

MacNeil, Jami

From: MacNeil, Jami
Sent: Friday, February 19, 2021 10:12 AM
To: Bensinger, Peggy; 'Jeffry Spinney'; 'Bailey Bolen'; 'Allen J. Philbrick'; plyons@eatonpeabody.com; 'William A. Weary'; 'Kristin Collins (kcollins@preti.com)'; 'Cathy Johnson (cjohnson@tidewater.net)'; Gordon Smith; 'Doreen Conboy'; 'Mark P. Desmeules'; 'A. McKinne Stires'; 'Nicholas Barth'; 'Jon Luoma'; 'Carol Ervin'
Cc: Hinkel, Bill; Burke, Ruth A; Hallowell, Dawn; Elwell, Caleb
Subject: RE: questions on Appeal of Spinney NRPA Permit

The photographs shared by Mr. Weary in his presentation at the Board meeting yesterday were submitted to the Department during the review of the application, in a letter attached to an email sent on 1/9/2020, via a file-sharing link. The link and selected photographs and notes from that document were entered into the permitting record and can be seen at the DEP's online page containing the permitting record: <https://www.maine.gov/dep/ftp/projects/Spinney-L28397AN/Public%20Comments/Weary,%20William/Photos%20submitted%20with%201.9.2020%20comments/> (see files named "Link to Photos.docx" and "Photos and captions from webpage.docx")

During the review, the Department accepted files submitted via electronic file-sharing services from both the applicant and interested persons.

Just wanted to clarify that.

Best,

-Jami MacNeil (she/her)

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Maine Department of Environmental Protection
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From: Bensinger, Peggy <Peggy.Bensinger@maine.gov>
Sent: Friday, February 19, 2021 9:32 AM
To: 'Jeffry Spinney' <jeff.spinney@gmail.com>; 'Bailey Bolen' <baileybolen@gmail.com>; 'Allen J. Philbrick' <philbrick@cmplaw.com>; plyons@eatonpeabody.com; 'William A. Weary' <w.weary@gmail.com>; 'Kristin Collins (kcollins@preti.com)' <kcollins@preti.com>; 'Cathy Johnson (cjohnson@tidewater.net)' <cjohnson@tidewater.net>; Gordon Smith <gsmith@verrill-law.com>; 'Doreen Conboy' <thebend@tidewater.net>; 'Mark P. Desmeules' <salmon@tidewater.net>; 'A. McKinne Stires' <stires@nei.net>; 'Nicholas Barth' <barthnicholas242@gmail.com>; 'Jon Luoma' <jluoma@tidewater.net>; 'Carol Ervin' <cervin@yrcrlaw.com>
Cc: Hinkel, Bill <Bill.Hinkel@maine.gov>; Burke, Ruth A <Ruth.A.Burke@maine.gov>; MacNeil, Jami <Jami.MacNeil@maine.gov>; Hallowell, Dawn <Dawn.Hallowell@maine.gov>; Elwell, Caleb <Caleb.Elwell@maine.gov>
Subject: questions on Appeal of Spinney NRPA Permit

Mr. Spinney:

I have checked with Ms. Burke, the Board's clerk, and an e-mail version of the Board Order will be sent out today. The paper copy will be sent out on Monday.

With regard to photographs and documents shown in oral arguments yesterday, those will not be added to the record as the record is closed. Those that were from the record are already in, and no other documents or photographs should have been used.

If you have any further questions feel free to contact me or Mr. Hinkel.

-----Original Message-----

From: jeff spinney <jeff.spinney@gmail.com>

Sent: Friday, February 19, 2021 8:56 AM

To: Bensinger, Peggy <Peggy.Bensinger@maine.gov>

Subject: Re: Re Appeal of Spinney Order - Request for Reconsideration of Proposed Supplemental Evidence Ruling;;
Comments from Respondent Barth

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Peggy, How long does it take the board to prepare the final written findings? Im just curious.

Also, in mr weary's presentation yesterday i noticed that many of his photos and maps were not from the original record. Some were indeed similar in nature, but not the actual ones from the record. I am just curious as to how the board handles that in terms of the record of the board. If necessary, and you provide the link to recording, i could go through the recording and indicate specifically which m were not specifically in record if that helps. I am concerned that the opponents may pursue this further and i want to be certain record is solid.

Please let me know, thanks. Jeff