

1	MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION	1	PROCEEDINGS
2		2	MR. MONGEON: Hello, everyone. Good
3	IN THE MATTER OF	3	evening. Thank you for being here this evening.
4	TIMOTHY DOWNING, SMITHFIELD,)	4	I now call to order this evening session of
5	MERCER, ROME, KENNEBEC AND)	5	the adjudicatory hearing, also referred to as the
6	SOMERSET COUNTIES)	6	public hearing, of the Maine Department of
7	COUNTIES, NORTH POND)	7	Environmental Protection on the petition to establish
8	L-30629-36-A-N)	8	water level regime for North Pond located in the
9		9	towns of Smithfield, Mercer, and Rome.
10	ADJUDICATORY HEARING TO ESTABLISH A WATER	10	This public hearing is being held pursuant
11	LEVEL REGIME FOR NORTH POND, taken at 90 Blossom	11	to the Maine Dam Registration, Abandonment, and Water
12	Lane, Deering Building, Augusta, Maine, on April 14,	12	Level Act, Title 38, Section 840, Subsection 1.
13	2025 commencing at 5:30 p.m., before Robin J. Dostie,	13	This adjudicatory proceeding was initiated
14	a Notary Public in and for the State of Maine.	14	as a result of the petition filed by 58 littoral or
15	APPEARANCES:	15	riparian owners, known as Petitioners, along North
16	RONALD MONGEON, PRESIDING OFFICER.	16	Pond. This number represented more than 25 percent
17	LAURA PAYE, DEP HYDROPOWER COORDINATOR.	17	of the total number of littoral or riparian owners of
18	JACK DAFOE, ESQ., OFFICE OF THE ATTORNEY GENERAL.	18	North Pond property. The water levels of North Pond
19		19	are controlled by a dam owned and operated by the
20		20	North Pond Association, Inc., who is also known as
21		21	the Owner of the Dam.
22		22	My name is Ron Mongeon. I am the Presiding
23		23	Officer of this public hearing. Also with me are
24		24	Jack Dafoe, who is from the Attorney General's
25		25	Office, and also counsel for the Department. And
	1		3
1	I N D E X	1	Claire Briggs, who is DEP Hydropower Coordinator.
2	TESTIMONY BY: PAGE	2	LAURA PAYE: Laura Paye.
3	KELLY MARSHALL 11	3	MR. MONGEON: I'm sorry --
4	WIN SWARR 13	4	LAURA PAYE: Laura.
5	ROXANNE PERRAULT 14	5	MR. MONGEON: -- Claire was supposed to be
6	ERIC BROWN 16	6	here today. Laura Paye is here with us today and --
7	PAUL MARSHALL 17	7	LAURA PAYE: Yes, the title is correct.
8	JODIE MOSHER 20	8	MR. MONGEON: There we go. So, yes, the
9	STEPHEN LANGAN 21	9	Hydropower Coordinator.
10	LOUISE PROULX 23	10	At this time, please turn off any electronic
11		11	devices or silence cell phones and electronic devices
12		12	so as not to disrupt the proceedings. I'll also
13		13	point out that behind me to the left and the right
14		14	are the exits, which will lead you to a door to the
15		15	right for any emergencies. Restrooms are down the
16		16	hall on the left.
17		17	I'll note that the public hearing is being
18		18	recorded and transcribed and will be made available
19		19	to the public upon public request. Our court
20		20	reporter is Robin Dostie. And we are going to go
21		21	through -- bring up people allowed to testify, but we
22		22	have -- depending on how many people testify, we may
23		23	take breaks to give the court reporter her fingers a
24		24	nice little rest so that we're not overworking her.
25		25	This evening our goals are a fair and
	2		4

1 productive public hearing. We're here to listen and
2 consider all of the evidence placed before us. I
3 know this can be a highly emotional issue for many,
4 but it is our job to ensure that everyone has an
5 opportunity to speak, so I ask that you all respect
6 each other's right to present their viewpoint. Also,
7 I request that while there are many issues related to
8 this water level matter, the Department can only
9 consider those issues which pertain to environmental
10 statutes and regulations. Please make this as
11 productive as possible by limiting your comments to
12 these issues. Because of limited time and our desire
13 to hear all of the various environmental concerns,
14 please try not to repeat testimony that has already
15 been given. New testimony is important to us and
16 repetitive statements do not assist us in our
17 responsibilities.

18 Again, thank you for all of your
19 understanding and for your public participation here
20 tonight. This hearing is being held by the
21 Department pursuant to the Maine Administrative
22 Procedures Act, Title 5, Section 9051 through 9064,
23 and Chapter 3 of the Department's rules, which are
24 entitled Rules Governing the Conduct of Licensing
25 Hearings.

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1 Notice of the hearing was published in the
2 Kennebec Journal, Morning Sentinel, and ePaper on
3 March 11 and April 1, 2025. Notice was also sent to
4 the parties as well as those persons and/or entities
5 set forth in Chapter 3 and all those specifically
6 requesting notification. Additionally, press
7 releases and public service announcements were
8 distributed to regional media outlets on August 22,
9 2024.

10 Today the Department heard testimony from
11 the parties, specifically the Petitioners, the Owner
12 of the Dam, and Interveners. These were Edith
13 Cornwall on behalf of Christine Keller; Edith
14 Cornwall on her own behalf; Laura Rose Day on behalf
15 of 7 Lakes Alliance; and Katherine Meikle on behalf
16 of the Dam Owners.

17 All witnesses at this hearing will be sworn.
18 After the hearing, the project file will be available
19 for public inspection during business hours at the
20 Department's office near Augusta as well as online.

21 For a brief description of the project's
22 review process, I will now introduce Laura Paye.

23 LAURA PAYE: Good evening. My name is Laura
24 Paye. I am one of the project managers for this
25 petition, the North Pond water level petition.

6

1 We accepted this petition for processing on
2 February 6, 2024 and we will accept written public
3 comments on this petition until Friday, April 25 at 5
4 p.m.

5 The Department is reviewing the water level
6 petition under the Maine Dam Abandonment and
7 Registration and Water Level Act, Title 38, Section
8 840. The regulatory criteria that we review this --
9 this petition under are, first, the water levels
10 necessary to maintain the public rights of access to
11 and use of the water for navigation, fishing,
12 fowling, recreation, and other lawful public uses.
13 Second, the water levels necessary to protect the
14 safety of the littoral and riparian proprietors and
15 the public. Third, the water levels and minimum flow
16 requirements necessary for the maintenance of fish
17 and wildlife habitat and water quality. I can't
18 remember what number I'm on. Four, the water levels
19 necessary to prevent the excessive erosion of
20 shoreline. Five, the water levels necessary to
21 accommodate precipitation and run-off water. Six,
22 the water levels necessary to maintain public and
23 private water supplies. Seven, the water levels
24 necessary for any ongoing use of the dam to generate
25 or enhance the downstream generation of hydroelectric

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1 power. And lastly, the water levels necessary to
2 provide flows from any dam on the body of water to
3 maintain public access and use, fish propagation and
4 fish passage facilities, fish and wildlife habitat,
5 and water quality downstream of the body of water.
6 We ask that you limit your comments to items that
7 fall under those regulatory criteria which are,
8 again, in Title 38, Section 840.

9 This public hearing, including this evening
10 session, are meant for the Department to gather
11 information to make the best informed decision. This
12 is not a session to ask questions of us. It's meant
13 to hear comments on the water level petition from the
14 public. So thank you for taking the time to come to
15 the hearing and to share your comments on this water
16 level petition.

17 MR. MONGEON: Also, as I had mentioned
18 earlier, the sign-up sheets were towards the back, so
19 any member of the public who would like to offer
20 testimony tonight, if you haven't already done so,
21 please sign-up using the sign-up sheet. If you do
22 not want to testify this evening the administrative
23 record in this matter will remain open to receive
24 your written comments until Friday, September -- or,
25 no, sorry, that's not right, Friday, April 25, 2025

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1 at 5 p.m. Written comments should be sent to the
2 Maine Department of Environmental Protection,
3 attention Claire Briggs at 17 State House Station,
4 Augusta, Maine, 04333. You may also email comments
5 to Claire Briggs spelled C-L-A-I-R-E, dot,
6 B-R-I-G-G-S @maine.gov or you can hand deliver them
7 to 28 Tyson Drive, Augusta, Maine by the April 25
8 deadline.

9 I will call upon those who have signed up to
10 testify and when your name is called you should come
11 up to the table to my right and clearly identify
12 yourself by name and place of residence before
13 beginning your testimony. You'll see there is a
14 microphone there. You need to turn the microphone on
15 before you begin to speak into the mic and then turn
16 it off before you set it down because it can create
17 kind of static noises and things if it's left on. So
18 just speak clearly so that you can be captured by the
19 court reporter and everyone else here can hear you as
20 well.

21 Depending on how many people signed up, we
22 are -- we would normally limit this to 5 minutes per
23 person, but given the number of people that have
24 signed up so far I'm not going to keep that to a
25 strict number. If you go a little over that will be

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1 fine. We do really want to hear what your testimony
2 is today, so we're going to try not to cut you off
3 unnecessarily, but if you are kind of being
4 repetitive and going on and we start hitting like the
5 10 minute mark, I might -- I might try to get you to
6 wrap it up.

7 Okay. So at this time, would all persons
8 planning on testifying this evening please stand and
9 raise your right hand? Please repeat after me: I
10 affirm --

11 WITNESSES: I affirm --

12 MR. MONGEON: -- that the testimony I am
13 about to give --

14 WITNESSES: -- that the testimony I am about
15 to give --

16 MR. MONGEON: -- is the whole truth --

17 WITNESSES: -- is the whole truth --

18 MR. MONGEON: -- and nothing but the truth.

19 WITNESSES: -- and nothing but the truth.

20 MR. MONGEON: Thank you very much.

21 So, again, I -- I just wanted to stress that
22 this is really an opportunity for us to hear from
23 you. And that if -- I also want to remind people
24 that if you are a party to the hearing this morning
25 that this is not a time for your testimony, your

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1 testimony was this morning. If you are a party that
2 was associated with one of them and you'd like to
3 testify on your own behalf that is okay. So I think
4 we will call our first person. Also when you
5 sign-in, and I think a lot of people did a very good
6 job on this, we don't need your signature, we just
7 need you to sign-in in a legible font so that we can
8 actually know who signed up.

9 So the first person on list is Kelly
10 Marshall.

11 KELLY MARSHALL: Hello. That's what happens
12 when you sign-up first.

13 My name is Kelly Marshall and we live at 135
14 Meadow Lane in Smithfield. It is our summer
15 residence. I'm a New Hampshire resident for parts of
16 the year. Our family has been on North Pond for
17 almost 100 years. There has not been a historical
18 baseline for the water level on North Pond to our
19 recollection.

20 Since the 1940s there has been some sort of
21 dam that consisted of a weir, wooden beams, rocks, et
22 cetera. A more permanent structure was built in 1987
23 to help create a more consistent water level. In the
24 1970s, water was so low that our family left camp
25 before August.

11

1 A more consistent water level allows for
2 more successful loon nesting; too high, eggs float;
3 too low, adults cannot access the nest. A water
4 level will need to be high enough for us to draw
5 water for domestic use. Our camp relies -- the only
6 water we get from the lake. If the lake is not high
7 enough, we cannot use our camp. If we need to
8 install a well the estimate is \$25,000 for us --
9 for -- for us to use a camp for four months. The
10 water level will also need to be high enough for the
11 use of the boat launch for boating and fishing for
12 everyone in the community.

13 It was determined that 60 percent of
14 Smithfield's tax base comes from shorefront owners.
15 If the water level is too low this can have a
16 negative impact and the property value -- on the
17 property values and increase the taxes for all
18 residents in Smithfield, Mercer, and Rome.

19 I support a scientifically determined
20 minimum water flow or lake water level. We cannot
21 have both. But this needs to be done by Maine DEP.
22 They also need to outline how it needs to be achieved
23 and measured.

24 Our family has created memories of a
25 lifetime at our camp and we hope that those memories

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1 can continue to be created for generations to come.
 2 Thank you.
 3 MR. MONGEON: Thank you. Okay. So some of
 4 these, I apologize if I get them wrong. So next up
 5 is Cynthia, it's either --
 6 CYNTHIA REESE: Reese.
 7 MR. MONGEON: Reese.
 8 CYNTHIA REESE: Quite frankly, I signed up
 9 in case there was something I could productively add
 10 to the conversation. At this point, I don't know if
 11 there is.
 12 MR. MONGEON: Okay. That's fine. All
 13 right. Next on the list, David Jackson.
 14 DAVID JACKSON: Yeah, and I did the same
 15 thing. I was misunderstanding that or versus making
 16 statements later.
 17 MR. MONGEON: Nope. I mean, this is the
 18 point if you wanted to make statements, but, again,
 19 if you don't feel comfortable doing it in public like
 20 this, we will be accepting written comments if there
 21 is anything you'd like to provide or you just didn't
 22 think of during this hearing, that's fine as well. I
 23 don't want anybody to feel pressured to come up.
 24 This is just -- this is our opportunity to hear from
 25 you if that's something you would like to do.

13

1 Next on the list, jeez, I don't know if
 2 that's first/last, Win Swarr.
 3 WIN SWARR: Yup. Win Swarr, correct.
 4 MR. MONGEON: There we go.
 5 WIN SWARR: I'll be very brief. My name is
 6 Win Swarr. I've owned a camp on North Pond since
 7 1985 and have been satisfied with the water levels
 8 since I've moved in. There has been change. I -- I
 9 think that we could use some help from the DEP to --
 10 to manage the water levels better, but I think the
 11 North Pond Association has been doing a good job
 12 since they took over managing it.
 13 I know when I bought my camp, I had about a
 14 30 foot dock, wooden dock, that was -- no matter what
 15 happened, how the water got low, we could get out to
 16 the water, but we haven't had to use that and
 17 scrapped it many years ago.
 18 And that -- that's really all I have to say.
 19 I think, you know, we could use some help to -- to
 20 manage the levels, but I think they've generally been
 21 high enough and with the storms and things that we
 22 have it's -- it's relatively hard to manage. Thank
 23 you.
 24 MR. MONGEON: Thank you. Karen Ashton.
 25 KAREN ASHTON: I'm not going to speak at

14

1 this time. Maybe later.
 2 MR. MONGEON: Okay. All right. Next on the
 3 list Roxanne Perrault.
 4 ROXANNE PERRAULT: Perrault.
 5 MR. MONGEON: Perrault.
 6 ROXANNE PERRAULT: Good evening. Can you
 7 hear me?
 8 MR. MONGEON: Yes.
 9 ROXANNE PERRAULT: Okay. I don't have a lot
 10 to add. I will be brief.
 11 My name is Roxanne Perrault. I have owned
 12 property on North Pond for not as long as what we've
 13 been hearing, but for about -- since 2018. I live in
 14 Norridgewock, so I've been around North Pond or the
 15 Great Lakes region for my entire life, so I'm
 16 well-versed in many of the things that go on -- on
 17 the -- with the lakes and such. And I feel very
 18 fortunate that I was able or we were able to purchase
 19 some property and have a camp to create the memories
 20 that a lot of us are enjoying already and have for
 21 many, many years.
 22 So my job, I mean, I have been working with
 23 the North Pond Association and, you know, to -- to
 24 help understand what it is that we're trying to
 25 achieve because it seems to me like we're all trying

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1 to achieve the same thing, so I really wanted to
 2 understand how we can be better. And I'm certainly a
 3 science-based type of person, that is my profession,
 4 and I just, you know, would like to understand how we
 5 can best serve our lake whether it be whatever --
 6 whatever science-based information that you can help
 7 us so that we can better manage that lake so that we
 8 all can enjoy it and for the years to come. So I'm
 9 kind of there to support that sort of management
 10 going forward.
 11 MR. MONGEON: Thank you. And maybe if
 12 you -- you could probably place it on the seat --
 13 AUDIENCE MEMBER: Good call. Good call.
 14 MR. MONGEON: -- yeah, it might not roll.
 15 Thank you.
 16 Next on the list is Louise...
 17 LOUISE PROULX: Good luck. Thank you, no,
 18 I'm fine.
 19 MR. MONGEON: No. Okay. I was going to try
 20 it.
 21 LOUISE PROULX: It's Proulx.
 22 MR. MONGEON: Oh.
 23 LOUISE PROULX: The L and the X are silent.
 24 MR. MONGEON: I didn't know. I wouldn't
 25 have got that. Next on the list, Eric Brown.

16

1 ERIC BROWN: My name is Eric Brown. I'm
2 kind of a newbie to Smithfield. I moved to 26
3 Fairview Lane, Smithfield in 2020, quickly decided
4 that I would like to be involved in the health of the
5 area lakes and surrounding land and joined the North
6 Pond Association and have had a couple different
7 roles with them, everything from helping with the
8 bottle bin to helping with the dam. And I'll say
9 that in the last two-and-a-half years the three
10 people who have been, quote, unquote, dam keepers
11 have been steadfastly collecting data off of the --
12 the meter stick that's on the vertical beam trying to
13 keep records, which we were not handed when we took
14 over the dam keeper role, trying to keep records so
15 that we have an idea of what is the level at the dam
16 that best suits everyone on the lakes. Understanding
17 that different people on the lakes like different
18 levels of the water, but at least now for the last
19 two-and-a-half years we do have records that we have
20 been keeping.

21 And the other thing is I -- I would like to
22 say the -- the weather changes just in the last
23 two-and-a-half years, the repeatity (sic) of weather
24 changes; in other words, you can have two weeks of
25 drought and then all of a sudden you have a storm

17

1 that's 4 inches of rain in one night makes it kind of
2 difficult to keep the lake level steady at a spot
3 where everybody would like. Thank you.

4 MR. MONGEON: Thank you. Next on the list,
5 Paul Marshall.

6 PAUL MARSHALL: Thank you. I've been at the
7 camp that we have on North Pond for 55 years, my
8 father before that and my grandfather before that.
9 Actually one of the first cottages on the lake. I
10 spent a lot of years when I was a youngster
11 rebuilding the dam on the stream with a few people in
12 the back row here rebuilding it on the wooden base
13 plate that was in the stream from 60 years prior, I
14 think, and our whole purpose for wanting to rebuild
15 the dam at the time was to be able to use our boats
16 in the lake, to have some type of consistency. There
17 were people that felt differently and the dam was
18 blown up with dynamite and we'd go down and rebuild
19 it. And I'd say the only consistent water level at
20 the time was an inconsistent level. Not until '86 or
21 '87 when the dam went in did we have a consistent
22 level. You can argue whether it's right or wrong,
23 but that dam just established a consistent level
24 because if it was too high, it would float over the
25 top; if it was too low, it was maintained behind the

18

1 beams.

2 The two concerns I have, the first one is
3 setting an appropriate lake level. And, as I think
4 was mentioned, it really needs to be done in a
5 scientific manner, not on gut feel, not on what
6 people recollect on, you know, January or June 5 of
7 1972. There has been a lot of effort, a lot of money
8 spent in the last several years developing Lake Smart
9 properties around the lake. I think we have about 30
10 Lake Smart properties, a lot of other properties that
11 were modified with rip rap and other erosion control
12 based on the level that the dam has maintained plus
13 or minus a few inches over the last 35 years. So
14 hopefully when a lake level is set with a scientific
15 method it takes into consideration the work that's
16 been done to prevent erosion around the lake.

17 The second concern I have -- and some of
18 this is -- I couldn't help it, I'm an engineer so I
19 have to throw out some numbers. There is a -- a
20 number that's been thrown around, a minimum flow rate
21 coming through the dam of 14.6 cubic feet per second
22 and so I had to convert that to a few numbers that
23 might make a little -- give people a better idea of
24 what that means. It's a tremendous amount of water
25 especially for the physical size of Great Meadow

19

1 Stream.

2 So 14.6 cubic feet per second translates to
3 6,500 gallons per minute. I'm also a firefighter,
4 that would be five state-of-the-art fire trucks
5 working as hard as they could to pump water out of
6 five fire trucks going into a tiny old Great Meadow
7 Stream. On a comparative note, the discharge out at
8 the Salmon Pond is one cubic foot per second, so the
9 number that's been thrown out for North Pond Dam is
10 about 15 times greater than the one on Salmon Pond.
11 And that -- at that flow rate of 14.6 cubic feet per
12 second the lake would drop about an
13 inch-and-a-quarter a week if -- if there was no rain,
14 if it was just what was flowing over or out of the
15 dam at 14.6 cubic feet, take in the acreage of the
16 lake it's about an inch and a quarter. You add in
17 evaporation, which is about an inch-and-a-half a week
18 in the summer and that works out to about a foot a
19 month that would be either going over the dam or
20 evaporating and we don't have a lot of water coming
21 into the lake and so that's a big concern, not only
22 the lake level, but having a minimum flow rate that
23 is reasonable for the lake and Great Meadow Stream.
24 Thanks.

25 MR. MONGEON: Thank you. All right. Next

20

1 on the list, Hans Rasmussen.
 2 HANS RASMUSSEN: Yup, I'm going to abstain
 3 for now.
 4 MR. MONGEON: Okay. Well, that's the last
 5 name on the list. Is there anybody here who would
 6 like to make a comment or testify at all?
 7 JODIE MOSHER: So I -- I would.
 8 MR. MONGEON: When you come up if you could
 9 just hand write your name on the -- the sheet --
 10 JODIE MOSHER: Okay.
 11 MR. MONGEON: -- and then when you pick up
 12 the microphone just state your name and -- and where
 13 you live.
 14 JODIE MOSHER: Jodie --
 15 MR. MONGEON: It just takes a second.
 16 JODIE MOSHER: Jodie Mosher, Smithfield on
 17 North Shore Drive on the lake. And I just quickly
 18 wanted to say that because they weren't -- the dam
 19 keepers weren't handed, what did you call it --
 20 ERIC BROWN: Records.
 21 JODIE MOSHER: -- records, but we
 22 historically had a way of keeping track of, you know,
 23 when to open it, when to close. And I think today
 24 Edie mentioned Memorial weekend, Labor Day weekend
 25 and we have a bunch of bass fishing tournaments so

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1 then we did like October 8 around Columbus Day, so
 2 there were -- there are records. They might not be
 3 written down. Every once in a while they were
 4 written down and I'm so thankful/grateful that you
 5 guys started doing that. I just wanted to say that.
 6 MR. MONGEON: So last chance if anybody
 7 wants to -- I mean, it's still kind of early, but it
 8 doesn't look like we're getting any new people in.
 9 Oh, yup.
 10 STEPHEN LANGAN: I didn't prepare anything,
 11 but I do have a couple of comments to make.
 12 MR. MONGEON: Sure. Yup.
 13 STEPHEN LANGAN: I don't know if they will
 14 pertain to your points from earlier, but --
 15 MR. MONGEON: Yup.
 16 STEPHEN LANGAN: -- it may even be somewhat
 17 redundant to what other people were saying.
 18 MR. MONGEON: Sure. We have time. Like I
 19 said, if you just write your name down on the
 20 sheet --
 21 STEPHEN LANGAN: Sure.
 22 MR. MONGEON: -- and then tell us your name
 23 and where you live when you pick up the microphone.
 24 STEPHEN LANGAN: Yeah, my name is Steve
 25 Langan. I'm over at Fitzgerald Lane in Smithfield.

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1 And like a lot of people in the room, I've been
 2 coming up here since I'm born. My mom is from
 3 Waterville. I live on Long Island. And just the
 4 things that I've seen over the years, again, lots of
 5 great memories, lots of good times. I -- my mom
 6 learned how to swim on North Pond, I learned how to
 7 swim, my kids learned and hopefully my grandkids will
 8 learn how to swim there too. But in spite of all of
 9 the great memories is, you know, over the years we've
 10 seen things that have affected the lake primarily by
 11 levels. I've seen it where 50 feet out from the
 12 rocks in front of -- we're on North Shore Drive, 50
 13 feet out from the rocks probably in the late '80s was
 14 mud and it just -- it just -- it looked terrible,
 15 it -- and conversely there has been other years where
 16 it's been up to the top of the rocks and it seemed to
 17 be, you know, better to me, forgive me if I'm wrong,
 18 more water seems to be better and healthier for the
 19 lake. Again, I'm -- this is a gut feeling and I
 20 apologize, I know you mentioned not to say that, but
 21 I just hate to see what's going on. I mean, even
 22 when we had those low levels back in the '70s and
 23 '80s, swimmer's itch, all of that kind of stuff, you
 24 know, pink eye seemed to be more prevalent and
 25 especially for young kids and they're the ones that

23

1 really should be having these good memories of the
 2 lake and from what I've seen over the years and,
 3 again, it's 65 years, the lake really needs some TLC.
 4 I mean, it's given so much to all of us and our
 5 families over the years, I'd just like to see that
 6 maintained going forward. And I know the algae bloom
 7 isn't part of the discussion tonight, but we don't
 8 want to lose that lake. It's something God's given
 9 to us and we don't want to see that change. And,
 10 again, sorry if I went off topic, but, you know.
 11 Thank you.
 12 MR. MONGEON: Thank you.
 13 LOUISE PROULX: I've changed my mind.
 14 MR. MONGEON: Not a problem.
 15 LOUISE PROULX: Story of my life. My
 16 daughter says story of my life.
 17 MR. MONGEON: So you already wrote your name
 18 down --
 19 LOUISE PROULX: I did, yes.
 20 MR. MONGEON: -- so you don't have to, so.
 21 LOUISE PROULX: I'm Louise Proulx and I've
 22 been on the lake for about 60 years, most of my life
 23 needless to say. And -- and I've been on the
 24 board -- I was on the board for, I don't know, 12
 25 years maybe. Also doing a loon count regularly

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1 during that time and the numbers of -- in talking
2 about the wildlife, et cetera, the numbers have
3 stayed pretty consistent throughout all this time,
4 within probably two loons and so that -- to me, that
5 just says that the water level that we've been able
6 to maintain has pretty much preserved our -- at least
7 the -- at least the loons for the wildlife on our
8 lake.

9 I think we've, you know, about the only
10 thing that's ever happened is maybe boat wakes that
11 have, you know, impacted the nests in the stream.
12 And I think it's important that everybody realizes
13 that we have East Pond is the head lake for the
14 Belgrade chain, which probably most all of you know.
15 So their dam feeds us, but we also have I believe
16 it's five other small streams that feed into the
17 lake. There are times when we have a lot of rain or
18 anything that can impact the dam or the water levels
19 and we really don't have a lot of control when it
20 rains 4 inches over night or whatever may happen. I
21 think -- overall, I think the pond association has
22 done a great job trying to maintain water levels. I
23 know throughout the years we've had -- and I'm going
24 to say when I was on the board we've had situations
25 of people calling, oh, am I going to be able to get

25

1 my boat out in September, the water is too low, I --
2 I won't be able to get off my boat lift, et cetera,
3 those types of things. So, you know, we've always,
4 to my knowledge, the pond association has worked with
5 those people to try and accommodate those requests or
6 needs because it affects -- it can affect a lot of
7 people.

8 And then we -- obviously our dam flows out
9 and feeds Great Pond, so we're kind of in the middle
10 of getting -- receiving water from East Pond and then
11 feeding Great Pond and, as you know, that's the lake
12 of -- it's the center of our chain pretty much, so.

13 I think that's really about all I wanted to
14 say is the loons are still pretty healthy.

15 AUDIENCE MEMBER: Yay.

16 MR. MONGEON: Thank you.

17 LOUISE RROULX: In the chair?

18 MR. MONGEON: Yeah, it seems to like to roll
19 on the table.

20 All right. I'll throw it out there one last
21 time. Anybody else who might have changed there
22 mind? Seeing none.

23 So this will be the close of the evening
24 session and I just want to reiterate that if you do
25 have any written comments that you'd like to submit

26

1 to the DEP the deadline is going to be Friday, April
2 25 at 5 p.m. And, again, you can either mail those
3 to the DEP or hand deliver them to the Augusta
4 office, which is actually right down across the
5 driveway over here, it's the Ray Building, or you can
6 email them to Claire Briggs. There is -- actually,
7 if you would like any information regarding this
8 matter, the various filings, there is a website that
9 is dedicated to this, so if you go to DEP's website,
10 I believe it's the hydropower page you can scroll
11 down and you'll see the North Pond water level
12 petition and I think under major projects. And also
13 I believe on that website you can sign-up if you're
14 interested to be termed as an interested party. This
15 will just make sure that you get sent any of
16 notifications or things that are sent out to the
17 parties just to keep you in the loop.

18 All right. And then I do want to thank all
19 of you again for your participation. So the next
20 process is tonight the record is closing and there
21 are a few exceptions to that where the parties to the
22 adjudicatory proceeding, which was during the day
23 today, will have a chance to submit closing and reply
24 briefs. Those briefs will be due within two weeks of
25 the transcript -- or three weeks -- let me rephrase.

27

1 The closing brief will be due three weeks after
2 transcripts are provided to parties. As you can see,
3 this session has been recorded and there will be a
4 transcript within at least 30 days of the hearing.
5 And then parties will be able to respond to closing
6 briefs within two weeks of that deadline. So it's
7 kind of -- the record is closed except for a few
8 exceptions, which is the closing briefs, reply briefs
9 and then the written comments by April 25.

10 The best way to keep up-to-date would be to
11 either look at the website or if you have any
12 questions you can email Claire Briggs, who is the
13 project manager. And I believe we are adjourned.

14 Oh, well, I guess I can ask if anybody has
15 any questions about the process itself? No.

16 KATIE MEIKLE: I do.

17 MR. MONGEON: Yes.

18 KATIE MEIKLE: So it sounds like it would be
19 six weeks before you guys sort of -- everybody gets
20 all their replies in.

21 MR. MONGEON: So probably total -- probably
22 close to seven weeks.

23 KATIE MEIKLE: Okay.

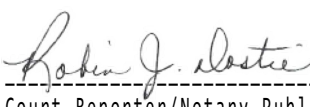
24 MR. MONGEON: Yeah.

25 KATIE MEIKLE: And then does everything go

28

1 to the DEP and then they weigh in on it or?	< Dates >	17 2:7, 9:3	70s 23:22
2 MR. MONGEON: So once the DEP receives all	April 1, 2025.	1940s 11:20	
3 of that material, staff and I will put together a	6:3	1970s 11:24	< 8 >
4 proposal as well as all of the facts that will be	April 14, 2025	1985 14:7	80s 23:13,
5 then given to the Commissioner to make the ultimate	1:15	1987 11:22	23:23
6 decision. I would have to look at the procedures	April 25 7:3,		840 3:12, 7:8,
7 again, but I think once we come up with the proposed	9:7, 27:1	< 2 >	8:8
8 decision or the proposed order for the Commissioner's	April 25, 2025	20 2:8	86 18:20
9 consideration we will send that out to parties to	8:25	2018 15:13	87 18:21
10 give them a chance to reply in case they have	April 25.	2020 17:3	
11 anything they want to say about that proposal. But,	28:9	21 2:9	< 9 >
12 yes, the ultimate decision will be with the	April 30, 2025	23 2:10	90 1:14
13 Commissioner and it will come after we have the full	30:17	25 3:16	9051 5:22
14 record together.	August 22,	26 17:2	9064 5:22
15 KATIE MEIKLE: Okay. Thank you.	2024. 6:8	28 9:7	@maine.gov 9:6
16 MR. MONGEON: All right. Well, thank you	February 6,		
17 again and have a good night.	2024 7:2		
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2 I, Robin J. Dostie, a Court Reporter and	1:13, 3:5,	August 11:25	body 8:2, 8:5
3 Notary Public within and for the State of Maine, do	3:13, 27:22	Augusta 1:15,	born 23:2
4 hereby certify that the foregoing is a true and	Administrative	6:20, 9:4,	bottle 17:8
5 accurate transcript of the proceedings as taken by me	5:21, 8:22	9:7, 27:3	bought 14:13
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8 and I have signed:	affected 23:10		14:5, 15:10,
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