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**VIA EMAIL – [jtourangeau@dwmlaw.com](mailto:jtourangeau@dwmlaw.com)**

August 26, 2025

Joanna B. Tourangeau, Esq.  
Drummond Woodsum  
84 Marginal Way, Suite 600  
Portland, ME 04101-2480

Re: DEP Consolidated Petition for Release from Dam Ownership related to Silver Lake, Alamoosook Lake, and Toddy Pond, 38 M.R.S. §§ 901, et seq (the “Petition”).

Dear Attorney Tourangeau:

Bucksport Mill, LLC (“Bucksport Mill”) hereby responds to recent communications regarding Bucksport Generation LLC’s (“BuckGen”) consent to a potential future transfer of dam ownership in connection with the above-captioned Petition.

Bucksport Mill disagrees with your intimation that Bucksport Mill’s application for release of dam ownership was somehow deficient because it did not contain BuckGen’s consent. The DEP accepted Bucksport Mill’s application as complete for processing on November 1, 2024, triggering the commencement of a consultation period in which potential future owners can evaluate whether to take ownership of the dams, a process that remains ongoing. As all parties are aware, at the time of Bucksport Mill’s application there was not, and to this day there is not, a proposal from any party to take ownership of the dams, and thus there is nothing for which Bucksport Mill would be seeking consent.

While Bucksport Mill does not have a proposal to present to BuckGen for consent, counsel for four of the five towns currently evaluating potential dam ownership (the “Towns”) have made what Bucksport Mill considers to be a reasonable inquiry with BuckGen. Specifically, on August 4, 2025, the Towns communicated a request for clarity on whether BuckGen “is granting approval, withholding that approval until a later time, or is denying that approval.”<sup>1</sup> On August 15, 2025, BuckGen replied confirming that it understood why information about “whether and the terms on which Bucksgen [*sic*] would consent to transfer is necessary for [the Towns] to meaningfully assess potential assumption of the dams” but it not provide such information.<sup>2</sup> The reason cited for

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<sup>1</sup> Email from R. Pierce to Maine DEP, counsel for Bucksport Generation, counsel for Town of Bucksport, and counsel for Bucksport Mill (Aug. 4, 2025).

<sup>2</sup> Email from J. Tourangeau to Maine DEP, counsel for Towns, counsel for Town of Bucksport, and counsel for Bucksport Mill. (Aug. 15, 2025).

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not providing an answer was BuckGen's position that it is Bucksport Mill's responsibility to request any consent.

Bucksport Mill disagrees with this characterization. BuckGen has been an interested party in this consultation process from the outset. It is Bucksport Mill's understanding that BuckGen is aware that the Towns are considering potentially taking ownership of the dams, but that no definitive offer or proposal has been put forth such that BuckGen's formal consent would be triggered. However, Bucksport Mill certainly supports the Towns' desire for clarity. In the interest of advancing what has been a productive consultation process, Bucksport Mill hereby seeks BuckGen's general consent to a framework in which the towns of Orland, Surry, Penobscot, Blue Hill, and Bucksport take ownership of the dams and related infrastructure located at Toddy Pond, Alamoosook Lake, and Silver Lake. Bucksport Mill respectfully requests a response by September 6, 2025, so that the Towns may continue their evaluation of potential dam ownership, which Bucksport Mill believes is in the best interest of all stakeholders.

Bucksport Mill intends to continue its collaborative approach to this Petition, to share the details of any proposal it receives with BuckGen, and to obtain any requisite consent from BuckGen as part of a future transfer of dam ownership.

Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Kath Joyce", with a stylized flourish at the end.

Katherine Joyce