

Fw: Fwd: I-395/Route 9 Transportation Study Update

Larry Adams

7/16/2014 5:23 PM

To: Brewer City Council; Brewer City Manager; Councilor Beverly Uhlenhake; Councilor Joseph Ferris; Councilor Kevin O'Connell; Deputy Mayor Matthew Vachon; Mayor Jerry W. Goss; Eddington Board of Selectman and Town Manager; Carol Woodcock / U.S. Senator Susan Collins; Elizabeth Montgomery Schneider MacTaggart / U.S. Senator Angus King; Representative Arthur Verow - District #21; Representative David Johnson - District#20; Rosemary Winslow / U.S. Congressman Mike Michaud; Senator Edward Youngblood - District#31;

Cc: redacted personal addresses

Tomorrow will mark the 6 month anniversary of the last official MaineDOT project status report.

It seems odd to me that it is taking the USFWS so long to pass their pronouncement on 2B-2 seeing how emails in December 2011 seem to tell a different story. Can anyone doubt the outcome from the USFWS after reading these two FOAA documents?

The northern long-eared bat issue came a year and a half after the DEIS was published and both the MaineDOT and the FHWA do not foresee the bats becoming an issue per the email (status update) dated 10.11.2013.

Thanks to Gretchen for requesting an update.

Why do we have to sit here for six months waiting for the shoe to drop when a simple email could be sent out every few weeks to keep us advised?

000167

Stewart, Jean

From: Lindsey, Judy
Sent: Friday, December 23, 2011 12:54 PM
To: Sweeney, Ken; Thomson, Herb; Charette, Russ; wplumpton@gfnet.com
Subject: Wow again, USFWS comments & support for LEDPA - I-395/Route 9 Transportation Study Administrative Draft EIS
Attachments: signed AD-DEIS comments transmittal letter.pdf

Attached is Wende Mahaney's transmittal letter for USFWS comments on the Administrative Draft EIS for I-395/Route 9 Transportation Study. Wende's comments are on a cd most of the comments ask for clarification wording to be added to the document.

Another WOW factor, the letter states that USFWS "believe that we will be able to support selection of your preferred alternative, 2B-2, as the Least Environmentally Damaging Practicable Alternative when we provide our formal comments on the public DEIS."

The complexity of the transition from Adm. Draft to public DEIS will hinge on discussion of Mark H. comments.

Judy

Special note: I believe that the last sentence of FOAA document 000167 refers to comments made by the FHWA representative and co-manager of the Study (MH) to the MaineDOT Project Manager (JL) where MH stated that the preferred alternative did not meet the Study Purpose and Needs as recent changes to a 2-lane/2-lane ROW in mid-December 2011 were only applicable to 2B-2 and not the other 79+ alternatives that were evaluated with the original 4-lane/4-lane ROW parameters. This goes to the apples versus oranges argument that 2B-2 was unfairly evaluated; the only fair remedy would be to restudy all the +79 alternatives with the 2B-2 rolling rural design criteria and the 100 foot right-of-way. Who would know better about right-of-way issues than a gentleman with the title of FHWA ROW Program Manager? My bet would be MH as that is his official title; he was however overruled by his superiors.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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000169

Ms. Judy Lindsey, Project Manager
Maine Department of Transportation
16 State House Station
Augusta, ME 04333-0016

December 22, 2011

Lindsey
Dear Ms. [REDACTED]:

In response to your November 21, 2011 letter, the U.S. Fish and Wildlife Service has reviewed the Administrative Draft Environmental Impact Statement/Section 404 Permit Application Supporting Information (AD-DEIS) for the I-395/Route 9 Transportation Study. As a federal cooperating agency in the preparation of this document, we have previously reviewed and provided comments to you on individual chapters as the AD-DEIS was being developed. Enclosed please find our comments on the complete AD-DEIS as written directly into your Adobe Acrobat version of the document (CD enclosed).

As you note in your letter, we also believe that we are collectively moving forward toward publishing a DEIS for public comment in the near future. We do not have any major concerns or comments on the AD-DEIS. Instead, we are offering a number of comments aimed to clarify or enhance information provided in the document. After review of this document, we also believe that we will be able to support selection of your preferred alternative, 2B-2, as the Least Environmentally Damaging Practicable Alternative when we provide our formal comments on the public DEIS.

Thank you for the opportunity to provide these comments. If you have any questions, please contact Wende Mahaney of my staff at Ext. 118.

Sincerely,

Laury A. Zicari,
Field Supervisor

From: "Charette, Russ" <Russ.Charette@maine.gov>
Date: Friday, October 11, 2013 2:47 PM
To: <albromley@roadrunner.com>; <john.bryant@amforem.biz>; <John@HoldenMaine.com>; "Linda Johns" <ljohns@BrewerMaine.gov>; <robk@bactsmmpo.org>; <RPLane@laneconstruct.com>; <townofeddington@roadrunner.com>; <SBost@BrewerME.org>
Cc: "Cassandra Chase (Cassandra.Chase@dot.gov)" <cassandra.chase@dot.gov>; Mark.Hasselmann@FHWA.dot.gov>; <nrickr@bangordailynews.com>; "Plumpton, William M." <wplumpton@gfnet.com>; "Rollins, Scott" <Scott.Rollins@maine.gov>; "Getchell, Chip" <Chip.Getchell@maine.gov>; "Devin, John" <John.Devlin@maine.gov>; "Theborge, Steven" <Steven.Theborge@maine.gov>; "Ham, Eric" <Eric.Ham@maine.gov>; "Bostwick, Richard" <Richard.Bostwick@maine.gov>
Subject: I-395/Route 9 Transportation Study

On October 2, 2013, the U.S. Fish and Wildlife Service (USFWS) proposed to list the northern long-eared bat as an endangered species throughout its range under the Endangered Species Act. The northern long-eared bat species' range comprises all or portions of 39 states in the U.S., including Maine. Proposed species are protected under the Endangered Species Act and Federal Highway Administration's (FHWA) general practice is to conference or consult on all proposed species if the proposed action may affect the species or its critical habitat. The Biological Assessment that was submitted to US Fish and Wildlife Services (USFWS) on July 5, 2013 for the I-395/Route 9 Connector project only requested initiation of Section 7 for the possible effects on Atlantic salmon and its critical habitat, not anticipating the proposed listing of the northern long-eared bat. Due to the lack of current government funding, FHWA is not able to begin having discussions with USFWS about how to best address effects to the northern long-eared bat, but we do know that we'll need to address effects to this species for this project somehow. As it stands currently, we do not foresee USFWS issuing a Biological Opinion for this project by November 17th, 2013, as previously anticipated. Once the current government funding issues are addressed, discussions between FHWA, MaineDOT and USFWS will occur and determinations will be made on how to proceed.

For more information, here's a direct link to the Federal Register notice for the northern long-eared bat: <http://www.gpo.gov/fdsys/pkg/FR-2013-10-02/pdf/2013-23753.pdf>

Please let me know if you have any questions.

Russell Charette – Project Manager

Russell D. Charette, P.E.
Highway Management Engineer
Bureau of Planning
MaineDOT 16 State House Station
Augusta, Maine 04333
Phone: 207-624-3238
Fax: 207-624-3301
E-Mail: Russ.Charette@Maine.Gov



From: [Gretchen Heldmann](#)
Sent: Wednesday, July 16, 2014 3:22 PM
To: [Larry Adams](#)
Subject: Fwd: I-395/Route 9 Transportation Study Update

Gretchen Heldmann, GISP

----- Forwarded message -----

From: "Charette, Russ" <Russ.Charette@maine.gov>
Date: Jul 16, 2014 10:39 AM
Subject: I-395/Route 9 Transportation Study Update
To: "Alan Bromley (albromley@roadrunner.com)" <albromley@roadrunner.com>, "John Bryant (john.bryant@amforem.biz)" <john.bryant@amforem.biz>, "John W. Butts (John@HoldenMaine.com)" <John@holdenmaine.com>, "Linda Johns" <ljohns@brewermaine.gov>, "Rob Kenerson (robk@bactsmmpo.org)" <robk@bactsmmpo.org>, "Russell J. Smith (townofeddington@roadrunner.com)" <townofeddington@roadrunner.com>, "Stephen M. Bost (SBost@BrewerME.org)" <SBost@brewerme.org>
Cc: "Cassandra Chase (Cassandra.Chase@dot.gov)" <cassandra.chase@dot.gov>, "Mark.Hasselmann@FHWA.dot.gov" <Mark.Hasselmann@fhwa.dot.gov>, "Rodney Lane (RPLane@laneconstruct.com)" <RPLane@laneconstruct.com>, "Nok-Noi Ricker (nrickr@bangordailynews.com)" <nrickr@bangordailynews.com>, "Plumpton, William M." <wplumpton@gfnet.com>, "Rollins, Scott" <Scott.Rollins@maine.gov>, "Getchell, Chip"

<Chip.Getchell@maine.gov>, "Devin, John" <John.Devin@maine.gov>, "Thebarger, Steven" <Steven.Thebarger@maine.gov>, "Ham, Eric" <Eric.Ham@maine.gov>, "Bostwick, Richard" <Richard.Bostwick@maine.gov>, "Gretchen Heldmann (gheldmann@gmail.com)" <gheldmann@gmail.com>, "Hal Meyers" <hmeyers1@mac.com>

In response to a question pertaining to the status of this project.

The status remains as indicated below, in that MaineDOT is still waiting for USFWS to complete the Biological Opinion. We anticipate that we will receive this document in the next few weeks.

Once we receive the Biological Opinion we can finalize the FEIS and submit it to FHWA for review and approval. Upon receipt of the BO, it will be posted to the project website and I'll send out an update.

Please let me know if anyone has any questions.

Russell Charette Project Manager

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E-Mail: Russ.Charette@Maine.Gov



From: Charette, Russ
Sent: Friday, January 17, 2014 3:54 PM
To: 'Alan Bromley (albromley@roadrunner.com)'; 'John Bryant (john.bryant@amforem.biz)'; 'John W. Butts (John@HoldenMaine.com)'; 'Linda Johns'; 'Rob Kenerson (robk@bactsmmpo.org)'; 'Russell J. Smith (townofeddington@roadrunner.com)'; 'Stephen M. Bost (SBost@BrewerME.org)'
Cc: 'Cassandra Chase (Cassandra.Chase@dot.gov)'; 'Mark.Hasselmann@FHWA.dot.gov'; 'Rodney Lane (RPLane@laneconstruct.com)'; 'Nok-Noi Ricker (nricker@bangordailynews.com)'; 'Plumpton, William M.'; 'Rollins, Scott; Getchell, Chip; Devin, John; Thebarger, Steven; Ham, Eric; Bostwick, Richard
Subject: I-395/Route 9 Transportation Study Update

The U.S. Fish and Wildlife Services still has some additional work to complete the Biological Opinion (BO) for the study. In an effort to be able to advertise 2014 construction season projects in a timely manner, MaineDOT requested that the U.S. Fish and Wildlife Services prioritize their efforts to complete the environmental processing for those other projects due to be constructed this year before completing the BO for the I-395/Route 9 Transportation Study. That effort has been completed and the next priority for the USFWS staff is to complete the BO for the I-395/Route 9 study so that the Final Environmental Impact statement on the project can be completed. Once we receive the Biological Opinion we can finalize the FEIS and submit it to FHWA for review and approval. Once we receive the Biological Opinion I will send out an update on the project.

In other information, you may have heard that the MaineDOT Work Plan for 2014-2015-2016 has been completed. The Work Plan lists work that MaineDOT will perform in the next three years. The Work Plan is located on our website at the following link where you can either download the whole Work Plan, interactively look at the projects in a specific Town, or view the projects on an interactive map. <http://maine.gov/mdot/projects/workplan/> You will note that the I-395/Route 9 Study is not in the Work Plan for the next three years and cannot be scheduled for any future design work until a Record of Decision is received.

Please let me know if anyone has any questions.

Russell Charette Project Manager

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