



March 18th 2016
16th year of the I-395/Route 9
Transportation Study

Welcome to another informational
newsletter for impacted citizens in
opposition to alternative 2B-2.

Meet the I-395/Route 9 Transportation Study preferred alternative:

I-395/Route 9 Transportation Study PAC Meeting April 15, 2009					
Purpose and Needs Matrix					
Alternatives	Meets Purpose			Meets Needs	
	Study Purpose	USACE Purpose	System Linkage	Safety Concerns	Traffic Congestion
2B-2	No	No	No	Yes	No

[Excerpted Purpose and Needs Matrix from April 15th 2009 PAC Meeting](#)

“MaineDOT
anticipates the
issuance of ROD by
FHWA during
Spring/Summer of
this year.”



From: "Howard, Nathan" <Nathan.Howard@maine.gov>
Date: Feb 11, 2016 6:32 AM
Subject: I-395/Route 9 Transportation Study Update
Note: addressees removed for space.

Good morning,

As noted in the previous I-395/Route 9 Transportation Study Update, MaineDOT is in the process of completing Section 7 (Endangered Species) consultation with the US Fish and Wildlife Service (USFWS) for the Northern Long Eared Bat (NLEB). The NLEB is one of the species of bats most impacted by the disease white-nose syndrome—a fungal disease that has killed millions of bats in North America. Due to declines caused by white-nose syndrome as well as continued spread of the disease, the northern long-eared bat was listed as a threatened species under the Endangered Species Act (ESA) on April 2, 2015.

Recently, USFWS issued a regulation (called the 4(d) rule) for the NLEB which will be effective February 16, 2016. The final 4(d) rule specifies what constitutes prohibited taking for NLEB and focuses on protections within a defined white-nose syndrome (WNS) zone. Now that the final rule is issued, MaineDOT and FHWA will finalize consultation with USFWS for the NLEB under Section 7 of the ESA. Section 7 consultation must be completed prior to the issuance of the Record of Decision (ROD) by FHWA.

MaineDOT anticipates the issuance of ROD by FHWA during Spring/Summer of this year. Once additional information becomes available related to the project, I will provide an update.

Please let me know if you have any questions.

Nathan Howard
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Has this study ignored engineering best practice?

“The system linkage need was discussed. With Route 9 having sufficient capacity for the next 20 years, the system linkage need and need for a limited access facility should be considered a long-term need. The DOT is committed to the East-West highway vision, and the system linkage need remains a valid need for this study. To help clarify when an alternative satisfies the system linkage need for the I-395/Route 9 study, the DOT will change references in Chapter 2 Alternatives Analysis and Appendix C Alternatives Considered and Dismissed to ‘partially satisfies’ the need to ‘in the near term’ (or something similar) and define ‘near term’ as the year 2030.”

[Sept 21, 2010 Interagency Meeting](#)

“A **best practice** is a technique or methodology that, through experience and research, has proven to reliably lead to a desired result. A commitment to using the best practices in any field is a commitment to using all the knowledge and technology at one's disposal to ensure success. The term is used frequently in the fields of health care, government administration, the education system, project management, hardware and software product development, and elsewhere.”
Definition posted by: [Margaret Rouse](#)

“A **best practice** is a method or technique that has consistently shown results superior to those achieved with other means, and that is used as a benchmark.”

[Wikipedia](#)

Was it best practice in [Sept2010](#) to proclaim that: “the system linkage need remains a valid need for this study”—yet in the very next breath—defer that avowed valid need beyond “the year 2030” ([2040 as of Mar2015](#)) by merely changing [DEIS Appendix C](#) references of ‘partially satisfies’ the need to ‘in the near-term’ to enable an alternative that does not satisfy the system linkage need and the need for a limited-access facility?

Was it best practice to commit to the “[East-West highway vision](#)” of a “[limited-access connection from I-395 to Route 9 east of Route 46](#)” whilst ignoring that the study system linkage need intentionally bypassed the Village of East Eddington and 4.2 miles of Route 9 with 148 access points, 10 local roads and 5 speed limit changes to further that vision?

Was it best practice to change the decade-long, specific northeastern logical termini connection point criterion of “[Route 9 east of Route 46](#)” to the DEIS-stated non-specific “[the portion of Route 9 in the study area](#)” to enable the selection of alternative 2B-2?

Was it best practice to select 2B-2 when 2B was removed from consideration in Jan2003 for serious safety concerns with that same 4.2 mile segment of Route 9 (40.8% of 2B-2): “[Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards.](#)”

Was it best practice to “punt” 2B-2’s system linkage needs 20 years to an unknown future without an existing plan to satisfy and fund those long-term needs? If we can’t afford to maintain today’s roads and bridges—what makes one think that the transportation budgetary environment will be any rosier 20 years from now? Why burden your grandkids with the bill for long-term needs that will easily cost \$10’s of millions and could certainly make 2B-2 the costliest of all the 79+ studied alternatives?

Was it best practice to select an alternative (2B-2) based on near-term needs only and require expensive long-term needs when ZERO of the 79+ studied alternatives satisfying the “east of Route 46” system linkage need from the onset had ZERO long-term needs?

Is it best practice to spend another \$61 million on a deficient alternative (2B-2)—after already [squandering away \\$2.8 million on the study](#)—when that \$61 million would be better spent on Maine’s unmet transportation needs that exist today?

What will happen to Eddington's Main Road after 2B-2?

AN ACHIEVABLE VISION: SEVEN STEPS TO IMPLEMENTING BETTER EAST-WEST TRANSPORTATION IN MAINE

By Gov. Angus King

[October 6, 1999](#)

"Between Calais and Brewer, we need to protect the existing corridor against further encroachment. We do that by buying the necessary right-of-way and development rights to limit access and other actions that could, if left unchecked, degrade the quality and function of that roadway. These acquisitions will also provide land for additional lanes as they are needed in the future." October 1999

Transportation Improvement Strategies Alternatives Analysis Technical Memorandum U.S. Army Corps of Engineers Highway Methodology Phase I Submission

[October 2003](#)

"Alternatives providing a direct connection between I-395 and Route 9 east of Route 46 will provide improved regional connections between the Canadian Maritime Provinces and the Bangor region and reduce traffic on other roadways. Such alternatives meet the intent of the East-West Highway Initiative." October 2003

I-395/Route 9 Transportation Study DEIS/Section 404 Permit Application Meeting with Cooperating Agencies

[September 21, 2010](#)

"...the system linkage need and need for a limited access facility should be considered a long-term need. The DOT is committed to the East-West highway vision, and the system linkage need remains a valid need for this study." September 2010



FEIS Chap 2 | page 38 [January 2015](#)

MaineDOT—by statute—manages the existing 148 access points and 10 local roads on 2B-2's 4.2 mile segment of Rte. 9 and the future of Main Road, Eddington. One plausible scenario to satisfy 2B-2's valid long-term system linkage need and the long-term need for a limited access facility "east of Rte. 46" is annexation of that 4.2 miles of Main Road—essentially cutting the Town of Eddington in two...

"MaineDOT would work with the town of Eddington to maintain the safety and preserve the capacity of Route 9 in the study area. MaineDOT manages access points with Maine's rules governing access management (driveway and entrance siting). Safety, traffic congestion, and system linkage remains a priority concern of MaineDOT, as is preservation of the capacity of the existing highway system. Activities that could be considered to maintain safety and preserve the capacity of Route 9, in accordance with Maine's rules governing access management (driveway and entrance siting) can go no further than working with the town of Eddington to change zoning, eliminating existing and future curb cuts, and working with individual landowners to acquire property or development rights. That authority already exists to help both MaineDOT and the community ensure that safety is maintained in the corridor. MaineDOT has no authority beyond the existing rules to force Eddington to do anything to help reduce traffic conflicts, but MaineDOT is directed by statute to work with Eddington to ensure safety and proper access to the state highway system." January 2015

It seems clear to many that since access management is under direct purview of the MaineDOT via statute—they essentially control Main Road, Eddington—now and in the future. Don't fall for the argument that one elected official presented a year ago: "I don't believe they will do that". We never believed they would select 2B-2 either...

Our Governor is rightly concerned about a \$68.3 million shortfall.

The intent is not to echo in on the National Park issue—the referenced articles simply raise comparisons to the selection timing and funding of 2B-2:

“Rather than creating a new, unsupported national park in Maine, the focus should be on maintaining the parks we already own.”

Governor LePage 2.10.2016

“The National Park Service, by their own admission, cannot adequately maintain our existing national parks with existing resources,” LePage said [in a statement released Wednesday. BDN 2.10.2016](#)

The deficit includes \$68.3 million worth of overdue maintenance at Acadia National Park — \$29 million for paved roads, \$11.4 million for unpaved roads, and \$10.1 million for trails, among other costs. [BDN 2.10.2016](#)

As a comparison: The [2016-2017-2018 MaineDOT Work Plan](#) has an annual \$68 million shortfall for each year of the 3-year plan and the Governor should in like be just as concerned as with the \$68.3 million shortfall at Acadia.

“Rather than creating a new road, the focus should be on maintaining the roads and bridges we already own.”

Larry Adams 2.11.16

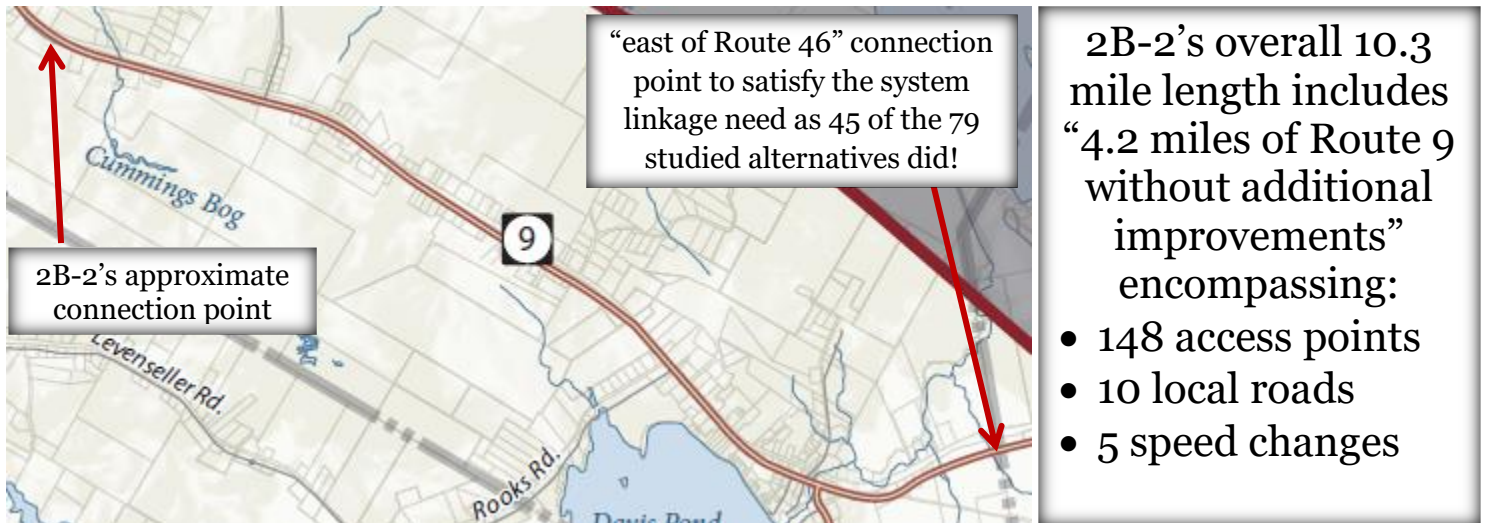
Core Highway and Bridge Programs CY 2016-2017-2018 <i>Work Plan</i> vs. Need, to Meet Statutory Goals (\$ millions)				
Work Group	Average Annual \$ from 2016-2017-2018 <i>Work Plan</i>	Annual \$ Needed to Meet Basic Statutory Goals	Average Annual \$ Shortfall	Dollar % Shortfall*
Bridge Projects	\$107	\$140	(\$33)	(24%)
Highway Reconstruction/Rehab	\$100	\$100	(\$0)	(0%)
Pavement Preservation	\$85	\$120	(\$35)	(29%)
Light Capital Paving	\$28	\$28	\$0	0%
Total - Core Programs	\$320	\$388	(\$68)	(18%)

“Adding more miles to our transportation system in this current fiscal environment doesn’t make financial sense,” said Bernhardt, “Our responsibility going forward is to manage our existing infrastructure within our existing budget...we are struggling to maintain the roads and bridges we currently have in safe and serviceable condition.” [MaineDOT News Release 8.11.2011](#)

At a time when the current [MaineDOT Work Plan](#) contains a \$204 million shortfall in the core highway and bridge programs with \$99 million in unmet bridge needs—when the state struggles to maintain existing infrastructure—when [33% of our bridges](#) are structurally deficient or functionally obsolete and [38% of our roads](#) are rated only as fair to unacceptable: wouldn’t the \$61 million cost of 2B-2 be better spent on Maine’s unmet transportation needs?

45 of the 79 studied alternatives in [Appendix C](#) satisfied the valid “east of Route 46” system linkage need—2B-2 does not...

The 4.2 miles of Eddington’s Main Road (aka Route 9)—as shown—was bypassed by 57% of the studied alternatives that satisfied the original and still valid system linkage need of a [“limited access connection between I-395 and Route 9 east of Route 46.”](#)



C • I-395/Route 9 Transportation Study Environmental Impact Statement

Family 2 – Northern Alternatives								
Alternatives	Description	Meets Purpose		Meets Needs			Practicable	Results
		Study Purpose	USACE Purpose	System Linkage	Safety Concerns	Traffic Congestion		
Alternative 2B-2	<ul style="list-style-type: none"> Satisfies design criteria Length: 6.1 mi. of new alignment, 4.2 mi. of Route 9 without additional improvements Bridge length: 2,232 ft. Earthwork: 2.2 mcy (1.2 mcy cut, 1.0 mcy fill) 	Yes	Yes	In the near-term (Year 2035)	Yes	Yes	Yes	<ul style="list-style-type: none"> Retained for detailed study Wetlands impacts: 34 ac. Stream crossings: 3 (2 with anadromous fish) Floodplain impacts: 15 ac. Notable wildlife habitat: 11.0 Undeveloped habitat: 784 ac. Prime farmland: 20.0 ac. Residential displacements: 8

“The system linkage need was discussed. With Route 9 having sufficient capacity for the next 20 years, the system linkage need and need for a limited access facility should be considered a long-term need. The DOT is committed to the East-West highway vision, and the system linkage need remains a valid need for this study. To help clarify when an alternative satisfies the system linkage need for the I-395/Route 9 study, the DOT will change references in Chapter 2 Alternatives Analysis and Appendix C Alternatives Considered and Dismissed to ‘partially satisfies’ the need to ‘in the near term’ (or something similar) and define ‘near term’ as the year 2030.”

[Sept 21, 2010 Interagency Meeting](#)

[Oct2003 logical termini](#): “Specifically, the eastern logical termini was refined. Alternatives that did not connect to **Route 9 east of Route 46** were dismissed from further consideration.”

—changed to—

[Jan2015 FEIS-stated logical termini](#): “The logical termini of the project was identified and defined as (1) I-395 near Route 1A and (2) **the portion of Route 9 in the study area.**”

Sept2010’s criteria changes enabled the selection of any alternative by merely connecting anywhere on Rte. 9 within the study area—deferring the revalidated “east of Route 46” system linkage and limited-access facility needs 20 years. **45 alternatives met the “east of Route 46” system linkage need without parsing words like “partially satisfies” and “in the near-term” and without necessitating 2B-2-like unplanned, unfunded long-term needs.**

A 1775 Alexander Hamilton speech jogged my early 2B-2 memories:

“It has been a compound of inconsistency, falsehood, cowardice, selfishness, and dissimulation.”

“The conduct of far the greatest part of my countrymen, amid the fiery trial in which we are now engaged, affords abundant matter for panegyrick, and, if persisted in with steady uniformity, will be a bright example for the imitation, and a prolific theme for the praises of future ages. I wish, for the honour of humanity, the same encomium could be extended without exception; but it is a melancholy truth that the behaviour of many among us might serve as the severest satire upon the species. It has been a compound of inconsistency, falsehood, cowardice, selfishness, and dissimulation.”

[Alexander Hamilton - November 9, 1775](#)

Following the [4.15.09 PAC meeting](#), the study seemed all but over with 3EIK-2 as the preferred route. Almost two years later—I requested an update in a [3.02.11 email](#)—MaineDOT (JL) failed to disclose knowledge she surely possessed of [Sept2010's](#) removal of 5 alternatives meeting 100% of purpose and needs and the replacement of 3EIK-2 with 2B-2 that met only [20% of purpose and needs in Apr2009](#).

Comments in a 12.15.11 BDN article led me to once again request an update and received this reply on 12.21.11 from [MaineDOT Project Manager \(JL\)](#). I advised the City of Brewer of the 2B-2 issue via email.

The news broke on [1.05.12](#) in the Bangor Daily News after I tipped them off of the changes to the study.

[MaineDOT apologizes](#): “The Maine Department of Transportation...regrets the insufficient outreach by MaineDOT to leaders of the affected communities along the proposed I-395 US Route 9 connector,” the statement read. “Town officials and the residents of Brewer, Holden, Eddington and Clifton deserve to be fully informed of all decisions and progress. We recognize that it is our obligation to do so, and we will rectify this situation in the future.” (Bangor Daily News 1.06.12)

Working with the Office of Senator Collins, [questions were submitted to the MaineDOT on 1.09.12](#) and answers received on 1.17.12. [FOAA documents](#), not received until Mar2013, indicate that at the same time the MaineDOT was apologizing and making promises, they were already withholding critical facts in [MaineDOT's 1.17.12 answers to questions from the Office of Senator Collins](#) that they planned a future downgrade in design from freeway criteria to rolling criteria following conclusion of the NEPA process, an approximate 50% decrease in the right-of-way and a change in the design year.

I addressed the Brewer City Council on 1.10.12—reported by the [Bangor Daily News](#).

We sought meetings with the MaineDOT through Senator Collins/Snowe for weeks; on [2.02.2012](#) those scheduled meetings between the MaineDOT and the impacted communities for mid-Feb were cancelled by the MaineDOT: “we felt that having a briefing without allowing questions by the public would be counter-productive.” MaineDOT officials were the ones refusing to let the public ask questions!!

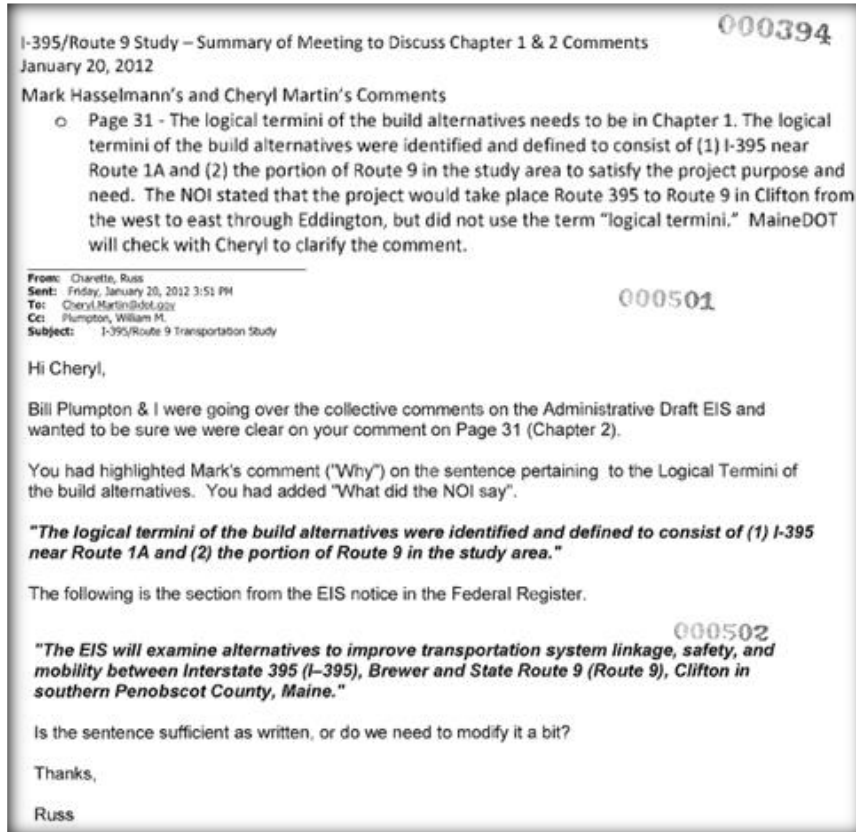
The [5.02.12 Public Hearing](#) found our state and federal civil servants voiceless—refusing to answer the many questions posed. Comments sent to the DEIS had to pass through a filter defined by an undefinable word: substantive—moving all anti-2B-2 comments to the back of the book—unanswered.

[MaineDOT severed contact in Dec2012](#) by refusing to answer my email, opting to communicate only via telephone—I was not interested in off-the-record communication after the prior year of dissimulation.

A [FOAA request by the Town of Eddington](#) in Oct2013 was finally received Apr2013 revealing the many changes in study criteria that enabled the selection of 2B-2 including a highly questionable benefit/cost ratio based on an guesstimate of \$61 million—just enough to make the B/C ratio viable, design changes from freeway design to rolling rural and reduction of the right-of-way—changes applicable to only 2B-2 and evidence that the DEIS-stated-cost did not match the DEIS-stated-design (I still contend that act was intentional to sidestep the NEPA process and [noncompliant with state statute](#).)

Inconsistency, falsehood, cowardice, selfishness, and dissimulation—we’ve seen it all since April 2009!

One of the many 2B-2 criteria changes in a study that's not changed: Logical termini was redefined after 1.20.2012 to make 2B-2 fit DEIS:



How did we get from here in 2003

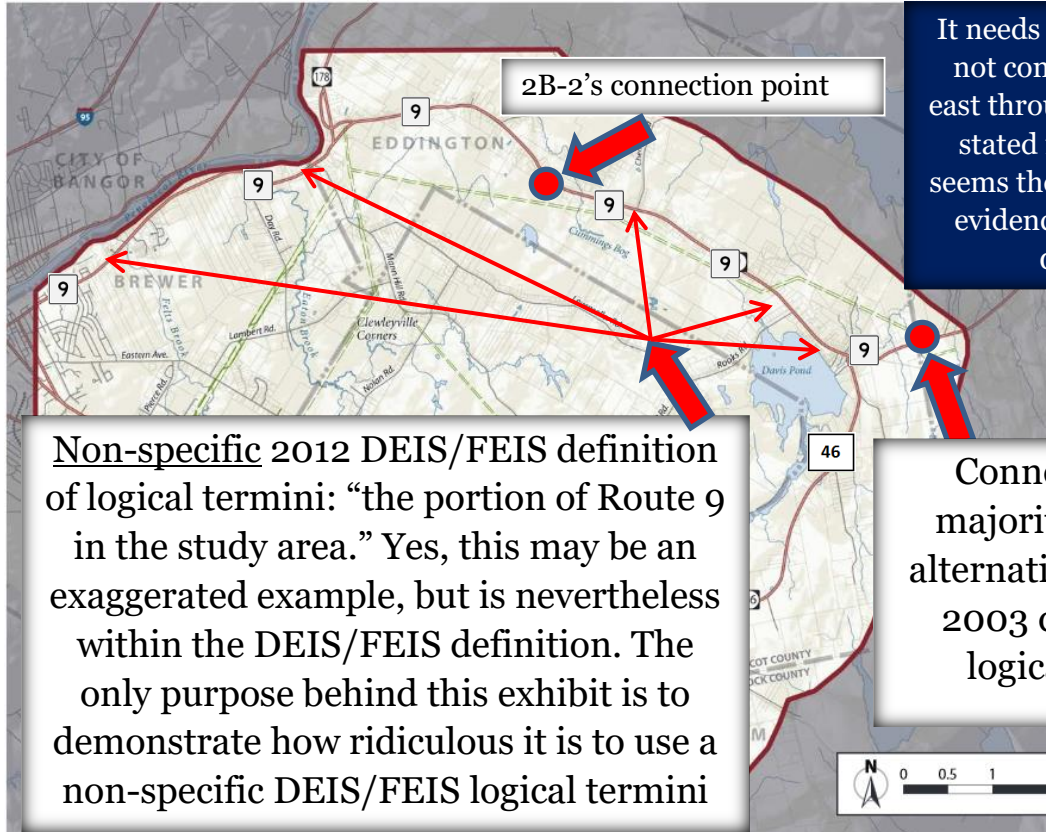
"...alternatives were reevaluated based on a more detailed examination of the study purpose and needs. Specifically, the eastern logical termini was refined. Alternatives that did not connect to Route 9 east of Route 46 were dismissed from further consideration."

[Oct2003 Technical Memorandum pg 6](#)

...to here in 2012?

"The logical termini of the project was identified and defined as (1) I-395 near Route 1A and (2) the portion of Route 9 in the study area." March 2012

[DEIS page 5](#)



It needs to be noted: The NOI did not contain the phrase "west to east through Eddington" as FHWA stated in FOAA 000394 and it seems the MaineDOT knew that as evidenced in FOAA documents 000502/000502.

Facts and questions of 2B-2 in the long-term:

- Fact: There are [148 access points and 10 roads](#) on that 4.5 mile section of Route 9, now an integral segment of alternative 2B-2.
- Fact: There is a possibility of 158 left hand turns within those 4.5 miles of Route 9; according to the [FHWA, adding a single access point to a rural highway increases the annual accident rate by 7%](#). Do we really want to build a new highway with these issues? You are 1,106% more likely to have an accident on the 2B-2 connector—not meeting the system linkage need of a connection point to the east of Route 46—than any of the majority of the other 79+ studied alternatives that satisfied the system linkage need; an indictment of a failed study and a cessation of engineering best practices.
- Fact: The 2B-2 selection, as the preferred alternative, was based solely on the infamous “hard look at Route 9”. There is NO supporting data to back up this questionable change in criteria and engineering best practices even after Gretchen Heldmann sued the MaineDOT to obtain same.
- Fact: The MaineDOT has never explained what “hard look” really meant as if we were just supposed to blindly believe them. Even if you buy into a reduction in traffic allowing them to extend the useful life of Route 9, that does not change the [issues identified on page 5, especially safety needs and traffic congestion needs](#). See the next fact for how system linkage was met.
- Fact: The “hard look” enabled the MaineDOT to separate the system linkage need into near-term and long-term to enable 2B-2 to have the appearance of meeting the system linkage need in the near-term(20 years).
- Fact: Long-term was initially defined as [“after the design year 2030”](#) in Jan 2012. Now—post FEIS—the design year has been changed to 2040, thus long-term would now be defined as [after the design year 2040](#).
- Fact: There is no discussion in the DEIS/FEIS or any other MaineDOT documentation on how to satisfy/fund the long-term needs, 20 years out.

 Near-term: before the year 2040 or literally 12.31.2039.

 Long-term: after 2040 or literally 1/01/2040. How does the MaineDOT plan to meet 2B-2's needs in 20 years?

How will MaineDOT implement the [long-term needs of 2B-2](#)?

“...the system linkage need and need for a limited access facility should be considered a long-term need...system linkage need remains a valid need for this study.” September 21, 2010

Only two options appear viable to satisfy 2B-2's long-term needs:

1. When the long-term needs kick in on January 1, 2040: construct a 5.0-6.0 mile bypass from 2B-2's Route 9 connection point direct to Route 9—east of Route 46—at the Clifton/Eddington corporate border—as was the intent of the decade-long original system linkage need, the decade-long need for a limited-access facility, and the Notice of Intent to improve traffic from Brewer (I-395) to Clifton (Rte. 9).

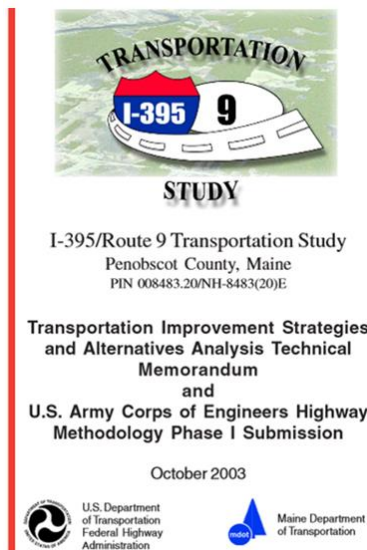
Spending \$Tens of millions more in 2040 for a bypass of the same 4.2 miles of Route 9 that any of the 79+ studied alternatives meeting the original System Linkage Need intentionally bypassed is a complete waste of scarce \$transportation dollars and exhibits bureaucracy at its finest...

2. When the long-term needs kick in on January 1, 2040: remove all local access (remember those 10 roads and 148 access points?) from the 4.2 mile segment of Route 9 which is 40.8% of the overall 10.3 mile length of 2B-2 alternative. This would require parallel local roads, added extra lanes, possibly land-locking some residents and the complete decimation of the Town of Eddington as we know it—cutting the Town of Eddington in half!
- What are 2B-2's long-term plans and how will the state pay for it?
 - Why are long-term plans conveniently missing from the DEIS/FEIS? Any of the 79 studied alternatives meeting the original system linkage needs did not necessitate the same long-term needs as 2B-2. This problem exists only because of the ill-conceived selection of an alternative not meeting Purpose and Needs at the onset. These long-term needs were avoidable by selecting an alternative meeting purpose and needs from the onset.
 - Whether a direct or indirect impact, 2B-2's long-term cost should be part of the total FEIS-cost. 2B-2 may easily become the most expensive of the 79 studied alternatives, not be as reasonably priced as MaineDOT likes to present, when the total of near-term plus long-term costs are considered.

Does 2B-2 meet safety concern and traffic congestion needs?

MaineDOT's "hard look at Route 9" epiphany was based solely on: "[Route 9 having sufficient capacity for the next 20 years](#)". Decade-long criteria was questionably altered to enable a deficient alternative that only '[partially satisfies](#)' the system linkage need to satisfy that need '[in the near-term](#)'.

- 2B-2 does not meet safety concerns and traffic congestion needs:



- "This alternative would not be practicable because it would fail to meet the system linkage need, and **would fail to adequately address the traffic congestion needs** in the study area." (page ii)
 - "Alternative 2B would use approximately 5 miles of Route 9. **Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards.**" (page ii)
 - "Additionally, this alternative would result in: Substantially greater proximity impacts (residences within 500 feet of the proposed roadway) in comparison to Alternative 3EIK-2 (200 residences v. 12 residences)." (page ii)
 - "Alternative 2B was dismissed prior to PAC Meeting #16 on January 15, 2003 because it would **inadequately address the system linkage and traffic congestion needs.**" (page 20)
- "This alternative would not be practicable because it would fail to meet the system linkage need of providing a limited access connection between I-395 and Route 9 east of Route 46." (pg20)
 - "**Limited opportunities exist to control access management on this section of Route 9 from local roads and driveways.** There are ten local roads and 148 existing drives or access points to undeveloped lots. Assuming 10 trip ends per drive and an equal number of left and right turns, **Alternative 2B's ability to satisfy the system linkage and traffic congestions needs is questionable.** There are several hundred acres that can be developed along this section of Route 9. Additionally, 200 buildings (residential and commercial) would be located in proximity (within 500 feet) of the proposed roadway." (pg20)
 - "**The lack of existing access controls and the inability to effectively manage access along this section of Route 9, and the number of left turns, contribute to the poor LOS and safety concerns, and the inability of Alternative 2B to satisfy the system linkage purpose and need effectively.**" (LOS stands for Level of Service) (pg21)

Deferring the system linkage need 20 years following the commissioning of 2B-2—based solely on traffic capacity—does nothing to negate the existing 148 access points and 10 local roads on 4.2 miles of the new 2B-2 alternative (aka Route 9). Deferring the system linkage need for 20 years—exacerbates—the above safety issues identified in the [Oct2003 Technical Memorandum](#) that removed 2B from further consideration in Jan 2003.



2B-2 does not satisfy the Study Safety Concern Needs.

2B-2 does not satisfy the Study Traffic Congestion Needs.

[What does the FHWA say about left turns?](#)

“Where restricting turning movements to and from a driveway is possible, it is most beneficial from a safety perspective to prohibit left-turning movements. Research suggests that approximately **72 percent of crashes at a driveway involve a left-turning vehicle**...approximately 34 percent of these crashes are due to an outbound vehicle turning left across through traffic. Twenty-eight percent of crashes are due to an inbound, left-turning vehicle conflicting with opposite direction through traffic, and 10 percent are due to outbound, left-turning movements incorrectly merging into the same direction through movement.”

[What does the MaineDOT say about Route 9's left turns?](#)

“The lack of existing access controls and the inability to effectively manage access along this section of Route 9, and **the number of left turns**, contribute to the poor LOS and safety concerns, and the inability of Alternative 2B to satisfy the system linkage purpose and need effectively.” (Page 20/21)

[How many left-hand-turns on 2B-2?](#)

“There are ten local roads and 148 existing drives or access points to undeveloped lots.”

- **Question:** How many left turns exist on 2B-2's 4.2 mile section of Route 9?
- **Answer:** If you traverse that section of Route 9 from one end to the other and back again, you will come upon 158 left-hand-turns!
- **FACT:** Any of the 79+ studied alternatives meeting the “east of Route 46” system linkage need, provided a “limited-access facility” and subsequently acquired zero added left turns; 2B-2 will be commissioned with 158 extra left turns as it is no longer limited-access. How does that foster safety?

“Joan Brooks commented that one of the requirements of the study is to create a limited access facility....Ray added that recent [legislative policy instructs DOT to limit access on most major arterials in the state](#). The idea is to increase efficiency and reduce costs.” Apparently—not so with 2B-2!!

Inconsistent statements from [9.21.2010](#) and [2.03.2015](#):

“...the system linkage need and need for a limited access facility should be considered a long-term need...and the system linkage need remains a valid need for this study.” 9.21.10

“...Corps would consider a permit approval for option 2B-2 alone...”

MaineDOT Nina Fisher 2.03.2015

The inconsistency between these two statements cannot be reconciled. While MaineDOT asserts: the system linkage and need for a limited-access facility should be considered a long-term need...system linkage need remains a valid need for this study, the ACOE states: they would consider a permit approval for option 2B-2 alone. These two statements directly conflict with each other.

What will need to happen in 2040 to satisfy 2B-2's long-term-valid needs? Will 2B-2's long-term system linkage needs and the need for a limited-access facility simply be ignored—once again—as was the case in September 2010?

It is remarkably unsound to build a \$61 million deficient alternative—one that meets purpose and needs by parsing of words instead of applying engineering best practices. What makes one believe that our transportation budget in 2040 will even support 2B-2's long-term-valid needs—needs that should have never been deferred—unfunded—for your grandchildren to pay?

Today's 2B-2 is based solely on the near-term; will the Corp permit 2B-2's future (2040) long-term-valid needs when they stated in 2015 that they would consider a permit approval for 2B-2 alone?

If September 2010's long-term needs are nothing more than dissimulation to enable the selection of an alternative that does not meet purpose and needs—this study has been nothing short of dishonest and a squander of \$2.8 million. I have contended since 2012 that this study has danced around NEPA compliance. If long-term needs don't exist—I rest my case. Prove me wrong...

When will our civil servants be held accountable to answer these questions? Impacted communities deserve the truth—not just continued silence.

Don't let [MaineDOT's "hard look"](#) conceal forewarning concerns from transportation professionals—some still working this study.

Why would our civil servants care so little as to affect so many?

“Prior to the eleventh PAC meeting on February 20, 2002, the system linkage need was examined in greater detail to further aid in reducing the number of preliminary alternatives. To meet the need of improved regional system linkage **while minimizing impacts to people**, it was determined that an alternative **must provide** a limited-access connection between I-395 and **Route 9 east of Route 46**. Alternatives that do not provide a limited access connection to Route 9 east of Route 46 would not be practicable because that would not provide a substantial improvement in regional mobility and connectivity and would negatively affect people living along Route 9 in the study area. Alternatives that would **connect to Route 9 west of Route 46** would severely impact local communities along Route 9 between proposed alternative connection points and Route 46. Alternatives providing a direct connection between I-395 and Route 9 east of Route 46 will provide improved regional connections between the Canadian Maritime Provinces and the Bangor region and reduce traffic on other roadways. Such alternatives meet the intent of the East-West Highway Initiative.” [Oct2003 MaineDOT/FHWA/ACOE Technical Memorandum](#) (page 5)



- How many people are impacted by 2B-2? [Eddington's May 2012 petition of 2B-2 non-support](#) (pg. 27/28) included 143 signatures specifically from Main Road, Eddington residents.

Don't let [MaineDOT's "hard look"](#) conceal forewarning concerns from transportation professionals—some still working this study.

Why would our civil servants care so little as to affect so many?

“Prior to the eleventh PAC meeting on February 20, 2002, the system linkage need was examined in greater detail to further aid in reducing the number of preliminary alternatives. To meet the need of improved regional system linkage while minimizing impacts to people, it was determined that an alternative must provide a limited-access connection between I-395 and Route 9 east of Route 46. Alternatives that do not provide a limited access connection to Route 9 east of Route 46 would not be practicable because that would not provide a substantial improvement in regional mobility and connectivity and would **negatively affect people** living along Route 9 in the study area. Alternatives that would connect to Route 9 west of Route 46 would severely impact local communities along Route 9 between proposed alternative connection points and Route 46. Alternatives providing a direct connection between I-395 and Route 9 east of Route 46 will provide improved regional connections between the Canadian Maritime Provinces and the Bangor region and reduce traffic on other roadways. Such alternatives meet the intent of the East-West Highway Initiative.”

[Oct2003 MaineDOT/FHWA/ACOE Technical Memorandum](#) (page 5)

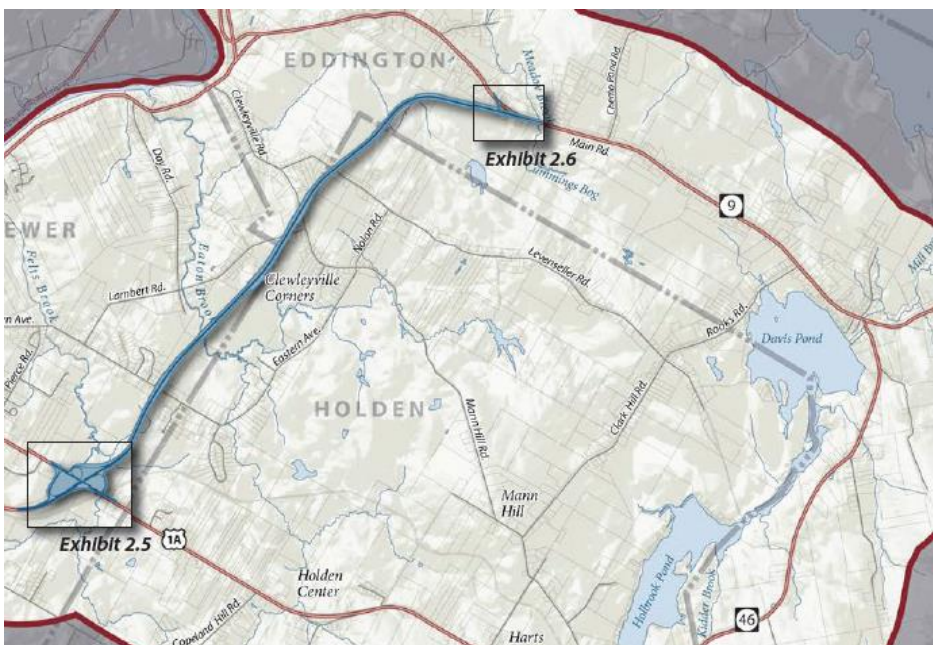


Should one be shocked that 36.7 % of petition [signators](#) (page 302-331) are from residents of Main Road—aka Route 9—when the majority of Eddington's Route 9, the Village of East Eddington and the intersection of Routes 9 and 46 were intentionally bypassed by the system linkage need of a “Route 9 east of Route 46” connection? Should one believe that these statements of fact forewarning negative and severe impacts to people and communities were nullified by a simple “hard look at Route 9”? —390 people said NO—

2B-2 does not meet the [intent of the E/W highway](#):

“Prior to the eleventh PAC meeting on February 20, 2002, the system linkage need was examined in greater detail to further aid in reducing the number of preliminary alternatives. To meet the need of improved regional system linkage while minimizing impacts to people, it was determined that an alternative must provide a limited-access connection between I-395 and Route 9 east of Route 46. Alternatives that do not provide a limited access connection to Route 9 east of Route 46 would not be practicable because that would not provide a substantial improvement in regional mobility and connectivity and would negatively affect people living along Route 9 in the study area. Alternatives that would connect to Route 9 west of Route 46 would severely impact local communities along Route 9 between proposed alternative connection points and Route 46. Alternatives providing a direct connection between I-395 and Route 9 east of Route 46 will provide improved regional connections between the Canadian Maritime Provinces and the Bangor region and reduce traffic on other roadways. Such alternatives meet the intent of the East-West Highway Initiative.”

[Oct2003 MaineDOT/FHWA/ACOE Technical Memorandum](#) (page 5)



Wouldn't the \$61 million cost of 2B-2 be better spent on the unmet transportation needs of our state?

2.19.2016: [Bangor Daily News article](#). NOAA-National Marine Fisheries Services—one of the many cooperating agencies to this study—shares jurisdiction of Atlantic salmon with the USFWS. You won’t find any comments to the DEIS from NOAA, they opted to let the USFWS work the issue. According to this article, NOAA will be spending \$5 million per year over the next five years on projects to stop the decline of Atlantic salmon, while seeking applications for \$9 million in community-based habitat restoration. How does NOAA reconcile spending millions to “stop the decline of the species...at risk of extinction in the near future” at the same time that this study has selected an alternative that will cross 2 streams with Atlantic salmon and critical habitat with 12,000+ vehicles per day by 2040? The previous preferred alternative did not impact anadromous fish. Why did frogs and salamanders living in vernal pools—temporary non-spring-fed pools that may not even exist from one year to the next—seem to have more criticality in this study than Atlantic salmon? Frogs and salamanders aided the removal of the 3EIK-2/preferred alternative and the replacement of same with 2B-2, an alternative that only met 20% of purpose and needs in April 2009. Atlantic salmon—let’s drive 12,000 vehicles over their habitat every single day—shouldn’t be an issue!! Once again, best practices seem to have been thrown out the window...

[2B-2 crosses 2 streams containing anadromous fish](#)—YET—this study’s first preferred alternative (3EIK-2) did not impact anadromous fish at all and was dismissed in Sept2010: “other alternatives less environmentally damaging.”



Outdoors

Salmon in the spotlight: NOAA devoting resources to Maine fish

“Atlantic salmon are anadromous fish, spending the first half of their lives in freshwater rivers and streams and the second half maturing and feeding in the ocean. They then return to their natal river to spawn, completing their life cycles.” BDN 2.19.2016

[Excerpt of BDN 2.19.2016 article by Aislinn Sarnacki:](#)

Efforts to save Maine’s wild Atlantic salmon from extinction will be ramped up in the coming years thanks to the new “Species in Spotlight” initiative launched by the National Oceanic and Atmospheric Administration. The campaign’s [five-year plan](#) includes an estimated \$25 million in federal funding for projects aimed at stopping the decline of the species and moving them toward recovery...[NOAA is seeking applications for \\$9 million in community-based habitat restoration](#).

The “[Species in the Spotlight](#)” initiative is a concerted agencywide effort to save and bring public attention to species of the United States that are among the most at risk of extinction in the near future. The Atlantic salmon of the Gulf of Maine was among eight species selected for the initiative.

Alternatives Considered and Dismissed from Further Study • C

Alternatives	Description	Meets Purpose		Meets Needs			Practicable	Results
		Study Purpose	USACE Purpose	System Linkage	Safety Concerns	Traffic Congestion		
Alternative 2B-2	<ul style="list-style-type: none">• Satisfies design criteria• Length: 6.1 mi. of new alignment, 4.2 mi. of Route 9 without additional improvements• Bridge length: 2,232 ft.• Earthwork: 2.2 mcy (1.2 mcy cut, 1.0 mcy fill)	Yes	Yes	In the near-term (Year 2035)	Yes	Yes	Yes	<ul style="list-style-type: none">• Retained for detailed study• Wetlands Impacts: 34 ac.• Stream crossings: 3 (2 with anadromous fish)• Floodplain impacts: 15 ac.• Notable wildlife habitat: 11.0• Undeveloped habitat: 784 ac.• Prime farmland: 20.0 ac.• Residential displacements: 8
Alternative 3EIK-2	<ul style="list-style-type: none">• Satisfies design criteria• Length: 10.6 mi. of new alignment• Bridge length: 1,948 ft.• Earthwork: 4.2 mcy (2.1 mcy cut, 2.1 mcy fill)	Yes	Yes	Yes	Yes	Yes	Yes	<ul style="list-style-type: none">• Dismissed - other alternatives less environmentally damaging• Wetlands Impacts: 42 ac.• Stream crossings: 6• Floodplain impacts: 7.5 ac.• Notable wildlife habitat: 0.7 ac.• Undeveloped habitat: 1,437 ac.• Prime farmland: 11 ac.• Residential displacements: 3

2B-2 crosses two streams containing anadromous fish—the study’s first preferred alternative (3EIK-2) had no such impact. This study was turned on its head by frogs, salamanders and vernal pools—yet 2B-2 will cross 2 streams containing Atlantic salmon and their critical habitat with an [AADT between 11,560 and 13,000 vehicles/day](#) by 2040. One of the eight “[Species in the Spotlight](#)” most at risk of extinction is the Atlantic Salmon Gulf of Maine DPS. When you hear that 2B-2 is the least environmentally damaging alternative—ask why Atlantic salmon are seemingly treated as less endangered than frogs and salamanders living in vernal pools that may no longer even exist.

[NOAA is a Cooperating Agency](#) on this I-395/Route 9 Transportation Study—yet [NOAA did not make comments to the DEIS](#). NOAA-National Marine Fisheries Service shares joint jurisdiction over the Atlantic salmon with the USFWS, the USFWS took the lead on this study. Now NOAA’s five year plan is to spend \$25 million on “projects aimed at stopping the decline of the species” and “seeking applications for \$9 million in community-based habitat restoration”. NOAA should exercise their joint jurisdiction and weigh in on 2B-2’s impacts if this issue is suddenly so important as to spend \$25 million!

- How better to restore critical habitat than not to construct 2B-2...

Email sent to our Federal Legislative Delegation 2.22.2016:

To the Offices of the Honorable Senator Collins, Senator King and Congressman Poliquin:

The 2.19.2016 Bangor Daily News web posting titled: “[Salmon in the spotlight: NOAA devoting resources to Maine fish](#)” raises questions referencing the importance of or the non-importance of Atlantic salmon “listed as an endangered species with designated critical habitat in the study area (NOAA, NMFS 2012).” [FEIS Chapter 3, page 66](#).

I have posted [my concerns](#) - dated 2.19.2016 - on our citizen’s website: [I-395 Rt.9 Hard Look](#).

I make no excuses for being a strong voice against the I-395/Route 9 Transportation Study. A myriad of state and federal agencies seem hell-bent in their efforts going forward with 2B-2, an alternative that satisfied only 20% of study purpose and needs in April 2009.

Alternative 2B-2 is described as the “least environmentally damaging alternative” even though 2B-2 crosses 2 streams that contain anadromous fish (Atlantic salmon) with an AADT of 12,000+ vehicles (per day) by the year 2040.

The previous preferred alternative (3EIK-2) impacted frogs and salamanders—BUT—alternative 3EIK-2 did not impact anadromous fish.

Citizens impacted by alternative 2B-2 deserve to know why frogs and salamanders in vernal pools, pools that may not even exist from one year to the next, are seemingly more important to the environment than endangered Atlantic salmon and their designated critical habitat.

Impacted citizens deserve to know why these agencies continue the mantra of “least environmentally damaging alternative” when 2B-2 impacts Atlantic salmon and designated critical habitat while the previous preferred alternative (3EIK-2) did not.

Impacted citizens deserve to know how NOAA-National Marine Fisheries Service can spend \$25 million on projects aimed at stopping the decline of an endangered species and seek \$9 million in applications for community-based habitat restoration when Atlantic salmon designated critical habitat is already being threatened by 2B-2’s construction.

NOAA-National Marine Fisheries Service shares jurisdiction over Atlantic salmon with USFWS and opted to let the USFWS work this issue, however NOAA needs to explain to the impacted citizenry and their duly-elected community leaders why they should spend millions to save a species - at the same time that a project under their direct purview negatively impacts that same species. Impacted citizens deserve real answers to their questions and not simply brushed off by a factless buzz-phrase such as “we took a hard look”.

Thank you for your consideration,
Larry Adams/Brewer citizen

“...among the most at risk of extinction in the near future.”

2.23.2016 email reply to Federal Legislative Delegation: Species become endangered because of poor decisions by experienced people that may have had the best intentions at the time.

Our environment is on the edge of imbalance with two endangered species within this study area: the northern long eared bat and Atlantic salmon. We don't know where the bats are, but we do know where the Atlantic salmon are as 2B-2 crosses two streams containing “Atlantic salmon which is listed as an endangered species with designated critical habitat in the study area (NOAA, NMFS 2012).”

2B-2's cumulative impacts to surface waters are documented as: “4,900 feet of streams; unknown impacts from stormwater runoff.” DEIS

Will this unknown stormwater runoff impact, road chemicals, winter brining and salting operations and emissions from some 12,000 vehicles per day by 2040 unbalance the Atlantic salmon designated critical habitat environment causing irreparable damage to an already endangered species?

The real truth is we don't know, but I contend that the experts don't really know either and the problem is that the impacts will not be measurable for tens of years into the future and by then it may already be too late to reverse the damage.

Do we need a connector—one that doesn't meet purpose and needs—so much as to take such a risk with a species already at “risk of extinction”?



NOAA FISHERIES
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Species in the Spotlight: Survive to Thrive

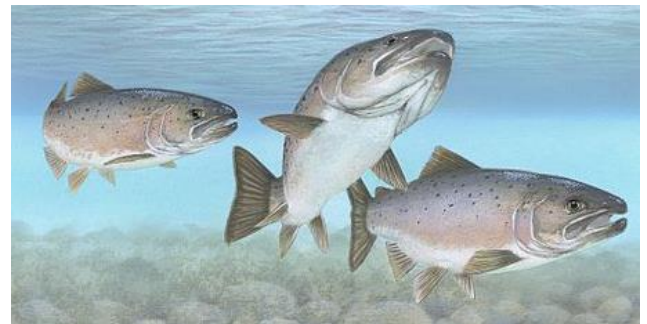
February 10, 2016

As we begin the fifth decade of administering the ESA, we rededicate ourselves to ensuring we do not lose any species on our watch. The ESA has been successful in preventing species extinctions—less than 1 percent of the species listed under the ESA have been delisted because of extinction. While we have recovered and delisted a small percentage of listed species since 1973, we would likely have seen hundreds of species go extinct without the ESA.

Of all the species NOAA protects under the ESA, we consider **eight** among the most at risk of extinction in the near future. As a result, we have launched our “Species in the Spotlight: Survive to Thrive” initiative, a concerted agency-wide effort to spotlight and save these highly at-risk species.

The eight “Species in the Spotlight” are:

- Atlantic Salmon Gulf of Maine Distinct Population Segment (DPS)
- Central California Coast Coho Evolutionarily Significant Unit (ESU)
- Cook Inlet Beluga Whale (DPS)
- Hawaiian Monk Seal
- Pacific Leatherback Sea Turtle
- Sacramento River Winter-run Chinook (ESU)
- Southern Resident Killer Whale (DPS)
- White Abalone



To put endangered Atlantic salmon in perspective: over 1900 species are listed in the Endangered Species Act (ESA). NOAA has jurisdiction over 130 endangered and threatened species—the Atlantic salmon in the Gulf of Maine is in NOAA's top 8 species “among the most at risk of extinction in the near future.” That is just how endangered this species is!! Should we drive thousands of vehicles per day over designated critical habitat and take the chance that it will not cause irreparable harm? The sad truth is if MaineDOT selected an alternative that satisfied the “east of Route 46” system linkage need—instead of deferring 2B-2's valid system linkage need for 20 years—Atlantic salmon would not be impacted! This assault on the environment is MaineDOT's failure to satisfy their own criteria...

As of February 2015—\$2.8 million had been spent to select a deficient alternative removed from consideration in 2003...

As of [February 2015](#) “About [\\$2.8 million has been spent to date on feasibility studies](#), mostly federal dollars [\$2,205,277.00], according to the Maine Department of Transportation. The department [testified before lawmakers early this month](#), saying the state could be responsible for reimbursing the Federal Highway Administration for those federal funds had the favored route been pulled from consideration by the state.” MaineDOT’s premise was spending \$61 million would save the state \$2.2 million! [Bangor Daily News 2.17.2015](#)

How did the MaineDOT spend that kind of money and how much more have they squandered since Feb2015? What do ~~they~~ we have to show for that \$2.8 million besides a couple of fancy documents?

Have you driven I-395 lately? The state can’t even maintain the existing 4.99 miles, yet they want to extend the highway another 6.1 miles with a route (2B-2) that doesn’t satisfy the project’s purpose and needs—for the bargain price of \$61 million!

2B-2 threatens Atlantic salmon designated critical habitat. 2B-2 will not only demolish the homes, but the hopes and dreams of 8 families and diminishes the quality of life for those remaining families in close proximity—through no fault of their own—simply because MaineDOT refuses to follow their own study criteria by selecting an alternative that does not meet the “east of Route 46” system linkage need—when 45 of the 79 studied alternatives satisfied that need. [MaineDOT’s decision to defer 2B-2’s system linkage need \(20 years\) shifts 2B-2’s long-term needs and future costs to your grandchildren.](#)

At a time when the current [MaineDOT Work Plan](#) contains a \$204 million shortfall in the core highway and bridge programs with \$99 million in unmet bridge needs—when the state struggles to maintain existing infrastructure—when [33% of our bridges](#) are structurally deficient or functionally obsolete and [38% of our roads](#) are rated only as fair to unacceptable: wouldn’t 2B-2’s \$61 million cost be better spent on Maine’s unmet transportation needs?

“However, future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project.”

[DEIS](#) | Summary page s19

Click here to view how [MaineDOT scrubbed this statement from the FEIS](#).

- The future safety of alternative 2B-2 is highly debatable as state and federal transportation professionals avowed in their own [October 2003 Technical Memorandum](#): “Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards.”
- Alternative 2B-2 does not meet the study purpose and needs. In Sept2010, MaineDOT acknowledged that the “east of Route 46” system linkage need “[remains a valid need for this study](#)” at the same time they deferred that “valid” need for 20 years. Project selection should have been based on best engineering practices and not on parsing words to enable the selection of such an imperfect alternative.
- Notwithstanding the many cogent reasons offered on this [website](#) condemning MaineDOT’s 2B-2 selection—and once again using MaineDOT’s own words—the above statement reveals how specious MaineDOT’s selection really is—they will gleefully spend \$61 million on a project where the outcome cannot be guaranteed!! Wouldn’t that \$61 million be better spent on Maine’s unmet transportation needs??
- Is there any wonder why that statement was removed??

“However, future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project.” [DEIS](#) | Summary page s19

Click here to view how [MaineDOT scrubbed this statement from the FEIS](#).

—MaineDOT was against this alternative before they were for it—

- “Alternative 2B was dismissed prior to PAC Meeting #16 on January 15, 2003 because it would inadequately address the system linkage and traffic congestion needs.” [Oct2003 Tech Memorandum-page 20](#)
- “Limited opportunities exist to control access management on this section of Route 9 from local roads and driveways. There are ten local roads and 148 existing drives or access points to undeveloped lots. Assuming 10 trip ends per drive and an equal number of left and right turns, Alternative 2B’s ability to satisfy the system linkage and traffic congestions needs is questionable. There are several hundred acres that can be developed along this section of Route 9. Additionally, 200 buildings (residential and commercial) would be located in proximity (within 500 feet) of the proposed roadway.” [Oct2003 Tech Memorandum-page 20](#)
- “The lack of existing access controls and the inability to effectively manage access along this section of Route 9, and the number of left turns, contribute to the poor LOS and safety concerns, and the inability of Alternative 2B to satisfy the system linkage purpose and need effectively.” (LOS stands for Level of Service) [Oct2003 Tech Memorandum-page 21](#)

Current and future development on Route 9 (aka Main Road, Eddington) necessitates an access permit from the MaineDOT. 148 access points and 10 local roads already exist on 2B-2’s 4.2 mile section of Route 9. This study’s system linkage need (limited-access to the east of Route 46) intentionally bypassed that 4.2 mile section of Route 9 by design and best practices. Any alternative that met the system linkage need—45 out of 79—had zero added access points. These Route 9 issues exist because the MaineDOT intentionally selected an alternative discounting study criteria after 10 years of study. The MaineDOT cannot guarantee the overall benefits of 2B-2—and—they cannot guarantee that traffic flow will not be impacted in the future which will lead to traffic congestion, “[safety concerns and hazards](#)”. If this project’s outcome hangs so precipitously on whether or not Eddington is able to develop, maybe the MaineDOT should take another “hard look” before wasting any more money on such a deficient connector. If it comes to protecting 2B-2’s legacy or promoting development in Eddington—who do you think will win?

Remember the Wiscasset Bypass project?



Don Carrigan, WLBZ
March 09, 2016

New traffic control plans bring MDOT back to Wiscasset

“The Maine DOT dropped long-debated plan for a Wiscasset bypass several years ago, but now has a new plan it says will make a big improvement in traffic delays for far less money...The DOT is asking the town to choose one of the two options, or choose to do nothing.”



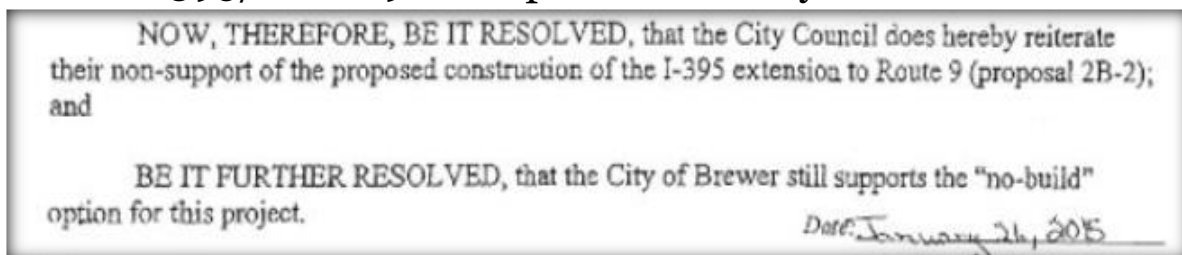
Wednesday, March 9, 2016 Last update: 5:58 p.m.

2 plans to relieve Route 1 congestion in Wiscasset

“The next steps will include a town referendum in June, followed by a vote by the board of selectmen.”

Eerily similar to the I-395/Route 9 Study—the [Wiscasset Bypass](#) preferred alternative was 3.2 miles in length at a cost of \$100 million and was managed by many of the same people. The project was cancelled by the LePage administration in August 2011 after an issue surfaced with an eagles nest. “Transportation Commissioner David Bernhardt said Monday that his decision to end the bypass study had little to do with the discovery of the nest and everything to do with the estimated \$100 million price of the project.” [Portland Press Herald 8.02.2011](#)

The [Brewer City Council](#) has unanimously issued three resolves since March 2012, unequivocally stating non-support of 2B-2 and support of the No-Build option for the I-395/Route 9 Transportation Study.



Did I miss the memo that said WE could choose to do nothing? Did I miss the referendum vote? Why are the good people of Wiscasset offered an option and all we get is eminent domain?

Text of an email received today—3.15.2016—from the [Bangor Area Comprehensive Transportation System](#) reference an issue with the inclusion of the I-395/Route 9 Extension project. (email available upon request.)

Subject: Special BACTS Policy Committee Meeting

At the BACTS Policy Committee meeting held on March 15, 2016, the Committee voted to delay action on approving the BACTS TIP until more information could be presented from Maine DOT and FHWA officials.

The issue is the inclusion of the I-395 Extension project, WIN 018915.00, which has \$250,000 allocated for Preliminary Engineering and Right-of-Way. The Maine DOT and FHWA representatives stated that if the BACTS TIP and Maine STIP project lists do not mirror each other the projects in the BACTS TIP might be in jeopardy of receiving funding until the documents match. This is because the MDOT and FHWA officials are concerned about holding up every transportation project in the state as time for an approved STIP is running out. The Policy Committee wants to meet with decision makers or their representatives from Maine DOT and FHWA to discuss the Committee's real options in this process.

The Committee voted to hold a special BACTS Policy Committee meeting on March 25, 2016 at 9:30 am at Machias Saving Bank's Community Room on Wilson Street in Brewer.

Cynthia Meservey
Office Manager
BACTS
12 Acme Road, Suite 102
Brewer, ME 04412



Policy Committee Meeting

Friday, March 25, 2016 at 9:30 a.m.
*Machias Savings Bank
Wilson Street
Brewer, ME 04412*

Agenda

- 1) Call to Order
- 2) Approval of March 15, 2016 Minutes
- 3) Conditional Approval of BACTS FY 2016-2019 TIP Version 2
- 4) Other Business
- 5) Adjournment

Special Policy Committee Meeting

The BACTS Policy Committee has scheduled a special meeting to further discuss the BACTS 2016-2019 TIP before approval. The meeting will be on Friday, March 25, beginning at 9:30 a.m. It will be held at Machias Savings Bank in the Community Room on Wilson Street, Brewer.

[Read More](#)

BACTS Draft FY 2016-2019 TIP

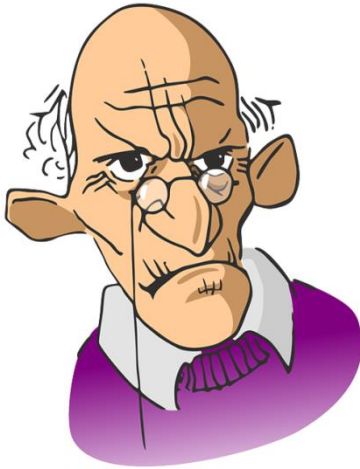
March 3, 2016

The Bangor Area Comprehensive Transportation System (BACTS) is seeking public comment on the second version of the draft BACTS FY 2016-2019 Transportation Improvement Program (TIP). The BACTS Policy Committee had approved an original version of this document at their February 16th meeting but since then, Maine DOT has made many changes to the State TIP (STIP). The BACTS TIP and Maine DOT STIP projects must align so BACTS is putting this second draft version of this document out for public comment. The document is located on the BACTS website at: www.bactsmmpo.org. Please direct comments by mail to the attention of Cindy Meservey, BACTS 12 Acme Rd., Suite 104; Brewer, Maine 04412; or by e-mail at cindym@bactsmmpo.org. The comment period begins March 3, 2016 and will be accepted until 9:00 am, April 4, 2016.

[Draft BACTS 2016-2019 TIP](#) page 29

BACTS transferred \$250,000 to the MaineDOT last year for I-395/Rte. 9 preliminary engineering and Right-of-Way. A paperwork glitch brought that issue up again today and BACTS tabled that issue until next week on Friday, March 25 @ 9:30 am. The public will be able to speak at the meeting; we lost our chance last year to voice our concerns to BACTS, now is your chance to come forward and voice your concerns. If you can't be there, email your comments to: cindym@bactsmmpo.org before April 4th.

Mission statement and unanswered official questions:



“As one senior MaineDOT engineer used to remark, all it takes is ‘one angry man with a laptop’ to significantly impede forward progress.”

Our mission ensures availability of substantive facts to combat the failure of state and federal agencies to be responsive to comments/concerns from private impacted citizens, directly violating state statute—the lack of legislative representation to support our side of this 2B-2 issue at the state level in Senate District 8 and House District 129 due to political, business and/or personal agendas—the failure of the 127th JSC Transportation to recognize their appointed task as MaineDOT oversight—and the continual lack of transparency exhibited by our friends at both the MaineDOT and the FHWA since March 2011. Please feel free to share this newsletter and our [website](#) with anyone seeking the unfiltered truth. The facts that we present—in MaineDOT’s own words—paint a very different picture of 2B-2 than what the MaineDOT/FHWA like to present!!

Official [U.S. Army Corp of Engineers comments](#), submitted to the DEIS on July 16th 2012, included perhaps the two most significant questions in this study! Neither question was considered substantive for further comments by the MaineDOT. (Page 59)

➡ “How do Maine DOT and FHWA intend to address the argument that the **no build** alternative **might save** state and federal transportation **funding that might be better served on other unmet needs in the state?**”

➡ “How does Maine DOT intend to address the apparent **multi-community support for the no-build** alternative as evidenced in testimony at the public hearing?”



Curious remarks from an agency that directly accepted 2B-2 into the study in Sept2003 when: “...the Corps acknowledged the Ring route [3EIK-2] as the preferred choice of DOT and the Federal Highway Administration.”

[BDN 7.18.2004](#)