

## Attachment I

**From:** Lisa A. Gilbreath  
**To:** ["Brown, Joshua"](#)  
**Subject:** RE: LUPC Special Exceptions  
**Date:** Thursday, June 15, 2017 2:27:00 PM  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[image003.jpg](#)  
[image004.jpg](#)  
[image005.jpg](#)

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You're very welcome!

<b>Lisa A. Gilbreath</b>	
<b>PIERCE ATWOOD LLP</b>	<b>PH 207.791.1397</b>

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**From:** Brown, Joshua [<mailto:Joshua.Brown@maine.gov>]  
**Sent:** Thursday, June 15, 2017 2:23 PM  
**To:** Lisa A. Gilbreath  
**Subject:** RE: LUPC Special Exceptions

Lisa,

This is great, thank you!

Joshua.

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**From:** Lisa A. Gilbreath [<mailto:lgilbreath@PierceAtwood.com>]  
**Sent:** Thursday, June 15, 2017 1:48 PM  
**To:** Brown, Joshua; 'Goodwin, Mark'  
**Cc:** Hinkel, Bill; Horn-Olsen, Samantha; Matt Manahan; Mirabile, Gerry J. ([Gerry.Mirabile@cmpco.com](mailto:Gerry.Mirabile@cmpco.com))  
**Subject:** RE: LUPC Special Exceptions

Joshua,

You are correct that the unnamed zones are M-GN zones. Please find attached a KMZ file with the LUPC subdistricts identified, as well as a preliminary KMZ of the centerline and clearing limits.

Please let us know if you have any additional questions as you review.

Thanks,

Lisa

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<b>Lisa A. Gilbreath</b>	
<b>PIERCE ATWOOD LLP</b>	<b>PH 207.791.1397</b>

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**From:** Brown, Joshua [<mailto:Joshua.Brown@maine.gov>]  
**Sent:** Monday, June 12, 2017 12:07 PM  
**To:** Lisa A. Gilbreath; 'Goodwin, Mark'  
**Cc:** Hinkel, Bill; Horn-Olsen, Samantha; Matt Manahan; Mirabile, Gerry J. ([Gerry.Mirabile@cmpco.com](mailto:Gerry.Mirabile@cmpco.com))  
**Subject:** RE: LUPC Special Exceptions

Lisa,

Thank you for the data. I noticed that some of the cells in the LURK column were empty, are these M-GN zones? Also, we were hoping for maps depicting the locations of these zones, are they forthcoming?

Joshua.

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**From:** Lisa A. Gilbreath [<mailto:lgilbreath@PierceAtwood.com>]  
**Sent:** Friday, June 09, 2017 3:42 PM  
**To:** 'Goodwin, Mark'; Brown, Joshua  
**Cc:** Hinkel, Bill; Horn-Olsen, Samantha; Matt Manahan; Mirabile, Gerry J. ([Gerry.Mirabile@cmpco.com](mailto:Gerry.Mirabile@cmpco.com))  
**Subject:** RE: LUPC Special Exceptions

Josh,

Please find attached a spreadsheet which shows the LUPC subdistricts that the proposed QMI Transmission Project will cross, from Concord to the Canadian border. The first sheet of the attached spreadsheet has the individual intersections by acres. The second sheet ("Summary By Town") has the total acres by subdistrict by town. As you can see in the attached spreadsheet, the proposed Project will cross the following subdistricts:

D-GN  
D-RS  
P-FP  
P-FW  
P-GP  
P-RR  
P-SL  
P-WL

It is our understanding that the Project is an allowed use in each subdistrict, including those that require special exceptions for utility facilities. See, e.g., Chapter 10, Sub-Chapter II, Sec. 1.3.f ("All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-RR subdistricts.").

It further is our understanding that the DEP's Site Law and NRPA review of the Project will consider all applicable standards that the LUPC would otherwise consider in granting a special exception. Utility facilities may be allowed as a special exception in the P-RR and P-WL subdistricts that the Project will cross. LUPC permits by special exception require a substantial showing that:

- a. There is no alternative site which is both suitable to the proposed use and reasonably available to the applicant;
- b. The use can be buffered from those other uses and resources within the sub-district with which it is incompatible; and
- c. Such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan.

DEP's review of the Project will consider alternative sites under NRPA. See 06-096 CMR 310.5, 06-096 CMR 310.9(A), and 06-096 CMR 335.3(C). Both the Site Law and NRPA applications require a narrative and drawing of proposed buffers, and the Site Law further requires this in 06-096 CMR 375.9(D).

Accordingly, we believe that no additional permitting will be required of LUPC. Please let us know if you have any questions.

Thank you,  
Lisa

**Lisa A. Gilbreath**

PIERCE ATWOOD LLP

PH 207.791.1397

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**From:** Goodwin, Mark [<mailto:magoodwin@burnsmcd.com>]

**Sent:** Monday, June 05, 2017 1:55 PM

**To:** Brown, Joshua

**Cc:** Hinkel, Bill; Horn-Olsen, Samantha; Matt Manahan; Mirabile, Gerry J. ([Gerry.Mirabile@cmpco.com](mailto:Gerry.Mirabile@cmpco.com)); Lisa A. Gilbreath

**Subject:** RE: LUPC Special Exceptions

Josh:

Sorry for the delay, we are preparing special exception documentation and our goal is to deliver it to the LUPC by the end of this week.

Thanks,

**Mark Goodwin, CPESC** \ Burns & McDonnell

Senior Environmental Scientist

207-517-8482 \ **Mobile** 207-416-5707

[magoodwin@burnsmcd.com](mailto:magoodwin@burnsmcd.com) \ [burnsmcd.com](http://burnsmcd.com)

27 Pearl Street \ Portland, ME 04101



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**From:** Brown, Joshua [<mailto:Joshua.Brown@maine.gov>]

**Sent:** Monday, June 05, 2017 9:18 AM

**To:** Goodwin, Mark <[magoodwin@burnsmcd.com](mailto:magoodwin@burnsmcd.com)>

**Cc:** Hinkel, Bill <[Bill.Hinkel@maine.gov](mailto:Bill.Hinkel@maine.gov)>; Horn-Olsen, Samantha <[Samantha.Horn-Olsen@maine.gov](mailto:Samantha.Horn-Olsen@maine.gov)>

**Subject:** LUPC Special Exceptions

Good morning Mark,

Just checking in to ask when you might be able to provide us with the areas along the proposed transmission line route that will require special exception? As you know we are very anxious to start the process ASAP to be able to meet your deadlines.

If it makes sense for us to go directly to CMP for this information, or otherwise other means to expedite the process please let us know.

Thank you!

***Joshua Brown, Regional Representative***

Department of Agriculture, Conservation, and Forestry

Land Use Planning Commission

131 Fyfe Road, PO Box 307

W. Farmington, ME 04992

207-670-7492

[joshua.brown@maine.gov](mailto:joshua.brown@maine.gov)