

## Olcott, Kyle

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**From:** Ed Friedman <edfomb@comcast.net>  
**Sent:** Tuesday, June 7, 2022 2:24 PM  
**To:** Olcott, Kyle  
**Subject:** RE: Further FOMB Comments on Pejepsct

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Please send me the copy Kyle. Thank you. It sounds like you are not willing to make a change to the draft at this point and will make us all plow ahead. Language something like the below would be an easy addition in lieu of more lengthy edits.

As of issuance date for this WQC, existing DEP surface water classification of the Pejepsct Project area is Class C [see Footnote 9]. Legislation has been signed upgrading this section to Class B which goes into effect on August 8. Beginning August 9<sup>th</sup>, all references and requirements [compliance and otherwise] in this document relevant to Class C must be considered changed to Class B.

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**From:** Olcott, Kyle [mailto:Kyle.Olcott@maine.gov]  
**Sent:** Tuesday, June 07, 2022 12:47 PM  
**To:** Ed Friedman  
**Subject:** RE: Further FOMB Comments on Pejepsct

Thanks Ed. The appeal procedure is attached to the final Order, which will be issued tomorrow. It will be filed with FERC but I will send you a copy if you are not subscribed to the FERC docket.

Kyle Olcott  
Hydropower Coordinator  
Bureau of Land Resources  
Maine Department of Environmental Protection  
207 641 9012

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**From:** Ed Friedman <edfomb@comcast.net>  
**Sent:** Tuesday, June 7, 2022 12:39 PM  
**To:** Olcott, Kyle <Kyle.Olcott@maine.gov>  
**Subject:** RE: Further FOMB Comments on Pejepsct

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Thanks Kyle. I hope you will insert a "phase-in" clause requiring Class B compliance after August 8. This is easy to do and will save us ALL a lot of hassle in dealing with an appeal, probably to the Board, which we will definitely file.

Ed

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**From:** Olcott, Kyle [mailto:Kyle.Olcott@maine.gov]  
**Sent:** Tuesday, June 07, 2022 8:06 AM  
**To:** Ed Friedman  
**Subject:** RE: Further FOMB Comments on Pejepsct

Thank you Ed. If you are interested in receiving a draft WQC for a project in the future, please let me know sufficiently in advance of the WQC issuance deadline (1 year from the filing of the WQC application). Our policy is to provide copies of the draft to those who request it. Since you did not request a draft for Pejepsot, I did not send it to you.

Unfortunately, as you are probably aware, we are subject to a strict one year federal deadline so we have no flexibility on the timing. This inflexible federal deadline certainly hampers us in a number of ways, but if we do not meet it, then the WQC is considered to be waived.

I do realize that some controversial WQC's have been posted online for public review, but we typically don't do that for every project. This seems to have created some confusion here, and I apologize for that.

Kyle Olcott  
Hydropower Coordinator  
Bureau of Land Resources  
Maine Department of Environmental Protection  
207 641 9012

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**From:** Ed Friedman <[edfomb@comcast.net](mailto:edfomb@comcast.net)>  
**Sent:** Tuesday, June 7, 2022 2:53 AM  
**To:** Olcott, Kyle <[Kyle.Olcott@maine.gov](mailto:Kyle.Olcott@maine.gov)>  
**Cc:** scott sells <[sls@tritonev.com](mailto:sls@tritonev.com)>; [sls@sellslawfirm.com](mailto:sls@sellslawfirm.com); jburrows <[jburrows@asfmaine.org](mailto:jburrows@asfmaine.org)>; Steve Heinz <[heinz@maine.rr.com](mailto:heinz@maine.rr.com)>; [heinz@maine.rr.com](mailto:heinz@maine.rr.com); Brenner, Stacy <[stacy.brenner@legislature.maine.gov](mailto:stacy.brenner@legislature.maine.gov)>; Tucker, Ralph <[ralph.tucker@legislature.maine.gov](mailto:ralph.tucker@legislature.maine.gov)>; Burke, Ruth A <[Ruth.A.Burke@maine.gov](mailto:Ruth.A.Burke@maine.gov)>; Burke, Ruth A <[Ruth.A.Burke@maine.gov](mailto:Ruth.A.Burke@maine.gov)>  
**Subject:** Further FOMB Comments on Pejepsot

**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.**

Kyle,

Please see attached FOMB additional comments for the record on the Pejepsot Water Quality Certificate.

Thanks,  
Ed



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