

Appellant Darren Lord's Comments from the Record

Bertocci, Cynthia S

From: Lord, Darren {PBC} <darren.lord@pepsico.com>
Sent: Thursday, May 09, 2013 2:37 PM
To: DEP, HancockWindProject
Subject: RE:

Thank-you Maria for the follow up and your professionalism.....much appreciated. The real strange thing about this was the Selectman that showed me First Wind's plans asked me not to contact your office. When I asked him why, he just smiled and laughed and said that your office would not appreciate it that they (the board of Selectman and David Fowler) had been meeting.

Maria, you seem like a very professional individual who takes a lot of pride in her job. I hope that you understand my point of view. I am just a hard work husband and father who is trying to enjoy our beautiful state and I want to pass it on to my children and eventually my grandchildren. I firmly believe that First Wind and all its subsidiaries don't care about the long term effects on our state. They are a company whose true intentions is just to make money under the guise of being a green company.

Thanks.

Darren



Darren Lord / Channel Manager - Restaurants
 19 Penobscot Meadow Drive, Hampden, ME 04444
 Office: (207) 973-2223 / Cell: (207) 949-0866 / Fax: (207) 973-2225
 E-Mail: Darren.Lord@Pepsico.Com

P Please consider the environment before printing this email.

From: DEP, HancockWindProject [<mailto:HancockWindProject.DEP@maine.gov>]
Sent: Thursday, May 09, 2013 2:00 PM
To: Lord, Darren {PBC}
Subject: RE:

Hi Darren,

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I encourage you to check back to the website in about two weeks when the visual impact review will be posted. I think you will find it helpful.

Thanks,
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From: Lord, Darren {PBC} [<mailto:darren.lord@pepsico.com>]
Sent: Thursday, May 09, 2013 11:09 AM
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Why can't we put a moratorium on any new wind project that devastates our lakes, streams and mountains in Maine? The projects that put the turbines 20 miles out in the oceans seem much more viable and don't impact any land owners.

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The camps owners on Spectacle, Rocky Pond, Lead and Upper Lead need your help. Please don't let us down. If you need to call me, my cell phone number is 207-949-0866.

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Bertocci, Cynthia S

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- How many meetings took place?
- Why wasn't your agency and the public notified of the meetings?
- Who was present at meetings (I was told that the board of Selectman and David Fowler was present). Was Reed & Reed present and was a lawyer present from First Wind?
- Do we have meeting notes of what was discussed?
- Has the State Attorney General's office been notified?

Thank-you so much for your help.

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Bertocci, Cynthia S

From: Lord, Darren {PBC} <darren.lord@pepsico.com>
Sent: Wednesday, May 15, 2013 9:34 AM
To: DEP, HancockWindProject
Subject: RE:

Thanks Maria for your follow up and your diligence on this matter as it relates to the private meetings between Dave Fowler and certain members of the Board of Selectman of Osborn. If the DEP Commissioner needs to speak with me, I would be more than happy to discuss this situation as it is a very serious matter. In my own professional life, I have taken many classes with certifications on a yearly basis on such topics as "Anti -Trust" and "Federal Trade Commission compliance." In all my trainings, this would rank as a very serious matter with a host of potential violations that may need to be reported to not only your agency, but also to the Federal Govt.

On the fire suppressant systems, I will continue to ask questions to independent professionals and will definitely follow up with you and First Wind on this.

Many Thanks.

Darren

From: DEP, HancockWindProject [mailto:HancockWindProject.DEP@maine.gov]
Sent: Wednesday, May 15, 2013 9:05 AM
To: Lord, Darren {PBC}
Subject: RE:

Hi Darren,

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We have notified the DEP Commissioner of this development. At this point, I don't have enough information to comment if it would change anything with our review of the current proposal.

We conducted a site visit yesterday and part of the visit was a stop at the O&M building. The staff gave us a little more info on how a fire would be managed. That being said – we don't have any standard for fire suppression or control. We are only able to look at the standards in Site Location of Development and the Wind Energy Act, neither of which deals with fire. I understand it is a concern for you, but it is simply not something that we review. From the conversation yesterday, I understand that a Hancock County training of responders will take place soon, and that First Wind has given considerable thought to how to deal with a fire, should one happen.

If you would like, I could ask if anyone at First Wind would be willing to answer any specific questions you might have about their fire response/suppression plan? Please let me know and I can try to put you in contact with someone if you are interested.

Thanks,
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Bertocci, Cynthia S

From: Lord, Darren (PBC) <darren.lord@pepsico.com>
Sent: Wednesday, May 22, 2013 5:24 PM
To: DEP, HancockWindProject
Subject: RE:

Maria, I have checked back with the websites to keep informed on pending developments and updates. I am really trying my best to take a balanced approach to all points of views, which I definitely respect, although not necessarily agree with. There seems to be a lot of information available to a citizen who wishes to keep themselves up-to-date and who has an interest in learning (most of this is very new to me). For instance, I didn't realize that First Wind sold 49% of their company to Emera (a Canadian company) and formed a new company called Northeast Wind Partners, which will manage the wind farms in Maine. Apparently, they were on the verge of bankruptcy, according to their CEO Paul Gaynor and they tried to an IPO to raise cash but Wall Street did not take their offering because they are over \$500 million in debt, so they were forced to sell.

Has First Wind, Emera or Northeast Wind Partners responded to you in writing yet about the private meetings by David Fowler?

Thanks.

Darren

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Bertocci, Cynthia S

From: Lord, Darren {PBC} <darren.lord@pepsico.com>
Sent: Wednesday, May 29, 2013 8:20 PM
To: DEP, HancockWindProject
Subject: RE: Hancock Wind Project

Maria, thank-you very much for answering my questions.....well done. I have read the Site Review a couple of times and found the reading interesting. I do think the future plans are relevant because in the Site Review, on a few different occasions, the analysis states that because of the existing Bull Hill project, the addition of the 18 turbines from the Hancock Wind Project would be more palpable to the average person. Hence, if the Hancock Wind Project is approved, the same argument will be made. The logic will be, since there are already 18 turbines from Bull Hill and from 18 turbines from Hancock Wind, the addition of another 40 in Osborn would not be a scenic impact. I did find this analysis in the site review really strange. For example, if I have already polluted a pristine environment with 18 turbines on Bull Hill, another 18 on Hancock Wind should be approved as well? That's kind of what the site review is saying.....which I think is flawed logic, and I think you would agree with me (or at least I hope you do ☺). If I have 28 turbines in Mar's hill, then what's another 30 in Presque Isle and 40 more in Caribou? Similarly, I do feel strongly that it speaks to the credibility of First Wind and to their lead developer David Fowler. If they are willing to meet in private and not notify your agency, what else are they willing to not be forthright about? I grew up in a blue collar home and was the first one to ever go to college and am a proud graduate of the University of Maine in Orono. Honesty and integrity was the building blocks that my dad instilled in me and that's why I have a problem with what is going on. I hope you understand. I do respect the fact that you are in a very difficult position on this.

Are you at liberty to discuss the rationale of why the DEP rejected the plans on the Passadumkeag Wind Project? When I was reviewing the potential impact on the SRSNS at Passadumkeag, it did appear to me that the potential impact by the Hancock Wind Project was much more severe.

Again, thank-you for the quick follow up and the professionalism in which you answered them.

Darren

From: DEP, HancockWindProject [mailto:HancockWindProject.DEP@maine.gov]
Sent: Wednesday, May 29, 2013 11:47 AM
To: Lord, Darren {PBC}
Subject: RE: Hancock Wind Project

Hi Darren,

I'll try my best to answer your questions.

1. Hancock Wind, LLC (the applicant) is a wholly owned subsidiary of First Wind Maine Holdings, LLC.
2. For the scenic impact, many things are factored into a Department decision. These include quantity of SRSNS, quality/purpose of SRSNS, type of visual impact (for instance, are the turbines highly visible or barely), findings of the independent scenic peer reviewer, Department staff best professional judgement, etc. It would definitely be possible a project could be denied based on impacts to 1 SRSNS.
3. Six SRSNS's in Passadumkeag.

4. Our scenic consultant has contacted the Dept. of Ag, Conservation, and Forestry to ask for use numbers for Tunk. I have also consulted with them, and they have declined to comment on the project. Therefore, I doubt any new information on Tunk will be entered into the review.
5. The Wind Energy Act only considers locations within 8 miles of a turbine, therefore, no contact with Acadia.
6. Part of the peer review is a determination of acceptability of the VIA. Our peer reviewer found the information submitted to be suitable.
7. The turbines will not be visible from the Church. If they were, we might consider scenic impacts.
8. No, I have not yet seen the future plans. At this point, I'd be curious, but it would not affect the current review.

Hope I answered your questions! Please let me know if I missed anything.

Thanks,
Maria

From: Lord, Darren {PBC} [mailto:darren.lord@pepsico.com]
Sent: Tuesday, May 28, 2013 2:38 PM
To: DEP, HancockWindProject
Subject: Hancock Wind Project

Maria, I do have a few follow up questions as it relates to the VIA and the APE (I do love the acronyms.....I am trying to acclimate myself quickly to them ☺). I hope I am not being a burden to you.

- On the application for the project, I know that the subsidiary is "Hancock Wind." Who is listed as the parent company? Is it First Wind or is it Northeast Wind Partner's? I know that First Wind was forced to sell 49% of its company to Emera to stave off bankruptcy but it seems that are still on the application? The new company is called Northeast Wind Partner's.
- When I was reviewing the VIA and the APE, I noticed that it would impact 1 historical site, 9 great ponds, 1 Public Reserved Land Trust and 1 Coastal Scenic Resource. What is the industry standard that the DEP goes by for either rejecting or accepting the project? Is it the gross number of SRSNS affected or is the severity on the SRSNS or is it a combination of the 2? It is possible to have only 1 SRSNS and have a project rejected if it is deemed severe?
- When the DEP rejected the Passadumkeag Wind Project from First Wind, how many SRSNS were affected?
- The scenic review mentions that a follow up is needed on Donnell Pond as it relates to the SRSNS. Do you know what the follow up is going to be?
- Tunk Mountain seems to be the most serious as it is one of the most pristine locations in the entire State of Maine and a highly visible SRSNS. Will the DEP consult with Acadia National Park on the VIA on Tunk Mountain and it's Acadia Hiking Trails?
- The survey of respondents for Tunk Mountain was done in late September and early October, which is post Labor day. The timeline is slightly flawed of when the highest number of hikers would be present, which would be in July & August. Also, I think you and the DEP would agree that the survey that they did, though admirable, was not very scientific. If the project hasn't already been rejected, will the DEP require a more scientific study across all SRSNS affected by the project?
- What is the position of the DEP on the VIP on the historical site of the Eastbrook Baptist Church? What is the industry standard if a Church, Synagogue or Mosque is impacted?

- Have you had a chance to review the plans at the town office in Osborn for the additional 40 turbines? They are in a binder on Roger Waterman's desk as he is the one who showed them to me.

Thank you very much.

Darren

