

September 12, 2025

Sent Via Email Only to: laura.paye@maine.gov; Melanie.Loyzim@maine.gov

Hydropower Coordinator Laura Paye
Commissioner Melanie Loyzim
Department of Environmental Protection
17 State House Station
Augusta, ME 04333

RE: Maine Water Company Indentures Mandating Silver Lake Levels, Flowage, and Other Rights To Silver Lake Dam.

Dear Coordinator Paye and Commissioner Loyzim:

Maine Water Company (“MWC”) hereby submits into the Department of Environmental Protection’s (“Department”) administrative record for the Bucksport Mill LLC Petition for Release from Ownership of or Maintenance of Water Levels for Silver Lake Dam, two indentures recorded in the Hancock County Registry of Deeds. These are:

- (1) the November 30, 1935 Indenture between Bucksport Water Company and Maine Seaboard Paper Company which was recorded on December 13, 1935 at the Hancock County Registry of Deeds at Book 648 Page 556 (“1935 Indenture”); and
- (2) the October 16, 1989 Indenture between Bucksport Water Company and Champion International Corporation recorded at the Hancock County Registry of Deeds at Book 1779 Pages 089-092 (“1989 Indenture” together “Indentures”).

As you may be aware, Bucksport Water Company is a MWC entity, and Seaboard and Champion are former owners of the Bucksport Mill, now owned by Bucksport Mill LLC (“Mill”) the petitioner in the Department’s current proceedings. The Department’s current proceedings are defined as a petition “to initiate proceedings for release from dam ownership or water-level maintenance.” 38 M.R.S. § 901.

Section (1) of the 1935 Indenture authorizes MWC to utilize Silver Lake water to provide public drinking water including for fire suppression purposes. 1935 Indenture at page 3-4. Section 4, as amended by the 1989 Indenture due to relocation of the MWC intake, requires the Mill to “perpetually maintain the level of Silver Lake at or above an elevation of 120 feet above mean sea level as established by the United States Geodetic Survey Datum.” 1935 Indenture at page 4; 1989 Indenture at page 2.

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To the extent that the Department releases the Mill from dam ownership or lake level maintenance, the Department is without authority to release any owner of the Silver Lake Dam from the Indentures. 38 M.R.S. § 905(2). Maintenance of MWC property rights in the Silver Lake Dam impoundment, as set forth in the Indentures, is essential to MWC function as a public water utility serving Maine's public water and fire suppression needs.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joanna B. Tourangeau", with a stylized, overlapping loop structure.

Joanna B. Tourangeau

cc: Circulation of Department Email of August 20, 2025 (by email only).