water levels of North Pond are controlled by a dam at the outlet of North Pond on Great Meadow Stream, which flows to Great Pond. The dam is owned and operated by the North Pond Association, Inc. (dam owner).

1. The adjudicatory hearing was held on April 14, 2025, at 10:30 A.M., a public comment hearing was held on April 14, 2025, at 5:30 P.M., and the hearing record was closed, with the exception of post-hearing briefs and written public comments.
2. Written public comments were accepted by the Maine Department of Environmental Protection (Department) until April 25, 2025. All public comments are posted on the Department's website:
<https://www.maine.gov/dep/ftp/HYDRO/WaterLevelProjects/north-pond/>.
3. The transcripts of the April 14, 2025 hearings are now available at
<https://www.maine.gov/dep/ftp/HYDRO/WaterLevelProjects/north-pond/>.
4. With this Sixth Procedural Order, the Department is providing the parties with an electronic copy of the transcript.
5. Closing briefs may be submitted no later than May 30, 2025, at 5:00 P.M. Each party filing a closing brief is required to follow the filing requirements set forth in the Second Procedural Order issued November 4th, 2024.
6. Closing Briefs should include, at minimum, the parties' proposal for the provisions of a water level order and potential minimum flow rates, should they choose to make such proposals.

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7. Reply Briefs, in which parties may respond to public comments and closing briefs, may be submitted no later than June 18, 2025, at 5:00 P.M. Each party filing a reply brief is required to follow the filing requirements set forth in the Second Procedural Order issued November 4th, 2024.

Dated: May 1, 2025

/s/ Ronald Mongeon

Ronald Mongeon, Presiding Officer