

April 30<sup>th</sup> 2016  
The 16<sup>th</sup> year of the  
I-395/Route 9 Transportation Study

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

—FACT: 2B-2 met 20% of Purpose and Needs in Apr2009—

*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
No-Build	No	No	No	No	No
Alternative 1-Upgrade	No	No	No	No	No
2B-2	No	No	No	Yes	No
3A-3EIK-1	Yes	Yes	Yes	Yes	Yes
3EIK-2	Yes	Yes	Yes	Yes	Yes
5A2E3K	Yes	Yes	Yes	Yes	Yes
5A2E3K-1	No	No	No	Yes	No
5A2E3K-2	Yes	Yes	Yes	Yes	Yes
5B2E3K-1	Yes	Yes	Yes	Yes	Yes

[www.i395-rt9-study.com](http://www.i395-rt9-study.com)

—FACT: MaineDOT wants \$61 million to construct 2B-2—

It was obvious at the March 25<sup>th</sup> BACTS meeting that the MaineDOT and the FHWA are hell-bent at forcing 2B-2 down our throats—they simply will not listen to municipal leaders and/or their impacted citizenry. 2B-2 does not meet the study's original purpose and needs, yet that fact is being completely ignored without further discussion...

Our friends in Augusta have minimized our efforts—the mission now is to make sure that you realize how this process let you down. You can thank those that supported our efforts or rebuke those that opposed our efforts in favor of their own agendas—at the ballot box.

# The 4th change in 2B-2's design year since Sept2010!!

“...anticipated opening year for I-395/Route 9 connector would be in the time frame of 2022 to 2035...”

Design year of 2B-2 Connector:

Version 1.0: ~~2030~~ in Sept2010

Version 2.0: ~~2035~~ in Jan2012

Version 3.0: ~~2040~~ in Mar2015

Version 4.0: 2045 in Mar2016

## State of Maine Department of Transportation MEMORANDUM

To: Nathan Howard, Study Manager Date: March 10, 2016  
From: Edward W. Hanscom, Transportation Analysis  
Subject: I-395/Route 9 Transportation Study – Revised Projections to 2045

Given that the anticipated opening year for a I-395/Route 9 connector highway would be in the time frame of 2022 to 2025, there is a need to consider 2045 as the design year for the facility. Transportation Analysis has reviewed the prior traffic projection in the context of more recent count data on Route 9.

The following chart shows the historical volumes and past projections of traffic to 2030 and 2035 on Route 9 east of Route 46 in Eddington. It also shows traffic volume trend lines based on the historic volumes to 2008 and also on more recent volume data to 2014. The Great Recession of 2008-09 was a major factor in stagnation of traffic growth in the years immediately following. The revision of the design year projection from 2030 to 2035 recognized the impact of the Recession, in part, was on growth. The more recent count data shows an apparent low point in 2012 and an increase in volume in 2014. Further east on Route 9, a permanent count station indicates that Route 9 traffic continued to grow in 2015. These recent developments in traffic volumes signal an upturn in future traffic volumes on Route 9.

Comparison of the long-term trend lines shows that the one based on historic volumes to 2014 is flatter than the one based on historic volumes to 2008. While the steeper trend line is close to the 2035 projection, the flatter trend line suggests slower growth than had been anticipated in past projections. If both trend lines are extended to 2045, they provide a “high” and “low” range for a 2045 traffic projection. The projected 2035 volume in the FEIS is 10940 AADT. The low and high trend line estimates for 2045 are 9460 AADT and 11470 AADT, respectively. As the AADT for the past 2035 projection falls well within the range of the low and high estimates for 2045, Transportation Analysis recommends that the 2035 values presented in the FEIS be adopted as the 2045 design year AADT values for the anticipated project.

Memorandum handed out during 3.25.2016 BACTS meeting.

State/federal transportation professionals once opined that this alternative:

- would not provide a substantial improvement in regional mobility and connectivity
- would negatively affect people living along Route 9
- would severely impact local communities along Route 9
- would substantially increase the potential for new safety concerns and hazards
- would fail to adequately address traffic congestion needs

These facts are hidden in the back of the book—unanswered and judged not substantive. [See my questions to the DEIS on pages 103 to 170.](#) A hard look cannot diminish the negative attributes that 10 local roads, 148 access points, 158 left turns, 5 changes in posted speed and the transit through the village of East Eddington adds to this route. It's contradictory that 2B-2 meets the safety concerns and traffic congestion needs of this study.



A Friday morning meeting in March that we will not soon forget:

**BDN MAINE Bangor**  
Saturday, March 26, 2016 Last update: 4:44 p.m.

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## Planners claim state forced them to approve I-395 connector project

By Nok-Noi Ricker, BDN Staff  
Posted March 26, 2016, at 2:20 p.m.  
Last modified March 26, 2016, at 4:55 p.m.

**BREWER, Maine** — The group that plans improvements to roads and transportation infrastructure in Greater Bangor voted Friday to add the controversial Interstate 395-Route 9 connector to its list of projects after being told by state officials that funding for all projects in the region would be delayed if the plan wasn't approved.

Another broken promise:

This Study's 1<sup>st</sup> MaineDOT Project Manager - Michael Davies - was quoted by the Bangor Daily News on 11.16.2000: "During Wednesday's meeting, Davies observed that reaching accord on the project would be critical to its viability. He pointed out that **the route wouldn't be built unless it has the support of affected communities and area transportation agencies. "I am not here to force this down anyone's throat,"** he said."

AND—that's exactly what they did!!

Front page—above the fold!!

**MAPLE SUNDAY**  
Maine sugarhouses welcome public PAGE B1

**LIGHTS, CAMDEN, ACTION**  
FILMING OF GERRITSEN HORROR TALE BEGINS PAGE B1

# Bangor Daily News

Statewide edition  
BDN bangordailynews.com  
Monday, March 28, 2016 \$1.25

## 'Hostage' vote supports I-395 connector

Planners claim state forced them to OK project to assure funds for Bangor region road work

BY NOK-NOI RICKER  
BDN STAFF

**BREWER** — The group that plans improvements to roads and transportation infrastructure in Greater Bangor voted Friday to add the controversial Interstate 395-Route 9 connector to its list of projects after being told by state officials that funding for all projects in the region would be delayed if the plan wasn't approved.

Characterizing it as a "distasteful vote" and saying they were "held hostage," members of the Bangor Area Comprehensive Transportation System's policy committee said they did not like being forced to approve a new three-year plan that includes the Interstate 395-Route 9 connector or risk losing \$57 million in road project funding this year for the Bangor urbanized region, which includes 19 neighboring communities.

The BACTS committee initially approved planned 2016-2019 transportation improvement projects on Feb. 16 but shortly thereafter learned the Maine Department of Transportation had added the connector and other projects to the state's list of projects for the area. The state's decision forced the BACTS committee to file a second 2016-2019 plan that includes the connector because the two project lists must align to move forward, according to both agencies.

The panel traditionally has just added any transportation projects the Maine DOT has requested, BACTS Director Rob Kenerson said.

hard before the meeting and wanted to stress that the connector "is a project of regional significance. It impacts the entire state."

"He asked me to talk about the importance of the [Bangor area plan] being a mirror image of our [state plan]," Nass said of Bernhardt. "That's absolutely critical."

When asked whether the connector plan could be removed from the Bangor plan with the other projects moving forward, Nass said that was not possible.

Nass said if the BACTS committee voted down the amended plan, which is posted on its website, it would mean "serious ramifications" for communities in the region that are planning on the \$57 million in funds for road projects.

"It appears that BACTS is being held hostage," Brewer City Councilor Jerry Goss said. "It's either do this or you're not going to get all the other projects in town."

Scott Rollins, assistant director of the state's Bureau of Transportation Systems Planning, said the panel also was tying the state's hands by not supporting the measure.

"This is not the forum to See Vote, Page A2"

**Nass Goss Rollins**

### Hung Up on the St. George River



## Why many bills that pass never become law

BY CHRISTOPHER COUSINS  
BDN STAFF

**AUGUSTA** — It's not even a real table, but there's \$65 million on it.

Actually, that's not true. There's something else with...

They'll see how much money there is to go around. In recent years, especially since the 2008 recession, the Legislature has struggled year after year with revenue deficits and

[Click here to view Bangor Daily on-line article.](#)

# Saturday, April 2, 2016: Second Amendment not obsolete, I-395 connector questions unanswered

Posted April 01, 2016, at 10:35 a.m.



## I-395 connector questions unanswered

I am opposed to the [Interstate 395-Route 9 connector](#). Shortly after I addressed the March 25 [Bangor Area Comprehensive Transportation System](#) meeting, Scott Rollins of the Maine Department of Transportation claimed what we've heard is not true. Deputy Commissioner Jon Nass pointed to several books, saying the project has been thoroughly vetted. One of them contains 67 pages of my own questions to the 2012 draft environmental impact statement, the majority of which the Department of Transportation considered not substantive, neatly packaged and unanswered.

That's what these people do: control the conversation by dissimulation. Maybe it's time the public demands real answers as our tax dollars drive these events. As of February 2015, \$2.8 million had been spent on this study and the cost to construct the 2B2 route is \$61 million.

I have asked the following question of many state and federal officials and no one has answered. FOAA documents of emails starting on Dec. 16, 2011, indicate that the Federal Highway Administration study co-manager advised his Maine Department of Transportation counterpart that because of criteria changes, the preferred alternative, the 2B2, does not satisfy the purpose and need and moving forward with the analysis is now an apples-to-oranges comparison. We would learn two years later that the Federal Highway Administration study co-manager was overruled by his superiors. The administration needs to explain why they allowed this study to continue and why they suppressed such serious concerns from their own transportation professional.

This has been and continues to be an unethical process locking out private citizens and their municipal leaders.

**Larry Adams**

*Brewer*



## Nobody ever said you couldn't comment on your own Letter to the Editor:

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**Larry Adams** · 2 days ago

The I-395/Route 9 Transportation Study Final Environmental Impact Statement (FEIS) is the current document of record and used in the decision-making process leading up to FHWA's Record of Decision (ROD). One would have and should have every expectation that the data would be 100% honest and true. BUT, the cost is not based on the design in the same document. Please view pages 23 and 24 of <http://i395rt9hardlook.com/wp-....>

The FEIS stated-design is "MaineDOT design criteria for freeways" at a cost of \$93.24 million per the cost estimate of FOAA Document 000392.

YET, the FEIS-stated cost is \$61 million. FOAA Document 000391:

"...following the conclusion of the NEPA process, for the preferred alternative to be developed using rolling criteria...let us know the anticipated percent reduction in cost that would result from this change in criteria; we will apply this percent reduction to the cost to construct the build alternatives that is shown in the DEIS..."

They got a cheaper talking point up front [\$32.24 million cheaper] but I contend they danced around the NEPA (National Environment Policy Act) process and once again here's another instance where I would question the honesty and ethics of this study. What they did was not by accident; it was done with the intent to use the FEIS as a pro-2B-2 sales brochure. I question the integrity of the entire FEIS.

I finally got the FHWA to admit that the \$61 million was based on rolling-rural criteria, but to date—no one has addressed why the design of 2B-2 does not match the cost of 2B-2 in the same document. This may be the way the transportation community operates—however—I contend it is fraudulent at best.

State and federal transportation professionals once opined that this alternative would not provide a substantial improvement in regional mobility and connectivity—would negatively affect people living along Route 9 in the study area—would severely impact local communities along Route 9 between proposed alternative connection point on Route 46—would substantially increase the potential for new safety concerns and hazards—and—would fail to adequately address traffic congestion needs. This deficient alternative (2B-2) is now the preferred alternative for a \$61 million project. That \$61 million would be better spent on Maine's existing unmet transportation needs.

Please view other issues on our citizen's website: <http://i395rt9hardlook.com/>

[Click here to view Bangor Daily News LTE and comments.](#)



**Larry Adams** · 2 days ago

Alternative 2B-2 satisfied only 20% (1 of 5) of purpose and needs of the I-395/Route 9 Transportation Study in April 2009. One of the necessary changes to rectify 2B-2's deficiencies was to change the near-decade-long "Route 9 east of Route 46" eastern logical termini – AND – that was easy – just make up a couple of words that don't exist. Please view pages 10, 11 and 12 of <http://i395rt9hardlook.com/wp-...>

Logical termini: a fancy word for where the road should connect logically. It was clearly understood for most of a decade that the eastern logical termini was "Route 9 east of Route 46". You certainly couldn't use the "east of Route 46" logical termini in the DEIS when 2B-2 connects 4.2 miles to the west, so they needed a new definition to fit the study to the alternative and here's how they did it:

The Notice of Intent (NOI) is a required government document that spells out what the purpose of an action is and in this case: "The EIS will examine alternatives to improve transportation system linkage, safety, and mobility between Interstate 395 (I-395), Brewer and State Route 9 (Route 9), Clifton in southern Penobscot County, Maine." (See page10)

Read FOAA document 000394 (see page 11) carefully for the definition of the new 2012 version of the eastern logical termini: (2) "the portion of Route 9 in the study area to satisfy the project purpose and need." Read on: "The NOI stated that the project would take place Route 395 to Route 9 in Clifton from the west to east through Eddington..." Stop—now go back to page 10 or the paragraph above and see if the words "from the west to east through Eddington" are in the NOI. No—well then—that's how easy it is to make the study fit whatever you want it to fit. FOAA docs 000501/000502 makes it seem as if even the MaineDOT was even questioning that statement. The eastern logical termini statement was refined in the DEIS as "(2) the portion of Route 9 in the study area."

The FHWA made the study fit 2B-2 and that's how dishonest and unethical this study has been. \$2.8 million had been spent on this study by Feb2015 and the best they can do is select an alternative (2B-2) removed from consideration (twice) by January 2003 that does not meet the original study purpose and needs—specifically the "east of Route 46" system linkage need and the need to provide a limited-access facility from I-395 to Route 9 at the Clifton/Eddington corporate border.

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[Click here to view Bangor Daily News LTE and comments.](#)

## Nobody ever said you couldn't comment on your own Letter to the Editor:

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**Larry Adams** · 3 days ago

YES—even the FHWA study co-manager thought alternative 2B-2 did not satisfy purpose and needs of the I-395/Route 9 Transportation Study. The incident referenced in my LTE occurred within 3 months of the issuance of the Draft Environmental Impact Statement (DEIS) in March 2012.

The FOAA documents referenced in my LTE are on pages 29 and 30 of the following document:

<http://i395rt9hardlook.com/wp-....>

View the entire FOAA document string of this specific issue here:

<http://i395rt9hardlook.com/wp-....> Note that an anonymous post (thought to be the FHWA study co-manager) to the FHWA Re: NEPA forum looking for feedback received several comments—one of which said “The project being proposed now is very different than what was originally proposed - it is practically a new project.”

YET—the study moved forward—unchecked—no matter what the FHWA study co-manager said...

The book and my 67 pages of questions referenced in my LTE can be viewed at <http://www.i395-rt9-study.com/>... starting on page 103. A question or concern considered substantive is marked with a bolded black vertical line at the right side of the text. Who determines what is substantive? Why of course—it's the MaineDOT—they are the judge, the jury and the executioner—that is how they control the conversation and stack the deck. The majority of our questions are neatly placed—unanswered—in a book that nobody reads.

This Study's 1st MaineDOT Project Manager - Michael Davies - was quoted by the Bangor Daily News on 11.16.2000: “During Wednesday's meeting, Davies observed that reaching accord on the project would be critical to its viability. He pointed out that the route wouldn't be built unless it has the support of affected communities and area transportation agencies. “I am not here to force this down anyone's throat,” he said.” AND—that's exactly what they have done...

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FmrMTI → Larry Adams · 2 days ago

Is there any I-395 proposal that has had local support?

^ | v · Share



Larry Adams → FmrMTI · a day ago

There has not been one proposal that has had local support from ALL the communities in the study area. 2B-2 is the second preferred alternative - Brewer has strongly opposed this alternative with multiple resolutions. 2B-2 only met 20% (that's 1 in 5) of the study purpose and needs in Apr2009 when 5 other routes, including the first preferred alternative of some 6 years, met 100% of study purpose and needs. In Sept2010 - those 5 were dismissed leaving 2B-2 as basically the only route left. We contend that the study should have gone to no-build at that time OR back to the table to find an acceptable alternative agreeable to ALL. This same alternative was removed from consideration in Jan2003 for specific safety concerns and hazards that today's transportation specialists are now willing to overlook and will not even acknowledge - it is now the preferred alternative for a \$61 million project.

[Click here to view Bangor Daily News LTE and comments.](#)

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## Show me the money!!

The current [MaineDOT Work Plan](#) contains a **\$204 million shortfall** in the core highway and bridge programs with **\$99 million in unmet bridge needs**; the state struggles to maintain our existing infrastructure—at the same time that [33% of our bridges](#) are structurally deficient or functionally obsolete and [38% of our roads](#) are rated fair to unacceptable.

Wouldn't 2B-2's \$61 million cost be better spent on Maine's unmet transportation needs or to reduce existing budget shortfalls?



All of these documented problems—in MaineDOT’s own words—and their best defense of the 2B-2 selection is that I am apparently a liar!!

“Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards.”

“poor LOS and safety concerns”

“ten local roads and 148 access points”

“Limited opportunities exist to control access management on this section of Route 9 from local roads and driveways.”

“the number of left turns”

“ability to satisfy... traffic congestions need is questionable”

[Note: Quoted references are from MaineDOT/FHWA/ACOE Oct 2003 Technical Memorandum.](#)

“lack of existing access controls”

“negatively affect people living along Route 9 in the study area”

“inability to effectively manage access along this section of Route 9”

“severely impact local communities along Route 9 between proposed alternative connection points and Route 46”

“inadequately address traffic congestion needs”

35 access points/mile on 2B-2’s 4.2 mile section of Route 9. The 45 alternatives that met the study system linkage need had zero added access points—not 148 access points that Rte. 9 foists upon 2B-2!!

You are 1,036% more likely to have an accident on the new 2B-2 alternative than the 45 studied alternatives that met the system linkage need!!

[FHWA acknowledges:](#) “In rural areas, each access point added increases the annual accident rate by seven percent.”

## The [FEIS](#) validates the environmental impacts behind 2B-2:

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It's not just the \$2.8 million that has been squandered on a study in the 16th year or the \$61 million that will be unwisely spent to construct 2B-2:

“The Brewer City Council...firmly believes the route(s) chosen by the MDOT have negative consequences to many property owners as well as the environment.” [Mayor Vachon 8.26.15](#)

- It's the impact to 34 acres of wetlands...
- It's the impact to 3 streams, 2 of which contain anadromous fish...
- It's the impact to 15 acres of floodplain...
- It's the impact to 11.0 acres of notable wildlife habitat ...
- It's the impact to 784 acres of undeveloped habitat...
- It's the impact to 20.0 acres of prime farmland...
- It's the impact to 8 families losing their homes...
- It's the impact to owners of the 190 buildings within 500' of 2B-2...
- It's the impact to owners of the 54 directly impacted properties...
- It's the impact to the area with the 163 total acres to be acquired...
- It's the impact to 103 acres of vegetation...
- It's the impact to federally listed endangered species...
- It's the impact to 9 acres of waterfowl/wading bird habitat on Eaton Brook...
- It's the impact to 31 acres by roadway contaminants within 100' of 2B-2...
- It's the impact to 66 acres by roadway contaminants within 160' of 2B-2...
- It's the impact to 10 acres of watershed...
- It's the impact to streams within 3,300' by 13 acres of sediment...
- It's the impact to 23 acres of hydric soil...
- It's the impact to 14 acres of soil with statewide importance...
- It's the impact to 156 acres of land with special zoning designation...
- It's the 0.9 acre roadway contaminant impact to streams within 100'...
- It's the 1.8 acre roadway contaminant impact to streams within 160'...
- It's the cumulative impact to 26 acres of floodplain...
- It's the cumulative impact to 182 acres of wetlands...
- It's the cumulative impact to 600 acres of forests/vegetation...
- It's the cumulative impact to 873 acres of wildlife habitat...
- It's the unknown storm-water runoff impact to 4,900' of streams...
- It's the impact to communities losing \$64,400 in yearly revenues...
- When [33%](#) of our bridges are functionally obsolete/structurally deficient...
- When [38%](#) of our roads are rated as “fair” or “unacceptable” ...



# Bangor Daily News front page—above the fold—again!!

## BDN Maine Bangor

Tuesday, April 12, 2016 Last update: 3 p.m.

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VIDEO

### 'Hanging over us': Homeowners face uncertainty as I-395 plan ramps up

Next 1 of 10



By Nok-Noi Ricker, BDN Staff  
Posted April 10, 2016, at 9:42 p.m.

Larry Adams • a day ago

Even the FHWA study co-manager thought alternative 2B-2 did not satisfy purpose and needs of the I-395/Route 9 Transportation Study in December of 2011. The incident referenced in my April 1st LTE occurred within 3 months of the issuance of the Draft Environmental Impact Statement (DEIS) in March 2012.

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Please view other issues on our citizen's website:  
<http://i395rt9hardlook.com/>



Gretchen Heldmann • a day ago

The amount of magic dust that has been sprinkled on Rt 9 to make 2B-2 a viable alternative is astounding. Where can I get some of the magic dust? Or the koolaid people have been drinking in believing the 2B-2 alternative will actually help them out?

I'm on the email update list for this project, and I'm still waiting for the email update from the MDOT Project Manager with the newly revised traffic estimates - a document that had been available for TWO WEEKS prior to the March 25th BACTS meeting. However, MDOT insists until they're red in the face and sweating bullets (believe me, it was a sight to see at the BACTS meeting) that they're communicating and sharing information. Yeah, right. My previous lawsuit against MDOT and 1,200+ pages of FOAA documents show otherwise. [www.i395rt9hardlook.com](http://www.i395rt9hardlook.com)

"MaineDOT has listened many times to residents that have submitted comments to us and responded to those comments," — you mean like the comments we made in 2012 about the wetland at Rt 9 that MDOT hadn't identified in its documents, comments which were deemed "Not Substantive" and then a year later show up in the Biological Assessment consultation document MDOT worked on with USFWS? Oh yeah, they're listening and responding, sure.

"the state has taken great care to consider the concerns of residents, pointing out there have been 20 public advisory committee [PAC] meetings, three public meetings and one public hearing on the project over the years" — Please. The last PAC meeting was April 2009, where the preferred alternative was 3EIK-2. Closed door meetings of the MDOT and cooperating agencies, with absolutely ZERO consultation with the PAC or ANY of the communities, resulted in the change to 2B-2. The three public meetings and public hearing, where many NON-NIMBY concerns were presented (see wetland example above), were a waste of time as all the comments were summarily dismissed as non-substantive (although as seen above, some then became substantive).

"we stand by the process and the decision that Alternative 2B-2 is the preferred alternative and the only one that could be constructed since it is the Least Environmentally Damaging Practicable Alternative (LEDPA) as determined by the Army Corps of Engineers" — 2B-2 may be the LEDPA but that doesn't make it the RIGHT choice. To truly meet the system linkage needs, a connector was supposed to join Rt 9 EAST of the Rt 46/Rt 9 intersection - NOT 4.5 miles WEST of it, which is where 2B-2 intersects Rt 9. There is not enough magic dust in the world to sprinkle on Rt 9 to make those 4+ miles meet the original Study Purpose & Need.

[www.i395rt9hardlook.com](http://www.i395rt9hardlook.com)

**Opinion editorial:** A private citizen's rebuttal of the March 25<sup>th</sup> BACTS Policy Meeting and MaineDOT's unethical hostage maneuver to fund the I-395 connector project. [I added a similar comment to BDN 4.10.16.](#)

Two things MaineDOT's Scott Rollins exclaimed demand further examination: 1.) shortly after I addressed the BACTS panel—Scott Rollins told the panel that what we've heard is not true—basically calling me a liar and 2.) Rollins stated: "This is not the forum to discuss the merits of the project..." [3.26.2016 BDN](#)

So first—who's lying? What I present via email, the [i395rt9hardlook.com](#) website or in written/oral testimony is referenced to MaineDOT's own documentation—so if I'm lying—the documentation must also be a lie. I pride myself on presenting what I believe to be 100% honest and truthful. I vehemently disagree with the MaineDOT selection of 2B-2 for this \$61 million project and the only thing that the MaineDOT can offer in defense of their position is to apparently call me a liar. Our friends in the MaineDOT are good at misrepresenting and withholding facts—all which would easily fall within the definition of dissimulation or a lie...

["This is not the forum..."](#) We have never had that forum for full complete on-the-record-discussions where questions can be expected to get an honest, accountable and immediate response—not a canned talking point or no answer at all.

The [March 25<sup>th</sup> BACTS meeting](#) was a public meeting and BACTS requested public comments on specifically one project and that just so happened to be the I-395 connector. An email (available upon request) from the BACTS office manager stated: "*Opportunity for public*

*input on each agenda item will be given after the committee discussion but before the vote. A limit of five minutes for public input will be granted. Public input may continue at the discretion of the committee chair. Input will be limited to the subject of the agenda item."* We were well within our rights to address the BACTS panel—shame on the MaineDOT for stating otherwise.

AND—not only did our friends from Augusta smugly dismiss us that day, they also took our written comments away from BACTS's custody asserting that MaineDOT would respond to them—which is laughable since they have yet to answer the 45 pages of questions I sent to them in [September 2015 on the state STIP](#) that was the basis of this BACTS meeting—the STIP needs to match the TIP!! I doubt that my BACTS document ever left the Machias Bank that day. See—that's exactly what these people do. If you can control the conversation—you win, and they have so far successfully controlled ALL conversation.

At the [April 15th 2009 PAC Meeting](#) (Public Advisory Committee) [2B-2 met only 20% of purpose and needs](#) at the same time that 5 other alternatives, including the first preferred alternative, met 100% of purpose and needs. What we didn't know that day was that this meeting would spell the end of the PAC itself. The PAC has never reconvened and we lost our voice that day. We had 3 very good PAC members: a Fire Chief, a Councilman and a City Planner—they worked in the best interest of the City of Brewer and its citizens. We had full access to them. Looking back—it's obvious why the PAC was disbanded. The study went underground—covert would be a better word—with no further contact with the City of Brewer—turning this



study on its head by selecting a deficient alternative (2B-2) for a \$61 million project—that met only 20% of purpose and needs in April 2009—a route that was removed from further consideration (twice) by January 2003 for safety concerns and hazards on the same 4.2 miles of Route 9 that makes up 40.8% of 2B-2. AND, this was all done without knowledge of the largest stakeholder in the study area—the City of Brewer and its citizenry. I accidentally stumbled over [MaineDOT's dirty-little-secret 12.15.2011](#) and I have been fully involved since. The PAC was apparently not the forum to discuss the merits of the project.

I tipped the Bangor Daily News via email by the end of December 2011. I naively thought 2B-2 was simply a mistake by new people that didn't know the history of the study. Working with our State Senator, we simply asked for a phone conversation that never came. Then the MaineDOT agreed to come to the 3 impacted communities, yet they would only talk to the elected leaders—they refused to speak directly to the impacted citizens—those meetings were cancelled saying that it was better to go straight to the DEIS as that was the mechanism where all of our answers would be forthcoming. Information meetings were apparently not the forum to discuss the merits of the project.

Regarding the [May 2012 Public Hearing](#): Two open houses were held before the Public Hearing. I attended the open house in Brewer which was an informal off-the-record event—I prefer to have my questions and concerns on-the-record so I worked up my questions in a debate format as I was going to the Public Meeting and finally get some answers. It soon became clear that no answers would be forthcoming from state and/or federal

officials when their opening remarks clearly stated this Public Hearing was a [listening session only](#). How can you have a public meeting with no back and forth conversation? It should be noted that 19 people addressed the panel that night in opposition to 2B-2 and not one spoke in support. [A petition of 390 Town of Eddington residents was presented to the panel in opposition to 2B-2](#). The Public Meeting was apparently not the forum to discuss the merits of the project.

I submitted 37 questions to the DEIS and the majority, as I stated in my LTE, are neatly placed—unanswered—in a [book](#) that no one will ever read. In fact, several FOAA documents discuss specifically how to treat Mr. Adams' questions “as not to unnecessarily draw attention to them”. Those answers, of course, have never come as the MaineDOT decides what is and is not substantive—a word that I defy anyone to find an actual definition of in Federal regulations. Hiding questions in the back of the book simply controls the conversation—the DEIS was apparently not the forum to discuss the merits of the project.

I have a history with Scott Rollins. I ask a lot of questions—Rollins decided that he would no longer answer my emails in December of 2012, opting to talk on the phone instead—I wanted on-the-record conversation via email because unless you illegally record the conversation, there is no way to prove what was said. That was my last interaction with Scott Rollins until the BACTS meeting. His FHWA counterpart joined in at the same time refusing further email interaction. Once again—they continued to control the conversation. Emails to MaineDOT and FHWA officials were apparently not the forum to discuss the merits of the project.

LD 47 in February 2015 was an attempt to get our concerns on-the-record since one of the most important functions of the 127<sup>th</sup> JSC Transportation is oversight of the MaineDOT. We all know how that went—I believe that I presented some 90 pages of written testimony that once again was ignored as somehow 2B-2 became political and some saw this as a win after the work session—I would offer that I know eight families that probably don't share that excitement. The legislative process is also stacked against the private citizen. Of course, those in favor spoke first—those opposing spoke second—including the MaineDOT who were all on a first name basis with Nina, MaineDOT Legislative Liaison. Whoever speaks last controls the conversation, just like when Scott Rollins told the BACTS panel that what we've heard is not true. Presenting facts in February 2015 to the 127<sup>th</sup> JSC Transportation that has primary oversight of the DOT was apparently not the forum to discuss the merits of the project.

Not the forum to discuss the merits of the project—we have never been presented with that forum. There has never been a time since 2B-2 was selected as the preferred alternative that we have been able to directly and face-to-face debate the MaineDOT with our questions and concerns on-the-record and receive answers at the same time on-the-record. The truth is that the DOT cannot defend what MaineDOT's own documentation avows. The [May 2012 Public Hearing](#) was a disgrace as my neighbor stated on page 78 of the Public Hearing: "I feel like I just wasted my time tonight. I could have got information about this meeting through my neighbors, you know, that I love dearly, but that's just the way I feel. I

thank you for coming. I thought I would hear a comment or two from you people, but obviously not."

I welcome a discussion on the merits of the project—I don't believe that will ever happen—they would rather run out the clock and make believe that there is no opposition to this project

These people are civil servants that seem to have lost the whole concept of what that means—they are sworn to serve the public—not just the few. 2B-2 is a deficient band-aide with a \$61 million price tag that I contend will cause more problems than it will relieve. Have you driven I-395 lately? I've never seen a highway so heavily rutted. That \$61 million could be better spent on Maine's existing unmet transportation needs.

—Larry Adams—





# Latest Status Report: The bats are not an issue? I'm shocked!!

**From:** "Howard, Nathan" <[Nathan.Howard@maine.gov](mailto:Nathan.Howard@maine.gov)>  
**Date:** April 15, 2016 at 2:35:15 PM EDT  
**To:** addresses removed for space  
**Subject:** I-395/Route 9 Transportation Study Update

Good afternoon,

As noted in previous I-395/Route 9 Transportation Study Updates, MaineDOT has been 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). Section 7 consultation must be completed prior to the issuance of the Record of Decision (ROD) by FHWA. The USFWS has recently determined that the proposed I-395/Route 9 Connector is not likely to adversely affect the NLEB. This determination by the USFWS concludes Section 7 consultation for the proposed Connector.

On April 7 2016, FHWA approved the Statewide Transportation Improvement Plan (STIP) Amendment and Bangor Area Comprehensive Transportation System (BACTS) TIP Amendment for the I-395/Route 9 Connector. The Amendment, identical to the Amendment approved by FHWA on November 9, 2015, adds \$250,000 to the STIP for Preliminary Engineering (Design) and Right-of-Way for the Connector project.

MaineDOT reviewed the traffic projections provided in the 2015 Final Environmental Impact Statement (FEIS) and determined that the 2035 Design Year Values for Average Annual Daily Traffic (AADT) and Truck AADT presented in the FEIS are reasonable estimates for the current anticipated design year of 2045. The design year is defined as 20 years after the anticipated opening of the proposed project, now scheduled for 2025.

Finally, MaineDOT expects FHWA to issue a ROD on the I-395/Route 9 Transportation Study with the next month or so. Once that happens, MaineDOT intends to hold a public meeting to discuss next steps as the project transitions from the Study Phase to the Design and Right-Of-Way (ROW) Phases.

Please let me know if you have any questions.

Nathan Howard  
Bureau of Planning  
MaineDOT  
(207) 624-3310

## House passes bond bill for transportation, as Maine lawmakers scurry to finish



[SCOTT THISTLE](#), State Politics Editor

[Maine](#) | Friday, April 15, 2016

The House voted 147-4 to approve LD 1694, which would ask voters whether the state should sell \$100 million in bonds for transportation infrastructure improvements.

The bill stalled earlier in the week in the budget-writing Appropriations Committee when Democrats on the panel urged their colleagues to support a study to find additional ways to fund highway infrastructure improvements in light of declining gas tax revenue caused by improving automobile fuel efficiency.

Lawmakers decided instead to go forward with the bond and to have the Legislature's Transportation Committee use its remaining meetings this year to develop a plan and recommend legislation for 2017.

The Senate later approved the transportation bonding bill on a vote of 32-2, sending it to Gov. Paul LePage, who is expected to sign it and send the question to the ballot.

[Click here to view article.](#)

Maybe if the MaineDOT would stop squandering scarce transportation funds on questionable projects such as the Presque Isle Bypass and now the North Brewer Bypass (I-395 Extension), we wouldn't have to vote in for new bonds in 2016 and once again in 2017. Wouldn't 2B-2's \$61 million cost be better spent on Maine's unmet transportation needs?





Saturday, April 16, 2016 Last update: 4:49 p.m.

[NEWS](#) | [THE POINT](#) | [BUSINESS](#) | [NEXT](#) | [SPORTS](#) | [OUTDOORS](#) | [HOMESTEAD](#) | [FOOD](#) | [EVE](#)

News from your community: [State](#) | [Aroostook](#) | [Augusta](#) | [Bangor](#) | [Down East](#) | [Hancock](#) | [Lewiston-Au](#)

## LETTERS

# Saturday, April 16, 2016: Progressive policies help women, scrap the I-395 connector, solar energy will create jobs

Posted April 15, 2016, at 9:38 a.m.

## Scrap I-395 connector

What is the Maine Department of Transportation thinking? This whole ridiculous [I-395/Route 9 connector plan](#) is nutty. It's too expensive and we do not need it. Traffic in Brewer is always busy anyway. Has anyone ever thought about the traffic on Route 9 to Calais? That is a hilly, curvy road that will be very dangerous with increased traffic.

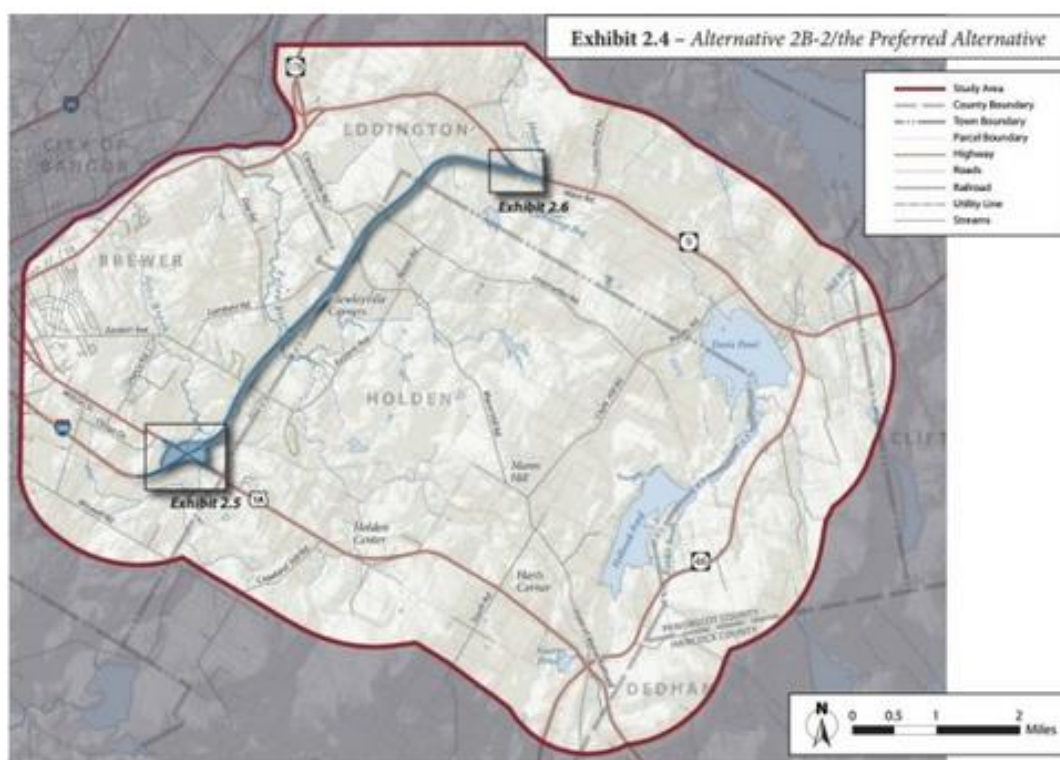
I do not believe that people in Eddington should lose their homes and property to eminent domain. This is Maine, and we do not treat our residents with eminent domain. There is very little information for the people who would be affected. The Department of Transportation needs to rethink this whole plan. This seems to be a substitute for the rejected [east-west highway](#).

**A.J. Berry**

*Lincolntonville*

[Click here to view LTE.](#)

## I-395 plan expected to move forward after clearing environmental hurdle



By Nok-Noti Ricker, BDN Staff  
Posted April 15, 2016, at 5:15 p.m.

AUGUSTA, Maine — Experts have determined the proposed I-395/Route 9 connector is unlikely to adversely affect northern long-eared bats, which means the project is on track to be approved by the Federal Highway Administration and move forward, a Maine Department of Transportation official announced Friday.

[Click here to view BDN article.](#)



## Recent tweet to #I-395 Route 9 Connector:

Larry Adams @brewermeadams - Apr 21

Visit [i395rt9hardlook.com](http://i395rt9hardlook.com) to see how our scarce transportation \$\$ are wasted.  
#I-395 Route 9 Connector

Would alternative 2B-2 negatively affect people and severely impact local communities? 2B-2 is 4.2 miles west—seems so! Why would the MaineDOT care so little as to impact so many?



I-395/Route 9 Transportation Study  
Penobscot County, Maine  
PIN 008483.20/NH-8483(20)E

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

October 2003



U.S. Department  
of Transportation  
Federal Highway  
Administration



Maine Department  
of Transportation

“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.”

<http://www.i395-rt9-study.com/Pubs/Alts%20Tech%20Memo.pdf> page 5



# Recent tweet to #I-395 Route 9 Connector:

Larry Adams @brewermeadams - Apr 24

2B-2 doesn't meet original I-395 Route 9 Connector purpose/needs. Questions unanswered! see [i395rt9hardlook.com](http://i395rt9hardlook.com)

## The book where the majority of our questions go to die:



The MaineDOT—alone—determines what is and what is not substantive for further comments. That is how they've controlled the process to date. Anything that may present 2B-2 in a negative fashion is conveniently hidden away-unanswered in a book that no one will read. MaineDOT is effectively the judge, the jury and the executioner...

My initial questions to the DEIS can be viewed on pages 103-171. A vertical bolded line with a control number to the right of the text designates when a question is considered substantive for further comment. The May 2, 2012 Public Hearing transcript can be viewed on pages 219-302. The only Public Hearing held since 2B-2 was selected as the study's second preferred alternative was pronounced a “listening session” in the opening remarks—the panel of state and federal officials refused to answer a single question that night. We have never had an on-the-record two-way discussion with the MaineDOT on 2B-2's well documented deficiencies. 19 people rose at the Public Hearing in opposition to 2B-2—not one person rose in support. AND, that night a petition of 390 Eddington residents—in opposition to 2B-2—was presented to the panel. Only 14 questions were considered substantive out of the entire 83 page transcript of the Public Hearing. 14 questions in 83 pages!!

View above document @ [http://www.i395-rt9-study.com/Pubs/Draft\\_Comments.pdf](http://www.i395-rt9-study.com/Pubs/Draft_Comments.pdf).





## LETTERS

### Monday, April 25, 2016: Kenduskeag race, scrap I-395 connector, solar veto

Posted April 24, 2016, at 7:51 a.m.

#### [Scrap I-395 connector](#)

As a former Brewer city councilor and a representative to the I-395/Route 9 Connector committee, I cannot believe that [this project](#) is going forward. Maine Department of Transportation Deputy Commissioner Jon Nass thinks that 16-year-old data still is good data to use.

Having spent eight years in connector meetings, I know that most routes were dismissed as not viable. Finally, a solution came in the form of the “[Ring route](#),” which was initially approved by both the committee and the Department of Transportation. It was shelved because of the lack of funds, and the project went underground. Then an unknown person not only got the preferred route tossed out but got [one of the worst routes](#) certified as preferred.

Officials from the Department of Transportation and the Federal Highway Administration not answering simple questions is unacceptable. It's their way and the highway. I now feel the only route to stop this boondoggle is to call our two senators and representatives and insist our highway funds be better spent on fixing up existing, crumbling roads and bridges.

**Manley DeBeck Jr.**

*Brewer*

## Recent tweet to #I-395 Route 9 Connector:

Larry Adams @brewermeadams · Apr 16

The I395/Route 9 Transportation Study needs to be investigated. Waste of \$  
@DOTInspectorGen #I-395 Route 9 Connector

—FACT: 2B-2 met 20% of Purpose and Needs in Apr 2009—

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
No-Build	No	No	No	No	No
Alternative 1-Upgrade	No	No	No	No	No
→ 2B-2	No	No	No	Yes	No ←
3A-3EIK-1	Yes	Yes	Yes	Yes	Yes
3EIK-2	Yes	Yes	Yes	Yes	Yes
5A2E3K	Yes	Yes	Yes	Yes	Yes
5A2E3K-1	No	No	No	Yes	No
5A2E3K-2	Yes	Yes	Yes	Yes	Yes
5B2E3K-1	Yes	Yes	Yes	Yes	Yes

www.i395-r19-study.com

—FACT: MaineDOT now wants \$61 million to construct it—



# Recent tweet to #I-395 Route 9 Connector:

**Larry Adams** @brewermeadams · Apr 26

2B's 2003 safety concerns are inherited by 2B-2 in 2016. More I-395 Route 9 Connector news@ [i395rt9hardlook.com](mailto:i395rt9hardlook.com)

**2B and 2B-2 use the same 4.2 miles of Route 9 as a vital segment of the alternative. 2B was removed from consideration in Jan2003:**



I-395/Route 9 Transportation Study  
Penobscot County, Maine  
PIN 008483.20/NH-8483(20)E

Transportation Improvement Strategies  
and Alternatives Analysis Technical  
Memorandum  
and

U.S. Army Corps of Engineers Highway  
Methodology Phase I Submission

October 2003



U.S. Department  
of Transportation  
Federal Highway  
Administration



Maine Department  
of Transportation

“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...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.”

“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.”

The original “east of Route 46” system linkage need bypassed that 4.2 mile segment of Route 9 encompassing 148 access points, 10 local roads, 158 left-hand turns, 5 changes in posted speed, the intersection of Route 9/46 and the Village of East Eddington. 45 of the 79 studied routes met the original system linkage need—2B-2 does not...

<http://www.i395-rt9-study.com/Pubs/Alts%20Tech%20Memo.pdf> page ii/20

**Why would the MaineDOT care so little as to impact so many?**



## Recent tweet to #I-395 Route 9 Connector:

**Larry Adams** @brewermeadams · Apr 26

How safe is the I-395 Route 9 Connector 2B-2/preferred alternative? Read for yourself. Visit [i395rt9hardlook.com](http://i395rt9hardlook.com)



[http://www.fhwa.dot.gov/planning/publications/rural\\_areas\\_planning/page07.cfm](http://www.fhwa.dot.gov/planning/publications/rural_areas_planning/page07.cfm)

This FHWA Planning Publication states: "In rural areas, each access point added increases the annual accident rate by seven percent."

- Alternative 2B-2's 4.2 mile section of Route 9 includes a total of 148 access points or 35 access points per mile. 45 of the 79 studied alternatives met the "east of Route 46" system linkage need and had zero added access points—not the 148 added access points that Route 9 foists upon 2B-2!!
- 2B-2 will be commissioned with 148 access points, 10 local roads, 158 left turns, 5 changes in posted speed limits and the transit through the Village of East Eddington and the intersection of Routes 9/46. How does all of that foster safety especially when the original "east of Route 46" system linkage need purposely bypassed that 4.2 mile section of Route 9?
- With each of the 148 access points increasing the annual accident rate by 7%—you are 1,036% more likely to have an accident on the new 2B-2 route than any of the 45 other alternatives that met the system linkage need!



## Recent tweet to #I-395 Route 9 Connector:

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**Larry Adams** @brewermeadams · Apr 26

Original I-395 Route 9 Connector design criteria versus downgraded 2B-2 route. More news@ [i395rt9hardlook.com](mailto:i395rt9hardlook.com)

Now in the 16<sup>th</sup> year—the I-395/Route 9 Transportation Study was paneled to select an alternative that would be built using freeway design criteria as a 2-lane undivided highway with a right-of-way large enough to support a future 4-lane divided highway, to provide a limited-access, high speed connection from I-395 in Brewer to Route 9 in Clifton.

The 2B-2 alternative will be built using ~~freeway design criteria~~ rolling rural design criteria (downgrade in design criteria circa Dec2011) as a 2-lane undivided highway ~~with a right of way large enough to support a future 4-lane divided highway~~ (future upgradability option removed circa Oct2011) to provide a ~~limited access~~ controlled-access (downgraded criteria circa Sept2010), ~~high speed~~ 5 posted speed changes to as low as 35 mph through the Village of East Eddington (downgraded criteria circa Sept2010) from I-395 in Brewer to Route 9 in ~~Clifton~~ Eddington—4.2 miles to the west of the original Route 9 “east of Route 46” system linkage need (downgraded criteria and failure to meet original system linkage need circa Sept2010).

If this connector is as important as the MaineDOT wants you to believe—why did they select a route that does not meet the original “east of Route 46” system linkage need, a route that only met 20% of the study purpose and needs in April 2009 and in fact a route that was removed from further consideration by Jan2003 because: “Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards.” Oct2003 Technical Memorandum

- 2B-2 is not the answer—it’s just the start of a whole new set of problems!!



## Recent tweet to #I-395 Route 9 Connector:

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**Larry Adams** @brewermeadams · 5h

2B-2 connects to Rt9 WEST of Rt46. See [i395rt9hardlook.com](http://i395rt9hardlook.com) for I-395 Route 9 Connector news. Thanks @MaineDOT1!

### MaineDOT's own words:

“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 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.”

Oct 2003 Technical Memorandum

<http://www.i395-rt9-study.com/Pubs/Alts%20Tech%20Memo.pdf>

Why would MaineDOT build a highway that their own transportation professionals said would severely impact local communities and would negatively affect people?



## Recent tweet to #I-395 Route 9 Connector:

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**Larry Adams** @brewermeadams · 5h

2B-2 impacts local environment and the human species. See [i395rt9hardlook.com](http://i395rt9hardlook.com) for I-395 Route 9 Connector news.

It's not just the \$2.8+ million spent over the past 16 years or the \$61 million that will be squandered on an alternative (2B-2) that satisfied only 20% of study purpose and needs in Apr2009 and was removed from further consideration in Jan2003 because: "Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards." (MaineDOT)

It's the impact to 34 acres of wetlands...

It's the impact to 3 streams, 2 of which contain anadromous fish...

It's the impact to 15 acres of floodplain...

It's the impact to 11.0 acres of notable wildlife habitat ...

It's the impact to 784 acres of undeveloped habitat...

It's the impact to 20.0 acres of prime farmland...

It's the impact to 8 families losing their homes...

It's the impact to owners of the 190 buildings within 500' of 2B-2...

It's the impact to owners of the 54 directly impacted properties...

It's the impact to the area with the 163 total acres to be acquired...

It's the impact to 103 acres of vegetation...

It's the impact to federally listed endangered species...

It's the impact to 9 acres of waterfowl/wading bird habitat on Eaton Brook...

It's the impact to 31 acres by roadway contaminants within 100' of 2B-2...

It's the impact to 66 acres by roadway contaminants within 160' of 2B-2...

It's the impact to 10 acres of watershed...

It's the impact to streams within 3,300' by 13 acres of sediment...

It's the impact to 23 acres of hydric soil...

It's the impact to 14 acres of soil with statewide importance...

It's the impact to 156 acres of land with special zoning designation...

It's the 0.9 acre roadway contaminant impact to streams within 100' ...

It's the 1.8 acre roadway contaminant impact to streams within 160' ...

It's the cumulative impact to 26 acres of floodplain...

It's the cumulative impact to 182 acres of wetlands...

It's the cumulative impact to 600 acres of forests/vegetation...

It's the cumulative impact to 873 acres of wildlife habitat...

It's the unknown storm-water runoff impact to 4,900' of streams...



## Recent tweet to #I-395 Route 9 Connector:

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**Larry Adams** @brewermeadams · 11s

DEIS statement questioning project outcome not in FEIS. See [i395rt9hardlook.com](http://i395rt9hardlook.com) for I-395 Route 9 Connector news.

The most honest and revealing statement found in the entire Draft Environmental Impact Statement was intentionally scrubbed from the Final Environmental Impact Statement:

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

Unlike prior instances where MaineDOT's own words and facts were simply ignored and hidden in the back of the book, this time—they were magically erased forevermore!

Should the state spend \$61 million on an alternative (2B-2) that does not satisfy the original purpose and needs—that satisfied only 20% of the purpose and needs in April 2009—that was removed from further consideration in January 2003 for the potential of new safety concerns and hazards?

Should the state spend \$61 million on a project where the outcome (overall project benefits) depends on the success or failure of Eddington to develop the town's resources?

Wouldn't 2B-2's \$61 million cost be better spent on Maine's unmet transportation needs?

Draft EIS <http://www.i395-rt9-study.com/DEIS/00Sum.pdf> page S-19

Final EIS [http://www.i395-rt9-study.com/Pubs/FEIS\\_Front.pdf](http://www.i395-rt9-study.com/Pubs/FEIS_Front.pdf) page S-23





Excerpts from an article about the I-395/Route 9 Connector project:

Let me paraphrase: We're going to build this thing because **we must improve**. The feds force us to consider a No-Build option in our analysis, which is rather silly since not building is clearly not under consideration since, by definition, it wouldn't IMPROVE anything and **we must improve**. To deal with this annoyance, we use the No-Build scenario as a way to show everyone how *totally awesome* everything we're going to do is. Feds are happy. We're happy. Public process requirements fulfilled. Yada, yada, yada...

*Jonathan Nass, deputy director of the Department of Transportation, said the state has taken great care to consider the concerns of residents, pointing out there have been 20 public advisory committee meetings, three public meetings and one public hearing on the project over the years.*

*"MaineDOT has listened many times to residents that have submitted comments to us and responded to those comments," Nass wrote in an email, noting the project [website](#) includes a [332-page document consisting of meeting records](#), public comments and state responses.*

Yes, little people. Your DOT may have spent themselves into insolvency. They may even be asking for more of your money. You may not share their values and – gosh darnit – you may not even drive as much as they project you should. But at least they've listened to you. At least they took the time to respond to your comments.

And because you've played along, little people, your region will get the additional \$57 million in transportation funding you so desire. Thank you for being so economically fragile and needy.

This is far beyond distasteful. *An unyielding bureaucracy that is unwilling to listen and unwilling to move.* Apparently also unwilling to think.

This is stupid, Maine. You're broke. What are you doing?

[WHAT ARE YOU DOING, MAINE?](#) Written by a professional that lectured the MaineDOT—apparently they didn't listen to him either!!

## Disqus comments to: [WHAT ARE YOU DOING, MAINE?](#)

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First of all, I am not an engineer; I'm just an old man trying to save my family's quality of life from an unwanted, unneeded and deficient connector some 110 feet from my property in a quiet country neighborhood in Brewer, Maine. You can find my picture, my name and even see pictures of my home in the Bangor Daily News articles that you hyperlinked to. I was at that meeting you reference and it was indeed an ugly event; I was however very proud of Steve Bost's dressing down of the panel that you ably quoted.

Your article comes in at the end of the NEPA process as we are a few weeks away from the ROD, so I thought I'd give you a bit of history to fill in some blanks: the I-395/Route 9 Transportation Study is now in its 16th year and \$2.8 million had already been spent as of February 2015 to select and promote a deficient alternative (2B-2) that met only 20% (1 of 5) of study purpose and needs in April 2009 and in fact was removed from further consideration in January 2003 because: "Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards." (October 2003 MaineDOT/FHWA Technical Memorandum)

I live 2B-2 every day of my life. Latest news is that the road may not even open until 2025. We are being held under house-arrest; we can't sell our homes and our properties are being devalued without compensation since we are not considered directly impacted.

Design criteria has been downgraded multiple times since September 2010 and we would find out through multiple FOAA requests that the FHWA co-manager of the study advised his MaineDOT counterpart in December 2011 (within 90 days of the DEIS issuance) that analysis going forward was "apples to oranges" and the preferred alternative no longer met purpose and needs due to the changes in criteria. We would find out in April 2013 that this manager's concerns were overruled by his superiors. The DOT refuses to look at any of the previous 79 studied alternatives with the downgraded design criteria - they are hell-bent going forward with 2B-2.

The study went underground from April 2009 until January 2012 – the impacted communities were not included in the decision-making or even advised of any of the changes to the study. The PAC has not been paneled since April 2009 and they were also not included in the final decision. The PAC was our voice to the process and the DOT took that away from us.

45 of the 79 studied alternatives satisfied the system linkage need of a "Route 9 connection east of Route 46", yet 2B-2 does not and is in fact 4.2 miles west of the original study system linkage need criteria which now encompasses 148 access points, 10 local roads, 158 left-hand turns, 5 posted speed limits to 35 mph through the Village of East Eddington. Would you commission a brand new road with that kind of baggage? The route was also supposed to be limited-access; it is now controlled-access starting out with 148 access points and 158 left-hand turns.

2B-2 is the second preferred alternative – the first preferred alternative was removed because of vernal pools, yet we found no evidence that they tried to move around or mitigate them. Unlike the first preferred alternative, 2B-2 crosses 2 streams contained endangered Atlantic salmon and designated critical habitat so it appears that frogs and salamanders trump Atlantic salmon...

We have a citizen's website that best describes our interaction with state and federal agencies since December 2011: <http://i395rt9hardlook.com/> It is heavily referenced (hyperlinked) to MaineDOT and FHWA documents and emails.

I contend that the NEPA process was side-stepped several times during the process as can be seen in the FOAA section of our website. You may be interested to see how FHWA officials invented words that did not exist in the NOI to change the logical termini definition in order to justify the movement of the 2B-2 alternative 4.2 miles to the west of the system linkage need and the fact that the FEIS-stated-design criteria is MaineDOT freeway design criteria YET the FEIS-stated-cost is based on a downgraded rolling rural design criteria. How can the design and cost in an official government document be based on different criteria—you ask? No one will answer that question...

I retired after 40+ years working for the FEDs and I'm embarrassed to see how the state and federal government have interacted with the impacted citizenry. It is an example of government at its worst with no accountability to the people that they are sworn to serve. The only Public Hearing (May 2012) held since 2B-2 was pronounced as the preferred alternative turned out to be a "listening-only session" and no questions were answered that night-not one. We have never had a two-way on-the-record conversation with the DOT on the merits of their selection - they refuse to talk about 2B-2. Makes one wonder: if 2B-2 is such a great route - why are they so reluctant to talk about it?

One last thing, you mentioned that at least Mr. Nass responded to our comments; the fact is they didn't even do that. My comments are on pages 103 to 171 of <http://www.i395-rt9-study.com/...> The majority of my comments submitted to the DEIS, everything negative that the MaineDOT/FHWA previously said about 2B-2 when it was simply called 2B, were not considered substantive for further comment and hidden, unanswered in a book that no one will read, so in fact they didn't respond to our comments which makes this whole process even worse...

The latest news: <http://bangordailynews.com/201...>

Thanks again - hope this helps you fully understand our plight.

—April 28, 2016—

Larry Adams





### Selectman's votes on I-395 project raise questions about conflict of interest

Next 1 of 2



Milky Bedell | BDN

Eddington planner Gretchen Heldmann (left, at podium) speaks out at the Bangor Area Comprehensive Transportation Systems policy committee meeting on March 25. Heldmann opposes the planned connector. *Buy Photo*



By Nok-Noi Ricker, BDN Staff  
Posted April 27, 2016, at 6:54 p.m.

EDDINGTON, Maine — A local selectman and state representative who owns a business that could benefit directly if the proposed [I-395-Route 9 connector](#) is built has cast votes pertaining to the project and publicly supported it, raising questions about whether his actions violate local and state conflict-of-interest regulations governing elected officials.

Peter Lyford, who is a state representative for Eddington, Clifton, Holden, Veazie and part of Brewer, [spoke before a legislative committee in opposition to a bill designed to stop the connector project](#) last year, and voted on a resolution and a motion dealing with the controversial roadway during separate Eddington selectmen meetings in 2015, according to a town official.

Lyford, who owns a landscaping business, said Tuesday that he did not notify the Legislature's Transportation Committee that he planned to bid on reseeding the sides of the proposed roadway when he testified against a bill proposed by Rep. [Arthur "Archie" Verow](#), D-Brewer, to stop the controversial roadway's construction.

At a February 2015 selectmen's meeting, the board voted 3-2 to support the state's preferred route—2B2—after years of opposing the controversial MDOT project. Lyford did more than simply vote on the resolution, he made a successful motion to amend it substantially.

The original order opposed the connector, but after a short discussion, "a call for the vote was made and resulted in a motion by Peter Lyford to sign in favor of the 2B2 route, changing the words 'does not support' to 'we do support,'" the town manager said. "Charles Baker Jr., seconded the motion."

Lyford and Mike Shepherd, who both live on Route 46, and Baker supported the new resolve and Chairwoman Joan Brooks and Charles Grover, then vice chairman, voted in opposition.

Six months later, the board again took up the issue, but this time voted to stay neutral.

"We voted on the resolve [in February] but we never signed the resolve," Smith said. "It wasn't until Aug. 4 that we discussed it again, under unfinished business."

During the Aug. 4, 2015, meeting, the board discussed whether to support the rewritten resolve, then voted 4-1, with Lyford dissenting, not to take any action in regard to the connector. That was also the first meeting for new Selectman Mark Carreira, who replaced Grover.

- I asked Representative Lyford to recuse himself on 2.17.2015 via email—he did not...

## LETTERS

## Saturday, April 30, 2016: LePage lacks business sense, protecting firefighters, I-395/Route 9 connector sad

Posted April 29, 2016, at 8:23 a.m.

### [I-395/Route 9 connector sad](#)

It is sad to think of [what our currently peaceful neighborhood will be like](#) once the I-395/Route 9 connector is built. It is sad that the Maine Department of Transportation forced the Bangor Area Comprehensive Transportation System to OK this project by holding hostage \$57 million in road project funding for the upcoming year in the Bangor area if they voted against the project, as reported in a [March 26 BDN article](#).

It is sad that we wasted years with public meetings with the Department of Transportation, which promised the towns and residents a voice in how and where this connector would be built, or not built, as residents of the town of Eddington and the [city of Brewer](#) support.

It is sad the Department of Transportation changes its mind like the weather when this route was rejected for not satisfying the purpose and needs only to be brought back in the dark of night with no transparency on the department's part.

It is sad that we taxpayers will be dishing out \$61 million or more for a road when the state can't keep up with repairs to the roads and bridges we already have. It is sad that since this project started in 2000 traffic patterns, mill closings and other changes in our area do not change a thing. It is sad that more people don't check out the truth at <http://i395rt9hardlook.com>. It's just plain sad.

**Carol and Vinal Smith**

*Brewer*

## Mission statement:

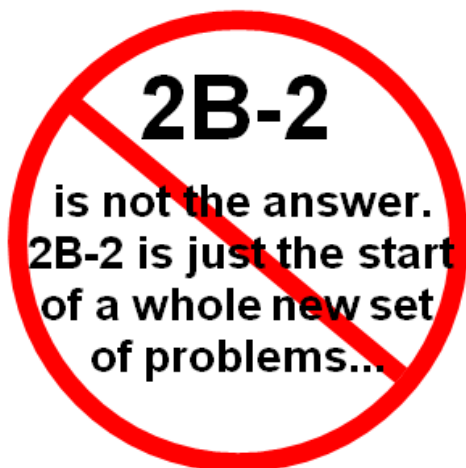
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“As one senior MaineDOT engineer used to remark, all it takes is ‘one angry man with a laptop’ to significantly impede forward progress.”

Our mission is to ensure availability of substantive facts to combat the failure of our state and federal transportation agencies to be responsive to comments and concerns from impacted private 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 127<sup>th</sup> JSC Transportation to recognize their prime appointed task as MaineDOT oversight—and the continual lack of transparency exhibited by our friends at both the MaineDOT and the FHWA since April 2009 when the study was taken underground.

Please feel free to share this newsletter and our [website](#) with anyone seeking the unfiltered truth. 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!!



Our friends in Augusta have minimized our efforts—the mission now is to make sure that you realize how this process let you down. **You can thank those that supported our efforts or rebuke those that opposed our efforts in favor of their own agendas—at the ballot box.**