Friends of Penobscot Bay

POB 1871, Rockland ME 04841 www.penbay.net

May 11, 2015

James D. Chaousis, II City Manager Rockland City Hall 270 Pleasant Street Rockland, ME 04841

Subject: Maine Freedom of Access Law request

Dear Mr. Chaousis

This letter is a request pursuant to 1 M.R.S.A. 408, the Maine Freedom of Access statute, to inspect at your office and to copy as necessary the following records:

Meeting records, letters, faxes, emails, attachments, phone notes, phone logs, photographs and other written and electronic records written, received or recorded by you from any source, between April 1, 2015 and May 11, 2015, inclusive, that pertain to Rockland Energy Center or its parent entity Energy Management, Inc.

If you choose to deny permission to physically inspect or copy any of the requested records, please state the reason for the denial, including the appropriate legal citation(s). If you need additional information to locate any of the documents requested, please call me at 691-7485 or email me at coastwatch@gmail.com

Friends of Penobscot Bay looks forward to receiving your response within five (5) working days of your receipt of this letter, as required by 1 M.R.S.A. 409 (1). We prefer to inspect, review and copy these requested records at your office. Please contact me to set an appointment to review these records. Contact by phone at 691-7485 or by email: coastwatch@gmail.com

Sincerely

Ron Huber

Ron Huber, Executive Director

Friends of Penobscot Bay

cc Brenda L. Kielty, Assistant Attorney General, Public Access

From:

James D Chaousis II < jchaousis@ci.rockland.me.us>

Sent:

Monday, May 11, 2015 11:41 AM

To:

David Miramant; Pinny Beebe-Center

Cc:

Frank Isganitis; Audra Caler-Bell

Subject:

Rockland Energy Center

Senator Miramant and Representative Beebe-Center,

First and foremost, thank you for the exhaustive work in representing Rockland in Augusta this year. I realize that I am not as well versed in the actions that happen in the Maine Legislature than you but my experience on the Maine Municipal Association Executive Committee has helped me with perspective. I can't remember such an active session in the last decade. I speak for the Rockland City Council when I say we feel like we are in good hands.

In your free time, you may have read that the City of Rockland has a very important development discussion emerging that has many important factors. Ideally, we would want our State leaders involved in these issues from the start but things are moving quickly. Now that the conversation is slowing down enough to allow for engagement the City would like to arrange a meeting with Rockland Energy Center.

If meeting with Rockland Energy Center, and/or the City, regarding the budding development topic is something that interests you please let me know. Ideally, we would like to have both of you present for one discussion but I understand the time constraints.

I look forward to your response.

Thank you.

Jim C

From:

Audra Bell <abell@ci.rockland.me.us>

Sent:

Monday, May 11, 2015 9:08 AM 'Larry Pritchett'; 'Brooks Winner'

To: Cc:

'James D Chaousis II'

Subject:

RE: Moderate workshop with Rockland Energy Center

Hi Larry,

The EMI folks can be flexible. They are going to be staying in Rockland for a few days so they'll be available any time on the 26th for as long as they need to be. If the Energy Committee doesn't mind it would be good if you could meet earlier so the workshop can start by 6. Also Evan, Craig and Jack would like to come to the Energy Committee meeting to talk about the project/answer questions and find out more about how they can work with the Energy Committee moving forward.

In regards to format I think having something that is as interactive as possible would be great.

Audra

From: Larry Pritchett [mailto:larrypritchett.council@qmail.com]

Sent: Monday, May 11, 2015 8:52 AM

To: 'Audra Bell'; 'Brooks Winner'

Cc: 'James D Chaousis II'

Subject: RE: Moderate workshop with Rockland Energy Center

Hi Audra,

What are the time constraints for Energy Management's representatives? If the Energy Committee was to meet at its usual time (I can explore with members meeting earlier), the start time for the public forum would probably need to be 6:30.

Also, we should talk about format/set up for Council Chambers. Obviously, we can make those changes and get Chambers set up before the Energy Committee meeting. So, I don't think we need to plan "set up" into the time window between the Energy Meeting and the public forum. Thoughts?

Larry

From: Audra Bell [mailto:abell@ci.rockland.me.us]

Sent: Monday, May 11, 2015 08:34 **To:** 'Brooks Winner'; 'Larry Pritchett'

Cc: 'James D Chaousis II'

Subject: RE: Moderate workshop with Rockland Energy Center

It depends on whether or not the Energy Committee is planning on meeting that day. If you do decided to meet the workshop will be at 6, if you decide not to meet we'll try to scheduled it at 5:30.

Audra

From: Brooks Winner [mailto:bwinner@islandinstitute.org]

Sent: Sunday, May 10, 2015 9:13 PM

To: Audra Bell; 'Larry Pritchett' Cc: 'James D Chaousis II'

Subject: RE: Moderate workshop with Rockland Energy Center

Hi Audra,

I'm interested and will be meeting with my colleagues Tuesday to discuss this. I will give you an answer later this week. What time is the workshop scheduled?

Best, Brooks

From: Audra Bell [mailto:abell@ci.rockland.me.us]

Sent: Friday, May 08, 2015 12:27 PM **To:** 'Larry Pritchett'; Brooks Winner

Cc: 'James D Chaousis II'

Subject: Moderate workshop with Rockland Energy Center

Hello Larry and Brooks,

I briefly discussed this with Larry, but I wanted to reach out to both of you by email to ask if you would be willing & able to moderate a workshop on May 26th. Evan Coleman, Jack Arrunda and Craig Olmstead from Rockland Energy Center and Energy Management Inc. would like to have a workshop this day regarding natural gas, safety and fracking. This will be the first of a series of workshops regarding the Rockland Energy Center project (so as a forewarning: I'll probably ask you again if you'd be willing to moderate future workshops).

I know you both have a lot of experience with this kind of work so I'm happy for you to be as involved in this process as you are willing/have time to be. To be more specific if you only have time to show up and moderate that's ok but if you want to develop the structure/format for the workshop or contribute in any other way that I haven't even mentioned that would be great as well. Also — I'm here to help - so if there is work around this you think would be valuable but you do not have time to do I will certainly try and provide you with support.

Let me know your thoughts.

Kind regards, Audra

Audra Caler-Bell Community & Economic Development Director Rockland, Maine 207-594-0306

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Audra Bell <abell@ci.rockland.me.us>

Sent:

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To:

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Cc:

'James D Chaousis II'

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Audra Caler-Bell
Community & Economic Development Director
Rockland, Maine
207-594-0306

From:

James D Chaousis II < jchaousis@ci.rockland.me.us>

Sent:

Friday, May 08, 2015 4:03 PM

To: Subject: Sandy Billington REC Press Release

Attachments:

PR REC Delay 5-8-2015.pdf; REC Letter 5-8-2015.pdf

Sandy,

Please send this to the press for immediate release.

From:

James D Chaousis II < jchaousis@ci.rockland.me.us>

Sent:

Friday, May 08, 2015 4:04 PM

To:

Adam Micelli; Al Gourde; Amy Levine; Audra Caler-Bell; Bruce Boucher; Dennis Reed; Ed

Glaser; Greg Blackwell; John Root; Kevin Beal; Rene Dorr; Samantha Mank; Sandy

Billington; Stuart Sylvester, Terry Pinto; Tom Lutrell

Subject:

FW: REC Press Release

Attachments:

PR REC Delay 5-8-2015.pdf; REC Letter 5-8-2015.pdf

FYI

From: James D Chaousis II [mailto:jchaousis@ci.rockland.me.us]

Sent: Friday, May 08, 2015 4:03 PM

To: Sandy Billington (sbillington@ci.rockland.me.us)

Subject: REC Press Release

Sandy,

Please send this to the press for immediate release.

From:

James D Chaousis II < jchaousis@ci.rockland.me.us>

Sent:

Friday, May 08, 2015 4:04 PM

To:

Frank Isganitis; Larry Pritchett; Louise MacLellan-Ruf; Valli Geiger; William Clayton

Subject:

FW: REC Press Release

Attachments:

PR REC Delay 5-8-2015.pdf; REC Letter 5-8-2015.pdf

FYI

From: James D Chaousis II [mailto:jchaousis@ci.rockland.me.us]

Sent: Friday, May 08, 2015 4:03 PM

To: Sandy Billington (sbillington@ci.rockland.me.us)

Subject: REC Press Release

Sandy,

Please send this to the press for immediate release.

From:

Audra Bell <abell@ci.rockland.me.us>

Sent:

Friday, May 08, 2015 3:50 PM

To:

'James D Chaousis II'

Subject:

FW: Revised Letter

Attachments:

Letter to City of Rockland - 2015 REC Capacity Bid - REVISED.pdf

From: Evan Coleman [mailto:ecoleman@clear-energy.us]

Sent: Friday, May 08, 2015 3:47 PM

To: Audra Bell

Subject: Revised Letter

Audra,

An error was made on the front page of the original letter - please use this version.

Best,

Evan

Evan Coleman

CLE^R 241 Boston Post Rd W. Marlborough, MA 01752 207.217.8908 ecoleman@clear-energy.us

From:

Audra Bell <abell@ci.rockland.me.us>

Sent:

Friday, May 08, 2015 12:27 PM

To:

'Larry Pritchett'; bwinner@islandinstitute.org

Cc:

'James D Chaousis II'

Subject:

Moderate workshop with Rockland Energy Center

Follow Up Flag:

Follow up

Flag Status:

Flagged

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Let me know your thoughts.

Kind regards, Audra

Audra Caler-Bell Community & Economic Development Director Rockland, Maine 207-594-0306

From:

Audra Bell <abell@ci.rockland.me.us>

Sent:

Friday, May 08, 2015 10:46 AM

To:

'Louise MacLellan-Ruf'; 'James D Chaousis II'; 'Frank Isganitis'

Subject:

RE: Public Access TV spot and Public Conversations

Hi Louise,

I can answer part of question 2: Evan and EMI would like to hold the first public workshop to talk about natural gas, safety and fracking either the week of May 18th or the 25th. This will be the first in a series of workshops to have more in depth discussions on the project.

Audra

From: Louise MacLellan-Ruf [mailto:louisemaclellanruf@qmail.com]

Sent: Friday, May 08, 2015 9:34 AM

To: James D Chaousis II; Frank Isganitis; Audra Bell **Subject:** Public Access TV spot and Public Conversations

Good morning,

I was contacted by Rich Smalley. He has a public access show on Channel 22. His initial request was for a Round Robin discussion with all of Council. After reviewing some of the procedural and legal issues he understands the limitations.

He is asking for a publicized meeting where he will act as the interviewer. This sounds similar to when Steve Betts moderates the debates. Mr. Smalley's main focus is wanting answers about the potential energy company. One of his goals is to increase"transparency" around this topic.

So, my question is twofold:

First, is this something that is doable?

Second: August is looming. Do we have workshops for public input and answers about this project on the horizon? I realize we are in the middle of budget season but the sooner we begin these accountability and answer sessions with the community the better. Clearly the Summit issues are on everyone's radar.

Let's get this learning curve started.

Thanks, Louise

From:

Evan Coleman <ecoleman@clear-energy.us>

Sent:

Thursday, May 07, 2015 4:38 PM jchaousis@ci.rockland.me.us

To: Cc:

Audra Beli

Subject:

Rockland Energy Center - Please See Attached

Attachments:

5.7.2015 Letter to City of Rockland - REC.pdf; 5.7.2015 Letter to Faith Huntington -

Maine PUC.pdf

Jim,

Please find the attached letter as it relates to the REC project as well as a letter submitted today via email to the Maine Public Utilities Commission relating to the long term capacity RFP.

Please feel free to contact me with any questions.

Best,

Evan

Evan Coleman

CLE^R 241 Boston Post Rd W. Marlborough, MA 01752 207.217.8908 ecoleman@clear-energy.us

From:

Audra Bell <abell@ci.rockland.me.us>

Sent:

Thursday, May 07, 2015 9:32 AM

To:

pegtrout 2001@yahoo.com jchaous is@ci.rockland.me.us

Cc: Subject:

RE: Might as well say what I'm thinking...

Hello Maggie,

I'm not sure I'm completely clear on your questions so I apologize in advance if I'm not addressing your inquiries. However, I thought it was important to write back and clarify any areas where you seemed dubious about the details of the proposed power plant.

In regards to a City response to their proposal there was no email or other written response. Through meetings we expressed our interest in knowing more of the details of this project and understanding the implications for the City.

The plan is to locate the cogeneration plant on 9 Burrows Street & 270 Pleasant Street. This is the only industrial zoned land in City where this project will be feasible. They spoke with Ferraiolo Construction about using a portion of their site but Ferraiolo would not be able to move their operation to any other location. All the other locations that were suggested (near the solid waste facility, in the industrial park, etc.) were not technically feasible for building the plant due to a number of factors including distance the steam lines would have to travel to get to businesses and ledge that would prevent running the gas and steam lines to and from the facility.

In regards to the gas pipeline it will run along route 1. It will not go down 17 from Windsor. It will instead follow the powerline corridor to Searsmont than go to Belfast and run down route 1. My understanding is that it is 8 miles shorter a distance (and \$8 million dollars cheaper) for the pipeline to go to Searsmont to Belfast and down route 1 verses travelling straight down route 17 from Windsor.

If the Gateway proposal you're talking about is the Gateway 1 Project than the power plant is in no way connected. Gateway 1 was a Maine Department of Transportation project which has been completely defunded. It was a project originally supported by the Baldacci administration that lost support and funding when LePage came to office. The former project manager from MDOT for Gateway 1 is Chris Mann. I'm sure he'd be more than happy to speak to you Gateway 1 and confirm that this project is inactive and is not connected to the proposed power plant. You can reach Chris at <a href="maintenant-chris-chr

Please let me know if I can answer any other questions or if I can clarify on any of the points above.

Kind regards, Audra

From: Maggie Trout [mailto:pegtrout2001@yahoo.com]

Sent: Wednesday, May 06, 2015 1:02 PM

To: abell@ci.rockland.me.us

Subject: Might as well say what I'm thinking...

Even without yet being able to read the city response - -I think the Pleasant St. proposal is not the actual plan. For one, it doesn't make sense. Pipeline, I believe would run along Old County Road,

and then down into the harbor front, for use both by the Wastewater Treatment plant, and FMC, and, probably, Pen Bay Hospital.

I think this has something to do with the Gateway proposal. In any event, it would be far easier, and in many plans, to run that pipeline straight down through.

I don't believe that any of this speculation on my part is much different than that in these early proposals.

M. Trout

From:

Carmine DeStefano <carmine.destefano@gmail.com>

Sent:

Tuesday, May 05, 2015 12:40 PM jchaousis@ci.rockland.me.us

To: Subject:

EMI Power Plant

Dear James D. Chaousis,

I am writing to offer information regarding the EMI proposed gas fired co- generation plant. I was present at the public hearing last week and researched this topic further.

It is hard to argue with the efficiency that these types of plants offer, my most pressing concern is the route 1 corridor pipeline pathway and the general visual blight this plant will offer to visitors. It would be nice to see our wonderful town show a progressive color if we are to really consider this plant. I would advocate a large solar field on this site as it would be kinder on the eye and EMI has experience building such facilities.

I have pasted here many links for your review, I think I have given a balanced selection:

http://www.power-eng.com/articles/2000/12/emi-completes-sale-of-power-assets.html

http://www.power-technology.com/projects/tiverton/

http://www.epa.gov/cleanenergy/energy-and-you/affect/natural-gas.html

http://www.c2es.org/federal/executive/epa/ghg-standards-for-new-power-plants

http://www.southcoasttoday.com/apps/pbcs.dll/article?AID=/20140517/NEWS/405170314

http://www.naturalgasintel.com/articles/49792-calpine-emi-form-power-marketing-pact

At this point I do not know enough about this proposal to have an opinion that is wise. But this proposal seems to support the LaPage administrations steadfast support for natural gas. I think the digging for a pipeline down the coast is probably the most worrisome aspect of this project.

When I moved to Maine in 2006, I came because of natural beauty and quality of life, not jobs, money, taxes or the ability to make a living in the state. A miscalculation to some degree as I find myself leaving the state for work now. But I would rather do that then live in a place that is built up with jobs everywhere, where every whim can be entertained. Many people that I know in Maine are doing the same, you must find creative ways to make a living and raise your family and it is not easy at all and it is not for everybody either. But people find ways to make it work nonetheless, that's what makes Maine special. It is that unique spirit and colorful characters that makes Maine such an interesting place to live. I hope you keep that in mind as you navigate this proposal.

Sincerely,

Carmine

From: James D Chaousis II < jchaousis@ci.rockland.me.us>

Sent: Monday, May 04, 2015 8:01 AM

To: 'Kathryn Fogg'

Subject: RE: Your words and the Rockland Energy Project

I'm sorry that my words bothered you and appreciate all opinions. I also reserve the right to have an opinion, one that is professional tied to the city.

There is a long way to go on working on city issues. I don't want us to divide up on issues right now.

Thank you for your interest and engagement with city issues.

James D Chaousis II, City Manager City of Rockland 270 Pleasant Street Rockland, ME 04841 Phone (207)593-0636 www.ci.rockland.me.us jchaousis@ci.rockland.me.us

From: Kathryn Fogg [mailto:iringa67@yahoo.com]

Sent: Sunday, May 03, 2015 11:53 AM

To: James Chaousis

Cc: Larry Pritchett; Frank Isganitis; Louse MaclellanRuf; Valli Geiger; Will Clayton; Kevin Beal; John Root;

abell@ci.rockland.me.us

Subject: Your words and the Rockland Energy Project

Dear James,

I have great hope for you as our city manager but I was very disappointed in some of your final words. You referred to leaders of opposition to changes in the city. It sounded liked there was a group they were leading while I have not heard of any such group but only people expressing their individual opinions. You also referred to such opinions as intimidation rather than simply people expressing their right to give a different opinion.

The only threat I have heard is Rockland Energy Company walking away on Friday if they did not get a yes vote. I found it hard to believe that the City could be inviting other bids for the land while the company was paying an option to buy. While this was said several times by some councilors, it was answered that the city could not reach out for other bids during this period.

I hope that you will seriously attempt to see if acreage at the landfill could be made to work. It does not seem that the connections to Rt. 1 could be that different and extensions to the CMP Park St substation shorter or to any businesses only a bit farther. When it comes to a

public vote, it would be far more palatable (at least for me) to give a yes vote if it was there rather than in the suggested location. It could also then allow the City then to advertise the suggested land more widely without being under time limited pressure.

The fact that you may have received 61 calls in favor of project on Thursday vs 18 against may have had something to do with 40 having been at Wednesday's meeting expressing their views. I suspect the City may be divided somewhat evenly so it is important when the residents get to vote that there is a clear majority.

Kathryn Fogg Hill 84 Grace St Rockland

From:

Joe Patten <joepatten100@gmail.com>

Sent: To: Tuesday, May 05, 2015 9:34 AM jchaousis@ci.rockland.me.us

Subject:

REC

Jim,

It would have been easy to make public a copy of the RFP particularly Section 5.1d and f that settle the he-said-she-said time consuming arguments and bad vibes at the 2 meetings.

Just a suggestion to further transparency and better public relations.

Joe

From: Kathryn Fogg <iringa67@yahoo.com>

Sent: Sunday, May 03, 2015 11:53 AM

To: James Chaousis

Cc: Larry Pritchett; Frank Isganitis; Louse MaclellanRuf; Valli Geiger; Will Clayton; Kevin Beal;

John Root; abell@ci.rockland.me.us

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Kathryn Fogg Hill 84 Grace St Rockland

From: Frank Isganitis < frankisganitis@gmail.com>

Sent: Saturday, May 02, 2015 2:19 PM

To: Nathan Davis

Cc: Larry Pritchett; Louise MacLellan-Ruf; Wil Clayton; Valli.citycouncil@gmail.com; James D

Chaousis II; Audra Caler-Bell

Subject: Re: how I came to support the power plant

Nate,

Thank you for your thoughtful email and message of support. When faced with this proposal a few weeks ago, Council knew we could not have the answers in the short period of time that was needed to meet the developers request for an option on the land. As varied as we are as individuals, we share your angst in trying to figure out what to do. If we needed an exclusive and non-malleable decision in three weeks, we knew the answer had to be no. Simply put, it was too much too fast. But rather than be paralyzed, we put our minds to it along with our awesome staff and arrived at the conclusion and path we've chosen.

With you and all the citizens of Rockland, we will become educated and informed about this project. Together, we will come to a decision that the majority of us can agree upon. That is a shining example of the democratic process. Whether all see it this way or not, we acted in what we believed to be in the best interest of our beloved community. Once the deliberation process is concluded, a decision will be made. I want to leave you with this closing thought. If we had stayed with the decision from Wednesday evening (like it or not), that was sending the wrong message. Not about our desire for an electric plant. But to dispel any idea that Rockland is not open for development.

And, here's the way I see it about the project. If we stopped on Wednesday but ultimately there was community support, the project was stalled until the end of next year's RFP period. By allowing a concurrent tracks of a non-binding option and community deliberation, the proposal can be reviewed and decided in this RFP cycle such that a favorable RFP process along with community support at the end of our deliberation means we can proceed immediately without a six to twelve month delay.

Best, Frank

On Sat, May 2, 2015 at 1:33 PM, Nathan Davis <<u>n.kroms.davis@gmail.com</u>> wrote: Hello Rockland City Council and Manager Chaousis,

Let me begin by stating: assuming that the economic and environmental impacts of the proposed power plant are as positive as they appear to my untrained eye to be, I will support the plan to build a power plant in Rockland.

But it took me days of vacillation and debate to come to this conclusion (as Valli knows, because I've e-mailed her twice on this already). A conversation last night with Audra Caler-Bell and her husband Dave, and subsequent introspection, finally pushed me over the edge of vacillation into support. Since this is a matter of public interest and debate, I share below how I came to this conclusion, in the hope that it may provide a new perspective on how to approach it. I realize that this is rather lengthy and self-absorbed, so feel free to read or not (or respond or not) as you wish and feel appropriate.

I am a committed environmentalist. For me this means, in part, a commitment to doing what I can to reduce dependency on fossil fuels. As you all might know (because I tell you frequently), I walk and bicycle around town year-round, and try not to drive distances under a few miles. Chelsea and I heat our house primarily with wood (which I realize causes other problems, but at least it's not a fossil fuel). I am vegan. In short, I try to (imperfectly) practice what I preach. And I was uncomfortable with the idea of a fossil fuel plant in Rockland. But many people I know and respect supported the plant (or at least the provisional idea of one). And I was aware of the potential economic impact of the plant, and then became more aware after speaking with Audra last night. So, on the one hand was my deeply-held belief that fossil fuels should be relegated to the past, and on the other hand was the opinion of people I respect, and the possibility of a great economic boon to Rockland. What to do?

After last night's conversation, I conducted a thought experiment: would I (as a vegan) support a fish processing plant coming to Rockland? I'm assuming that the plant would make sense economically and environmentally (questions which may still need to be addressed more fully with the power plant). More specifically: could I publicly support an industry that I privately choose not to support? I had great difficulty answering this, so I conducted another thought experiment: how would I feel about a fish processing (or meat packing) plant in other cities and towns where I have lived (in NH, MA, CA, and WI)? Then the question became easier: I would probably oppose such a plant. Why? It's because I've never been so committed to a place and its prosperity as I am to Rockland. Why? Partially it's because we bought a house here, but even more so it's because I feel that Rockland is a special place worthy of unusual attention and love, and I want it to be our home for life. I really do feel that it is special; never before have I had such a powerful sense of place and community. In places where I haven't been thus committed, it's easier for me to weigh my commitment to those places' prosperity against my commitment to my principles, and for my commitment to my principles to come out on top. But I am deeply committed to Rockland, and I think it's worthy of all the love and help I can give it, and that tips the scale so that I must treat its economic prosperity as a greater cause than my moral constancy and comfort. So, in conclusion: I will support the power plant, assuming that the details of its environmental and economic impact are consistent with what has been publicly suggested.

As I wrote, I've struggled over this issue, but the conclusion expressed above has the ring of finality for me. Now I can sleep again without existential angst!

Best, Nate

From: Nathan Davis <n.kroms.davis@gmail.com>

Sent: Saturday, May 02, 2015 1:34 PM

To: frankisganitis@gmail.com; larrypritchett.council@gmail.com;

louisemaclellanruf@gmail.com; williamclayton79@gmail.com; Valli.CityCouncil@GMail.Com; jchaousis@ci.rockland.me.us

valil.cityCouncil@diviali.com, jchaousis@ci.roc

Cc: Audra Caler-Bell

Subject: how I came to support the power plant

Hello Rockland City Council and Manager Chaousis,

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