

## York, Marylisa

---

**From:** MacNeil, Jami  
**Sent:** Thursday, October 24, 2019 4:33 PM  
**To:** Philbrick, Jeff  
**Subject:** RE: Public comments for Spinney/Alna dock DEP permit application

Mr. Philbrick,

Thank you for your question. The term "bureau" in this section refers to bureaus within the Department of Environmental Protection. These would be the Bureau of Land Resources, the Bureau of Air Quality, The Bureau of Water Quality, and the Bureau of Remediation and Waste Management. The Bureau of Parks and Land is a part of the Department of Agriculture, Conservation, and Forestry. The other permitting entities you mention do not factor into the DEP's requirement for a public informational meeting.

The project in question will not require a permit from the other DEP bureaus.

Best,

**-Jami MacNeil**

Environmental Specialist III  
Bureau of Land Resources  
Maine Department of Environmental Protection  
(207) 446-4894 | [jami.macneil@maine.gov](mailto:jami.macneil@maine.gov)

---

**From:** Philbrick, Jeff <Jeff.Philbrick@lchcare.org>  
**Sent:** Thursday, October 24, 2019 12:22 PM  
**To:** MacNeil, Jami <Jami.MacNeil@maine.gov>  
**Subject:** RE: Public comments for Spinney/Alna dock DEP permit application

**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.**

Jami, thank you for the quick feedback and clarifying that.

For the individual permit, per Section 10 (B) 6. Projects requiring new or amended licenses from more than two bureaus, not including minor revisions.: Would a public meeting need to have occurred if permits are required from the DEP, Army Corps. Of Engineers, the Town of Alna and a lease/easement from the Bureau of Parks and Lands for leasing submerged space owned by the State?

Thank you,  
Jeff

---

**From:** MacNeil, Jami <[Jami.MacNeil@maine.gov](mailto:Jami.MacNeil@maine.gov)>  
**Sent:** Thursday, October 24, 2019 10:19 AM  
**To:** Philbrick, Jeff <[Jeff.Philbrick@lchcare.org](mailto:Jeff.Philbrick@lchcare.org)>  
**Subject:** RE: Public comments for Spinney/Alna dock DEP permit application

*This message originated outside of MaineHealth. Use caution when opening attachments, clicking links or responding to requests for information.*

Good Morning Mr. Philbrick,

Mr. Spinney's application is not a Tier application. Tier applications are for projects that result in freshwater wetland alterations. This project will result in a coastal wetland alteration and is therefore an Individual NRPA application. No public informational meeting was required prior to filing.

Thank you,

**-Jami MacNeil**

Environmental Specialist III  
Bureau of Land Resources  
Maine Department of Environmental Protection  
(207) 446-4894 | [jami.macneil@maine.gov](mailto:jami.macneil@maine.gov)

---

**From:** Philbrick, Jeff <[Jeff.Philbrick@lchcare.org](mailto:Jeff.Philbrick@lchcare.org)>  
**Sent:** Thursday, October 24, 2019 8:59 AM  
**To:** MacNeil, Jami <[Jami.MacNeil@maine.gov](mailto:Jami.MacNeil@maine.gov)>  
**Subject:** RE: Public comments for Spinney/Alna dock DEP permit application

**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.**

Thank you Jami for your answers to these questions.

One more item has come to my attention. Can you confirm that this is a tier 2 application, or what tier it has been designated?

There is a section in the certification that states a public information meeting per Chapter 2, Rules Concerning the Processing of Applications, Section 13, is required prior to filing the application. This meeting did not occur. Did the DEP waive this requirement, and under what grounds and rationale?

Thank you,  
Jeff

---

**From:** MacNeil, Jami <[Jami.MacNeil@maine.gov](mailto:Jami.MacNeil@maine.gov)>  
**Sent:** Tuesday, October 15, 2019 4:23 PM  
**To:** Philbrick, Jeff <[Jeff.Philbrick@lchcare.org](mailto:Jeff.Philbrick@lchcare.org)>  
**Subject:** RE: Public comments for Spinney/Alna dock DEP permit application

***This message originated outside of MaineHealth. Use caution when opening attachments, clicking links or responding to requests for information.***

Mr. Philbrick,

There is no formal definition in the Natural Resources Protection Act (NRPA) for a "common or shared recreational pier, dock, or wharf." It typically means a pier, dock, or wharf used by multiple people beyond the landowner and their immediate family. The application and review process for a shared pier is the same as that for a private pier, and there is no formal criteria for distinguishing the two. The project purpose (common vs. private) is only relevant to the review in the context of the alternatives analysis, as a justification for the project. A NRPA permit applies to the structures as shown on the approved plans. The permit is issued to the applicant and the Department does not typically dictate how the structures are subsequently used. Once a NRPA permit is issued, the applicant has four years to begin construction

of the project, and up to seven years to finish construction (from the date of approval). No permit is required for  
CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the use of the intended recipient(s)  
only and may contain information that is privileged, confidential, and prohibited from unauthorized disclosure under  
applicable law. If you are not the intended recipient of this message, any dissemination, distribution, or copying of this  
message is strictly prohibited. If you received this message in error, please notify the sender by reply email and destroy  
all copies of the original message and attachments.  
The Department accepted the application for processing on September 9, 2019. The statutory deadline for the Department  
to render a final decision on the application is January 7, 2020; however, the goal date for a decision is November 15,  
2019. Written comments will be accepted until a decision is issued.  
CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the use of the intended recipient(s)  
only and may contain information that is privileged, confidential, and prohibited from unauthorized disclosure under  
applicable law. If you are not the intended recipient of this message, any dissemination, distribution, or copying of this  
message is strictly prohibited. If you received this message in error, please notify the sender by reply email and destroy  
all copies of the original message and attachments.  
From: Philbrick, Jeff <Jeff.Philbrick@lchcare.org>  
Sent: Thursday, October 10, 2019 12:32 PM  
To: MacNeil, Jami <Jami.MacNeil@maine.gov>

Subject: RE: Public comments for Spinney/Alga dock; DEP permit application  
You may contact me with additional concerns, questions, or comments. I can be reached at (207) 446-4894 or via  
email at [jami.macneil@maine.gov](mailto:jami.macneil@maine.gov).

**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.**

Sincerely,  
Good morning Jami, thank you for the confirmation.

**-Jami MacNeil**

Environmental Specialist III questions for you related to this permit application and DEP rules:

Bureau of Land Resources

Maine Department of Environmental Protection of "common or shared recreational pier, dock or wharf"?

(207) 446-4894 | [jami.macneil@maine.gov](mailto:jami.macneil@maine.gov)

2. What are the defining differences between this common/shared definition vs. a private recreational pier/dock?

3. Does the DEP have screening criteria to validate the applicants self-classification of the use type on the permit

From: Philbrick, Jeff <Jeff.Philbrick@lchcare.org>, what are the rules the DEP uses to vet that a permit application for

Sent: Friday, September 27, 2019 5:36 PM marina, or that a common use dock isn't really just a private recreational dock

To: MacNeil, Jami <Jami.MacNeil@maine.gov> parties occasionally and invite others to bring their boats?

Cc: [jody@mainemastconerov.com](mailto:jody@mainemastconerov.com), Allen Philbrick <allphilbr@lchcare.org> than a permit for a private recreational

Subject: Public comments for Spinney/Alga dock; DEP permit application

5. If granted, does a common or shared recreational dock permit apply to the physical structures, or to the

App. 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

in perpetuity to those "common

`Good afternoon (Jami), do common use permits expire?

7. What rights do common users have to use an approved common/shared recreational pier permit?

Attached are my comments related to the DEP permit application in Alna, Maine by Jeff Spinney. Thank you for your

work and considering this matter. Please feel free to contact me with any questions. Mr. Spinney.

Jeff Philbrick

Alfa, Maine

207-563-4180

---

From: MacNeil, Jami <Jami.MacNeil@maine.gov>

Sent: Tuesday, October 08, 2019 10:06 AM

From: Philbrick, Jeff <Jeff.Philbrick@lchcare.org>

Subject: RE: Public comments for Spinney/Alga dock; DEP permit application

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the use of the intended recipient(s)

only and may contain information that is privileged, confidential, and prohibited from unauthorized disclosure under

applicable law. If you are not the intended recipient of this message, any dissemination, distribution, or copying of this

message is strictly prohibited. If you received this message in error, please notify the sender by reply email and destroy

all copies of the original message and attachments.

This message originated outside of Maine Health. Use caution when opening attachments, clicking links or responding to

requests for information.

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the use of the intended recipient(s)

only and may contain information that is privileged, confidential, and prohibited from unauthorized disclosure under

applicable law. If you are not the intended recipient of this message, any dissemination, distribution, or copying of this message is strictly prohibited. If you received this message in error, please notify the sender by reply email and destroy all copies of the original message and attachments.