From: Joanna B. Tourangeau
To: Matthew White; Paye, Laura
Cc: David Littell; Russell B. Pierce; Kat (Joyce) Stratton
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report
Date: Tuesday, September 15, 2026 10:27:39 AM

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Good morning:

As the Department and parties to this proceeding are aware, Maine Water Company (MWC) is a necessary party to the Section 902 consultation process per Section 902(3)(A). This is because, as documented in the Department's administrative record, Mill's Section 901 petition is for abandonment of the three dams that constitute the drinking water and fire suppression supply for the Town of Bucksport as operated by MWC. As is also documented in the record, all three of the dams which Mill seeks to transfer possess significant deferred maintenance and two of those dams are high risk dams. Accordingly, as expressly authorized by Section 901(1), consultation regarding voluntary transfer includes discussion of Mill's deeded and contractual obligations to maintain water levels (Section 901(1)(F)), costs of outstanding work (Section 901(1)(J)), and other information necessary to support the significant changes to MWC rights and obligations from their existing status. The changes to MWC's rights and obligations are documented in Bucksport's filing of MWC's revised Indenture and its new agreement to operate the Silver Lake Dam. Sections 901 and 902 of the Department's statutory authority to decide petitions for release from dam ownership and water level maintenance prescribe only two outcomes for Sections 901 and 902—either the Department approves the report on consultation with volunteers to assume ownership of the dams thereby authorizing Mill's release from dam ownership and water level maintenance, or it rejects the petition. Section 902(5) authorizes no other outcome. Any Mill transfer to volunteers that fails to comply with the consultation provisions of Section 901 and 902 would be ineffective to release Mill from its obligations to parties to voluntary consultation and the state.

These issues are of particular concern to MWC given that despite Mill's explicit obligation to consult with MWC pursuant to Section 902(3)(A), Mill's clear obligation to report on that consultation to the Department pursuant to Section 902, and the Department's clear authority to reject Mill's petition if Mill fails to comply with each and every requirement of Sections 901 and 902, Mill's September 11 consultation report to the Department is silent as to its consultation with MWC.

As MWC previously advised the Department, Mill met with MWC only twice in this two year process despite the significance of MWC's interests in the dams and water levels which Mill seeks to abandon. As MWC explained, it's had one substantive meeting with Mill on July 16.

At that meeting, MWC presented Mill with specific requests to address the changes to its Indenture rights and implementation of the operations agreement that were required to support Bucksport's voluntary acceptance of the Silver Lake Dam. Since then, MWC has contacted Mill at least twice for feedback regarding next steps. Mill provided none. Mill's silence regarding consultation with MWC is not just concerning but also fails to meet the reporting requirements of Section 902(5) and the Department's September 4 letter. That letter required that Mill: " shall identify the status of negotiations, actions taken since the preceding update, any outstanding issues or impediments, the parties responsible for resolving those issues, and the anticipated date for execution of final transfer documents." As also specified in this Department letter, MWC looks forward to resolution of this process on November 3, 2026 with either denial of Mill's petition or approval of the consultation process supporting voluntary transfer of the three dams that are the subject of Mill's petition by documenting Mill's terms with each and all of the statutorily prescribed parties to the consultation process-including MWC.

Thank you very much for all of your time and careful consideration of this matter.

Sincerely,
Joanna

From: Matthew White <mwhite@bernsteinshur.com>
Sent: Friday, September 11, 2026 5:01 PM
To: Paye, Laura <Laura.Paye@maine.gov>
Cc: Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Hi Laura,

Attached please find Bucksport Mill's weekly status update, as required by the Department in its September 4 response.

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

Thanks,
Matt

Matthew White
BERNSTEINSHUR - Associate Attorney
207-228-7107 direct
My Bio | Portland, ME

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From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Friday, September 4, 2026 12:13 PM
To: Matthew White <mwhite@bernsteinshur.com>; Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; David Littell <dlittell@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: Russell B. Pierce <rpierce@nhdlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good afternoon,

Attached is the Department's updated Consultation Report requirements.

Please reach out if you have any questions.

Best,
Laura

From: Matthew White <mwhite@bernsteinshur.com>
Sent: Thursday, August 20, 2026 11:48 AM
To: Paye, Laura <Laura.Paye@maine.gov>; Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; David Littell <dlittell@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: Russell B. Pierce <rpierce@nhdlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Hi Laura,

Attached please find Bucksport Mill's response to your August 18 letter request.

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

Thanks,
Matt

Matthew White
BERNSTEINSHUR - Associate Attorney
207-228-7107 direct
My Bio | Portland, ME

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From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Tuesday, August 18, 2026 11:07 AM
To: Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; David Littell <dlittell@bernsteinshur.com>; Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: Russell B. Pierce <rpierce@nhdlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good morning,

Please see the attached Department letter establishing a new deadline for an update to the Consultation Report.

Best,
Laura

Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563

From: Joanna B. Tourangeau <JTourangeau@dwmlaw.com>
Sent: Wednesday, August 12, 2026 12:46 PM
To: David Littell <dlittell@bernsteinshur.com>; Paye, Laura <Laura.Paye@maine.gov>; Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: Russell B. Pierce <rpierce@nhdlaw.com>
Subject: Re: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Good afternoon:

Bucksport Generation LLC joins the Town of Bucksport's request for an interim August 26, 2026, deadline for the Mill's updated report on this extended consultation process under 38 M.R.S. Section 902 and respectfully, but strongly, affirms the Town's cited justifications for same.

Thank you for considering,
Joanna

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From: David Littell <dlittell@bernsteinshur.com>
Sent: Friday, 07 August 2026 16:28:37
To: Paye, Laura <Laura.Paye@maine.gov>; Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <JTourangeau@dwmlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Dear Laura and all,
The Town apologizes that it could not respond quickly to Bucksport Mill's supplemental update filed on Monday of this week. The DEP acted on Wednesday to grant a substantial extension of time into November to the Petitioner. The Town writes to request the addition of an earlier reporting deadline of August 26 (in addition to the DEP's set deadline in November); that would be the key decision point and reporting deadline for the Town's decision to schedule a vote and would be helpful. It would be particularly helpful because the Town observes that no real progress has been made in negotiations with Bucksport Mill other than in the weeks immediately preceding a DEP reporting deadline.

The Town also understands that neither Bucksport Mill, Bucksport Generation, nor Maine Water have plans to meet to negotiate resolution of their issues with each other. The lack of negotiations between these three Silver Lake parties is extremely concerning as they have issues to resolve and documents to draft with the Town to move forward. All three parties are talking with the Town but very little with each other. The Town hopes to motivate direct negotiations as there are substantial issues that these three Silver Lake parties need to resolve among themselves to facilitate a dam transfer

By way of more information, the next day after the DEP extended the reporting and petition, yesterday which was August 6, Bucksport Mill responded to the Town that is unwilling to commit to the financial terms the Town requested months ago and that BuckMill indicated to Town about June 16 and the Department in BuckMill's June 17, 2026 report that BuckMill accepted in June. This is both surprising and unhelpful as the Town Council agreed to move forward with negotiations based on Bucksport Mill's representation to the Town, repeated to DEP, that it agreed to the Town's financial terms to take the dam to defray the Town's costs to be incurred. Based on BuckMill's verbal and written financial commitment, the Town has expended over one hundred thousand dollars, well beyond its legal budget, to negotiate six different documents with three parties on Silver Lake.

Bucksport Mill's change in position is a step backwards at a minimum after the Town's planned first reading of the vote resolve. It further emphasizes why the Town needs binding commitments to move forward with a Town vote – parties can and do renege on their commitments. The Town therefore respectfully requests that the DEP add another reporting deadline on August 26. The Town asks for August 26 as a reporting deadline because the next day, August 27, is the last possible date for the Town to undertake a public first reading of a resolve to put this on the November ballot. The Town has twice delayed its scheduled vote due to lack of progress in negotiations and at this point -- with a first reading on August 27 -- will need to make special arrangements for expedited ballot printing and delivery to meet the State's absentee ballot requirements. Given Bucksport Mill change in what it told the Town and the Department, the Town respectfully hopes that Bucksport Mill can resolve its issues directly with other parties so these documents can be in agreed upon final form so the Town Council can move forward with the first reading of the resolve to schedule a vote at the end of August.

In short, the Town believes based on past actions by the parties that the negotiations will not proceed expeditiously to allow for scheduling of a Town vote if there is not substantial attention over the next several weeks. A DEP reporting deadline of August 26 may motivate the parties to put forward an effort to negotiate with each other.

Thank you for considering this request.

Respectfully,

David Littell

Counsel for the Town of Bucksport

David Littell
BERNSTEINSHUR - **Shareholder Attorney**

207-228-7156 direct
207 592-1188 mobile
@https://twitter.com/DavidPLittell
My Bio | Portland, ME

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From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Wednesday, August 5, 2026 4:39 PM
To: Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good afternoon,

Please see the Departments response, attached.

Feel free to reach out with any questions!

Best,
Laura

Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563

From: Matthew White <mwhite@bernsteinshur.com>
Sent: Monday, August 3, 2026 5:02 PM
To: Paye, Laura <Laura.Paye@maine.gov>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Hi Laura,

Attached please find another supplement to Bucksport Mill's Consultation Report. Please do not hesitate to contact me if you have any questions.

Thanks,
Matt

Matthew White
BERNSTEINSHUR - Associate Attorney
207-228-7107 direct
My Bio | Portland, ME

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From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Friday, June 26, 2026 10:46 AM
To: Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good morning,

Please see the Department's correspondence providing the requested extension.

Feel free to reach out with any questions.

Best,
Laura

Laura Paye (she/her)

Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563

From: Matthew White <mwhite@bernsteinshur.com>
Sent: Wednesday, June 17, 2026 4:56 PM
To: Paye, Laura <Laura.Paye@maine.gov>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Hi Laura,

Attached please find Bucksport Mill's supplement to our Consultation Report. Please do not hesitate to contact me if you have any questions.

Thanks,
Matt

Matthew White
BERNSTEINSHUR - Associate Attorney
207-228-7107 direct
My Bio | Portland, ME

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From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Friday, December 19, 2025 2:43 PM
To: Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>; Matthew White <mwhite@bernsteinshur.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good afternoon,

Please see the Department's response, attached.

Happy holidays!
Laura

Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563

From: Matthew White <mwhite@bernsteinshur.com>
Sent: Monday, December 8, 2025 4:49 PM
To: Paye, Laura <Laura.Paye@maine.gov>; Loyzim, Melanie <Melanie.Loyzim@maine.gov>
Cc: Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>; David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>
Subject: FW: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Hi Laura,

Attached please find Bucksport Mill's response to the Department's November 21, 2025 request for information in connection with the above-referenced proceeding.

Please let us know if you have any questions or require additional information.

Thanks,
Matt

Matthew White
BERNSTEINSHUR - Associate Attorney
207-228-7107 direct
My Bio | Portland, ME

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From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Friday, November 21, 2025 2:00 PM
To: Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>; Loyzim, Melanie <Melanie.Loyzim@maine.gov>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; jtourangeau@dwmlaw.com
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good afternoon,

Please see the attached request for additional information.

Best,
Laura

Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563

From: Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Sent: Friday, October 10, 2025 3:53 PM
To: Paye, Laura <Laura.Paye@maine.gov>; Loyzim, Melanie <Melanie.Loyzim@maine.gov>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; jtourangeau@dwmlaw.com
Subject: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Good afternoon,

Please see the attached report on the consultation process conducted pursuant to the DEP process for the referenced Petition.

I hope you all enjoy a lovely holiday weekend.

Best,

Kat

Kat (Joyce) Stratton
she/her/hers pronouns
Shareholder
Energy & Environmental Practice Group Leader
207-228-7297 direct
207 774-1200 main
207 774-1127 fax
My Bio | LinkedIn

BERNSTEINSHUR
Portland, ME | Manchester, NH | Augusta, ME | bernsteinshur.com

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