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LD 531

Hello Legislators,

Pertaining to the bill: An Act to Establish the Toddy Pond Watershed Management District, you will see that it is a fast-track to Waterfront property owners ending up with 100% responsibility for all dam costs as well as managing the District. This bill was created by town selectmen to take the burden off the towns, even though hearings indicated that towns were in favor of sharing costs or even taking full responsibility for their town's allocation.

I am not for or against this bill but I have a proposed correction to make it more viable. And some concerns I hope you will consider.

As a person with interest in waterfront property on Toddy Pond, I would like to suggest that activation of the District require the affirmative vote of ALL four towns to participate, not just ONE. The bill was originally written with the aim that at least 3 of 4 towns would participate, but this changed in the addendum, which many supporters were not even aware of. The last minute change reducing the requirement for passage to just ONE town ensures activation of the District, as the town of Orland wherein the dam lies will have much to gain from passage. However, but reduces incentive for the other towns to participate because they will quickly learn that they don't have to participate to keep the lake from draining. This bill mandates that waterfront property owners will automatically pay 100% of dam costs if their town does not participate, initially or through later opt-out.

If ALL towns are required to participate initially with the two-year commitment indicated, the District will at least have two years to make it work in such a way that hopefully, towns will want to continue their participation to protect their natural resource.

Following are some other comments and concerns:

1. Considering that ultimate responsibility always defaults to waterfront property owners, most of whom are seasonal residents living elsewhere, both in paying for all dam costs and ultimate responsibility for the District, how does it make sense that they have minority vote in decision making processes throughout.
2. Is the District, given the powers of a quasi-town entity, actually valid if waterfront property owners end up managing the District by default if All towns opt out it, except for one representative left from the Town of Orland? Under this scenario, then Waterfront owners gain 2 extra representatives to give them a 3-1 vote.
3. Since this bill was created in direct response to the Abandonment Petition which could lead to the draining of the Toddy Pond, you might also ask, 'Why didn't the towns even try to come up with an inter-local agreement which is how most towns own and manage dams. Towns are so much better equipped to manage a public utility than leaving it to a seasonal community who must also create the infrastructure to administer assessments and liens as necessary for over 500 properties every year. Isn't this what we are paying towns to do through our taxes which are very much higher already for waterfront owners? This bill is not the ONLY solution for dam ownership though we have been led to believe this. I also think it is a POOR MODEL as a solution for future lakes facing dam abandonment.

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