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March 31, 2025

Testimony of Representative Nina Milliken presenting
LD 531, An Act Regarding Dam Ownership
Before the Joint Standing Committee on Environment and Natural Resources

Good morning, Senator Tepler, Representative Doudera, and friends and colleagues on the Joint Standing Committee on Environment and Natural Resources. My name is Nina Milliken and I happily represent the folks in Blue Hill, Brooksville, Castine, Sedgwick, Surry and Trenton in the Maine House. Today I am here to present the bill **LD 531, An Act Regarding Dam Ownership**.

I want to begin my testimony today by expressing what I think are two very important things. One is that politics has become a heated field in the last couple of months and I want to take this quick opportunity to tell you that I hope that you are all being met with much more kindness than vitriol. I know that each of you is doing a lot of work to represent the constituents who sent you here as very best you can, and I thank you for your service to your communities as well as to all of the people of Maine.

The second thing that I want to say is a sincere and heartfelt thank you to your analyst, Mr. Tartakoff, for his patience and his hard work in crafting this language with me and with the towns that are being discussed in this proposal. I know it isn't entirely done yet, but his work has not gone unnoticed by myself or the communities that I represent and we are all extremely grateful. Thank you so much!

Up in Hancock County, there are three dams that are in the process of being abandoned by the salvage company that purchased the Bucksport Mill after it closed. These dams create three significant bodies of water, Silver Lake in the town of Bucksport, Alamoosook Lake in the town of Orland and Toddy Pond, which is seven miles long and is shared by the towns of Orland, Penobscot, Blue Hill and Surry. These bodies of water have been where they are for well over a century.

In the 1990s, the Legislature laid out a statutory mechanism for companies who owned dams in Maine to abandon them. This process has never played out to completion and there are many

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places that that statute could be improved. I have other bills that seek to address the inadequacies of that statute and therefore won't touch much on the law, but I will say that one of the provisions in the law is a rather short time period for finding a new owner of the dam prior to the allowance of the release of water. Because of that short time frame, I hope that you will understand the need for this bill to pass as an emergency in both chambers. To my knowledge, these communities have a hard deadline of Oct. 13 to make a decision on whether or not to assume ownership.

So, what is the effort?

As a result of significant public input, this bill takes a unique approach by creating public/private ownership structures to fund and manage the dams. The bill creates two quasi-municipal entities, one for Alamoosook Lake and one for Toddy Pond. The framework of both entities is laid out in the language before you. These entities will be managed by representatives elected by the lakefront property owners and appointed by the impacted towns. To fund the operations and management of the dams, the entities will have the authority to assess fees on the lakefront properties and solicit funding from the towns. Additionally, the entities will be able to apply for grants and financial support for the maintenance and repair of the dams, as well as for upgrades to improve fish passage and other more environmentally supportive improvements going forward.

There are a lot of details about the construction of the entities, but what I want to impress upon this committee more than anything else is the harm that would befall the towns that are impacted should this effort fail and should the waters be released from these lakes and ponds. Many, many people from not only our communities but also from each of your communities, as well as from across the country, come to recreate on these ponds. Both ponds provide incredible opportunities to swim, fish, boat, bird watch, and otherwise recreate and enjoy the beautiful wildlife and waters of this beautiful part of the state. I have been to many weddings of local couples who have celebrated their commitments to each other on the shores of these beautiful bodies of water. They hold enormous significance both economically and socially to the communities that Representative Bishop, Senator Grohoski and I have the good fortune of representing.

Please support their ongoing existence by unanimously passing this bill. I appreciate your time and consideration and am very happy to answer any questions.