



Lessard, Susan &lt;slessard@bucksportmaine.gov&gt;

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**Fwd: WWD Appeal: Holly Faubel**

1 message

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**Jason Mitchell** <jmitchell@wholeoceans.com>  
To: "Lessard, Susan" <slessard@bucksportmaine.gov>

Tue, Dec 18, 2018 at 11:11 AM

<https://drive.google.com/file/d/1rap8EcKg6VIWpWBi2FTcrcGOaJCxw3eG/view?usp=sharing>

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**From:** Jason Mitchell <jmitchell@wholeoceans.com>  
**Sent:** Tuesday, December 18, 2018 11:01 AM  
**To:** hollyfaubel@gmail.com  
**Subject:** Re: WWD Appeal: Holly Faubel

Hi Holly

I received your e-mail with notice of appeal. I appreciate the advance copy and direct communication.

I happen to be in Bucksport this afternoon for a meeting with another concerned citizen from Belfast at 1:00. I'm interested in better understanding your concerns. I've found that a quick civil / respectful / friendly discussion around topics like this can be very productive.

I know it's short notice but if you happen to be available, and have interest in meeting, I'd be glad to have you join the 1:00 meeting or I can accommodate any other time / place this afternoon? Otherwise I'm glad to meet another time later this week?

Best,  
Jason

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Jason Mitchell  
Whole Oceans Pres & COO  
207-751-3530

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

**From:** WordPress <donotreply@wholeoceans.com>  
**Sent:** Monday, December 17, 2018 7:56 PM  
**To:** Jennifer Fortier  
**Subject:** New Contact Form Submission via WholeOceans.com: Holly Faubel

**From:** Holly Faubel <hollyfaubel@gmail.com>

Message:

To: Jason Mitchell - attached please find a copy of my appeal to your (MEPEDS) Permit # 0037478 & (WDL) # W009190-6F-A-N. Hard copy will be sent to your office and electronic and hard copies have been sent to the Chair of BEP Maine, and the Maine DEP Commissioner. Here is the link to the PDF file: <https://drive.google.com/file/d/1rap8EcKg6VIWpWBi2FTcrcGOaJCxw3eG/view?usp=sharing>

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[This e-mail was sent from a the home page contact form at WholeOceans.com]



Lessard, Susan &lt;slessard@bucksportmaine.gov&gt;

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**Permit**

2 messages

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**Susan Lessard** <slessard@bucksportmaine.gov>  
To: jmitchell@wholeoceans.com

Tue, Dec 18, 2018 at 6:24 PM

How big an impact is this appeal? Are we talking project-ending or altering? My reading of this appeal is that she does not have standing. I can't promise that but I have been doing this work a long time.  
What can I do to help?  
Sue

Sent from my iPhone

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**Jason Mitchell** <jmitchell@wholeoceans.com>  
To: Susan Lessard <slessard@bucksportmaine.gov>

Tue, Dec 18, 2018 at 6:39 PM

Hi Sue

Thanks for the follow-up. I think we'll know more over the next couple days... But my read on it right now is that it's really a matter of time... I'm confident we can sort out Holly's concerns, but now that it's tied up in the appeal process it might just take longer... If the appeal is deemed to not have standing, hopefully there is a short circuit on the wider / more formal appeal process and it doesn't take too long to disposition! If the appeal is deemed to have standing and it enters the wider / more formal process, then there could be serious delays and could eventually compromise the project - but I'm not ready to go down that thought path yet!!

Permitting is viewed as one of the higher risks and barrier to entry for the project. The investor community is watching our permitting process very closely and will not commit funds until the project is de-risked.

You've been a HUGE help. We are very lucky to have you \_\_

Best,  
Jason

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Jason Mitchell  
Whole Oceans  
President & Chief Operating Officer  
www.wholeoceans.com <<http://www.wholeoceans.com>>  
jmitchell@wholeoceans.com  
207-751-3530  
619-322-2344  
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Lessard, Susan &lt;slessard@bucksportmaine.gov&gt;

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**Process**

2 messages

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**Lessard, Susan** <slessard@bucksportmaine.gov>  
To: Jason Mitchell <jmitchell@wholeoceans.com>

Wed, Dec 19, 2018 at 11:20 AM

The process for dealing with this appeal, on the part of the licensee is as follows. You will be formally notified by the BEP Executive Analyst that an appeal has been filed and that you have the opportunity to respond. However, under Chapter 2 Rules that govern procedure, Section 24A, the licensee can file a motion with the BEP to dismiss the appeal for lack of standing by the appellant as an aggrieved person. The definitions of that is in section 1B. The Board Chair has the right to dismiss the appeal from that motion. The appellant can ask the full board to review that decision. Since you already have a copy of the appeal - you do not have to wait for formal notification from the BEP executive analyst to file that motion.

I would suggest that you have your attorney review the appeal that was filed and prepare and file a motion to dismiss the appeal based on lack of standing - and for them to cite the reasons for that in the motion.

The other option is for the appellant to withdraw the appeal. If you can set up a meeting with the appellant and answer her questions and offer some means of input moving forward - that would also fix this.

Just trying to help.  
Sue

**Susan Lessard** | Town Manager  
Town of Bucksport, Maine | Incorporated June 25, 1792  
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**Jason Mitchell** <jmitchell@wholeoceans.com>  
To: "Lessard, Susan" <slessard@bucksportmaine.gov>

Wed, Dec 19, 2018 at 11:24 AM

Good input Sue; thanks!

We have a meeting scheduled with our attorney to discuss and develop a plan tomorrow.

Best,

J

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**Jason Mitchell**  
Whole Oceans Pres & COO

207-751-3530

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