

**"Murphy,
Donald"
<Donald.
Murphy@maine.
gov>**

To<wende_mahaney@fws.gov>
cc
SubjectFirst Wind - Blue Sky East, LLC "Bull Hill
Wind Project' Development Application

02/17/2011 05:31
PM

Wende;

Hello. I am working at LURC in Augusta as the Project Planner for the 'Bull Hill Wind Project' in T16-MD near Eastbrook in Hancock County. I know you are aware of the project as you have had correspondence with with the developers David Fowler and Geoff West of First Wind - Blue Sky East, LLC. Brooke Barnes is the consultant/agent for the applicant at Stantec. You may have just received a copy of the LURC Development Permit Application in the mail at your office. I have to apologize as it was mailed out ten days ago to the old address listed on the LURC form and I was unaware of the change. The attached notices and forms have links to the application and the LURC Commissioners permit review schedule and a memo to all reviewers for any comments on the application.

Just as an update, even though there was initially under one-tenth of an acre of wetland impact and the Corps' site visit resulted in a no issues, the applicant has decided to bridge the wetland. This results in a project with no wetland impact. I know your interest still involves species of concern and the inland salmon fisheries. Norm Dube at the Maine Dept of Marine Resources is reviewing the application along with the IF&W Biologists Richard Bard and Greg Burr in Jonesport coordinated by Steve Timpano.

I'm afraid that the four week review period was compromised for you with the late application receipt. If the March 4th deadline is unworkable for you let me know. Based on your pre-application letter, I'm not sure to what extent you'll input on this project. If you haven't received the CD the application is on posted on the LURC website. If you have any questions or need any information please let me know. My contacts are below. Thank you for taking a look at this under the circumstances.

Sincerely;

Don Murphy

Donald E. Murphy, Project Planner
Land Use Regulation Commission
Maine Department of Conservation
18 Elkins Lane / Harlow Building, 4th floor
Augusta, ME 04333-0022

Phone 287-2619 / Fax 287-7439

Email: donald.murphy@maine.gov

[attachment "ReviewAgenciesRequestForm2.pdf" deleted by Wende Mahaney/
R5/FWS/DOI] [attachment "BullHillWind_MEMOtoReviewers2-9-2011.pdf"
deleted by Wende Mahaney/R5/FWS/DOI]

From: [Murphy, Donald](#)
To: ["Geoff West"](#)
Subject: FW: LURC T16MD - Bull Hill Wind Project Review Comments Check (UNCLASSIFIED)
Date: Monday, March 21, 2011 9:55:13 AM

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

From: Mahaney, Shawn B NAE [<mailto:Shawn.B.Mahaney@usace.army.mil>]
Sent: Friday, March 18, 2011 9:20 AM
To: Murphy, Donald
Cc: Clement, Jay L NAE
Subject: RE: LURC T16MD - Bull Hill Wind Project Review Comments Check (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Don,

Our regulatory jurisdiction in this area is over the discharge of dredged or fill material into all waters of the United States including adjacent and isolated wetlands under Section 404 of the Clean Water Act. Since no work in or affecting navigable waters will occur; and/or no fill will be placed in waters or wetlands, no further action is required for this work. The applicant should be reminded that no filling of waters of the United States (wetlands or waterways) is authorized without written approval from the Corps.

If you have any questions, give me a call/e-mail.

Shawn
Shawn B. Mahaney, Senior Project Manager.
U.S. Army Corps of Engineers.
Maine Project Office.
675 Western Avenue, #3.
Manchester, Maine 04351.

Tel. 207-623-8367 ext 4. or 978-318-8492.
Fax. 207-623-8206.
E-mail: Shawn.B.Mahaney@usace.army.mil
<http://www.nae.usace.army.mil/reg/index.htm>

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

From: Clement, Jay L NAE
Sent: Thursday, March 17, 2011 6:26 PM
To: Murphy, Donald

Cc: Mahaney, Shawn B NAE
Subject: RE: LURC T16MD - Bull Hill Wind Project Review Comments Check
(UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

That would be Shawn Mahaney in my office that's reviewing that one Don. I'll let him weigh in.

Jay

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

From: Murphy, Donald [<mailto:Donald.Murphy@maine.gov>]
Sent: Wednesday, March 16, 2011 3:05 PM
To: Clement, Jay L NAE
Subject: LURC T16MD - Bull Hill Wind Project Review Comments Check

Hello Jay;

I'm just checking in on the LURC DP #4886 - Bleu Sky East, LLC in T16MD - 'Bull Hill Wind Project' to see if you had any Review Agency comments. I know that earlier on your staff visited the site and did not have any wetland concerns as impact was under 1/10 acre. Actually they revised the design and spanned the one impact crossing by using a bridge instead. That final version was on the application CD I sent to you awhile back. We had a deadline of March 4th on agency comments which was extended and I'm waiting on one last DEP reviewer. I knew from earlier e-mails that your agency saw nothing of significance. If you could just send me an e-mail to that effect; either that there is no jurisdiction or there is no impact concerns. I need something for the record. Wende sent me such a e-mailed letter that there were no USFWS concerns that I was able to use. I would appreciate that in the near future if that's possible. However, in the event that USACE does have concerns then let me know so we can address that.

I'll keep you on the agencies notification list about the Public Hearing, etc.

Thank you very much. Please call me if you have any questions.

Don Murphy

Donald E. Murphy, Project Planner
Land Use Regulation Commission
Maine Department of Conservation
18 Elkins Lane / Harlow Building, 4th floor
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Website: www.maine.gov/doc/lurc

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