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**Russell B. Pierce, Jr.**

March 27, 2025

**SENT VIA EMAIL/PDF**  
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Katherine A. Joyce, Esq.  
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100 Middle Street  
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**RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC Consolidated Petition for Release from Dam Ownership relating to Silver Lake, Alamoosook Lake, and Toddy Pond dams, 38 M.R.S. §§ 901, et seq.**

Dear Kat:

On behalf of the Towns of Orland, Surry, Penobscot, and Blue Hill, in accordance with the consultation procedures of Title 38 M.R.S. §§ 901 et seq., we have follow-up informational requests and clarifications needed as the parties continue with their due diligence obligations under Title 38 in this matter, with respect to the Alamoosook Lake Dam and the Toddy Pond Dam.

I emphasize that this follow-up request is not anticipated to be the only follow up that we have during consultation, and should not be construed to waive further requests or ongoing concerns that we have with responses to previous information requests. But we can identify the following issues that we request petitioner Bucksport Mill, LLC (“Buckmill”) immediately address:

1. Please identify with particularity all property rights that are within the scope of Buckmill’s petition which Buckmill intends to transfer under Article 6 of Title 38 (38 M.R.S. § 906(2)). By way of examples only,
  - i) Buckmill’s petition and attached map describes “Toddy Pond Dam Lots” and refers to the Toddy Parcel by reference to the deed at Book 979, Page 144, which deed in turn describes 9 parcels (one of which includes flowage rights). Does Buckmill consider all nine parcels described in this deed to be within the scope of its transfer obligations of Title 38?
  - ii) Buckmill’s petition refers to the deed at Book 711, Page 434, Section 39, as the real estate to be transferred with the Alamoosook Lake Dam. The petition does not appear to include the parcel described in the deed at Book 802, Page 585, which may be necessary to gain access to the upper dam for repair and maintenance purposes. Does Buckmill consider the transfer of this parcel to be within the scope of its transfer obligations of Title 38? Further, Section 40 of

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the Book 711, Page 434 deed refers to flowage rights. Is Section 40 included in the scope of Buckmill's transfer obligations of Title 38?

These are but a few examples of why we need a schedule of assets or complete and specific description of all property rights that Buckmill considers to be within the scope of transfer under Article 6 of Title 38.

2. Please provide a copy of the March 2015 revised Lake Level Management Plan described as the "Verso Paper Corp. Lake Level Management Plan" in the 2019 Easement between Bucksport Mill, LLC and Bucksport Generation, LLC, including any subsequent revisions to this plan or similar, subsequent documents.
3. Please provide a full copy of the contract (as described in the dams' Emergency Action Plans) with Ironclad Energy Partners, LLC (Bucksport Generation) describing Bucksport Generation's responsibility for operating, maintaining, and completing routine inspections of the Alamoosook Lake and Toddy Pond dams and identifying any Bucksport Mill, LLC costs or other obligations associated with this activity.
4. Copies of the June 2024 Haley Ward inspection report, and all other Haley Ward inspection reports for the Alamoosook Lake and/or Toddy Pond dams, including any inspection report (whether by Haley Ward or another entity) within the past six years.
5. Copies of all documents provided to the Alamoosook Lake Association or any of its agents, attorneys, or representatives, which have not been provided to the Towns of Orland, Surry, Penobscot, and Blue Hill.
6. Copies of the general ledger of either Buckmill or any related or affiliated entity that form the underlying basis for the Haley Ward Capital Expenditure (CAPEX) Plan, Contingent CAPEX Plan, and Operations and Maintenance (O&M) budgets.

Thank you for your attention to this matter.

Very truly yours,

*/s/ Russell B. Pierce, Jr.*

Russell B. Pierce, Jr.

RBP/

cc: Melanie Lyzim, Commissioner, Maine Department of Environmental Protection,  
[Melanie.Loyzim@maine.gov](mailto:Melanie.Loyzim@maine.gov)

Laura Paye, Hydropower & Dams Program Coordinator,

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Town of Orland; Town of Surry; Town of Penobscot; and Town of Blue Hill [client email]