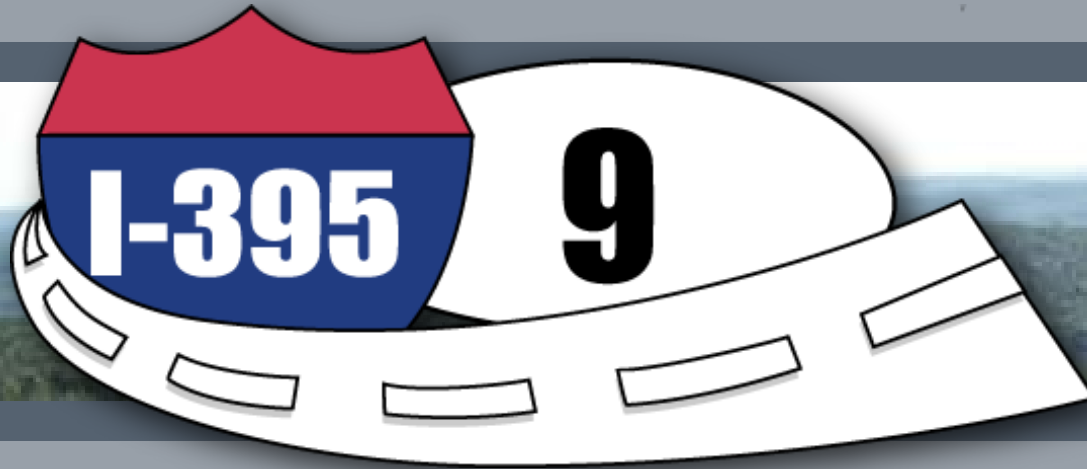


I-395/Route 9 Transportation Study

Appendices to the Final Environmental Impact Statement



Brewer, Holden, Eddington, and Clifton, Maine

FHWA-ME-EIS-12-01-F

MaineDOT Project Identification Number: 008483.20

FHWA: NH-8483(20)E

January 2015

Submitted Pursuant to 42 U.S.C. 4332 (2)(c) by the

*Federal Highway
Administration*



and Cooperating Agencies

U.S. Fish & Wildlife Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers,
National Oceanic and Atmospheric Administration–National Marine Fisheries Service,
Maine Department of Environmental Protection, and Maine Historic Preservation Commission

Appendix A

Responses to Substantive Comments on the Draft Environmental Impact Statement

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Responses to Substantive Comments

*On the I-395/Route 9 Transportation Study
Draft Environmental Impact Statement*



Brewer, Holden, Eddington, and Clifton, Maine

FHWA-ME-EIS-14-01-D

MaineDOT Project Identification Number: 008483.20

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Maine Department of Environmental Protection, and Maine Historic Preservation Commission

Contents

Introduction.....	1
--------------------------	----------

Exhibit 1- Summary of Substantive Comments..... 5

<i>Federal Agencies</i>	<i>5</i>
<i>State Agencies</i>	<i>8</i>
<i>Regional and Local Entities</i>	<i>8</i>
<i>Interest Groups and Other Groups.....</i>	<i>9</i>
<i>Special Business Interests.....</i>	<i>9</i>
<i>Public</i>	<i>10</i>
<i>Public Hearing, May 2, 2012.....</i>	<i>16</i>

Exhibit 2 - Responses to Substantive Comments..... 18

<i>Access Management.....</i>	<i>18</i>
<i>Agency Coordination.....</i>	<i>18</i>
<i>Alternatives</i>	<i>18</i>
<i>Anti-Icing</i>	<i>25</i>
<i>Community Facilities and Services</i>	<i>26</i>
<i>Construction Impacts</i>	<i>26</i>
<i>Cumulative Impacts</i>	<i>27</i>
<i>East-West Highway.....</i>	<i>28</i>

<i>Economic Environment</i>	<i>29</i>
<i>Endangered and Threatened Species</i>	<i>31</i>
<i>Environmental Impacts.....</i>	<i>31</i>
<i>Farmland</i>	<i>31</i>
<i>FEIS</i>	<i>31</i>
<i>Future Development</i>	<i>32</i>
<i>Induced Development</i>	<i>33</i>
<i>Land Use.....</i>	<i>34</i>
<i>Maps</i>	<i>35</i>
<i>Mitigation.....</i>	<i>35</i>
<i>NEPA.....</i>	<i>36</i>
<i>Noise</i>	<i>36</i>
<i>Permits.....</i>	<i>37</i>
<i>Project Construction.....</i>	<i>37</i>
<i>Public Coordination</i>	<i>37</i>
<i>Road-Stream Crossings</i>	<i>38</i>
<i>Safety.....</i>	<i>38</i>
<i>Significant Habitat</i>	<i>39</i>
<i>Storm Water</i>	<i>40</i>
<i>System Linkage.....</i>	<i>41</i>
<i>Traffic</i>	<i>42</i>
<i>Trail Access.....</i>	<i>44</i>

Contents

<i>Vernal Pools</i>	44
<i>Water Resources</i>	46
<i>Wildlife</i>	46
<i>Zoning</i>	47
 <i>Index</i>	 49
 <i>Attachment</i>	 53

Responses to Substantive Comments

on the Draft Environmental Impact Statement

Under the CEQ's regulations implementing NEPA (40 CFR Part 1503.1), an agency that publishes a DEIS is required to:

- Obtain the comments of Federal agencies with jurisdiction by law or special expertise, and
- Request comments from:
 - » agencies at all levels of government authorized to develop and enforce environmental standards
 - » Indian tribes, when the effects may be on a reservation
 - » an agency that has requested EISs on actions of the kind proposed
 - » the public, including actively soliciting comments from those persons or organizations that may be interested or affected

Comments received can range from statements of support for, or opposition to, an agency's proposed action to detailed critiques of the DEIS's analyses and suggestions for new alternatives. Comments might

identify factual errors, omissions, areas of controversy, and provide new information to be considered in the analysis of alternatives and prior to decision-making.

An agency's focus in preparing the FEIS is the consideration of and responses to these comments. The comment-response process includes all steps from receipt and consideration of comments through the preparation of responses and any needed revisions to the EIS. An agency cannot complete the NEPA process until it has considered and responded to substantive comments on the DEIS in the FEIS. The comment-response process is intended to help make better and more informed decisions.

In early March 2012, MaineDOT mailed approximately 200 newsletters to property owners in the study area advising them of the status of the study, the circulation of the DEIS, opportunities to pose questions to MaineDOT and FHWA and receive answers, and provide comments. MaineDOT delivered approximately 250 copies of the newsletter to the City of Brewer and the towns of Holden, Eddington, and Clifton for distribution.

Responses to Substantive Comments on the Draft Environmental Impact Statement

From the March 2012 Newsletter

The public is invited and encouraged to comment on the DEIS. Comments will be addressed when a Final EIS is published at a later date. MaineDOT and key agencies involved in the NEPA process have scheduled two open houses to provide members of the public with opportunities to learn about the DEIS and the NEPA process, and to ask questions and share concerns directly with the federal and state officials conducting the study. Following the open houses and in accordance with the NEPA process, there will be a formal public hearing. At the hearing, the U.S. Army Corps of Engineers will also receive comments on the Section 404 (Clean Water Act) permit application.

Open Houses

April 4 3:00 to 8:00 p.m. Brewer Auditorium

May 2 1:00 to 4:30 p.m. Eddington Town Office

Public Hearing

May 2 ~ 6:00 to 8:00 p.m.

Eddington Elementary School

Next Steps

While the formal public hearing will take place on May 2, 2012, the public comment period will continue through May 15. Comments received during the comment period and at the public hearing will be summarized and addressed in the Final EIS.

The MaineDOT and the FHWA announced the availability of the I-395/Route 9 Transportation Study DEIS and Section 404 Permit Application Supporting Information on March 23, 2012 (Federal Register, Vol. 77, No. 57). A 60-day comment period immediately followed, during which MaineDOT and FHWA invited Federal, State and local agencies, Tribes, organizations, and individuals to submit comments on the I-395/Route 9 Transportation Study DEIS and Section 404 Permit Application Supporting Information. The MaineDOT and FHWA received 11 comment letters (some with attachments), seven comment forms (some with attachments), 79 comment e-mails and one petition.

Two open houses and a public hearing were held during the 60-day comment period. The first open house was on April 4, 2012 at the Brewer Auditorium and the second open house was on May 2, 2012 at the Eddington Town Office. The purposes of the two open houses were to 1) meet with people with an interest in the study to answer questions about the study and, 2) receive suggestions for further avoidance and minimization of potential impacts from the build alternatives and ways to improve the analysis of alternatives prior to decision-making. The Public Hearing was held on May 2, 2012 at the Eddington School and a transcript of the hearing was prepared (Attachment). Twenty attendees offered substantive comments during the

Responses to Substantive Comments on the Draft Environmental Impact Statement

public hearing. The purpose of the public hearing was for the public to offer comments on the DEIS prior to preparation of the FEIS and decision-making; the public hearing was not a question and answer session.

The public comment period on the I-395/Route 9 Transportation Study DEIS and Section 404 Permit Application Supporting Information closed on May 15, 2012.

The MaineDOT submitted a preliminary permit application in accordance with Section 404 of the Clean Water Act to the U.S. Army Corps of Engineers. Section 404 of the Clean Water Act requires a permit for the discharge of dredged and fill material into Waters of the U.S, including wetlands. In response to the preliminary permit application, the U.S. Army Corps of Engineers issued their public notice soliciting comments on the project and range of issues addressed in the DEIS/Section 404 Permit Application supporting information. The comment period on the permit application closed on May 17, 2012.

The requirements for responding to comments received on DEISs are contained in 40 CFR 1503.4.

When identifying substantive comments, MaineDOT and FHWA closely examined each letter, form and email and took a conservative approach to identifying substantive comments; if a remark appeared to suggest modifying an alternative, develop and evaluate a new alternative, improve or modify the analysis, or make factual corrections, it was identified as a substantive comment.

Individual comments are identified in **Exhibit 1** and each was assigned a unique comment number. Due to the number and similarity of some comments, similar comments were grouped together, categorized and responded to collectively in **Exhibit 2**. Bold references in **Exhibit 1** refer to the category of the response in **Exhibit 2**. **Exhibit 2** was arranged alphabetically by category.

Responses to Substantive Comments on the Draft Environmental Impact Statement

What is a Substantive Comment?

A substantive comment is one which suggests the modifications of an alternative, suggests the development and evaluation of an alternative not previously considered, supplements, improves or modifies analyses, or corrects a factual error.

40 CFR 1503.4: Response to Comments

- A. An agency preparing a final environmental impact statement shall assess and consider comments both individually and collectively, and shall respond by one or more of the means listed below, stating its response in the final statement. Possible responses are to:
 - 1. Modify alternatives including the proposed action.
 - 2. Develop and evaluate alternatives not previously given serious consideration by the agency.
 - 3. Supplement, improve, or modify its analyses.
 - 4. Make factual corrections.
 - 5. Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons which support the agency's position and, if appropriate, indicate those circumstances which would trigger agency reappraisal or further response.
- B. All substantive comments received on the draft statement (or summaries thereof where the response has been exceptionally voluminous), should be attached to the final statement whether or not the comment is thought to merit individual discussion by the agency in the text of the statement.
- C. If changes in response to comments are minor and are confined to the responses described in paragraphs (a)(4) and (5) of this section, agencies may write them on errata sheets and attach them to the statement instead of rewriting the draft statement. In such cases only the comments, the responses, and the changes and not the final statement need be circulated (Sec. 1502.19). The entire document with a new cover sheet shall be filed as the final statement

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Summary of Substantive Comments

Received From	Comments
Federal Agencies	
U.S. Army Corps of Engineers Frank J. Del Giudice Chief, Permits and Enforcement Section Regulatory Division (Attachment, pg 55-60)	1-1 The FEIS needs to be a stand-alone NEPA document. Any references to supporting a Corps 404 permit application that are contained in the document, e.g. Section 1.8, Page 23, should probably be stricken or re-written. (see FEIS, pg 31)
	1-2 The FEIS needs to address future growth along Route 9 in the link west of Route 46 and how it will affect level of service. (see Future Development, Route 9, pg 32)
	1-3 What is the scope of actions that might be required in this section should level of service reach an unacceptable level in the future? (see Traffic, pg 44)
	1-4 The final document must provide greater clarification as to why Alternative 2B-2 was not preferred at one time and now is. (see Alternatives, Final Document, pg 23)
	1-5 The public seems mystified as to why traffic data at one time indicated that the section of Route 9 west of 46 could not be used and now it can. The final document should clarify this evolution. (see Traffic, Traffic Data on Route 9, pg 44)
	1-6 The relationship of the new East-West Highway initiative to this project's purpose and need needs to be better addressed in the FEIS. (see East-West Highway, pg 28)
	1-7 Page s16, Exhibit S.7: This table or footnotes to this table should clarify what the loss of vernal pool dispersal habitat is. Is it upland; is it wetland; or is it both? (see Vernal Pools, Dispersal Habitat, pg 45)
	1-8 Page s17, Exhibit S.8: The table now accurately reflects habitat characteristics within a 750' radius of the pools in addition to the DEP's 250'. How much of the forested cover surrounding the pools is wetland v. upland? (see Vernal Pools, Table, pg 46)
	1-9 Page s18: Issues to be resolved should probably include receiving DEP permit and water quality certification (in addition to receiving Corps permit). (see Permits, pg 37)
	1-10 Section 1.1, Page 3: The Corps suggests that the most recent East-West Highway initiative and its relationship, if any, to the project purpose be fully discussed in the FEIS. (see East-West Highway, pg 28)
	1-11 Page 42, Section 2.3.1: It is important that the discussion of the No-Build Alternative and its depiction on the comparative matrices reflect the environmental and socio-economic effect of the anticipated maintenance and improvements and continued use of Route 46 (compared to the build alternatives). (see Alternatives, No-Build Alternative-Maintenance, pg 20)
	1-12 Page 42, Section 2.3.1: The discussion of the No-Build Alternative should fully address transportation, public safety, residential/business property, and community impacts/benefits. (see Alternatives, No-Build Alternative, pg 22)
	1-13 Page 45, Sections 2.3.2 - 2.3.4: Has DOT identified any actions that could be taken to address public concerns in Route 9? Would normal maintenance occur? Are there improvements that could be made to insure public safety concerns for walking, jogging, and biking along Route 9? (see Alternatives, MaineDOT Actions, pg 19)
	1-14 Page 56, Section 2.5: One notable next step that is not mentioned in the DEIS is the application to the MaineDEP for a permit and water quality certification. (see Permits, pg 37)
	1-15 Page 58, Exhibit 2.17: This table or footnotes to this table should clarify what the loss of vernal pool dispersal habitat is. Is it upland; is it wetland; or is it both? (see Vernal Pools, Dispersal Habitat, pg 45)
	1-16 Page 82, Exhibit 3.9: The DEIS now identifies the extent of dispersal habitat within 750' of vernal pools. The FEIS should clarify the relative of upland and wetland within this area. (see Vernal Pools, Table, pg 46)
	1-17 Page 173, Section 3.7.1.1: The DEIS notes that development in the vicinity of interchanges or intersections could impact small areas of wetlands. The FEIS should indicate what this is based on (resource mapping?). (see Induced Development, Interchange and Intersection, pg 34)
	1-18 Page 173, Section 3.7.2: The Corps previously noted that if any of the former Route 9 improvements projects are now due for maintenance and are proximate to the connector road, they should be noted in the cumulative impact section of the EIS and their impacts projected accordingly. (see Cumulative Impacts, pg 27)
	1-19 The Brewer Land Trust should be contacted to determine how future mitigation needs might mesh with their long-term planning and the FEIS updated accordingly. (see Land Use, Brewer Land Trust, pg 34)

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Comments
U.S. Environmental Protection Agency H. Curtis Spalding Regional Administrator (Attachment, pg 61-69)	2-1 More detail should be provided in the FEIS regarding wetland mitigation. A detailed mitigation plan will need to be developed to support any future permitting effort by the Corps under the Clean Water Act. We request the opportunity to participate in the development of the wetland mitigation plan as the project continues to advance through NEPA and Section 404 review. (see Mitigation, pg 35)
	2-2 The assumption on which the induced developed analysis is based may be flawed. There is no information presented to justify the projection that induced development will be restricted to a half-mile radius around the interchanges. The OregonDOT methodology cited does not prescribe a half-mile radius, but instead indicates that the size of the study area should depend on the results of the preliminary traffic analysis. Larger travel time savings, new transportation corridors, and significant amounts of vacant land within 1/2 to 1-mile of the project suggest a larger study area for indirect impacts. In development of the FEIS, FHWA and MaineDOT should reconsider what size study area makes sense given local development patterns, commuting patterns, transportation demand, and other factors, and if needed, redo the analysis. (see Induced Development, Study Area Size, pg 33)
	2-3 An analysis of induced development should estimate the development that would be induced by transportation improvements and would likely not occur but for the transportation improvement, at least through the design year. (see Induced Development, Transportation Improvements, pg 33)
	2-4 The FEIS should include an assessment of the environmental impacts of induced development. (see Induced Development, Transportation Improvements, pg 33)
	2-5 We encourage MaineDOT to work with the Town of Eddington to develop a strategy to preserve rights along this portion of the road (and possibly control the number of future driveway cuts) until funding becomes available for the project. (see Induced Development, Town of Eddington, pg 34)
	2-6 We recognize that growth rates in this study area are slower than in other parts of the state and region, but transportation projects have a long and well-known history of affected development patterns, which is why we recommend refinement of the induced growth analysis to address this issue in the FEIS. (see Induced Developments, Transportation Improvements, pg 33)
	2-7 FHWA and MaineDOT should commit to the use of diesel retrofits, cleaner fuels, and idle reduction measures to minimize emissions from diesel construction equipment. (see Construction Impacts, pg 26)
	2-8 Storm water outfalls should be located as distant as possible from public and private supply wells. (see Storm Water, pg 40)
	2-9 We recommend that low-salt deicing practices be strictly observed by MaineDOT along the entire corridor to minimize impacts to aquatic life and in particular SWPAs that fall within the road alignments. MaineDOT should work to monitor current chloride concentrations in receiving waters in the project corridor to establish a baseline against which the project impacts can be tracked and evaluated. (see Anti-icing, pg 25)
	2-10 We recommend that effective BMPs be implemented during and after highway construction to reduce the water-quality impacts of stormwater discharges to surface water resources. (see Storm Water, pg 40)
U.S. Department of the Interior Andrew L. Raddant Regional Environmental Officer (Attachment, pg 70-74)	3-1 It will be important for the Administration and the MaineDOT to continue to work with the USFWS and other state and federal agencies to ensure that environmental impacts are avoided and minimized as much as practicable, should 2B-2 (or any other alternative) proceed to design and construction in the future. (see Agency Coordination, pg 18)
	3-2 It will be critical for the FHWA and MaineDOT to develop a compensatory mitigation plan that suitably compensates for the unavoidable loss of the wetlands, streams, and other natural resources as appropriate. (see Mitigation, pg 35)
	3-3 It would be helpful if the FEIS could offer some timeframe within which corridor preservation and ultimately construction are likely to occur. (see Project Construction, pg 37)
	3-4 If project construction is likely to be more than a few years from now, it would also be helpful if the FEIS could provide some context for how the FHWA and MaineDOT will consider new or changed information since the Record of Decision (ROD). (see Project Construction, pg 37)
	3-5 The DEIS notes that future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project. The DEIS does not indicate how such future development would be evaluated, if at all, at some time in the future when there is sufficient funding to proceed with construction of a preferred build alternative. (see Future Development, Route 9, pg 32)

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Comments
U.S. Department of the Interior Andrew L. Raddant Regional Environmental Officer (Attachment, pg 70-74)	<p>3-6 Chapter 2, Section 2.5 page 57 – The seventh paragraph notes that it will take several years to finalize the engineering design before construction can begin. Yet the next sentence says that construction could begin in 2014, which is certainly less than several years from now or the likely issuance of a ROD and FEIS in the near future. Please clarify this timing issue. (see Project Construction, pg 37)</p> <p>3-7 It is difficult to visually connect the dots between the information presented about the affected environment and the environmental consequences of the three build alternatives. We recommend that all map exhibits in Chapter 3 show the three build alternatives that are being evaluated in the DEIS. (see Maps, pg 35)</p> <p>3-8 Chapter 3, Section 3.1.2.2 page 78 (also page 183) – In designing new road-stream crossings, we encourage the adoption of stream simulation design techniques that broadly consider aquatic organism passage and maintenance of natural stream functions rather than hydraulic design techniques that tend to focus on one target fish species for passage considerations, sometimes at the expense of other fish species and aquatic organisms. (see Road-Stream Crossings, pg 38)</p> <p>3-9 Chapter 3, Section 3.1.2.4 page 89 – The seventh paragraph gives a list of mammal species that have a very strong association with wetlands. Is this a generic list or are these mammal species that have been seen or would be expected to occur in wetlands in the study area? (see Wildlife, pg 47)</p> <p>3-10 Chapter 3, Section 3.1.4.1 Wildlife Habitat – As recommended previously, we still suggest that this section include the core maps from Maine's Beginning Wildlife Habitat program instead of just including the map showing the undeveloped habitat blocks. (see Wildlife, pg 46)</p> <p>3-11 Chapter 3, Exhibit 3.16 – We recommend that a different color is used in the FEIS (not red) to show the existing utility corridors, because it is hard to differentiate between the utility corridors and the study area boundary. (see Maps, pg 35)</p> <p>3-12 Chapter 3, Section 3.1.4.1 Wildlife Habitat page 102 – The DEIS notes that two large wildlife passage structures will be located on both sides of Eaton Brook. We recommend that the FEIS explain why these particular locations were chosen, including the wildlife species that are targeted to use the structures. Were any particular wildlife movement corridors identified during field studies? (see Wildlife, pg 46)</p> <p>3-13 Chapter 3, Exhibit 3.22 – It would be helpful for the reader if the title for this figure gives the context for the term Significant Habitat. In this case, the term refers to those habitats regulated as significant under Maine's Natural Resources Protection Act. (see Significant Habitat, Context, pg 39)</p> <p>3-14 Chapter 3, page 105 – If the FHWA and MaineDOT have information to show that waterfowl breeding does not occur in the study area, then we recommend that the FEIS reflect this information. (see Significant Habitat, Breeding, pg 39)</p> <p>3-15 Chapter 3, page 106 – In the discussion of vernal pools, the FEIS should be clear on whether or not the impacts to amphibian dispersal habitat from the build alternatives would be strictly limited to upland habitat (as stated in the DEIS) or whether these impacts would actually occur in both upland and wetland habitats (the later usually being the case in the general study area). (see Vernal Pools, Dispersal Habitat, pg 45)</p> <p>3-16 Chapter 3, 3.1.5.1 Federal Endangered and Threatened Species – This section should note that if a build alternative is selected as the preferred alternative, then consultation under section 7 of the Endangered Species Act will be required to address effects to Atlantic salmon and its designated critical habitat. (see Endangered and Threatened Species, Consultation, pg 31)</p> <p>3-17 Chapter 3, Exhibit 3.22 and page 108 – As mentioned in the text on page 108, Exhibit 3.22 does not appear to show the location of two bald eagles nests that are located near the Penobscot River and Eaton Brook. Please add these nest locations to the Exhibit. (see Significant Habitat, Eagle Nests, pg 39)</p> <p>3-18 Chapter 3, 3.2.1 Climate Change, page 109 – As the USFWS has commented during past reviews of this chapter, increasing the size of new road-stream crossings (compared to the typical MaineDOT hydraulic design standard) would be an effective means to provide resilience to ecosystems in the face of the increasing numbers and severity of storms and floods as a result of climate change. (see Road-Stream Crossings, pg 38)</p> <p>3-19 Chapter 3, page 169 – The discussion related to indirect impacts to vernal pools from the loss of forested habitat around the pool should explain the origin of the 750 foot distance. (see Vernal Pools, Indirect Impacts, pg 45)</p> <p>3-20 Chapter 3, 3.8.1 Mitigation – The discussion of compensatory mitigation should be broader than just impacts to wetlands. (see Mitigation, pg 35)</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Comments	
U.S. Department of the Interior Andrew L. Raddant Regional Environmental Officer (Attachment, pg 70-74)	3-21	Given the likely scope of impacts to wetlands and other natural resources from any of the build alternatives, it will be very important for the FHWA and MaineDOT to continue to coordinate closely with state and federal agencies in the development of a robust compensatory mitigation plan. (see Mitigation, pg 35)
	3-22	Chapter 3, Fish Passage, page 183 – We suggest that this section be re-worked to include the broader topic of maintaining natural stream habitat and achieving aquatic organism passage in association with the construction of new road-stream crossings, rather than just addressing the narrow topic of fish passage. (see Road-Stream Crossings, pg 38)
	3-23	If a build alternative is ultimately selected, the FHWA and MaineDOT have an opportunity to install new crossings that follow stream simulation principles and have minimal impact on stream function, habitat, and aquatic organism passage. (see Road-Stream Crossings, pg 38)
U.S. Coast Guard Gary Kassof Bridge Program Manager (Attachment, pg 75)	Structures crossing navigable waters may be subject to Coast Guard jurisdiction; as planning continues, continue coordination with the Coast Guard.	
State Agencies		
Maine Department of Inland Fisheries and Wildlife Gregory Burr Regional Fisheries Biologist (Attachment, pg 76)	4-1	Both Felts Brook and Eaton Brook have high value eastern brook trout. (see Water Resources, pg 46) Eddington and Holbrook Ponds have now been confirmed to have non-native invasive black crappie populations. (see Water Resources, pg 46)
	4-2	
Maine Historic Preservation Commission Robin K. Reed (Attachment, pg 77-78)	No historic properties affected.	
Maine Natural Areas Program Don Cameron Ecologist (Attachment, pg 79)	5-1	According to our current information, there are no rare botanical features that will be disturbed within the project site. (see Endangered and Threatened Species, Botanical Features, pg 31)
Regional and Local Entities		
City of Brewer (Attachment, pg 80)	Resolve withdrawing support from the study	
Town of Eddington (Attachment, pg 81)	Resolve withdrawing support from the study	
Quoddy Pilots Bob Peacock (Attachment, pg 82)	Provided Information and Opinion	
Town of Bucksport David Milan Economic Development Director (Attachment, pg 83)	Provided Information and Opinion	

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Comments
Interest Groups and Other Groups	
American Council of Engineering Companies of Maine John Melrose Executive Director (Attachment, pg 84)	6-1 We would urge the Department to consider and compare the quality of life impacts for residents under the no-build scenario and the 2B-2 option. 2B-2 should also compare very well in terms of relative safety and economic benefits for the region and the state. (see Economic Environment, pg 30) (see Safety, pg 38) 6-2 It should be apparent that the construction of 2B-2 will also improve the viability of public and private investments in the Ports of Eastport, Searsport and Bucksport. (see Economic Environment, pg 29)
Associated General Contractors of Maine John O'Dea CEO (Attachment, pg 85)	Provided Information and Opinion
Brewer Land Trust Linda Johns Brewer City Planner (Attachment A, pg 86-87)	7-1 The BLT has been working with landowners and developers to obtain conservation easements or fee ownership along Felts Brook. The Lowe's store, located in this vicinity, also has a portion of their property along Felts Brook under deeded conservation as part of their mitigation plan. (see Land Use, Brewer Land Trust, pg 34) 7-2 There is an Inland Waterfowl/Wading Bird Habitat located at the existing I-395 interchange. Much of this land is currently protected by an 81-acre deed-restricted parcel as part of the Maritimes and Northeast Pipeline mitigation plan. (see Significant Habitat, pg 40)
Eastern Maine Snowmobilers Inc. Larry Lafland Trail Master and Project Director for Grants (Attachment A, pg 88-89)	8-1 There is a new map of the trail system for the EASTERN MAINE SNOWMOBILERS in Brewer, Holden, Eddington etc. (see Community Facilities and Services, pg 26)
Eddington-Clifton Civic Center Joshua Parda Director (Attachment A, pg 90-92)	9-1 Why is safety on Route 9 not a concern? (see Safety, pg 38)
Maine Better Transportation Association Maria Fuentes (Attachment A, pg 93)	Provided Information and Opinion
Special Business Interests	
Eastern Maine Healthcare Systems Addy Dubois Director Property Management & Environmental Safety (Attachment, pg 94)	Submitted Plan of Future Development
GAC Chemical David Colter President (Attachment A, pg 95)	10-1 Supports the Preferred Alternative. During the spring months when Route 46 is posted with weight limits, our trucks are forced to use alternate routes. (see Traffic, Route 46, pg 42)
Penobscot Bay & River Pilots Association David T. Gelinas Captain (Attachment A, pg 96)	Provided Information and Opinion

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From		Comments	
Pike Industries James Hanley (Attachment, pg 97)		Provided Information and Opinion	
Sprague Energy James Therriault (Attachment, pg 98)		11-1	Supports the Preferred Alternative. This project will save us and many other businesses time and that will make us all more competitive and the economy of our region stronger. (see Economic Environment, pg 29)
Wyman and Simpson Doug Hermann (Attachment, pg 99)		Provided Information and Opinion	
Received From	Location	Comments	
Public			
Hilma H. Adams (Attachment, pg 100-102)	Eddington	12-1	There is an old Indian Encampment at the easterly end of my property and encompasses several other lots abutting mine. (see Construction Impacts, Points of Interest, pg 26)
		12-2	The right to build, maintain and/or travel over my property was granted to Eastern Maine Snowmobile Club. (see Trail Access, pg 44)
		12-3	Either route would land lock our duck hunting pond as I have hunters that come yearly to duck hunt in what we call Lil Dunkin Pond. (see Construction Impacts, Points of Interest, pg 26)
		12-4	My husband's ashes are at the Waterfalls. (see Construction Impacts, Points of Interest, pg 26)
Larry Adams #1-15 (Attachment, pg 103-118)	Brewer	Provided Information and Opinion	
Larry Adams #15a (Attachment, pg 118)	Brewer	13-1	If it was so important to have at least one alternative that connected on route 9 west of route 46, then why wasn't it just as important to have at least one alternative that had a route 9 connection point east of route 46 in the DEIS? (see Alternatives, Route 9 Connections, pg 19)
Larry Adams #16 (Attachment, pg 119)	Brewer	Provided Information and Opinion	
Larry Adams #17 (Attachment, pg 120)	Brewer	14-1	The statutory changed to allow 100,000 pound trucks on the Interstate may change traffic patterns away from Route 46. Is there any data to back up that statement? (see Traffic, Weight Restrictions, pg 43)
Larry Adams #18 (Attachment, pg 121)	Brewer	15-1	How can it be considered safe and efficient traffic control to navigate 100,000# vehicles at 50 mph from the Clifton/Eddington town line, through the village of East Eddington at 35 mph and then traveling at speeds varying from 45 to 40 to 45 and back to 40 mph at the proposed 2B-2 connection point through all those 190 unrestricted access points? The multiple and varied speed limits alone, on this 4.5 mile segment of route 9, appears to go against the definition of an appropriate system linkage for this project. (see System Linkage, pg 41)
		15-2	How do these 190 unrestricted access points fit in with the MaineDOT/FHWA definitions of safety, traffic congestion, traffic capacity and system linkage? (see Access Management, pg 18)
		15-3	Before you spend \$90+ million dollars, don't you think it may be prudent to verify the current traffic count and reassess your projected traffic counts? (see Traffic, Truck Numbers, pg 43)

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Location	Comments
Larry Adams #19 (Attachment, pg 122-123)	Brewer	16-1 Is there really a traffic issue with Canadian truckers coming and going to Brewer? Is ME Route 9 the only route they can use? (see Traffic, Canadian Truckers, pg 43)
		16-2 Since the weight restriction was lifted in November of 2011, wouldn't it be prudent to do a new complete study of truck traffic from Canada to Brewer, Maine at the Calais entry point versus the Houlton entry point? (see Traffic, Weight Restrictions, pg 43)
		16-3 Isn't it fair to assume that the traffic numbers now in the DEIS may also be high? How can you base your decisions in the near-term on projected numbers? (see Traffic, Economy, pg 42)
		16-4 If traffic congestion was such an important need from the start of the study, why has the Study Group chosen to not bypass the whole section of Route 9 by bypassing the village of East Eddington as the Study clearly stated from the start? (see Traffic, Congestion, pg 42)
		16-5 Don't you think it may be appropriate to base your decisions on real up to date numbers and not projected numbers based upon 2006 and 2008 traffic data? (see Traffic, Truck Numbers, pg 43)
Larry Adams #20 (Attachment, pg 124)	Brewer	17-1 The private east west highway would do away with the need of the I-395/route 9 connector due to lack of traffic on route 9 as stated in MDOT's own 1999 Study. <ul style="list-style-type: none"> • Explain why the feasibility study of the privately funded East-West Highway should not halt the I-395/Route 9 connector study until that feasibility study is reported out on by January 15th of 2013? • Explain how the I-395/Route 9 Connector Transportation Study can go forward without taking into account the projected loss of traffic in the route 9 corridor to and from the Canadian Provinces due to the proposed private East-West Highway. • Explain why the MaineDOT/FHWA sees no problem with spending \$90+ million dollars on a connector that would have no traffic if the East/West private highway goes to construction based on this 1999 statement from a MaineDOT study: "would remove nearly all of the existing traffic off of Route 9"? (see East-West Highway, pg 28)
Larry Adams #21-22 (Attachment, pg 125-126)	Brewer	Provided Information and Opinion
Larry Adams #23 (Attachment, pg 127-128)	Brewer	18-1 Some are saying that this project doesn't end with the construction of 2B-2; the deficiencies of this selection will end up with more construction in the near future; it's not out of the question to end up with an extension of 2B-2 to the Eddington/Clifton town line or you can dust-off the plans for the K bypass around the Village of East Eddington. Where are the guarantees that you won't be back in ten years to fix what should have been appropriately engineered in 2012? (see Alternatives, Route 9 Connection, pg 19)
Larry Adams #24 (Attachment, pg 129)	Brewer	19-1 Alternative 2B-2 squelches future development plans that the City of Brewer had for a hotel complex/conference center between CancerCare and I-395. (see Future Development, Alternative 2B-2, pg 32)
Larry Adams #25 (Attachment, pg 130-131)	Brewer	20-1 How would the 3EIK-2 route have fared if the footprint was only 200' in width and wouldn't the 4B alternative suddenly look a whole lot better? (see Alternatives, 3EIK-2, pg 19)
		20-2 Could the 3EIK-2 route have been successfully moved around the vernal pools if it was only a 200' wide footprint? How about 5A2E3K? (see Vernal Pools, pg 44)
		20-3 The biggest reason 4B was dismissed was because of extensive earthwork. Wouldn't a 200' footprint have fared better with that route? How about any of the route 1 upgrades? (see Alternatives, 3EIK-2, pg 19)
		20-4 Based on a \$90 million dollar estimate for the construction of alternative 2B-2, from that same October meeting, \$1.0 million dollars is only 1.1% of total \$90 million dollar expenditure. Does the MaineDOT/FHWA find it appropriate for the Study Group to remove the possibility of a future upgrade that may be needed to insure the safety of this corridor based on an initial \$1 million dollar expense? (see Alternatives, Upgrade Alternative, pg 18)

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Location	Comments
Larry Adams #26-27 (Attachment, pg 132-136)	Brewer	Provided Information and Opinion
Larry Adams #28 & 28A (Attachment, pg 137-144)	Brewer	<p>21-1 How will storm runoff and snow clearing operations affect Atlantic Salmon habitat? (see Endangered and Threatened Species, Storm Runoff, pg 31)</p> <p>21-2 How does the MaineDOT/FHWA plan to limit damage to the Atlantic Salmon habitat now and in the future if this connector is approved and goes to construction? (see Endangered and Threatened Species, Storm Runoff, pg 31)</p> <p>21-3 How will this pollution source (stormwater runoff) affect the Atlantic Salmon habitat? (see Endangered and Threatened Species, Storm Runoff, pg 31)</p>
Larry Adams #29-33 (Attachment, pg 145-155)	Brewer	Provided Information and Opinion
Larry Adams #34 (Attachment, pg 156-157)	Brewer	22-1 At some point the economy will rebound, along with an increase in traffic numbers, and it will surely be before the year 2035 that you estimate for Route 9 traffic capacity. If the price of gas has that drastic of an effect on traffic numbers—have you factored that into your future numbers? (see Traffic, Economy, pg 42)
Larry Adams #35 (Attachment, pg 158)	Brewer	23-1 Where's the traffic issue on Route 9 if nearly all the existing traffic is removed by an E/W highway? (see East-West Highway, pg 28)
Larry Adams #36 (Attachment, pg 159-170)	Brewer	<p>24-1 All decisions, since April 15, 2009 were made without scrutiny of the public and their elected officials—without knowledge and concurrence of any of the real stakeholders. (see Public Coordination, pg 37)</p> <p>24-2 When it was important for the Study Group to include the impacts of the 4.1 mile segment of Route 9 to make 2B-2 appear to be a viable option—the data from Route 9 was included; now that it is important for the Study Group to show the lowest cost and the least environmental impact of alternative 2B-2—the data is not included from the 4.1 mile segment of Route 9. You cannot separate alternative 2B-2 from the existing 4.1 mile segment of Route 9. (see Alternatives, pg 23)</p> <p>24-3 That statement, MaineDOT's latest talking point, is incorrect as: NO-BUILD has the least environmental impact and lowest estimated cost, by far. (see Alternatives, No-Build Alternative, pg 20)</p> <p>24-4 How can you buffer a nonsignificant vernal pool? If it is non-significant, it is just a puddle. (see Vernal Pools, USACE Significance, pg 45)</p> <p>24-5 Isn't it ridiculous that a property owner, like many of us living in my neighborhood, can be 80' from the right-of-way of the preferred alternative and not be considered directly or even indirectly impacted—yet frogs and salamanders and mosquitoes are guaranteed to be no closer than 750' of the proposed roadway? (see Vernal Pools, Indirect Impacts, pg 45)</p>
Larry Adams #37 (Attachment, pg 164-161)	Brewer	25-1 How can the ACOE treat all vernal pools as significant (containing the specific amount of frogs and salamanders) whether they are significant or non-significant? (see Vernal Pools, USACE Significance, pg 45)
Larry Adams (Attachment, pg 171)	Brewer	Provided Information and Opinion
Kenneth Arbo (Attachment, pg 172)	Brewer	Provided Information and Opinion
Mike Atherton (Attachment, pg 172)	Bucksport	Provided Information and Opinion

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Location	Comments
Michael H. Ayer (Attachment, pg 173)	Holden	Provided Information and Opinion
Paul Brody (Attachment, pg 174-175)	Brewer	26-1 How is the directive of the NEPA successfully met? (see NEPA, pg 36)
Richard Bronson (Attachment, pg 176-179)	Bangor	27-1 As seen east bound, beginning at the eastern end of I-395, stay on the existing Route 1A. This portion of 1A was once a four lane road. Why not return it to a four lane with a small barrier between the opposing traffic lanes. By leaving it as open access on the sides the businesses are still served. While the existing interchange between I-395 and Route 1A / Wilson Street would not need to be moved or changed it can be slightly altered to also be a “to reverse direction” facility. By then travelling on the existing right of way of Route 1A, as a four lane for a distance the connector traffic stream does not need to enter the area of or further alter Felts Brook at all. The route would pass west of the Holbrook School (and its athletic fields) while south of Holbrook Pond, west of the used portion of Edge of Town Road, staying west of Route 46 until north of Sweets Hill Road, then crossing Route 46, then running more or less parallel to 46, although back enough to be out of the area around the houses on 46, then cross Hatcase Pond Road, then across Blackcap Road, then crossing Bangor Water District Road (though no where near their water supply), then onto the existing Route 9 at or just east of the Eddington – Clifton town line. (see Alternatives, Upgrade Variation, pg 21)
Carl Brooks (Attachment, pg 180)	Not Provided	28-1 Why was the extension of I-395 on the railroad right-of-way to the Dedham line not among the alternatives considered? (see Alternatives, Railroad Right-of-Way, pg 24)
Bob Cattan (Attachment, pg 181)	Eddington	Provided Information and Opinion
Patrick Doody (Attachment, pg 182)	Brewer	Provided Information and Opinion
Roland Fogg (Attachment, pg 183)	Hampden	Provided Information and Opinion
Rusty Gagnon (Attachment, pg 184-187)	Eddington	29-1 Increased traffic will result in more engine oil surface runoff creating more ground soil and water pollution in Davis Pond. (see Environmental Impacts, pg 31) 29-2 We have an elementary school and middle school and students who are bused to Bangor, Brewer and surrounding area high schools. This requires a minimum of nine buses on Route 9 making frequent stops at least twice a day. In the winter months, it is still dark when the buses pick up the children at their driveways and close to dark when the children return. The project increase in commercial traffic will make it more dangerous for anyone, particularly children, at the side of the road. (see Safety, pg 39) 29-3 Our weekly trash collection requires residents to place their trash containers and bags alongside Route 9 where the trash truck collects them, stopping at each driveway. (see Community Facilities and Services, pg 26) 29-4 The Town of Eddington approved a new Master Zoning Ordinance and is structured to encourage business development. The connector ignores the Master Zoning Ordinance and destroys the business development plan. (see Zoning, pg 47) 29-5 Documents obtained from the U.S. Corps of Engineers and MaineDOT indicate their work/studies/decisions are not based on Eddington’s updated Master zoning plan. (see Zoning, pg 47) 29-6 It is our understanding agreements were made between MaineDOT and the town of Brewer, when the I-395 ramps in Brewer were constructed, an agreement to protect the remaining area wetlands. This project violates that agreement. (see Land Use, pg 34) 29-7 This connector brings no permanent or long-term financial benefit. (see Economic Environment, pg 30)

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Location	Comments
William C. Gardner Jr. (Attachment, pg 188)	Brewer	Provided Information and Opinion
John and Roberta Gray (Attachment, pg 189-190)	Holden	Provided Information and Opinion
Richard Hatch (Attachment, pg 191)	Holden	Provided Information and Opinion
Gretchen Heldmann (Attachment, pg 192-198)	Eddington	<p>30-1 The MaineDOT did not use the Maine State Vernal Pool Assessment Form nor did they use any sort of standard method to gather vernal pool data. I asked for copies of the vernal pool field data sheets as part of my FOAA request and what I got was a mish mash of their own version of field data sheets and field notebooks with pages ripped out. When I asked about the discrepancy between MDIFW/MDEP and MDOT's ways of collecting info and whether they had looked for fairy shrimp since I saw no mention of them anywhere I received the following answer: Quote, we didn't look specifically for fairy shrimp and we did not make a big effort to look for them. If we had seen them we would have reported them. In terms of how our effort fits into the MDIFW requirements and the simple answer is that it doesn't and is not meant to. We have no plans of submitting any data collection forms to MDIFW as we don't own the land. When we identify an alternative and purchase rights of way we will re-census the new rights of way only and submit any necessary data from to MDIFW. I do not understand how one state agency is able to follow a different set of standards and guidelines than another. Please explain. (see Vernal Pools, Assessment Form, pg 45)</p> <p>30-2 What they do not provide that I could not find are totals, what is the total actual cost to mitigate noise for each route? (see Noise, pg 36)</p> <p>30-3 Neighborhoods are not being integrated if noise is not being mitigated. Please reconsider your priorities and the need for noise mitigation. (see Noise, pg 36)</p> <p>30-4 The study year was changed to reflect the downturn moving it out five years to 2035 from 2030. Where did that five year change come from? What data support a five year change? Why aren't more recent traffic count numbers being incorporated into analyses? (see Traffic, Study Year, pg 44)</p>
Jane Hinckley (Attachment, pg 199)	Brewer	<p>31-1 How will the truck traffic be able to merge east or west on Route 9 without endangering the safety of those traveling that stretch of the road, and disrupting the lives of those living nearby? (see Safety, pg 39)</p> <p>31-2 Since the change of weight restrictions on I-95, there have been no studies done to validate how traffic patterns have changed, and what the impact of the privately funded east-west highway will be on future traffic patterns. (see Traffic, Weight Restrictions, pg 43)</p>
David Hocking (Attachment, pg 200)	Eddington	Provided Information and Opinion
John Huskins (Attachment, pg 201)	Brewer	32-1 The satellite images used at the open houses did not show homes that have been recently built in what would be the right-of-way for 2B-2. (see Land Use, Satellite Images, pg 35)
Walter Kilbreth (Attachment, pg 201)	Kingfield	Provided Information and Opinion
Larry Lancaster (Attachment, pg 202)	Eddington	<p>33-1 Going west, keep the right lane as is, which would help the Fire Department when it has to go west on Route 9; a Yield sign at the connector road so we that live here can get to the new road; from the connector road east, keep the right lane and dead end it at the last house affected one beyond my house, that way we can get to our homes from the west. (see Alternatives, Alignment Refinement, pg 22)</p> <p>33-2 The connector road could be moved a few hundred feet east. (see Alternatives, Refinement, pg 22)</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

Received From	Location	Comments
Marcia Lyford (Attachment, pg 203)	Eddington	34-1 There are accidents on the hill close to Route 1A during most snowstorms, blocking the road. (see Safety, pg 39)
Irene Rogers (Attachment, pg 204)	Dennysville	Provided Information and Opinion
Tammy Scully (Attachment, pg 205)	Belfast	Provided Information and Opinion
Carol and Vinal Smith (Attachment, pg 206)	Brewer	35-1 The safety issue of this connector has not been fully studied. Coming off a high speed road to a stop sign on a very, very busy Route 9 is an accident waiting to happen. (see Safety, pg 39)
Carol and Vinal Smith (Attachment, pg 207)	Brewer	Provided Information and Opinion
Judith R. Sullivan (Attachment, pg 208)	Orono	36-1 Is the only way Alternative 2B-2 works is to remove safety on Route 9 as a purpose? (see Safety, pg 38)
Mark and Julie Thompson (Attachment, pg 209)	Eddington	37-1 A toll booth at the suggested intersection proposed would at least help ease the financial burden the state has put us on once again. (see Alternatives, Toll Booth, pg 18)
Linda Tucker (Attachment, pg 210)	Not Provided	Provided Information and Opinion
Wendell Tucker (Attachment, pg 211)	Eddington	38-1 Has enough consideration been taken to the exit and entrance at Route 9 give the speed on the connector? (see Safety, pg 39)
John Van Dyke (Attachment, pg 212)	Brewer	39-1 If money is spent on the I-395 connector and [Peter Vigue's] toll highway is also approved, the use of Route 9 to I-395 will be less used over the faster toll road. (see Alternatives, Toll Booth, pg 18)
Joel D. Wardwell (Attachment, pg 213)	Bucksport	Provided Information and Opinion
John W. Wardwell (Attachment, pg 214)	Bucksport	Provided Information and Opinion
Mark Wellman (Attachment, pg 215)	Eddington	40-1 Given the immense amount of resources and time that has been invested in this project, the last minute changes forced upon our residents, and the never ending debate, I believe we should wait until a decision about the construction of an East-West highway is made before any further money or time is misspent. (see East-West Highway, pg 28)
Stephen Whitcomb (Attachment, pg 216)	Not Provided	Provided Information and Opinion
Patricia T. Wilking (Attachment, pg 217-218)	Eddington	41-1 In an informal survey of 3-4 axle trucks using Route 46, we found there were 1,457 per week (+/-) or an average of 208 tractor-trailers a week, based on 7 days average. (see Traffic, Survey, pg 42)

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

<i>Received From</i>	<i>Location</i>	<i>Comments</i>
The following entries refer to the transcript from the public hearing held in Eddington on May 2, 2012 (Attachment A, pg 210-293)		
Charles L. Baker Jr. (Attachment, pg 233-239)	Eddington	42-1 Do we still need this connector given under the recent discussion on the private tolled east/west highway? (see East-West Highway, pg 28)
		42-2 Has your safety concerns changed with this increase of entering traffic onto 9? (see Safety, pg 39)
		42-3 How can you demonstrate this additional traffic increase will be safer for our residents? (see Safety, pg 39)
		42-4 There is no longer a concern about losing farmland? (see Farmland, pg 31)
		42-5 Will this affect future development in town with restrictions placed on town zoning? (see Future Development, pg 33)
		42-6 Given that the road has been changed from four lanes to two, please demonstrate how this road will be satisfactory until 2035. (see Traffic, Study Year, pg 44)
		42-7 What will the impact on town services be after this is put in? Emergency services? (see Community Facilities and Services, pg 26)
Larry Adams (Attachment, pg 239-241, 291-292)	Brewer	Provided Information and Opinion
John Huskins (Attachment, pg 241-245)	Brewer	Provided Information and Opinion
Jerry Goss (Attachment, pg 242-236)	Brewer	Provided Information and Opinion
Joan Brooks (Attachment, pg 245-246)	Eddington	Provided Information and Opinion
John Williams (Attachment, pg 246-247)	Clifton	Provided Information and Opinion
Gretchen Heldmann (Attachment, pg 247-261)	Eddington	43-1 The MDOT did not use the Maine State Vernal Pool Assessment Form nor did they use any sort of standard method to gather vernal pool data. I asked for copies of the vernal pool field data sheets as part of my FOAA request and what I got was a mish mash of their own version of field data sheets and field notebooks with pages ripped out. When I asked about the discrepancy between MDIFW/ MDEP and MDOT's ways of collecting info and whether they had looked for fairy shrimp since I saw no mention of them anywhere I received the following answer: Quote, we didn't look specifically for fairy shrimp and we did not make a big effort to look for them. If we had seen them we would have reported them. In terms of how our effort fits into the MDIFW requirements and the simple answer is that it doesn't and is not meant to. We have no plans of submitting any data collection forms to MDIFW as we don't own the land. When we identify an alternative and purchase rights of way we will re-census the new rights of way only and submit any necessary data from to MDIFW. I do not understand how one state agency is able to follow a different set of standards and guidelines than another. Please explain. (see Vernal Pools, Assessment Form, 45)
		43-2 What they do not provide that I could not find are totals, what is the total actual cost to mitigate noise for each route? (see Noise, pg 36)
		43-3 Neighborhoods are not being integrated if noise is not being mitigated. Please reconsider your priorities and the need for noise mitigation. (see Noise, pg 36)
		43-4 The study year was changed to reflect the downturn moving it out five years to 2035 from 2030. Where did that five year change come from? What data support a five year change? Why aren't more recent traffic count numbers being incorporated into analyses? (see Traffic, Study Year, pg 44)

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 1 - Continued

<i>Received From</i>	<i>Location</i>	<i>Comments</i>
Ben Pratt (Attachment, pg 261-265)	Eddington	44-1 I don't see how adding this preferred route and dropping traffic off 395 right onto Route 9 at the bottom the Meadowbrook Hill how that benefits anyone's safety, people on 46, people on 1A or certainly people on Route 9. I think you need to look more at that. (see Safety, pg 38)
Tom Vanchieri (Attachment, pg 265-266)	Eddington	Provided Information and Opinion
Judy Sullivan (Attachment, pg 267-275, 291)	Eddington	Provided Information and Opinion
Rusty Gagnon (Attachment, pg 275-283, 290-291)	Eddington	Provided Information and Opinion
Bruce Pratt (Attachmen, pg 283-285)	Holden	Provided Information and Opinion
Susan Dunham Shane (Attachment, pg 285-288)	Eddington	45-1 The zoning map for the Town of Eddington will have to be revised. You are operating not under our current zoning map. (see Zoning, pg 47) 45-2 In the study the truck numbers are from 1998 and as I mentioned in conversation this afternoon at the open house I believe that for people to have an accurate understanding there should be more recent data. (see Traffic, Truck Numbers, pg 43)
Representative David Johnson (Attachment, pg 288-289)	Eddington	Provided Information and Opinion
Jeremy Robertson (Attachment, pg 282, 288)	Clewleyville	Provided Information and Opinion
Susan Dunham Shane (Attachment, pg 292)	Eddington	46-1 The final study must include actual drawings and plans as to how the Route 46/9 intersection would be handled for the traffic flow and integration of Route 46. (see Traffic, Drawings, pg 43)
Jim Kurtz (Attachment, pg 292-295)	Eddington	Provided Information and Opinion
Rhodaleigh Berry (Attachment, pg 296-297)	Brewer	Provided Information and Opinion
Jane Newvey (Attachment, pg 296-297)	Brewer	Provided Information and Opinion
Carol Smith (Attachment, pg 297-299)	Brewer	Provided Information and Opinion

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Responses to Substantive Comments

Comment #	Summary of Substantive Comment	Response to Substantive Comment
15-2	Access Management: How do these 190 unrestricted access points fit in with the MaineDOT/FHWA definitions of safety, traffic congestion, traffic capacity and system linkage?	Comment Noted. The 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.
3-1	Agency Coordination: It will be important for the FHWA and the MaineDOT to continue to work with the USFWS and other state and federal agencies to ensure that environmental impacts are avoided and minimized as much as practicable, should 2B-2 (or any other alternative) proceed to design and construction in the future.	No substantive comment requiring a change in the study or additional analysis. MaineDOT and FHWA will continue to work with the USFWS and other state and federal regulatory and resource agencies to ensure that environmental impacts are avoided and minimized to the extent practicable should a build alternative be selected and advanced to design and construction.
37-1; 39-1;	Alternatives, Toll Booth: A toll booth at the suggested intersection proposed would at least help ease the financial burden the state has put us on once again. If money is spent on the I-395 connector and this toll highway is also approved, the use of Route 9 to I-395 will be less used over the faster toll road.	No substantive comment requiring a change in the study or additional analysis. The MaineDOT preliminarily considered tolling as one method of partially financing the operation and maintenance costs of a build alternative. An analysis was performed and concluded that a traditional barrier tolling facility would generate revenue to cover the costs associated with the construction, operations, and maintenance costs of a toll facility and generate approximately \$155,000 annually (in 2011 dollars) to supplement the operations and maintenance costs of one of the build alternatives. The analysis further concluded that an open-road toll facility would not generate enough revenue to cover the construction, operations, and maintenance costs of a toll facility (HNTB, 2010). Due to the small amount of revenue generated from a toll facility in comparison to the estimated cost of construction, MaineDOT is not considering tolling as a method of partially financing the operation and maintenance costs of a build alternative, if one is selected and advanced to design and construction. For more information see East-West Highway, pg 28.
20-4	Alternatives, Upgrade Alternative: Does the MaineDOT/FHWA find it appropriate for the Study Group to remove the possibility of a future upgrade that may be needed to insure the safety of this corridor based on an initial \$1 million dollar expense?	No substantive comment requiring a change in the study or additional analysis. The 200-foot-wide right-of-way provides a sufficient width to allow a future upgrade if needed. With the 2008 economic downturn and increase in the price of gas, traffic in the study area has not grown as fast as previously forecast. MaineDOT believes the growth in traffic and traffic volumes originally forecast for Route 9 and rest of the study area for the year 2030 won't materialize until the year 2035. The need to widen beyond the 200-foot-wide right-of-way is beyond the reasonable foreseeable future time period.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
1-13	Alternatives, MaineDOT Actions: Has DOT identified any actions that could be taken to address public concerns in Route 9? Would normal maintenance occur? Are there improvements that could be made to insure public safety concerns for walking, jogging, and biking along Route 9?	Comment Noted. MaineDOT would continue to maintain Route 9. The FHWA and MaineDOT do not view Route 9 as unsafe. As part of the scope development of the proposed project, MaineDOT will work with town officials to evaluate Route 9 for potential improvements to improve safety for pedestrians and bicyclists along Route 9. Providing safe access for pedestrians and bicyclists along the road system typically consists of paved shoulders, sidewalks in highly developed areas, high visibility crossings where warranted, and signage to help alert drivers of the presence of bicyclists and pedestrians on the road system. A road safety audit will be conducted in conjunction with town officials and residents to develop potential immediate and longer term improvements that the town can consider as options to improve safety for pedestrians and bicyclists.
20-1; 20-3	Alternatives, 3EIK-2: How would the 3EIK-2 route have fared if the footprint was only 200' in width and wouldn't Alternative 4B and the route 1 upgrade alternative suddenly look a whole lot better regarding earthwork?	<p>Comment Noted. The direct impacts from the build alternatives described in Appendix C of the DEIS are based on the conceptual design of a two-lane highway prior to the identification of a range of alternatives retained for detailed study. The most notable potential impacts from Alternative 3EIK-2 were: wetlands - 42 acres; floodplains - 7.5 acres; notable wildlife habitat - 0.7 acre; undeveloped habitat - 1,437 acres; prime farmland - 11 acres; stream crossings - 6, prime farmland - 11 acres, and residential displacements - 3. Following the preliminary analysis of alternatives, vernal pools were considered. Alternative 3EIK-2 would directly impact three vernal pools and impact the habitat of an additional 110 vernal pools. The dispersal habitat potentially impacted by Alternative 3EIK-2 would be approximately 3,400 acres.</p> <p>The direct impacts from Alternative 4B described in Appendix C of the DEIS are based on the conceptual design of a two-lane highway. Alternative 4B would have required approximately 15.1 million cubic yards of earthwork to construct it; Alternative 2B-2 would require approximately 2.2 million cubic yards to construct it. Upgrading Route 1A and Route 46 to four-lane highways would not satisfy the purpose of the study and would not satisfy the system linkage and traffic congestion problems in the study area. The potential impacts from upgrading Route 1A and Route 46 are described in Appendix C of the DEIS. Upgrading Route 1A and Route 46 would require approximately 1.9 million cubic yards of earthwork to construct.</p>
13-1; 18-1	Alternatives, Route 9 Connection: If it was so important to have at least one alternative that connected on route 9 west of route 46, then why wasn't it just as important to have at least one alternative that had a route 9 connection point east of route 46 in the DEIS? Where are the guarantees that you won't be back in ten years to fix what should have been appropriately engineered in 2012?	No substantive comment requiring a change in the study or additional analysis. In December 2009, the system-linkage need and Route 9 were reexamined in greater detail. Specifically, Route 9 was reexamined to understand more fully if it could reasonably accommodate the future traffic volumes that were foreseeable within the next 20 years. After careful consideration of those factors, the MaineDOT determined that Route 9, with the exception of the sections approaching the intersection of Routes 9 and 46 where the posted speed limit is lower than other segments of Route 9, could reasonably accommodate future traffic volumes for the next 20 years without additional improvements beyond the existing right-of-way. The MaineDOT continued its analysis of the Routes 9/46 intersection and concluded that the build alternatives, including those that use portions of Route 9, would improve the quality of traffic flow at the intersection of Routes 9 and 46 and other physically less intrusive improvements (e.g. as adding turn lanes), could be made to the intersection that would further improve the quality of traffic flow at the intersection. For these reasons, MaineDOT and FHWA dismissed alternatives that bypassed the intersection of Routes 9 and 46 to the north and east in favor of further consideration of alternatives that use Route 9. For more information see Future Development, Route 9, pg 32.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
1-11	Alternatives, No-Build Alternative-Maintenance: It is important that the discussion of the No-Build Alternative and its depiction on the comparative matrices reflect the environmental and socio-economic effect of the anticipated maintenance and improvements and continued use of Route 46 (compared to the build alternatives).	Comment Noted. In the FEIS, the description of the No-Build alternative would be revised to provide a description of the types of maintenance activities included in the No-build alternative and their potential environmental and socio-economic impacts.
24-3	Alternatives, No-Build Alternative: MaineDOT's latest talking point, is incorrect as: NO-BUILD has the least environmental impact and lowest estimated cost, by far.	<p>No substantive comment requiring a change in the study or additional analysis.</p> <p>If "environmental impact" is referring to only to the natural environment, the No-build Alternative would result in the least adverse impact; if "environmental impact" is referring to the broader human environment, to include the natural, social, and economic environments and their interaction and relationship, the No-build Alternative would not result in the least adverse impact.</p> <p>The No-Build Alternative serves as the baseline to which other alternatives and their consequences can be compared. The consequences for the No-Build Alternative have been studied and fully developed for the year 2035. The No-Build Alternative would not satisfy the study's purpose and need; to satisfy the study's purpose and some or all of the needs, a build alternative needs to be considered. The No-Build Alternative would result in continued adverse impacts to regional transportation connectivity and mobility and safety. Traffic would continue to use existing roads – primarily Route 1A and Route 46 – to travel between I-395 and Route 9. Over time, with increasing traffic congestion, the regional mobility, traffic congestion, and safety problems in the study area would worsen.</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
27-1	<p>Alternatives, Upgrade Variation: New Alternative - As seen east bound, beginning at the eastern end of I-395, stay on the existing Route 1A. This portion of 1A was once a four lane road. Why not return it to a four lane with a small barrier between the opposing traffic lanes. By leaving it as open access on the sides the businesses are still served. While the existing interchange between I-395 and Route 1A / Wilson Street would not need to be moved or changed it can be slightly altered to also be a to reverse direction facility. By then travelling on the existing right of way of Route 1A, as a four lane for a distance the connector traffic stream does not need to enter the area of or further alter Felts Brook at all. The route would pass west of the Holbrook School (and its athletic fields) while south of Holbrook Pond, west of the used portion of Edge of Town Road, staying west of Route 46 until north of Sweets Hill Road, then crossing Route 46, then running more or less parallel to 46, although back enough to be out of the area around the houses on 46, then cross Hatcase Pond Road, then across Blackcap Road, then crossing Bangor Water District Road (though no where near their water supply), then onto the existing Route 9 at or just east of the Eddington – Clifton town line.</p>	<p>No substantive comment requiring a change in the study or additional analysis. While the MaineDOT and FHWA did not study the alternative described exactly, the MaineDOT and FHWA studied, discussed, and dismissed two others that were very similar. The two alternatives are known as Alternative 1-4B and 1-4B-1. These were discussed and studied from late 2001 to late 2002 (PAC meetings 10 -15). They are similar to the alternative that is described, but differ in two areas: 1) departs Route 1A further to the east, and 2) crosses Route 46 further south.</p> <p>Alternative 1-4B crossed Route 46 to the south of the Holbrook School and paralleled Route 46 a bit more to the east to avoid and minimize impacts to the waters and wetlands surrounding Holbrook pond and Kidder Brook. These waters and wetlands are pretty expansive. While crossing Route 46 to the south of the Holbrook School and paralleled Route 46 a bit more to the east to avoid these waters and wetlands, Alternative 1-4B had impacts to waters and wetlands that were slightly greater than the alternatives the DOT and FHWA retained in the DEIS / 404 permit application. Alternative 1-4B also had a substantial impact to the operations at Camp Roosevelt Boy Scout Reservation and substantial earthwork as a result of the steep topography. Alternative 1-4B-1 had a couple of subtle differences from Alternative 1-4B-1 to try to further avoid and minimize impacts. These differences were connecting to Route 1A a little further west than Alternative 1-4B and connecting to Route 9 a little further east. Both of these subtle changes actually increased impacts, not decreased.</p> <p>These two alternatives were discussed with the federal cooperating agencies and other agencies that participate in the DOT's interagency meetings and the federal cooperating agencies concurred with dismissing these alternatives from further study.</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
33-1	Alternatives, Alignment Refinement: New Alternative - Going west, keep the right lane as is, which would help the Fire Department when it has to go west on Route 9; a Yield sign at the connector road so we that live here can get to the new road; from the connector road east, keep the right lane and dead end it at the last house affected one beyond my house, that way we can get to our homes from the west.	No substantive comment requiring a change in the study or additional analysis. During final design, the MaineDOT would continue to refine the alignment and its right-of-way within the preferred corridor to further avoid and minimize impacts to the natural, social, and economic environments and to coordinate with those that are affected. The proposed intersection would be studied and further developed during final design and discussed at a future public meeting.
33-2	Alternatives, Refinement: The connector road could be moved a few hundred feet east.	No substantive comment requiring a change in the study or additional analysis. During final design, the MaineDOT would continue to refine the alignment and its right-of-way within the preferred corridor to further avoid and minimize impacts to the natural, social, and economic environments and to coordinate with those that are affected.
1-12	Alternatives, No-Build Alternative: The discussion of the No-Build Alternative should fully address transportation, public safety, residential/business property, and community impacts/benefits.	No substantive comment requiring a change in the study or additional analysis. The consequences of the No-Build Alternative and its impacts to transportation, public safety, residential/business property, and community impacts/benefits have been fully developed and presented in the FEIS.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
1-4	Alternatives, Final Document: The final document must provide greater clarification as to why Alternative 2B-2 was not preferred at one time and now is.	<p>Comment Noted. During the study, it appeared that other alternatives would best satisfy the study purpose and needs. The MaineDOT and FHWA studied those alternatives until it became clear that 1) those alternatives would result in greater adverse environmental impacts than Alternative 2B-2, and 2) Route 9 had adequate capacity and would continue to operate at an acceptable level of service and operating speed up to and beyond the year 2035 (the time period that has been determined to be reasonably foreseeable).</p> <p>On three occasions during the study, Alternative 2B-2 (including earlier versions Alternative 2B and 2B-1) was dismissed from the range of reasonable alternatives considered for satisfying the study purpose and needs only to be added back to the range of alternatives considered. On each occasion, the DOT, in consultation with the PAC, dismissed it and, in subsequent discussions with the Federal cooperating agencies, reconsidered it because it was practical and resulted in less adverse environmental impacts than other alternatives.</p> <p>A preferred alternative that best satisfies the study purpose and needs with the least adverse environmental impact was not identified prior to the identification of Alternative 2B-2 as the preferred alternative in the DEIS.</p> <p>After careful consideration of the range of alternatives developed in response to the study's purpose and needs and in coordination with its cooperating and participating agencies, MaineDOT and the FHWA identified Alternative 2B-2 as their preferred alternative because the MaineDOT and the FHWA believe it best satisfies the study purpose and needs, would fulfill their statutory mission and responsibilities, and has the least adverse environmental impact between the present time and the design year 2035. In identifying Alternative 2B-2 as their preferred alternative, MaineDOT and the FHWA believe they have identified the environmentally preferable alternative because it best meets the purpose and needs for the study; causes the least damage to the biological and physical environment; and best protects, preserves, and enhances the historic, cultural, and natural resources of the study area.</p>
24-2	Alternatives: When it was important for the Study Group to include the impacts of the 4.1 mile segment of Route 9 to make 2B-2 appear to be a viable option—the data from Route 9 was included; now that it is important for the Study Group to show the lowest cost and the least environmental impact of alternative 2B-2—the data is not included from the 4.1 mile segment of Route 9. You cannot separate alternative 2B-2 from the existing 4.1 mile segment of Route 9.	No substantive comment requiring a change in the study or additional analysis. No changes to Route 9 are proposed as part of the build alternatives. The additional traffic that would use Route 9, in conjunction with the build alternatives, is reported in the DEIS/Section 404 permit application supporting information.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

<i>Comment #</i>	<i>Summary of Substantive Comment</i>	<i>Response to Substantive Comment</i>
28-1	Alternatives, Railroad Right-of-Way: Why was the extension of I-395 on the railroad right-of-way to the Dedham line not among the alternatives considered?	No substantive comment requiring a change in the study or additional analysis. An alternative on or along the Calais Branch to the Dedham town line was not considered because it would not satisfy the purpose of the study and system linkage need. An alternative along the Calais Branch to the Dedham town line would address north-south traffic, but would not address east – west traffic which is one of the purposes of the study. Additionally, it would result in significant direct and indirect impacts to wetlands, floodplains, and habitat.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
2-9	<p>Anti-icing: Low-salt deicing practices should be strictly observed by MaineDOT along the entire corridor to minimize impacts to aquatic life and in particular SWPAs that fall within the road alignments. MaineDOT should work to monitor current chloride concentrations in receiving waters in the project corridor to establish a baseline against which the project impacts can be tracked and evaluated.</p>	<p>Comment Noted. As part of winter maintenance, anti-icing chemicals with chlorides (i.e., primarily rock salt) are used to combat the effects of snow, sleet, and ice. MaineDOT normally uses an average of between 8 and 14 tons per lane mile, per winter, depending on the severity of the winter. MaineDOT consistently has the lowest average salt use per lane mile among New England DOTs. The use of anti-icing materials for winter maintenance would not impact the availability of potable water supplies. MaineDOT investigates and evaluates snow and ice-control industry standards and updates its salt-priority program to use salt judiciously while providing safe and effective traffic movement. In the unlikely event that a localized issue is observed, MaineDOT would implement corrective actions as mandated by state law (23 MRSA § 652). The project will be designed in compliance with applicable Maine water quality standards and with the requirements of the Section 401 Water Quality Certification.</p> <p>MaineDOT has collaborated with the Margaret Chase Smith Policy Center at the University of Maine to publish a study entitled MaineDOT's winter maintenance activities: <i>Maine Winter Roads: Salt, Safety, Environment and Cost</i>. The goals identified in the study include: maintain safety while reducing salt and sand use; reduce salt use through improved practices, new materials and equipment, and changes in levels of service; and increase public awareness of winter practices, costs, and environmental impacts. The key findings from the study are:</p> <ul style="list-style-type: none"> • Anti-icing practices are being widely adopted by state agencies across the U.S. MaineDOT, Maine Turnpike Authority and some municipalities have incorporated anti-icing practices. • Eighteen percent of the State of Maine's public roads are maintained by MaineDOT, one percent by the Maine Turnpike Authority with the remaining eighty one percent being maintained by 488 municipalities and three Indian reservations. • Using federal guidelines for the costs of injuries and deaths, Maine accident data show a 10 year average cost of \$1.5 billion dollars annually. • In winter months between 1989 and 2008, there was a significant reduction in the number of fatalities on state highways. This reduction does not occur on town roads and state-aid highways. This is consistent with the finding of a statistically significant decrease in fatalities on state highways since MaineDOT's anti-icing policy was implemented. It is unknown whether the anti-icing policy is the cause of the decrease. <p>Since the mid-1990s MaineDOT has adopted procedures recommended by the FHWA for anti-icing. MaineDOT uses anti-icing chemicals to maintain safer roadways for the traveling public. MaineDOT is continually investigating and evaluating snow and ice control methods, and updating its maintenance program to balance maintaining water quality with providing safer conditions for the public. Early application of salt brine and rock salt are being used on many roads to prevent snow and ice from bonding to the road surface. This anti-icing application reduces the amounts of anti-icing chemicals used. This approach reduces the amount of chlorides and sodium in highway runoff. MaineDOT snow and ice control operations are guided by a policy which classifies the level of service of roadways by priority corridors. Each level of service has a defined cycle of service time, plow route length, and prescribed amount of time to return the road to normal winter driving conditions.</p> <ul style="list-style-type: none"> • Priority 1 corridors (26% of total miles maintained by MaineDOT) will be treated and bare pavement provided following a storm as soon as practicable, at most within 3-6 daylight hours. • For Priority 2 corridors (36% of total miles maintained by MaineDOT) bare pavement will be restored as soon as practicable after Priority 1 corridors, and within 8 daylight hours. Pre-treatment is provided on Priority 1 and 2 corridors to prevent ice from bonding with the road surface. • Priority 3 corridors (38% of total miles maintained by MaineDOT) are treated within 24 hours, providing one-third bare pavement in the middle of the road as soon as practicable. For Priority 3 corridor sand routes, roads will be plowed and sand applied, yet the road surface may be snow covered during a storm. <p>MaineDOT practices pre- and post-construction sampling of potable water supplies to ensure that any impacts from construction are noted and remediated. MaineDOT is required by law to remediate any impacts to potable water supplies from winter maintenance activities. MaineDOT's winter maintenance program is centered on minimizing the use of any anti-icing chemical; however, when necessary for public safety, MaineDOT uses Ice-B-Gone, which was noted by EPA to be a "green" anti-icing material.</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
29-3	Community Facilities and Services: Our weekly trash collection requires residents to place their trash containers and bags alongside Route 9 where the trash truck collects them, stopping at each driveway.	Comment Noted. The need for trash pick-up and stop and go traffic along Route 9 and the other roads in the study area will be noted in the FEIS. Route 9 has sufficient shoulder width to allow trash trucks to operate on the shoulder of the road and vehicles to operate in the travel lane.
8-1	Community Facilities and Services: There is a new map of the trail system for the EASTERN MAINE SNOWMOBILERS in Brewer, Holden, Eddington ect.	Comment Noted. The new Eastern Maine Snowmobilers trail system data will be added to the FEIS.
42-7	Community Facilities and Services: What will the impact on town services be after this is put in? Emergency services?	<p>No substantive comment requiring a change in the study or additional analysis. The build alternatives would not increase traffic west of Eddington School.</p> <p>Town services would continue to operate without change. The build alternatives would positively impact emergency responders by reducing traffic along Route 1A and decreasing emergency vehicle response times. If a crash occurs on the I-395/Route 9 connector, local emergency response services would need to respond.</p> <p>In the DEIS, it was reported Alternative 2B-2/the Preferred Alternative would impact approximately 20 percent of Eastern Maine Healthcare's parking lot. Subsequent to circulation of the DEIS and the public hearing, MaineDOT investigated the location of the proposed on-ramp to I-395 from Route 1A and believes it can avoid the parking lot. Avoidance of the parking lot would be studied and further developed during final design and discussed at a future public meeting.</p>
12-1; 12-3; 12-4	Construction Impacts, Points of Interest: There is an old Indian Encampment , a duck hunting pond called Lil Dunkin Pond, and waterfalls in the study area.	No substantive comment requiring a change in the study or additional analysis. The SHPO investigated the area and determined that no archaeological properties would be affected by Alternative 2B-2/the Preferred Alternative and no further investigation was required.
2-7	Construction Impacts: FHWA and MaineDOT should commit to the use of diesel retrofits, cleaner fuels, and idle reduction measures to minimize emissions from diesel construction equipment.	Comment Noted. There would be temporary impacts to air quality and noise during construction from the operation of equipment. Proper implementation and maintenance of control measures (e.g., dust/erosion and sedimentation controls, properly fitted emission control devices and mufflers, etc.) would be used to minimize the temporary impacts. During final design, MaineDOT would consider opportunities to specify the use of diesel retrofits, cleaner fuels, and idle reduction measures to minimize emissions from diesel construction equipment. Temporary impacts would cease upon completion of construction.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
1-18	Cumulative Impacts: The Corps previously noted that if any of the former Route 9 improvements projects are now due for maintenance and are proximate to the connector road, they should be noted in the cumulative impact section of the EIS and their impacts projected accordingly.	No substantive comment requiring a change in the study or additional analysis. There are no other sections of Route 9 that were reconstructed proximate to the I-395/Route 9 connector due for reconstruction in the reasonably foreseeable future.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
1-6; 1-10; 17-1; 23-1; 40-1; 42-1	<p>East-West Highway: MaineDOT should wait until a decision about the construction of an East-West highway is made before any further money or time is misspent. Do we still need this connector given under the recent discussion on the private tolled east/west highway? The relationship of the new East-West Highway initiative to this project's purpose and need needs to be better addressed in the FEIS.</p> <ul style="list-style-type: none"> • Explain why the feasibility study of the privately funded East-West Highway should not halt the I-395/Route 9 connector study until that feasibility study is reported out on by January 15th of 2013? • Explain how the I-395/Route 9 Connector Transportation Study can go forward without taking into account the projected loss of traffic in the route 9 corridor to and from the Canadian Provinces due to the proposed private East-West Highway. • Explain why the MaineDOT/FHWA sees no problem with spending \$90+ million dollars on a connector that would have no traffic if the East/West private highway goes to construction based on this 1999 statement from a MaineDOT study: "would remove nearly all of the existing traffic off of Route 9"? 	<p>Comment Noted. The purposes and needs of this study and its solutions lie specifically in the study area shown in the DEIS. The East-West Highway has its own purposes, needs, and solutions in a different area.</p> <p>There has been much recent discussion about not needing a connection to the Interstate system in the I-395/Route 9 study area because a proposed new East-West highway would meet the system-linkage need between I-395 and Route 9. MaineDOT and FHWA will continue to consider the I-395/Route 9 Transportation Study because the East-West highway would not satisfy the purpose and needs of the study. Specifically:</p> <ul style="list-style-type: none"> • The system linkage need would not be satisfied. <ul style="list-style-type: none"> o The I-395/Route 9 connector provides a distinct and more southerly connection. The traffic between the Canadian Maritime Provinces and the New England states is different from the traffic from the Maritime Provinces that want to travel to the larger markets of Quebec, Ontario, and the Midwestern United States to the West. o The I-395/Route 9 connector is more sub-regional and local in nature. Only 1% of the traffic studied in the 1998 Origin-Destination Study traveled from the Maritime Provinces to other western Canadian destinations. o The portions of Routes 1A and 46 in the study area would not provide an operationally efficient transportation facility for regional connectivity and mobility through the study area. • The traffic congestion need would not be satisfied. Traffic would continue to operate at unacceptable quality of traffic flow and speed on Route 1A.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
6-2; 11-1	Economic Environment: It should be apparent that the construction of 2B-2 will also improve the viability of public and private investments in the Ports of Eastport, Searsport and Bucksport.	Comment Noted. The construction of Alternative 2B-2/ the Preferred Alternative would improve the viability of public and private investments in the Ports of Eastport, Searsport and Bucksport and will be noted in the FEIS.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
6-1; 29-7	Economic Environment: This connector brings no permanent or long-term financial benefit. 2B-2 should also compare very well in terms of relative economic benefits for the region and the state.	<p>No substantive comment requiring a change in the study or additional analysis. Alternative 2B-2/the Preferred Alternative would improve safety by reducing the number of crashes over the No-build alternative. With Alternative 2B-2/the Preferred Alternative, modeled crash costs would provide an estimated savings of \$5,117,000 (approximately 28 percent) over the No-Build Alternative, in the year 2035. To estimate the potential costs associated with the range and number of predicted crashes, mean cost data were derived as composite results from the Federal Highway Administration's Crash Cost Estimates by Maximum Police- Reported Injury Severity within Selected Crash Geometries (FHWA, 2005) using undefined crash-geometry estimates. Mean-cost data used were comprehensive estimates, including costs for medical treatment, emergency services, property damage, lost productivity, and adverse effects on quality of life. The crash costs were adjusted to 2011 value using the Consumer Price Index (CPI) for capital-cost components (i.e., medical treatment, emergency services, property damage, and lost productivity) and the Employment Cost Index for quality-of-life effects.</p> <p>Net present-value cost savings for passenger-vehicle drivers and freight-truck drivers would be approximately \$ 417,000 (six percent) with Alternative 2B-2/the Preferred Alternative over the No-Build Alternative, in the year 2035. To illustrate the mobility benefits of implementation of a build alternative, Vehicle Hours Traveled and Vehicle Miles Traveled changes were monetized and compared to the No-Build Alternative. Monetized benefits for VMT were calculated using only typical variable vehicle-operating costs (i.e., fuel and oil, repair and maintenance, and tires) for passenger vehicles and freight trucks. For passenger vehicles, the average variable operating cost per mile of \$0.1774 (a composite value considering costs of small, medium, and large size automobiles) was based on American Automobile Association (AAA) data for 2011. Freight-truck per-mile variable costs of \$0.65 were developed using 2010 data from the American Transportation Research Institute (ATRI).</p> <p>Monetized benefits for VHT were calculated using variable vehicle-operating costs, fixed vehicle operating costs (i.e., vehicle financing, insurance, taxes, license and registration, and depreciation), and operator-based costs (i.e., value of personal time, considering wages, benefits, and trip purpose). VHT and monetized savings would be approximately \$2,801,000 (16 percent) with Alternative 2B-2/the Preferred Alternative over the No-Build Alternative, in the year 2035.</p> <p>The FHWA estimates that for every \$1 million in highway infrastructure investment, approximately 28 full-time equivalent jobs are created. These jobs include approximately nine direct jobs, five indirect jobs, and 14 induced jobs (New England Council, 2008). This employment increase represents the total number of jobs created; although these jobs would not be created necessarily in Penobscot County, it is likely that a small increase in employment at the local and county levels would result. Construction of the build alternatives would cost between \$61 million and \$81 million, creating approximately 1,700-2,300 full-time jobs. Reference: Federal Highway Administration (FHWA). Employment Impacts of Highway Infrastructure Investment. Accessed December 17, 2008.</p> <p>The build alternatives would result in a reduction in tax revenue in Brewer, Holden, and Eddington because the land converted to transportation use would no longer be tax-eligible. The decreases in revenue represent less than two percent of total tax revenues in each municipality. MaineDOT and the State of Maine aren't required to make up lost tax revenue as a result of improvements to the highway system. New business may develop in the area adjacent to the improved access to the interstate system partially offsetting the initial loss of tax revenue. This has occurred in many parts of the state where new interchanges or improved access has been developed.</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
5-1	Endangered and Threatened Species, Botanical Features: There are no rare botanical features that will be disturbed within the project site.	Comment Noted. There are no rare botanical features that will be disturbed within the project site and this statement will be noted in the FEIS.
3-16	Endangered and Threatened Species, Consultation: Consultation under section 7 of the Endangered Species Act will be required to address effects to Atlantic salmon and its designated critical habitat.	Comment Noted. The Federal Endangered Species Act requires that all Federal agencies consult with the USFWS and/or NOAA National Marine Fisheries Service to determine if actions of an agency will have any effect on species listed under the Act and to avoid any actions that may jeopardize the continued existence of the species. For the study, the FHWA is formally consulting on the effects of a new highway connector between I-395 and Route 9 in the towns of Eddington and Holden, and the City of Brewer. The consultation process is concluded when USFWS issues a biological opinion that makes a determination of effect that includes terms and conditions of approval, a statement for potential 'take', and conservation recommendations.
21-1; 21-2; 21-3	Endangered and Threatened Species, Storm Runoff: How will storm runoff and snow clearing operations affect Atlantic Salmon habitat? How does the MaineDOT/FHWA plan to limit damage to the Atlantic Salmon habitat now and in the future if this connector is approved and goes to construction?	Comment Noted. An increase in the potential for sediment loading and roadway contaminants introduced to surface waters (including those that contain Atlantic salmon) exists for the No-Build Alternative and the build alternatives. Impacts from sedimentation caused by construction would be temporary. During final design, a highway drainage system would be designed to minimize the transport of sediments and other particulates to surface waters. Erosion and sedimentation control measures would be incorporated into the design and implemented during construction in accordance with Section II of the MaineDOT's Best Management Practices Manual for Erosion and Sedimentation Control and designed in accordance with the MDEP/MaineDOT Memorandum of Agreement, Stormwater Management, November 14, 2007 and Chapter 500 Rules. Redundancy of controls would be included in each watershed that would be impacted to minimize potential control failures that could deliver sediment laden runoff to streams.
29-1	Environmental Impacts: Increased traffic will result in more engine oil surface runoff creating more ground soil and water pollution in Davis Pond.	No substantive comment requiring a change in the study or additional analysis. Surface runoff to Davis Pond from Route 9 and Route 46 will be the same for the No-Build and build alternatives regardless of the change in traffic volumes on these two highways.
42-4	Farmland: There is no longer a concern about losing farmland?	No substantive comment requiring a change in the study or additional analysis. The U.S. Farmland Protection Policy Act (FPPA) (7 USC §§ 4201-09) was enacted to prevent the unnecessary or irreversible conversion of these soil types to nonagricultural uses, even if the soils are not necessarily in agricultural use. The No-Build Alternative and build alternatives would not result in a substantial impact to farmland and farming operations. The MaineDOT, the FHWA, and the NRCS performed an analysis of the potential impacts of the build alternatives to farmland and farming operations in accordance with the FPPA; Form NRCS-CPA-106 was completed. The build alternatives resulted in scores from 49 to 57 of a possible 260. Please refer to FPPA, Form NRCS-CPA-106 for the score meanings. Because the scores for the build alternatives are less than 160, no further coordination was required and none of the build alternatives would result in a significant impact to farmland.
1-1	FEIS: needs to be a stand-alone NEPA document. Any references to supporting a Corps 404 permit application that are contained in the document, e.g. Section 1.8, Page 23, should probably be stricken or re-written.	Comment Noted. The cover of the FEIS will identify the FEIS and the text will be reviewed to ensure consistency when referring to the permit application and information supporting the permit application.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
19-1	Future Development, Alternative 2B-2: Alternative 2B-2 squelches future development plans that the City of Brewer had for a hotel complex/conference center between CancerCare and I-395.	No substantive comment requiring a change in the study or additional analysis. Alternative 2B-2/the Preferred Alternative would not preclude future development in this area. In the DEIS, it was reported Alternative 2B-2/the Preferred Alternative would impact approximately 20 percent of Eastern Maine Healthcare's parking lot. Subsequent to circulation of the DEIS and the public hearing, MaineDOT investigated the location of the proposed on-ramp to I-395 from Route 1A and believes it can avoid the parking lot. Avoidance of the parking lot would be studied and further developed during final design and discussed at a future public meeting.
1-2; 3-5	Future Development, Route 9: The DEIS notes that future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project. The DEIS does not indicate how such future development would be evaluated, if at all, at some time in the future when there is sufficient funding to proceed with construction of a preferred build alternative.	<p>Comment Noted. The DEIS contains discussion of working with the town of Eddington to maintain safety and preserve the capacity of Route 9 in the study area. 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.</p> <p>Today, the current AADT along Route 9 in Eddington between the terminus of the Alternative 2B-2 and the Route 46 intersection is approximately 5,000 vehicles per day. The posted speed in this section of Route 9 is predominantly 45 mph, with 35 mph near the Route 46 intersection. Traffic on Route 9 can comfortably travel at the current posted speeds. This segment of Route 9 was constructed to a width that meets current National Highway System standards for 2-lane highways (12-foot travel lanes and 8-foot shoulders).</p> <p>With Alternative 2B-2, the 2035 AADT along this segment of Route 9 is forecast to be approximately 12,000 vehicles per day. At that level of traffic flow, Route 9 can easily be maintained at the current posted speeds. There are many locations in Maine where AADTs of 15,000 to 17,000 are accommodated on 2-lane highways with 35-to-50 mph speeds. Many of these locations have more intense commercial development than Route 9 in Eddington. This indicates that traffic volume growth on Route 9 can be accommodated well beyond the year 2035.</p> <p>As part of its planning process, MaineDOT regularly monitors traffic volume and traffic safety trends on all state highways, including Route 9. Traffic volumes are updated every three years, and crash data is reviewed annually to identify emerging conditions that would compromise safety and mobility. MaineDOT regulates development access to Route 9 through application of access management rules. These rules require a new development to provide safe access and maintain adequate mobility on the highway.</p> <p>One way of maintaining safety and mobility along Route 9 as future development occurs is by establishing turn lanes where needed to minimize conflicts between turning traffic and through traffic. This treatment improves the safety of turns while maintaining or improving the flow of through traffic. There are examples in Maine where AADTs of 17,000 to 19,000 are accommodated on 3-lane highways (which have a 2-way left turn lane between the through lanes) with 40-to-50 mph speeds. Route 9 is adaptable within the existing Right-of-Way to this type of treatment, if conditions warrant.</p> <p>With the capacity to accommodate much more than the forecasted traffic, the regular monitoring of safety and mobility conditions by MaineDOT, and the ability to accommodate additional development in a safe and efficient manner, the transportation benefits of Alternative 2B-2 should be sustainable well beyond 2035.</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
42-5	Future Development: Will this affect future development in town with restrictions placed on town zoning?	No substantive comment requiring a change in the study or additional analysis. Maine's rules governing access management (driveway and entrance siting) can go no further than working with the towns 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 towns ensure that safety is maintained. MaineDOT has no authority beyond the existing rules to force towns to do anything to help reduce traffic conflicts, but MaineDOT is directed by statute to work with towns to ensure safety and proper access to the state highway system.
2-3; 2-4; 2-6	Induced Development, Transportation Improvements: An analysis of induced development should estimate the development that would be induced by transportation improvements and would likely not occur 'but for' the transportation improvement, at least through the design year and include an assessment of environmental impacts.	Comment Noted. Induced development would occur for commercial and residential uses and were included in the analysis in the FEIS.
2-2	Induced Development, Study Area Size: In development of the FEIS, FHWA and MaineDOT should reconsider what size study area makes sense given local development patterns, commuting patterns, transportation demand, and other factors, and if needed, redo the analysis.	<p>No substantive comment requiring a change in the study or additional analysis. MaineDOT and FHWA have considered the study area used for the assessment of induced development in light of local access factors and geographic or other barriers and believe the area used was appropriate.</p> <p>MaineDOT and FHWA would add to the discussion supporting the study area used for the analysis of induced growth in the FEIS.</p> <p>Because the build alternatives are intended to serve long-distance through- and regional-traffic, development induced by them likely would be traveler-oriented businesses (e.g., commercial uses such as gasoline stations, motels, restaurants, and convenience stores) within approximately a half-mile of the interchanges and intersections. The farther removed in distance and time from the interchange and intersection, the less induced growth effects can be expected. Oregon DOT's Guidebook for Evaluating the Indirect Land Use and Growth Impacts of Highway Improvements suggests studying a half-mile radius surrounding a highway improvement as the primary area of induced growth (Oregon DOT, 2001). The affected area of induced growth is limited because the build alternatives would have controlled access, the population growth rate in the study area is low, and local zoning precludes intensive development. The projected population for 2020 is expected to experience minor changes from existing levels: Brewer is projected to experience a decrease in population of about 0.8 percent; Holden is projected to experience an increase in population of about 8 percent; and Eddington is projected to experience an increase in population of about 5.7 percent by 2020. Most of the land in the study area is zoned agricultural and rural residential limiting development. Development will occur in the study area, whether or not the build alternatives are constructed.</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
2-5	Induced Development, Town of Eddington: MaineDOT should work with the Town of Eddington to develop a strategy to preserve rights along this portion of the road (and possibly control the number of future driveway cuts) until funding becomes available for the project.	Comment Noted. The MaineDOT would work with the town of Eddington to maintain safety and preserve the capacity of Route 9 in the study area. 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.
1-17	Induced Development, Interchange and Intersection: The DEIS notes that development in the vicinity of interchanges or intersections could impact small areas of wetlands. The FEIS should indicate what this is based on (resource mapping?).	Comment Noted. Alternative 2B-2/the Preferred Alternative and Alternative 5B2B-2 could induce development that may impact wetlands; up to 2 acres of wetlands (1 acre at the interchange with I-395 and 1 acre at the intersection with Route 9) could be impacted. Alternative 5A2B-2 could induce development that may impact up to 1 acre of wetlands (at the intersection with Route 9).
29-6	Land Use: It is our understanding agreements were made between MaineDOT and the town of Brewer, when the I-395 ramps in Brewer were constructed, an agreement to protect the remaining area wetlands. This project violates that agreement.	No substantive comment requiring a change in the study or additional analysis. MaineDOT staff reviewed the acquisition documents for the 127 acre parcel that MaineDOT purchased at the easterly terminus of I-395 in Brewer in addition to a check of the Penobscot Registry Of Deeds records to determine if there are any deed restrictions on the parcel. There is no indication in either the deed from the former owners or in the condemnation documents that the property was acquired subject to any restrictive covenants. Additionally, MaineDOT has not self-imposed any restrictions on the property since acquisition. MaineDOT does not know how the parcel was identified as a "Conserved Lands" parcel. Since there are no legal restrictions associated with the parcel, MaineDOT has requested that the parcel be removed from the Conserved Lands dataset.
1-19; 7-1	Land Use, Brewer Land Trust: The Brewer Land Trust has been working with landowners and developers to obtain conservation easements or fee ownership along Felts Brook. The Lowe's store, located in this vicinity, also has a portion of their property along Felts Brook under deeded conservation as part of their mitigation plan.	Comment Noted. MaineDOT will contact The Brewer Land Trust during the development of the mitigation plan for the I-395/Route 9 connector. A commitment to contact The Brewer Land Trust during the development of the mitigation plan for the I-395/Route 9 connector will be added to the list of commitments in the FEIS.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
32-1	Land Use, Satellite Images: The satellite images used at the open houses did not show homes that have been recently built in what would be the right-of-way for 2B-2.	No substantive comment requiring a change in the study or additional analysis. MaineDOT analyzed more recent aerial images and no additional houses would be displaced by Alternative 2B-2/the Preferred Alternative.
3-11	Maps: A different color should be used in the FEIS (not red) to show the existing utility corridors, because it is hard to differentiate between the utility corridors and the study area boundary.	Comment Noted. A different color will be used in the FEIS (not red) to show the existing utility corridors.
3-7	Maps: All map exhibits in Chapter 3 should show the three build alternatives that are being evaluated in the DEIS.	Comment Noted. Exhibits in the FEIS will show the three build alternatives evaluated in the DEIS.
2-1; 3-2; 3-20; 3-21	Mitigation: The FHWA and MaineDOT need to develop a compensatory mitigation plan that suitably compensates for the unavoidable loss of the wetlands, streams, and other natural resources as appropriate.	Comment Noted. MaineDOT and the FHWA will develop a compensatory mitigation plan that suitably compensates for the unavoidable loss of the wetlands, streams, and other natural resources during preparation of the FEIS and final design. MaineDOT and the FHWA will continue to coordinate with the federal and state regulatory and resource agencies throughout the development of the compensatory mitigation plan.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
26-1	NEPA: How is the directive of the NEPA successfully met?	<p>No substantive comment requiring a change in the study or additional analysis. MaineDOT and the FHWA have followed and complied with NEPA and the regulations for implementing the procedures of NEPA at 40 CFR Part 1500. The NEPA process is intended to help public officials make decisions based on an understanding of the environmental consequences and to take actions that protect, restore, and enhance the environment (40 CFR Part 1500.1). This document identifies reasonable alternatives and assesses their potential transportation, social, economic, and environmental impacts.</p> <p>NEPA requires federal agencies to consider the impacts of their actions on the natural, social, economic, and cultural environment and to disclose those considerations in a public decision-making document referred to as an Environmental Impact Statement (EIS). The EIS was first circulated publicly as a Draft EIS (DEIS). Following publication of the DEIS, a formal public hearing was held during the 60-day comment period, with the DEIS being available for review approximately 40 days before the hearing. Public input was requested and accepted. Additional public input was accepted during an open public comment period following publication of the DEIS. The purpose of this EIS was to provide the FHWA, the MaineDOT, other federal and state agencies, and the public with a full accounting of the anticipated environmental impacts of the alternatives developed for meeting the study's purpose and needs. The EIS serves as the primary document to facilitate review of the proposed action by federal, state, and local agencies and the public. The EIS provides full discussion of potential environmental impacts and will inform decision makers and the public of reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment (40 CFR Part 1502.1). An EIS must briefly discuss the purpose and need for the proposed action, the range of alternatives considered, the resultant environmental impacts from the proposed action, and the agencies and people consulted during the planning of the proposed action. Publication of the Final EIS (FEIS) would be followed by the FHWA issuing a Record of Decision (ROD) that selects and explains the rationale for selecting the preferred alternative and the funding, construction, operation, and monitoring of the preferred alternative.</p>
30-3; 43-3	Noise: Neighborhoods are not being integrated if noise is not being mitigated. Please reconsider your priorities and the need for noise mitigation.	<p>No substantive comment requiring a change in the study or additional analysis. Noise abatement was considered for the impacted receptors. In evaluating potential abatement measures, noise walls were modeled using the FHWA The Noise Model (TNM) and results compared to MaineDOT criteria for feasibility and reasonableness. For a barrier to be feasible under the MaineDOT noise policy, it must provide at least 7 dBA of reduction (i.e., insertion loss). If a barrier is determined to be feasible, it is evaluated for reasonableness. To be reasonable, the MaineDOT requires that the barrier cost not exceed \$31,000 per benefited residence, based on a barrier cost of \$31 per square foot. A benefited residence is one that receives an insertion loss of 7 dBA or greater. No barrier evaluated was determined to be reasonable because all options considered exceeded the \$31,000 per benefited residence criteria. Sixteen barrier analysis sites were identified along the three build alternatives. Five of these analysis sites included only one impacted receptor. Mitigation is most effective when receptors are in proximity to each other in small communities or in residential subdivisions. Receptors along the build alternatives are not clustered but rather are isolated, making abatement inefficient. Mitigation results indicate that mitigation in the vicinity of the three build alternatives would not be reasonable due to high cost/benefited receptors. Barrier costs ranged from \$194,968 to \$1,043,724 per benefited receptor. Although no reasonable barriers appear likely, certain techniques can sometimes be used as part of the highway's design that has the potential for somewhat reducing noise levels. Such techniques have variable effectiveness based on the relationship of the receptor to the roadway.</p>
30-2; 43-2	Noise: What is the total actual cost to mitigate noise for each route?	<p>No substantive comment requiring a change in the study or additional analysis. The total cost to mitigate noise for each build alternative is: Alternative 2B-2 - \$8,712,528; Alternative 5A2B-2 - \$9,297,432; Alternative 5B2B-2 - \$9,023,181.</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
1-9; 1-14	Permits: Issues to be resolved should probably include receiving DEP permit and water quality certification (in addition to receiving Corps permit).	<p>Comment Noted. Natural Resources Protection Act Permit (NRPA) — A NRPA Permit is required from the Maine Department of Environmental Protection (MDEP) for projects in, on, over, or adjacent to protected natural resources; protected resources are coastal wetlands, great ponds, rivers, streams, significant wildlife habitat, and freshwater wetlands.</p> <p>Section 401 Water Quality Certification — Section 401 of the CWA regulates the discharge of dredged or fill materials into waters. A Section 401 Water Quality Certification is required from the MDEP to ensure that the project would comply with state water quality standards. Typically, the 401 Water Quality Certification would be issued by the MDEP concurrently with the NRPA Permit.</p>
3-3; 3-4; 3-6	Project Construction: It would be helpful if the FEIS could offer some timeframe within which corridor preservation and ultimately construction are likely to occur and if project construction is likely to be more than a few years from now, it would also be helpful if the FEIS could provide some context for how the FHWA and MaineDOT will consider new or changed information since the Record of Decision (ROD).	<p>Comment Noted. If a 'build' alternative is selected, and subject to available resources, MaineDOT would include funding in the department's next Work Plan for design and also for right-of-way acquisition, (which would be dedicated to protect the selected alternative from further development.) Construction funding would be identified subsequent to the development of design plans for the project, which plans will refine the cost estimate for construction. Given that design and right-of-way acquisition will not occur until the next (2013) Work Plan cycle, we would not expect to be able to fund construction until the following Work Plan cycle, at the earliest. The MaineDOT must also comply with FHWA Fiscal Restraints Policy regarding project programming.</p> <p>23 CFR § 771.129 provides guidance to Federal Highway Administration on re-evaluation of the FEIS subsequent to a Record of Decision.</p> <p>...(b) A written evaluation of the final EIS will be required before further approvals may be granted if major steps to advance the action (e.g., authority to undertake final design, authority to acquire a significant portion of the right-of-way, or approval of the plans, specifications and estimates) have not occurred within three years after the approval of the final EIS, final EIS supplement, or the last major Administration approval or grant.</p> <p>...(c) After approval of the EIS, FONSI, or CE designation, the applicant shall consult with the Administration prior to requesting any major approvals or grants to establish whether or not the approved environmental document or CE designation remains valid for the requested Administration action. These consultations will be documented when determined necessary by the Administration.</p>
24-1	Public Coordination: All decisions, since April 15, 2009 were made without scrutiny of the public and their elected officials—without knowledge and concurrence of any of the real stakeholders.	<p>Comment Noted. From 2009 to 2011, meetings took place with federal and state regulatory and resource agencies that have jurisdiction by law or special expertise to review decisions being made by MaineDOT and FHWA. The purpose of this EIS is to provide the FHWA, the MaineDOT, other federal and state agencies, and the public with a full accounting of the anticipated environmental impacts of those decisions and the alternatives developed for meeting the study's purpose and needs. The EIS serves as the primary document to facilitate review of the proposed action by federal, state, and local agencies and the public. No final decision has been made. As part of the review of the EIS, MaineDOT and the FHWA invite comments on their decision identifying Alternative 2B-2 as its preferred alternative. Final decisions will appear in the Record of Decision (ROD).</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
3-8; 3-22; 3-23	Road-Stream Crossings: In designing new road-stream crossings, MaineDOT and FHWA should utilize the adoption of stream simulation design techniques that broadly consider aquatic organism passage and maintenance of natural stream functions and include the broader topic of maintaining natural stream habitat and achieving aquatic organism passage in association with the construction of new road-stream crossings.	Comment Noted. MaineDOT designs new stream crossings in accordance with applicable state and federal regulatory standards relating to aquatic organism passage and our own Waterway and Wildlife Crossing Policy and Design Guide. Whenever practicable, new stream crossings are designed to retain natural stream beds and associated banks to preserve natural stream characteristics and negate the need for stream simulation or engineered passage. Specifications for the crossings will be part of the final design phase and consider existing conditions, and avoid and minimize impacts to stream habitats.
3-18	Road-Stream Crossings: Increasing the size of new road-stream crossings (compared to the typical MaineDOT hydraulic design standard) would be an effective means to provide resilience to ecosystems in the face of the increasing numbers and severity of storms and floods as a result of climate change.	Comment noted. The proposed crossings would span the streams at a width that is 1.2 times the bankfull width and use either a bottomless structure or a four-sided structure with stream simulation design and natural substrate installed. The substrate inside of the structure will emulate the preexisting substrate of the surrounding stream and banks will mimic terrestrial passage characteristics.
9-1; 6-1; 36-1; 44-1	Safety: Is the only way Alternative 2B-2 works is to remove safety on Route 9 as a purpose? 2B-2 should also compare very well in terms of relative safety benefits for the region and the state.	No substantive comment requiring a change in the study or additional analysis. Safety is a primary concern at all times for MaineDOT. Safety along Route 9 was not removed from the study purpose. Safety concerns go beyond consideration of simply the section of Route 9 in Eddington and extend to the highway system surrounding the communities in the study area. Safety 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.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
34-1; 35-1; 38-1; 42-2; 42-3	Safety: Coming off a high speed road to a stop sign on a very, very busy Route 9 is an accident waiting to happen. There are accidents on the hill close to Route 1A during most snowstorms, blocking the road. How can you demonstrate this additional traffic increase will be safer for our residents?	No substantive comment requiring a change in the study or additional analysis. Traffic on Route 9 approaching the stop sign would be provided advance notice of the sign to avoid accidents. Traffic on Route 1A would decrease with a build alternative. Alternative 2B-2/the Preferred Alternative would have the lowest number of potential crashes. The major factor providing an advantage to the build alternatives concerning potential crash events is the controlled-access design. By reducing the number of crossroads and driveway-access points, fewer vehicle conflict points exist with the build alternatives in comparison to the No-Build Alternative. The improved horizontal and vertical grades (i.e. fewer sharp turns and hills than the No-Build Alternative) of the build alternatives contribute to reduced crash potential. For more information see Safety, pg 38.
29-2; 31-1	Safety: How will the truck traffic be able to merge east or west on Route 9 without endangering the safety of those traveling that stretch of the road, and disrupting the lives of those living nearby, particularly children, at the side of the road. ?	No substantive comment requiring a change in the study or additional analysis. Truck traffic will be able to merge onto Route 9 from the east or west without difficulty and endangering others. Traffic heading west on Route 9 would connect at a T intersection with the I-395/Route 9 connector and be controlled by a stop sign.
3-14	Significant Habitat, Breeding: If the FHWA and MaineDOT have information to show that waterfowl breeding does not occur in the study area, then the FEIS should reflect this information.	Comment Noted. Breeding will be added to the list of functions provided by waterfowl habitat in the study area in the FEIS.
3-13	Significant Habitat, Context: Chapter 3, Exhibit 3.22 – It would be helpful for the reader if the title for this figure gives the context for the term Significant Habitat. In this case, the term refers to those habitats regulated as significant under Maine’s Natural Resources Protection Act.	Comment Noted. The context for the term Significant Habitat will be added to this exhibit in the FEIS.
3-17	Significant Habitat, Eagle Nests: Exhibit 3.22 does not appear to show the location of two bald eagles nests that are located near the Penobscot River and Eaton Brook. Please add these nest locations to the Exhibit.	Comment Noted. The location of the two bald eagle nests near the Penobscot River and Eaton Brook will be added to Exhibit 3.22 in the FEIS.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
7-2	Significant Habitat: There is an Inland Waterfowl/Wading Bird Habitat located at the at the existing I-395 interchange.	Comment Noted. The location of Inland waterfowl/wading bird habitat located at the existing I-395 interchange will be added in the FEIS.
2-10	Storm Water: Effective BMPs should be implemented during and after highway construction to reduce the water-quality impacts of stormwater discharges to surface water resources.	<p>Comment Noted. BMPs will be implemented during and after highway construction to reduce the water quality impacts of stormwater discharges to surface water resources. Erosion and sedimentation control measures would be incorporated into the design and implemented during construction in accordance with Section II of the MaineDOT's Best Management Practices Manual for Erosion and Sedimentation Control and designed in accordance with the MDEP/ MaineDOT/Maine Turnpike Authority Memorandum of Agreement, Stormwater Management, November 14, 2007 and Chapter 500 Rules.</p> <p>MaineDOT understands the potential detrimental effects that winter maintenance initiatives may have on the environment. MaineDOT has worked diligently to ensure cost-efficient efforts are undertaken in a manner that maintains a high level of safety for the traveling public while minimizing impacts to the environment. This is especially true relative to MaineDOT's actions associated with the protection of groundwater. Maine State Law requires that MaineDOT remedy adverse impacts to residential or commercial potable-water supplies caused by winter maintenance activities; however, it has long been MaineDOT's approach to proactively prevent adverse impacts to water quality in lieu of remediation. Conservatively, MaineDOT uses the secondary drinking water standard established for chloride as the primary indicator of adverse impact.</p> <p>MaineDOT has a wide array of techniques in its "toolbox" to assist in minimizing impacts to the groundwater regime. Many of the techniques used are detailed in the U.S. Environmental Protection Agency's Source Water Protection Bulletin – Managing Highway Deicing to Prevent Contamination of Drinking Water and include the use of alternative anti-icing chemicals, strategically positioned road weather information systems, properly designed and calibrated application equipment, effective pre-treatment tactics and an aggressive employee training, outreach and education program. Integrated with its pragmatic use of anti-icing chemicals (data consistently shows MaineDOT uses much less anti-icing chemicals per lane mile than other northeastern states), a thoroughly-considered approach to maintaining safe passage for emergency responders, commercial goods and the traveling public in a fiscally prudent and environmentally-sound manner is achieved.</p> <p>For the I-395/Route 9 connector, these tactics will greatly assist in minimizing impacts to groundwater. Additionally, as discussed in the DEIS, MaineDOT will be conducting a Pre-Construction Potable Water Supply Characterization Assessment prior to construction. This assessment is undertaken to establish a baseline relative to the quality of water extracted from residential and commercial potable water supplies located along the project corridor. Samples are typically collected from water supplies positioned adjacent to the proposed construction and are analyzed for coliform bacteria, nitrate, nitrite nitrogen, fluoride, chloride, hardness, copper, iron, arsenic, manganese, sodium, lead, uranium, pH, color, turbidity and odor. The analytical data is maintained in a state-wide database and is used for comparison purposes should any potential claims arise relative to water supply impacts associated with MaineDOT's construction or long term winter maintenance initiatives.</p>
2-8	Storm Water: Storm water outfalls should be located as distant as possible from public and private supply wells.	Comment Noted. The highway drainage and stormwater management system would be designed in accordance with the MDEP/MaineDOT/Maine Turnpike Authority Memorandum of Agreement (MOA), Stormwater Management, November 14, 2007. Under the MOA, the MaineDOT would be required to meet the General Standards under Chapter 500 to the extent practicable as determined through consultation with and agreement by MDEP. Storm water outfalls should be located as distant as possible from public and private supply wells.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
15-1	<p>System Linkage: How can it be considered safe and efficient traffic control to navigate 100,000# vehicles at 50 mph from the Clifton/Eddington town line, through the village of East Eddington at 35 mph and then traveling at speeds varying from 45 to 40 to 45 and back to 40 mph at the proposed 2B-2 connection point through all those 190 unrestricted access points? The multiple and varied speed limits alone, on this 4.5 mile segment of route 9, appears to go against the definition of an appropriate system linkage for this project.</p>	<p>No substantive comment requiring a change in the study or additional analysis. The need for system linkage discusses how the proposed project fits into the existing and future transportation system (network). Continuity in the transportation system is essential for efficient vehicle movements and travel patterns and safety. System continuity can be defined and measured by how often an existing highway transitions between wider, higher-speed segments to narrower, lower-speed segments.</p> <p>System linkage and continuity is linking two or more existing transportation facilities. System linkage and improved mobility results from smooth interconnections and transitions between regional, high-speed, high-capacity highways. In connecting these types of highways, highway-design principles attempt to provide for gradual and consistent transitions in travel speed, roadway geometry, and capacity.</p> <p>MaineDOT determined that Route 9, with the exception of the sections approaching the intersection of Routes 9 and 46 where the posted speed limit is lower than other portions of Route 9, could reasonably accommodate future traffic volumes for the next 20 years without additional improvements beyond the existing right-of-way and accommodate the system-linkage need. The changes in traveling speeds are gradual and consistent transitions.</p> <p>MaineDOT conducted a review of 2012 vehicle classification data to determine what, if any, impact the recent change in Maine Interstate highway weight limits has had on traffic volumes on Route 9, Route 46, and other selected highways. In November of 2011, the allowable gross vehicle weight of Class 10 vehicles (tractor-trailers with six axles) increased from 80,000 pounds to 100,000 pounds. This change is likely to increase the amount Class 10 traffic on Interstate highways, increase Class 10 traffic on highways that connect to the Interstate, and reduce Class 10 traffic on highways that parallel the Interstate.</p> <p>In 2012, MaineDOT conducted an extensive short-term vehicle classification counting program in central, eastern, and northern Maine to provide new information on Class 10 travel patterns. These class counts, along with data from permanent classification sites, were compared to 2011 class data to identify corridors where changes in Class 10 volumes and travel patterns have appeared.</p> <p>To address the question of the law's impact on the study area, 2012 data from selected vehicle class sites was reviewed and compared to class data collected at those same sites in 2011 and 2009.</p> <p>The principal finding of the data review is that there does not appear to be a substantial shift in long distance Class 10 truck traffic from Route 9 in eastern Maine to I-95 in northern Maine. The best sources of Class 10 volume data come from the permanent long-term classification sites, where vehicular traffic is counted and classified year-round. The permanent vehicle classification station on Route 9 in T22MD has shown slightly fewer daily Class 10 trucks in 2012 than in 2011. Meanwhile, the permanent vehicle classification station on I-95 in Medway has shown an increase in the daily Class 10 volume of more than 100 in the southbound (loaded) direction. Further review of short-term classification data in Lincoln and Mattawamkeag shows that the change on I-95 can be attributed almost entirely to Class 10 traffic diverted from parallel U.S. Route 2, where 100,000 pound Class 10 vehicles have been allowed for many years. Other short-term classification counts on Route 9 and Route 46 show mixed results, indicating a small shift, if any. The conclusion is that the Interstate gross vehicle weight increase to 100,000 pounds has resulted in a shift in shorter-length Class 10 trips on parallel routes such as U.S. Route 2, but has not resulted in significant shift in the longer-length Class 10 trips on Route 9. For more information see Future Development, Route 9, pg 32.</p>

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment																											
16-3; 22-1	Traffic, Economy: At some point the economy will rebound, along with an increase in traffic numbers, and it will surely be before the year 2035 that you estimate for Route 9 traffic capacity—have you factored that into your future numbers?	<p>No substantive comment requiring a change in the study or additional analysis. Future traffic volumes for were forecasted to 2035 using MaineDOT's statewide travel-demand model and historical traffic-volume increases. The build alternatives were planned and conceptually designed to accommodate 2035 traffic-volumes.</p> <p>In early 2012, MaineDOT reviewed the historic traffic growth on Route 9 east of Route 46 and determined that the volumes currently projected for 2030 would more accurately represent conditions in 2035. For more information see Future Development, Route 9, pg 32.</p>																											
10-1	Traffic, Route 46: During the spring months when Route 46 is posted with weight limits, our trucks are forced to use alternate routes.	Comment Noted. The statement that commercial traffic is forced to use alternate routes during the spring months when Route 46 is posted with weight limits will be added to the FEIS.																											
16-4	Traffic, Congestion: If traffic congestion was such an important need from the start of the study, why has the Study Group chosen to not bypass the whole section of Route 9 by bypassing the village of East Eddington as the Study clearly stated from the start?	No substantive comment requiring a change in the study or additional analysis. Traffic congestion is one of three equal needs for this study. After careful consideration of those factors, the MaineDOT determined that Route 9, with the exception of the sections approaching the intersection of Routes 9 and 46 where the posted speed limit is lower than other portions of Route 9, could reasonably accommodate future traffic volumes for the next 25 years without additional improvements beyond the existing right-of-way. Exhibit 1.8 in the DEIS shows that Route 9 east of Route 178 only has a 0.10 difference in the volume to capacity ratio and a 1.8 mph travel speed difference from 2006 to 2035. For more information see Future Development, Route 9, pg 32.																											
41-1	Traffic, Survey: In an informal survey of 3-4 axle trucks using Route 46, we found there were 1,457 per week (+/-) or an average of 208 tractor-trailers a week, based on 7 days average.	<p>No substantive comment requiring a change in the study or additional analysis. MaineDOT's Traffic Monitoring Sections collects all types of traffic data including traffic volumes, vehicle classification, turning movements and special studies as requested by MaineDOT. This includes commercial traffic volumes.</p> <table> <tr> <th>Location</th><th>2010 Truck AADT</th><th>2035 Truck AADT</th></tr> <tr> <td>Route 1A east of I-395</td><td>1,569</td><td>2,449</td></tr> <tr> <td>Route 1A west of Route 46</td><td>1,569</td><td>2,449</td></tr> <tr> <td>Route 1A east of Route 46</td><td>1,569</td><td>2,449</td></tr> <tr> <td>Route 46 south of Route 1A</td><td>265</td><td>281</td></tr> <tr> <td>Route 46 north of Route 1A</td><td>604</td><td>1,167</td></tr> <tr> <td>Route 9 east of Route 178</td><td>569</td><td>662</td></tr> <tr> <td>Route 9 west of Route 46</td><td>604</td><td>1,167</td></tr> <tr> <td>Route 9 east of Route 46</td><td>879</td><td>1,535</td></tr> </table>	Location	2010 Truck AADT	2035 Truck AADT	Route 1A east of I-395	1,569	2,449	Route 1A west of Route 46	1,569	2,449	Route 1A east of Route 46	1,569	2,449	Route 46 south of Route 1A	265	281	Route 46 north of Route 1A	604	1,167	Route 9 east of Route 178	569	662	Route 9 west of Route 46	604	1,167	Route 9 east of Route 46	879	1,535
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Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
15-3; 16-5; 45-2	Traffic, Truck Numbers: In the study the truck numbers are from 1998 and as I mentioned in conversation this afternoon at the open house I believe that for people to have an accurate understanding there should be more recent data. Before you spend \$90+ million dollars, don't you think it may be prudent to verify the current traffic count and reassess your projected traffic counts?	No substantive comment requiring a change in the study or additional analysis. MaineDOT has collected truck traffic volume data on Route 9 in years since 1998, but the 1998 origin-destination survey data collected for this study remains the most recent available. Origin-destination data is very costly to collect, but it retains its value for decades, especially in areas where traffic growth has been relatively flat since the year that the survey was taken. Growth in truck volume data has also been flat since 1998. On Route 9 near the Eddington-Clifton line, the recorded daily heavy truck volume was 880 vehicles in 1998. At the same location in 2009, the heavy truck volume was 910 vehicles, a 3% increase over 11 years. Truck classification data was collected in the study area to determine changes in truck movements will the 100,000-pound weight restriction law change for the interstate system and this data will be included in the FEIS. Trucks are permitted to use state roads in the study area. In 2011 and 2012, truck classification data was collected in and around the study area to determine changes in truck movements with the 100,000-pound weight restriction law change allowing the use of the vehicles on the Interstate system. The results of the comparison of 2011 and 2012 traffic data did not show a significant change in 100,000-pound truck use on Route 9 east of the study area, but the data did show a decrease in the volume of these vehicles on Route 9 west of Route 46 in Eddington and an increase in the volume of these vehicles on Route 1A in Brewer, east of where Route 1A connects to I-395. These changes indicate a shift toward increased use of I-395 by these vehicles.
16-1	Traffic, Canadian Truckers: Is there really a traffic issue with Canadian truckers coming and going to Brewer? Is ME Route 9 the only route they can use?	No substantive comment requiring a change in the study or additional analysis. Truck traffic in the study area is a problem. Trucks are permitted to use all state roads in the study area, including Routes 1A and 46. For more information see East-West Highway, pg 28.
14-1; 16-2; 31-2	Traffic, Weight Restrictions: Since the change of weight restrictions on I-95, there have been no studies done to validate how traffic patterns have changed, and what the impact of the privately funded east-west highway will be on future traffic patterns.	<p>Comment Noted. The change in weight restrictions on I-95 is expected to have a substantial impact on truck traffic patterns in Maine, particularly on highways north and east of Portland. Limited vehicle classification data collected during the 2010 pilot study of the lifting of the 80,000-lb. weight restrictions on the toll-free portions of the Interstate showed definite shifts of 6-axle truck traffic toward toll-free Interstate highways and away from parallel state highways and the Maine Turnpike, where the restriction has long been 100,000 lbs. However, 2010 pilot study data was not available for the I-395 / Route 9 area. Truck classification data was collected in the study area to determine changes in truck movements will the 100,000-pound weight restriction law change for the interstate system and this data will be included in the FEIS. Trucks are permitted to use state roads in the study area.</p> <p>The impact of the proposed privately funded East-West highway on truck traffic patterns is yet to be determined. The impact will depend on several factors: travel time, toll rates, other user costs, all relative to competing routes such as the Trans-Canada Highway, the Interstate System, and other components of the National Highway System (US Route 2 and Route 9, for example). The upcoming East-West Highway Study should provide some answers to the question. Available origin-destination data collected in 1998 suggests that perhaps 1% of the traffic on Route 9 is Canada-to-Canada traffic. For more information see System Linkage, pg 41.</p>
46-1	Traffic, Drawings: The final study must include actual drawings and plans as to how the Route 46/9 intersection would be handled for the traffic flow and integration of Route 46.	No substantive comment requiring a change in the study or additional analysis. The improvements to this intersection could be accomplished within the existing rights-of-way of Routes 9 and 46 with no impact to the natural and social features adjacent to the intersection. The MaineDOT is committed to improving the intersection of Route 9 and Route 46; given the future need and the limited scope of the improvements to the intersection, the improvements will be added to future work plans for MaineDOT and plans will not be produced as part of this study.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
1-5	Traffic, Traffic Data on Route 9: The public seems mystified as to why traffic data at one time indicated that the section of Route 9 west of 46 could not be used and now it can. The final document should clarify this evolution.	<p>Comment Noted. With the 2008 economic downturn and increase in the price of gas, traffic in the study area has not grown as fast as previously forecast. In December 2009, the MaineDOT reexamined the system-linkage need and Route 9 in greater detail to determine whether it could reasonably accommodate the future traffic volumes foreseeable within the next 20 years. MaineDOT believes the growth in traffic and traffic volumes originally forecast for Route 9 and rest of the study area for the year 2030 won't materialize until the year 2035 and Route 9 has adequate capacity and would continue to operate at an acceptable level of service and operating speed up to and beyond the year 2035 (the time period that has been determined to be reasonably foreseeable). Please see Section 3.3.2 System Continuity and Mobility in the DEIS.</p> <p>The build alternatives, including those that use portions of Route 9, would improve the quality of traffic flow at the intersection of Route 9/46 and other physically less intrusive improvements (e.g., adding turn lanes) could be made to the intersection that would further improve the quality of traffic flow at the intersection.</p>
30-4; 42-6; 43-4	Traffic, Study Year: The study year was changed to reflect the downturn moving it out five years to 2035 from 2030. Where did that five year change come from? What data support a five year change?	No substantive comment requiring a change in the study or additional analysis. In early 2012, MaineDOT reviewed the historic traffic growth on Route 9 east of Route 46 and determined that the volumes currently projected for 2030 would more accurately represent conditions in 2035. For more information see Future Development, Route 9, pg 32 and System Linkage, pg 41.
1-3	Traffic: What is the scope of actions that might be required in this section should level of service reach an unacceptable level in the future?	No substantive comment requiring a change in the study or additional analysis. This section of Route 9 has adequate capacity and would continue to operate at an acceptable level of service and operating speed up to and beyond the year 2035 (the time period that has been determined to be reasonably foreseeable). Beyond the year 2035, should this section of Route 9 begin to operate at an unacceptable level of service, operating speed or safety, MaineDOT and FHWA would consider the need for additional improvements. The scope of the additional improvements could range from limited improvements within the existing right-of-way (e.g., small improvements at a specific location, additional turn lanes at intersections, addition of a center turn lane) to widening or a bypass of portions of Route 9.
12-2	Trail Access: The right to build, maintain and/or travel over my property was granted to Eastern Maine Snowmobile Club.	Comment Noted. During final design of the selected alternative, the MaineDOT would evaluate options for maintaining the integrity of the existing snowmobile trail system.
20-2	Vernal Pools: Could the 3EIK-2 route have been successfully moved around the vernal pools if it was only a 200' wide footprint? How about 5A2E3K?	No substantive comment requiring a change in the study or additional analysis. Alternative 3EIK-2 did not avoid vernal pools. The direct impacts from Alternative 3EIK-2 are based on the conceptual design of a two-lane highway. Alternative 3EIK-2 would directly impact three vernal pools and impact the habitat of an additional 110 vernal pools. The dispersal habitat potentially impacted by Alternative 3EIK-2 would be approximately 3,400 acres. Alternative 5A2E3K resulted in impacts to 2 non-significant vernal pools and 257 acres of indirect impacts to vernal pools.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
24-4; 25-1	Vernal Pools, USACE Significance: How can the ACOE treat all vernal pools as significant (containing the specific amount of frogs and salamanders) whether they are significant or non-significant? How can you buffer a nonsignificant vernal pool? If it is non-significant, it is just a puddle.	No substantive comment requiring a change in the study or additional analysis. The USACE does not rate or rank vernal pools similar to Maine's regulation of only significant vernal pools; the USACE considers information on all vernal pools, including those determined to be significant by the State of Maine. University of Maine. "Vernal Pool Regulation in Maine - Answers to Frequently Asked Questions." Online: http://www.umaine.edu/vernalpools/Regulations.htm .
1-7; 1-15; 3-15	Vernal Pools, Dispersal Habitat: In the discussion of vernal pools, the FEIS should be clear on whether or not the impacts to amphibian dispersal habitat from the build alternatives would be strictly limited to upland habitat (as stated in the DEIS) or whether these impacts would actually occur in both upland and wetland habitats (the later usually being the case in the general study area).	Comment Noted. Impacts to amphibian dispersal habitat from the build alternatives would occur in both upland and wetland habitats and will be noted in the FEIS.
3-19; 24-5	Vernal Pools, Indirect Impacts: The discussion related to indirect impacts to vernal pools from the loss of forested habitat around the pool should explain the origin of the 750 foot distance.	Comment noted. The 750-foot distance around vernal pools comes from Calhoun and Klemens (2002) "Best Development Practices Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States" and is mentioned in the USACE New England District's Compensatory Mitigation Guidance. The USACE and federal resource agencies typically use the concentric-circle model with recommended management zones (including the 750 feet of "critical terrestrial habitat"), that was first introduced in the Calhoun and Klemens (2002) document, to assess indirect impacts to the critical terrestrial habitat around a vernal pool.
30-1; 43-1	Vernal Pools, Assessment Form: The MaineDOT did not use the Maine State Vernal Pool Assessment Form nor did they use any sort of standard method to gather vernal pool data.	No substantive comment requiring a change in the study or additional analysis. It was not MaineDOT's intention to collect vernal pool data for this study using the Maine State Vernal Pool Assessment Form. MaineDOT gathered information to help identify natural resources that should be reviewed when alternative alignments are considered. MaineDOT personnel viewed the land to see if vernal pools were present or absent. They took note of egg masses and vernal pools were identified based upon the presence of indicator species.

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment																																																																																																
1-8; 1-16	Vernal Pools, Table: The table now accurately reflects habitat characteristics within a 750' radius of the pools in addition to the DEP's 250'. How much of the forested cover surrounding the pools is wetland v. upland?	Comment Noted. MaineDOT and FHWA will add the amount of forest of wetlands and uplands in the forest cover surrounding vernal pools to the FEIS. <table><tr><th rowspan="2">Resources</th><th colspan="2">Distances (feet)</th><th colspan="8">Alternative Indirect Impacts (acres)</th></tr><tr><th>Upslope/Upwind</th><th>Downslope/Downwind</th><th>No-Build Alternative¹ Upslope</th><th>No-Build Alternative¹ Downslope</th><th>2B-2/the Preferred Alternative Upslope</th><th>2B-2/the Preferred Alternative Downslope</th><th>5A2B-2 Upslope</th><th>5A2B-2 Downslope</th><th>5B2B-2 Upslope</th><th>5B2B-2 Downslope</th></tr><tr><td rowspan="8">Vernal Pools</td><td>Area</td><td rowspan="4">250²</td><td>54</td><td></td><td>17</td><td></td><td>25</td><td></td><td>8</td><td></td></tr><tr><td>Percent Forested</td><td>25 (46%)</td><td></td><td>10 (60%)</td><td></td><td>20 (78%)</td><td></td><td>7 (83%)</td><td></td></tr><tr><td>Percent Wetland</td><td>17 (31%)</td><td></td><td>8 (47%)</td><td></td><td>20 (80%)</td><td></td><td>4 (50%)</td><td></td></tr><tr><td>Percent Upland</td><td>37 (69%)</td><td></td><td>9 (53%)</td><td></td><td>5 (20%)</td><td></td><td>4 (50%)</td><td></td></tr><tr><td>Area</td><td rowspan="4">750²</td><td>480</td><td></td><td>278</td><td></td><td>395</td><td></td><td>146</td><td></td></tr><tr><td>Percent Forested</td><td>254 (53%)</td><td></td><td>175 (63%)</td><td></td><td>233 (59%)</td><td></td><td>101 (69%)</td><td></td></tr><tr><td>Percent Wetland</td><td>101 (21%)</td><td></td><td>109 (39%)</td><td></td><td>177 (45%)</td><td></td><td>49 (34%)</td><td></td></tr><tr><td>Percent Upland</td><td>379 (79%)</td><td></td><td>169 (61%)</td><td></td><td>218 (55%)</td><td></td><td>97 (66%)</td><td></td></tr></table>	Resources	Distances (feet)		Alternative Indirect Impacts (acres)								Upslope/Upwind	Downslope/Downwind	No-Build Alternative ¹ Upslope	No-Build Alternative ¹ Downslope	2B-2/the Preferred Alternative Upslope	2B-2/the Preferred Alternative Downslope	5A2B-2 Upslope	5A2B-2 Downslope	5B2B-2 Upslope	5B2B-2 Downslope	Vernal Pools	Area	250 ²	54		17		25		8		Percent Forested	25 (46%)		10 (60%)		20 (78%)		7 (83%)		Percent Wetland	17 (31%)		8 (47%)		20 (80%)		4 (50%)		Percent Upland	37 (69%)		9 (53%)		5 (20%)		4 (50%)		Area	750 ²	480		278		395		146		Percent Forested	254 (53%)		175 (63%)		233 (59%)		101 (69%)		Percent Wetland	101 (21%)		109 (39%)		177 (45%)		49 (34%)		Percent Upland	379 (79%)		169 (61%)		218 (55%)		97 (66%)	
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4-1; 4-2	Water Resources: Both Felts Brook and Eaton Brook have high value eastern brook trout. Eddington and Holbrook Ponds have now been confirmed to have non-native invasive black crappie populations.	Comment Noted. The descriptions of Felts Brook and Eaton Brook will be updated in the FEIS to note high value eastern brook trout. The descriptions of Eddington and Holbrook Ponds will be updated in the FEIS to note the presence of non-native invasive black crappie populations.																																																																																																
3-10	Wildlife: Include the core maps from Maine's Beginning Habitat program instead of just including the map showing the undeveloped habitat blocks.	No substantive comment requiring a change in the study or additional analysis. The core Beginning with Habitat maps were consulted prior to preparation of the DEIS and can be included in the FEIS.																																																																																																
3-12	Wildlife: The DEIS notes that two large wildlife passage structures will be located on both sides of Eaton Brook. We recommend that the FEIS explain why these particular locations were chosen, including the wildlife species that are targeted to use the structures. Were any particular wildlife movement corridors identified during field studies?	Comment Noted. The location of the two wildlife passage structures were chosen because it is in a remote area with abundant wildlife. The FEIS will explain the rational for selecting these locations, including the wildlife species that are targeted to use the structures.																																																																																																

Responses to Substantive Comments on the Draft Environmental Impact Statement

Exhibit 2 - Continued

Comment #	Summary of Substantive Comment	Response to Substantive Comment
3-9	Wildlife: The seventh paragraph on page 89 gives a list of mammal species that have a very strong association with wetlands. Is this a generic list or are these mammal species that have been seen or would be expected to occur in wetlands in the study area?	No substantive comment requiring a change in the study or additional analysis. The list of species associated with wetlands is a generic list from the Maine Audubon Society's Conserving Wildlife in Maine's Developing Landscape article.
29-4; 29-5; 45-1	Zoning: The connector ignores the the Master Zoning Ordinance and destroys the business development plan.	Comment Noted. In March 2012, an updated Zoning Ordinance for the Town of Eddington was approved. The zoning changes have been updated in the FEIS and references. The Preferred Alternative would connect with Route 9 within the Town of Eddington's commercial zone. Traveler- and traffic oriented businesses along Routes 1A and 9 in Eddington would experience few adverse impacts from the Preferred Alternative (see section 3.4.5.4 Retail Business)

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Index

Adams, Hilma H.		Baker Jr., Charles L.	
12-1, 12-3, 12-4.....	26	42-1.....	28
12-2.....	44	42-2, 42-3	39
Adams, Larry		42-4.....	31
13-1, 18-1, 20-1, 20-3.....	19	42-5.....	33
14-1, 15-3, 16-1, 16-2, 16-5	43	42-6.....	44
15-1.....	41	42-7.....	26
15-2, 20-4	18	Brewer Land Trust	
16-3, 16-4, 22-1	42	7-1.....	34
17-1, 23-1	28	7-2.....	40
19-1.....	32	Brody, Paul	
21-1, 21-2, 21-3.....	31	26-1.....	36
20-2.....	44	Bronson, Richard	
24-1.....	37	27-1.....	21
24-2.....	23	Brooks, Carl	
24-3.....	20	28-1.....	24
24-4, 24-5, 25-1	45	Eastern Maine Snowmobilers Inc.	
American Council of Engineering		8-1.....	26
Companies of Maine		Eddington-Clifton Civic Center	
6-1.....	30, 38	9-1.....	38
6-2.....	29	GAC Chemical	
		10-1.....	42

Gagnon, Rusty		Shane, Susan Dunham	
29-1.....	31	45-1.....	47
29-2.....	39	45-2, 46-1	43
29-3.....	26	Smith, Carol and Vinal	
29-4, 29-5	47	35-1.....	39
29-6.....	34	Sprague Energy	
29-7.....	30	11-1.....	29
Heldmann, Gretchen		Sullivan, Judith R.	
30-1, 43-1	45	36-1.....	38
30-2, 30-3, 43-2, 43-3.....	36	Thompson, Mark and Julie	
30-4, 43-4	44	37-1.....	18
Hinckley, Jane		Tucker, Wendell	
31-1.....	39	38-1.....	39
31-2.....	43	U.S. Army Corps of Engineers	
Huskins, John		1-1.....	31
32-1.....	35	1-2.....	32
Lancaster, Larry		1-3, 1-5	44
33-1, 33-2	22	1-4.....	23
Lyford, Marcia		1-6, 1-10	28
34-1.....	39	1-7, 1-15	45
Maine Department of Inland Fisheries and Wildlife		1-8, 1-16	46
4-1, 4-2	46	1-9, 1-14	37
Maine Natural Areas Program		1-11.....	20
5-1.....	31	1-12.....	22
Pratt, Ben		1-13.....	19
44-1.....	38	1-17, 1-19	34
		1-18.....	27

U.S. Department of the Interior

3-1.....	18
3-2, 3-7, 3-11, 3-20, 3-21	35
3-3, 3-4, 3-6.....	37
3-5.....	32
3-8, 3-18, 3-22, 3-23.....	38
3-9.....	47
3-10, 3-12	46
3-13, 3-14, 3-17	39
3-15, 3-19	45
3-16.....	31

U.S. Environmental Protection Agency

2-1.....	35
2-2, 2-3, 2-4, 2-6.....	33
2-5.....	34
2-7.....	26
2-8, 2-10	40
2-9.....	25

Van Dyke, John

39-1.....	18
-----------	----

Wellman, Mark

40-1.....	28
-----------	----

Wilking, Patricia

41-1.....	42
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Attachment

Comments and Public Meeting Transcripts



DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

Regulatory Division
CENAE-R-51
Corps File No. NAE-2001-02253

July 16, 2012

Russell D. Charette, PE
Director, Mobility Management Division
Bureau of Transportation Systems Planning
16 State House Station
Augusta, Maine 04333

RE: Draft Environmental Impact Statement ("DEIS") & Section 404 Permit Application, I-395/Route 9 Transportation Study

Dear Mr. Charette:


This is in response to your request for comment on the draft Environmental Impact Statement ("DEIS") for the proposed project, the construction of a connector road between I-395 at Brewer, Maine and Route 9 at Eddington, Maine.

On December 30, 2012 the Corps provided comments on the administrative draft of this document. We appreciate the willingness of Maine DOT and FHWA to incorporate those comments into the present draft. We have completed our review of the DEIS and have prepared additional comments (attached). Applicable section and/or page numbers are included for your reference. Our comments are based on a review of the DEIS as well as responses to our April 17, 2012 public notice and testimony provided at FHWA's May 2, 2012 public hearing.

In general the DEIS continues to provide an excellent overview of the project and the affected environment. We look forward to continuing our coordination with your agency as well as with the interdisciplinary review team as project planning continues.

If you have any questions concerning this matter, please contact Jay Clement of my staff at 207-623-8367 at our Manchester, Maine Project Office. Thank you for the opportunity to comment.

Sincerely,


Frank J. Del Giudice
Chief, Permits & Enforcement Section
Regulatory Division

Attachment: Comments and Public Meeting Transcripts

Attachments

Copies Furnished:

Mark Hasselmann – FHWA

Mark Kern – USEPA (w/o attachments)

Wende Mahaney – USFWS (w/o attachments)

Dan Tierney – NMFS (w/o attachments)

James Beyer – Maine DEP (w/o attachments)

CORPS OF ENGINEERS COMMENTS ON
DRAFT ENVIRONMENTAL IMPACT STATEMENT ("DEIS")
FOR THE I-395/ROUTE 9 TRANSPORTATION STUDY
CORPS FILE NO. NAE-2001-02253

General Comments.

1. In previous email comments to the DEIS, EPA correctly noted that the document is first and foremost, a NEPA document. While the Corps is a cooperating agency in the development of the EIS and we hope it will assist in the review of your future permit application, the document shouldn't be labeled a Section 404 Permit application. It needs to be a stand-alone NEPA document. Any references to supporting a Corps 404 permit application that are contained in the document, e.g. Section 1.8, Page 23, should probably be stricken or re-written.

1-1

2. As you are aware, the Corps issued a public notice on April 17, 2012. In addition to the multi-part comments provided by Mr. Larry Adams, copies of which were provided to Maine DOT and FHWA, the Corps received several comments. Copies are attached for your consideration. If DOT did not receive the same comments, we ask that they be included and fully addressed in the FEIS.

3. Public comment letters.

a. Mr. Larry Adams provided extensive and detailed comments on the DEIS. Many are reflected in our comments. Presumably others like property displacements, system linkage, economics, traffic data, PAC procedures, public safety, future growth, project re-design, project need, secondary neighborhood impacts (lighting, noise, property de-valuation, etc), apparent public and community/municipal support for the no-build alternative, and Atlantic salmon impacts will be fully addressed through revisions to associated sections of the EIS.

b. The DEIS needs to address future growth along Route 9 in the link west of Route 46 and how it will affect level of service. What is the scope of actions that might be required in this section should level of service reach an unacceptable level in the future?

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c. Apparently the final document must provide greater clarification as to why alternative 2B-2 was not preferred at one time and now is. Perhaps the background section or Appendix C needs to be expanded. Similarly, the public seems mystified as to why traffic data at one time indicated that the section of Route 9 west of 46 could not be used and now it can. The final document should clarify this evolution.

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d. As noted in the Specific Comment section below, the relationship of the new East-West Highway initiative to this project's purpose and need needs to be better addressed in this document. A great deal of public testimony focused on this issue.

1-6

4. It is the Corps preliminary determination that of the build alternatives, alternative 2B-2, the preferred alternative of Maine DOT and FHWA, appears to be the least environmentally

damaging practicable alternative (“LEDPA”). Our LEDPA determination is based on the preliminary applications submitted to date by Maine DOT, information contained in the DEIS and previous planning documents provided by DOT and its consultants, concurring comments from the U.S. Environmental Protection Agency and U.S. Fish & Wildlife Service, extensive interagency coordination, and a review of public comment. A final LEDPA determination will be made after we review updated findings from Maine DOT and FHWA relative to public comments expressed in response to the DEIS and at the open houses and public hearing.

Please remember that our LEDPA determination is not a permit decision. The final LEDPA determination will assist Maine DOT as they continue project planning and pursue future funding. Any future Corps permit decision will require the submission of a final complete permit application, evaluation of additional measures to further avoid and minimize impacts to aquatic resources, and the development of a detailed mitigation plan intended to compensate for any unavoidable impacts to wetlands and other aquatic resources. Maine DOT will also be required to obtain a permit and water quality certification from the Maine Dept. of Environmental Protection (“Maine DEP”).

The selection of the LEDPA does not preclude additional minor reroutes or other minor changes in project design that may arise. Similarly, the Corps retains the discretion to revisit the LEDPA determination should substantial new information on impacts to the environment or affected public interest factors arise. I wish to encourage you and your consultants to continue working with state and federal regulatory/resource agencies as well as the general public to avoid and minimize impacts to waterways and wetlands and other important public resources.

As with any highway project that involves unavoidable direct *and* indirect impacts to aquatic resources, adequate compensatory mitigation will be a major factor in any future permit decision. We encourage Maine DOT to continue early planning and coordination in this area. A mitigation plan must be included in the final permit application. Although you and your consultants are aware of it, let me remind you that mitigation must be planned in accordance with the most current mitigation guidance from the Corps. This is available at our New England District web site at www.nae.usace.army.mil/regulatory. Identifying potential mitigation sites and assembling site analysis data, such as monitoring hydrology levels, should continue to be closely coordinated with the Corps, our federal resource agency partners, and the Maine DEP.

Specific Comments

1. Page s10. The document clarifies that 37 out of an initial 45 alternatives were dismissed because they were more environmentally damaging, did not meet the project purpose, or did not meet all of the needs of the study. Based on the comments at the public hearing and open houses, DOT and FHWA may wish to elaborate on why specifically these alternatives were dismissed. Perhaps in Appendix C?

2. Page s16, Exhibit S.7. This table or footnotes to this table should clarify what the loss of vernal pool dispersal habitat is. Is it upland; is it wetland; or is it both?

1-7

3. Page s17, Exhibit S.8. Similar question. The table now accurately reflects habitat characteristics within a 750' radius of the pools in addition to the DEP's 250'. How much of the forested cover surrounding the pools is wetland v. upland? | **1-8**
4. Page s18. Issues to be resolved should probably include receiving DEP permit and water quality certification (in addition to receiving Corps permit). | **1-9**
5. Section 1.1, Page 3. The document contains a brief summary of the past East-West Highway initiative but falls short in concluding that this particular project and other improvements along Route 9 and Route 2 became the state's response to that initiative. DOT and private parties are now involved in a related initiative. As evidenced in public hearing testimony, some believe this initiative may obviate the need for what they perceive as an unnecessary and unwanted connection to I-395. The Corps suggests that the most recent initiative and its relationship, if any, to the project purpose be fully discussed in the FEIS. | **1-10**
6. Page 42, Section 2.3.1. The DEIS notes that the no build alternative anticipates regular maintenance to I-395 and Routes 1A, 46, and 9, and improvements to the Route 9/46 intersection. In light of testimony at the public hearing, it is important that the discussion of the no build alternative and its depiction on the comparative matrices reflect the environmental and socio-economic effect of the anticipated maintenance and improvements and continued use of Route 46 (compared to the build alternatives). The phrase "using the same filter" was used in public testimony. In addition to environmental and socio-economic impacts/benefits, the discussion of the no build should fully address transportation, public safety, residential/business property, and community impacts/benefits. 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? | **1-11**
| **1-12**
7. Page 45, Sections 2.3.2 – 2.3.4. In the discussion of the build alternatives, the DEIS notes that Route 9 would not be improved (from connection point to the intersection with Route 46). Has DOT identified any actions that could be taken to address public concerns in this link? Would normal maintenance occur? Are there improvements that could be made to insure public safety concerns for walking, jogging, and biking along Route 9? The DEIS should fully explore these potential actions. | **1-13**
8. Page 56, Section 2.5. One notable next step that is not mentioned in the DEIS is application to the Maine DEP for a permit and water quality certification. This is just as important as a Corps permit application. | **1-14**
9. Page 58, Exhibit 2.17. See specific comment 2. | **1-15**
10. Page 82, Exhibit 3.9. The DEIS now identifies the extent of dispersal habitat within 750' of vernal pools. The document should clarify the relative percent of upland and wetland within this area. | **1-16**

11. Page 173, Section 3.7.1.1. The discussion of induced growth and its potential impact on various cover types has now been broadened to project potential impact to wetland cover types. The DEIS notes that development in the vicinity of interchanges or intersections could impact small areas of wetlands. The document should indicate what this is based on (resource mapping?).

1-17

12. Page 173, Section 3.7.2. The Corps previously noted that if any of the former Route 9 improvement projects are now due for maintenance and are proximate to the connector road, they should probably be noted in the cumulative impact section of the EIS and their impacts projected accordingly.

1-18

13. Page 180, Section 3.8. It is unclear whether the Brewer Land Trust was contacted in the mitigation site search. Following one of the Open Houses, the land trust wrote a letter to the Corps and DOT expressing general concerns and noting that they own or have easements on several parcels in the project area. The land trust should be contacted to determine how future mitigation needs might mesh with their long-term planning and the EIS updated accordingly.

1-19



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
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BOSTON, MA 02109-3912

OFFICE OF THE
REGIONAL ADMINISTRATOR

May 15, 2012

Mark Hasselmann
Federal Highway Administration
Edmund S. Muskie Federal Building
40 Western Avenue, Room 614
Augusta, Maine 04332

RE: I-395/Route 9 Transportation Study Draft Environmental Impact Statement, Brewer, Holden, Eddington, and Clifton, Maine (CEQ# 20120070) and U.S. Army Corps of Engineers Public Notice NAE 2001-02253.

Dear Mr. Hasselmann:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), Section 404 of the Clean Water Act, and Section 309 of the Clean Air Act (CAA), we have reviewed the Federal Highway Administration and Maine Department of Transportation (MaineDOT) Draft Environmental Impact Statement (DEIS) for the I-395/Route 9 Transportation Study Draft Environmental Impact Statement.¹

The DEIS details plans by MaineDOT to evaluate transportation alternatives to "improve regional system linkage, relieve traffic congestion, and improve safety along Routes 1A and 46, and to improve the current and future flow of traffic and the shipment of goods to the Interstate system." The project is proposed in the towns of Brewer, Holden, Eddington, and Clifton, Maine.

The DEIS considers the No Build alternative, and three build alternatives. The build alternatives (Alternative 2B-2, Alternative 5A2B-2, and Alternative 5B2B-2) were selected for study following an extensive interagency coordination process led by MaineDOT that began in 2001. EPA was an active participant in that process as a cooperating agency. During that time EPA offered recommendations to help reduce impacts of the project. Our work included review of pre-publication draft sections of the DEIS. The DEIS incorporates many changes made in response to our input. Although the DEIS preferred alternative is not without impacts to wetlands and other aquatic resources, MaineDOT is to be complimented for their efforts to modify the project to avoid direct and secondary impacts to aquatic resources.

¹ We note that the DEIS has also been prepared to serve as a preliminary Section 404 Permit Application to the U.S. Army Corps of Engineers (Corps). The Corps Public Notice requests input regarding the determination of which alternatives should be carried forward to a "future final permit application" for a Section 404 permit. This letter offers general comments in response to that request. EPA will also comment on any future applications filed with the Corps for the project.

Attachment: Comments and Public Meeting Transcripts

The three build alternatives were selected as they generally meet the project purpose and need and provide reasonable opportunities to reduce overall impacts, especially those to the aquatic environment. The three build alternatives were also advanced by the interagency group as they would result in far less impact than other alignments that were screened (especially the so-called Family 3 Alternatives through the center of the study area). More specifically, MaineDOT's serious consideration of EPA's comments (and those of other involved federal agencies) led to the transformation of the project from a 10-mile 4-lane bypass highway with 50 acres of wetland fill and significant secondary impacts (to over 100 vernal pools and large undeveloped forest blocks) to a 10-mile 2-lane bypass that would fill 26 acres of wetland and result in more reduced secondary impacts to vernal pools and unfragmented habitat. As a result of the project changes, it appears that one of the three build alternatives analyzed in the DEIS would likely be the Least Environmentally Damaging Practicable Alternative (LEDPA). MaineDOT and FHWA have identified Alternative 2B-2 as the preferred alternative in the DEIS due to its ability to satisfy the project purpose and because they believe it has the least adverse environmental impact. EPA supports the evaluation of these three build alternatives through the NEPA process and by the Corps as they work to determine which is the LEDPA.

Our attached comments highlight several areas of the DEIS where additional information or clarification is necessary to more fully describe impacts of the proposed alternatives. Specific issues described in the attachment focus on the development of a more comprehensive wetland mitigation plan, refinement of the induced growth analysis, a request for air quality mitigation measures during construction and suggestions to help improve the protection of water supplies in the project area. Based on our review of the DEIS and the need for additional information, and in accordance with EPA's national rating system (a description of which is attached to this letter) we have rated the DEIS EC-2-"Environmental Concerns-Insufficient Information."

We appreciate the opportunity to participate in interagency workgroup meetings to discuss the project to date and to provide our comments on the DEIS and Corps Public Notice. We encourage MaineDOT and FHWA to continue to seek input from local, state and federal agencies and the public as the NEPA/404 process advances. We will continue to participate in the process as a cooperating agency and will review new information as it is developed and will continue to help MaineDOT address outstanding issues as the NEPA/404 processes advance for the project.

Please feel free to contact me or Timothy Timmermann of EPA's Office of Environmental Review at 617-918-1025 if you wish to discuss these comments further.

Sincerely,



H. Curtis Spalding
Regional Administrator

Enclosures

cc:

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U.S. Army Corps of Engineers New England District
Main Project Office
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Russell D. Charette, P.E.
Maine Department of Transportation
Director, Mobility Management Division
Bureau of Transportation Systems Planning
16 State House Station
Augusta, Maine 04333

Summary of Rating Definitions and Follow-up Action

Environmental Impact of the Action

LO--Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC--Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU--Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1--Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3--Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

**Additional Detailed Comments
Interstate 395 / Route 9 Transportation Study
Draft Environmental Impact Statement
Brewer, Holden, and Eddington, Maine**

Wetland Issues

Setting

The transportation study area is located in the lower Penobscot River watershed. Numerous project area streams and freshwater wetlands drain to tributaries and ponds that flow into the Penobscot River. The fisheries in the lower Penobscot River include valuable species such as Atlantic salmon, alewife, striped bass and brook trout. These streams and the associated riparian zones serve as wildlife corridors between the streams and nearby undeveloped land. Wetlands within the study area cover approximately 30 percent of the landscape, provide valuable wildlife habitat and help maintain regional water quality. The interior of the study area includes large undeveloped areas that contain large wildlife habitat blocks, high value wetlands, and vernal pools.

Alternatives

MaineDOT worked with EPA, the Corps of Engineers, the United States Fish and Wildlife Service and others to screen more than 70 build alternatives that could possibly meet the project purpose and need. At the conclusion of the interagency screening effort, four alternatives, including the no build alternative, were selected for evaluation in the DEIS. The build alternatives (Alternative 2B-2, Alternative 5A2B-2, and Alternative 5B2B-2) were selected for further study as they generally met the project purpose and need and provided reasonable opportunities to reduce overall impacts, especially those to the aquatic environment. EPA concurred with the selection of these three alternatives for analysis in the DEIS (and eventually by the Corps of Engineers in their permitting review) as they would result in far less impact than other alignments (especially the so-called Family 3 Alternatives routed through the center of the study area) that were evaluated and then dropped from further consideration.

Impacts

All three of the build alternatives evaluated in the DEIS would result in similar adverse impacts to the aquatic environment. The preferred alternative would fill 26 acres of wetland over ten miles of roadway and impact 10 acres of floodplain and 554 linear feet of stream for roadway crossings. All three build alternatives would either fragment or eliminate habitat blocks in the study area. The potential for indirect impacts to aquatic resources from the three build alternatives are somewhat minimized due to their general proximity adjacent to areas already impacted by past land use/development and away from large undeveloped habitat blocks to the interior of the study area.

Mitigation

Finally, we note that no specific mitigation proposals to address impacts to the aquatic environment are provided in the DEIS. Instead, the DEIS briefly discusses general compensatory mitigation opportunities for the project. While EPA generally agrees with

the basic mitigation concepts outlined in the DEIS, we believe more detail should be provided in the FEIS regarding wetland mitigation. Moreover, a detailed mitigation plan will also need to be developed to support any future permitting effort by the Corps under the Clean Water Act. We request the opportunity to participate in the development of the wetland mitigation plan (with the interagency workgroup) as the project continues to advance through the NEPA and Section 404 review.

2-1

Induced Development or Growth

The analysis of induced growth in the DEIS is based on an assumption that since the roadway is intended to serve long-distance, through- and regional-traffic, the development induced by the alternatives is likely to be traveler-oriented businesses such as gas stations and convenience stores within approximately a half mile of the interchanges. Although the new roadway may be intended to serve this kind of traffic, it is unlikely that that is the only traffic that will use the road, and therefore the assumption on which the analysis is based may be flawed. Further, there is no information presented to justify the projection that induced development will be restricted to a half-mile radius around the interchanges. The Oregon DOT methodology cited does not prescribe a half-mile radius, but instead indicates that the size of the study area should depend on the results of the preliminary traffic analysis. Larger travel time savings, new transportation corridors, and significant amounts of vacant land within ½ to 1-mile of the project suggest a larger study area for indirect impacts. In development of the FEIS, FHWA and Maine DOT should reconsider what size study area makes sense given local development patterns, commuting patterns, transportation demand, and other factors, and if needed, re-do the analysis.

2-2

We also disagree with the statement that “[b]ecause commercial and residential development would occur without implementation of a build alternative, it would not be considered a secondary impact solely related to the build alternatives.” Simply because land is zoned for a particular purpose does not mean that it will be developed, at least in the foreseeable future. An analysis of induced development should estimate the development that would be induced by the transportation improvements and would likely not occur ‘but for’ the transportation improvement, at least through the design year.

2-3

Further, we believe the FEIS should include an assessment of the environmental impacts of induced development. These impacts are only addressed in a very general manner in the Cumulative Impacts section, and should be quantified to the extent possible in the FEIS. For example, the increased runoff and contaminant loading caused by the increase in impervious surfaces could be estimated.

2-4

Finally, we note that part of the preferred alternative uses a portion of an existing roadway (Route 9). Future development along this road (while the project awaits funding) could undermine system linkage and improved overall traffic flow and safety goals for the project. We encourage Maine DOT to work creatively with the town of Eddington to develop a strategy to preserve rights along this portion of the road (and

2-5

possibly control the number of future driveway cuts) until funding becomes available for the project.

2-5

Cumulative Impacts

We find no information in the DEIS to support the statement that residential and commercial development likely would continue to occur at the same rate and with the same characteristics with either the No-Build Alternative or one of the build alternatives. We recognize that growth rates in this study area are slower than in other parts of the state and region, but transportation projects have a long and well-known history of affecting development patterns, which is why we recommend refinement of the induced growth analysis to address this issue in the FEIS.

2-6

Air Quality

The I-395/Route 9 Transportation Project will be located in a portion of Penobscot County, Maine which is in attainment for all National Ambient Air Quality Standards (NAAQSs). Therefore transportation and general conformity requirements are not applicable. The air quality issue of concern associated with the construction and implementation of the proposed highway project is emissions from construction equipment (trucks and other nonroad equipment).

Reducing emissions from diesel engines is one of the most important public health challenges facing the country. EPA has finalized a number of clean fuel and vehicle emissions standards that will lead to dramatic emission reductions in new diesel-powered engines. Included within these rulemakings are cleaner fuel requirements, such as the use of ultra-low sulfur diesel, which will provide immediate emissions reductions in both new and older diesel engines. However, even with more stringent heavy-duty highway and nonroad engine standards set to take effect over the next decade; millions of diesel engines already in use will continue to emit excessive amounts of diesel exhaust which contribute to serious public health problems.

Emissions from older diesel engines can be controlled through: 1) strategies and technologies that reduce unnecessary idling, including auxiliary power units and the use of electric equipment; and 2) the use of advanced pollution control technology such as diesel oxidation catalysts or particulate filters that can be installed on the exhaust of the diesel engine. Retrofits have been successfully applied to many diesel engines across the country.

Given the public health concerns about diesel exhaust from heavy duty diesel trucks and other heavy duty construction equipment, EPA encourages FHWA and Maine DOT to commit to the use of diesel retrofits, cleaner fuels, and idle reduction measures to minimize emissions from diesel construction equipment. Retrofit technologies may include EPA verified emission control technologies and fuels and CARB-verified emission control technologies. A list of these diesel exhaust control technologies can be accessed at <http://epa.gov/cleandiesel/verification/verif-list.htm>. In addition, the

2-7

Northeast Diesel Collaborative has prepared model construction specifications to assist in developing contract specifications that would require construction equipment to be retrofitted with control devices and use clean fuels in order to reduce diesel emissions. The model construction specifications can be found on the Northeast Diesel Collaborative web site at URL address <http://northeastdiesel.org/pdf/NEDC-Construction-Contract-Spec.pdf>. We recommend that the project construction specifications be developed to incorporate these measures.

Drinking water supplies

The Preferred Alternative 2B-2 does not fall within any existing source water protection areas (SWPAs) in the study area. However, Alternative 5A2B-2 does fall within the 300-foot radius SWPAs for the Town & Country Motel (ME0007374) and the Traditional Golf Club (ME0094662). Therefore, effective BMPs to reduce the impacts from storm-water discharges and accidental spills of hazardous materials should be designed and implemented before, during and after highway construction along this route. For example, subsurface gravel wetlands have been found to be highly effective in mitigating metal and nutrient contaminants in storm water. We recommend that you refer to the University of New Hampshire Stormwater Center (link below) for more details about construction and performance of this BMP:

http://www.unh.edu/unhsc/sites/unh.edu.unhsc/files/pubs_specs_info/unhsc_gravel_wetlands_specs_6_09.pdf

In addition, storm water outfalls should be located as distant as possible from public and private supply wells. MaineDOT is responsible for private well road salt contamination, and well proximity to road surfaces is a key factor for potential road salt contamination. We also recommend that low-salt deicing practices be strictly observed by MaineDOT along the entire corridor to minimize impacts to aquatic life and in particular in SWPAs that fall within the road alignments. We also recommend that MaineDOT work to monitor current chloride concentrations in receiving waters in the project corridor to establish a baseline against which project impacts can be tracked and evaluated. EPA has experience working with other New England DOTs to establish monitoring protocols and encourages MaineDOT to coordinate further with us on this issue. Please contact Doug Heath, a hydrogeologist with EPA New England (617-918-1585), for assistance with the development of an acceptable baseline monitoring plan for the project.

MaineDOT and the FHWA should contact the Maine CDC - Drinking Water Program and the Maine Geological Survey for additional information to help design a project that avoids and minimizes the potential for impacts to drinking water sources. Their contact information:

2-8

2-9

For Public Drinking Water Supply Locations and Source Water Protection Restrictions

Andrews Tolman
Maine Source Water Coordinator
Maine CDC - Drinking Water Program
11 State House Station
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(207) 287-6196
Andrews.L.Tolman@maine.gov

For Private Well Location Data

Maine Geological Survey
22 State House Station
Augusta, Maine 04333
Phone: (207) 287-2801
Fax: (207) 287-2353
E-mail: mgs@maine.gov

Surface Water

The Preferred Alternative 2B-2 and Alternatives 5A2B-2 and 5B2B-2 will impact the Penobscot tributaries (from south to north) Felts Brook, Eaton Brook, a pond west of Day Road, an unnamed stream and associated wetlands in Eddington north of the NW corner of Holden Township, and Meadow Brook. We recommend that effective BMPs be implemented during and after highway construction to reduce the water-quality impacts of storm-water discharges to surface water resources. Please contact Doug Heath, a hydrogeologist with EPA New England (617-918-1585), for assistance with the development of effective BMPs for the project.

2-10

Attachment: Comments and Public Meeting Transcripts



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
408 Atlantic Avenue – Room 142
Boston, Massachusetts 02110-3334



May 14, 2012

9043.1
ER 12/176

Mark Hasselmann
Right of Way and Environmental Programs Manager
Federal Highway Administration, Maine Division
Edmund S. Muskie Federal Building
40 Western Avenue, Room 614
Augusta, Maine 04330-6325

**RE: Draft Environmental Impact Statement
I-395/Route 9 Transportation Study
Section 404 Permit Application and Supporting Information
Penobscot County, Maine
53411-2007-FA-459**

Dear Mr. Hasselmann:

This is the U.S. Department of Interior's (Department) response to the Federal Highway Administration (Administration) and Maine Department of Transportation's (MEDOT) Draft Environmental Impact Statement/Section 404 Permit Application and Supporting Information (DEIS), dated March 23, 2012, for the I-395/Route 9 Transportation Study located in Penobscot County, Maine.

The Department's U.S. Fish and Wildlife Service (Service) has participated as a cooperating agency in the preparation of this DEIS since 2007. As such, the Service has been actively involved with the review of draft EIS chapters and has provided extensive comments during the development of the DEIS, focusing on their expertise related to fish and wildlife and their habitats, wetlands, and federally-listed species. Most recently (December 22, 2011), the Service provided comments on the complete Administrative DEIS. We note that many of the Service's December 2011 comments have been addressed in this DEIS.

GENERAL COMMENTS

The Department has no objection to the proposed selection of Alternative 2B-2 as the preferred alternative for this regional transportation study. We note, however, that this alternative would

result in considerable impacts to the natural environment, including freshwater wetlands, streams, and upland wildlife habitat. It will be important for the Administration and the MEDOT to continue to work with the Service and other state and federal agencies to ensure that environmental impacts are avoided and minimized as much as practicable, should 2B-2 (or any other alternative) proceed to design and construction in the future. Furthermore, it will be critical for the Administration and MEDOT to develop a compensatory mitigation plan that suitably compensates for the unavoidable loss of the wetlands, streams, and other natural resources as appropriate.

3-1

3-2

The DEIS Summary (**page s19**) identifies that one of the issues to be resolved in the future is working with the local communities to develop a corridor-preservation plan if a build alternative is ultimately selected as the preferred alternative for this study. We understand that the Administration and MEDOT do not currently have funding to move forward with construction of a build alternative following issuance of a Final EIS. It would be helpful, however, if the Final EIS could offer some timeframe within which corridor preservation and ultimately construction are likely to occur. If project construction is likely to be more than a few years from now, it would also be helpful if the Final EIS could provide some context for how the Administration and MEDOT will consider new or changed information since the Record of Decision (ROD). Along these lines, the DEIS notes that “future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project”. The DEIS, however, does not indicate how such future development would be evaluated, if at all, at some time in the future when there is sufficient funding to proceed with construction of a preferred build alternative.

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SPECIFIC COMMENTS

Chapter 2, Section 2.5 page 57 – The seventh paragraph notes that it will take “several years to finalize the engineering design before construction can begin.” Yet the next sentence says that construction could begin in 2014, which is certainly less than “several years” from now or the likely issuance of a ROD and Final EIS in the near future. Please clarify this timing issue.

3-6

Chapter 3, general comment about map exhibits – This chapter provides many useful maps that show a wide variety of resources in the study area from undeveloped habitat blocks to surface waters and wetlands. However, it is difficult to visually “connect the dots” between the information presented about the affected environment and the environmental consequences of the three build alternatives. We recommend that all map exhibits in Chapter 3 show the three build alternatives that are being evaluated in the DEIS. This will greatly assist the reader in evaluating how each of the three alternatives will affect various resources and also in comparing the consequences of the three build alternatives.

3-7

Chapter 3, Section 3.1.2.2 page 78 (also page 183) – In designing new road-stream crossings, we encourage the adoption of “stream simulation”¹ design techniques that broadly consider aquatic organism passage and maintenance of natural stream functions rather than hydraulic

3-8

¹ U.S. Department of Agriculture, Forest Service (USDA-FS). 2008. Stream simulation: an ecological approach to providing passage for aquatic organisms at road-stream crossings. National Technology and Development Program. <http://www.fs.fed.us/eng/pubs/pdf/StreamSimulation/index.shtml>

design techniques that tend to focus on one target fish species for passage considerations, sometimes at the expense of other fish species and aquatic organisms.	3-8
Chapter 3, Section 3.1.2.4 page 89 – The seventh paragraph gives a list of mammal species that have a “very strong” association with wetlands. Is this a generic list or are these mammal species that have been seen or would be expected to occur in wetlands in the study area? Information specific to wetlands in the study area would be of most value to the reader.	3-9
Chapter 3, Section 3.1.4.1 Wildlife Habitat – As recommended previously, we still suggest that this section include the “core maps” from Maine’s Beginning Habitat program instead of just including the map showing the undeveloped habitat blocks.	3-10
Chapter 3, Exhibit 3.16 – We recommend that a different color is used in the Final EIS (not red) to show the existing utility corridors, because it is hard to differentiate between the utility corridors and the study area boundary.	3-11
Chapter 3, Section 3.1.4.1 Wildlife Habitat page 102 – The DEIS notes that two large wildlife passage structures will be located on “both sides of Eaton Brook.” We recommend that the Final EIS explain why these particular locations were chosen, including the wildlife species that are targeted to use the structures. Were any particular wildlife movement corridors identified during field studies?	3-12
Chapter 3, Exhibit 3.22 – It would be helpful for the reader if the title for this figure gives the context for the term “Significant Habitat”. In this case, the term refers to those habitats regulated as “significant” under Maine’s Natural Resources Protection Act.	3-13
Chapter 3, page 105 – The DEIS only notes waterfowl use of the study area for “feeding and staging”. Given the wetland types present and the fact that the Maine Department of Inland Fisheries and Wildlife has mapped 2,877 acres of “Inland Waterfowl and Wading Bird Habitat” in the study area, we would expect some use by breeding waterfowl in the study area. If the Administration and MEDOT have information to show that waterfowl breeding does not occur in the study area, then we recommend that the Final EIS reflect this information.	3-14
Chapter 3, page 106 – In the discussion of vernal pools, the Final EIS should be clear on whether or not the impacts to amphibian dispersal habitat from the build alternatives would be strictly limited to upland habitat (as stated in the DEIS) or whether these impacts would actually occur in both upland and wetland habitats (the later usually being the case in the general study area).	3-15
Chapter 3, 3.1.5.1 Federal Endangered and Threatened Species – This section should note that if a build alternative is selected as the preferred alternative, then consultation under section 7 of the Endangered Species Act will be required to address effects to Atlantic salmon and its designated critical habitat. Furthermore, the Service will have the lead for this consultation (as opposed to the National Marine Fisheries Service, which shares joint jurisdiction with the Service for listed Atlantic salmon) because the project is located within the freshwater range of the salmon.	3-16

Chapter 3, Exhibit 3.22 and page 108 – As mentioned in the text on page 108, Exhibit 3.22 does **not** appear to show the location of two bald eagles nests that are located near the Penobscot River and Eaton Brook. Please add these nest locations to the Exhibit.

3-17

Chapter 3, 3.2.1 Climate Change, page 109 – As the Service has commented during past reviews of this chapter, increasing the size of new road-stream crossings (compared to the typical MEDOT hydraulic design standard) would be an effective means to provide “resilience” to ecosystems in the face of the increasing numbers and severity of storms and floods as a result of climate change.

3-17

Chapter 3, page 169 – The discussion related to indirect impacts to vernal pools from the loss of forested habitat around the pool should explain the origin of the 750 foot distance.

3-19

Chapter 3, 3.8.1 Mitigation – The discussion of compensatory mitigation should be broader than just impacts to wetlands. We appreciate, for example, the efforts to date of the Administration and MEDOT to address the issue of wildlife habitat fragmentation during the alternatives analysis phase of this project. While the remaining build alternatives do reflect those efforts to minimize the effects of habitat fragmentation from the construction of a new highway, the preferred alternative, 2B2, would still result in some fragmentation of large blocks of wildlife habitat and the associated impacts to wildlife using these areas. As such, development of a compensatory mitigation plan for this project should consider this issue. It may be possible to address both wetland and habitat fragmentation impacts with the same compensation project(s). Given the likely scope of impacts to wetlands and other natural resources from any of the build alternatives, it will be very important for the Administration and MEDOT to continue to coordinate closely with state and federal agencies in the development of a robust compensatory mitigation plan.

3-20

3-21

Chapter 3, Fish Passage, page 183 – We suggest that this section be re-worked to include the broader topic of maintaining natural stream habitat and achieving aquatic organism passage in association with the construction of new road-stream crossings, rather than just addressing the narrow topic of fish passage. If a build alternative is ultimately selected, the Administration and MEDOT have an opportunity to install new crossings that follow “stream simulation” principles and have minimal impact on stream function, habitat, and aquatic organism passage. Properly designed road-stream crossings would certainly minimize the need for compensatory mitigation related to stream impacts.

3-22

3-23

The Department’s U.S. Fish and Wildlife Service, Maine Field Office will continue to participate as a cooperating agency in this NEPA process, as well as other federal processes related to the I-395/Route 9 Transportation Study. Please contact Wende Mahaney of the Maine Field Office at (207) 866-3344, Ext. 118 if you have any questions regarding these comments.

Thank you for the opportunity to review and comment on this DEIS. Please contact me at (617) 223-8565 if I can be of assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew L. Raddant", is displayed within a light blue rectangular box.

Andrew L. Raddant
Regional Environmental Officer

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
First Coast Guard District

Battery Park Bldg.
1 South Street
New York, NY 10004-1486
Staff Symbol: (dpb)
Phone: (212) 668-6380
Fax: (212) 668-7967
Email: Anthony.J.Lepre@uscg.mil

MT
AD

16596
March 29, 2012

CERTIFIED MAIL RETURN RECEIPT REQUEST

Mr. Mark Hasselmann
Maine Division, FHWA
40 Western Ave, Room 614
Augusta, ME 04330-6325

Dear Mr. Hasselmann,

Re: I-395/Route 9 Transportation Study

This office has reviewed the referenced transportation study. We offer comments regarding potential jurisdiction by the U.S. Coast Guard.

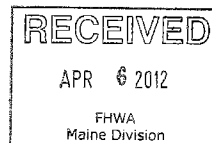
Our review identified some non-specific waterway crossings. In so far as structures crossing navigable waters of the United States may be subject to various Coast Guard authorities it is requested that as the project planning develops you provide this office with information regarding specific waterway crossings and navigational uses across waterways involved. At that time we will be better able to determine the full extent of our jurisdiction.

The following website: <http://www.uscg.mil/d1/prevention/Bridges.asp> is the Coast Guard Bridge Permit Application Guide that can assist you as the project planning continues to develop.

Thank you for the opportunity to provide input. If you have any questions do not hesitate to contact me at gary.kassof@uscg.mil.

Sincerely,

Gary Kassof
Bridge Program Manager
First Coast Guard District
By direction of the District Commander



Attachment: Comments and Public Meeting Transcripts

Russ,

I have reviewed the I-395/Route 9 Transportation study draft environmental impact 404 permit application. I have just a few comments. The application 2B2 395 extension proposes to cross both Felts and Easton Brooks. Both have high value wild eastern brook trout populations and because of this we recommend crossing structures that our open bottom spans of 1.2 times the bankfull widths.

4-1

One other item of note: Eddington and Holbrook Ponds have now been confirmed to have non-native invasive black crappie populations.

4-2

Please let me know if you have any questions and I apologize for the tardiness of this review.

Best,

Greg

Gregory Burr
Regional Fisheries Biologist
Grand Lakes Region
Maine Dept. of Inland Fisheries & Wildlife
317 Whitneyville Road
Jonesboro, Maine 04648
(207) 434-5925

Attachment: Comments and Public Meeting Transcripts

From: Reed, Robin K [<mailto:robin.k.reed@maine.gov>]
Sent: Thursday, April 19, 2012 10:40 AM
To: Clement, Jay L NAE
Subject: NAE-2001-02253 Connector Road between I-395 and Route 9; Brewer to Eddington, ME

NAE-2001-02253 Connector Road between I-395 and Route 9; Brewer to Eddington, ME

MHPC# 1847-02

Jay:

Regarding your public notice, we issued a no historic properties affected finding for this project in Nov. 2011. See attached.

Let me know if you need anything further for this project.

Robin K. Reed

Maine Historic Preservation Commission

55 Capitol Street
65 State House Station
Augusta, ME 04333
phone: 207-287-2132 ext. 1
fax: 207-287-2335

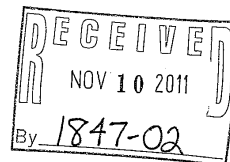
robin.k.reed@maine.gov

<http://www.maine.gov/mhpc>

Attachment: Comments and Public Meeting Transcripts

STATE OF MAINE Memorandum

Date: November 8, 2011



To: Earle G. Shettleworth, Jr., MHPC
From: David Gardner, Maine DOT/ENV
Subject: Section 106 request for concurrence
Project: Brewer-Eddington, I-395 Study, PIN 8483.20

The Maine DOT has reviewed this project pursuant to the Maine Programmatic Agreement (PA) and Section 106 of the National Historic Preservation Act of 1966, as amended.

The study consists of a new connector Road between I-395 and Route 9 in the Brewer, Holden, and Eddington area. The Federal action for this project is Federal funding and permits. The project is scheduled to have a Draft EIS on November 18, 2011.

The MaineDOT has 3 remaining build alternatives (2B2, 5A2B-2, and 5B2B-2). These remaining alignments are depicted on the attached map.

In accordance with 36 CFR Part 800.4, the following identification efforts of historic properties were made:

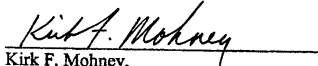
- 800.4(a) (1) - The Area of Potential Effect (APE) includes properties/structures within the project study area. The APE is shown as the study area on the attached map. The APE is the same as the study area.
- 800.4(a) (2) - Review of existing information consisted of researching the National Register and MHPC survey databases. The Maine Historic Preservation Commission Archaeological staff has also reviewed the undertaking.
- 800.4(a) (3) - The towns of Eddington, Brewer, Holden, Dedham and Clifton were contacted via letter and asked to comment on knowledge of, or concerns with, historic properties in the area, and any issues with the undertaking's effect on historic properties. The town was also requested to provide information regarding local historic societies or groups.
- 800.4(a) (4) - Letters outlining project location and scope were sent to the 4 federally recognized Tribes in Maine. The Tribes have been consulted with and no traditional cultural properties will be impacted.
- 800.4(c) - This study area has already been determined to have no National Register eligible or listed architectural resources in the APE (August 15, 2008). A Phase I/II archaeology survey has been completed as well. There are two archaeological sites on the remaining alignments that have been determined not to be eligible for the National Register. MHPC archaeological staff has determined that "there will be no archaeological properties affected by the proposed undertaking."

In accordance with 36 CFR Part 800.4(d), *the MaineDOT has determined that no historic or prehistoric archaeological properties or historic architectural properties will be affected by Alternatives 2B2, 5A2B-2, 5B2B-2.*

In accordance with the PA and 36 CFR Part 800, please reply with your concurrence or objection to this determination of effect within 30 days.

Please contact me at David.Gardner@maine.gov or 592-2471 if you have any questions. Thank you.

cc: CPD e-file
enc: Study Area Map
Archaeology Memo (11.4.11)
SHPO concurrence memo (8.15.08)

CONCUR	
	11/22/11
Kirk F. Mohnhey, Deputy State Historic Preservation Officer	Date

Maine Natural Areas Program

17 Elkins Lane

State House Station #93

Augusta, Maine 04333

Date: March 16, 2012

To: Russ Charette, MDOT

CC: Mark Hasselmann, FHWA

From: Don Cameron, Ecologist

Re: Rare and exemplary botanical features, Route 395, Alternative 2B-2, Holden, Maine.

I have searched the Natural Areas Program's Biological and Conservation Data System files for rare or unique botanical features in the vicinity of the proposed site in response to your request received by our office March 15, 2012 for our agency's comments on the project.

According to our current information, there are no rare botanical features that will be disturbed within the project site. This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

5-1

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We welcome the contribution of any information collected if a site survey is performed.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact our office if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Attachment: Comments and Public Meeting Transcripts

CITY OF BREWER, MAINE IN CITY COUNCIL ASSEMBLED



2012-B008

March 13, 2012

TITLE: RESOLVE, TO WITHDRAW SUPPORT FROM THE I-395 AND
ROUTE 9 CONNECTOR PROJECT AND TO SUPPORT
THE NO BUILD OPTION.

filed March 7, 2012
by Jerry Goss, Joseph Ferris,
Larry T. Doughty,
Arthur Verow and
Kevin O'Connell

WHEREAS, the Maine Department of Transportation (MDOT) is currently reviewing possible routes for a transportation connection between the current end of I-395 in Brewer to Route 9 in either Eddington or Clifton; and

WHEREAS, the City of Brewer has been a major supporter of efforts to improve east-west transportation connections in Maine, including the need to extend I-395 in Brewer to meet Route 9 in Eddington/Clifton; and

WHEREAS, the City has gone on record on numerous occasions about the need to take into account local, regional, and statewide transportation considerations in selecting a final route for this important transportation connector; and

WHEREAS, the proposed 2B route will have a significantly negative impact on many residential properties; and

WHEREAS, the proposed 2B route impacts a significant amount of wetlands; and

WHEREAS, the City of Brewer and other stakeholders have been excluded from the public process as well as the decision-making process used by MDOT;


NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby withdraw its support for the proposed construction of the I-395 extension to Route 9; and

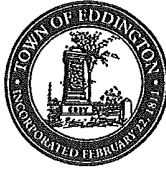
BE IT FURTHER RESOLVED, that the City of Brewer now supports the "no build" option for this project; and

BE IT FURTHER RESOLVED, that City of Brewer requests and urges MDOT to use a more open and transparent process when making decisions that impact multiple municipalities, their governing bodies, and their citizens.

Date: MAR 15 2012

This is a true and attested copy of a resolve adopted by unanimous vote of the City Council of Brewer at a regular meeting held on Tuesday, March 13, 2012 at 6:00 p.m. at which time all members of the council were present and voting.

a true copy, attested 
Howard F. Krall, City Clerk
Brewer, Maine



Town of Eddington

906 Main Road • Eddington, Maine 04428

RESOLVE

**TO WITHDRAW SUPPORT FROM THE I-395 AND
ROUTE 9 CONNECTOR PROJECT AND TO SUPPORT
THE NO BUILD OPTION.**

WHEREAS, the Maine Department of Transportation (MDOT) is currently reviewing possible routes for a transportation connection between the current end of I-395 in Brewer to Route 9 in either Eddington or Clifton; and

WHEREAS, the Town of Eddington has been a major supporter of efforts to improve east-west transportation connections in Maine, including the need to extend I-395 in Brewer to meet Route 9 in Eddington/Clifton; and

WHEREAS, the Town of Eddington has gone on record on numerous occasions about the need to take into account local, regional, and statewide transportation considerations in selecting a final route for this important transportation connector; and

WHEREAS, the proposed 2B-2 route will have a significantly negative impact on many residential properties; and

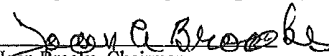
WHEREAS, the proposed 2B-2 route impacts a significant amount of wetlands; and


WHEREAS, the Town of Eddington and other stakeholders have been excluded from the public process as well as the decision-making process used by MDOT;

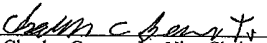
NOW, THEREFORE, BE IT RESOLVED, that the Board of Selectmen does hereby withdraw its support for the proposed construction of the I-395 extension to Route 9; and

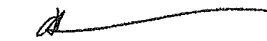
BE IT FURTHER RESOLVED, that the Town of Eddington now supports the "no build" option for this project; and

BE IT FURTHER RESOLVED, that Town of Eddington requests and urges MDOT to use a more open and transparent process when making decisions that impact multiple municipalities, their governing bodies, and their citizens.


Joan Brooks, Chairman


Donn Goodwin

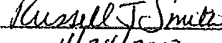

Charles Grover, Jr., Vice Chair


Charles Baker, Jr.

Dated: April 24, 2012

Peter Lyford

ATTEST: A TRUE COPY


4/24/2012

Phone: (207) 843-5233 • Fax: (207) 843-7758

Attachment: Comments and Public Meeting Transcripts

From: gpilot@maineline.net [<mailto:gpilot@maineline.net>]
Sent: Monday, May 14, 2012 1:11 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: I am a ship pilot in Eastport and have run for many years fish processing operations in Washinton County which typically sent one to two trucks per weekday to Portland and Boston with Aquacultured Salmon and sea urchins and scallops.

It is clear that route 46 is very overworked with truck traffic from and to the Maritime Povinces and Washington County in order to keep the trucks out of the urban Bangor and Brewer downtowns to get to I-395. The State (and Feds) have spent more than \$60,000,000 upgrading the Airline (Route 9) into a very decent roadway. The last connection to I-395 is critical to Eastern Maine's economy and future.

The Port and City of Eastport depend on the I-95/I-395/Route 46/Route 9 corrider for increased business and economic health. Route 46 is a real bottleneck that needs to be bypassed to give the heavy trucks an alternative to Route 46. The intersections at each end, the housing, the school, and the Route one traffic are all reasons to make the new connector from Route 9 to I-395 a reality as soon as possible.

Most Respectfully,
Bob Peacock.
Quoddy Pilots USA
Member of Eastport City Council
Member of Eastport Port Authority
President, Nordic Delights Foods, Inc.
Box A: #!&576
E-Mail: gpilot@maineline.net
Name: Captain Robert J. Peacock
Address: 99 Toll Bridge Road, Eastport, ME 04631 Telephone Number:

Date: 05/14/2012

Attachment: Comments and Public Meeting Transcripts

From: davemilan@bucksport.biz [<mailto:davemilan@bucksport.biz>]
Sent: Monday, May 14, 2012 3:59 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: Bucksport is the destination/origination for many of the truck traffic utilizing Rte 9. Presently these trucks are forced to use Rte 46 from Rte 9 to Rte 1. This road was NOT built for this type, or high number, of truck traffic. I am in favor of option 2B-2 as this will enable the truck traffic to use Rte 15 from Brewer to Bucksport which IS built for the type/number of truck traffic traveling to/from Verso Paper Company, Webber Tanks, Dead River, etc. In addition, those trucks traveling to and from Searsport (Mack Point) that travel through Bucksport, would benefit from 2B-2 as well.

Box A: #1&576

E-Mail: davemilan@bucksport.biz

Name: David Milan, Economic Development Director

Address: Town of Bucksport, PO Drawer X, Bucksport, ME 04416 Telephone

Number:

Date: 05/14/2012

Attachment: Comments and Public Meeting Transcripts

From: jmelrose@eatonpeabody.com [<mailto:jmelrose@eatonpeabody.com>]
Sent: Monday, May 14, 2012 11:10 AM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: The American Council of Engineering Companies of Maine supports MaineDOT's preferred alternative of 2B-2.

1. As a two lane controlled access extension of Route 9, local impacts can be minimized compared to a four lane extension of existing I-395 or as compared to a no build option. This alternative appears to strike the best balance in minimizing environmental impacts and holds the added benefit of being a least cost approach.

2. The connection of Route 9 to I-395 is the last major piece to complete in an over two decade effort to safely, efficiently and reliably connect Downeast Maine and the Canadian Maritimes to Maine's interstate system. Tens of millions in investment has gone into rebuilding Route 9 Downeast including the addition of over two dozen miles of passing lanes. A new border crossing in Calais is now in place as well. The full potential of all of these investments will not be realized if 2B-2 is not constructed.

3. We would urge the Department to consider and compare the quality of life impacts for residents under the no-build scenario and the 2B-2 option. 2B-2 should also compare very well in terms of relative safety and economic benefits for the region and the state.

4. It should be apparent that the construction of 2B-2 will also improve the viability of public and private investments in the Ports of Eastport, Searsport and Bucksport.

5. We are aware that there are local concerns with this project. We would urge the Department to persevere and work toward open communication with the communities located in the path of 2B-2 to remove all misunderstandings and to reach all accommodations practical to minimize impacts to surrounding properties and lower costs.

Thank you for considering these comments. We urge the completion of 2B-2 to create economic opportunity for Maine by enhancing our competitive position.

Box A: #1&576

E-Mail: jmelrose@eatonpeabody.com

Name: John Melrose, Executive Director

Address: ACEC of Maine, P.O. Box 5191, Augusta, Me. 04332 Telephone

Number:

Date: 05/14/2012

6-1

6-2

From: jodea@agcmaine.org [<mailto:jodea@agcmaine.org>]
Sent: Monday, May 14, 2012 5:17 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: To Whom it May Concern;
The members of Associated General Contractors of Maine have been ardent supporters of 2B-2 for some time. Our member companies are in the business of building civil infrastructure and know the difference between a properly sited project and one that is not properly sited.

Of all the possible routes, 2B-2 is the one that has the most potential for improving safety and improving the flow of goods between I-95 / I-395 and Route 9. We believe there is great value in keeping truck traffic out of downtown areas and neighborhoods. Many of those trucks belong to our member companies and are used to haul aggregate, building materials and equipment to and from construction sites around the state.

We urge you to accept 2B-2 and help expedite this important project.

John O'Dea
CEO, AGC Maine
Box A: #1&576
E-Mail: jodea@agcmaine.org
Name: John O'Dea
Address: 188 Whitten Road Augusta, Maine 04330 Telephone Number:

Date: 05/11/2012

April 12, 2012

Mr. Jay Clement, ACOE
Mr. Shawn Mahaney, ACOE
Mr. Russ Charette, MDOT



Gentlemen,

On behalf of the Brewer Land Trust, I am asking that the BLT be considered a resource during the planning and design of the proposed I-395/Route 9 Connector Road.

The Brewer Land Trust currently holds several conservation easements as part of wetland mitigation plans as well as fee-ownership of a parcel at the convergence of Felts Brook and the Penobscot River which was a result of the Lowe's mitigation plan. The BLT thanks the agencies involved for their roles in these events.

The mission of the Brewer Land Trust is:

"To cooperatively protect and preserve the natural and scenic resources of the City of Brewer and State of Maine, to encourage open space and green areas, to increase public awareness and understanding of the importance in conservation of natural resources and the interrelationships that exist among them, and to foster a trail system connecting to public areas and regional trails with all of the above for the enjoyment and benefit of present and future generations."

The main goal of the BLT is to protect and enhance Felts Brook, which is also the designated priority watershed for the City of Brewer. Felts Brook is documented for Atlantic Salmon spawning and rearing according to the Beginning With Habitat maps and have also been seen by local residents.

The Brewer Land Trust is concerned with any new development along or road crossing Felts Brook, as is the current preferred route of the proposed I-395/Route 9 Connector Road. There is a large NWI wetlands, along with its riparian habitat, located at the end of I-395 which would be effected by this proposed road. As shown on the Beginning of Habitat maps, there is a large amount of High Value Habitat for Priority Trust Species located not only in and around this NWI wetland, but also along the entire length of Felts Brook all the way to the Penobscot River. The BLT has been working with landowners and developers to obtain conservation easements or fee ownership along Felts Brook. The Lowe's store, located in this vicinity, also has a portion of their property along Felts Brook under deeded conservation as part of their mitigation plan.

7-1

There is also an Inland Waterfowl/Wading Bird Habitat located at the at the existing I-395 interchange. Much of this land is currently protected by an 81-acre deed-restricted parcel as part of the Maritimes and Northeast Pipeline mitigation plan. Any major new development nearby is a concern, as well as concerns with jeopardizing the protection measures currently in place.

7-2

The Brewer Land Trust urges all agencies to closely review the environmental impacts the proposed I-395/Route 9 Connector Road will have on Felts Brook and adjoining habitats.

Thank you for your time and if the BLT can be of any assistance, please let us know.

Sincerely,

Brewer Land Trust
c/o Linda Johns
Brewer City Planner
221 Green Point Road
Brewer, Maine 04412
ljohns@brewerme.org

Attachment: Comments and Public Meeting Transcripts

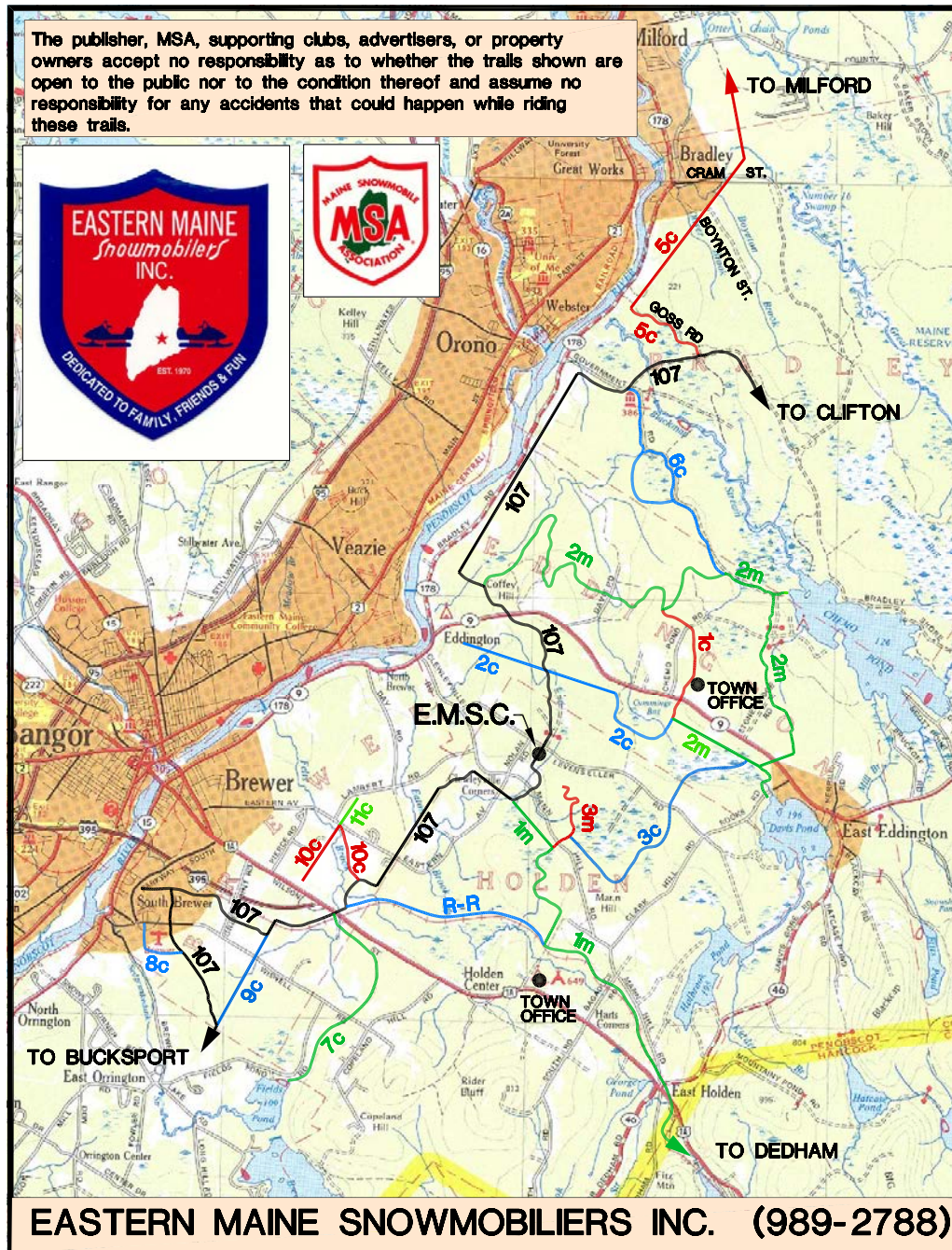
From: llafland@midmaine.com [<mailto:llafland@midmaine.com>]
Sent: Wednesday, May 02, 2012 8:36 AM
To: Charette, Russ
Cc: llafland@midmiane.com
Subject: EASTERN MAINE SNOEMOBILERS MAP

Russ,

As per our conversation at the Brewer meeting, I am sending you a new map of the trail system for the EASTERN MAINE SNOWMOBIERS in Brewer, Holden, Eddington ect.

8-1

Thanks Larry Lafland
Trail Master and Project Director for grants





Eddington – Clifton Civic Center

The chain to denote strength from unity — the darkened portions of the chain spell out ECCC

ECCC
PO Box 306
Eddington, ME 04928-0306

5/10/2012

Russell Charette
Maine Dept. of Transportation
16 State House Station
Augusta, ME 04333-0016

Re: I-395/Rt. 9 Connector Project – Draft Environmental Impact Statement Public Comments

Mr. Charette:

I am writing to you on behalf of the Board of Directors of the Eddington-Clifton Civic Center, also known as Comins Hall ("the Hall"), regarding the Draft Environmental Impact Statement for the I-395/Rt. 9 Transportation Study. The Hall, located near the intersection of routes 46 and 9 at 1387 Main Road in Eddington, is a registered 501-c(3) not-for-profit organization run by volunteers and is listed on the National Register of Historic Places. The Hall serves as the regular meeting place for several local organizations, including the Grange, the Boy Scouts, and the Airline ATV Riders; hosts private and public events for community members; serves as the "home stage" for a local theater company; and holds fund-raising events for the Hall several times each year – public suppers, a "Haunted Hall" at Halloween, a variety show, and more. Most of these events and meetings bring large numbers of people to Hall, totaling as many as 4000 per year. As Route 9 currently stands, certain challenges exist that make entering and exiting the Hall parking area difficult:

- The Hall sits on a relatively small lot in an otherwise residential area; therefore our space for access to the parking lot is limited.
- Entering the parking lot from the west presents a hazard as vehicles are approaching downhill and usually exceeding the 35 mile-per-hour speed limit. (This also presents a hazard for exiting the Hall.)
- This is already a high-volume traffic area, hence the need for this study.

It is for these reasons – the safety of community members visiting the Hall and other travelers on Route 9 – that we ask for clarifications in the final revision of the Environmental Impact Statement. First, we have questions concerning terms used in the Draft Environmental Impact

9-1

Statement. The first term is “safety,” as we noted that the study purpose (described in several places, including pages s3 in the “Summary” and 5 through 7 in Chapter 1, section 1.2) includes, as its third point, the admirable goal to “improve safety on Routes 1A and 46.” Why is safety on Route 9 not a concern? What good does it do to make routes 46 and 1A safer if Route 9 becomes less safe? Also, section 1.2, on pages 6-7 lists several goals adopted by the Public Advisory Committee (PAC) that includes “neighborhood protection” and “historical/archaeological preservation.” We support these goals of the PAC, but request clarification of how potentially widening Route 9 to four lanes (per section 2.2.2.2 and elsewhere) protects the neighborhood to the west of the intersection of routes 46 and 9 where the Hall is located. Moreover, please clarify how widening Route 9 almost to the doorstep of a historic building such as Comins Hall, which again is listed on the National Register of Historic Places, preserves the historical nature of our small towns.

Next we want to point to exhibit 1.6 on page 11. This table shows that at current traffic volume – actually a projection of 2010 traffic volumes – the proposed connector route could shift up to 600 more trucks per day onto Route 9 and up to 3000 more total automobiles, which would travel past the Hall. These data lead to a series of questions crucial to the safety of visitors of the Hall and other travelers driving past the Hall. Section 2.2.2.2, on page 40, states that, “After careful consideration of those factors, the MaineDOT determined that Route 9, with the exception of the sections approaching the intersection of Routes 9 and 46 where the posted speed limit is lower than other segments of Route 9, could reasonably accommodate future traffic volumes for the next 20 years without additional improvements beyond the existing right-of-way.” How exactly did MaineDOT reach this conclusion? The list of criteria provided does not explain this process. This leads to our main concern: Is MaineDOT planning to widen Route 9 near the intersection of 9 and 46? If so, please provide a map showing exactly how far back from the intersection this would stretch. Adding two more lanes of traffic in front of the Hall would have three significant effects on the Hall and nearby residences:

- This would provide a beneficial turning lane for east-bound traffic, thereby making turning into our parking area safer.
- This would, however, increase the difficulty of west-bound traffic turning across two lanes of traffic into our parking area, increase the length of time cars would have to wait to turn thereby creating traffic delays, and generally make driving through this stretch of road more dangerous.
- This change could further limit the size of the entrances and exits to the Hall parking area, thus adding to the problems listed above.

Moreover, these factors could be even further complicated and made more dangerous with the increase in traffic flow going past the Hall to both the east and west. Is MaineDOT certain that widening Route 9 at this point would truly be sufficient to handle the increase in traffic flow? Our final concern on this issue is the practicality of completing the project aims within the existing right-of-way.

The Board of Directors is not taking a position for or against the proposed I-395/Route 9 connector at this time, but we think these questions and concerns need to be addressed before

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a decision is made. The Hall serves as a critical part of the social life and community atmosphere for Eddington and Clifton, and our neighboring towns as well. Comins Hall has stood straight and square for more than one hundred and thirty years, and is now truly a historic landmark and symbol of community spirit. Community members – all volunteers – have worked very hard to get the Hall to where it is today – a vibrant community center for our small towns. We, the Board of Directors, could not support any project that threatened the safety and well-being of the Hall or its patrons, or the close-knit sense of community in Eddington and Clifton.

We appreciate your time and attention on this very important matter.

Sincerely,



Joshua Parda
Director, Eddington-Clifton Civic Center

Eddington-Clifton Civic Center Board of Directors:

President: Carrie Johnson
Vice President: Louie Dougherty
Secretary: Vernon Shaw
Treasurer: David Peppard

Directors:
Irelann Kerry Anderson
Gabor Degre
Louie Dougherty
Margaret McKinney
Peggy Merritt
Josh Parda
Sara Yasner

Attachment: Comments and Public Meeting Transcripts

From: maria@mbtaonline.org [<mailto:maria@mbtaonline.org>]

Sent: Tuesday, May 15, 2012 2:49 PM

To: Charette, Russ

Subject: Comment from I395/Rt9 DEIS comment website

Comments: To whom it may concern:,

On behalf of the Maine Better Transportation Association, I wanted to express our strong support for the Alternative 2B-2 as identified by MaineDOT and FHWA. The I-395 connector is a lifeline to Route 9, which is the artery to Washington County, one of the areas of Maine which most struggles economically, and one which most needs the economic shot in the arm which this project could provide. The state spent over two decades rebuilding Route 9, and the I-395 connector is an essential component to completing that lifeline. We are also concerned about safety, and after supporting the 100,000 pound weight limits on the interstate, the connector would take many trucks off the roads that cannot support them as well as an interstate-level road would. This will improve safety, and improve community living as well. Thank you.

Box A: #!&576

E-Mail: maria@mbtaonline.org

Name: Maria Fuentes

Address: 146 State Street, Augusta, ME 04330 Telephone Number:

:

Date: 05/15/2012

Attachment: Comments and Public Meeting Transcripts

From: Dubois, Addy [<mailto:adubois@emh.org>]
Sent: Monday, April 30, 2012 4:28 PM
To: Charette, Russ
Cc: ahamilton@eatonpeabody.com; Martin, Glenn (VP & General Counsel)
Subject: FW: BPC Site Plan

Russ, attached is the autocad site plan for the EMHS Whiting Hill site. I assume you already have the PDF version.

Addy Dubois
Director Property Management & Environmental Safety
EMHS
43 Whiting Hill Road
Brewer, ME 04412

From: Rayshelly Lizotte [<mailto:slizotte@amesmaine.com>]
Sent: Monday, April 30, 2012 3:24 PM
To: Dubois, Addy; MacDougall, Patty
Subject: BPC Site Plan

Here's the autocad drawing for the whole BPC site.
The view showing our title block is just a portion of it. If you need help with finding the rest of the drawing info, please let me know.

Rayshelly Lizotte, P.E
Principal, Civil Engineer

AMES ASSOCIATES LLC
ARCHITECTS ENGINEERS

E: slizotte@amesmaine.com

115 Main Street
Bangor, ME, 04401

Attachment: Comments and Public Meeting Transcripts

From: dcolter@gacchemical.com [<mailto:dcolter@gacchemical.com>]
Sent: Tuesday, May 15, 2012 9:55 AM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: On behalf of GAC Chemical in Searsport, we support Alternative 2B-2 for the I-395 / Route 9 transportation study. GAC currently travels Route 46 to Route 9 for product deliveries to the mill in Woodland on average 3-4 times per week. Route 46 is not a good road for a chemical tank truck. During the spring months when Route 46 is posted with weight limits, our trucks are forced to use alternate routes. As such, we are anxious to see this transportation study move forward.

10-1

Sincerely,
David Colter
President
GAC Chemical Corporation
Box A: #1&576
E-Mail: dcolter@gacchemical.com
Name: David Colter
Address: 34 Kidder Point Road; P.O. Box 436 Searsport, ME Telephone
Number:
Date: 05/15/2012

Attachment: Comments and Public Meeting Transcripts

From: pilots@penbaypilots.com [<mailto:pilots@penbaypilots.com>]
Sent: Tuesday, May 15, 2012 4:28 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: Dear Sir or Madam,

I am writing in support of alternative 2B-2 for the I-395/Route 9 connector. This alternative is necessary for the safe, reliable, and efficient transportation of goods and materials in this region. Much of the truck traffic that is bound to or from the ports of Searsport and Bucksport would utilize this proposed route, thereby avoiding the need to use route 46 or route 9 through Brewer center. As a business owner who relies on cost-effective transportation in and out of Maine's mid-coast ports, I support the enhanced safety and efficiency that alternative 2B-2 would provide.

Respectfully,

Captain David T. Gelin

Penobscot Bay & River Pilots Association Box A: #1&576

E-Mail: pilots@penbaypilots.com

Name: David T. Gelin

Address: 18 Mortland Rd, Searsport, ME 04974 Telephone Number:

Date: 05/15/2012

Attachment: Comments and Public Meeting Transcripts

From: jhanley@pikeindustries.com [<mailto:jhanley@pikeindustries.com>]
Sent: Monday, May 14, 2012 7:05 AM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: I support the Department's choice of route 2B-2 to connect I-395 to Rte 9. Our company trucks construction materials out of locations in Hermon and Prospect and we recognize the critical need for this connector. 2B-2 is the most logical and least impactful route to accomplish a connection that will improve the economic potential of the greater Bangor-Brewer area. We urge the Department to move forward and secure funding for this alternative. The sooner this is built, the better for transportation providers and the general economy of the area.
Thank you for the opportunity to provide comment.
Box A: #!&576
E-Mail: jhanley@pikeindustries.com
Name: James Hanley
Address: 58 Main St, Westbrook, Me 04092 Telephone Number:
Date: 05/14/2012

Attachment: Comments and Public Meeting Transcripts

From: jtherriault@spragueenergy.com
[<mailto:jtherriault@spragueenergy.com>]
Sent: Friday, May 11, 2012 2:39 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: It is of interest to Sprague Energy that MaineDOT's proposed connection of Route 9 directly to I-395 proceed to construction. For cargoes we and others handle coming into the Port of Searsport that are then transported east on Route 9 our current route options are less than ideal from a transportation efficiency perspective, a safety perspective and a quality of life perspective. More specifically a windmill project arriving at the terminal for delivery this summer will require many oversize trucks to take a more indirect route which passes through most of Brewer. A link between the current terminus of I-395 to Route 9 on a controlled access highway will be much less intrusive to the residents of the communities we travel through. It should be clear that the Interstate and roads like Route 9 east of Eddington offer much better safety for everyone as compared to using current Route 46 from Route 9 to Bucksport or Route 9 west of Eddington and through the most dens!

ely settled portions of Brewer. Finally, in the business we are in, transport times can make the difference between securing a job or not.

This project will save us and many other businesses time and that will make us all more competitive and the economy of our region stronger. We urge the Department to minimize impacts and proceed to construction.

11-1

Box A: #!&576

E-Mail: jtherriault@spragueenergy.com

Name: James Therriault

Address: Sprague Energy, Trundy Road, Searsport Maine Telephone Number:

Date: 05/11/2012

Attachment: Comments and Public Meeting Transcripts

From: dhermann@wymanandsimpson.com [<mailto:dhermann@wymanandsimpson.com>]

Sent: Thursday, May 17, 2012 11:04 AM

To: Charette, Russ

Subject: Comment from I395/Rt9 DEIS comment website

Comments: Alternate 2B-2 is the alternate of least impact on a project vital to the economy of downeast Maine. This project has been in the works for years and needs to be constructed.

Box A: #!&576

E-Mail: dhermann@wymanandsimpson.com

Name: Doug Hermann

Address: #18 Clipper Cir Yarmouth, ME 04096 Telephone Number:

Date: 05/17/2012

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I-395/Route 9 Transportation Study

Comment Form

(comment form continued overleaf)

Name: Hilma W Adams

Address: 263 Main Road

Eddington, Me 04428

Phone No. (in case we need to ask for clarification):

Email address (if you would like to receive an occasional newsletter on the study):

Hilma, Adams@roadrunner.com



Adams Real Estate Inc
186 State St.
Bangor, ME 04401-5320

Mail your comments to:

Russell Charette

MaineDOT

16 State House Station

Augusta, ME 04333-001640

Mark Hassellmann

FHWA Maine Division

Edmund S. Muskie Federal Building

Western Avenue, Room 614

Augusta, Maine 04330

www.i395-rt9-study.com

5/3/12

I-395/Route 9 Transportation Study - Comment form

The routes that would go over my property (Map 5 – Lot 20) would interfere with my waterways and all aquatic life, all animals from mice to moose. And we have a honey bee line on our property which either highway would impact. My property is shown on your map as PHILMA INC.

There is an old Indian Encampment at the easterly end of my property and encompasses several other lots abutting mine. My husband's grandfather used to trade horses and other items with the Indians. He often told of the Indians' ability to select the best horses. The encampment is there, regardless of what you have been told or have not been told, and very easy to locate. If you need help, I can lead you there on a map or on foot.

12-1

The proposed routes would cut off the snow mobile trail. The right to build, maintain and/or travel over my property was granted to Eastern Maine Snowmobile Club. It was the first written legal agreement in the state of Maine of this nature. My husband and I were honored by Governor King several years ago for this. We would want to continue with this agreement in the future. We definitely would have to talk should one of these routes be selected.

12-2

Either route would land lock our duck hunting pond. We need to talk about this as I have hunters that come yearly to duck hunt in what we call "Lil Dunkin Pond". I was told at the Open House in Eddington yesterday that I would be paid for this if.....? Or there is a 75 foot bridge over the pond and we could canoe under it. I don't think so. We need to talk about this.

12-3

If one of them is chosen and you go through my back hay fields, which we hay every year, you would be taking my farm land and you would be crossing my brook either three or four time.

My husband's ashes are at the Waterfalls (it looks like one of the routes would take in that area). It is sacred land. And we cannot allow a highway beside it or over it. We need to discuss.

12-4

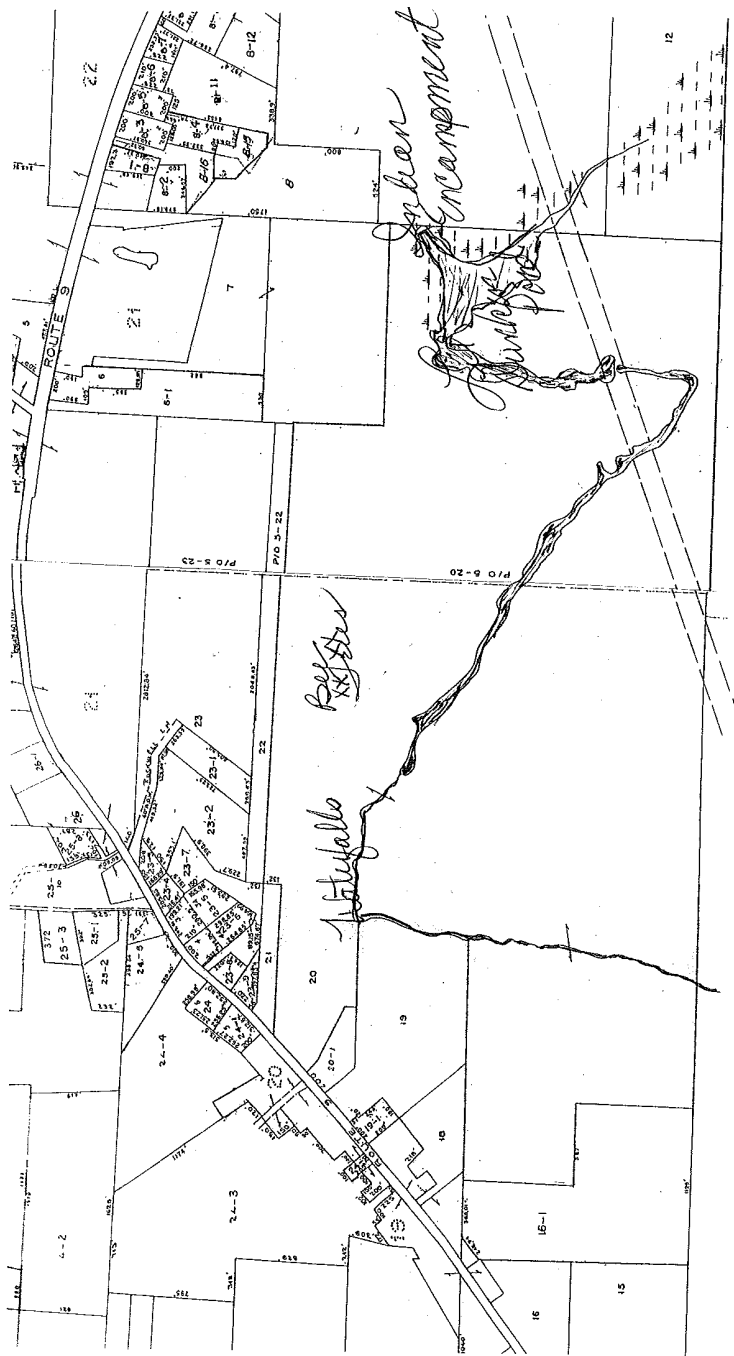
I came away from the meeting with this thought in mind. Not one of the proposed highways enter in to Route 9 East of Route 46 (Beyond the TradeWinds Store). Therefore, you must start over and come up with a better plan or it will never be accepted by the public.

If for any reason, you do not start over, and you continue in the same way you have been doing, then I recommend that you make an appointment with me to discuss the above situations.

Sincerely,


Hilma H Adams

Hilma.Adams@roadrunner.com



PROPERTY MAP
TOWN OF EDJINGTON
PENOBSCOT COUNTY, MAINE
PREPARED BY
JAMES W. SEWELL COMPANY OLD TOWN, MAINE
SCALE 1 INCH = 400 FEET

LEGEND
1
2

For Assessment Purposes
Not to be used for Conveyances

DEIS Comment/Question # 1.

Submitted by: Larry Adams, a Brewer resident, on April 13, 2012

Why is the MaineDOT/FHWA/USACOE changing history? - Why the difference now in the DEIS? - See below:

How/Why/When did alternative 2B become Practicable and meet all the Purposes and Needs of the Study?

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 2A	<ul style="list-style-type: none"> Satisfies design criteria Length: 4.6 mi. of new alignment, 4.5 mi. of Route 9 without additional improvement Bridge length: 5,200 ft. Earthwork: 1.0 mcy (0.2 mcy cut, 0.8 mcy fill) 	Yes	Yes	In the near-term (Year 2035)	Yes	Yes	<ul style="list-style-type: none"> Dismissed - other alternatives less environmentally damaging Wetlands impacts: 26 ac. Stream crossings: 3 (2 with anadromous fish) Floodplain impacts: 11 ac. Notable wildlife habitat: 4.4 ac. Undeveloped habitat: 248 ac. Prime farmland: 30.0 ac. Residential displacements: 8
Alternative 2B	<ul style="list-style-type: none"> Satisfies design criteria Length: 5.8 mi. of new alignment, 4.2 mi. of Route 9 without additional improvement Bridge length: 4,354 ft. Earthwork: 1.8 mcy (0.9 mcy cut, 0.9 mcy fill) 	Yes	Yes	In the near-term (Year 2035)	Yes	Yes	<ul style="list-style-type: none"> Dismissed - other alternatives less environmentally damaging Wetlands impacts: 28 ac. Stream crossings: 6 (2 with anadromous fish) Floodplain impacts: 11 ac. Notable wildlife habitat: 4.4 ac. Undeveloped habitat: 647 ac. Prime farmland: 23.3 ac. Residential displacements: 2
Alternative 2B-1	<ul style="list-style-type: none"> Satisfies design criteria Length: 10.2 mi. of new alignment Bridge length: 2,232 ft. Earthwork: 3.5 mcy (1.7 mcy cut, 1.8 mcy fill) 	Yes	Yes	Yes	Yes	Yes	<ul style="list-style-type: none"> Dismissed - other alternatives less environmentally damaging Wetlands impacts: 35 ac. Stream crossings: 5 (2 with anadromous fish) Floodplain impacts: 11 ac. Notable wildlife habitat: 0 Undeveloped habitat: 1,362 ac. Prime farmland: 37.0 ac. Residential displacements: 9
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	<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

Notes: Direct impacts are based on the conceptual design of a two-lane highway prior to identification of alternatives retained for detailed study and further avoidance and minimization of impacts.
Undeveloped habitat impacts estimated using habitat blocks with utilities as fragmenting features.

Page • 258

The real history of why 2B was removed (twice in 2002) from further consideration – should be 5 red NOs:

Alternative 2B: “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. 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. 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)”.

(I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 Page ii and iii):

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 2.

Submitted by: Larry Adams, a Brewer resident, on April 13, 2012

Conditions of Maine Infrastructure:

“Twenty-seven percent of Maine’s major roads are in poor or mediocre condition. Driving on roads in need of repair costs Maine motorists \$246 million a year in extra vehicle repairs and operating costs – \$245 per motorist. Thirty-two percent of Maine’s bridges are structurally deficient or functionally obsolete. Roadway conditions are a significant factor in approximately one-third of traffic fatalities. There were 159 traffic fatalities in 2009 in Maine. A total of 854 people died on Maine’s highways from 2005 through 2009.” (KEY FACTS ABOUT MAINE’S SURFACE TRANSPORTATION SYSTEM AND FEDERAL FUNDING, September 2011, TRIP a national transportation research group)

- With the current poor condition of the State of Maine infrastructure, as stated above, why would the MaineDOT/FHWA/USACOE spend up to \$2.5 million dollars into the twelve year of this route 9 connector study to propose a \$90+ million dollar alternative that only meets 20% of the original Purposes and Needs that the Study group was tasked to deliver as far back as the year 2000?
- Couldn’t that or better yet shouldn’t that money have been better spent repairing existing roads and bridges instead of proposing five more new bridges and an additional 6.1 miles of new roadway?

DEIS Comment/Question # 3.

Submitted by: Larry Adams, a Brewer resident, on April 13, 2012

Property Devaluation and loss in Tax Revenues in Brewer:

- There is an approximate \$2.3 million dollars in appraised value of properties in Brewer alone that will be directly impacted by the right-of-way or by the roadway of alternative 2B-2.
- Annual tax revenue would decrease by approximately \$37,000 in Brewer.

"The build alternatives would result in a reduction in tax revenue in Brewer, Holden, and Eddington because the land converted to transportation use would no longer be tax-eligible. Annual tax revenue would decrease by approximately \$37,000 in Brewer. The No-Build Alternative would not impact local tax revenues." (DEIS page 140)

- That \$37,000 loss in revenue does not include the homes and properties the MDOT does not see as direct or indirectly impacted but remain in close proximity to the proposed roadway.

The MaineDOT intends to only purchase the minimum amount of land to establish the right-of-way footprint of the proposed 2B-2 alternative. This will leave several larger properties directly impacted with greatly diminished property values. Not included in any data or any chart (remember proximity displacements do not really exist) are those unlucky residences or property owners along Eastern Avenue and Woodridge Road that are as close as 50' to 100' of the right-of-way of alternative 2B-2 that will see their property values plummet and only when the property is reassessed by the City of Brewer Tax Office will the true loss in real estate values be known. A high percentage of homeowners in the Woodridge Road and Eastern Avenue area are either already retired or at retirement age and their homes and properties are an integral part of their retirement portfolio. These older homeowners will forever suffer a loss in real estate values with no instrument to recoup their losses and this comes at a time when real estate values are already suppressed. These homeowners are not considered directly or even indirectly impacted by this connector; a frog or a salamander is a direct impact and many find that fact outrageous.

This question relates to the revenue losses in the City of Brewer; The Towns of Eddington and Holden are similarly impacted with an annual loss in tax revenues of \$17,800 and \$7,200 respectively with the 2B-2 alternative. The neighborhoods of Woodridge Rd/Eastern Avenue are specifically mentioned, but this same taxpayer issue is true for the complete length of the 2B-2 route including the 4.5 mile section of route 9 that was needed to make 2B-2 appear viable.

- How does the MaineDOT intend to make up for the loss in tax revenues for the City of Brewer in the properties impacted by any of the three remaining alternatives or the loss in real estate value to the owners of the larger parcels of land directly impacted by this connector?
- What does the MaineDOT intend to tell these retired citizens that are not considered directly or indirectly impacted when their property values go down by tens of thousands of dollars instantly upon the selection of the connector?
- These same senior citizens will fund the connector with their state and federal tax dollars, get no benefit at all from the connector and suffer a direct loss in their pocketbook with a diminished quality of life due to the connector.

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 4.

Submitted by: Larry Adams, a Brewer resident, on April 13, 2012

Cost of alternatives in this Study:

"The estimated cost of 2B-2 construction is \$90 million dollars." (October 2011 Interagency Meeting Minutes)
"MDOT estimates the project will cost \$70 million to \$101 million." (BDN 1/10/2012) At \$90 million dollars, alternative 2B-2 at 6.1 miles in length will cost \$14.75 million dollars per mile. "Ray responded that the DOT has seen recent average construction costs of \$7-8 million per mile." "For a 10 to 11-mile connector as studied here, construction would likely cost \$70 to \$80 million." (PAC Meeting 11/19/2008)
"Route 3EIK-2... Developed over the past few weeks, the new route features 10.6 miles of new roadway at an estimated construction cost of \$40 million." (BDN article 5/01/2003) "At the national level, we saw a major spike in the price of asphalt as a result of the 2005 hurricane season and its impacts on the petroleum industry, which certainly revealed our national vulnerabilities related to energy supplies. Consequently, MaineDOT reported in 2010 that its construction costs had increased by a troubling 60 percent over the previous five years, further contributing to the challenge of maintaining an aging system." (Connecting the D.O.T.S September 2011) The 3EIK-2 alternative would have cost \$40 million dollars in 2003, a ten to eleven mile connector would have cost \$70 to \$80 million dollars in 2008 and now in 2012 the 2B-2 alternative, which is 4.5 miles less in overall length than the 3EIK-2 route will cost an estimated \$70 to \$101 million or is it \$90 million dollars? The cost of asphalt is directly tied to the price of crude oil and current events, it will only go up in the future and even now the price of gas is \$4.00+/gallon.

"The estimated construction costs of alternatives include the costs of preliminary engineering, construction engineering, utility relocation, acquisition of property for right-of-way, and mitigating environmental impacts. The costs of the build alternatives would range between approximately \$61 million and \$81 million (in 2011 dollars)". (DEIS pages s15/s18) Since 2B-2 has the lowest construction costs of the three remaining alternatives, the cost estimate to construct 2B-2, per the DEIS, is \$61 million dollars.

- Why the large disparity from \$61 million dollars in March of 2012 from \$90 million dollars in October of 2011 or more as reported in the BDN in January 2012?
- What will be the cost in real 2014 dollars when this 2B-2 alternative is slated to go to construction if selected?
- Is this \$90 million dollar estimate from October of 2011 even realistic or will this end up costing more like \$120 million dollars or more if 2B-2 goes to construction two or three years from now?
- At what point will the MaineDOT/FHWA realize that this project will be too costly for the limited benefits that it delivers?

DEIS Comment/Question # 5. Submitted by: Larry Adams, a Brewer resident, on April 13, 2012

Where's the Funding?

The Federal government and the State of Maine are broke – there is no magic funding source or money currently set aside to fund the construction of this connector or at least that is what we are led to believe. There will never be stimulus funds or pork-barrel-funded projects ever again, they are now considered politically toxic. No matter how this connector gets funded, the private tax paying citizens of Maine, and their families, will bear the cost of that funding through their state and federal tax burden. Not a day goes by when there isn't a news story about the shape of our budget in the state. We can't pay our current bills, we can't pay the pensions of our teachers and state workers, and we can't afford MaineCare or the DHHS.

- “Twenty-seven percent of Maine’s major roads are in poor or mediocre condition and thirty-two percent of Maine’s bridges are structurally deficient or functionally obsolete.(TRIP Research Group)” We can’t afford to maintain the bridges and roadways we have, why add another \$90 million dollars of 5 new bridges and 6.1 miles of roadway to the equation?

Even if this estimate of \$90 million dollars is correct, and that seems doubtful with a construction date in 2014 and the rising cost of crude oil directly affecting asphalt costs, the State of Maine will have to “front” \$18 million dollars. “Kat Fuller, Chief of Planning for MaineDOT, commented on the state of this study and the state of funding at the DOT in general. Kat began by saying that, as a result of limited funding, the DOT needs to determine the next best step. This next step will be decided in the coming months. The legislature has asked the DOT for a prioritized list and status report of all studies. Kat stated that the DOT has insufficient funding to maintain its current highway system and therefore insufficient funding to expand (or add to) the current highway system. The DOT was asked to cut \$39 million from its 2010-2011 budget with specific direction not to cut certain areas (e.g., urban/rural programs, and debt service).” “Dave Link of Holden and Eddington asked about the cost of construction in relation to the DOT’s budget. Ray responded that the DOT has seen recent average construction costs of \$7-8 million per mile. For a 10 to 11-mile connector as studied here, construction would likely cost \$70 to \$80 million. This amount is one-half of DOT’s budget for one year. Kat added that the DOT is one-half billion short on funds needed to meet its current needs.” (PAC Meeting November 19, 2008)

The Federal government will have to fund \$72 million dollars, again this could easily be a lot more, but this connector will be placed alongside all other projects from the fifty states and prioritized for funding against each other – again no magic pot of money and no chance of guaranteed funding.

- Why would the MaineDOT, the FHWA and the USACOE trudge ahead with this connector expending more of our limited tax dollars over the past three years that could have been used to fix the roads and bridges we apparently cannot afford to fix and to propose construction of a connector that doesn't meet the criteria that the MaineDOT set back in 2000 at the start of this study?
- Why didn't the MaineDOT, the FHWA and the USACOE move for a No-Build as the “preferred” route back in September of 2010 when the criteria was so drastically altered? Explain why alternative 2B-2 will cost \$14.75 million per mile. When will it become apparent to the MaineDOT, the FHWA and the USACOE that they have far exceeded the cost versus benefits from this proposed connector?

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question #6. Submitted by: Larry Adams, a Brewer resident, on April 13, 2012. Was it appropriate for the MaineDOT Project Manager to withhold information from an impacted private citizen when news from September and December 2010 already had changed the study outcome? Where is the honesty and transparency? Can you gentleman not grasp why I have exhibited no trust in the Study Group?

Page 1 of 1

Larry Adams

From: "Lindsey, Judy" <Judy.Lindsey@maine.gov>
To: "Larry Adams" <bgradams@roadrunner.com>
Sent: Wednesday, March 02, 2011 3:54 PM
Subject: RE: Study Update - I-395/Route 9
Larry,

I know it has been a long year. During this time MaineDOT has been meeting with the Corps of Engineers (Corps), Environmental Protection Agency (EPA), and U.S. Fish and Wildlife Service (FWS) to identify the range of alternatives that will be fully analyzed in the Draft Environmental Impact Statement (DEIS). The intent is, if possible, reduce the number of alternatives to be analyzed in the DEIS by dismissing those that would not be permitable or other alternatives have fewer impacts but achieve similar results. This coordination will be completed by this Spring so we can prepare the DEIS for distribution for public comment.

My expectation is late Spring or Summer we will hold an Advisory Committee meeting to discuss everything that has occurred since our last meeting. Please contact me if you have any other questions on the study.

Judy Lindsey
Project Manager

Judy Lindsey
Maine Department of Transportation
Bureau of Transportation Systems Planning
16 State House Station
Augusta, Maine 04333-0016
(207) 624-3291
judy.lindsey@maine.gov

From: Larry Adams [mailto:bgradams@roadrunner.com]
Sent: Wednesday, March 02, 2011 12:06 PM
To: Lindsey, Judy
Subject: Study Update

Two of the proposals are in my backyard. We have not had an update in this matter in well over a year. What is the current status of this study?

Thanks, Larry Adams
17 Woodridge Rd. Brewer

3/16/2012

DEIS Comment/Question # 7.

Submitted by: Larry Adams, a Brewer resident, on April 16, 2012

MaineDOT change in philosophy?

"Mike Davies pointed out that there are 3 hurdles to completing an EA: Community support, Agency support and Coming up with a realistic alternative." (PAC Meeting #1 on 9/11/2000)

"During an informational meeting in June, DOT project manager Michael Davies said that a 1998 traffic study indicated that heavy truck traffic on Route 46 doubled between 1990 and 1998, and that overall traffic was up 60 percent. During Wednesday's meeting, Davis 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." (BDN 11/16/2000)

"John Bryant asked what "advisory" means. Ray replied that local communities have a lot of influence in the selection of a preferred alternative. The community's support or opposition for a given alternative is given substantial weight in the decision-making process." (PAC Meeting minutes 8/20/2008)

- What has changed in MaineDOT philosophy since the year 2000 to take this Study underground for the three years since 2009, without any private citizen or civic scrutiny, to reach a conclusion of selecting an alternative that is neither realistic or has community support from the City of Brewer?
- Is there any doubt as to the lack of community support from Brewer? The City of Brewer enacted a resolve on March 13, 2012 titled: "TO WITHDRAW SUPPORT FROM THE I-395 AND ROUTE 9 CONNECTOR PROJECT AND TO SUPPORT THE NO BUILD OPTION". This opposition is nothing new, there has always been objection from the City of Brewer on 2B-(X) throughout the history of this study. City of Brewer elected officials and residents have been denied any opportunity to "influence in the selection of a preferred alternative".
- Is there any doubt that there is significant public opposition since the open house on April 4th at the Brewer Auditorium? This opposition is not new either, there has always objection from the Brewer residents on 2B-(X) throughout the history of this study. Check your files and you will see many emails from my neighborhood.
- Is 2B-2 even a realistic alternative? 2B-2 did not meet four out of five of the Purposes and Needs of the Study in April of 2009 and now it does? Really?? "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." Per the words of the MDOT/FHWA/ACOE, alternative 2B-2 will negatively and severely impact the Town of Eddington. Really?? (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission dated October 2003 (Page 5 of Summary))
- Will this connector go to final selection knowing that the Community of Brewer does not support it? How does that compare to the statements of prior project managers in November of 2000 and August of 2008?
- The lack of transparency for the last three years has only magnified the problem; apologizing again and again for not keeping us informed doesn't address the real issue—your preferred alternative does not meet the original study purposes and needs—you all know that is true. Will the legacy of your Study Group be forever labeled with these words: "would negatively affect people" and "would severely impact local communities"?

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 8.

Submitted by: Larry Adams, a Brewer resident, on April 16, 2012

Has the MaineDOT/FHWA process been fair:

- There were many times within the long decade+ of this study where the management of this study, with the MaineDOT and the FHWA as co-leads, has been, in my opinion, very poor or lacking at best.
- The study was often allowed to be hijacked and stalled by some within the study area to try to keep alternatives out of their town. The public meetings, hearings and PAC meetings were often confrontational, and that was as much in the audience as it was to the Study Group. It was intimidating to sit in the audience within a process that was obviously not controllable. The rules of the PAC meetings were no-public interaction until the public comment section at the end, an example of this was at an earlier meeting where constant interruptions of comments and questions actually shut down the PAC and the moderator allowed it.
- MaineDOT/FHWA allowed private meetings to occur and even allowed direct contact with other agencies and one of the communities involved in the study when the MaineDOT/FHWA continually said that they wouldn't.
- The MaineDOT project manager intentionally kept information from a Brewer citizen in March of 2011. That email was provided with question #6. Why is that important? I would have rather had this conversation a year ago, not a year later after all the work has been done leading to the publication of the DEIS.
- The MaineDOT/FHWA appeared to have allowed the study to be steered in the direction of alternative 2B-2 by the ACOE, not a lead agency in this study. The MDOT/FHWA was not interested in alternative 2B-2 at all as is quoted in several BDN articles from 2004. Why was the ACOE still promoting alternative 2B-2?
- This study was taken underground from 2003 to 2008 and again in April 2009 to the present time.
- Who could have predicted that the preferred route of some seven years, alternative 3EIK-2, would be removed from further consideration and replaced with the 2B-2 alternative that previously did not meet four of the five purpose and needs of the study? If it wasn't for a pure accident, the citizens of Brewer and Eddington would have only found out when the DEIS was completed and sent out for comments.
- The MaineDOT intended to do a "media blitz" to promote the selection of 2B-2 and reactivate the PAC to help them in their cause. (12/2011 Interagency Meeting Minutes) That did not happen and in fact the MaineDOT, because of their lack of transparency since April of 2009, submitted a written apology and this statement: "In the coming weeks, MaineDOT officials will refocus on the public process in which residents will have ongoing opportunities to provide feedback including review of the draft environmental impact statement and public hearing(s) as needed. We look forward to hearing from all interested parties," the statement concluded. (BDN 1/06/2012)
- Because several property owners and local government officials started vigorously complaining to local, state and federal government officials, the MaineDOT decided first to not provide separate meetings with our elected officials as promised and they never did activate the PAC.
- The MaineDOT only started providing new information, much needed to figure out how badly we were to be damaged, because of our work directly with our legislative delegation. The website was finally updated around February 17th to reflect some of the new engineering changes. The only update to that date was the change in the name of the project manager and the addition of the current map – no new engineering data was added from April 2009 until February 2012.
- The MaineDOT/FHWA/USACOE did provide a much needed open house forum at Brewer on April 4th but even then none of the state and federal government officials appeared to show any flexibility to their selection other than pushing ahead for 2B-2. No-build was always supposed to be a valid alternative and no one seems to talk about that anymore. In April of 2009, 2B-2 was only 20% better than the no-build alternative as can be seen on the Purpose and Needs Matrix.

DEIS Comment/Question # 9.

Submitted by: Larry Adams, a Brewer resident, on April 16, 2012

ORIGINAL SYSTEM LINKAGE NEED of this STUDY:

- What happened in this study, after almost a decade of work, to decide that you no longer needed to comply with the original System Linkage Need as identified in the attached February 2002 MDOT document and the attached summary page 5 of a MaineDOT/FHWA/ACOE October 2003 document? A decrease in traffic numbers alone, as we are now being told, doesn't seem to be a logically reason to remove the bypass around the village of East Eddington and do away with the original System Linkage Need. If that is really the case, couldn't that same decision have been made ten years ago? Was it really necessary to run this study out now 12 years and to expend \$1.7 to \$2.5 million dollars in doing so? Are you now saying that the Study Group used flawed data at the start of the study when they projected traffic numbers and set up the original parameter for System Linkage?
- System Linkage appears to be directly linked to the traffic capacity of route 9. How can route 9 now have your blessings out to 2035 when that was not the case in earlier traffic studies?
- The System Linkage Need parameter was deemed necessary to bypass the village of East Eddington and the intersection of route 9/route 46 thus effectively bypassing all transitional traffic on route 9 in Eddington from the Eddington/Clifton town border directly to I-395.
- "The speed of traffic through the east Eddington village has always been a concern. As a built up area, it poses a challenge to making connections to Route 9 west of the east Eddington Village." (PAC Meeting Minutes 4/15/2009)
- These two attached System Linkage Need statements also provide a glimpse of the negative aspects to people and their communities of not meeting that specific need.
- Why are there are no alternatives remaining in consideration that meet the original system linkage need? None of the three remaining alternatives meet more than 20% of the original Purposes and Needs. Am I the only one that finds that fact odd?

Attachment: Comments and Public Meeting Transcripts

I-395/Route 9 Transportation Study

Rationale for Alternatives Retained for Further Consideration

February 2002

“The purpose of this project is to 1) construct a section of Maine’s National Highway System from I-395 in Brewer to Route 9, consistent with current AASHTO policy on design; 2) improve regional system linkage; 3) improve safety on Route 46 and Route 1A; and 4) improve the current and future flow of traffic and shipment of goods to the interstate system.

The needs considered in this study are based upon the roadway geometry in the area, combined with an increase in commercial, local, and regional traffic, that has resulted in:

- Poor System Linkage
- Safety Hazards
- Traffic Congestion

“Key consideration to address system linkage need:

- To improve regional system linkage, 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 provide a substantial improvement in regional mobility and connectivity and would negatively affect local access. 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 Governor’s East-West Highway Initiative.”

AND

“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.” (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission dated October 2003 (Page 5 of Summary)

DEIS Comment/Question # 10.

Submitted by: Larry Adams, a Brewer resident, on April 16, 2012

ACOE involvement throughout the study:

“The corps announced in April that it was reviewing two alternatives - 2B-2 and 3EIK-2 - and is currently accepting public comments. The corps is considering 2B-2 because Bryant and resident Jacqueline Smallwood presented it to them last fall, said Jay Clement, the Maine representative for the corps. He said it was the public's interest in 2B-2 that prompted the corps to consider it.” (BDN article dated August 23, 2004)

“Maine Department of Transportation officials have made it clear that their top choice is the 10.6-mile 3EIK-2 and are considering only it and a no-build option. The Federal Highway Administration also endorsed 3EIK-2. DOT compared the two routes in October 2003 and chose to stick with 3EIK-2, which affects the least amount of wetlands and residents, according to the study”. (BDN article July 29, 2004)

The ACOE was not a lead agency but the MaineDOT, tasked as a co-lead with the FHWA to manage this study, appeared to have allowed the ACOE to drive this study in the direction of 2B-2 from the inception of alternative 2B-2 (the ACOE appears to have accepted this proposal directly from the Town of Holden circumventing the process). The ACOE played an active role in the removal of the only four routes that had previously met all the Purpose and Needs of the Study, including the 3EIK-2 preferred route for some six to seven years, keeping three routes in consideration two of which previously only met 20% of the Purposes and Needs of the Study leading to the selection of 2B-2 as the preferred route (5B2B-2 didn't exist until the end of 2010 and 5A2E3K-1 was renamed 5A2B-2).

- “Ray (Faucher) added that the Corps specifically requested that at least one alternative that connects to Route 9 west of Route 46 be retained in the DEIS.” (PAC Meeting Minutes 4/15/2009) That route was alternative 2B-2. Explain why the ACOE requested a western connection point that did not meet the original system linkage need of the study and why that request was never questioned by anyone else in the Study Group?
- Why did the MaineDOT allow the ACOE to apparently accept another alternative (2B-2) in September of 2003, the second time that this Corporate Boundary Route alternative had been proposed, even before the MDOT/FHWA/ACOE document titled “Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003” was sent to print? The outcome of that 2003 document sent no-build and alternative 3EIK-2 to detailed studies following an Interagency Meeting#7 of May 13, 2003. Didn't the ACOE concur with decisions at that meeting? Why did the ACOE feel it necessary to accept another route after those decisions were made and why did the MaineDOT and the FHWA, who both did not support the inclusion of 2B-2 at that time, allow it?
- The Purpose and Needs Matrix chart dated 4/15/2009 clearly indicates that alternative 2B-2 did not meet the Study Purpose, it did not meet the ACOE Purpose, it did not meet the System Linkage need and it did not meet the Traffic Congestion need, yet it was carried forward for further consideration. If it didn't meet the ACOE Purpose in April of 2009, what has changed with the 2B-2 alternative that the ACOE now finds that it meets ACOE purpose?
- As Project Managers of the Study, why did the MaineDOT/FHWA allow the ACOE to keep the 2B-2 alternative in consideration when 2B-2 only met 20% of the Purposes and Needs of the Study? I asked Bill Plumpton years ago why 2B was always kept in consideration, when it never did meet the original purpose and needs, and was told it was necessary to make the process look fair – where's the fairness now?

DEIS Comment/Question # 11. Submitted by: Larry Adams, a Brewer resident, on April 16, 2012

Is the MaineDOT/FHWA/USACOE attempting to change history? Did 2B-2 and the future 5A2B-2 meet the Purpose and Needs in April of 2009?

How/Why/When did alternative 2B-2 and the future 5A2B-2 become Practicable and meet the Purposes and Needs of the Study?

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

Family 2 - Northern Alternatives						
Alternatives	Description	Study Purpose	USACE Purpose	System Linkage	Safety Concerns	Traffic Congestion
Alternative 2A	<ul style="list-style-type: none">Satisfies design criteriaLength 10.2 mi. of new alignmentImprovements: 5,200 ft.Earthwork: 1.0 mcy (0.2 mcy cut, 0.8 mcy fill)	Yes	Yes	In the near term (Year 2035)	Yes	Yes
Alternative 2B	<ul style="list-style-type: none">Satisfies design criteriaLength 10.2 mi. of new alignmentImprovements: 5,200 ft.Earthwork: 1.0 mcy (0.2 mcy cut, 0.8 mcy fill)	Yes	Yes	In the near term (Year 2035)	Yes	Yes
Alternative 2B-1	<ul style="list-style-type: none">Satisfies design criteriaLength 10.2 mi. of new alignmentImprovements: 5,200 ft.Earthwork: 1.0 mcy (0.2 mcy cut, 0.8 mcy fill)	Yes	Yes	Yes	Yes	Yes
Alternative 2B-2	<ul style="list-style-type: none">Satisfies design criteriaLength 10.2 mi. of new alignmentImprovements: 5,200 ft.Earthwork: 1.0 mcy (0.2 mcy cut, 0.8 mcy fill)	Yes	Yes	Yes	Yes	Yes

Notes: Data reported are based on the conceptual design of a two-lane highway prior to submittal of alternatives retained for detailed study.

USACE and FHWA are currently reviewing the proposed alternatives and will be providing comments on the proposed alternatives.

Page 258



Purpose and Needs Matrix	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	NO	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	NO	NO
5A2E3K-2	YES	YES	YES	YES	YES
5B2E3K-1	YES	YES	YES	YES	YES

www.i395-r9-study.com

- Isn't it more than a little dishonest not to mention in the DEIS that - yes in April of 2009 - alternatives 2B-2 and the future 5A2B-2 (not to mention 5B2B-2 that was not even in play at the time) only met 20% of the original Study Purpose and Needs and were not Practicable.

“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.” (Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 - page 5 of Summary)

DEIS Comment/Question # 12.

Submitted by: Larry Adams, a Brewer resident, on April 16, 2012

Appendix "D" drawing #2:

Although this drawing is indexed for noise measurement locations, the superimposed property lines on my Woodridge Road neighborhood are shifted southerly by approximately 50 feet or so placing boundary lines within buildings – very sloppy engineering. The same sloppiness can be seen in some of the August 2011 Preliminary Engineering Plans. It is most apparent where the corporate boundaries exist. Not what one would expect at the end of a \$2.5 million dollar study.

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 13.

Submitted by: Larry Adams, a Brewer resident, on April 17, 2012

Proximity displacements:

"In summarizing the overall difference between this matrix and the matrix used at the last PAC meeting, Bill said a new column has been added to the matrix – "Number of Buildings in Proximity"; in proximity was defined as within 500 feet of edge of the roadway (for a total width of approximately 1200 feet wide). The purpose of adding this column was to measure the impact of each alternative along the entire length of the alternative or affected area. This was done in response to the suggestions made at the last meeting that MDOT should not place an alternative too close to the majority of people. This also helps to illustrate the impact of Alternative 2B along the section of Route 9. The impact to neighbors in proximity are greater with Alternative 2B than the other alternatives." (PAC Meeting #13 on 7/24/2002)

"The total number of buildings within 500 feet of the planned roadway is another factor, with 2B-2 having 190 displacements and 3EIK-2 only having 24." (BDN article dated 7/29, 2004)

"Bill continued. Proximity was part of the value system defined at the outset of the study. We developed metrics of 500 and 1000-foot buffers to tabulate the number of homes affected by each alternative. These metrics were used for siting the alternatives but aren't used as a part of the impacts assessment, since there is no regulation to enforce it." (PAC Meeting 4/15/2009)

- Even though there is no regulation to define proximity displacements – these displacements are real and should have been considered in the overall impacts from alternative 2B-2. There are now 8 residential displacements per the DEIS document for the 2B-2 alternative. How can the MaineDOT, the FHWA, the ACOE and the EPA completely disregard the severe impacts to the most real part of the environment—people?
- Why have these agencies put frogs and salamanders above the human component of the environment: real live people within 500' of this proposed connector or to the real live people that currently live in the 8 homes to be destroyed?
- Shame on these State and Federal Agencies for not having a regulation in place to save the human environment. Where is the balance between the environment and the human species?
- Why was proximity displacement even part of this study if in the end it was going to be disregarded? If you cannot see the lack of fairness in using a measuring device that in the end when it should be one of the most important aspects of the study—it is totally meaningless, then there's nothing I can say to sway your thinking.
- Proximity displacement was needed to make routes like 2B and now its twin 2B-2 appear to be as viable as the other routes by using route 9 as the overall length of the alternative—you cannot separate route 9 from 2B-2. Alternative 2B had 200 proximity displacements and 2B-2 has 190 proximity displacements; is that data included in the DEIS? Why not? Doesn't it, in fact, show the real impact to real live people and the fact that these three remaining routes impact real live people MORE THAN ANY OF THE OTHER 70+ROUTES?
- How can someone abutting a right-of-way not be considered as direct or even indirectly impacted?
- How can my neighbors and I recoup the devaluation in our properties that has already occurred since 2B-2 was named the "preferred alternative" and will plummet if 2B-2 goes to construction?

DEIS Comment/Question # 14.

Submitted by: Larry Adams, a Brewer resident, on April 17, 2012

Incorrect answer from the MDOT on Proximity Displacements:

Question # 31 from the Legislative Delegation to the MDOT:

31. *Have you taken into account the impact the alternatives would have on residences within 500 ft. of the proposed roadway for the alternative routes? Is there a set a criteria that are considered when the route would affect residences and, if so, what are those criteria and how are they applied?*

Yes, indirect impacts are being evaluated up to 3,300 feet (according to values for determining indirect impacts by the USACE and the Maine Audubon Society) of the proposed alternatives.

Potential impacts – both beneficial and adverse – were identified and, where possible, quantified through studies of the natural, social, and economic environments. Potential impacts include the direct impacts, indirect or secondary impacts, and cumulative impacts of the No-Build Alternative and build

Page 8

1/17/2012

alternatives. Direct impacts are the immediate effects on the social, economic, and physical environment caused by the construction and operation of a highway. These impacts are usually experienced within the right-of-way or in the immediate vicinity of the highway or another element of the proposed action. Indirect (or Secondary) Impacts are the impacts that are caused by the project and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems. Cumulative Impacts are the impacts on the environment that result from the incremental impact of a project when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions.

- The correct answer can be found in the last PAC Meeting minutes: “Bill continued. Proximity was part of the value system defined at the outset of the study. We developed metrics of 500 and 1000-foot buffers to tabulate the number of homes affected by each alternative. These metrics were used for siting the alternatives but aren’t used as a part of the impacts assessment, since there is no regulation to enforce it.”
(PAC Meeting 4/15/2009)
- Why would the MaineDOT provide this eco-speak diatribe as an answer to the office representative of a United States Senator? Nowhere in the MaineDOT answer is there a single mention of the impact to residences as the question was phrased.
- Is there any wonder why we are frustrated when we get these kinds of answers to our questions?
- If I could find the answer on the MaineDOT Study website, why couldn’t the person answering this question either do the same if they didn’t know the answer or answer the question honestly if they knew the answer was basically—NO?

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 15.

Submitted by: Larry Adams, a Brewer resident, on April 17, 2012

EIS versus the human environment:

“The EIS shall provide full and fair discussion of significant environmental impacts and shall inform decision makers and the public of reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment.” (40 CFR Part 1502.1). (MaineDOT Study website)

- There is absolutely no mention of direct or indirect impacts to the human environment, unless you consider the one column for residential displacements, in any of the current impact charts or text within the DEIS.
- How does this current Study relate to the above statement?
- How is the quality of the human environment being enhanced when 8 homes will be destroyed and hundreds of acres of private land, wetlands and wildlife habitat acreage will be lost or damaged forever?

DEIS Comment/Question # 15a.

Submitted by: Larry Adams, a Brewer resident, on April 17, 2012

The DEIS document:

“Bill Plumptre explained that a reasonable range of alternatives is needed in the DEIS. The purpose of the DEIS is to have a thorough conversation about the range of alternatives and their potential impacts. With nine alternatives, a thorough conversation is really not feasible; we need to narrow the number of alternatives to have a good discussion of the alternatives and their impacts. Ray added that the Corps specifically requested that at least one alternative that connects to Route 9 west of Route 46 be retained in the DEIS.” (PAC Meeting Minutes 4/15/2009)

- No one questioned why the ACOE had made that request for an alternative that would not meet the system linkage need. Why did the ACOE require an alternative to be kept in consideration that did not meet four out of the five Purposes and Needs of the Study on 4/15/2009?
- If it was so important to have at least one alternative that connected on route 9 west of route 46, then why wasn't it just as important to have at least one alternative that had a route 9 connection point east of route 46 in the DEIS? There are no alternatives remaining in consideration that meet the original Purpose and Needs of this study.
- How can any of the three routes remaining in consideration fairly compare to each other when 5A2B-2 is mostly part of 2B-2 and alternative 5B2B-2 is a new route that was not even considered in 4/15/2009?

13-1

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 16. Submitted by: Larry Adams, a Brewer resident, on April 17, 2012

Per the original 2/20/2002 System Linkage Need statement, alternatives 2B-2, 5A2B-2 and 5B2B-2:

- 1.) Do not meet the purposes and needs of this study as originally tasked.
- 2.) Do not provide a limited-access connection between I-395 and Route 9 EAST of Route 46 as tasked.
- 3.) Will not minimize impacts to people.
- 4.) Would not be practicable.
- 5.) Would not provide substantial improvement in regional mobility and connectivity.
- 6.) Would negatively affect people living on Route 9 in the study area.
- 7.) Would severely impact local communities along Route 9 between proposed alternative connection points and route 46.
- 8.) Will not provide improved regional connections between the Canadian Maritime Provinces and the Bangor region.
- 9.) Will not reduce traffic on other roadways.
- 10.) Will not meet the intent of the East-West Highway Initiative.

"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." (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission dated October 2003)

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 17 Submitted by: Larry Adams, a Brewer resident, on April 18, 2012

Traffic Congestion on Route 46 an 1A:

Question from Legislative Delegation and Answer from MDOT on January 17, 2012:

32. Will a west of route 46 connection point do anything to relieve traffic concerns on route 46 and route 1A?

Yes, a connection west of Route 46 would relieve traffic by approximately 7,700 vehicles, including 1,100 trucks. The statutory change to allow 100,000 pound trucks on the Interstate may change traffic patterns away from Route 46. Construction of any of the remaining alignments would remove truck traffic from Route 46.

“Alternative 2B: 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. 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. I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 (Page ii and iii)

I believe that the question and the answer to question #32 relates directly to the traffic congestion need of the study. The answer to the above question seems to conflict with the reasons why 2B was removed from further consideration twice in 2002 as underlined above and conflicts with the 4/2009 Matrix of 2B-2 as can be seen with the red NO in the Traffic Congestion column.

You also say “may change traffic patterns away from route 46”. Is there any data to back up that statement?

14-1

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

DEIS Comment/Question # 18.

Submitted by: Larry Adams, a Brewer resident, on April 18, 2012

Limited-access on Route 9:

An informal survey was taken of access points on the 4.5 miles of route 9 that alternative 2B-2 uses on February 4, 2012. There are 124 total residential unrestricted access points (driveways) on the 4.5 miles of the existing route 9 from the proposed connection point of alternative 2B-2 to the Eddington/Clifton town line. (Included in these numbers are one daycare with dwelling and one dwelling with a Bait Shack.) There are 30 total business unrestricted access points (driveways) on the 4.5 miles of the existing route 9 from the proposed connection point of alternative 2B-2 to the Eddington/Clifton town line. (Included in these business numbers are commercial businesses, public/municipal/government structures, religious structures, one cemetery and one Hospice facility.) There are 36 total roadway unrestricted access points on the 4.5 miles of the existing route 9 from the proposed connection point of alternative 2B-2 to the Eddington/Clifton town line. (Included in the roadway numbers are city streets, private roads and access roads either public or private.) That is a total of 190 unrestricted access points to the existing 4.5 miles of route 9.

- Has the Study Team actually driven this segment of route 9 to see how closely clustered homes and businesses are around that roadway within the community of Eddington and the village of East Eddington? How can it be considered safe and efficient traffic control to navigate 100,000# vehicles at 50 mph from the Clifton/Eddington town line, through the village of East Eddington at 35 mph and then traveling at speeds varying from 45 to 40 to 45 and back to 40 mph at the proposed 2B-2 connection point through all those 190 unrestricted access points? The multiple and varied speed limits alone, on this 4.5 mile segment of route 9, appears to go against the definition of an appropriate system linkage for this project.
- How do these 190 unrestricted access points fit in with the MaineDOT/FHWA definitions of safety, traffic congestion, traffic capacity and system linkage? AND—Isn't it a fact, by utilizing this existing 4.5 mile section of route 9 to make alternative 2B-2 appear to be viable, hasn't the MaineDOT and the FHWA managed only to transfer any "truck traffic problem" from route 46 to that 4.5 mile section of route 9?
- Is there really a truck traffic problem? Where is the current study? The last traffic studies were completed in 2006 and 2008. It is now 2012. Before you spend \$90+ million dollars, don't you think it may be prudent to verify the current traffic count and reassess your projected traffic counts?
- It doesn't pass the logic test that alternative 2B-2 will now pass the safety needs and the traffic congestion needs test of this study when prior documents say otherwise. What has changed since April of 2009 to make this western connection point and the 4.5 miles of route 9 suddenly both safe and the correct resolution to alleviate traffic congestion? "Alternative 2B: would fail to adequately address the traffic congestion needs in the study area. 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." (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 Page ii)
- Some of the residences on this 4.5 mile section of route 9 have two distinct driveways so they don't have to back out into route 9 to gain access. They know all too well the dangers of living on route 9 and redirecting traffic off route 46 with any of the three remaining alternatives will severely impact these people. ".....would negatively affect people living along Route 9 in the study area. AND.....would severely impact local communities along Route 9 between proposed alternative connection points and Route 46." (Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 - page 5 of Summary)

15-1

15-2

15-3

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 19.

Submitted by Larry Adams, a Brewer resident, on April, 18, 2009

Where is the truck traffic data?

- Isn't it fair to say that, especially with the recent truck weight allowance changes, Canadian truckers transitioning our state would be just as likely or even more than likely to decide to cross over at the Houlton Border Crossing and use I-95, a limited-access interstate highway with a speed limit of 75 mph for the 110 mile stretch south from Houlton to Old Town instead of crossing over at the Calais Border Crossing and using Maine Route 9, an undivided two lane State highway with an average speed limits from 35 to 55 mph?
- Has the MaineDOT/FHWA properly studied the Houlton entry point and how the recent weight allowance changes will affect truck traffic on I-95 from Canada to Houlton and Brewer, now that this is law and no longer a "pilot program"?

What does the increased weight limit do for the trucking industry? It allows shippers to utilize extra cargo space in the trailer, effectively adding capacity without adding trucks.

- Look at a map of Maine and Canada and you will see that the best route to Brewer from most of New Brunswick, all of Nova Scotia and all of Prince Edward Island is N.B. Route 2, the Trans-Canada Highway, to Houlton and then I-95 south to Brewer.

I did a little experiment using AAA triptik directions and found my above statement to be true. Most New Brunswick, all Nova Scotia and all Prince Edward Island destinations cities from Brewer provided the same directions: north on I-95 to Houlton and east on N.B. Route 2 to Moncton, New Brunswick and then to the destination city. That is true except for the southern-most cities in New Brunswick, such as Saint John and Sussex. Those were the only major destination cities that provided directions using ME Route 9 east to N.B. Route 1.

- Is there really a traffic issue with Canadian truckers coming and going to Brewer? Is ME Route 9 the only route they can use? That's simply not true anymore now that the weight restriction has been lifted. Canadian truckers now have a better northern alternative through Houlton to the interstate past the year 2030. Where is that traffic Study?

16-1

Truck traffic to and from the seaport of Halifax, Nova Scotia will take the northern route through Houlton, Maine. That is the most expedient route from Canada to the USA

The changes to allow 100,000 pound vehicles on the Interstate may actually lessen the traffic on Route 9, without doing anything at all, by allowing direct access to the Interstate at Houlton.

- Are the MaineDOT/FHWA's decisions based on fact or an assumption? Where is the traffic study to back up their statements? Since the weight restriction was lifted in November of 2011, wouldn't it be prudent to do a new complete study of truck traffic from Canada to Brewer, Maine at the Calais entry point versus the Houlton entry point? Show us real data.

16-2

- Since the design of the roadway for the route 9 connector was downgraded to remove the planned future upgrade to a four lane divided highway in December of 2010 because of a downturn in projected traffic numbers, isn't it fair to assume that the traffic numbers now in the DEIS may also be high? How can you base your decisions in the near-term on projected numbers? | 16-3
- I would ask who is best served by constructing the 2B-2 connector? It certainly won't be the 8 families that will lose their homes or the many of us now well within 100' of this alternative. It certainly isn't the City of Brewer or the Town of Eddington. It certainly won't be the wetlands and floodplains at Felts Brook, Eaton Brook, Meadow Brook and the Cummings Bog. It certainly won't be the deer herd that one of my neighbors actively feeds through the winter. It certainly won't be the lynx that we have been happy to see on occasion or the eagles that fly overhead.
- Wasn't it important that the MaineDOT/FHWA relieve the traffic congestion from these 100,000 pound vehicles on Route 9 and 46 in the study area? Traffic congestion was a key need to this study, one of the 5 columns on the Purposes and Needs Matrix from 4/15/2009 – that was one of the big red NOs that alternative 2B-2 had at that date. The moment that the Study Group removed the original system linkage need in September of 2010, they also negated the traffic congestion need, not turning it into an automatic YES as they now claim; prior statements during the study say that using route 9 to make western connected alternatives appear viable will not satisfy the traffic congestion need. If traffic congestion was such an important need from the start of the study, why has the Study Group chosen to not bypass the whole section of Route 9 by bypassing the village of East Eddington as the Study clearly stated from the start? That would have removed the truck traffic from route 46, route 1A and route 9. | 16-4
- I can only reach the conclusion that the logic behind some of these decisions seems flawed at best. Do we really even need a route 9 connector for these Canadian truckers transiting the state now that a northern alternative route through Houlton proves to be the better route? Where are the traffic numbers to back up these claims? If this isn't about Canadian truckers transitioning this area, then show us the numbers of local trucks causing this problem.
- Before you ruin this area forever, don't you think it may be appropriate to base your decisions on real up to date numbers and not projected numbers based upon 2006 and 2008 traffic data? | 16-4

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 20.

Submitted by: Larry Adams, a Brewer resident, on April 18, 2012

Feasibility Study for private E/W Highway:

The privately funded and privately operated and maintained East-West toll Highway could be the state's ultimate opportunity to turn around the depressed economy of central and northern Maine. This proposal is a true regional solution to all truck traffic issues transitioning the state of Maine to and from the Canadian provinces. It will not use route 9, route 46, route 1A, I-395, I-95 or route 2. The private highway has the benefit of providing employment in the short and long term with the addition of Intermodal Facilities in Costigan and in Brownville Junction. The highway design will permit trucks to haul double and triple trailers minimizing both transportation costs and impacts to the environment. Private money will fund the construction and because the private highway will be built primarily on existing logging roads and private land owned by people supporting the new highway, it will avoid communities and will not displace private citizens from their homes and properties unlike the current I-395/Route 9 Connector Study.

- "Construction of a new 4-lane limited access highway between Calais and Bangor would result in a substantial diversion of traffic off existing Routes 1 and 9. A new 4-lane alignment is projected to carry an AADT of 11,400 to 11,600 in 2030. Such a route would remove nearly all of the existing traffic off of Route 9, as well as cut projected future traffic on Route 1 by roughly 2,300 vehicles per day below current levels." (A SUMMARY OF THE FINDINGS OF STUDIES REGARDING A MAINE EAST-WEST HIGHWAY Prepared by Maine Department of Transportation and Maine State Planning Office September 1999 SUMMARY OF FINDINGS)
- "Recent discussions in the Brewer-Holden-Eddington area about the planned Interstate 395-Route 9 connector, which is designed to ease heavy traffic between the Canadian Maritimes and the federal highway system, has led to some confusion over the two east-west highway proposals, Talbot said. "One is the southerly east-west highway and one is the northerly east-west highway," the Maine DOT spokesman said. "They're not connected in studies right now and they're not connected in funding right now.""(BDN 4/10/2012)
- Explain the differences in a northerly versus a southerly East West Highway. The existing E/W highway utilizing route 9 and the proposed E/W private highway both beginning in Calais and the existing route 9/46/1A/I395 segment goes to Bangor while the proposed E/W highway parallels route 9 by approximately 15 miles ending the local segment in Costigan, just north of Old Town—not hundreds of miles away as one might perceive reading the article. Only going west of the local area can the two highways be considered as northerly versus southerly. The private east west highway would do away with the need of the I395/route 9 connector due to lack of traffic on route 9 as stated in MDOT's own 1999 Study.
- Explain why the feasibility study of the privately funded East-West Highway should not halt the I-395/Route 9 connector study until that feasibility study is reported out on by January 15th of 2013?
- Explain how the I-395/Route 9 Connector Transportation Study can go forward without taking into account the projected loss of traffic in the route 9 corridor to and from the Canadian Provinces due to the proposed private East-West Highway.
- Explain why the MaineDOT/FHWA sees no problem with spending \$90+ million dollars on a connector that would have no traffic if the East/West private highway goes to construction based on this 1999 statement from a MaineDOT study: "would remove nearly all of the existing traffic off of Route 9"?

17-1

DEIS Comment/Question # 21. Submitted by: Larry Adams, a Brewer resident, on April 19, 2012 "Following the decision to begin the preparation of the EIS, a new PAC was formed. This PAC consisted of many of the same individuals who had participated in the study to date and several others with knowledge of the area and potential issues and concerns (Appendix B). These PAC meetings were working sessions open to the public and included time for questions and answers (exhibit 4.6). Three PAC meetings were held during the preparation of the EIS (Page 194/195 of the DEIS)." The three PAC meetings that they are referring to were held on August 20, 2008, November 19, 2008 and April 15, 2009 (Page 198/exhibit 4.6 of the DEIS). According to Appendix "B", Brewer only had one PAC member for the last three PAC meetings and we know that's not true. Where are Manley DeBeck and Rick Bronson? And it turns out that Linda John was Clifton's PAC member and never Brewer's. What is Appendix "B"? It is the list of current PAC members only and nothing more. Does it really matter? Not really - but it shows a level of sloppiness that you would not expect to find in an official document near the end of a \$2.5 million dollar study.

Appendix B

Public Advisory Committee Members

Name	Telephone Number	Email Address
Alan Bromley Holden	947-4511	albromley@roadrunner.com
Joan Brooks Eddington	843-6389	NA
John Bryant Holden	827-3700 ext. 113	john.bryant@amforem.biz
Rodney Burwell, Sr. Eddington	843-7861	rodneyr_peaveymfg@roadrunner.com
John Butts Holden	843-5151	john@holdenmaine.com
Linda Johns, City Planner Brewer	989-7790	ljohns@brewerme.org
Rob Kenerson BACTS	942-6389	rkenserson@emdc.org
Rodney Lane, Lane Construction	945-0873	RPLane@laneconstruct.com
Charles Plummer Eddington	989-5258	NA
Roger Raymond, Bucksport Town Manager Bucksport	469-7368	bucksport@acadia.net

Page - 237

- The PAC was advisory only – yet the MaineDOT/FHWA/USACOE place the names of these PAC members in the DEIS as if they had a vote in the final decision. All the decisions made after the last PAC meeting of 4/15/2009 were outside of public, civic and PAC scrutiny and the MaineDOT/FHWA/USACOE are doing the PAC members a great disservice to make it appear that they concur with the DEIS results—they may not.

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 22.

Submitted by: Larry Adams, a Brewer resident, on April 19, 2012

PAC involvement in the Study:

“Public Advisory Committees (PACs) serve as a forum for public debate and discussion on transportation needs and solutions. The purpose of a PAC is to provide a comprehensive and orderly means of involving local interests in a transportation study. The role of the PAC is to advise the MaineDOT and the FHWA on community sentiment about a study. Preparation of the DEIS and 404 permit information: The PAC assists the study team by: Assist in the identification of issues and concerns; provide input by reviewing and supplementing the study team’s inventory and impact assessment of sensitive resources, unique features, and local community and economic patterns and reviewing avoidance and minimization measures and suggesting others. The PAC input is used by the study team to: Identify and determine the extent of the most important issues to be analyzed; identify and eliminate from detailed study the issues which are not significant, narrowing the analysis and discussion of these issues; identify and fully develop the potential positive and negative impacts of the alternatives and further avoiding and minimizing impacts to the extent possible.” (I-395/Route 9 Transportation Study Project Advisory Committee – a High-level Summary)

There were no PAC meetings from 4/30/2003 to 8/20/2008 and no PAC meetings have been held since 4/15/2009. The PAC has not been involved with this study since 4/15/2009 and some PAC members actually thought that the PAC was disbanded in April of 2009. The PAC should have been involved with the preparation of the DEIS.

- Explain why the MaineDOT decided to not involve the PAC in all the major decisions made outside of public scrutiny for the five year period between April of 2003 and August of 2008 and again for close to three years from April of 2009 to the present and again in the submission of the DEIS.
- If one of the roles of the PAC was to advise the MaineDOT and the FHWA on community sentiment, wouldn’t that have been helpful instead of leaving private citizens and local government officials in the dark for all those years, only to find out purely by accident that the study parameters were changed to remove all routes that previously met the purposes and needs of the study, including the preferred 3EIK-2 (RING) of some seven years, from further consideration and replace it with alternative 2B-2, a route that previously only met 20% of the purposes and needs of this study?
- The MaineDOT took away the voice of the private citizen and their elected local officials when the MaineDOT decided to take this study underground. Where was the transparency in this process?
- How were private citizens supposed to keep abreast of these changes when the MaineDOT didn’t update their own website, with the exception of a change in Project Manager and the current map, or advise the City of Brewer of any of these important changes since April of 2009? The first update to the Study website, since April of 2009, with any real engineering data did not begin until mid-February of 2012. Refer to my question #6, submitted 4/13/2012, and you will see that I tried to get the latest news on March 2nd of 2011, via an email to the Project Manager, and was given none of the updates that she surely had, a lie of omission is nevertheless still a lie.

DEIS Comment/Question # 23.

Submitted by Larry Adams, a Brewer resident, on April 19, 2012

Safety of proposed 2B-2/route 9 alternative:

Some are questioning the safety of this proposed roadway. Two lane undivided highways have the major fault that it lends itself to severe head-on crashes. This connector was originally designed to be first constructed as a two lane undivided highway until such time as traffic warranted the upgrade to a four lane divided highway. We have been told that the design has been downgraded, due to a decrease in projected traffic numbers, to a two lane undivided highway with no future four lane upgrade and thus no purchase of the extra right-of-way to accomplish an upgrade.

What this means is the best option to improve safety on a two lane undivided highway, other than median strips and an actual median, is the upgrade to a divided highway and that option is no longer available or is it?

My neighborhood will be impacted by living within 100' of the right-of-way if 2B-2 goes to construction and have to worry from then on that our safety concerns will come to fruition and the MDOT/FHWA will have no other option than to purchase additional right-of-way to upgrade the same highway that they both said, in 2012, was safe. So now my neighborhood could be decimated ten years from now because of decisions made today. How fair is that?

The selection of 2B-2 as your preferred alternative is exacerbated by the need of using 4.5 miles of the existing route 9 to make the alternative viable. Route 9 has its' own safety issues as you are surely aware. There are 190 separate and distinct access points and six speed limit changes over that 4.5 mile section of route 9.

- "The speed of traffic through the east Eddington village has always been a concern. As a built up area, it poses a challenge to making connections to Route 9 west of the east Eddington Village." (PAC Meeting Minutes 4/15/2009)
- Alternative 2B: ".....would fail to adequately address the traffic congestion needs in the study area. 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. (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 Page ii)
- "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." (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission dated October 2003 (Page 5 of Summary))
- "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." (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission dated October 2003 (Page 5 of Summary))

"Mark Kern: Good job in general has been done. Put some energy – not sure what doing to keep the Route 9 corridor intact - so there are no traffic problems ten years down the road. Discuss and explain why something cannot be done on Route 9 to reduce the entrances. Buy right-of-way, land zoning – hoping you will be aggressive in that area and will not have the same problem show up in fifteen years. Judy Lindsey: As far as related land uses, there is not much MaineDOT can do – as zoning is a town by town issue. We cannot control land use impacts. The positive – access to US Route 1, Route 2A and Route 9 preserves any development. Zoning is up to the town - it is something we can talk

Attachment: Comments and Public Meeting Transcripts

to the towns about but cannot influence it; other than require legislative action.” (October 2011 Interagency Meeting Minutes)

- Seems like an EPA official, Mark Kern, had the insight to recognize that utilizing route 9 may not be the best decision and that it may lead your Study Group back to readdress traffic problems by 2021 to 2026, long before the year 2035 that route 9 has been blessed to for traffic capacity.

The same gentleman though, earlier in this same meeting, made this incredibly stupid statement: “Mark Kern: This has been a great process. When is Judy bringing the champagne?” (October 2011 Interagency Meeting Minutes)

- What an outrageous statement to make when 8 families will lose their homes, many people will partially lose their properties and 190 residential, business and civic buildings will be within 500’ of the proposed connector.
- Some are also saying that this project doesn’t end with the construction of 2B-2; the deficiencies of this selection will end up with more construction in the near future; it’s not out of the question to end up with an extension of 2B-2 to the Eddington/Clifton town line or you can dust-off the plans for the “K” bypass around the Village of East Eddington. Where are the guarantees that you won’t be back in ten years to fix what should have been appropriately engineered in 2012?

18-1

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

- Will safety of this connector be compromised by future development on the 4.5 mile segment of route 9 that supports the 2B-2 connector? “Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards.” AND this statement doesn’t address any future development issues—“would substantially increase” is an absolute—that is what a transportation expert stated will happen. How can you make believe that these statements no longer exist?
- Identify the overall benefits that are in peril by this DEIS statement.
- Isn’t safety supposed to be the major concern of any roadway sponsored by the MaineDOT and the FHWA?
- There was a clear reason why the Study Group was tasked, as far back as the year 2000, to provide a connector with full system linkage and that was to bypass the village of East Eddington which has the added advantage of bypassing that same 4.5 mile section of route 9 through Eddington that 2B-2 now depends on. The study group has failed miserably by not delivering on this task while expending between \$1.7 and \$2.5 million dollars over now twelve years of this study and we should not have to suffer by their failure.
- This connector was also supposed to be an integral segment of the existing East West Highway; all that will be accomplished at the end of this project is a bypass of North Brewer without improving the traffic flow through the Village of East Eddington and that 4.5 mile section of route 9. Why are you balking at making significant improvements when now is the best time to accomplish that task? How can your decision be considered as improving the existing East West Highway when in fact you are not improving the traffic situation, especially through the village of East Eddington, and you may cause new additional issues. “Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards.”—how many times do I have to quote this? Your decision to select 2B-2 as the preferred alternative is extremely shortsighted and fails to address the real issues within the study area.

DEIS Comment/Question # 24.

Submitted by: Larry Adams, a Brewer resident, on April 19, 2012

Where's the Warranty?

"However, future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project." (DEIS page S19)

- How can the success of this project hinge on the hope that the community of Eddington will be unable to develop its own resources?
- Do you really want to spend \$90 to \$120 million dollars (MaineDOT Interagency Meeting October 11, 2011) to construct any one of the three remaining alternatives when the overall benefits of the project cannot be guaranteed? What happened to the year 2035?
- How can the MaineDOT/FHWA continue to support any of the remaining three alternatives when the success of this project hangs so precipitously according to this one statement in the DEIS?
- Remember—the deficiencies of these three remaining alternatives are because the Study Group could not reach consensus on selecting an alternative that complied with the original System Linkage Need as tasked for most of the previous decade of the study.
- Alternative 2B-2 can stifle future business opportunities in Eddington, it will take away 130 parking spaces (20%) at the Eastern Maine Medical Center's CancerCare of Maine facility in Brewer and it squelches future development plans that the City of Brewer had for a hotel complex/conference center between CancerCare and I-395.

19-1

I thought Maine was open for business?

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 25.

Submitted by: Larry Adams, a Brewer resident, on April 23, 2012

Downgraded Design:

"Four alternatives, including the No-Build Alternative, were retained for further consideration and analyzed in detail (exhibit 2.8). The build alternatives would be controlled-access highways and were conceptually designed using the MaineDOT design criteria for freeways (exhibit 2.9). Two lanes would be constructed and used for two-way travel within an appropriate 200-foot-wide right-of-way (exhibit 2.10)." (DEIS page 42)

- This downgraded connector design, occurring sometime in 2011 and first addressed at the October 2011 Interagency Meeting, does not include a future upgrade to a four lane divided highway as was the plan for the previous decade of the study. The original right-of-way was supposed to be wide enough for the future development. Now the right-of-way will be an average of 200'.
- ONLY three alternatives, 2B-2, 5A2B-2 and 5B2B-2, of the original 70+ alternatives studied over the last decade remain in consideration with this new "downgraded design". All other routes were dismissed in September of 2010.
- How would the 3EIK-2 route have fared if the "footprint" was only 200' in width and wouldn't the 4B alternative suddenly look a whole lot better?
- Could the 3EIK-2 route have been successfully moved around the vernal pools if it was only a 200' wide footprint? How about 5A2E3K?
- The biggest reason 4B was dismissed was because of "extensive earthwork". Wouldn't a 200' footprint have fared better with that route? How about any of the route 1 upgrades?
- A redesign at such a late date in the study—eleven years—appears to be just another unfair comparison placed upon the three remaining alternatives in consideration, none of which meet the original Purposes and Needs of the Study while not placing the same criteria to any of the four alternatives, including the 3EIK-2/preferred alternative of six or seven years, that did meet the Purposes and Needs of the Study but were removed in September of 2010.
- Which agency ordered the downgrade redesign of this connector?

20-1

20-2

20-3

20-4

- The Study Group, at a February meeting, advised our Legislative Delegation that \$1.0 million dollars would be saved by not purchasing additional right-of-way properties to support a future full four lane divided highway, as was originally the plan of this study for the past decade. Based on a \$90 million dollar estimate for the construction of alternative 2B-2, from that same October meeting, \$1.0 million dollars is only 1.1% of total \$90 million dollar expenditure. Does the MaineDOT/FHWA find it appropriate for the Study Group to remove the possibility of a future upgrade that may be needed to insure the safety of this corridor based on an initial \$1 million dollar expense? When you look at the overall cost of this project, especially now that some are raising safety concerns with limiting the design to a two lane undivided highway, \$1.0 million dollars does not seem like a major expense.
- Was the redesign based solely on construction costs?
- What was the basis behind redesigning this connector?
- If the redesign was necessary because of a lack of projected traffic numbers, are these numbers accurate? Weren't the last real numbers taken back in 2006 and 2008? For a project of this magnitude don't you think the traffic numbers should be validated to make sure that the downgraded design is the best action to take on this connector?
- In September 2010 significant changes were made to the original project criteria:
 - Elimination of the original System Linkage Need of an east of East Eddington connection point on Route 9 as tasked since the start of the study.
 - MDOT/FHWA "blessing" of future traffic capacity of Route 9 out to the year 2030 and then 2035. Why didn't previous traffic reports indicate this finding?
 - Removal of the bypass around the Village of East Eddington releasing from further consideration the only four alternatives that met, at that time, the original Purpose and Needs of this Study, including the 3EIK-2/preferred alternative, leaving only three alternatives, none of which met the original Purposes and Needs of this Study.
 - And then—downgraded redesign of the proposed roadway sometime in 2011.
 - **With all these major changes—is this connector really necessary?**

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question #26.

Submitted by: Larry Adams, a Brewer resident, on April 23, 2012

The up and down history of 2B-(X):

- 1) Alternative 2B was removed from further consideration two times before the end of 2002.
 - Alternative 2B: "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. 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. 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)". (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 Page ii and iii)
- 2) The Corporate Boundary Route was first presented to the PAC by the Town of Holden in November of 2002. It didn't get the support of the Study Group and was dismissed during the next PAC meeting; it was Holden's direct answer to alternatives within their town boundaries.
- 3) In May of 2003 all alternatives with the exception of the no-build and alternative 3EIK-2 were sent to detailed studies. This occurred at the end of the #7 Interagency Meeting held on May 13, 2003.
- 4) In September of 2003, the Town of Holden presented their Corporate Boundary Route once again—the second time in less than a year. This CBR route was to become alternative 2B-2.
 - "The Corporate Boundary route, officially called 2B-2, would roughly follow the Holden-Brewer lines. It would extend I-395 at its Wilson Street junction and intersect Eastern Avenue and Lambert Road before crossing into Holden just north of Clewleyville Corners. From there the highway would cross Levenseller Road, then enter Eddington and connect with Route 9. That part of Route 9 would be rebuilt as part of the project." (June 18, 2004 BDN article)
 - "The 2B-2 alternative is nearly the same as 2B, but it crosses into Holden after entering Eddington and then crosses back into Eddington to connect with 4.5 miles of improvements to Route 9." (August 23, 2004 BDN article)
 - "The corps is considering 2B-2 because Bryant and resident Jacqueline Smallwood presented it to them last fall, said Jay Clement, the Maine representative for the corps. He said it was the public's interest in 2B-2 that prompted the corps to consider it. "That is their route," he said." (August 23, 2004 BDN article)

- “The 10.7-mile 2B-2 alternative could affect 48.3 acres of 21 wetlands and would displace 22 homes. Eleven of these homes are on the planned road and 11 are on the rebuilt Route 9.” (August 23, 2004 BDN article)
 - “The shorter 2B alternative is 5.8 miles long and could affect 27.8 acres of five wetlands and would displace three residents, according to information released in November 2001 from DOT.” (August 23, 2004 BDN article)
- 5) At that time the only difference between alternatives 2B and 2B-2 appeared to be how each alternative would use the existing segment of route 9. We were led to believe that alternative 2B-2 would be connected to a “rebuilt” or an “improved” Route 9, while alternative 2B would be connected to the existing route 9. Since there was no public involvement in this Study from 4/30/2003 until 8/20/2008—we were forced to rely solely on news articles in the Bangor Daily News for any Study updates. It is unclear when this “rebuilt Route 9” criteria was dropped from 2B-2 or even if it ever really existed, but at that time without “rebuilding” route 9, alternative 2B-2 became nothing more than alternative 2B—there was no longer any difference between the two.
- 6) 2B-2 seemed to disappear sometime in September of 2005 only to be put back in consideration in January of 2006 again supported by the Town of Holden. The MaineDOT/FHWA preferred route during this time was the 3EIK-2 (RING) route.
- 7) In April of 2009, is there any doubt what this chart says? Does 2B-2 meet the Purpose and Needs of this Study?



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

Attachment: Comments and Public Meeting Transcripts

8) Is 2B-2 really the same alternative as 2B?

- The starting point is the same with both routes; the impact to my Woodridge Road neighborhood is the same with both routes and the connection point on route 9 in Eddington is exactly the same on both routes.
- 2B: "Length: 5.8 mi. of new alignment, 4.2 mi. of Route 9 without additional improvement"
2B-2: "Length: 6.1 mi. of new alignment, 4.2 mi. of Route 9 without additional improvement"
(DEIS page 258)
- Both alternatives use the same identical section of route 9; I have seen this route 9 segment reported as 4.5 miles in the BDN and I actually drove that section from the Eddington/Clifton town line to the connection point and found it at 4.5 miles via GPS; doesn't really matter, as the DEIS indicates, 2B and 2B-2 use the same segment of route 9 without additional improvement.

9) Since alternative 2B-2 is nothing more than a recycled alternative 2B, alternative 2B-2 was placed in consideration, by my best count, at least four times over a six year period. There have been no other alternatives of the 70+ alternatives studied that were treated in this way.

10) Why did the MaineDOT continue to allow this alternative to be removed and placed back in consideration so many times when this alternative had clear opposition from Brewer residents and City of Brewer officials throughout the previous decade?

11) Can't you understand why, now into the twelfth year of this study, impacted residents living on or near alternative 2B-2 are outraged? The preferred route of almost seven years was not only removed from preferred status, it was removed from further consideration along with every other route that previously met the purposes and needs of the study leaving three routes that did not previously meet the purposes and needs of this study.

12) Should we accept MaineDOT/FHWA/USACOE explanations as gospel without full detailed information? I find it absurd that after spending anywhere from \$1.7 to \$2.5 million dollars—this is the best you can do.

And now in April of 2012:

"After careful consideration of the range of alternatives developed in response to the study's purpose and needs and in coordination with its cooperating and participating agencies, the MaineDOT and the FHWA identified Alternative 2B-2 as the preferred alternative because they believe it best satisfies the study purpose and needs, would fulfill their statutory mission and responsibilities, and has the least adverse environmental impact." (DEIS s14)

The MaineDOT and the FHWA identified Alternative 2B-2 as the preferred alternative because they believe it best satisfies the study purpose and needs, HOWEVER 2B-2 is almost identical to the same 2B alternative that was removed not only once but twice from further consideration by the end of 2002. Congratulations—your Study Group managed to spend some \$1.7 to \$2.5 million dollars to reach a conclusion that an alternative thrown out two times ten years ago by your Study Group now “best satisfies the study purpose and needs” for this connector.

The real story why 2B was removed (twice in 2002) from further consideration—Once again:

“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. 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. 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)”. (I-395/Rt. 9 Transportation Study Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 Page ii and iii)

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 27. Submitted by: Larry Adams, a Brewer resident, on April 23, 2012.

On May 2nd the MDOT/FHWA will be presenting their selection of 2B-2/the Preferred Alternative at a Public Hearing. In my opinion, their decision is flawed by previous statements: the original System Linkage Needs statement of February 2002, reasons for removal of 2B from further consideration in 2002 and the Purpose and Needs Matrix of April 2009 tell a different story—alternative 2B-2 did not meet the original Purposes and Needs of the Study nine years into this Study, but now it is the preferred alternative. 2B and 2B-2 are almost identical alternatives. Explain why we should concur with an expenditure of \$90+ million dollars to construct 2B-2 based on these statements and the Matrix. What is it about NO that you can't understand?

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

Previous Statements from MaineDOT/FHWA Transportation Professionals:

"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." (System Linkage Need Statement)

"Alternative 2B: 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. 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." (Reasons for removing alternative 2B from further consideration.)

(Transportation Improvement Strategies and Alternatives Analysis Technical Memorandum and U.S. Army Corps of Engineers Highway Methodology Phase I Submission October 2003 – page ii and page 5 of Summary)

DEIS Comment/Question #28.

Submitted by Larry Adams, a Brewer resident, on April 24, 2012

Atlantic Salmon:

Felts Brook has a clearly defined area of Atlantic Salmon rearing and spawning, identified in a September 10, 2010 map by the Maine IF&W, to the east of Route 9 for an area greater than ¼ mile that is within three miles of the proposed construction of alternative 2B-2.

"The lower reaches of Felts Brook and Eaton Brook adjacent to the Penobscot River potentially maintain viable Atlantic salmon populations and, therefore, constitute high-value fisheries. The riparian corridors along Felts Brook and Eaton Brook are generally well established and provide abundant shade and woody debris to enhance fish habitat (Town of Holden, 2007). However, the riparian corridors along the central portions of these streams have been degraded by the removal of woody vegetation, particularly in association with agricultural activities." (DEIS page 73)

"The build alternatives would impact aquatic habitats and fisheries through the road-stream crossing and channelization of streams (exhibit 3.6). Because roadstream crossings with natural bottoms would be used, small amounts of stream channel bottom habitat may be impacted during construction. The No-Build Alternative would not impact aquatic habitats or fisheries." (DEIS page 75/76)

"The build alternatives may affect Atlantic salmon and its designated critical habitat through the roadstream crossing and channelization of streams. The road-stream crossings may affect Atlantic salmon during their eggs and larvae stages. Construction of the road-stream crossings increases sediments that could affect migrating adult salmon." (DEIS page 107)

"The main watersheds in the study area are Felts Brook, Eaton Brook, Kidder Brook, Meadow Brook, Mill Brook, Davis Pond, the Thoroughfare, and Holbrook Pond (exhibit 3.3). All of the watersheds are located in the Lower Penobscot sub-watershed. Stormwater runoff in urban areas is one of the leading sources of water pollution in the United States. Impacts to surface waters result from the following: • bridging, enclosing in culverts, and rechanneling • new impervious area that increases contaminants or sediments carried in runoff • development in stream corridors and reduction in buffers of streams and waterways that would impact the ability of the buffer to treat stormwater. The No-Build Alternative would not impact surface waters." (DEIS page 69)

"The build alternatives would result in an increase in impervious surfaces. This would increase runoff and reduce the area available to absorb runoff." (DEIS page 73)

Attachment: Comments and Public Meeting Transcripts

- The flow of Felts Brook is northwest to the Penobscot River away from I-395; any construction activity, storm runoff or chemicals from winter snow clearing operations will eventually flow through that habitat area. How will storm runoff and snow clearing operations affect Atlantic Salmon habitat?
- How does the MaineDOT/FHWA plan to limit damage to the Atlantic Salmon habitat now and in the future if this connector is approved and goes to construction?
- Why is this Atlantic Salmon habitat seemingly less important than a vernal pool full of frogs and salamanders?
- "Stormwater runoff in urban areas is one of the leading sources of water pollution in the United States." (DEIS page 69) How will this pollution source affect the Atlantic Salmon habitat?
- Why was the PAC advised, at the start of the Study, to not route any of the proposed alternatives through the Felts Brook wetland, but now alternative 2B-2 will blast right through the center of it and bridging over Felts Brook and an unnamed tributary in three places?
- Per a Memorandum from the US Department of the Interior dated August 9, 1979 reference the DEIS for the I-395 extension to Brewer:
 - "However, in view of possible detrimental impacts on Atlantic Salmon spawning, the Fish and Wildlife Service advises us that they may object to permit applications for construction in Felts Brook and its adjacent wetlands."
 - "Felts Brook, which empties into the Bangor Salmon Pool of the Penobscot River, supports a small native population of Atlantic Salmon and brook trout. It also serves as a salmon spawning area. Within the U.S. Fish and Wildlife Service's anadromous fish program, the Penobscot River is listed as a top priority stream for restoration of the Atlantic Salmon...."
 - Where is the same concern today for the Atlantic Salmon habitat?
 - What about native brook trout in Felts Brook?

Exhibit S.9 – Cumulative Effects for the Build Alternatives

Alternative	Surface Waters	Floodplains (acres)	Wetlands (acres)	Forest Vegetation (acres)	Wildlife Habitat (acres)
2B-2/the Preferred Alternative	4,900 feet of streams; unknown impacts from stormwater runoff.	26	182	602	873
5A2B-2	5,000 feet of streams; unknown impacts from stormwater runoff.	18	187	636	924
5B2B-2	4,800 feet of streams; unknown impacts from stormwater runoff.	27	188	602	556

(DEIS page s18)

- The cumulative Effects to Surface Waters for alternative 2B-2: “4,900 feet of streams; unknown impacts from stormwater runoff.”
- Are we to believe that there is no way to measure the impacts to 4,900 feet of streams upstream of an Atlantic Salmon habitat?
- Maybe all this is why the PAC was told back in the year 2000 to stay out of Felts Brook?
- The impacts to the Atlantic Salmon habitat are honestly provided in the DEIS making one wonder why something as contradictory as the suggestion of any alternative transiting through the Felts Brook wetlands would be made. The environmental impacts may be irreversible and seem unnecessary since other alternatives would have not affected this area. Since the three remaining alternatives do not meet the original Purpose and Needs of the Study, why would anyone want to take that chance?
- No-Build will not affect the Felts Brook Atlantic Salmon habitat.
- Take this selection to No-Build or build an alternative that meets the original criteria—it’s that simple.

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question #28A.

Submitted by Larry Adams, a Brewer resident, on April 24, 2012

Resubmitted May 4, 2012 with additional information.

Atlantic Salmon:

Felts Brook has a clearly defined area of Atlantic Salmon rearing and spawning, identified in a September 10, 2010 map by the Maine IF&W, to the east of Route 9 for an area greater than ¼ mile that is within three miles of the proposed construction of alternative 2B-2.

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- The flow of Felts Brook is northwest to the Penobscot River away from I-395; any construction activity, storm runoff or chemicals from winter snow clearing operations will eventually flow through that habitat area. How will storm runoff and snow clearing operations affect Atlantic Salmon habitat? | 21-1
- How does the MaineDOT/FHWA plan to limit damage to the Atlantic Salmon habitat now and in the future if this connector is approved and goes to construction? | 21-2
- Why is this Atlantic Salmon habitat seemingly less important than a vernal pool full of frogs and salamanders?
- "Stormwater runoff in urban areas is one of the leading sources of water pollution in the United States." (DEIS page 69) How will this pollution source affect the Atlantic Salmon habitat? | 21-3
- Why was the PAC advised, at the start of the Study, to not route any of the proposed alternatives through the Felts Brook wetland, but now alternative 2B-2 will blast right through the center of it and bridging over Felts Brook and an unnamed tributary in three places?
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 - Where is the same concern today for the Atlantic Salmon habitat?
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(DEIS page s18)

- The cumulative Effects to Surface Waters for alternative 2B-2: "4,900 feet of streams; unknown impacts from stormwater runoff."
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- No-Build will not affect the Felts Brook Atlantic Salmon habitat.
- Take this selection to No-Build or build an alternative that meets the original criteria—it's that simple.

This information was obtained from a Maine Freedom of Access Act request:

Comments on I-395 Draft Chapter 3

Page 3 In terms of Maine's designated Biophysical Region it is in the Central Maine Embayment Biophysical Subregion

Page 5- Is there a need to complete the NRCS farmland soils form FPPA-NRCS-CPA-106?

Page13 Information from MDMR-SRF Richard,

>
> Looking at the map, it appears that two alternatives could affect Atlantic salmon habitat: 5B2E3K and 2B-2. Both alternatives cross Felts Brook and Eaton Brook. We have documented spawning in Eaton Brook in the vicinity of Eastern Avenue and USFWS has documented juvenile salmon in both streams. Felts Brook at the current terminus of I-395 at Wilson Street does not possess salmon habitat; the habitat is all downstream of this location. Wende can comment regarding proposed critical habitat for these streams.

> Norm

It looks like any work around felts brook Downstream of I-A will need review.

Page 15 second column, 3rd line of second full paragraph: edit phrase "by trees by trees"

Page 17 as we talked this morning, Context discussion should be based on study area wide wetland mapping- once alternatives are reduced to a manageable size, and can be compared against each other, the field refined boundary wetland mapping can be used. This mapping was done to give a further basis for comparison between alternatives. An actual delineation will be done during the permitting of the LEDPA.

Page 18 Wetland that are associated with Eaton and Felts Brook perform a groundwater discharge function which adds to the baseflow and may keep the stream temperatures down.

Page 19 3.2.2.5. There are no Designated Wild and Scenic Rivers in the study area

Page 22- GIS mapping of current state mapped Undeveloped Blocks and Deer Wintering Areas will be submitted. If undeveloped blocks were modified to meet situations in the field, that should be documented. Updated Deer Wintering areas were updated recently to reflect new conditions.

Page 26 - Bulleted vernal pool criteria second bullet – "10 or more eggs of the blue spotted.... Should read 10 or more eggmasses. Make this change on subsequent criteria.

Page 27 Ribbon snakes should be listed as a vernal pool Herptile. None were seen.

Page 28 3.2.5.1 Federal Endangered or Threatened Species.

We have the following information from Wende Mahaney USFWS concerning Section 7 process "A formal consultation is a strong possibility but perhaps not a given at this point. Salmon in Eaton Brook aren't endangered now, but they likely will be with the new listing. Both streams will be designated as CH, so as Jeff says, we will need to examine specific crossing locations and evaluate the occurrence of PCE's and consider how the project might or might not affect downstream habitat or salmon in the case of Felts Brook if crossings would be above the salmon habitat. I don't know if Felts and Eaton are checked for the presence of salmon on a regular/annual basis, so we might also need to collect some current information of salmon presence."

Also- Alewife, rainbow smelt and blueback herring are of concern to agencies but used here, species of special concern, does not currently have any regulatory standing with USFWS. The Atlantic sturgeon is being monitored by NMFS but the ranking is not a regulatory.

Richard

Attachment: Comments and Public Meeting Transcripts

"We have documented spawning in Eaton Brook in the vicinity of Eastern Avenue and USFWS has documented juvenile salmon in both streams. Felts Brook at the current terminus of I-395 at Wilson Street does not possess salmon habitat; the habitat is all downstream of this location."

"Salmon in Eaton Brook aren't endangered now, but they likely will be with the new listing. Both streams will be designated as CH, so as Jeff says, we will need to examine specific crossing locations and evaluate the occurrence of PCE's and consider how the project might or might not affect downstream habitat or salmon in the case of Felts Brook if crossings would be above the salmon habitat. I don't know if Felts or Eaton are checked for the presence of salmon on a regular/annual basis, so we might also need to collect some current information of salmon presence."

- How far downstream of the current terminus of I-395 at Wilson Street have Atlantic salmon been located and documented in Felts Brook?
- Is it really acceptable, considering the possibility of irreversible impacts to the Atlantic salmon habitat, to bridge alternative 2B-2/5A2B-2 over Eaton Brook if Atlantic salmon spawning and the existence of juvenile Atlantic salmon have been documented by state and federal agencies in a stream that may now be designated as critical habitat?
- Have the salmon in Eaton Brook been listed as endangered?
- Have Eaton Brook and Felts Brook been designated as critical habitat (CH)?
- Primary constituent element (PCE): migration habitat or spawning/rearing habitat when referring to Atlantic salmon. Has this evaluation taken place? If not, when and shouldn't the evaluation be completed before this study goes any further?
- Has the determination been made yet as how the project might or might not affect the downstream habitat of Atlantic salmon in Felts Brook? If not, when and shouldn't the evaluation be completed before this study goes any further?
- Is this above information accurate and pertinent to this project, when was this information provided and why isn't it included in the DEIS?—if it is please indicate where to find it.
- Again—I would ask why is this Atlantic salmon habitat seemingly less important than a vernal pool full of frogs and salamanders?
- "The No-Build Alternative would not impact aquatic habitats or fisheries."
(DEIS page 75)

DEIS Comment/Question #29.

Submitted by Larry Adams, a Brewer resident, on April 24, 2012

My neighborhood will be forever harmed:

"During public-involvement activities, residents in the study area favored keeping the build alternatives as separated from residential areas as possible. They strongly indicated that they placed a higher value on maintaining quiet residential areas than on preserving open space, which they felt was more important in comparison. In general, residents felt that the social environment should be valued more highly than the natural environment (section 4.3)." (DEIS page 137/138)

- Then why have you sited the right-of-way of two of the final three routes within 100' of my Woodridge Road neighborhood? The fact that these two routes do not meet the original criteria of the study even makes the situation worse. So much for listening to the PAC and the public—I thought we your true customers? Is this really the best choice?
- Where is the balance between people and the environment?

"For people living and working in proximity to the build alternatives, their view of the landscape in the area would change. The scenic view of some areas would be altered by the build alternatives and the loss of aesthetic resources such as vegetation, forestland, farmland, pastures, and/or streams." (DEIS page 138)

- We will forever be harmed by this proposed connector, a connector that I'm not even sure is needed—if your decreased traffic numbers caused a downgrade in the highway design to remove the four lane divided highway upgrade option from the previous decade—do the traffic numbers really show a need for this connector?

"The build alternatives would introduce additional lighting along highways and at the proposed interchanges and possibly lighting at the intersection. The build alternatives would introduce new lighting, to areas with little or no lighting, from headlights. Lighting at the interchanges and intersection would allow motorists to safely enter and exit the build alternatives. Lighting from vehicles using the build alternatives would affect homes and businesses that are located close to them. Typically, low beam and high beam headlights shine no more than 350 and 450 feet ahead, respectively (Naval Safety Center, 2004)." (DEIS page 138)

- Reading these statements is a real insult to the people that are directly impacted with loss of properties and/or their homes and those of us that you don't even define as indirectly or impacted at all but will surely suffer a devaluation in property values by proximity to this connector. These statements are indeed statements of fact—this is what will happen if the connector goes to construction. Our quality of life will forever be changed.
- My neighborhood will receive no benefits from this connector, just nothing but negatives. No one should ever be impacted by a proposal for any kind of project that doesn't meet the original project criteria.

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question #30.

Submitted by Larry Adams, a Brewer resident, on April 24, 2012

Public Involvement:

<http://www.maine.gov/mdot/pi/>

I have included the executive summary and mission statement from your Final Draft copy of a March 2010 Document defining Public Involvement with MaineDOT projects:

**Maine Department of Transportation
Public Involvement Plan Final Draft
March 5, 2010
Executive Summary
MaineDOT Public Involvement Plan**

MaineDOT's approach to public involvement is based on the principle that everyone who uses Maine's transportation system is a customer. High-quality public participation can only be carried out when customers are identified and brought into the planning process early and then kept involved throughout all phases of transportation decision-making.

MaineDOT developed its Public Involvement Plan with the goal of providing the highest quality public participation possible. The Plan outlines strategies for creating meaningful public involvement opportunities at all steps in the decision-making process, starting with development of MaineDOT's Twenty-Year Statewide Transportation Plan and continuing to the creation of the Six Year Transportation Improvement Plan and the Biennial Capital Work Plan, and then on to the project development phase for implementation of specific transportation system improvements.

Depending on the nature of and interest in an activity or project, public involvement can vary from simple public information to more formal approaches such as the development of project-specific public involvement plans. The public involvement plans often include advisory and stakeholder committees and other transportation planning partners such as the state's Regional Planning Councils, Metropolitan Planning Organizations, Indian Tribal Governments, the Maine Turnpike Authority and other stakeholders. MaineDOT has developed a free-flowing process that includes a variety of tools designed to ensure that people have access to as much information as possible and opportunities to participate in decisions affecting Maine's transportation system.

MaineDOT uses three primary types of public involvement, depending on the scope of the effort and the anticipated level of public interest, as follows:

- ☐ **Public information.** MaineDOT makes traveler safety updates and other public information announcements, publishes informational brochures, and posts legal notices, news releases, construction advisories, travel advisories, and other information-only products for the benefit of the traveling public.
- ☐ **Public participation.** MaineDOT frequently provides project- or activity-specific information and encourages participation from stakeholders and other interested parties. Meetings and public hearings are the most common ways to encourage such two-way communication. However, interested or potentially affected persons cannot always attend meetings, so MaineDOT also uses the Internet and other public outreach methods both to provide information and to seek public opinions. The Internet, in fact, is becoming a popular tool to facilitate public participation because it allows people to view materials and comment at their own pace.

- ❑ **Public consultation/collaboration.** MaineDOT typically uses this approach with large-scale modernization, capacity or expansion projects that are expected to generate substantial public interest. MaineDOT seeks to solicit significant public feedback and new ideas from the onset as it works to identify a transportation problem and develop solutions. Such significant and early involvement produces a collaborative approach to problem-solving that results in a full team effort in defining the problem and developing its resolution. Examples of MaineDOT's public consultation/collaboration process include the development of:
- The statewide long-range multi-modal transportation plan;
 - The Six Year Transportation Improvement Plan;
 - The Biennial Capital Work Plan;
 - Statewide rail, freight, ferry service and transit Plans;
 - Feasibility and National Environmental Policy Act (NEPA) studies;
 - Rules required as the result of legislative actions; and
 - Project development activities, such as reconstruction of a town's "Main Street", the addition of a new trail, or an intermodal facility.

Overall, MaineDOT recognizes that every planning and project development activity that it considers creates some public impact. Even the smallest project can sometimes produce a great outcry from those affected. It is difficult to anticipate all public responses that will be received, but, with everything that we do, we must always consider that there will be public interest because the transportation system impacts every person in the state. An early and continuous public involvement process is the key to keeping the public fully informed and participatory in making decisions that affect Maine's transportation system. As such, the public is one of MaineDOT's most important partners.

The Maine Department of Transportation *Public Involvement Plan* provides an overview of the department's mission and the objectives of its Plan. The Plan describes state and federal regulations, including a summary of the activities requiring public participation. It also discusses the major planning and implementation activities undertaken by the department, identifies major transportation planning partners in Maine and describes the three major types of public involvement that are used to ensure the traveling public is well-informed and provided ample opportunities to participate in making decisions. It also provides a tool that can be used to identify appropriate public outreach methods to ensure the greatest ability for the public to participate in transportation systems decision making in Maine.

Excerpts from City of Brewer Resolve 2012-B008 dated March 13, 2012

"WHEREAS, the City has gone on record on numerous occasions about the need to take into account local, regional, and statewide transportation considerations in selecting a final route for this important transportation connector; and" (City of Brewer Resolve dated March 13, 2012)

"WHEREAS, the City of Brewer and other stakeholders have been excluded from the public process as well as the decision-making process used by MDOT;" (City of Brewer Resolve dated March 13, 2012)

"BE IT FURTHER RESOLVED, that City of Brewer requests and urges MDOT to use a more open and transparent process when making decisions that impact multiple municipalities, their governing bodies, and their citizens." (City of Brewer Resolve dated March 13, 2012)

Attachment: Comments and Public Meeting Transcripts

- “MaineDOT’s approach to public involvement is based on the principle that everyone who uses Maine’s transportation system is a customer. High-quality public participation can only be carried out when customers are identified and brought into the planning process early and then kept involved throughout all phases of transportation decision-making.”
 - “the City of Brewer and other stakeholders have been excluded from the public process as well as the decision-making process used by MDOT”
 - “the City has gone on record on numerous occasions about the need to take into account local, regional, and statewide transportation considerations in selecting a final route for this important transportation connector”
 - “An early and continuous public involvement process is the key to keeping the public fully informed and participatory in making decisions that affect Maine’s transportation system. As such, the public is one of MaineDOT’s most important partners.”
 - “City of Brewer requests and urges MDOT to use a more open and transparent process when making decisions that impact multiple municipalities, their governing bodies, and their citizens.”
- 1) Private Citizens, the Public Advisory Committee and the elected officials of the City of Brewer were not kept involved throughout this project and were excluded from all final decision-making. Decisions made since the last PAC meeting of 4/15/2009 were accomplished completely outside of public and civic scrutiny with absolutely no transparency.
 - 2) This is a draft document, but it is the latest available on your own MDOT website. With a final draft date of March 2010, this should have been in effect during the most critical decision-making part of this project—September 2010 when the outcome of this project was drastically changed, again your decision—not mine or the elected officials of the City of Brewer.
 - 3) You have apologized now several times for not keeping us abreast of the latest news but that in a way seems like a smoke screen to hide the bigger issue. Per your own document, the real stakeholders of this project—the three communities that will be severely impacted forever by your decision-making did not have a say in the selection process. You will say that we do now because we can submit our comments on the DEIS, but the remaining alternatives in the DEIS are not representative of the last decade of this study. None of the remaining alternatives meet the original Purposes and Needs of the Study and two are almost identical so it comes down to basically two routes and neither one of them should remain in consideration. If the purpose of the DEIS was to have a fair comparison of alternatives—the fairness certainly does not seem to exist. You will never convince me that 2B-2 is the best solution for this connector, a highway that should have connected I-395 to Route 9 at the Eddington/Clifton town line; what you are presenting is nothing more than a North Brewer Bypass that does not accomplish the original criteria that you were tasked with as far back as the year 2000.
 - 4) If you want this connector to be accepted, ask the impacted people within their communities what they want. When the Town of Holden was considered the “community of impact” early on in this study, the MaineDOT went way out of their way to accommodate them, giving them the ability to attempt to get consensus within their community and even to the extent of

allowing them to present another alternative after the study appeared to be near completion sending 3EIK-2 and no-build to detailed studies in May of 2003; that alternative presented in September of 2003 was unfortunately 2B-2. You have not given the City of Brewer and the Town of Eddington the same consideration. All three final alternatives are unacceptable and that will not go away until you sit back at the table, really listen this time and select an alternative that meets the original Purposes and Needs of the Study. If you can't meet the original criteria, NO BUILD is the only option.

1.1. MaineDOT Mission Statement

This document provides guidance for MaineDOT personnel and the public on planning, designing and implementing issue-specific public involvement plans in order to achieve MaineDOT's *mission*:

MaineDOT's Mission:

Responsibly provide a safe, efficient, and reliable transportation system that supports economic opportunity and quality of life.

MaineDOT is committed to:

- Informing the public,
- Proactively seeking and encouraging the public's early and continuing input and participation when developing policies, plans, programs, studies, projects, operations and maintenance activities,
- Adhering to the principles of Environmental Justice and Title VI of the U.S. Civil Rights Act,
- Being consistent with the MaineDOT Strategic Plan and the objectives of *Connecting Maine*, MaineDOT's statewide long-range multimodal transportation plan,
- Improving customer service through training and effective external communication with stakeholders and the public,
- Enhancing public awareness and participation,
- Being fair, responsive and accountable to traditional and non-traditional stakeholders,
- Communicating effectively with the public, and
- Making the best possible transportation decisions to effect an efficient multimodal transportation system that meets the MaineDOT mission and needs of the people of Maine.

- 1) How does the MaineDOT's Mission statement support my quality of life with your selection of alternative 2B-2 as the preferred alternative?

How can this be the best possible transportation decision when:

- 2) 2B-2 is almost identical to the same 2B alternative that was removed not only once but twice from further consideration by the end of 2002. Your Study Group managed to spend some \$1.7 to \$2.5 million dollars to reach a conclusion that an alternative thrown out two times ten years ago by the same Study Group now "best satisfies the study purpose and needs" for this connector.

Attachment: Comments and Public Meeting Transcripts

- 3) "Alternative 2B: "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. 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."
- 4) "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."
- 5) "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."
- 6) In April of 2009 alternative 2B-2 did not meet the Study Purpose, ACOE Purpose, System Linkage Need and Traffic Congestion Need. Alternative 2B-2 only met 20% of the overall Purpose and Needs of the Study and that is only 20% greater than the No-build option.
- 7) "However, future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project." (DEIS page S19)
- 8) Alternative 2B-2 may stifle future development and business opportunities in Eddington, it will take away 130 parking spaces (20%) at the Eastern Maine Medical Center's CancerCare of Maine facility in Brewer and it squelches future development plans that the City of Brewer had for a hotel complex/conference center between CancerCare and I-395.

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question #31. Submitted by Larry Adams, a Brewer resident, on April 27, 2012

What would the Purpose and Needs Matrix really look like in April of 2012?

Purpose and Needs Matrix		April 18, 2012			
Alternatives	Meets Purpose		Meets Needs		
	Study Purpose	USACE Purpose	System Linkage	Safety Concerns	Traffic Congestion
No-Build	NO	NO	NO	NO	NO
2B-2	NO	YES	YES	NO	NO
5A2B-2	NO	YES	YES	NO	NO
5B2B-2	NO	YES	YES	NO	NO

not an official MaineDOT document

- The Safety Concerns Need and Traffic Congestion Need can/will only be met if the Study Group continues to ignore their own previous statements removing alternative 2B from further consideration (twice) before the end of 2002; the April 2009 Purpose and Needs Matrix; the downgraded design in 2011 removing the planned upgrade to a full four-lane divided highway in the future; and the work accomplished by the Public Advisory Committee over the previous decade. "..... would fail to adequately address the traffic congestion needs in the study area." AND "Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards."
- When the Village of East Eddington bypass was eliminated in Sept. 2010—the Study Group decided that moving the connection point westerly by 4.5 miles was appropriate while meeting the System Linkage Need—I disagree—but YES favors Study Group.
- The Study Purpose cannot be met because the regional system linkage need is only marginally improved at best and any improvement in safety of Route 46 and 1A may be unobtainable if safety on route 9 has "the potential for new safety concerns and hazards."
- The USACOE Purpose is met as the ACOE disagreed that the System Linkage Need of an east of route 46 connection point was necessary. "Ray added that the Corps specifically requested that at least one alternative that connects to Route 9 west of Route 46 be retained in the DEIS."
- **MaineDOT/FHWA officials should immediately call on all stakeholders to assemble and assist their agencies with decision-making leading to the final selection of an alternative based on the original project criterion, if consensus is unattainable—the only answer is the NO-BUILD option.**

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question # 32.

Submitted by: Larry Adams, a Brewer resident, on April 27, 2012

Why aren't you listening?

Elected officials from two of the three impacted communities within this study area have now loudly voiced their opinions and concerns via resolves from the City of Brewer on March 12, 2012 and from the Town of Eddington on April 24, 2012 withdrawing support for the proposed connector construction and supporting the No-Build option.

Why these resolutions were necessary:

- This Study Group failed to advise the public and their elected governing bodies of significant changes made in September 2010 to December 2010 that drastically altered the outcome of this Study; overturning the support, work and decisions of the Public Advisory Committee and others within the Study Group over the previous decade.
- MaineDOT/FHWA officials excluded the City of Brewer and other stakeholders from the public process as well as the decision-making process used in the selection of the remaining alternatives to be presented in the DEIS and the selection of 2B-2 as the preferred alternative. The last PAC meeting was held on 4/15/2009—the last time this project was discussed openly in the public. The decision-making process has been solely the charge of the MaineDOT/FHWA and other State and Federal agencies—not the public, not the Public Advisory Committee and not our elected governing bodies.
- This wasn't the first time of exclusion —MaineDOT/FHWA officials also previously excluded the City of Brewer and other stakeholders from the public process for the period of April 30, 2003 until June 4, 2008. In May of 2003, 3EIK-2/the MaineDOT/FHWA preferred alternative and no-build were sent to detailed studies—all other alternatives were removed from further consideration. Without scrutiny or the knowledge of most of the public and their elected officials, alternative 2B-2 (a recycled version of the original 2B alternative already removed twice from further consideration by the end of 2002) was allowed to be presented to the Study Group by the Town of Holden (for the second time in less than a year) and placed in consideration in September of 2003; later we find that 2B-2 was included as the 2nd alternative, out of only two, with 3EIK-2 in the draft ACOE Permit Application—as first reported at the August 2008 PAC meeting. That's a lot of undercover decision-making and a lot of changes outside of the scrutiny of the public and their governing bodies.
- As a matter of fact, the MaineDOT/FHWA and the other State and Federal Agencies involved in this Study have failed to operate in an open and transparent

manner for almost eight of the twelve years of this study. Two-thirds of this study has had absolutely zero public involvement even though there was a Public Advisory Committee existing until at least April of 2009—the PAC wasn't included in any discussions or decisions made during that same eight year time period. How can there be any accountability or any transparency when you fail to engage the public? AND, how did you expect to get consensus on this proposal, when you knew it would not be well received?

- This Study Group has failed to present even one single alternative in the DEIS that meets the original Purposes and Needs of this Study as tasked for the previous decade. The three alternatives remaining in consideration are not representative of the previous decade of work by the Public Advisory Committee and none of the remaining alternatives meet the original Purposes and Needs of the Study—none—zero—nada.
- This Study Group has failed to present an alternative that demonstrates a real balance between the environment and the homeowner; all State and Federal agencies involved in this Study have failed to protect the most important part of the environment—real live human beings. Save the frog and salamander habitat at any cost—move the people, raze their homes—seems to be the mantra of this Study Group.
- The MaineDOT/FHWA has failed to operate in an open and transparent manner when making their final decisions on this Study impacting several communities, their governing bodies and their citizens—with absolutely no community scrutiny or consensus.

What the next step should be:

- Immediately halt this Study and bring this selection process back to the real stakeholders of this project: the private citizens and their elected government officials with their PAC members to gain consensus on an appropriate alternative for this connector that meets the original criteria and intent of this project.
- You need to start talking to us and not at us; start listening to our opinions and concerns, you seem all too eager to forget about the history of this study, since there are many previous statements damaging to your cause. Don't fall into this trap: "As one senior MaineDOT engineer used to remark, all it takes is "one angry man with a laptop" to significantly impede forward progress." That is not what this is all about.
- Work with us and not against us.....

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question #33.

Submitted by Larry Adams, a Brewer resident on May 04, 2012

The MDOT Vision of this project:

Isn't it interesting that at this point in the process, twelve years into this Study that a statement such as this can still show up on the home page of an official MDOT Study webpage? Attached, as taken today, is a screen capture or go see for yourself: <http://www.i395-rt9-study.com/home.html>

"It is envisioned that the results would be the construction of a new two-lane road from I-395 to Route 9 to the east of East Eddington or improvements to existing roads. If a new two-lane road is constructed, it would be a limited-access road crossing over or under the intersecting streets. The only exception could be a new interchange with Route 1A."

All east of East Eddington alternatives were removed as of September of 2010 – leaving no alternatives meeting their "vision" statement.

This was the vision of this Study Group and the Public Advisory Committee from the start of the Study, somehow after April 15, 2009 the vision became blurred.


Page 1 of Homepage on next page:

Welcome to the I-395/Route 9 Transportation Study Website!

<http://www.i395-rt9-study.com/home.html>

Home Overview FAQ Stay Informed Resources Glossary Links

Welcome to the I-395/Route 9 Transportation Study Website!



MaineDOT and the Federal Highway Administration (FHWA) are conducting this study to:

1. Improve regional system linkage
2. Improve safety
3. Improve the current and future flow of traffic and the shipment of goods between I-395 and Route 9
4. Avoid and minimize adverse impacts to natural, social, cultural, and economic resources and features

It is envisioned that the results would be the construction of a new two-lane road from I-395 to Route 9 to the east of East Eddington or improvements to existing roads. If a new two-lane road is constructed, it would be a limited-access road crossing over or under the intersecting streets. The only exception could be a new interchange with Route 1A.

MaineDOT and the FHWA are preparing two primary items:

- an [Environmental Impact Statement \(EIS\)](#) in accordance with the [National Environmental Policy Act \(NEPA\)](#) and the Maine [Sensible Transportation Policy Act](#)
- a U.S. Army Corps of Engineers' [Section 404 Permit Application](#)

To help understand these items and preparing them, the U.S. Army Corps of Engineers has published information on [applying for permits for work in waterways](#) or wetlands and a [handbook](#) providing guidance for the preparation of these two items at the same time.

Transportation Study

Upcoming Events

MaineDOT, the Federal Highway Administration and the Army Corps of Engineers will hold an open house meeting for the project that will be held at the Eddington Town Office on May 2nd from 1 PM to 4:30 PM.

A public hearing will be held on Wednesday May 2nd from 6 PM to 8 PM at the Eddington Elementary School.

The MaineDOT issued a [newsletter](#) providing an update on the study as of March 2012.

I-395/Route 9 Transportation Study Draft Environmental Impact Statement and Section 404 Permit Application

MaineDOT and the Federal Highway Administration (FHWA) have released the Draft Environmental Impact Statement (DEIS)/Clean Water Act Section 404 Permit Application for the I-395/Route 9 Transportation Study for review and comment.

This DEIS/Clean Water Act Section 404 Permit Application examines the potential impacts of the "no-build" alternative and three "build" alternatives developed to satisfy the study purpose and needs. The purpose of this DEIS/Section 404 Permit application is to provide a full accounting of the potential impacts to the natural, social, and atmospheric environments and transportation system. It serves as the primary document to facilitate review of the project by federal, state, local agencies as well as the general public.

After careful consideration of all the alternatives, MaineDOT and FHWA identified Alternative 2B-2 as the preferred alternative because they believe it best satisfies the study purpose and needs, it fulfills their mission and responsibilities, and it has the least adverse impact.

As part of the review, MaineDOT and FHWA invite comments on its decision to identify Alternative 2B-2 as its preferred alternative. Comments on this and supporting information are due by May 15, 2012.

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question #34

Submitted by Larry Adams, a Brewer resident, on 5/04/2012

Final Thoughts:

If 2B-2/the preferred alternative is such a fantastic choice, why wasn't this decision made ten years ago when the 2B alternative was last in consideration? The original 2B alternative was removed from further consideration twice before the end of 2002. Can you dispute that 2B-2 is nothing more than a recycled 2B? The moment the Study Group removed the word "rebuilt" from the description of Route 9—alternative 2B-2 became almost identical to the original 2B alternative. 2B is equal to 2B-2 or is it really 2B-2-1?

And just in case you've forgotten why the original 2B alternative was removed from further consideration: "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. Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards."

How much money has been expended supporting this Study over the past ten years?

Couldn't that money have been better spent on improving our failing infrastructure?

Maybe the better question for the DEIS is where did the money go?

Either the work of your Study Group in concurrence with the Public Advisory Committee during the initial eight and a half years from the 1st PAC meeting held on 9/11/2000 to the last PAC meeting held on 4/15/2009 was faulty—OR—the work of your Study Group working outside of the Public Advisory Committee since April 15, 2009 has been faulty. You can't have it both ways. Your decisions of today contradict the decisions of a good part of a decade of work.

You are basing decisions on traffic data from 1998 and 2006; why hasn't the MaineDOT or the FHWA requested a more recent set of traffic numbers?

The reason you now give for the viability of 2B-2: "traffic volumes weren't materializing as originally anticipated (downturn in the economy, increase in the price of gas) is shortsighted. At some point the economy will rebound, along with an increase in traffic numbers, and it will surely be before the year 2035 that you estimate for Route 9 traffic capacity. If the price of gas has that drastic of an effect on traffic numbers—have you factored that into your future numbers?

22-1

You cannot convince me that in a mere seventeen months alternative 2B-2 went from only meeting 20% (1 out of 5) of the Purpose and Needs in April 15, 2009 to meeting 100% of the Purpose and Needs with the added mantle of “preferred alternative” by September 21, 2010.

Something doesn't add up with this outcome—the process seems illogical—and if the first 8.5 years of work within this study by the PAC was all for naught—someone in your Study Group owes the taxpayers an explanation and their money back.

We deserve nothing less than having this process taken back to the table so that all stakeholders have a say in the final selection of an alternative that meets the original criteria and the intent of the project. This process needs to be accomplished in an open and transparent manner with all stakeholders having a say in the decision-making.

AND as my neighbor clearly pointed out:

2B-2 quotation: “It was selected because it has the least environmental impact and lowest estimated cost, by far.” (March 2012 MaineDOT Mailer)

THE ABOVE STATEMENT IS INCORRECT BECAUSE:

NO-BUILD has the least environmental impact and lowest estimated cost, by far.

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Question #35. Submitted by Larry Adams, a Brewer resident, on May 4, 2012

Copy of statement released to the Bangor Daily News on 5/02/2012:

The I-395/Route 9 Study Group is disregarding the original criteria and intent of the project: Alternative 2B was removed from further consideration not only once—but twice before the end of 2002. The reasons were clear: "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. Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards."¹

In the same document, the original system linkage need was further defined: "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."¹ That paragraph continued to give a glimpse of what may be expected if an alternative does not meet the original system linkage need parameter: "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."¹

MDOT's Purpose and Needs Matrix², dated April 15, 2009, contained no engineering data that could be manipulated or misunderstood by anyone—just simple yes and no answers. Did 2B-2 meet the following criteria: Study Purpose? NO; ACOE Purpose? NO; System Linkage Need? NO; Traffic Congestion Need? NO; Safety Concerns? YES. Alternative 2B-2 only met 20% of the purposes and needs of the study three years ago and now it is the "preferred alternative" for a \$90+ million dollar project.

Alternatives 2B and 2B-2 use the same "4.2 mi. of Route 9 without additional improvement" per the DEIS. They are almost exactly the same route with the same I-395 starting point and the same connection point on Route 9. 2B-2 IS 2B.

One of the most interesting statements in the 300+ pages of the Draft Environmental Impact Statement is found on page s19: "However, future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project."³ How can the success of this project be based on the hope that a community will stagnate?

What you won't find in the 300+ page DEIS document is any real concern for the human element. Humans can be relocated, but you certainly can't disturb a couple of frogs and salamanders in a vernal pool that may only exist for a few months and not return again for a year or so if ever. Many of us are well within 100' or less of the 200' right-of-way, many people have their properties cut in half and at least 8 families will watch as the bulldozers raze their homes. How can an agency look an 82 year old man in the face knowing that he will lose his home and the property that he has worked all his life and say this is the right proposal for this connector? Where's a balance between environment and man?

How did 2B-2 become the preferred alternative? After 10 years of work and expenditure in excess of \$1.7 million dollars—the parameters of the study were changed in September of 2010. Work by the Public Advisory Committee and others over a good part of the previous decade was disregarded and the PAC was not consulted about any of these changes.

The E/W private highway feasibility report will be completed by 1/15/2013. "Such a route would remove nearly all of the existing traffic off of Route 9, as well as cut projected future traffic on Route 1 by roughly 2,300 vehicles per day below current levels."⁴ Where's the traffic issue on Route 9 if nearly all the existing traffic is removed by an E/W highway?

The Study Group, under the management of the MaineDOT/FHWA, has managed to spend in excess of \$1.7 million dollars to reach a conclusion that an alternative thrown out two times ten years ago by the same Study Group now "best satisfies the study purpose and needs" for this connector. Really?

¹<http://www.i395-rt9-study.com/Pubs/Alts%20Tech%20Memo.pdf> page ii and Summary page 5

²http://www.i395-rt9-study.com/Pubs/PAC041509_handouts.pdf MDOT Purpose and Needs Matrix

³<http://www.i395-rt9-study.com/DEIS/00Sum.pdf> DEIS Summary

⁴<http://www.maine.gov/mdot/1999eastwesthwystudy/reportlinks.htm> MDOT 1999 Executive Summary

DEIS Comment/Questions # 36 Submitted 5/14/2012
Copy of Letter to Selected State and Federal Officials:

Larry Adams
17 Woodridge Road
Brewer, Maine 04412

bgradams@roadrunner.com

The Honorable Commissioner David Bernhardt, P.E.
Commissioner Maine Department of Transportation
Child Street
16 State House Station
Augusta, ME 04333-0016
May 14, 2012

Dear Commissioner Bernhardt:

The I-395/Route 9 Transportation Study is now in the twelfth year with expenditures exceeding \$1.7 million dollars. Alternative 3EIK-2 was the MaineDOT/FHWA preferred route for some six to seven years as far back as May of 2003 and was still the MaineDOT/FHWA preferred route as of April 15, 2009. Alternative 2B was removed from further consideration twice before the end of 2002 only to be brought up again in September of 2003 as the 2B-2 alternative when we all thought the study was near completion. This 2B-2 alternative used the same identical segment of Route 9 a little differently than 2B; 2B-2 required a rebuild of or improvements to Route 9 while 2B used the existing Route 9. This connector was last discussed in public on April 15, 2009; alternative 2B-2 at that time, as presented on an official MaineDOT Purpose and Needs Matrix handout, only met 20% of the Purposes and Needs of the Study.

Fast forward to the present and we find: the 3EIK-2 alternative and all other alternatives that met the Purposes and Needs of the Study were removed from further consideration in September of 2010; Route 9 will not be rebuilt or improved; 2B-2 is now the preferred alternative; 2B and 2B-2 both using the same 4.1 mile segment of an unimproved Route 9—turning 2B-2 into 2B all over again, a route removed twice before because: "Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards." None of the three remaining alternatives, including the preferred alternative 2B-2, meet the original Purposes and Needs of the Study and the intent of the project. The Route 9 connection point for all three remaining alternatives, including 2B-2, is now 4.5 miles west of where the connection point of more than 70 alternatives previously studied was sited in order to meet the original System Linkage Need criteria—a connection point on Route 9 east of Route 46 in the vicinity of the Eddington/Clifton town line.

When I discovered this news on December 15, 2011, purely by accident as it had not been made public, I immediately emailed the City of Brewer and the MaineDOT Project Manager requesting an update as I was completely floored that the project had turned 180 degrees, removing the only four proposals from further consideration, including the 3EIK-2/preferred alternative, that fully met the Purposes and Needs of this Study, leaving just two routes that only met 20% of the original criteria, a similar third route was added.

I had earlier emailed the Project Manager on March 2, 2011 requesting a project update and was given none, only talk of future meetings when in fact this project was turned completely around in September of 2010. Why the manager did not give me the news that I now lived on the preferred route when that news was available for over five months is hard for me to understand or accept. An impacted private citizen was denied information from a public servant who manages the project—does anyone not see a problem with that? I find that action deplorable and has cost us precious

Attachment: Comments and Public Meeting Transcripts

time needed to voice our opinions. An investigation of these unethical actions within the MaineDOT by a public servant, a manager no less, should be initiated—omission of facts is still a lie. That email is included as DEIS Comment/Question # 6.

So what we have left are three alternatives, none of which meet the original Purposes and Needs of the Study and the original intent of the project. Our screams of foul have been silenced by MaineDOT talking points of too many vernal pools on 3EIK-2; decreased traffic numbers; downgraded road design; the private E/W highway doesn't go there; rightsizing etc... All decisions, since April 15, 2009 were made without scrutiny of the public and their elected officials—without knowledge and concurrence of any of the real stakeholders. The City of Brewer and the Town of Eddington have removed their support of the connector project by resolution—both resolutions stating support for the No-build option.

The MaineDOT has accomplished some very good projects within our community and we appreciate the support that they have provided to the City of Brewer in the past; however the decision by this Study Group, of which the MaineDOT co-manages, is flawed. It does not have public support as was evident at the recent public hearing and does not meet the original Purposes and Needs of the Study and the intent of the project. The MaineDOT has failed miserably to keep the public and their governing bodies included in the decision-making-process, a process defined in the MaineDOT's own Public Involvement Plan document, the basis of DEIS Comment/Question # 30. A decision of this magnitude affecting multiple communities should have had the City Council of Brewer involved, but they were not then, or now, included by the MaineDOT in the decision-making process; the MaineDOT is not listening to any of us—private citizen or elected officials.

The short version of this story is best summed up in the attached statement presented to the Bangor Daily News at the Public Hearing—I have also attached my remaining DEIS Comments/Questions that I have provided to the MaineDOT, FHWA and the ACOE for inclusion in the Environmental Impact Statement—that's the long story and includes information with references that contradicts the decisions that the Study Group has made since April of 2009.

I remain frustrated as I had hoped to get some real answers, not just MaineDOT talking points, from these previously submitted comments/questions during the May 2nd Public Hearing, but the Study Group would not answer any question that night or respond in any way following their opening statements. Ground rules were not published before the Public Hearing; I had no idea that this would be a "listening only" format; the fact that the Study Group did not have to answer to comments and questions from the public during a recorded Public Hearing seems to favor the Study Group and is counterproductive to the process.

I submitted 32 of a total of 35 of my comments/questions within the two week period before the hearing as a courtesy to the Study Group so they could prepare their answers. I had hoped to initiate a public debate on why and how 2B-2 became a viable alternative when ten years previously the exact same route (2B) was removed from further consideration (twice by the end of 2002) because of "traffic congestion, conflicting vehicle movements, safety concerns and hazards". When I asked at least three times when I could expect answers to these submitted comments/questions, I was told by the moderator, not by either Mr. Charette or Mr. Hasselmann in attendance who co-lead this Study Group, but Mr. Plumpton a paid private consultant, my questions would be answered in the Final Environmental Impact Statement—published in six to eight months. I was not the only one with questions at the Public Hearing; the Town of Eddington presented 27 questions alone and many more were presented by several other speakers in multiple statements. None of these questions were given any response that night from the Study Group. Apparently the Study Group and the Study Group only will now determine what is substantive for inclusion in the FEIS, making our comments and opinions moot at their will. That is why I feel it is important to get my comments/questions to those outside of the Study Group; and others may do the same. If you wonder why I distrust this process and have my doubts about how this will be handled, please read again comment/question# 6. May I remind everyone that these same Study Group members, with the exception of Mr. Plumpton, are public servants who by their own admission and several written apology statements by the MaineDOT have failed to keep the public advised of all changes to this

24-1

project from April of 2009 to January of 2012? MaineDOT officials have not, however, apologized for excluding the public and their elected officials in the decision-making process and have made no attempt to remedy the problem by engaging my elected officials of the City of Brewer in the selection of this connector. Why aren't they listening?

The Public Hearing transcript from May 2nd: <http://www.i395-rt9-study.com/Pubs/PublicHearing2012.pdf>

Ms. Gretchen Heldmann's statement from page 29 to page 43 is an intelligent fact-based detailed analysis describing the failures of this Study. Will they listen now?

Study Group members now go back to their home offices and mull over these comments outside of public scrutiny with no transparency. The MaineDOT/FHWA and the MaineDOT/FHWA alone will determine what is "substantive" to be included in the FEIS. Who will hold this Study Group accountable? It certainly can't be the Study Group itself.

Making Cost and/or Environmental comparisons of alternative 2B/2B-2 to 3EIK-2 or any of the 70+ alternatives already studied that does not utilize an equal segment of the existing Route 9 is invalid—it is comparing apples and oranges. When it was important for the Study Group to include the impacts of the 4.1 mile segment of Route 9 to make 2B-2 appear to be a viable option—the data from Route 9 was included; now that it is important for the Study Group to show the lowest cost and the least environmental impact of alternative 2B-2—the data is not included from the 4.1 mile segment of Route 9. You cannot separate alternative 2B-2 from the existing 4.1 mile segment of Route 9. How fair is that?

24-2

"It was selected because it has the least environmental impact and lowest estimated cost, by far." (March 2012 MaineDOT Mailer) That statement, MaineDOT's latest talking point, is incorrect as: NO-BUILD has the least environmental impact and lowest estimated cost, by far.

24-3

The State of Maine requires a 250' buffer (4.51 acres) around a significant vernal pool; the ACOE requires a 750' buffer (40.56 acres) around any vernal pool—whether significant or not. And in fact, the New England District of the ACOE differs than all other ACOE districts in the US in the way they view vernal pools. How can you buffer a non-significant vernal pool? If it is non-significant, it is just a puddle. Isn't it ridiculous that a property owner, like many of us living in my neighborhood, can be 80' from the right-of-way of the preferred alternative and not be considered directly or even indirectly impacted—yet frogs and salamanders and mosquitos are guaranteed to be no closer than 750' of the proposed roadway? AND—where is the proof? Show me the vernal pools on the State of Maine GIS maps—bet you won't find them—they haven't been registered—they don't exist. These State and Federal agencies will say that it is the landowner's responsibility to register them—vernal pools were so numerous around 3EIK-2/the preferred route that—3EIK-2 was removed from further consideration—placing 2B-2 as the new preferred alternative even though 2B-2 doesn't meet the original Purposes and Needs of the Study. Shouldn't these same State and Federal agencies have the responsibility to make the sure the landowners register the vernal pools that State and Federal agencies told us they found? Show me the proof these vernal pools really exist, not a bunch of scribbled notes—I've been lied to before—read question #6 again.

24-4

24-5

DEIS Comment/Question #35. Submitted by Larry Adams, a Brewer resident, on May 4, 2012

Copy of statement released to the Bangor Daily News on 5/02/2012:

The I-395/Route 9 Study Group is disregarding the original criteria and intent of the project: Alternative 2B was removed from further consideration not only once—but twice before the end of 2002. The reasons were clear: "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. Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards."¹

**Duplication of material
provided on page 149**

Attachment: Comments and Public Meeting Transcripts

In the same document, the original system linkage need was further defined: "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."¹ That paragraph continued to give a glimpse of what may be expected if an alternative does not meet the original system linkage need parameter: "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."¹

MDOT's Purpose and Needs Matrix², dated April 15, 2009, contained no engineering data that could be manipulated or misunderstood by anyone—just simple yes and no answers. Did 2B-2 meet the following criteria: Study Purpose? NO; ACOE Purpose? NO; System Linkage Need? NO; Traffic Congestion Need? NO; Safety Concerns? YES. Alternative 2B-2 only met 20% of the purposes and needs of the study three years ago and now it is the "preferred alternative" for a \$90+ million dollar project.

Alternatives 2B and 2B-2 use the same "4.2 mi. of Route 9 without additional improvement" per the DEIS. They are almost exactly the same route with the same I-395 starting point and the same connection point on Route 9. 2B-2 IS 2B.

One of the most interesting statements in the 300+ pages of the Draft Environmental Impact Statement is found on page s19: "However, future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project."³ How can the success of this project be based on the hope that a community will stagnate?

What you won't find in the 300+ page DEIS document is any real concern for the human element. Humans can be relocated, but you certainly can't disturb a couple of frogs and salamanders in a vernal pool that may only exist for a few months and not return again for a year or so if ever. Many of us are well within 100' or less of the 200' right-of-way, many people have their properties cut in half and at least 8 families will watch as the bulldozers raze their homes. How can an agency look an 82 year old man in the face knowing that he will lose his home and the property that he has worked all his life and say this is the right proposal for this connector? Where's a balance between environment and man?

How did 2B-2 become the preferred alternative? After 10 years of work and expenditure in excess of \$1.7 million dollars—the parameters of the study were changed in September of 2010. Work by the Public Advisory Committee and others over a good part of the previous decade was disregarded and the PAC was not consulted about any of these changes.

The E/W private highway feasibility report will be completed by 1/15/2013. "Such a route would remove nearly all of the existing traffic off of Route 9, as well as cut projected future traffic on Route 1 by roughly 2,300 vehicles per day below current levels."⁴ Where's the traffic issue on Route 9 if nearly all the existing traffic is removed by an E/W highway?

The Study Group, under the management of the MaineDOT/FHWA, has managed to spend in excess of \$1.7 million dollars to reach a conclusion that an alternative thrown out two times ten years ago by the same Study Group now "best satisfies the study purpose and needs" for this connector. Really?

¹ <http://www.i395-rt9-study.com/Pubs/Alts%20Tech%20Memo.pdf> (page ii and Summary page 5)

² http://www.i395-rt9-study.com/Pubs/PAC041509_handouts.pdf (MDOT Purpose and Needs Matrix)

³ <http://www.i395-rt9-study.com/DEIS/00Sum.pdf> (DEIS Summary)

⁴ <http://www.maine.gov/mdot/1999eastwesthwystudy/reportlinks.htm> (MDOT 1999 Executive Summary)

**Duplication of material
provided on page 149**

- The time to get our questions answered is now, not in six to eight months.
- The time to hold this Study Group accountable to the private citizen and their elected officials is now.
- The time to throw a flag on this study and if a connector is really needed take this back to the public arena and have the real stakeholders get a voice in the decision-making process of an alternative that will meet the original Purposes and Needs and the original intent of this project is now.
- At the end of the day, it is the people of these three impacted communities that will have to live with the decisions made by this Study Group.

Thank you for your consideration in this matter,

Larry Adams
17 Woodridge Road
Brewer, Maine 04412

bgradams@roadrunner.com

cc: State Representative Michael Celli
State Senator Richard Rosen
State Senator Ronald Collins (Chair Joint Standing Transportation Committee)
State Representative Richard Cebra (Chair Joint Standing Transportation Committee)
State Representative Edward Mazurek (Ranking Minority Member Joint Standing Transportation Committee)
State Department of Transportation Commissioner David Bernhardt
US Congressman Michael Michaud
US Senator Olympia Snowe
US Senator Susan Collins
US Department of Transportation Office of Inspector General

Attachment: Comments and Public Meeting Transcripts

DEIS Comment/Questions # 37 Submitted 5/14/2012

Copy of Letter to US DOT Inspector General:

Larry Adams
17 Woodridge Road
Brewer, Maine 04412

bgradams@roadrunner.com

Office of Inspector General
1200 New Jersey Avenue S.E.
7th Floor
Washington, DC 20590
May 14, 2012

To whom it may concern:

The MaineDOT/FHWA I-395/Route 9 Transportation Study within the Maine communities of Brewer, Holden and Eddington is now in the twelfth year with expenditures exceeding \$1.7 million dollars. The Draft Environmental Impact Statement has been published and is currently out for comment until May 15th; we are told that the final selection is six to eight months in the future.

There is considerable frustration in the impacted communities on the outcome of this Study:

- How was it possible to change this Study so drastically without our knowledge?
 - How can this Study Group dismiss the original Purposes and Needs and the original intent of the Study?
 - How can a route become the preferred route in 2012 when it is identical to a route removed twice ten years ago because of traffic and safety concerns?
 - How is it possible that a Study can take twelve years to complete?
- Was this just a source of money to keep people busy?
 - Where did the money go?
- How is it possible to keep private citizens and their elected officials completely outside of the decision-making process?
 - Where was the transparency?
 - Eight of the twelve years of this Study has been outside of public scrutiny.
 - Was there no transparency for a reason?
- How can a vernal pool with a couple of frogs and salamanders change the outcome of this project?
 - How can the EPA and the ACOE not feel the same concerns about the human environment as they do for frogs and salamanders living in a soon-to-be-dried-out skidder track?
- The questions continue and can best be understood by reading my 35 attached DEIS Comments/Questions at the end of this letter.

I live in a quiet rural residential neighborhood approximately 80' from the right-of-way of 2B-2/the preferred alternative; I am neither directly nor indirectly impacted according to current State and Federal regulations—even though I will suffer a serious devaluation in my property and a decreased quality of life. Frogs and salamanders have unalienable rights—I apparently have none—that is outrageous to one that has gone to war for this country. Never would I have ever thought that my quality of life in my senior years would depend on where a couple of frogs, in a stagnant puddle of water, would call home. I wonder how many ACOE and EPA officials, protecting these valuable

mosquito breeding puddles, have fought for their country as hard as they seem to be fighting to save the rights of a few frogs and salamanders.

- Where is the same concern from these State and Federal agencies for the human element—real live people?

I am writing because there are Federal funds involved in the Study; there are multiple Federal agencies involved in the Study, including the FHWA as a co-lead of the Study; the ACOE and the EPA that played an important part in steering this study; and 80% Federal matching funds for an estimated \$90 million dollar construction project will be requested by the end of the year if people don't start listening and become aware of the deficiencies of this connector selection.

This is not a letter of accusation; I simply present facts that contradict the decision-making process of this study. I disagree with the decisions of the Study Group and see their decision as a complete failure to produce a product as they were tasked to do over twelve years ago and a failure to operate in a professional, above board and fully transparent manner keeping the public fully informed and engaged in the whole process. The time for consensus is during the process, not after the Draft Environmental Impact Statement is published. The consensus during the May 2nd Public Hearing was that of the 20 speakers formally addressing the Study Group – there was no one that spoke in favor of the panel's decision, most addressed safety concerns with the Study Group's selection of any of the remaining three alternatives.

Even after a highly charged hearing, we still believe that our concerns are not being listened to and that is with all levels of Legislative officials engaged in the process. The MaineDOT/FHWA seems to be hell bent to push forward, no matter what the concerns, with their selection to end this Study.

Alternative 3EIK-2 was the MDOT/FHWA preferred route for almost seven years as far back as May of 2003. Alternative 2B was removed from further consideration twice before the end of 2002 only to be brought up again in September of 2003 as the 2B-2 alternative when we all thought the study was near completion. This new 2B-2 alternative used the same identical segment of Route 9 a little differently than 2B; 2B-2 required a rebuild of or improvements to Route 9 while 2B used the existing Route 9. At the last time this connector was discussed in public, 4/15/2009, the 2B-2 alternative only met 20% of the Purposes and Needs of the Study. At the end of the Public Advisory Committee meeting of 4/15/2009, we all left with the knowledge that the 3EIK-2 route was the preferred route; 3EIK-2 was practicable and 3EIK-2 meet all the Purposes and Needs of the Study.

The 3EIK-2/preferred alternative was removed from further consideration along with all other routes that met the Purposes and Needs of the Study in September of 2010; Route 9 will not be rebuilt or improved, 2B-2 is now the preferred alternative, 2B and 2B-2 both use the same 4.1 mile segment of an unimproved Route 9—turning 2B-2 into 2B all over again, a route removed twice before because: "Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards."

None of the three remaining alternatives, including 2B-2, meet the original Purposes and Needs of the Study and the intent of the project. The connection point for all three remaining alternatives, including 2B-2, is now 4.5 miles west of where the connection point of more than 70 alternatives previously studied was sited in order to meet the System Linkage Need criteria—a connection point on Route 9 east of Route 46 in the vicinity of the Eddington/Clifton town line.

When I discovered this news on 12/15/2011, purely by accident as the news had not been provided to the general public, I immediately emailed the City of Brewer and the Project Manager requesting an update as I was completely floored that the project had turned 180 degrees, removing the only four proposals from further consideration, including the 3EIK-2/preferred alternative, that fully met the Purposes and Needs of this Study, leaving just two routes that only met 20% of the original criteria, a similar third route was added. No one in my community was aware of any of these changes to the Study.

Attachment: Comments and Public Meeting Transcripts

So what we have left in the Draft Environmental Impact Statement are three alternatives, none of which meet the original Purposes and Needs of the Study and the original intent of the project. It is fact that there are no alternatives in the DEIS that meet the original Purposes and Needs of this project. Our screams of foul have been silenced by MDOT talking points of new roadway downgraded design; decreased traffic numbers; too many vernal pools on 3EIK-2 alternative; the private E/W highway proposal doesn't go there; rightsizing etc... We feel railroaded by a process that should have been fair to all, open and fully transparent to the private citizen and their elected officials.

All decisions, since 4/15/2009, were made without scrutiny of the public and their governing bodies—without knowledge and concurrence of any of the real stakeholders.

The City of Brewer and the Town of Eddington have removed their support of the project by resolution—both resolutions stating support for the No-build option.

I have attached my DEIS Comments/Questions that I have already provided to the MDOT, FHWA and the ACOE for inclusion in the Final Environmental Impact Statement—that's the long story and includes a lot of information that contradicts the decisions that have been made to date.

I had hoped that some of those questions, along with the 27 questions submitted by the Town of Eddington that night, would be answered at the May 2nd Public Hearing, but the Study Group would not address the public except for opening statements. We are told that the questions will be answered in the FEIS sometime six to eight months away from now. We have also been told that only substantive comments or questions will be answered. There is no accountability in this process; the Study Group can determine what comments or questions they seem fit to answer making all others moot; and we feel railroaded by these agencies and the process. They are the Judge, Jury and the Executioner; no scrutiny; no accountability.

The MaineDOT and the FHWA are not listening to the private citizen or their elected officials. We are at a loss as how this can be acceptable in a free society.

It is time to halt this study and if a connector is really needed take this back to the public arena and have the stakeholders get a voice in the decision-making process.

Key Points to Consider:

- The State of Maine requires a 250' buffer (4.51 acres) around a significant vernal pool; the ACOE requires a 750' buffer (40.56 acres) around any vernal pool—whether significant or not. And in fact, the New England District of the ACOE differs than all other ACOE districts in the US in the way they view vernal pools. How can you buffer a non-significant vernal pool? If it is non-significant, it is just a puddle. Isn't it ridiculous that a property owner, like many of us living in my neighborhood, can be 80' from the right-of-way of the preferred alternative and not be considered directly or even indirectly impacted—yet frogs and salamanders and mosquitos are guaranteed to be no closer than 750' of the proposed roadway? AND—where is the proof? Show me the vernal pools on the State of Maine GIS maps—bet you won't find them—they haven't been registered—they don't exist. These State and Federal agencies will say that it is the landowner's responsibility to register them—vernal pools were so numerous around 3EIK-2/the preferred route that—3EIK-2 was removed from further consideration—placing 2B-2 as the new preferred alternative even though 2B-2 doesn't meet the original Purposes and Needs of the Study.
 - Shouldn't these same State and Federal agencies have the responsibility to make the sure the landowners register the vernal pools that State and Federal agencies told us they found?

- Shouldn't State and Federal agencies operate under similar regulations?
- Shouldn't the ACOE operate under the same ACOE regulations throughout the US?
- Why does the New England District of the ACOE treat vernal pools so much differently in the New England states as anywhere else in the US?
- How can the ACOE treat all vernal pools as significant (containing the specific amount of frogs and salamanders) whether they are significant or non-significant?
- The FHWA apparently has no problem with the new redesign of this connector. This downgraded connector design, occurring sometime in 2011 and first addressed at the October 2011 Interagency Meeting, does not include a future upgrade to a four lane divided highway as was the original intent for the previous decade of the study. This connector will be constructed as a two lane undivided roadway for its life expectancy of 2035; subject to often fatal head-on crashes on these type of two lane undivided highways. Fatalities from head-on crashes already happen all too often on this stretch of Route 9.
- Why is the FHWA, as co-lead of this Study, promoting this connector design and removing any chance of an upgrade when safety or increased traffic becomes an issue.
- Why in the year 2012 are any new road surfaces being suggested by the FHWA, especially one connecting to an interstate, as a two lane undivided roadway? Safety of this proposed connector alternative has been brought up to the MaineDOT and the FHWA—so far nobody seems to be listening. This shortsighted removal of the upgrade option, as future traffic and safety concerns demand, was based solely on cost by removing the requirement to purchase a larger initial right-of-way. MaineDOT officials estimated a \$1 million dollars cost for the larger right-of-way purchase; in an overall \$90+ million dollar project, that is only 1.11% of the total price of the project.
- How much would you pay for safety?
- Alternative 2B was removed from further consideration not only once—but twice before the end of 2002. The reasons were clear: "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. Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new safety concerns and hazards."¹
- SAFETY CONCERNS?
- SAFETY HAZARDS?
- CONFLICTING VEHICLE MOVEMENTS?
- TRAFFIC CONGESTION?
- In the same document, the original system linkage need was further defined: "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."¹

25-1

Attachment: Comments and Public Meeting Transcripts

- The connection point for all three remaining alternatives is now 4.5 miles west of the connection point of more than 70 alternatives previously studied; sited in order to meet the original System Linkage Need criteria—a connection point on Route 9 east of Route 46 in the vicinity of the Eddington/Clifton town line.
- That paragraph continued to give a glimpse of what may be expected if an alternative does not meet the original system linkage need parameter: "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."¹
 - How can the MaineDOT/FHWA negatively affect and severely impact local communities with intent?
- MDOT's Purpose and Needs Matrix², dated April 15, 2009, contained no engineering data that could be manipulated or misunderstood by anyone—just simple yes and no answers. Did 2B-2 meet the following criteria: Study Purpose? NO; ACOE Purpose? NO; System Linkage Need? NO; Traffic Congestion Need? NO; Safety Concerns? YES. Alternative 2B-2 only met 20% of the purposes and needs of the study three years ago and now it is the "preferred alternative" for a \$90+ million dollar project.
- Alternatives 2B and 2B-2 use the same "4.2 mi. of Route 9 without additional improvement" per the DEIS. They are almost exactly the same route with the same I-395 starting point and the same connection point on Route 9. 2B-2 IS 2B.
- One of the most interesting statements in the 300+ pages of the Draft Environmental Impact Statement is found on page s19: "However, future development along Route 9 in the study area can impact future traffic flow and the overall benefits of the project."³
 - How can the success of a \$90 million dollar project be based on the hope that a community will stagnate or fail?
 - Safety is the prime benefit to this project—how soon will safety be compromised after fronting \$90 million dollars for construction—if Eddington develops?
- Mission Statement of the MaineDOT: "Responsibly provide a safe, efficient, and reliable transportation system that supports economic opportunity and quality of life."
- The mission of the United States Department of Transportation is to: "Serve the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets our vital national interests and enhances the quality of life of the American people, today and into the future."
 - When the word SAFE is in your mission statement shouldn't you operate at a higher standard?
 - To continue to promote a preferred alternative hanging so precipitously on whether a town develops or not is illogical and may jeopardize Safety.
 - To not recognize our safety concerns is irresponsible. We have these State and Federal agencies to make sure that our highways are Safe—there should be no Safety concerns raised on a new project—that is their job as a public servant.

- What you won't find in the 300+ page DEIS document is any real concern for the human element. Humans can be relocated, but you certainly can't disturb a couple of frogs and salamanders in a vernal pool that may only exist for a few months and not return again for a year or so if ever. Many of us are well within 100' or less of the 200' right-of-way, many people have their properties cut in half and at least 8 families will watch as the bulldozers raze their homes. How can an agency look an 82 year old man in the face knowing that he will lose his home and the property that he has worked all his life and say this is the right proposal for this connector?
 - Where's a balance between environment and man?
- How did 2B-2 become the preferred alternative? After 10 years of work and expenditure in excess of \$1.7 million dollars—the parameters of the study were changed in September of 2010. Work by the Public Advisory Committee and others over a good part of the previous decade was disregarded and the PAC was not consulted about any of these changes.
- The MaineDOT has operated outside of their own MaineDOT regulations concerning Public Involvement. They have failed to keep the public and their local governing bodies involved in this Study since 4/15/2009 and none of the decision-making involved anyone, including the elected local officials, none of the real stakeholders in this Study.
 - The FHWA, as a co-lead of this Study, is complicit by allowing this to occur outside of any public scrutiny.
- The E/W private highway feasibility report will be completed by 1/15/2013. "Such a route would remove nearly all of the existing traffic off of Route 9, as well as cut projected future traffic on Route 1 by roughly 2,300 vehicles per day below current levels."⁴ Where's the traffic issue on Route 9 if nearly all the existing traffic is removed by an E/W highway?
- The Study Group, under the management of the MaineDOT/FHWA, has managed to spend in excess of \$1.7 million dollars to reach a conclusion that an alternative thrown out two times ten years ago by the same Study Group now "best satisfies the study purpose and needs" for this connector.
 - 1 <http://www.i395-rt9-study.com/Pubs/Alts%20Tech%20Memo.pdf> page ii and Summary page 5
 - 2 http://www.i395-rt9-study.com/Pubs/PAC041509_handouts.pdf MDOT Purpose and Needs Matrix
 - 3 <http://www.i395-rt9-study.com/DEIS/00Sum.pdf> DEIS Summary
 - 4 <http://www.maine.gov/mdot/1999eastwesthwystudy/reportlinks.htm> MDOT 1999 Executive Summary
- It is time that this Study is halted and take the decision-making back to the real stakeholders within the three communities most impacted by this connector, the private citizen and their elected officials.
- It is time that the FHWA remove support from this Study.
 - There should be no questions of safety with a new roadway connecting to an Interstate Highway.
 - Safety should not be compromised merely by cost.
- It is time that the MaineDOT and the FHWA apologize to the public of these three impacted communities for keeping this issue over our heads for 12 years.

Attachment: Comments and Public Meeting Transcripts

- It is time to find out where the \$1.7+ million dollars was spent.

Thank you for your consideration in this matter,

Larry Adams
17 Woodridge Road
Brewer, Maine 04412

bgradams@roadrunner.com

cc: US Congressman Michael Michaud
US Senator Olympia Snowe
US Senator Susan Collins

From: Larry Adams [<mailto:bgradams@roadrunner.com>]

Sent: Friday, April 06, 2012 10:19 AM

To: Charette, Russ; Mark.Hasselmann@dot.gov

Cc: sbost@brewerme.org

Subject: Missing PAC Meeting Information

Just wanted to let you know, it appears that there is no longer any information available pertaining to the last two PAC meetings on the study website under the Public Advisory Committee (PAC) Meetings section, specifically November 19, 2008 and April 15, 2009.

Larry Adams

Brewer

Attachment: Comments and Public Meeting Transcripts

From: kenneth.arbo@yahoo.com [<mailto:kenneth.arbo@yahoo.com>]

Sent: Sunday, May 06, 2012 11:45 AM

To: Charette, Russ

Subject: Comment from I395/Rt9 DEIS comment website

Comments: i-395/route 9 connector no build option Box A: #!&576

E-Mail: kenneth.arbo@yahoo.com

Name: kenneth arbo

Address: 44 lambert rd

Telephone Number:

Date: 05/06/2012

From: gmatrader@hotmail.com [<mailto:gmatrader@hotmail.com>]

Sent: Friday, May 11, 2012 3:18 PM

To: Charette, Russ

Subject: Comment from I395/Rt9 DEIS comment website

Comments: I am in favor of the 2B-2 preferred alternative and agree it has the least net adverse impacts, and the improved transportation corridor will improve economic conditions in the area and in the state.

Box A: #!&576

E-Mail: gmatrader@hotmail.com

Name: Mike Atherton

Address: 53 Atherton Way, Bucksport, Maine 04416 Telephone Number:

Date: 05/11/2012

I-395/Route 9 Transportation Study

Comment Form

(comment form continued overleaf)

Name: MICHAEL H. AYER

Address: 4 EDGE OF TOWN RD. (RT. 46 HOLDEN-EDDINGTON TOWN LINE)
HOLDEN MAKS. P.O. BOX 1190 HOLDEN, 04429- MAILING.

Phone No. (in case we need to ask for clarification):

Email address (if you would like to receive an occasional newsletter on the study):

DIZZY62247@AOL.COM.

HAVING GROWN UP ON RT. 46 I HAVE WATCHED A QUIET COUNTRY RD.
EVOLVE INTO A MAJOR THROUGHFARE FOR THE MARITIMES TO POINTS SOUTH.
I KNOW I DON'T HAVE TO TELL YOU THE ROAD WAS NEVER MEANT TO
HANDLE THAT TYPE OF TRAFFIC. I WON'T RAMBLE ON ABOUT LOAD SHIFTS,
ACCIDENTS, NOISE, ROAD DESTRUCTION ETC. I KNOW YOU KNOW!
"I AM SO IN FAVOR OF THE NEW CONNECTOR ROUTE"
I WISH YOU LUCK WITH ALL THE HURDLE'S AHEAD (NIMBY'S -
VERBAL POOLS ETC.).

RESPECTFULLY,

M.H. Ayer



..... your comments to:

Russell Charette

MaineDOT

16 State House Station

Augusta, ME 04333-001640

Mark Hassellmann

FHWA Maine Division

Edmund S. Muskie Federal Building

Western Avenue, Room 614

Augusta, Maine 04330

www.i395-rt9-study.com

Attachment: Comments and Public Meeting Transcripts

From: Paul Brody [<mailto:brody.paul7@gmail.com>]

Sent: Tuesday, May 01, 2012 9:38 PM

To: Mark.Hasselmann@dot.gov; Charette, Russ

Cc: Ron Brody; Mom

Subject: I395 Rt9 Study

Regarding the current EIS and upcoming public hearing, please consider my comments, I look forward to your response.

I am a land owner that will be affected by 5b2b-2 which would abut my property. My parents will be affected by 2B-2 which will nearly abut theirs. We have both cleared our land and built most of homes ourselves. We have lived in Brewer since the early 70's and strongly oppose any route through Brewer that significantly impacts the current condition, natural or otherwise. We value the lifestyle we have above most all else, when we go to sleep at night, grill on the patio, play with our children, etc, we enjoy doing in relative piece and quite. The noise generated by this project will likely severely impact that quality of life.

While I don't have specific arguable reasons against this development other than above, I do have the following observation to make about the process. I have been active in the permitting and design of development in New England for the past 15 years, so I have a fairly good understanding of it.

From your latest newsletter;

The National Environmental Policy Act requires public agencies to consider the potential impacts of proposed federal actions (such as a major new highway segment that could be funded with federal dollars) on the natural, social, economic, and cultural environment, and to disclose those considerations in a public process and document.

Of particular note to me is the 1:3 ratio between natural (1) and social, economic, and cultural environment (3) impact review agencies. It is then odd as to why the review agencies are made up almost entirely of those concerned with the impact (or perceived impact) to "natural" areas and species. In fact, of the 12 agencies listed in the newsletter, I count 9 that are tasked with understanding and protecting natural systems etc, 1 for cultural / historic, and 2 that I classify as economic and perhaps social.

How then is the directive of the NEPA successfully met? Obviously this is a somewhat pointless question as I know no doubt the answer will be ambiguous and nearly impossible to detail. The reality is that without significant political and financial pressure, the project will move forward as long as the prescribed permitting requirements are met. The real challenge then is to limit those requirements in a way that respects the landscape and all of the natural inhabitants including us.

26-1

Agencies Participating in this Study

- Maine Department of Transportation
- Federal Highway Administration
- Maine Department of Environmental Protection
- Maine Department of Inland Fisheries and

Wildlife

- Maine Department of Marine Resources
- Maine Department of Conservation
- Maine Historic Preservation Commission
- Maine Natural Areas Program
- National Marine Fisheries Service
- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency
- U.S. Fish & Wildlife Service

Please consider our quality of life and the investments made in time and money in our homes when working in your decision making capacity of this project.

Sincerely,

Paul Brody

Attachment: Comments and Public Meeting Transcripts

From: Richard Bronson [richard.b.bronson@hotmail.com]

To: carol woodcock; andy hamilton; tim woodcock; steve bost; mark.hasselman@fhwa.dot.gov; ken.sweeney@maine.gov; Plumpton, William M.; larry adams; jim ring

4/13

Carol,

Attached is a description of the I-395 connector alternative I have imagined. I hope some people will open mindedly take a look.

Rick Bronson

4/11/2012

ANOTHER CONNECTOR SUGGESTION; I-395 to Maine Route 9

As most of us know the proposed highway to connect the east end of Maine I-395 to the better portion of Maine Route 9 in Clifton has taken much time and become very complicated and controversial.

I was a member of the original PAC beginning something more than 10 years ago. From that effort I learned a number of facts regarding this connection that remain true today.

1) Getting from I-95 and Brewer to Route 9 is slow, dangerous and frustrating. The two most likely existing ways to accomplish that travel are either North Main Street in Brewer or Maine Route 46 in Holden and Eddington. Both of those routes feature old roads, many road side homes and driveways, school busses and all the other things that cause inefficient movement. They also are both prone to head on crashes as traffic tries to move as if those roads can be high speed highways.

2) The easiest thing for the PAC to agree on was the goal of the project. That was to move traffic from I-395 and Brewer to Route 9 and in the opposite direction. That goal included making a project terminus east of the intersection of current Maine Route 9 and Maine Route 46.

I submit that the project as now proposed fails on both above counts.

We could say that if a private east / west highway is constructed that this project will have no good purpose. However that would not be true. Even with the proposed private east / west a number of the traffic streams that use today's Route 9 will not get the to east / west that is proposed north of Calais. A number of those traffic streams are by themselves rather small; however, combined together they are too much for either the existing Route 46 or North Main Street in Brewer. Those traffic streams include local commuter traffic to and from Bangor – Brewer in and out of Clifton and Amherst. Also traffic that finds it easier to get to coastal places in Hancock and Washington County by

travelling on Route 9 and the connecting routes of Maine 181 and 179 (Ellsworth), 193 (Cherryfield), 192 (Machias), and 191 (Eastport).

Anecdotally, a few times each summer I use Maine 179 and 200 to get from my home in Bangor to our summer place in Sullivan; especially on Sundays when traffic at East Holden can and has backed up to the Lucerne Inn waiting for the one traffic light at 1A and 46. Gene Richardson, the operator of the general aviation terminal at Bangor International Airport has a seasonal home in Eastport. He tells me that when he does not fly from Bangor to Eastport that he drives on Route 9 as opposed to US 1A and 1; because it is quicker. Similarly Miles Theeman of Affiliated Health Care, residing in Bangor but with family and a summer home in Lubec tells me that he either uses 1, 1A & the Tunk Lake Road through Hancock and Washington County or, as often as not uses Route 9 and 192. Dr. Joe Benoit living in Veazie with a year round weekend home at Machiasport tells me he always travels by Route 9 and not 1A & 1 to get to Washington County.

Also, the log carrying trucks that come out of places along Route 9 will use Route 9 and its connection to I-395 even if then a few of them drive north on I-95 to get onto the proposed east / west. Some of those are 100,000 pound trucks. They don't fit on Route 46 nor on North Main Street in Brewer or even really on Route 9 in Eddington with its school and houses and driveways.

The insufficiency of Route 46 should need no further elaboration. In my decade as Fire Chief in Brewer I and my crews responded to many truck incidents on "bridge hill" on North Main Street at State Street in Brewer. There North Main Street crests a short but step grade onto a flat that is State Street. Annually some low truck travelling in one direction or another bellies out on the cataract and is stuck until heavy equipment can be brought in to free it. Also annually, headed east some truck or multiple trucks can not restart after stopping on bridge hill (for the control light to cross State Street) and have mechanical failures blocking traffic making a dangerous situation.

One such trailer truck, when it attempted to restart, lost security of its load of 500 gallon chemical totes, three of which slide out the rear of the trailer onto the street, one breaking open. The chemical involved was diesel fuel dye. I thought we handled that haz mat spill well but North Main Street / Route 9 was closed in both directions for the remainder of the day.

And such mechanical breakdowns on that hill are not limited to commercial trucks. Years ago we suffered a responding fire engine that was cresting the hill when it had to be stopped quickly. As the traffic obstruction cleared the operator again "gave it the gas". The truck's drive shaft broke. That not only ended its response to its call but also block the hill for awhile so that replacement apparatus was caused to take an alternate route.

So we need a road. Now how to get the best road.

Attachment: Comments and Public Meeting Transcripts

Obviously any new road will take a path that must avoid many things, real or perceived. Thus I recognize the difficulty in finding a route. Here is an alternative I don't think has been looked at.

As seen east bound, beginning at the eastern end of I-395, stay on the existing Route 1A. This portion of 1A was once a four lane road. Why not return it to a four lane with a small barrier between the opposing traffic lanes. By leaving it as open access on the sides the businesses are still served. While the existing interchange between I-395 and Route 1A / Wilson Street would not need to be moved or changed it can be slightly altered to also be a "to reverse direction" facility. By then travelling on the existing right of way of Route 1A, as a four lane for a distance the connector traffic stream does not need to enter the area of or further alter Felts Brook at all.

The connector could then leave Route 1A either about a half mile east of I-395 or I think even better at or just east of the location of Copeland Hill Road.

In looking at this possible route using Google Earth and contour lines taken from DeLorme's I see a route that appears rather dry, not as hilly as following the existing Route 46 and can reach the desired eastern terminus on Route 9 at about the Eddington – Clifton town line.

The route would pass west of the Holbrook School (and its athletic fields) while south of Holbrook Pond, west of the used portion of Edge of Town Road, staying west of Route 46 until north of Sweets Hill Road, then crossing Route 46, then running more or less parallel to 46, although back enough to be out of the area around the houses on 46, then cross Hatcase Pond Road, then across Blackcap Road, then crossing Bangor Water District Road (though no where near their water supply), then onto the existing Route 9 at or just east of the Eddington – Clifton town line.

This route uses much right of way already owned by the State of Maine. It also eliminates both of the large sweeping curves that were once imagined to help accomplish getting from I-395 without effecting Felts Brook and then getting to the Eddington – Clifton line around East Eddington village. Eliminating those sweeps reduces the needed number of new construction miles.

If such a route were to be used it would be, over all, no longer and possibly shorter than the current proposal for through traffic which fails to get east of Route 46.

While I well remember the difficulties on I-95 north of Old Town when that was a two lane road except at the ramps I think people would support a two lane road within a four lane right of way so that when increased traffic develops in the future we could have a larger facility. I also suggest that the current lower traffic counts are an effect of the current economic condition and that the traffic will return when the conditions change; which they will do sooner than 20 years from now.

27-1

I would be very happy to sit with any one who can seriously look at my proposal. I would drive to the proposed locations, fly over it with Google Earth and give greater possible detail.

I hope some one takes me up on this offer.

Rick Bronson
37 Ohio Street
Bangor, ME 04401

Attachment: Comments and Public Meeting Transcripts

From: Cnbrookspe@aol.com [<mailto:Cnbrookspe@aol.com>]
Sent: Wednesday, April 18, 2012 10:47 AM
To: Charette, Russ
Subject: I-395/Route 9 Alternatives

Russ:

Why was the extension of I-395 on the railroad right-of-way to the Dedham line not among the alternatives considered?

28-1

carl Brooks

RECEIVED

MAY 16 2012

I-395/Route 9 Transportation Study

Comment Form

(comment form continued overleaf)

Name: Bob CATTAN
 Address: 223 Jarvis Gore drive, Eddington Me 04428
 Phone No. (in case we need to ask for clarification):
 Email address (if you would like to receive an occasional newsletter on the study):

Bob CATTAN
 223 Jarvis Gore drive
 Eddington, Me 04428

I've Lived on Rte 46 since 1997
 AND the traffic that passes By the Front of my house
 is not only high volume, high speed, and Major Tractor
 Trailer tracks, ~~and~~ This Road is not Build to hold the
 volume, speed or the massive Loads. And Alternate route
 to get ~~from~~ From 395-to-Rte 9 would save
 time, money, and Natural Resources ie (Fuel & Road Repair).
 In ADDITION to saving Lives. There has Been many
 auto accidents which have Been fatal, ~~and~~ The speed, size
 of Loads And the construction of the Road it. feel could
 be Responsible for ~~these~~ ^{These} unnecessary Deaths. Thank you
 for your time.

Bob Cattan

Mail your comments to:

Russell Charette	Mark Hassellmann
MaineDOT	FHWA Maine Division
16 State House Station	Edmund S. Muskie Federal Building
Augusta, ME 04333-001640	Western Avenue, Room 614
	Augusta, Maine 04330

www.i395-rt9-study.com

Attachment: Comments and Public Meeting Transcripts

From: pdoody@dragonproducts.com [<mailto:pdoody@dragonproducts.com>]

Sent: Monday, May 14, 2012 1:21 PM

To: Charette, Russ

Subject: Comment from I395/Rt9 DEIS comment website

Comments: As a resident of Brewer and homeowner who will be adversely affected by the proposed 2B-2 route, I oppose the highway project. Particularly, after everyone agreed the route recommended by Jim Ring, was the most sensible route with the least disruption to the citizens of Brewer, East Holden, and Eddington.

Box A: #!&576

E-Mail: pdoody@dragonproducts.com

Name: patrick doody

Address: 56 brian drive brewer, ME 04412 Telephone Number:

Date: 05/14/2012

Attachment: Comments and Public Meeting Transcripts

From: rfogg@pikeindustries.com [<mailto:rfogg@pikeindustries.com>]

Sent: Friday, May 11, 2012 4:27 PM

To: Charette, Russ

Subject: Comment from I395/Rt9 DEIS comment website

Comments: I have lived in the Bangor area for 60 years and have worked in the Calis region for nearly 7 years. I also have a summer place on Rte 9 which I go to as often as I can. To get to Rte 9 from Eddington east is a struggle. Rte 46 is the best alternative but is slow and congested. Now is the time to correct the problem as it will only cost more later.

Box A: #!&576

E-Mail: rfogg@pikeindustries.com

Name: Roland Fogg

Address: 1311 Kennebec Road, Hampden, Me 04444 Telephone Number:

Date: 05/11/2012

Attachment: Comments and Public Meeting Transcripts

Ms. Rusty Gagnon
P.O. Box 246
Eddington, ME 04428
Email: rgagnon@myfairpoint.net

May 3, 2012

U.S. Army Corps of Engineers
New England District
Maine Project Officer
Attn: Jay Clement
675 Western Ave., No. 3
Manchester, NH 04351

RE: File No. NAE-2001-02253/
I-395/Route 9 Connector Project

Dear Sir,

I am a property owner, year-round resident, and voter in Eddington, Maine. My family has owned property in Eddington since the 1920s; my youngest brother currently lives on the lot our grandmother purchased at that time. We have four family members (and their families) living side by side, so we have a deep, vested interest in the lifestyle and future of Eddington.

I strongly oppose the I-395/Route 9 Connector project for the following reasons:

1. Eddington has historical significance in Maine's history. We just celebrated the town's Bicentennial. Route 9, originally known as the Airline Route and now also known as Main Road, is part of that history.
 - Route 9 is Eddington's main street. It is officially named "Main Road" on our addresses. The majority of our residents live directly off it with driveways turning onto/off that traffic. For those not having a Post Office box, mail and newspapers are delivered (and collected) at the road's edge.
 - We do not have sidewalks. We do not have public parks for recreating. Our residents use Main Road to walk, jog, and bicycle. During summer months, large bicycling groups use it for their trips. None of these activities will be safe with the projected increased traffic.
2. Data supports truck traffic projections will increase to 4-6 times the current number. Vehicles currently using Route 46 to connect with 1A, will instead use Route 9 if the Connector is located where planned. That is the acknowledged plan of the agencies behind this project.
3. Neither the big-rig trucks hauling lumber or goods nor the Canadian car traffic currently recognizes Route 9's posted speed limits (35mph-45mph, and 15mph during two periods daily within designated boundaries close to our elementary school). Yet this project has traffic coming off the Connector at higher speeds in close proximity to the school. And you think a simple "Stop" sign for those traveling Route 9 to accommodate the Connector addresses the increased safety concerns it will create? It doesn't.

Reasons to oppose I-395/Route 9 Connector

2

- The projected traffic increase will necessitate doubling or tripling our contracted law enforcement with Penobscot County Sheriff's Department, and back-up by State Troopers. Eddington will not recover any of that property tax expense. (Traffic violation revenues are split between Penobscot County and state government.)
 - Increased traffic will result in more engine oil surface runoff creating more ground soil and water pollution in Davis Pond, an area which the town and Shoreline residents have worked diligently to improve over the years to bring back better fishing, fowl life, and recreational quality for the people who use it.
 - We have an elementary school and middle school and students who are bused to Bangor, Brewer and surrounding area high schools. This requires a minimum of nine buses on Route 9 making frequent stops at least twice a day. In the winter months, it is still dark when the buses pick up the children at their driveways and close to dark when the children return. The projected increase in commercial traffic will make it more dangerous for anyone, particularly children, at the side of the road. Winter weather conditions make it only worse. With the additional traffic, school bus stops will create a logger neck. Impatient and inattentive drivers will try to pass the school buses or may hit them. Reducing the number of school bus pick-up/delivery stops expecting the children to walk any distance to their driveways is not acceptable because of their ages and weather conditions.
 - Our weekly trash collection requires residents to place their trash containers and bags alongside Route 9 where the trash truck collects them, stopping at each driveway. Collection along Route 9 takes most of the day, from 7 a.m. to late in the afternoon (sometimes into the evening) and on Fridays. As it is, on windy days, increased wind caused by large trucks frequently blows trash, trash bags, in particular, either down into wooded property or out and across the roadway. On bad weather days, it is already dangerous and messy. It will be worse, possibly fatal, with the projected increase.
4. In recent years the Eddington Planning Board, the town's Board of Selectmen, and Voters approved a comprehensive Master Zoning Ordinance, which complies with all mandated State of Maine regulations, including environmentally protected areas, i.e., vernal pools, and is structured to encourage business development. The Connector, as proposed, ignores the Master Plan and will destroy our business development plan.
5. We are a rural/agricultural community by choice. As such, we have a limited, but essential business tax base. We want to keep the businesses already here and draw more.
- Documents obtained from the U.S. Corps of Engineers and Maine DOT indicate their work/studies/decisions are not based on Eddington's updated Master zoning plan.
 - Any loss of existing businesses and/or departure of current property owners will cause property taxes to be increased by those remaining.
 - Existing property owners in the areas designated to be sold only to Maine DOT will be negatively impacted financially. The specter of the Connector is already impacting potential property sales, and devaluing others. Many property owners cannot afford to move. Some are retired and living on fixed incomes; their homes

29-1

29-2

29-3

29-4

29-5

Attachment: Comments and Public Meeting Transcripts

Reasons to oppose I-395/Route 9 Connector

3

- are paid for; they cannot afford to move, much less buy new properties requiring new mortgages and improvement costs. Some have horses, cows, several pets, etc., which require rural zoning. Maine DOT will never pay what the homes and properties are worth to the current owners.
- Eddington residents have established essential support resources in Bangor and Brewer, such as doctors, grocery stores, hospitals, dry cleaners, churches, etc., which they can afford and to which are able to drive. (There are no public transportation systems operating in Eddington.) Moving into or further away from Bangor or Brewer is not feasible for these individuals.
6. Eddington's property tax rate is already high because the state does not pay its full share of the school district's annual costs, thereby forcing property owners to pick up that portion which the state does not. So here we are – faced with devalued properties and increasing property taxes. It's just wrong.
7. Collectively, the proposed location of the Connector will kill the town of Eddington. While the town does not need the I-395 project, it cannot survive with it.
8. The project plans to eliminate important wetlands. How the Maine Department of Environmental Protection (DEP) approved this project's plan amazes me. It will affect the area's animal wildlife (deer, red fox, raccoon, porcupines, wild turkeys, skunk, and an occasional bear), migrating fowl (ducks of numerous varieties, Canadian geese, and loons who live on Davis and Chemo Ponds), and migratory birds.
- It is our understanding agreements were made between the Maine DOT and the town of Brewer, when the I-395 ramps in Brewer were constructed, an agreement to protect the remaining area wetlands. This project violates that agreement.
 - A member of our Planning Board obtained and read numerous relevant U.S. Corp of Engineer memorandum. It is amazing to think the Corp of Engineers could evaluate vernal pools in our area when it never gained access to the properties where the pools are. The Corp pretty much acknowledges it never evaluated them. It just decided it could disregard them and required DEP procedures if the existence of the vernal pools conflicted with what the Corp wanted to do. Apparently, the Corp of Engineers believes it is above the law. Amazing.
9. This Connector brings no permanent or long-term financial benefit. When Route 9 was reconstructed two years ago, contracts went to companies outside Maine, and the workers, though temporary, did not come from our area, either. So saying this project will boost Eddington's economy doesn't hold water.
- For over \$90 million in tax dollars (and costs will increase – these projects always do), only five (5) minutes in travel time will be achieved. FIVE MINUTES. This is a good use of tax money we don't have when both the state and country are in debt? Don't think so.
10. This project brings absolutely no benefits to Eddington. None. The truck drivers do not stop in Eddington as it is. They do not eat here, buy fuel here, or sleep here. But our community is supposed to be sacrificed to them? Why? Our taxes are supposed to be used for and increased because of a savings of five minutes for people who contribute nothing to our economy? Why?

29-6

29-7

Reasons to oppose I-395/Route 9 Connector

4

11. With the strong possibility of the privately funded East-West highway, which will have area off-ramps (none are included in the I-395/Route 9 Connector project), this Connector may never be needed. At the very least, until the East-West highway is completed and traffic needs re-evaluated, the I-395/Route 9 Connector project should be shelved.

From the perspective of using taxpayer monies, which is what state and federal funding is, our taxes, the State of Maine would be better off using the funding to repair current roads and bridges. How about fixing area streets in Bangor with potholes to China, or bridges all over the state already identified as in need but without sufficient funding? It is not beneficial creating something neither needed nor wanted. Talk about bridges to nowhere...

For the last two years, or more, the various governmental agencies have operated in a vacuum, not including or communicating with the municipalities that will be impacted or their standing committees. The government process has been neither transparent nor honorable.

Please, consider these arguments presented and others I know you will be receiving. Know that I am speaking not only for myself, but also for the households of my two brothers and niece who have year-round homes right next door on Davis Pond. Our driveways are directly off Route 9. I can already see, hear and feel the current truck traffic. Any increase is intolerable. My family and neighbors feel the same.

Sincerely,



Ms. Rusty Gagnon, M.A.
1359 Main Road
Eddington, ME 04428

Cc: Governor Paul LePage
State Representative David D. Johnson
State Senator Richard Rosen
U.S. Senator Susan Collins
U.S. Senator Olympia Snowe
U.S. Representative Michael Michéau
U.S. Representative Chellie Pingree
✓ Russell Charette, Maine DOT
Mark Hasselmann, FHWA Maine Division

Attachment: Comments and Public Meeting Transcripts

From: wgardnerwg@aol.com [<mailto:wgardnerwg@aol.com>]
Sent: Monday, April 30, 2012 7:59 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: The least disruptive and damaging thing to do is to upgrade existing routes/interchanges to better accommodate truck traffic. This would also be the easiest option to MAINTAIN over the long haul. The DOT seems to be under some internal/external pressure, to "build a new road", when we cannot afford to take care of the roads we have now.

In terms of human impact, again, the least disruptive thing to do is to upgrade 9, 46 and 1A. Anyone who bought homes on these routes already decided they didn't mind the traffic enough to PAY MORE to live somewhere else.

Box A: #!&576

E-Mail: wgardnerwg@aol.com

Name: William C. Gardner Jr.

Address: 443 Day Rd, Brewer Me.

Telephone Number:

Date: 04/30/2012

Attachment: Comments and Public Meeting Transcripts

From: Charette, Russ
Sent: Monday, March 19, 2012 4:03 PM
To: John & Roberta Gray
Cc: 'Mark.Hasselmann@FHWA.dot.gov'; Cheryl.Martin@dot.gov; Thomson, Herb
Subject: RE: I395 Rt 9 connector

Mr. & Mrs. Gray,

Thank you for your comments on the project. You are correct that previous discussion did center on the "Ring Route" (3EIK-2). Subsequent to the last Public Advisory Committee meeting held in April of 2009 there have been numerous meetings between MaineDOT, Federal Highway Administration and the other cooperating agencies who have regulatory responsibility over various natural resources. Minutes of those meetings can be viewed on the project website located at:

www.I395-rt9-study.com

In September and December 2010, meetings with the federal cooperating agencies took place. The MaineDOT continued its analysis of the Routes 9/46 intersection and concluded that the build alternatives, including those that use portions of Route 9, would improve the quality of traffic flow at the intersection of Routes 9 and 46 and other physically less intrusive improvements (e.g. as adding turn lanes), could be made to the intersection that would further improve the quality of traffic flow at the intersection. In this general time period, the cooperating agencies requested that additional data be collected on vernal pools in the project areas for the remaining alternatives. Vernal pools are considered by the resource agencies as valuable and are increasingly a threatened ecosystem. There are significant vernal pools impacted by Alignment 3EIK-2. For these reasons, the MaineDOT and the FHWA dismissed alternatives that bypassed the intersection of Routes 9 and 46 to the north in favor of further consideration of alternatives that use Route 9. The MaineDOT, the FHWA, and the federal cooperating agencies further considered Alternative 3EIK-2 and concluded, although available and practicable, that it was more environmentally damaging than other build alternatives and dismissed.

After careful consideration of the range of alternatives developed in response to the study's purpose and needs and in coordination with its cooperating and participating agencies, the MaineDOT and the FHWA identified Alternative 2B-2 as the recommended preferred alternative because the MaineDOT and the FHWA believe it best satisfies the study purpose and needs, would fulfill their statutory mission and responsibilities, and has the least adverse environmental impact. In identifying Alternative 2B-2 as the recommended preferred alternative, the MaineDOT and the FHWA believe they have identified the environmentally preferable alternative because it best meets the purpose and needs for the study; causes the least damage to the biological and physical environment; and best protects, preserves, and enhances the historic, cultural, and natural resources of the study area. The Army Corps of Engineers has not yet determined the Least Environmentally Damaging Practicable Alternative (LEDPA). The Army Corps of Engineer will determine the LEDPA subsequent to the Public Hearing on the project which will be held on May 2nd, 2012 at the Eddington Elementary School.

Attachment: Comments and Public Meeting Transcripts

There will be an open house on April 4th, 2012 at the Brewer Auditorium from 3 to 8PM. There will also be a second open house on May 2nd, 2012 at the Eddington town office from 1 to 4:30 PM.

Please let me know if you have any questions.

Russ Charette

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

-----Original Message-----

From: John & Roberta Gray [<mailto:shadyln2@gmail.com>]
Sent: Sunday, March 18, 2012 11:13 AM
To: Charette, Russ
Subject: I395 Rt 9 connector

We are Holden residents and have attended many meetings concerning the proposed RT. 9 - Interstate 395 connecting highway. The most recent announcement that the "town line" routes are the favored options is totally out of line with previous discussions and findings. The so called "Ring route" had floated to the top of the list as the route that affected the least homes, had the least noise impact close to residents and eliminated much of the traffic through Eddington village and schools. The "Ring route" is the route that DOT and all others involved in this process should choose.

Why has there been such a lack of transparency in this most recent portion of the decision making process? Was all the time and work on the part of Ray Faucher wasted? Is it simply that the players have changed and feel they will do as they please?

John & Roberta Gray

Holden, Me.

From: medicineman04429@yahoo.com [<mailto:medicineman04429@yahoo.com>]

Sent: Monday, May 14, 2012 2:48 PM

To: Charette, Russ

Subject: Comment from I395/Rt9 DEIS comment website

Comments: I disagree with this route. It goes right thru my property. I spent 10 years making this house to my liking and now the states wants to put me out of my own house. Good luck with that Box A: #!&576

E-Mail: medicineman04429@yahoo.com

Name: Richard Hatch

Address: 114 Levenseller Road Holden Me 04429 Telephone Number:

Date: 05/14/2012

Attachment: Comments and Public Meeting Transcripts



Gretchen Heldmann
439 Main Rd
Eddington ME 04428-3006

RECEIVED
MAY 15 2012

5/11/2012

Russell Charette
Maine Dept. of Transportation
16 State House Station
Augusta, ME 04333-0016

Re: I-395/Rt. 9 Connector Project – Draft Environmental Impact Statement Public Comments

Mr. Charette:

Enclosed please find a copy of the statement that I prepared and read at the I-395/Rt. 9 Connector Public Hearing held at the Eddington Elementary School on May 2, 2012. The statement provides many points as to why the proposed preferred alternative as identified in the Draft Environmental Impact Statement (DEIS) for this project does not meet the study criteria, and also highlights failures in the public process over the last few years. My statement cites specific factual sources such as the study website, Public Advisory Committee (PAC) meeting minutes, Maine DOT website, MDOT Interagency Meeting notes, and information I obtained through Freedom of Access Act information requests. My statement is divided into the following sections:

- Process/Public Involvement
- Vernal Pools & Other Habitat
- Noise Mitigation
- Removal/Reinsertion of 2B Multiple Times
- Economic Downturn
- Safety

Highlights include:

- The MDOT ignoring the public process from April 2009 through early 2012, which goes directly against their own Public Involvement Plan document.
- Route 2B-2 relies on using the majority of Rt. 9 in Eddington, designating it a “protected corridor”, and suggesting ways to effectively stifle economic development and growth of the town in order to maintain traffic capacity until 2035 – open for business or securing the stagnation of a community?
- Inconsistency between state agencies – MDOT using their own version of vernal pool data sheets and field notebooks (with pages ripped out), while the MDEP and MDIFW created and use the Maine State Vernal Pool Assessment Form. Failure to look for all four indicator species of significant vernal pools.
- MDOT telling the PAC that they will secure landowner permission for all access to land for inventorying various features (i.e. vernal pools), yet failing to do so.
- Agendas vs. scientific methodology: “If to our benefit use it...if not explain why not.”
- Lack of incorporation of updated traffic data, specifically, traffic data after the 2008 economic downturn.

Page 1 of 2

Gretchen Heldmann | 439 Main Road | Eddington, ME 04428 | (207)299.5889 | gheldmann@gmail.com

- MDOT removing route 2B (essentially identical to today's 2B-2) because it did not meet the original study criteria of a connection to the east of east Eddington, only to reinsert the route at the request of "the agencies", and subsequent failure to adequately explain what exactly changed and how 2B-2 now satisfies the study purpose and needs.
- Writing off the need to do noise mitigation or install a safety barrier to divide the lanes of highway traffic – which would protect the investments and lives of Maine citizens – due to cost, yet having no problem spending \$4 million for wetland and vernal pool mitigation.

I appreciate your time and attention in this very important matter, and look forward to a thorough response to each concern and question I presented. Please contact me with any questions.

Sincerely,



Gretchen Heldmann

cc: Mark Hasselmann, FHWA
Jay Clement, ACOE
Hon. Sen. Richard Rosen
Hon. Rep. David Johnson
Hon. Sen. Susan Collins
Hon. Sen. Olympia Snowe
Hon. Rep. Michael Michaud
Hon. Gov. Paul LePage
Commissioner David Bernhardt, MDOT
Commissioner Chandler Woodcock, MDIFW
Commissioner Patricia Aho, MDEP
Maine Committee on Transportation
Maine Committee on Environment and Natural Resources
Maine Committee on State and Local Government

Enc.

Page 2 of 2

Gretchen Heldmann | 439 Main Road | Eddington, ME 04428 | (207)299.5889 | gheldmann@gmail.com

INTRO/PROCESS/PUBLIC INVOLVEMENT:

Hello all, thank you for holding this public hearing. It is apparently our one chance for all communities involved to voice concerns regarding all the changes that have taken place since the last Public Advisory Committee (PAC) meeting of 2009. My name is Gretchen Heldmann, and I live right across the street. If this connector is built, I could stand to see some benefit, such as reduced traffic in front of my house, at least that's what is proposed. However, I moved to Rt. 9 knowing full well it was a very busy state road and there would be traffic – including a lot of big trucks. So to me, this connector isn't something I want or am looking forward to, in order to reduce traffic in front of my house. No, in fact, I care more about our community of Eddington as a whole, and I believe that this connector may have the single largest impact to this community in a long time. I care about this community – I volunteer regularly at Comins Hall and I serve on the Planning Board. I also care about the folks living on Rt. 46 – it is a dangerous road and something needs to be done. But I believe this connector is not the answer. This connector shifts the problem from one area of town to another. I also believe that the "protected corridor" proposed, which is basically from where the connector hits Rt. 9 just down the road here, out to the Clifton line, will end up destroying our community. While the state cannot force the Town to change its zoning, they are the ones that administer permits for driveway and road entrances onto Rt. 9 – and they could very easily decide to not grant any more permits in order to protect the corridor and maintain capacity to the end of the study period.

I have some questions and comments about the process over the last few years, since the last PAC meeting, which was in April 2009. At the April 2009 meeting, which I attended, the PAC agreed that 3EIK-2 was their preferred route, and they agreed to dismiss 2B-2 because it did not meet four out of five study criteria - but they were told the Army Corps of Engineers wanted to retain it. They STILL wanted to retain this route after knowing since at least 2002 that the route had very little public support. The PAC was told that vernal pool data was acquired and plotted, but no one saw any vernal pool maps until a few months ago. Keep in mind that the PAC had also been involved in the decision-making process for about a decade prior to this meeting.

As it turns out, after that meeting and unbeknownst to the PAC, 2B-2 was fully put back on the table and chosen (not by the PAC) as the preferred route, the vernal pools had not only been mapped, but it had already been determined there were too many along the PAC's preferred route of 3EIK-2. Apparently the work our friends and neighbors had put into the PAC for the last decade was of no importance and has been completely disregarded. The public process in general has been completely disregarded since April 2009, which goes against the Maine DOT's own Public Involvement Plan document, which lists nine things the Maine DOT is committed to: "1) Informing the public, 2) Proactively seeking and encouraging the public's early and continuing input and participation when developing policies, plans, programs, studies, projects, operations, and maintenance activities, 3) Adhering to the principles of Environmental Justice and Title VI of the US Civil Rights Act, 4) Being consistent with the Maine DOT Strategic Plan and the objectives of Connecting Maine, Maine DOT's statewide long-range multimodal transportation plan, 5) Improving customer service through training and effective external communication with stakeholders and the public, 6) Enhancing public awareness and participation, 7) Being fair, responsive and accountable to traditional and non-traditional

stakeholders, 8) Communicating effectively with the public, and 9) Making the best possible transportation decisions to effect and efficient multimodal transportation system that meets the Maine DOT mission and needs of the people of Maine.

It seems to me the theme there is public involvement, since six of nine of those points relate directly to communicating with and involving the public in the process.

Earlier this year, a series of questions were sent from Senator Susan Collins' office, to the Maine DOT for question and answer. [01/09/2012 Q&A from Sen. Collins Office to MDOT:] "Maine DOT will schedule a meeting with the PAC to update them on the decisions that have been made subsequent to the last PAC meeting. The PAC meeting should be scheduled within the next 4-6 weeks. Subsequent to the PAC meeting Maine DOT will schedule and hold meetings to update the Municipal Officials in the four affected communities. These meetings should be scheduled a few weeks after the PAC meeting."

None of that ever happened. Instead, we have been asking for information for months, and it has only been provided after much pushing or Freedom Of Access Act information requests. Both the website that hosts the study info and the Maine DOT Interagency Meetings website, were years out of date, and were not updated until I made a FOAA request for two years worth of Interagency Meeting notes and vernal pool information to try to understand the process over the last few years and also look at the data to back up the vernal pool maps.

VERNAL POOLS:

So let me talk about vernal pools for a moment. I have attended multiple vernal pool training workshops led by Dr. Aram Calhoun. There is a very specific process to assessing vernal pools, with a detailed data sheet to fill out, put together by the Maine Dept. of Inland Fisheries and Wildlife and the Maine Dept. of Environmental Protection, titled "Maine State Vernal Pool Assessment Form". There is also a "Vernal Pool Observer Credential/Project Contact Form" to list contact info and how the person is qualified to assess vernal pools. There are four main indicator species to look for: wood frogs, blue spotted salamanders, spotted salamanders, and fairy shrimp.

The MDOT did not use the Maine State Vernal Pool Assessment Form nor did they use any sort of standard method to gather vernal pool data. I asked for copies of the vernal pool field data sheets as part of my FOAA request, and what I got was a mish mash of their own version of field data sheets and field notebooks – with pages ripped out! When I asked about the discrepancy between MDIFW/MDEP and MDOT's ways of collecting info, and whether they had looked for fairy shrimp (since I saw no mention of them anywhere), I received the following via email:

[Email 03/01/12 from MDOT:] "We didn't look specifically about fairy shrimp, and we did not make a big effort to look for them. If we had seen them, we would have reported them...In terms of how our effort fits into the MDIFW requirements- and the simple answer is that it doesn't, and is not meant to. We have no plans of submitting any data collection forms to MDIFW as we don't own the land. When we identify an alternative and purchase rights of way, we will re-census the new rights of way only and submit any necessary data forms to MDIFW."

I do not understand how one state agency is able to follow a different set of standards and guidelines than another. Please explain.

30-1

There are also guidelines regarding landowner permission to enter onto someone's land to map vernal pools:

[IF&W Insider newsletter:] "Can a Significant Vernal Pool be documented on my property without my knowledge? NO. MDEP and MDIFW have a strict policy of requiring landowner permission before any pool is assessed or mapped."

This question regarding access was also asked at the very first PAC meeting in 2000:

[PAC #1 09/2000:] Jack: How will you gain access to property for study?

Bill: We do GIS tracking now. There is no access to property until later in the study and we will secure permission.

However, it seems that landowner permission was NOT secured by the MDOT when they went out to map vernal pools. They provided the following response to me via email: [Email 02/29/12 from MDOT:] Pursuant to 23 MRSA § 701, employees of the department "are authorized to the extent necessary for surveys and preliminary engineering to enter and cross all lands within, adjoining and adjacent to the area to be surveyed." There is no requirement that Department of Transportation personnel obtain permission from landowners to conduct these preliminary engineering activities.

If vernal pool assessment and mapping counts as surveying and engineering, and the MDOT knew this all along, then why was the PAC mislead regarding landowner permission?

OTHER HABITAT: Judy Lindsey, former project manager, note on using utility corridors or not for fragmented habitat analysis: "If to our benefit use it as fragmented if not explain why not." If to our benefit use it as fragmented?? Where is the scientific methodology behind that??

NOISE MITIGATION:

The DEIS discusses noise mitigation options for indirectly affected residents. It states that the MDOT has a guideline of not spending more than \$31,000 per benefiting receptor (meaning a single residence as far as I can tell), which is based on spending \$31 per square foot to build a noise mitigation structure. The DEIS concludes that because the range of expenditure per benefiting receptor is from \$194,168 to \$1,043,724 – that the costs outweigh the benefits so they are not going to do it. What they do not provide, are any useful numbers, such as, what is the actual TOTAL cost to mitigate noise for each route? At the open house this afternoon I obtained a disc with the Noise Technical Memos and was told I could add up the figures on pg. 13 to obtain the total cost for noise mitigation. I added up the numbers for 2B-2 and came up with \$8.7 million. \$8.7 million to protect the blood, sweat, tears, and dollars that the tax-paying citizens of this state have put into their homes, protect all that from a connector that is going to negatively affect the noise levels on their properties, which in turn will negatively affect their property values. However, MDOT is perfectly fine with spending upwards of \$4 million for mitigation of **direct** impacts to wetlands and vernal pools. At PAC meeting #3, the group agreed their top three priorities were:

[PAC#3 Top Priorities 11/15/2000:]

1. Safety
2. Travel efficiency
3. Neighborhood integration

30-2

Neighborhoods are not being integrated if noise is not being mitigated. Please reconsider your priorities and the need for noise mitigation.

30-3

REMOVAL/REINSERTION OF 2B MULTIPLE TIMES:

I also still do not understand the removal and reinsertion of 2B/2B-2 and how it meets the criteria.

02/2002 MDOT Alternatives Narrowing Process: To improve regional system linkage, 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 provide a substantial improvement in regional mobility and connectivity and would negatively affect local access. 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.

02/20/2002 PAC: Bill Plumpton gave an overview of the MDOT process of review and logic to reduce the number of alternatives for final comparison and detailed analysis (see attached). To fully satisfy the study purpose and need of improved system linkage, Bill said an alternative has to tie into Rte 9 east of Rte 46.

For these reasons, MDOT removed route 2B from the alternatives.

05/22/2002 PAC: "The Agencies" want to keep 2B because it "could be 'practicable' in accordance with the law. Bill Plumpton defined practicable as 'available and capable of being done after taking into account cost, existing technology, and logistics in light of overall purpose.'"

07/24/2004 Handout: "Maine DOT and FHWA have selected 3EIK-2 as their preferred alternative, but the Army Corps of Engineers is also soliciting comments regarding a second alternative, 2B-2."

What changed? I keep asking this question, and I even did a FOAA request to find this out, and still do not have an actual answer. Where are the data? Where are the analyses? Charts? Graphs? Regressions? Just because too many vernal pools were found along 3EIK-2 does not mean that some magic dust was sprinkled on 2B-2 and Rt. 9 that suddenly make it meet the needs – that is like comparing apples and elephants! Further, what is the point of developing a study purpose and needs, when it appears it will all be trumped by cost, existing technology, and logistics?

ECONOMIC DOWNTURN:

Is this connector still even needed? What is the rush? We have not seen a big boom in the economy as of late – in fact, the opposite has happened – so why do we need to push this DEIS through, without having given the PAC a chance to comment on all these changes? Speaking of changes and the economic downturn, the DEIS acknowledges the economic downturn, but continues to use traffic count data numbers from before the downturn. Numbers from after the downturn need to be included in all analyses now, to determine if the connector is still needed, what the design should be, design year, etc. The study year was changed to reflect the downturn, moving it out five years to 2035 from 2030. Where did the five year change come from? What data support a five year change? Why aren't more recent traffic count numbers being incorporated into analyses?

30-4

SAFETY:

What is the cost of a Maine life? I would wager it is worth far more – priceless, in fact – than the cost to install a barrier to divide these proposed two lanes of highway traffic. The cost should absolutely not be prohibitive in this case. \$4 million on wetlands and vernal pools but we cannot spend \$4 million to install some sort of divider that could potentially save a life. Last summer we lost a few lives on Rt. 9, right at the very bend where this connector is proposed to connect to Rt. 9. The sheriff has clocked people going in excess of 90 miles per hour at that same spot. There are school bus stops there. Where this connector is proposed to join Rt. 9, is already an unsafe location. Turning it into an intersection, with traffic flying off the connector at 55 miles per hour or more, and merging directly into our rural area, with a business entrance right there and school bus stops, does not make sense. Making everyone that commutes from outer Eddington, Clifton, Amherst, Aurora, etc now have to use a stop-sign intersection to continue onto Rt. 9 to make their way to the University, Hospitals, or other places of work in Bangor and beyond – does not make sense and will cause a daily commute nightmare. I drive Rt. 9 every day – and when I get into Bangor, the majority of the daily commuters I am in line with, take that first bridge to connect into Bangor. Not so many follow me to I-395 to get on the highway – and I only get on the highway to cross the river.

CLOSING:

Time and time again, the State continues to provide band-aid fixes to serious problems with our infrastructure because of cost. This connector is nothing more than another band-aid fix, going with the lowest cost option, that makes the least amount of sense, just so the State can say they did something, and by golly, they created some jobs, too! Yeah, and another stretch of road that will be inadequately maintained and cost us even more money into the future. A stretch of road and protected corridor that will destroy our community of Eddington, impact hunting and snowmobiling and other forms of recreation, and by the time the damage is irreversible, the State will be looking again at a connector to bypass the connector. While something does need to be done about traffic on Rt. 46, shifting the traffic to another road in town is not the answer. It does not meet the original criteria of providing a limited-access connection between I-395 and Route 9 east of Route 46, because alternatives that do not provide a limited access connection to Route 9 east of Route 46 would not provide a substantial improvement in regional mobility and connectivity and would negatively affect local access. This connector is not the answer and it is certainly not good for the entirety of the residents of the Town of Eddington.

Attachment: Comments and Public Meeting Transcripts

From: Jane Hinckley [<mailto:jane.hinckley@gmail.com>]
Sent: Monday, May 14, 2012 8:58 AM
To: Russ.Charette@maine.gov; Mark.Hasselmann@dot.gov; Clement, Jay L NAE
Subject: I-395/ route 9 connector

Proposed connector from I-395 to Route 9

It is very difficult to understand how the currently proposed connector, which would run almost entirely through Brewer and dump out onto a residential /commercial stretch of Route 9 in Eddington, could even be considered by the MDOT. This is not a four lane connector with a median strip, but merely a limited access road with one lane in each direction. The road would be only marginally safer than any current route, and be very dangerous to people living on that stretch of Route 9. How will the truck traffic be able to merge east or west on Route 9 without endangering the safety of those traveling that stretch of the road, and disrupting the lives of those living nearby?

31-1

The original purpose of this highway was to take truck traffic off Route 46 and connect with Route 9, east of Route 46. Since the change of weight restrictions on I-95, there have been no studies done to validate how traffic patterns have changed, and what the impact of the privately funded east-west highway will be on future traffic patterns. The MDOT needs to

31-2

step back and recognize the problems with this plan. Money which has been spent on research for this plan could have been much better used to repair existing roads and bridges. No-build has the least impact on our area.

There is something seriously wrong with a plan that does not meet the original intent, is not sanctioned by the communities involved, and ruins well established neighborhoods in these areas. No build is the only sensible way to go.

Jane T. Hinckley

5 Woodridge Road

Brewer, Maine

Attachment: Comments and Public Meeting Transcripts

From: dhoc12@roadrunner.com [<mailto:dhoc12@roadrunner.com>]
Sent: Thursday, May 10, 2012 2:32 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: I feel that the proposed route for the I-95 route 9 is the best route that would be an advantage for the town of Eddington. It would make for easier travel to the shopping areas of both Brewer and Bangor. I think that the town would grow as more business may locate there if there was easier access to the interstate system. I live on rt.9 and I don't believe there will be any more traffic than there is now and the safety issues won't be any worse. I think the corps of engineers and the state highway dept. have chosen the correct and only reasonable route Box A: #1&576

E-Mail: dhoc12@roadrunner.com

Name: David Hocking

Address: 1217 Main Rd, P.O. box 214, Eddington, Me 04428 Telephone Number:

Date: 05/10/2012

From: John Huskins [<mailto:jphuskins@aol.com>]
Sent: Sunday, May 13, 2012 6:30 AM
To: Charette, Russ
Subject: RE: I-395/Route 9 Transportation Study

Mr .Charette,

I am writing to let you know that I am against building the 2B-2 connector route. I attended the Eddington meeting and agree with my neighbors that this route is not needed, does not benefit the affected communities and does not meet the needs of the original study. It seems to me that the rationale used to choose the 2B-2 is faulty. If the Ring Route was eliminated as an alternative due to environmental concerns, then all routes should be eliminated. Just choosing a shorter route does not lessen the impact. I'm sure that the impact per mile is the same. I believe that a lot of valuable information has been lost over the years of this study due to all the personnel changes. The satellite images used at the open houses did not show homes that have been recently built in what would be the right-of-way for 2B-2. I believe that if the people who built these homes knew that there was a road being planned, they would not have built. The bottom line is that this road does not solve any problems. This road moves problems and created new ones. I strongly oppose this connector route.

32-1

John Huskins

45 Woodridge Rd

Brewer, ME

From: wpkarc@tds.net [<mailto:wpkarc@tds.net>]
Sent: Friday, May 11, 2012 3:28 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: I'm not too sure this is the appropriate time to request money to build this corridor because of the economic climate at the present time. I don't travel in that area enough to know much about it, but when I do travel there, I can clearly see that the slow traffic is a major concern regarding moving good efficiently. Therefore, I would agree that this corridor is needed.

Box A: #1&576

E-Mail: wpkarc@tds.net

Name: Walter Kilbreth

Address: PO Box 120 Kingfield, Maine 04947 Telephone Number:

Date: 05/11/2012

Attachment: Comments and Public Meeting Transcripts

Larry Lancaster

From: "Larry Lancaster" <lflanc@roadrunner.com>

To: <Russ.Charrette@maine.gov>

Sent: Thursday, April 05, 2012 2:42 PM

Subject: I 395 Rt9 connector

Larry Lancaster ; My house is at the connector of the two highways in Eddington. Comments.

Going West keep the right lane as is, which would help the [Fire Dept when it has to go west on Rt 9] ; a Yield sign at the connector road so we that live here can get to the new road.
From the connector road East, keep the right lane and dead end it at the last house affected one beyond my house, that way we can get to our homes from the west.

33-1

Also the connector road could be moved a few hundred ft East.

33-2

I would say no build .

lflanc@roadrunner.com

Larry Lancaster
650 Main Rd
Eddington, Me 04428

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MAY 16 2012

I-395/Route 9 Transportation Study

Comment Form

(comment form continued overleaf)

Marcia Lyford
197 Jarvis Gore Dr.
Eddington, ME 04428

Name: Marcia Lyford

Address: 197 Jarvis Gore Dr., Eddington 04428
(aka Rt. 46)

Phone No. (in case we need to ask for clarification):

Email address (if you would like to receive an occasional newsletter on the study):

L

When we moved to Rt. 46 36 years ago, it was fairly quiet, with just a few pulp trucks travelling to Bucksport. Since NAFTA, the truck traffic to and from Canada is never-ending. We can no longer put a screen in our front door during the summer, as it's so noisy. There are accidents on the hill close to Rt. 1A during most snowstorms, blocking the road. We no longer dare to walk beside the road. The I-395 connector is badly needed and will relieve the truck traffic on 46. I strongly support this connector.

34-1

Mail your comments to:

Russell Charette

MaineDOT

16 State House Station

Augusta, ME 04333-001640

Mark Hassellmann

FHWA Maine Division

Edmund S. Muskie Federal Building

Western Avenue, Room 614

Augusta, Maine 04330

www.i395-rt9-study.com

Attachment: Comments and Public Meeting Transcripts

From: pinebrz@gmail.com [<mailto:pinebrz@gmail.com>]
Sent: Sunday, May 13, 2012 5:48 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: I am writing you about MaineDOT's proposal to connect Route 9 Downeast to I-395. The project is at a critical point as the public in areas such as Brewer are against this proposal. After ten years or more of deliberations, the Dept. and Federal agencies have decided on three options, 2B2, seems the best one because of price and less impact on the surrounding areas.

It is clear the Department's leadership believes this project has a strong rationale to support it and a quick look at an existing highway map makes the case.

The close of comments for the EIS record is the 15th of May.
Box A: #!&576
E-Mail: pinebrz@gmail.com
Name: Irene Rogers
Address: Dennysville, Maine
Telephone Number:
Date: 05/13/2012

From: Tammy Scully [<mailto:easterlywine@myfairpoint.net>]
Sent: Saturday, April 21, 2012 11:06 AM
To: Charette, Russ
Subject: Connector

Dear Sir:

Please consider this a statement of opposition to permitting any new road construction between Interstate 395 and Route 9.

I do not believe the environmental costs are worth the traffic improvements, therefore I support the "no build" option. Further, I believe mitigation is inherently flawed. Destruction of the environment is destruction of the environment and cannot properly be mitigated.

Thank you,
T Scully

Tammy Scully
Easterly Wine LLC
30 Washington Street
Belfast, ME 04915

easterlywine@myfairpoint.net

Attachment: Comments and Public Meeting Transcripts

From: Luvs2Garden2@aol.com [<mailto:Luvs2Garden2@aol.com>]
Sent: Monday, May 14, 2012 9:19 AM
To: Clement, Jay L NAE
Subject: I-395/route 9 connector

We are expressing our opposition to this proposed highway for several reasons. We attended PAC meetings since the year 2000 and in 2009 we were led to believe a route had been chosen. Since then, there are several discrepancies in this study. How can the purpose and needs change? Why wasn't the PAC re-called if the study changed? Why weren't the Town of Eddington and the City of Brewer, not to mention the public, let in on the new study? Why was the preferred route 3EIK-2 dropped? Why was 2-B brought back with a new name; 2B-2?

Reasons cited for dropping the preferred route are vague but apparently environmental issues were suddenly discovered. The mapping of the vernal pools apparently wasn't conducted correctly. With the new study for the E/W highway, we wonder if this connector should even be considered now.

MDOT/FHWA officials 'hope' Eddington will not develop so that this connector can be built and that is just ludicrous.

The safety issue of this connector has not been fully studied. Coming off a high speed road to a stop sign on a very, very busy Route 9 is an accident waiting to happen.

Every time new roads are built in our area, we realize the folks planning them don't drive them because they never make sense. This road is one of them.

Carol & Vinal Smith
27 Woodridge Road
Brewer, ME 04412

35-1

From: Luvs2Garden2@aol.com [<mailto:Luvs2Garden2@aol.com>]
Sent: Friday, May 04, 2012 4:45 PM
To: Charette, Russ
Subject: I-395/route 9 connector

We feel that most of our questions were asked at the public meeting in Eddington on May 2, 2012. We just want to go on record as being opposed to this connector for many reasons. Of course the biggest is that we have lived in our neighborhood for 26 years and don't want to have to put up with construction, exhaust pollution, traffic noise and a house that loses its value because of this road. Other reasons are that this road is unsafe. It will interrupt wildlife and the environment. We don't feel it is necessary once the East West Highway is built. It will cost taxpayers way too much money. You don't even have funding! There are so many roads in need of repair. You might look at those instead of building a new one.

Vinal & Carol Smith
27 Woodridge Road
Brewer, ME 04412

Attachment: Comments and Public Meeting Transcripts

I-395/Route 9 Transportation Study

Comment Form

Name: Jessika R. Selman

Address: 214 Forest Ave Orono, ME 04473

Phone No. (in case we need to ask for clarification):

Email address (if you would like to receive an occasional newsletter on the study):

hopton@myfairpoint.net

When this study originated in ~~the~~ 2000,
Safety on RT9 was one of the study's
purpose. Is the only way alternative
2B-2 works is to remove safety on
RT9 as a purpose? The safety impacts
on RT9 don't disappear just because
you eliminated it as a purpose

36-1

www.i395-rt9-study.com

I-395/Route 9 Transportation Study

Comment Form

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MAY 10 2012

(comment form continued overleaf)

Name: MARK + Julie Thompson

Address: RT. 9 Eddington

Phone No. (in case we need to ask for clarification): _____

Email address (if you would like to receive an occasional newsletter on the study): _____

I strongly believe that the DOT is going to do what ever they want in the end, but on behalf the ~~the~~ citizens left to pick up the pieces, and increased taxes and fees. A toll both at the suggested intersection proposed would at least help ease the financial burden the state has put us on, "once again". Slow merging traffic and help the towns involved. Since Eddington 28 D of the collected toll money that mostly will be used by the Canadians, and trucking companies anyways.

Sincerely,

The Thompsons

RT 9 -

37-1

Mail your comments to:

Russell Charette

MaineDOT

16 State House Station

Augusta, ME 04333-001640

Mark Hassellmann

FHWA Maine Division

Edmund S. Muskie Federal Building

Western Avenue, Room 614

Augusta, Maine 04330

www.i395-rt9-study.com

Attachment: Comments and Public Meeting Transcripts

From: Linda Tucker [<mailto:mustangblue9@gmail.com>]
Sent: Friday, May 04, 2012 6:07 PM
To: Charette, Russ
Subject: I 395 route9conector

We are for the no build. safety issues,bad intersection at route 9,school bus stops on route 9,devalue the town with closed corridor,added taxes for lost property and for devaluation.This appears to be for candians and for truckers.

I-395/Route 9 Transportation Study

Comment Form

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APR 10 2012

Name: Wendell Tucker

Address: 181 Chemo Pond Rd Eddington ME 04428

Phone No. (in case we need to ask for clarification):

Email address (if you would like to receive an occasional newsletter on the study):

① This money better spent on roads you already have

② From Rt 9 connector to Brewer that section of Rt becomes town maintained or another neglected state road less used less maintained

③ has enough consideration been taken to the exit and entrance of route 9 given the spread on the connector

④ I support the no build until the study is done on the east west highway and that is a no build

38-1

Thank You
Wendell Tucker



Wendell Tucker
181 Chemo Pond Rd.
Eddington ME 04428

Attachment: Comments and Public Meeting Transcripts

From: jdvandyke@roadrunner.com [<mailto:jdvandyke@roadrunner.com>]
Sent: Sunday, April 08, 2012 5:47 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: I have just finished listening to Peter Vigue in reference to his "Private funded" initiative for an East-West Highway. As I see his initiative, his toll road proposal will start in Calias and ending at the western part of the state.

It appears to me, if money is spent on the I-395 connector and his toll highway is also approved, the use of Route 9 to I-395 will be less used over the faster toll road.

Realizing, the I-395 connector has been a dream for many years, to me, it seems a waste of money and acquiring property for a future "Bridge to Nowhere" connector. Placing a hold on the I-395 connector may be in the cards!

Box A: #!&576

E-Mail: jdvandyke@roadrunner.com

Name: John Van Dyke

Address: 610 Eastern Ave., Brewer, Maine Telephone Number:

Date: 04/08/2012

39-1

Attachment: Comments and Public Meeting Transcripts

From: ward2607@aol.com [<mailto:ward2607@aol.com>]
Sent: Monday, May 14, 2012 8:55 AM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: My name is Joel D. Wardwell. As a former Town Councilor for Bucksport for 18 years I am all too familiar with the heavy traffic feeding off Route 9 to points south and west. We pressed for the Route 46 corridor improvement for many years. The objective of the I-395 connector is to put the truck traffic off Rte 9 directly onto I-395 and then to points west in Bangor, on I-95, or onto Rte 2. We in Bucksport see a great deal of that traffic not going in this direction but proceeding down the south end of Route 46. It has always seemed to make more sense to spend the money to connect all the corridors, not just one. Route 46 proceeds south from Rte. 9 to Rte 1A, and then continues to connect to US Rte 1 & 3 which access Verso Paper and the Webber Oil port in Bucksport, Ellsworth, Bar Harbor, and then to the Maine State Port Facilities in Searport. To reconstruct and improve what presently exists (Route 46) seems a much less intrusive alternative than constructing a new!

location which has no consensus. Route 46 will remain a major truck Route to Brewer, Bangor, I-95, Rte 2, Bucksport, points east on Rte 1 & 3, and Searport for the many years that this project will be under scrutiny (and probably be abandoned such as the Wiscasset bypass) so why not just commit to the obvious? I think sometimes the most practical and cost effective may be right in front of you. You can never solve this by consensus but someone needs to realize that this is all real tax payer money and tough decisions need to be made. Consider this in your deliberations. Joel D. Wardwell Box A: #1&576

E-Mail: ward2607@aol.com

Name: Joel D. Wardwell

Address: PO Box 263, Bucksport, Maine 04416 Telephone Number:

Date: 05/14/2012

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From: jwardwell@laneconstruct.com [<mailto:jwardwell@laneconstruct.com>]

Sent: Monday, May 14, 2012 8:25 AM

To: Charette, Russ

Subject: Comment from I395/Rt9 DEIS comment website

Comments: Being a Bucksport businessman this is extremely important for our economy, with the new Verso Bio-Mass boiler there will be an additional 80 trips per day (increase of 269% - 148,000 tons to 546,000 tons) A great deal will be coming from the downeast/rte 9 areas and the logical route would be this new bypass to rte 15 to the mill or its laydown yard which is also on rte. 15. If this connector was not built you would see all or most traffic using rte 46 which is very hilly, several curves, gravel shoulders and has much tree growth canopy which hinders getting ice and snow off the roadways during winter months when a lot of the product could be moved. Another point is that rte 46 is posted in the spring because of the lack of subbase material that cannot support the heavier loads and also by coming down rte 15 the trucks would NOT be traveling through downtown Bucksport to get to the mill.

Also by this fall....ALL of rte 15 will be reconstructed with the last piece in Orrington being worked on as we speak, with truck lanes being built and a truck weigh area already constructed, where as there is no place to pass on the rte 46 corridor.

Also rte 15 has been used for decades with transport of jet fuel - home heating oil and many other products from Webber Energy and Dead River Co. along with the many products coming to and from Verso. - Thanks for your time... this seems to be a common sense solution.

Box A: #1&576

E-Mail: jwardwell@laneconstruct.com

Name: john w. wardwell

Address: po box 823 bucksport, maine 04416

Telephone Number:

Date: 05/14/2012

From: Mark Wellman [<mailto:mwellman207@gmail.com>]
Sent: Thursday, May 10, 2012 10:18 PM
To: Clement, Jay L NAE
Subject: File No. NAE-2001-02253 opinion

I do NOT believe it is the best interests of the people of Maine and the residents of Eddington to see the I-395 connector addition constructed. It is too expensive for our state and the federal government especially in today's recession, will negatively impact the property tax rates, and will forcibly take land from homeowners and businesses who don't want to move.

Given the immense amount of resources and time that has been invested in this project, the last minute changes forced upon our residents, and the never ending debate, I believe we should wait until a decision about the construction of an East-West highway is made before any further money or time is misspent in the File No. NAE-2001-02253 project.

40-1

Thank you for your consideration.

Mark Wellman
PO Box 97
28 Squirrel Lane
Eddington, ME 04428

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From: steve@hobouchard.com [<mailto:steve@hobouchard.com>]
Sent: Friday, May 11, 2012 4:41 PM
To: Charette, Russ
Subject: Comment from I395/Rt9 DEIS comment website

Comments: There have been on-going discussions in Maine regarding the need for improvements to the east/west system for decades. Much has been done over the decades to improve the situation: vast improvements to rt 9 and the building of I-395 from I-95 to rt 1.

What is now lacking is a convenient connection from the end of I-395 to route 9 eastbound. This bottleneck slows commerce, disrupts neighborhoods and is unnecessary.

The economies of Maine and eastern Canada need a solution to the gap from Brewer to the Airline. I do not know the best solution, but I know a solution is needed.

Box A: #!&576

E-Mail: steve@hobouchard.com

Name: Stephen

Address: Whitcomb

Telephone Number:

Date: 05/11/2012

Patricia T. Wilking
1350 Main Road
Eddington, Maine, 04428



Dear Mark Hasselmann,

I am a property owner, resident, and voter in Eddington, Maine, and I am opposed to the I-395/Route 9 Connector project at this time. I have lived in Eddington for 46 years and feel it unnecessary to build the Connector.

We are a rural/agricultural area and have worked over the past 20 years to increase our tax base. We have a new ordinance to meet our goal of more business in the area.

In an informal survey of 3-4 axle trucks using Rt. 46, we found there were 1457 per week (+/-) or an average of 208 tractor-trailers a week, based on 7 days average. If the I-395 Connector is built we will have to pray that the 208 (average) tractor-trailers will use caution when approaching the area at the foot of Meadowbrook Hill where we all assume there will be a stop sign for the school buses. I will add here, that if traffic going either East or West has not been in the area for a couple years before construction, you will see people driving right through, as (except for the Cities) there are presently NO stop signs on Rt. 9.

41-1

If the agencies assigned to the task of building this piece of highway is doing it to appease the Canadian truck drivers or to favor the Canadian tourist, I think you will have to re-visit that thought. I have family in Frederickton, Moncton and Halifax and they all say they will still go Rt. 11, or better yet, the East-West highway. And I do believe the East/West Highway will be built, thus making the need for the Connector unnecessary.

As far as it goes when you folks state that Holden has a diversity of traffic - that is utterly laughable. Each of our towns have our share of cars, pickups, delivery trucks, tractor-trailers, Motor Homes and the like. How is it that Holden has such "diversity"?

How can you select Eddington and make it a "ghost" town with a clear conscience? As said at the May 3rd meeting in Eddington, ALL the things your (state & federal) agencies specify will kill our town - financially! Who would want to buy out here when all land values are depressed and taxes (because of lack or inability to develop areas for homes and businesses) will sky rocket. I fear that I may never be able to sell my home.

Now, it was my understanding that when the interchange at Whiting Hill was constructed that because too much wetlands had been used that the State/Federal agencies had to sign a paper stating there would be NO further development in that area. Is this true? And if so, why is it now OK to built further in that area.?

It is written in the Rt. 9 Transportation Study Environmental Impact statement that Rt. 1A is becoming more commercial. What on earth do you think Eddington has been , for years, trying to make Rt. 9 more Commercially useable.

As for Rt. 46 having "scattered residences & open areas, that is because it is zoned for Agriculture & residential use.

Concerning safety, Ben Pratt spoke of being on the Fire Dept and did not tell you that the latest crash that took the lives of two (2) women last year happened in front of his driveway (caused by a Canadian driver, I must add).

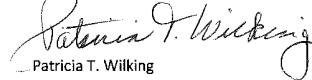
It is my humble opinion that if you build is short be the straightest, shortest route. The direction, most of us going to Brewer take, is the Rooks Road off Rt. 9. up Clarks Hill Rd. to Mann Hill. At this point you have a straight shot to Rt.

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1A. This route should cost much less and have practically little wetland that would be impacted.

Enough said! I do not know who the head "honcho" is for this project, but I can bet you that their desk will be covered with emails, petitions, and snail-mail if this folly goes forth. Expediency does not make for a solid plan one needs for safety of vehicles or human beings alike. Hopefully all the agencies will get together and carefully see if this endeavor is truly needed at all. My bet is on the East/West highway! This plan of yours has NO earthly benefit to the town of Eddington and its residents at all!!

Respectfully,



Patricia T. Wilking

CC: Governor Paul LePage

State Rep. David D. Johnson

State Rep. Richard Rosen

US Senator Olympia Snowe

US Senator Susan Collins

US Rep. Micheal Michaud

US Rep. Chelli Pingree

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

IN RE I-395/ROUTE 9 TRANSPORTATION STUDY

Public Meeting at the Eddington Elementary School

Reported by Robin J. Dostie, a Notary Public in and
for the State of Maine, on May 2, 2012, at the
Eddington Elementary School, commencing at 6:00 p.m.

REPRESENTATIVES FOR THE STUDY:

WILLIAM PLUMPTON, GANNETT FLEMING

JAY CLEMENT, ARMY CORPS OF ENGINEEERS

MARK HASSELMANN, FEDERAL HIGHWAY ADMINISTRATION

RUSSELL CHARETT, MAINE DEPARTMENT OF TRANSPORTATION

ALSO PRESENT:

BRUCE VAN NOTE, MAINE DEPARTMENT OF TRANSPORTATION

HERB THOMSON, MAINE DEPARTMENT OF TRANSPORTATION

RICHARD BOSTWICK, MAINE DEPARTMENT OF TRANSPORTATION

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(207) 621-2857

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2

1	I N D E X	
2	OPENING STATEMENTS:	PAGE
3	Mark Hasselmann	5
4	Jay Clement	7
5	Russell Charett	9
6	PUBLIC COMMENTS:	PAGE
7	Charles Baker, Jr.	15
8	Larry Adams	21, 73
9	John Huskins	23
10	Jerry Goss	24
11	Joan Brooks	27
12	John Williams	28
13	Gretchen Heldmann	29
14	Ben Pratt	43
15	Tom Vanchieri	47
16	Judy Sullivan	48, 73, 81
17	Rusty Gagnon	57, 72
18	Bruce Pratt	65
19	Susan Dunham Shane	67, 74
20	Representative David Johnson	70
21	Jeremy Robertson	73, 79
22	Jim Kurtz	74
23	Rhodaleigh Berry	77
24	Jane (Newvey)	78
25	Carol Smith	79

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TRANSCRIPT OF PROCEEDINGS

MR. PLUMPTON: Good evening, People, and welcome to the public hearing for the I-395 to Route 9 Transportation Study. My name is Bill Plumpton. I was hired by the engineering -- or I'm with an engineering firm that was hired by the DOT and I will be the moderator for the evening's public hearing.

Our public hearing tonight has a very limited purpose. Its purpose is to hear your comments on the Draft Environmental Impact Statement that's available for public review and comment, for the DOT to take your comments, factor them into their decision-making process before decisions are made. We'll explain decision-making and we'll explain commenting a little bit later. We've got a sign-up sheet. Some people have signed up on their way in to offer comments tonight. Great. We've got a few opening remarks from a couple of people. During our openings remarks, if anybody wants to continue to sign-up to offer a comment during the testimony portion just get my attention and I'll get the clipboard over to you and we'll talk about commenting in just a little bit.

Tonight is a listening session. The DOT and the Federal Highway Administration and the Army Corps

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1 of Engineers are here to listen to your comments on
2 the Draft Environmental Impact Statement. They are
3 particularly interested in your comments that have --
4 suggests that there may be missing information in the
5 Environmental Impact Statement and that that missing
6 information needs to get into it before any decisions
7 are made. Let me be unequivocally clear, no
8 decisions have been made so far on the preferred
9 alternative for this study. Any decision until now
10 would have been premature. The decision-making
11 process absolutely needs to consider comments that
12 are offered tonight and during the remainder of our
13 comment period.

14 With that, let me run through our agenda
15 this evening. We've got a few opening remarks and
16 the remainder of this evening's time belongs to you
17 people. Our first speaker will be Mark Hasselmann
18 from the Federal Highway Administration. Mark, you
19 just want to go over some opening remarks, NEPA,
20 maybe?

21 MR. HASSELMANN: Okay.

22 MR. PLUMPTON: Very good. Our second
23 speaker will be Jay Clement from the Army Corps of
24 Engineers to talk about the permit application that
25 the DOT submitted to them. Our final speaker will be

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1 Russell Charett. He is the DOT Project Manager for
2 this study. Each of these three gentlemen has some
3 brief opening remarks and I'll come back up and I'll
4 talk about commenting and really how we'll run the
5 remainder of this evening's program. So with that,
6 Mark.

7 MR. HASSELMANN: Thank you, Bill. Good
8 evening and thank you for coming tonight. A few
9 remarks with regards to NEPA and what we mean with
10 regards to the -- the purpose of the study is to --
11 and its overall direction is guided by National
12 Environmental Protection Agency. It's under NEPA
13 that we demonstrate compliance with all of the
14 federal laws, state laws and presidential executive
15 orders as a -- that we demonstrate our compliance.
16 The process has been really developed to comply with
17 the NEPA. It's -- the process is intended to help
18 the public officials, that's us, make decisions based
19 on the understanding of the environmental
20 consequences and to take the appropriate action to
21 protect, restore, and enhance the environment. NEPA
22 applies to all federal agencies and we must take into
23 consideration the natural, social, economic, and
24 cultural environment in our analyses and we need to
25 disclose those analyses and those considerations in a

1 public decision-making process. That's the
2 Environmental Impact Statement that we have provided
3 for comments.

4 This DEIS identified reasonable alternatives
5 and it assesses the potential transportation, social,
6 economic, and environmental impacts. It's the
7 primary document that we use to facilitate our review
8 of the action and it includes review by federal,
9 state, local, agencies, and you, the public. It's
10 intended to provide for a full and fair discussion of
11 significant environmental impacts and information to
12 the decision-makers. The EIS was first circulated
13 publicly as a Draft Environmental Impact Statement.
14 It is currently available. We have received comments
15 from some of you. We've received comments from some
16 of our federal and state partners as well.

17 As we move forward, MaineDOT and Federal
18 Highway with input from the public and the federal
19 and state regulatory resource agencies will decide
20 what action we take here. We're here to listen to
21 you. We're here to hear your comments. The public
22 comment period for the project closes on the 15th of
23 May. And we -- it would be really good if we could
24 have all of your comments, written or oral, provided
25 to us by then. Bill.

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1 MR. PLUMPTON: Jay.

2 MR. CLEMENT: Okay. Again, I'm Jay Clement
3 with the Army Corps of Engineers down in Manchester.
4 The Corps of Engineers is one of two permitting
5 agencies that are responsible for approving the
6 project eventually sometime later down the road; the
7 other one is the Maine Department of Environmental
8 Protection or DEP. The MainedOT has submitted an
9 application to the Corps of Engineers. It is not,
10 and I have to be really clear on this, this is not a
11 permit application. DOT is quite some time away from
12 submitting an application to the DEP and the Corps
13 that will result in a permit whereby they can then go
14 ahead and actually construct something. So lack of a
15 better word what they've submitted so far is called a
16 preliminary application. It's really designed to
17 assist the Corps in identifying what's the least
18 environmentally damaging, practicable alternative.

19 The Corps -- our jurisdiction is focused on
20 filling waterways and wetlands so it's the streams,
21 Felts Brook, Eaton Brook, the various other main
22 streams that are out there, their adjacent wetlands
23 and then, you know, any other aquatic resources that
24 are out there. That's what triggers Corps of
25 Engineers jurisdiction is the filling. So, again,

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1 eventually DOT will have to seek a permit from the
2 Corps and then depending on what the extent of
3 wetland and waterway impact is they will also have to
4 mitigate for those unavoidable losses. Mitigation
5 did take the form of preserving wetlands, creating
6 wetlands, restoring wetlands, or actually paying a
7 fee in some cases to offset those losses or a
8 combination thereof.

9 To facilitate our review and the
10 identification of that least environmentally
11 damaging, practicable alternative the Corps has
12 recently issued a public notice. You may have seen
13 it in the papers, you may have seen a news release or
14 a subset of this, it may have also been in other news
15 media. It has a -- it was released on April 17. It
16 expires on May 17 and much like the Federal Highway's
17 NEPA review process it solicits public comment to
18 assist the Corps in identifying which of the
19 alternatives that have been put forth by DOT
20 representatives the least environmentally damaging.
21 And when I say environmentally, I mean to the aquatic
22 environment, to the natural environment, and also to
23 the human environment. Ultimately, when the Corps
24 and the DEP review the project towards issuing a
25 permit we have to balance all those factors together

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1 and make the decision as to what gets a permit or
2 what does not.

3 So that's really where we are. Again,
4 please comment. We accept comments in writing. We
5 accept comments in email. If you don't have access
6 to the public notice, I have a few copies up here and
7 I can also get you one if you need one just let me
8 know and I can write your name down and contact
9 information. So thank you very much.

10 MR. CHARETT: Good evening. My name is
11 Russell Charett. I'm the Project Manager on this
12 project. I took over the responsibilities for this
13 effort in January of this year when the previous
14 project manager retired.

15 This study began in the early 2004-2005 and
16 was subsequently elevated to a full environmental
17 impact statement by the Federal Highway
18 Administration based on impacts to environmental
19 resources and I think public interest. The purpose
20 of the study is to identify and improve system
21 linkage from Route 9 in Eddington and the Clifton
22 area to the Interstate system at I-395 at Wilson
23 Street. In addition to the NEPA requirements in
24 terms of processing this project we also have
25 statutory requirements and state law requiring under

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1 the Sensible Transportation Policy Act that was
2 passed by the voters in 1991 that requires that we
3 consider various considerations in moving forward
4 with this transportation infrastructure improvement.
5 One of the other issues and purpose and need for this
6 project is to improve safety in terms of crashes and
7 accidents. The connection would provide improved
8 traffic flow on 1A and 46. The traffic estimates
9 forecast for this area are projected to be such that
10 those areas will become more and more congested as
11 the businesses grow along the 1A corridor.

12 There are three remaining builds and
13 alternative builds under consideration in the Draft
14 Environmental Impact Statement. The preferred
15 alternative that's identified is the 2B-2
16 alternative. 5A2B-2 is a similar alternative that is
17 colinear to 2B-2 for most of its length, the only
18 difference is the interchange. The 5A2B-2
19 interchange is a little bit further to the east
20 towards Ellsworth from the existing interchange.
21 5B2B-2, a third build alternative still under
22 consideration leaves the existing interchange then
23 runs pretty much on top of the utility corridor that
24 runs parallel to the Brewer/Holden town line.

25 Funding for this project has not been

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1 identified. Again, the decision as to whether we
2 have a build alternative or a No-Build alternative
3 has not been made. If a build alternative is
4 determined for this project we would look to move
5 forward to have preliminary engineering design funds
6 identified at the earliest probably in the 2014-2015
7 work plan with subsequent identification for
8 construction funding in the next biennial work plan,
9 2015-2016 work plan, when it is likely to be the
10 earliest timeframe for any construction -- design or
11 construction to be identified.

12 Resources that are available on the table as
13 you came in to the auditorium here is it would be the
14 Draft Environmental Impact Statement that's available
15 on CD-ROM and it is much lighter than the printed
16 document. There is another CD-ROM available that has
17 three technical memos, noise analysis, the property
18 acquisition analysis, and the utility relocation
19 technical memo. All of those three tech memos deal
20 with the three remaining build alternatives.

21 Also on the table is the No-Build
22 alternative, which I didn't mention. The No-Build
23 alternative if selected moving forward doesn't
24 necessarily mean that there would be no improvement
25 because with the existing truck traffic on Route 9

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1 working to get to the Interstate system there are
2 still needs that would be -- that we would have to
3 meet moving forward with the future increase in
4 traffic. So while a No-Build alternative is a
5 possibility in selection moving forward doesn't
6 necessarily mean that we would not have to look at
7 some type of improvements either on 46 and 1A in the
8 future. So if a No-Build alternative is selected
9 then the Department would have to move forward with
10 those considerations.

11 Also available on the table is the Executive
12 Summary of the Draft Environmental Impact Statement
13 and some additional comment forms that you can pick
14 up. If you don't like to comment here this evening,
15 you can pick up the form and mail it either to myself
16 or Mr. Hasselmann at Federal Highway Administration.
17 The address is on the back of the form. Thank you
18 very much. Bill.

19 MR. PLUMPTON: We're going to wind down our
20 opening remarks with a couple other introductions.
21 There are a few other people from the DOT here as
22 well. Bruce Van Note, Deputy Commissioner. If you
23 can stand up, Bruce, or waive your hand so people
24 know who you are. Herb Thomson, Director of the
25 Transportation -- or Department of Transportation's

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1 Bureau of Transportation System Analysis. And then
2 Richard Bostwick, Environmental Specialist, also with
3 the DOT.

4 Are there any elected officials or are there
5 representatives here this evening that would like to
6 be recognized at this point as well?

7 AUDIENCE MEMBER: Representative Dave
8 Johnson from District 20, which is Eddington,
9 Clifton, Holden, part of Brewer, Dedham and Bradley.

10 (Applause.)

11 MR. PLUMPTON: Thank you. Let me wrap up
12 our opening remarks with a little bit of discussion
13 with respect to commenting. Tonight is a listening
14 session, you've heard that. The DOT, the Federal
15 Highway Administration, and the Army Corps of
16 Engineers are most interested in hearing your
17 comments on the Draft Environmental Impact Statement.
18 And remember, they are particularly interested in
19 your comments that would suggest that there is
20 information missing from the study that needs to be
21 added before some decisions are made.

22 With respect to commenting there is actually
23 five different ways that you can make your voices
24 known and express your thoughts and your opinions and
25 your comments on this study. Some of you have

Attachment: Comments and Public Meeting Transcripts

14

1 already used a couple of those mechanisms. Let me
2 review them for you. You can send a letter. You can
3 go to the DOT's website and use the online comment
4 form. We've got comment forms here this evening that
5 you can fill out and leave with the DOT or the
6 Federal Highway Administration or the Army Corps of
7 Engineers or with myself. There are two other ways.
8 In a minute, you can approach one of the microphones
9 and offer your comments verbally. If you've got
10 verbal comments but you don't want to offer them in
11 public, that's okay, you can approach our
12 stenographer afterwards and offer your comments to
13 her in private. We do have a stenographer here this
14 evening and she is recording a transcript of the
15 comments. All of the comments that are expressed now
16 or delivered to the DOT and the Army Corps of
17 Engineers and the Federal Highway Administration in
18 those other ways, they will all be included in the
19 final Environmental Impact Statement that announces
20 the decision and why and how the decision was made
21 and the thinking behind it. As those comments will
22 be in the final Environmental Impact Statement,
23 absolutely critical that our stenographer can hear at
24 all times, so we need to speak one at a time, have to
25 speak from the microphone, and then if you can start

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1 with your first and last name that would be helpful
2 as well.

3 A listening session. We'll probably
4 conclude before 8 o'clock today. We've got a little
5 bit more than a dozen people that are signed up for
6 comments. We'll stick around a little bit afterwards
7 for questions and answers. We're going to start with
8 commenting at this point and start with those that
9 signed up. If you didn't sign-up, it's okay, we'll
10 just take you at the end. If you offer comments and
11 you forget to say something, don't worry about it,
12 there will be time at the end, we'll come back to you
13 once everybody who has had one chance to speak has
14 that chance to speak.

15 With that, what we'll do is we'll call our
16 first commentor and I'll also let you know who is
17 next so you can be preparing your thoughts as well
18 and maybe even coming up to one of the microphones.
19 Our first commentor this evening will be Mr. Adams.

20 AUDIENCE MEMBER: (Larry Adams.) Would the
21 Town of Eddington like to go first?

22 AUDIENCE MEMBER: Sure. Allow me to
23 introduce myself. My name is Charles L. Baker, Jr.
24 I was born in Maine and I am a lifelong resident of
25 Eddington and grew up a half-a-mile from here on

1 Route 9 on Little Meadowbrook Hill where this
2 preferred route 2B-2 is planned to intersect Route 9.
3 As a matter of fact, each one of the three routes
4 comes out at the exact same location.

5 I was elected to speak to you as a town
6 representative. I am currently an elected selectmen
7 for the Town of Eddington and I would like to welcome
8 our guests. Eddington is a town divided with a range
9 of opinions vehemently opposing and fervently
10 supporting your preferred routes. However, we have
11 come together as a town to ask you questions here and
12 now and would appreciate answers here and now in
13 front of the towns folks and the media hopefully to
14 clarify some issues. And before I ask the questions
15 I would like everyone to know in attendance that
16 there are less than 14 days from today for you to
17 present comments to the MDOT at their website. After
18 that they will not be accepting any public comments.

19 I would also like to thank the Eddington 395
20 Connector Group for their hard work and dedication
21 getting the facts in order and for taking the time to
22 educate concerned citizens within the impacted area.
23 And I would personally like to extend my thanks to
24 everyone who participated and contributed to the
25 questions I'm about to ask.

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1 And now the questions. Will you gentlemen
2 be answering any of these questions or will these
3 just go in the record?

4 MR. PLUMPTON: Charles, thank you. They'll
5 be part of the record.

6 AUDIENCE MEMBER: (Charles Baker.) Okay.
7 Question 1: How much is this project really going to
8 cost above and beyond the proposed \$61 million in
9 2011 and the mitigation costs and unforeseen costs?

10 Number 2: The state should be able to show
11 economic benefit and return on spending this amount
12 of money. What is the return on investment? What is
13 the economic benefit to local, state, or country?

14 Number 3: Do we still need this connector given
15 under the recent discussion on the private tolled
16 east/west highway?

17 Number 4: Who benefits the most from this
18 connector; Canadian truckers or the citizens of
19 Maine?

20 Number 5: Who will be traveling this
21 connector most?

22 Number 6: If the purpose of this study is
23 as they stated originally to improve regional system
24 linkage safety on 46, 1A and 9 and to improve current
25 and future flow of traffic and shipment of goods to

42-1

1 interstate, have those purposes changed and when?

2 Number 7: What happened between April of
3 2009 and today that went from MDOT's 3EIK-2 or
4 No-Build options to today's three alternatives? We
5 have looked at the DEIS and it doesn't really explain
6 these reasons.

7 Number 8: One of the concerns several years
8 ago was the number of entrances on the proposed Route
9 9 corridor, folks going to work, bringing children to
10 school, deliveries, et cetera, which has only
11 increased due to Eddington's development over the
12 last few years. Has your safety concerns changed
13 with this increase of entering traffic onto 9?

42-2

14 Number 9: The current truck traffic on
15 Route 9 is bad. With this 2B-2 there will be
16 increased truck traffic and increased safety
17 concerns. How can you demonstrate this additional
18 traffic increase will be safer for our residents?

42-3

19 Number 10: Environment. Felts Brook and
20 Eaton Brook both have salmon, so how can we consider
21 further destroying salmon habitat?

22 Number 11: What about the reported and
23 sighted Canadian lynx in the area?

24 Number 12: Farmland. There is a lot more
25 farmland at risk with this route than with 3EIK-2,

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1 both active and potential, so is this no longer a
2 concern about losing farmland?

42-4

3 Number 13: They recommend once this route
4 is built that the towns should accommodate by
5 changing zoning and ordinances, which they say they
6 can't make us do it, but they will push hard for it.
7 The DEIS mentions several times that Route 9 will
8 have limited development in the corridor area because
9 we can't have too many entrances on Route 9. Will
10 this affect future development in town with
11 restrictions placed on town zoning?

42-5

12 Number 14: The DEIS mentions that the Town
13 of Eddington will have an estimated reduction in
14 annual tax revenue of \$17,800. Each town, Brewer and
15 Holden, with the preferred alternative 2B-2 will lose
16 X amount of dollars. How are the towns going to make
17 up for the loss in revenue? How does the state and
18 fed plan to make up lost revenue?

19 Number 15: Given that the road has been
20 changed from four lanes to two, please demonstrate
21 how this road will be satisfactory until 2035.

42-6

22 Number 16: At one time, 2B-2 was off the
23 table and now 3EIK-2 is off the table and we've been
24 told 3EIK-2 won't be considered. Why?

25 Number 17: Is No-Build an option?

42-7

1 Number 18: What will the impact on town
2 services be after this is put in? Emergency
3 services?

4 Number 19: Has any of the potential
5 emergency service needs been discussed with or
6 approved by all three towns emergency service
7 departments? Is there a need for locked access roads
8 along the stretch? Can they only access from either
9 end to get to an accident?

10 Number 20: Is the state going to shut Route
11 46 to truck traffic?

12 Number 21: If the state gives the towns
13 Route 46 to take care of then how much will that cost
14 the towns?

15 Number 22: Are they going to leave the DOT
16 garage where it is on Route 9? It is a safety issue
17 as it is when the plow trucks try to turn into and
18 out of that lot.

19 Number 23: Does the literature show that
20 wildlife crossings are affected? Once an animal goes
21 through and marks it are other animals actually going
22 to use it?

23 Number 24: The scope of work seems to have
24 changed dramatically, so why don't they have to start
25 this process over?

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1 Number 25: What does No-Build mean?

2 Number 26: What does No-Build mean
3 specifically to Route 46?

4 Number 27: And finally, will Eddington be
5 able to construct new entrances and exits off of the
6 Route 9 connector in the area, for an example, a
7 dedicated business park? Thank you.

8 MR. PLUMPTON: Thank you, Charles.

9 (Applause.)

10 MR. PLUMPTON: Our next commentor will be
11 Larry Adams and that will be followed by John
12 Hutchins.

13 AUDIENCE MEMBER: I'm Larry Adams from
14 Brewer. First of all, the preferred alternative not
15 being picked yet there is about 50 spots on that DEIS
16 that shows 2B-2/A for alternatives. I was hoping to
17 get some answers. I've sent in 32 questions. I'm
18 sure you've got them all. I come with handouts. I
19 really wanted answers to a few things, but I do want
20 to reiterate a few comments. Back when 2B -- back in
21 2002, alternative 2B was actually removed twice and
22 the reasons were it would fail to adequately address
23 the traffic congestion needs in the study plan. The
24 next reason was traffic congestion and conflicting
25 vehicle movements on this section of Route 9 would

1 substantially increase the potential for new safety
2 concerns and hazards. Now, that last sentence goes
3 into traffic congestion and safety and that's
4 basically what you've got with 2B-2, you use that
5 same statement. That's in your DEIS.

6 And if you go to the original system linkage
7 need they -- we all know what the original system
8 linkage need was, it was supposed to go to Eddington
9 and Clifton. There is also a couple of negative
10 statements in there that should give you an idea of
11 what may happen if you don't have complete system
12 linkage to that Eddington/Clifton that was your
13 original intent of the project. One sentence goes on
14 to say it would negatively affect people living along
15 Route 9 in the study area. The next one goes on to
16 say it would severely impact local communities along
17 Route 9 between proposed alternative connection
18 points on Route 46. So I don't know how you can
19 reconcile the differences in the original statements
20 to today.

21 There is a history that goes back to 2000.
22 I can quote those all day and I don't know how you
23 can severely impact a community. You can't make
24 believe these don't exist. And to come back up to
25 2012, if you've got the DEIS summary page 19, this is

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1 a 300 page document and if I had to pick one sentence
2 this says it all: However, future development along
3 Route 9 in the study area can impact future traffic
4 flow and the overall benefits of the project. This
5 project hangs future development of Eddington. I
6 don't see how you can do that to put a project in, a
7 \$90 million project and hope Eddington doesn't
8 develop and what happens if they develop? What is
9 the overall benefits of the project? I thought it
10 was safety and I thought it was traffic congestion.
11 So that one sentence there, I just don't get how you
12 can put a project in with that one sentence. I just
13 don't.

14 And I have plenty of other questions, but
15 apparently -- I was hoping to get some answers
16 tonight. And I'd like to come back if needed, so I
17 will hand it over to the next person. Thank you.

18 (Applause.)

19 MR. PLUMPTON: Our next commentor is John
20 Huskins followed by Nancy Calter.

21 AUDIENCE MEMBER: Thanks. I'm John Huskins
22 here in Brewer. This one thing I wanted to point out
23 that in the -- I think it was the newsletter it was
24 saying that alternative 2B was chosen as the
25 preferred alternative because it best satisfies the

1 study purpose and need, has the fewest adverse
2 impacts on environmental resources, and has the
3 lowest cost estimate of all of the alternatives. And
4 I just wanted to point out and make sure that the
5 No-Build alternative gets looked at with the same
6 criteria as these other ones because No-Build would
7 obviously have no impacts and no cost, so I just
8 wanted to point that out that that would be the way
9 to go, the No-Build. Thank you.

10 (Applause.)

11 MR. PLUMPTON: Nancy Calder to be followed
12 Jerry Goss.

13 AUDIENCE MEMBER: (Nancy Calder.) I'll pass
14 at this time.

15 MR. PLUMPTON: Okay. We can come back to
16 you if you would like. Jerry Goss to be followed by
17 Jim Brooks.

18 AUDIENCE MEMBER: Thank you. My name is
19 Jerry Goss. I'm the Mayor of the City of Brewer and
20 I'm not here to ask questions because I think we've
21 already asked the questions that we have. What I
22 would like to do is sort of summarize where the City
23 of Brewer is. As you well know, the Brewer City
24 Council voted unanimously for a No-Build option and,
25 quite frankly, the reason for that was because of our

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1 citizens coming to the council doing the research, we
2 found out that the route that we felt was going to be
3 chosen was now off the table. We felt that was
4 unacceptable to not involve the citizens in the
5 process isn't the way things should be done. That
6 was the reason for the Brewer Council taking the
7 action that it took and it appears that maybe that
8 actually did some good because since that time there
9 has been an awful lot of conversation. Conversation
10 that should have taken place a long time ago. And I
11 will give DOT credit, they did take ownership in
12 their mistake and they admitted the error and I think
13 they have made attempts since that time to correct
14 it, so I just wanted to let you know where we have
15 come from.

16 Where are we right now? The City of Brewer
17 would like to make sure that you understand we would
18 like to continue to be involved in your process, have
19 input in your process, and be a constructive part of
20 getting the job done whatever that may be in the best
21 interest of the citizens of the three communities
22 involved. We're not looking at it just from Brewer
23 citizenry but for the three communities in
24 particular. So we would like to go on record as
25 saying we'd like to be involved in the future.

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1 Right now it appears that we have or we are
2 looking at several options. One is we accept the 2B.
3 For us, 2B does not meet the standards that were
4 originally proposed for the project. It is a less
5 expensive route but it does not do what the original
6 project was designed to do.

7 Secondly, you could go back and look at the
8 so-called ring route, the route that everyone felt
9 that the route was going to be selected, and see
10 what, if anything, can be done to deal with the
11 issues particularly around issues from the Army
12 Corps, which appears to be the main reason for doing
13 away with the ring route.

14 Third is to continue to look at is there
15 another alternative which will get the job done as
16 originally designed and help relieve the traffic flow
17 on Route 46, on Route 9, and be beneficial to the
18 communities in this area economically because I think
19 that's a question that the gentleman from Eddington
20 asked is is this going to be economically beneficial
21 to our communities in this area. Yes, we're
22 concerned about the entire state, but obviously how
23 is it going to impact us and our financial position
24 as we develop budgets.

25 The fourth option obviously would be

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1 No-Build. The decision is going to be made at your
2 level. I will reiterate we simply want to continue
3 to be involved wherever we can to come to a solution
4 that's going to meet the needs as initially
5 determined and to take care of the human factor in
6 this equation. We believe in the environment. We
7 understand vernal pools. We understand those issues,
8 but from the very beginning we felt as though the
9 human element for the citizens of Brewer was ignored
10 and not taken and placed in the proper order on the
11 checklist. So I thank you.

12 (Applause.)

13 MR. PLUMPTON: Joan Brooks to be followed by
14 Jerry Diambrose.

15 AUDIENCE MEMBER: I'm going to pass. He
16 covered everything, Mr. Baker.

17 MR. PLUMPTON: Very good. Following Joan,
18 Don Mackenzie.

19 AUDIENCE MEMBER: (Don Mackenzie.) I'll
20 pass.

21 MR. PLUMPTON: Joan, come on up.

22 AUDIENCE MEMBER: I'm Joan Brooks. I'm
23 Chairman of the Board of Selectmen in Eddington and I
24 have been asked to hand this to the DOT. We, the
25 citizens of the Town of Eddington, in the County of

1 Penobscot, in the State of Maine, do hereby protest
2 the I-395/Route 9 connector project proposed
3 preferred alternative 2B2 route and other
4 alternatives, and it lists them, as mentioned in the
5 Draft Environmental Impact Statement submitted March
6 2012. And by affixing our signatures below let it be
7 known to the Selectmen of the Town of Eddington,
8 MaineDOT and all others that we do not support this
9 project and request instead a No-Build option. Said
10 No-Build option to truly means No-Build anywhere
11 within the entire original project study area. There
12 are 390 signatures, people in Eddington on this, and
13 I am handing it over.

14 (Applause.)

15 MR. PLUMPTON: John Williams to be followed
16 Jim Russell.

17 AUDIENCE MEMBER: Jim Russell will pass.

18 MR. PLUMPTON: Gretchen.

19 AUDIENCE MEMBER: After these last few
20 people I don't really have a lot to say, they've done
21 a real good job. My name is John Williams, resident
22 of Clifton for 42 years. We all know a new road will
23 be built where and when the state decides, not us as
24 the people. The Environmental Impact Study, the
25 issue here today or is supposed to be, I believe the

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1 most important part of our environment should be the
2 people not vernal pools.

3 (Applause.)

4 AUDIENCE MEMBER: (John Williams.) The
5 state builds our roads and building them with the
6 safest possible intersection should be more important
7 than a wetland being displaced. If we went around
8 all wetlands in Maine we would not have most of the
9 roads we use today. I vote to fill the mosquito
10 hatcheries and save a human home. Humans and their
11 safety should be first priority. Thank you.

12 (Applause.)

13 MR. PLUMPTON: Gretchen Heldmann.

14 AUDIENCE MEMBER: Gretchen Heldmann. Hello,
15 all and thank you for holding this public hearing.
16 It is apparently our one chance for all communities
17 involved to voice concerns regarding all the changes
18 that have taken place since the last Public Advisory
19 Committee meeting of 2009. I live right across the
20 street. If this connector is built, I could stand to
21 see some benefit such as reduced traffic in front of
22 my house, at least that's what is proposed. However,
23 I moved to Route 9 knowing full well it was a very
24 busy state road and there would be traffic including
25 a lot of big trucks. So to me, this connector isn't

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1 something I want or am looking forward to in order to
2 reduce traffic in front of my house. No, in fact, I
3 care more about our community of Eddington as a whole
4 and I believe that this connector may have the single
5 largest impact to this community in a long time. I
6 care about this community. I volunteer regularly at
7 Comins Hall and I serve on the Planning Board. I
8 also care about the folks living on Route 46. It is
9 a dangerous road and something needs to be done, but
10 I believe this connector is not the answer. This
11 connector shifts the problem from one area of town to
12 another. I also believe that the protected corridor
13 that's proposed, which is basically from where the
14 connector hits Route 9 just down the road here out to
15 the Clifton line will end up destroying our
16 community. While the state cannot force the town to
17 change its zoning, they are the ones that administer
18 permits for driveway and road entrances onto Route 9
19 and they could very easily decide to not grant any
20 more permits in order to protect the corridor and
21 maintain capacity to the end of the study period.

22 I have some questions and comments about the
23 process over the last few years since the last PAC
24 meeting, which, again, was in April 2009. At the
25 April 2009 meeting, which I attended, the PAC agreed

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1 that 3EIK-2 was their preferred route and they agreed
2 to dismiss 2B-2 because it did not meet four out of
3 five study criteria, but they were told the Army
4 Corps of Engineers wanted to retain it. They still
5 wanted to retain this route after knowing since at
6 least 2002 that the route had very little public
7 support. The PAC was told that vernal pool data was
8 acquired and plotted, but no one saw any vernal pool
9 maps until a few months ago. Keep in mind that the
10 PAC had also been involved in the decision-making
11 process for about a decade prior to that April 11
12 meeting.

13 As it turns out, after that meeting and
14 unbeknownst to the PAC, 2B-2 was fully put back on
15 the table and chosen, not by the PAC, as the
16 preferred route. The vernal pools had not only been
17 mapped, but it had already been determined there were
18 too many along the PAC's preferred route of 3EIK-2.
19 Apparently the work our friends and neighbors had put
20 into the PAC for the last decade was of no importance
21 and has been completely disregarded. The public
22 process in general has been completely disregarded
23 since April 2009, which goes against the MaineDOT's
24 own public involvement plan document, which lists
25 nine things the MaineDOT is committed to: One,

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1 informing the public; two, proactively seeking and
2 encouraging the public's early and continuing input
3 and participation when developing policies, plans,
4 programs, studies, projects, operations, and
5 maintenance activities; three, adhering to the
6 principles of Environmental Justice and Title VI of
7 the US Civil Rights Act; four, being consistent with
8 the MaineDOT Strategic Plan and the objectives of
9 Connecting Maine, MaineDOT's statewide long-range
10 multimodal transportation plan; five, improving
11 customer service through training and effective
12 external communication with stakeholders and the
13 public; six, enhancing public awareness and
14 participation; seven, being fair, responsive, and
15 accountable to traditional and non-traditional
16 stakeholders; eight, communicating effectively with
17 the public, and; nine, making the best possible
18 transportation decisions to effect an efficient
19 multimodal transportation system that meets the
20 MaineDOT mission and needs of the people of Maine.

21 It seems to me the theme there is public
22 involvement, since six of nine of those points relate
23 directly to communicating with and involving the
24 public in the process.

25 Earlier this year, a series of questions

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1 were sent from Senator Susan Collins' office to the
2 MaineDOT for question and answer. Quote, MaineDOT
3 will schedule a meeting with the PAC to update them
4 on the decisions that have been made subsequent to
5 the last PAC meeting. The PAC meeting should be
6 scheduled within the next four to six weeks.
7 Subsequent to the PAC meeting MaineDOT will schedule
8 and hold meetings to update the municipal officials
9 in the four affected communities. These meetings
10 should be scheduled a few weeks after the PAC
11 meeting, end quote.

12 None of that ever happened. Instead, we
13 have been asking for information for months and it
14 has only been provided after much pushing for Freedom
15 of Access Act information requests. Both the website
16 that hosts the study info and the MaineDOT
17 Interagency Meetings website were years out of date
18 and were not updated until I made a FOAA request for
19 two years worth of Interagency Meeting notes and
20 vernal pool information to try to understand the
21 process over the last few years and also look at the
22 data to back up the vernal pool maps.

23 Let me talk about vernal pools for a moment.
24 I have attended multiple vernal pool training
25 workshops led by Dr. Aram Calhoun. There is a very

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1 specific process to assessing vernal pools with a
2 detailed data sheet to fill out put together by the
3 Maine Department of Inland Fisheries and Wildlife and
4 the Maine Department of Environmental Protection
5 titled Maine State Vernal Pool Assessment Form. It's
6 a two-page form. There is also a Vernal Pool
7 Observer Credential/Project Contact Form to list
8 contact info and describes how the person is
9 qualified to assess vernal pools. There are four
10 main indicator species to look for, wood frogs, blue
11 spotted salamanders, spotted salamanders, and fairy
12 shrimp.

13 The MDOT did not use the Maine State Vernal
14 Pool Assessment Form nor did they use any sort of
15 standard method to gather vernal pool data. I asked
16 for copies of the vernal pool field data sheets as
17 part of my FOAA request and what I got was a mish
18 mash of their own version of field data sheets and
19 field notebooks with pages ripped out. When I asked
20 about the discrepancy between MDIFW/MDEP and MDOT's
21 ways of collecting info and whether they had looked
22 for fairy shrimp since I saw no mention of them
23 anywhere I received the following answer: Quote, we
24 didn't look specifically for fairy shrimp and we did
25 not make a big effort to look for them. If we had

43-1

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1 seen them we would have reported them. In terms of
2 how our effort fits into the MDIFW requirements and
3 the simple answer is that it doesn't and is not meant
4 to. We have no plans of submitting any data
5 collection forms to MDIFW as we don't own the land.
6 When we identify an alternative and purchase rights
7 of way we will re-census the new rights of way only
8 and submit any necessary data from to MDIFW.

9 I do not understand how one state agency is
10 able to follow a different set of standards and
11 guidelines than another. Please explain.

12 There are also guidelines regarding land
13 owner permission to enter onto someone's land to map
14 vernal pools and I quote from IF&W guidelines, can a
15 significant vernal pool be documented on my property
16 without my knowledge? No. MDEP and MDIFW have a
17 strict policy of requiring land owner permission
18 before any pool is assessed or mapped, end quote.

19 This question regarding access was also
20 asked at the very first PAC meeting in 2000, resident
21 or a member asked: How will you gain access to
22 property for study? Response: We do GIS tracking
23 now. There is no access to property until later in
24 the study and we will secure permission.

25 However, it seems that land owner permission

43-1

1 was not secured by the MDOT when they went out to map
2 vernal pools. They provided the following response
3 to me via email: Quote, pursuant to 23 MRSA Section
4 701, employees of the Department are authorized to
5 the extent necessary for surveys and preliminary
6 engineering to enter and cross all lands within,
7 adjoining, and adjacent to the area to be surveyed.
8 There is no requirement that DOT personnel obtain
9 permission from land owners to conduct these
10 preliminary engineering activities.

11 So the question is if vernal pool assessment
12 and mapping counts as surveying and engineering and
13 the MDOT knew this all along then why was the PAC
14 mislead regarding land owner permission?

15 I also have an interesting note I came
16 across in some of the FOAA information I requested
17 from the former project manager's notes or through
18 the GIS as mentioned of fragmented habitat and
19 habitat walks and the quote is: If to our benefit
20 use it as fragmented; if not, explain why not. If to
21 our benefit use it as fragmented? Where is the
22 scientific methodology behind that?

23 Noise mitigation. The DEIS discusses noise
24 mitigation options for indirectly affected residents.
25 It states that the MDOT has a guideline of not

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1 spending more than \$31,000 per benefiting receptor,
2 which means a single residence or business, which is
3 based on spending \$31 per square foot to build a
4 noise mitigation structure. The DEIS concludes that
5 because the range of expenditure per benefiting
6 receptor is from \$194,168 to \$1,043,724 that the
7 costs outweigh the benefits so they are not going to
8 do it. What they do not provide that I could not
9 find are totals, what is the total actual cost to
10 mitigate noise for each route? At the open house
11 this afternoon I obtained a disc of the noise
12 technical memos and I was told I could add up the
13 figures on page 13 to obtain the total cost for noise
14 mitigation. I did. I added up the numbers for 2B-2
15 and came up with \$8.7 million. \$8.7 million to
16 protect the blood, sweat, tears, and dollars that the
17 tax-paying citizens of this state have put into their
18 homes, protect all that from a connector that is
19 going to negatively affect the noise levels on their
20 properties, which will in turn negatively affect
21 their property values. However, MDOT is perfectly
22 fine with spending upwards of \$4 million for
23 mitigation of direct impacts to wetlands and vernal
24 pools. At PAC meeting number three the group agreed
25 their top three priorities were number one, safety;

43-2

1 number two, travel efficiency; number three,
2 neighborhood integration.

3 Neighborhoods are not being integrated if
4 noise is not being mitigated. Please reconsider your
5 priorities and the need for noise mitigation.

6 I also still do not understand the removal
7 and reinsertion of 2B/2B-2 and how it meets the
8 criteria.

9 February 2002, MDOT Alternatives Narrowing
10 Process: Quote, to improve regional system linkage,
11 an alternative must provide a limited-access
12 connection between I-395 and Route 9 east of Route
13 46. Alternatives that do not provide a limited
14 access connection to Route 9 east of Route 46 would
15 not provide a substantial improvement in regional
16 mobility and connectivity and would negatively affect
17 local access. Alternatives that would connect to
18 Route 9 west of Route 46 would severely impact local
19 communities along Route 9 between proposed
20 alternative connection points and Route 46, end
21 quote.

22 February 2002, PAC: Quote, Bill Plumptre
23 gave an overview of the MDOT process of review and
24 logic to reduce the number of alternatives for final
25 comparison and detailed analysis. To fully satisfy

43-3

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1 the study purpose and need of improved system linkage
2 Bill said an alternative has to tie into Route 9 east
3 of Route 46. For these reasons, MDOT removed Route
4 2B from the alternatives, end quote.

5 May 2002, PAC: Quote, the agencies want to
6 keep 2B because it could be practicable in accordance
7 with the law. Bill Plumpton defined practicable as
8 available and capable of being done after taking into
9 account cost, existing technology, and logistics in
10 light of overall purpose, end quote.

11 July 2004, Handout: MaineDOT and Federal
12 Highway have selected 3EIK-2 as their preferred
13 alternative, but the Army Corps of Engineers is also
14 soliciting comments regarding a second alternative,
15 2B-2, end quote.

16 And my question is what changed? I keep
17 asking this question and I even did a FOAA request to
18 find this out and still do not have an actual answer.
19 Where are the data? Where are the analyses? Charts?
20 Graphs? Regressions? Just because too many vernal
21 pools were found along 3EIK-2 does not mean that some
22 magic dust was sprinkled on 2B-2 and Route 9 that
23 suddenly make it meet the needs that is like
24 comparing apples and elephants. Further, what is the
25 point of developing a study purpose and need when it

1 appears it will all be trumped by cost, existing
2 technology, and logistics?

3 Is this connector still even needed? We
4 have not seen a big boom in the economy as of late.
5 In fact, the opposite has happened, so why do we need
6 to push this through without having given the PAC a
7 chance to comment on all these changes? Speaking of
8 changes and the economic downturn, the DEIS
9 acknowledges the economic downturn but continues to
10 use traffic count data numbers from before the
11 downturn. Numbers from after the downturn need to be
12 included in all analyses now to determine if the
13 connector is still needed, what the design should be,
14 design year, et cetera. The study year was changed
15 to reflect the downturn moving it out five years to
16 2035 from 2030. Where did that five year change come
17 from? What data support a five year change? Why
18 aren't more recent traffic count numbers being
19 incorporated into analyses?

20 Last page. Safety. What is the cost of a
21 Maine life? I would wager it is worth far more,
22 priceless in fact, than the cost to install a barrier
23 to divide these proposed two lanes of highway
24 traffic. The cost should absolutely not be
25 prohibitive in this case. \$4 million spent on

43-4

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1 wetlands and vernal pools, but we cannot spend \$4
2 million to install some sort of divider that could
3 potentially save a life? Last summer we lost a few
4 lives on Route 9, some right at the very bend where
5 this connector is proposed to connect to Route 9.
6 The sheriff has clocked people going in excess of 90
7 miles per hour at that same spot. There are school
8 bus stops there. Where this connector is proposed to
9 join Route 9 is already an unsafe location. Turning
10 it into an intersection with traffic flying off the
11 connector at 55 miles an hour or more and merging
12 directly into our rural area with a business entrance
13 right there and school bus stops just does not make
14 sense. Making everyone that commutes from outer
15 Eddington, Clifton, Amherst, Aurora, and beyond now
16 have to use a stop sign intersection continue onto
17 Route 9 to make their way to the University,
18 hospitals, or other places or work in Bangor and
19 beyond does not make sense to me and will cause a
20 daily commute nightmare. I drive Route 9 every day
21 and when I get into Bangor the majority of the daily
22 commuters I am in line with take that first bridge to
23 connect into Bangor. Not so many follow me to I-395
24 to get on the highway and I only get on the highway
25 to cross the river.

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Attachment: Comments and Public Meeting Transcripts

42

1 In closing, time and time again, the state
2 continues to provide band-aid fixes to serious
3 problems with our infrastructure because of cost.
4 This connector is nothing more than another band-aid
5 fix going with the lowest cost option, except for the
6 No-Build, that makes the least amount of sense just
7 so the state can say, what, they did something and by
8 golly they created some jobs, too. Yeah, and another
9 stretch of road that will be inadequately maintained
10 and cost us even more money into the future. A
11 stretch of road and protected corridor that will
12 destroy our community of Eddington, impact hunting
13 and snowmobiling and other forms of recreation that
14 nobody has even talked about. By the time the damage
15 is irreversible the state will be looking again at a
16 connector to bypass the connector. While something
17 does need to be done about traffic on Route 46,
18 shifting traffic to another road in town is not the
19 answer. It does not meet the original criteria of
20 providing a limited access connection between I-395
21 and Route 9 east of Route 46, this alternative would
22 not provide that connection, would not provide a
23 substantial improvement in regional mobility and
24 connectivity and would negatively affect local
25 access. This connector is not the answer and it is

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1 certainly not good for the entirety of the residents
2 of the Town of Eddington. Thank you for your time.

3 (Applause.)

4 MR. PLUMPTON: Ben Pratt to be followed by
5 Tom, forgive me, I can't read the last name, from the
6 Planning Board is here. Ben Pratt.

7 AUDIENCE MEMBER: (Ben Pratt.) I've got to
8 follow Gretchen? You're kidding me. Thank you very
9 much. I'll be quick. I think Gretchen certainly
10 reiterated most of my concerns that I came with here
11 tonight. My name is Ben Pratt. I live in Eddington.
12 I grew up actually off of 46, so I can certainly
13 sympathize with the folks over there and sympathize
14 with the original goals of this plan, which as we
15 just heard, you know, made sense to a lot of people.
16 This is why we're so confused about the new preferred
17 route, at least me personally.

18 I live now right where your new connector is
19 supposed to come on in, bulldoze my across the street
20 neighbor's house and then dump truck traffic pretty
21 much in this beautiful arc that the lights and the
22 jake brakes shine right in my picture window if you
23 were trying to head back towards town coming off of
24 your new route, so I obviously have a little personal
25 interest in this. But I think from my experience in

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1 both working the public safety here in town and other
2 necks of the woods and in my time that I served in
3 the Legislature I -- I'm really questioning the
4 process and I'm obviously upset about that for all of
5 the reasons Gretchen just mentioned and how I feel
6 like a lot of these towns have felt we have been out
7 of the loop since 2009 and all of a sudden what I
8 think the term was magic fairy dust got sprinkled
9 down on a route that we long ago thought was off the
10 table. And to be honest, I think most people who
11 know me here, I'm a vernal pool guy, you know what I
12 mean. I like vernal pools. I want to see us protect
13 vernal pools and I don't apologize for that. So I
14 can understand and appreciate work going towards
15 trying to mitigate environmental impacts on the way
16 that we do things and I think that's important and I
17 think we should continue to do that. I just think it
18 all comes back to me right now in this idea of this
19 now the proposed route that -- the preferred route is
20 it's a solution in looking for a problem. We have a
21 problem, this doesn't meet it, so we're using an
22 environmental aspect to push it down on us and that
23 frustrates me and that angers me in some ways and I'm
24 a little frustrated.

25 You've heard about these bad wrecks that

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1 we're having in Eddington. I've been on them a lot.
2 I've seen too many dead people from people from car
3 wrecks on Route 46 and on Route 9 and I don't want to
4 see any more of them. I don't see how adding this
5 preferred route and dropping traffic off 395 right
6 onto Route 9 at the bottom the Meadowbrook Hill how
7 that benefits anyone's safety, people on 46, people
8 on 1A or certainly people on Route 9. I think you
9 need to look more at that. You want to talk about,
10 you know, things you need to look at, the safety
11 aspect for me is huge. The school bus stops right
12 there at the -- right there today I was sitting in my
13 dooryard sitting raking up and trying to do some
14 spring cleaning, I promise I'll get it cleaned up
15 eventually, but people coming down off the
16 Meadowbrook Hill, trucks coming down off the
17 Meadowbrook Hill hammer down off Meadowbrook Hill
18 Slowing down trying to, you know, coming right up on
19 the back of a little minivan right there because
20 they've got a school bus stopped pretty much right in
21 front of my house. That's every time you go down
22 Route 9, you know, keep heading towards 46 and you're
23 going to see that every single time, you know, and
24 it's not worth it. I just don't understand what
25 we're trying to accomplish here. It's not worth it.

44-1

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1 My personal opinion is No-Build is the
2 cheapest, No-Build is the least environmentally
3 destructive, and No-Build keeps our community put
4 together. I don't want to see our community divided
5 physically, you know, we're already divided
6 ideologically in a lot of ways and we don't need to
7 be divided physically right smack down the middle of
8 this road. It's not worth it. It's not good for
9 this community and I don't see what the greater good
10 is.

11 I spent four years of my life busting my
12 tail down in Augusta for the greater good, what I
13 thought was really truly working for the greater
14 good, and if I thought for an instant that this road
15 building was going to be somehow greater for the
16 greater good of the state, greater good for my
17 community, greater good for -- I'm will to take some
18 hits. I'm willing to have some of it dumped out in
19 my dooryard if I honestly thought it was going to be
20 better for a whole lot bigger group of people and I
21 fail to see it.

22 So I appreciate you coming and listening to
23 us and taking it. I'm sure you're going to get some
24 more tonight and I'll be sure to write something to
25 you in writing, but environmental impact, absolutely

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(207) 621-2857

1 continue to work on that, continue to look at that
2 and you're going to come to the conclusion and I
3 think everybody will, and it's already been said
4 environmental impact, minimal environmental impact is
5 not really a giant road across Brewer, Holden, or in
6 Eddington. That's not the least environmental
7 impact.

8 Public safety, I don't want to see -- I
9 don't want to see bad wrecks. I'm sick and tired of
10 seeing bad wrecks. This doesn't seem to do anything
11 to help that. Certainly bringing something this side
12 of 46 doesn't even meet the original project goal and
13 that's why we're confused and frustrated. Thank you
14 for your time and I'll let other people talk, but
15 have a good night.

16 (Applause.)

17 MR. PLUMPTON: Tom to be followed by Judy
18 Sullivan.

19 AUDIENCE MEMBER: Hello. My name is Tom
20 Vanchieri. I'm the Chairman of the Planning Board.
21 I'm here to read you a statement from the Planning
22 Board, which I might add is unanimous.

23 The Town of Eddington Planning Board opposes
24 the MaineDOT's proposed alternatives to connect I-395
25 to Route 9, including 2B-2, 5A2B2-2, 5B2B-2, and the

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Augusta, ME 04330
(207) 621-2857

1 K loop options as mentioned in the Draft
2 Environmental Impact Statement. The Public Advisory
3 Committee, general public, and other town officials
4 have not been involved in the decision-making process
5 since April 2009 when the Public Action Committee
6 dismissed 2B-2 as an option. The Eddington Planning
7 Board is concerned over the impact of the proposed
8 alternatives on the economic development and growth
9 of the town due to the Draft Environmental Impact
10 Statement's description of protecting the corridor
11 from further development, which is in direct
12 opposition to the Town's Comprehensive Plan and
13 current zoning. Further, the Eddington Planning
14 Board feels that any decisions on this connector are
15 premature given the recent decision to study the
16 east/west highway as the results of that study may
17 render a connector pointless. The Eddington Planning
18 Board hereby states firmly that they do not support
19 the proposed connector alternatives and suggest the
20 options be withdrawn and then taken back to the
21 Public Action Committee for further consideration and
22 involvement in a more public, open, and transparent
23 process. Thank you.

24 (Applause.)

25 MR. PLUMPTON: Judy Sullivan to be followed

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1 by Rusty from Eddington.

2 AUDIENCE MEMBER: My name is Judy Sullivan
3 and I am one of the people that as a public person
4 has been following this for a long time. I
5 faithfully attended the meetings from the time you
6 started in 2000 even before the PAC was formed, it
7 was a meeting at the Holden School, so I've followed
8 this. And just to clarify a few things for people,
9 the scope of this project initially included safety
10 on Routes 9, 46 and 1A. Somewhere between when that
11 scope was first written it has been amended. It has
12 been changed. And it now says we're concerned about
13 safety on Route 46 and 1A.

14 Now, I may be simplifying things a little
15 bit, but my mind says to me that the only way 2B-2
16 could have been considered and could be a valid
17 alternative was to remove safety on Route 9 as part
18 of the scope, which I find really disheartening
19 because as other people have said to you in your
20 own -- we can go on and quote even more comments that
21 have been made over the years about the effect and
22 the negative impact of using Route 9 as part of this
23 connector on safety. Other people's concerns,
24 traffic congestion, your putting vehicle movements on
25 this section of Route 9 would substantially increase

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1 the potential for new safety concerns and hazards.
2 Now, if you read their study they'll tell you and
3 somewhere along here they say that safety could mean
4 a lot of things, but for the purpose of this study it
5 only means one thing, crash prevention. Now, if
6 that's the case, are you concerned about the fatal
7 crashes we've had on the Route 9 intersection of
8 road? Do you want to prevent those crashes or do we
9 only want to prevent crashes on Route 46? That would
10 be one question I have of you because the safety has
11 been repeatedly and repeatedly mentioned by your own
12 people involved in this study. These are quotes from
13 people on your side of the table, not from people in
14 the PACs and the committees, on your side of the
15 table about safety. And then add to that that even
16 in their own records we read this DEIS study traffic
17 congestion, traffic on Route 9 if 2B is chosen --
18 2B-2 is chosen and by the year 2035 that means about
19 20 years by the time they get the darn thing built
20 that traffic flow on Route 9 will be rated E. E.
21 Couldn't get any lower. No, excuse me, it could be
22 an F, but we're all the way down to an E. If that's
23 so, where do we go from there? In 2035, by then
24 people's houses would have been -- they would have
25 been moved out of their houses, people left behind

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Augusta, ME 04330
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1 will see their property values go down because of the
2 proximity to all of this. Because, again, they
3 changed that, that's another thing they changed in
4 their little plan, would go down and we'd have this
5 big black scar across our landscape.

6 People on Route 9, you've heard a lot about
7 us, but I also feel equally concerned for the people
8 who live in Holden and in Brewer who currently live
9 in neighborhoods who don't experience any kind of
10 traffic like they're going to be seeing on this
11 route. What about them and what about the values of
12 their homes and what about their well-being and what
13 about their happiness and enjoyment of their
14 property? It's already been ruined and we have a
15 road that doesn't work any more. So I don't care if
16 you spent \$60 million or \$80 million or \$100 million
17 on this road, for 20 years that's a pretty expensive
18 road, and if it doesn't work at the end of 20 years
19 and then what are you going to do? Do we then decide
20 that maybe we're going to make Route 9 wider so we
21 can accommodate this traffic that's supposed to come?
22 That really bothers me because what happens at the
23 end of those 20 years if it's only good for that
24 period of time? It should bother everybody.
25 Taxpayers. Because I don't care where this money

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(207) 621-2857

1 comes from whether it be the federal government or
2 the local government or state government, it's our
3 money. And it needs to be spent in a financially
4 responsible manner and I don't feel that this is a
5 financially responsible manner.

6 Another thing I think you need to understand
7 is about vernal pools. The requirement for vernal
8 pools from the state is very specific, but as far as
9 the Army Corps of Engineers is concerned, if there is
10 a puddle of water in the spring of the year, they
11 don't care if there is anything in it basically.
12 They may consider that, but they don't have to. It
13 just has to be a puddle of water on the ground in the
14 spring of the year and they just call it a vernal
15 pool. They don't care if it's significant. That's
16 Maine DEP. The Army Corps of Engineers doesn't care
17 about it. So vernal pools becomes -- it doesn't have
18 to be significant, it just has to be wet spots in the
19 ground. Again, which bothers me.

20 Again, 3EIK or whatever the heck it is,
21 which is the original -- which, by the way, most of
22 us walked away as late as 2009 thinking that was the
23 chosen route. Many of us made plans based on that in
24 our homes, you know, so be it. I've been told that
25 that was eliminated because of two things, the vernal

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Augusta, ME 04330
(207) 621-2857

1 pools, which everyone has discussed, and the other is
2 it was going to go through a track -- a fairly large
3 track of land that was whole and that would be -- we
4 went -- they didn't like to fragment these pieces of
5 land. In reality, the road that I saw on that
6 particular piece of land I believe would have taken a
7 corner of that land and left the majority of it in
8 tact, so it wasn't a complete demise of that piece of
9 land. One of the things which I consider especially
10 ironic about that particular decision on the part of
11 the Army Corps of Engineers is that the Army Corps of
12 Engineers is also pushing that that particular piece
13 of land be used to mitigate environmental impacts on
14 Route 2B-2. I have -- my mind is having a hard time
15 getting around that one and I'd like to know more
16 about that.

17 But more importantly, way back in 2002 when
18 all of the 2B alternatives were being chosen, they
19 were looked at, there were several of them, by the
20 way, lots of families, and 2B was rejected at that
21 point in time because of traffic congestion on the
22 route and increase of potentially new safety concerns
23 was rejected. Along with the other 2B alternatives,
24 and these 2B alternatives, these families were all
25 fairly close together, they were kind of swooping

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Augusta, ME 04330
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1 around one another but they were all basically in the
2 same area. And all of the remaining 2Bs, and there
3 were several of them, by the way, were -- even though
4 they would be practicable, remember Mr. Plumpton's
5 definition of practicable, they were dismissed and
6 all of them were dismissed because of environmental
7 issues compared to 3EIK-2. They would have more --
8 all of the 2s would have more water crossings, some
9 of them possibly with the salmon, the diadromous fish
10 as we should be concerned about, have great impacts
11 to flood plains, would have great impact to active
12 farms and also prime farmland, would have greater
13 residential displacements, would have greater
14 proximity displacements, and I haven't seen anything
15 in the new reports that I've read about proximity
16 impacts and I think that's a vital thing because
17 originally I think the proximity impacts were a much
18 greater distance. They've been shortened up. The
19 right of way that was going to be purchased
20 originally for this was going to be 1,000 feet.
21 That's the original plan. They've shortened that
22 quite a bit. I think they're down to a right of way
23 of 200 feet and what does that mean. Property that
24 would have been -- it's going to be cheaper because
25 they're not going to be buying property. They're

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1 just going to plop the road down in front of it.

2 So you can win this battle one way or the
3 other. I just think that -- I guess what I'm really
4 upset about, I cannot get out of my mind when I was
5 at that very first meeting and somebody -- a young
6 man that lived on Route 9, excuse me, Route 46 said
7 that the answer was just to put all this truck
8 traffic -- oh, by the way, the truck traffic by 2035
9 is going to more than double in that timeframe is
10 what we're really seeing. Anyway, the answer was
11 just to dump that truck traffic onto Route 9 because
12 we were used to it. Those of us who have lived on
13 Route 9 for any length of time would say we kind of
14 question that a little bit. And I think people
15 forget, my house that I live in on Route 9 and my
16 house -- my driveway, when my house was built my
17 driveway was level with the road on Route 9. Level
18 with the road. Now for me to get out of my driveway
19 I believe I have probably at least a 6 foot or 8 foot
20 rise to get out of my driveway. That's how much
21 Route 9 has changed since it was in the 1960s.
22 Change takes place. Traffic increases. Things
23 happen. Change takes place. We've all experienced
24 that on Route 9, but the big change and the change
25 that was a catalyst for all of this was NAFTA. NAFTA

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1 was passed and in late -- early '90s, I believe.
2 That is when we started seeing the increase in truck
3 traffic. I think all of us would have lived with an
4 increase in car traffic because we were seeing cars
5 come in the summertime and people going on vacation
6 or going to their camps in Clark's Pond or whatever
7 and even further Downeast, but it wasn't the big
8 trucks. And now -- now we don't have to worry about
9 80,000 pound trucks, now we can worry about 100,000
10 pound trucks. Most of us drive vehicles that don't
11 weigh 6,000 pounds. It's a losing battle, not to
12 mention the noise that we're going to be subjected
13 to. It doesn't matter where you live on that stretch
14 of road there you're going to have a big increase of
15 noise and it's already pretty bad. But for that
16 person to have the attitude that it was okay to shove
17 it onto Route 9 because they were used to it, we're
18 no more used to it than they were. It was new to
19 them. It was new to us on Route 9 that level of
20 traffic. And I think you need to stop and think
21 about, you know, is it worth spending this money and
22 the people only benefit -- real benefit and no
23 offense to people that live on Route 46, I wouldn't
24 say that to you. I am concerned about your safety,
25 but change happens. The remainder of Route 46 from

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(207) 621-2857

1 Route 1A over to Route 15 has all rebuilt. Change
2 happens. Maybe that's the solution. I don't know,
3 but do I know that to deliberately knowingly to
4 devise a route that jeopardizes the lives of people
5 who live on Route 9, people who travel Route 9
6 doesn't make sense and you can't make it work simply
7 by changing the scope. That's a cheap trick.

8 (Applause.)

9 MR. PLUMPTON: Rusty from Eddington to be
10 followed by Bruce Pratt.

11 AUDIENCE MEMBER: My name is Rusty Gagnon.
12 I am a resident and property owner in the Town of
13 Eddington. And actually my brothers and I grew up
14 here from way back in the '40s and we won't talk
15 about much more than that except that my youngest
16 brother currently lives on the property that our
17 grandmother purchased in the '20s, so we have been
18 here a while. I can remember when my brothers and I
19 used to be able to walk from what is now called
20 Squirrel Lane down to the store that is now called
21 Tradewinds, we could walk along the main road and we
22 didn't have to worry, our parents didn't worry about
23 us. I wouldn't have any child walk that distance
24 now.

25 I strongly oppose the I-395/Route 9

1 connector project for the following reasons:
2 Eddington has historical significance in Maine's
3 history. We just celebrated the town's bicentennial.
4 Route 9 originally known as the Airline Route is part
5 of that history. Data from current use of Highway
6 46, and I have this from a neighbor of mine who has
7 access to the data, supports that a projected truck
8 traffic increase of four to six times the current
9 Route's 9 use will take place if this connection goes
10 forward as planned. Four to six times than we're
11 currently experiencing. And I'm on shoreline
12 property, so I have enough DEP regulations to choke a
13 fish with. Neither the big rig trucks nor the
14 Canadian car traffic currently recognizes our posted
15 speed limits, 35 to 45 miles an hour or the 15 miles
16 an hour within certain boundaries close to the
17 elementary school at certain times and we've got some
18 deputies here who can probably attest to that. The
19 projected traffic increase will necessitate doubling
20 or tripling our contracted law enforcement. The town
21 taxpayers will recover none of that cost. Traffic
22 violation revenues are split between Penobscot County
23 government and state government so we may be putting
24 out \$24,000 a year in contracted law enforcement and
25 vehicle traffic, but we're going to get none of it

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7 Morrisette Lane
Augusta, ME 04330
(207) 621-2857

1 back. Increased traffic will result in more engine
2 oil surface runoff resulting in more ground soil and
3 water pollution in Davis Pond and we already have
4 water erosion thanks to the height of Route 9 right
5 now. My brother has half of his property that is
6 totally destroyed by water erosion. And I have
7 pictures of it going straight into Davis Pond. And
8 behind Troy Grather's house you don't want to even
9 think about how many trees have been uprooted totally
10 because of the water erosion and now you're going to
11 add even more soil and oil from the trucks.

12 Shoreland residents have been working very
13 diligently to improve the water quality in Davis Pond
14 over the years to bring back better fishing, fowl
15 life, and recreational quality for the people who use
16 it not just the people who live there. Your project
17 is not going to help the cause at all.

18 We have an elementary school and a middle
19 school and students who are bussed to Bangor, Brewer,
20 and surrounding area high schools. This requires a
21 daily minimum of nine busses, and that's my
22 conservative estimate, on Route 9 making frequent
23 stops at least twice a day. In the winter months it
24 is still dark when the busses pick up the children at
25 their driveways and close to dark when the children

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7 Morrisette Lane
Augusta, ME 04330
(207) 621-2857

1 return. The projected increase in commercial traffic
2 will increase the danger of everyone particularly the
3 children walking along the side of the road. Winter
4 weather conditions only add to the danger especially
5 when DOT leaves large snow deposits at the end of our
6 driveways and we can't get through it.

7 With the additional traffic the school bus
8 stops will create a lager neck. Impatient and
9 inattentive drivers will try to bypass the school
10 busses or may hit them. Designated periodic school
11 bus pick-up and delivery stops are not acceptable
12 because of the ages of the children. They need to be
13 dropped and pick up at their driveways. Route 9 is
14 our main street. It's not just Route 9. It's the
15 main road. It was always the main road even before
16 it became Route 9. We do not have sidewalks. Our
17 residents use it to walk, bicycle, and jog. There is
18 even a bicycle run that starts from Eddington School
19 this weekend. During summer months large bicycling
20 groups use Route 9 for their trips. None of these
21 activities will be safe with the projected increase
22 of traffic. Our weekly trash collection requires
23 residents to place trash containers and bags
24 alongside Route 9 where the trash truck collects them
25 stopping at each driveway. Many of us have to load

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7 Morrisette Lane
Augusta, ME 04330
(207) 621-2857

1 the trash into our cars and trucks and drive it up to
2 the frontage road at the top of our driveways, the
3 end of our driveways for it to be pick up. As it is
4 on windy days the increased wind caused by large
5 trucks frequently blow the trash, the trash bags in
6 particular down into the wooded property or out and
7 across the roadways. I have myself more than once
8 had to chase a bag. It will be worse, possibly
9 fatal, with projected increase.

10 In recent years, the Eddington Planning
11 Board, the town's Board of Selectmen, and voters
12 approved a Comprehensive Master Zoning Ordinance
13 which complies with all of the mandated State of
14 Maine regulations including environmentally protected
15 areas. I went to many of the planning meetings to
16 look at where the water was, where we could, where we
17 couldn't, where we did, where we didn't. This
18 project will destroy the Master Plan. We are a rural
19 agricultural community by choice. As such, we have a
20 limited but essential business tax base. The
21 conditions laid down by MaineDOT significantly affect
22 the towns' ability to retain and encourage businesses
23 in those areas zoned for commercial and in industrial
24 business purposes. The remaining property and
25 business owners will end up being taxed at a higher

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7 Morrisette Lane
Augusta, ME 04330
(207) 621-2857

1 rate to recover those taxes lost because of the
2 connector. Insisting property owners in the areas
3 designated to be sold to only MaineDOT will also be
4 negatively impacted. Many cannot afford to move.
5 Many are retired and living on fixed incomes. Many
6 have horses, cows, several pets, et cetera. MaineDOT
7 will never pay what the homes or the properties are
8 worth to the current owners. Eddington residents
9 have established central support resources in Bangor
10 and Brewer such as doctors, grocery stores, dry
11 cleaners, churches, hospital, et cetera, to which
12 they can afford to drive. You should know there is
13 no public transportation that serves Eddington.
14 Moving into or further away from Bangor or Brewer is
15 not financially feasible for these individuals.
16 Additionally, the increased traffic will be dangerous
17 for many of our senior citizen residents to drive in.

18 Eddington's property tax rate is already
19 high. For shoreland property owners it is higher
20 still, I can attest to that. The state does not pay
21 its full share of the school district's annual cost,
22 thereby forcing property owners to pick up that
23 portion which the state does not. And that's
24 already.

25 For reasons stated above the I-395/Route 9

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7 Morrisette Lane
Augusta, ME 04330
(207) 621-2857

1 connector project will reduce home property values at
2 the same time it will increase property taxes.
3 Collectively these items that I have mentioned will
4 kill the Town of Eddington. While the town does not
5 need the connector project it cannot survive with it.
6 The project plans to eliminate important wetlands.
7 How DEP approved this plan amazes me. It will affect
8 the area's animal wildlife, deer, red fox, raccoons,
9 porcupines, wild turkeys, skunk and an occasional
10 bear. And I've had all but the bear in my backyard,
11 but John has had one. Migrating fowl, ducks of
12 numerous varieties, Canadian Geese, that's the only
13 thing in Canada I appreciate having here, and the
14 loons that live on Davis Pond and the migratory
15 birds. It is our understanding that agreements were
16 reportedly made between MaineDOT and the Town of
17 Brewer at the time the I-395 ramps in Brewer were
18 constructed protecting the remaining area wetlands.
19 Somehow this project appears to violate that
20 agreement.

21 The project brings no permanent or long-term
22 financial benefit to Eddington. Just like when Route
23 9 was reconstructed two years ago, contracts would go
24 to companies outside Maine. That job went to New
25 Hampshire. Moreover the workers, though temporary,

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1 will not come from our area either. This project
2 brings absolutely no benefits to Eddington. None.
3 With the strong possibility of the privately funded
4 east/west highway, which will have area off-ramps not
5 included in your project, the connector project may
6 never be needed. At the very least until the
7 east/west highway is completed and traffic needs
8 re-evaluated the I-395/Route 9 connector project
9 should be shelved. From the perspective of using tax
10 payer monies, which is what state and federal funding
11 is, the State of Maine would be better off using the
12 funding to repair current roads and bridges. Highway
13 15 from 1A to Stonington is a good example or local
14 area streets with potholes that go to China. It is
15 not beneficial creating something neither needed nor
16 wanted. My taxes go into whatever funds are being
17 targeted and I know that this is not a good use of my
18 money.

19 Please consider these arguments presented
20 and know that I am speaking not only for myself but
21 also for the households of my two brothers who, too,
22 have year-round homes on Davis Pond. Our driveways
23 are directly off Route 9. I can see and hear the
24 current truck traffic and the increase is
25 intolerable. My neighbors feel the same. Thank you

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1 very much.

2 (Applause.)

3 MR. PLUMPTON: Bruce Pratt to be followed by
4 Susan Swain.

5 AUDIENCE MEMBER: I'm going to take a little
6 bit different approach. I'm Bruce Pratt. I live
7 just off Route 46 and for the last 20 years I've
8 driven on 46 most every day. If the DOT builds some
9 damn shoulders to begin with the road would be a lot
10 safer, so I really think we lose sight of things
11 sometimes and that's what I want to talk about. If
12 you build it, they will come. The worst thing we can
13 do is encourage more traffic by building a faster way
14 to get that traffic here. I mean, that's
15 counter-intuitive. I'm an English teacher. I'm not
16 an engineer, but I know it's counter-intuitive. And
17 also the last time I spoke at a meeting here aside
18 from wearing all purple and white today just in
19 solidarity with my friends from Brewer. And I
20 mean that about the solidarity. This is about our
21 neighborhood. It's about where we live. This road
22 is not going to go through my property. It probably
23 is not going to cost me any money, but it's going to
24 hurt my neighbors and friends, the people that my
25 children grew up with, the people I live with, the

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1 people I see all of the time, and so therefore, I'm
2 so strongly against this for a couple reasons. This
3 is twentieth century thinking in the twenty-first
4 century. We don't need more highways. Maine has too
5 damn many highways now.

6 (Applause.)

7 AUDIENCE MEMBER: (Bruce Pratt.) We have
8 two interstates that were built and they were
9 completely stupidly constructed. We could have had a
10 connector from Lewiston, but no, we had to have a
11 separate -- whole separate interstate. We are dying
12 under the weight of our infrastructure. We can't pay
13 to fix it. We have a political climate where the
14 thought is we can't bond a great deal for that. I'm
15 not an expert on that and I'm not taking a position
16 on that. We don't need another road and we don't
17 have to accept another road. And this whole idea
18 that a group of people just because they have a
19 certain job in our state can make us have this road?
20 No. No. Lots of things bigger than this have been
21 stopped before. We don't need the road. We don't
22 want the road. We don't have to have the road.
23 We're not going to let you build a road.

24 (Applause.)

25 AUDIENCE MEMBER: (Bruce Pratt.) So when

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1 somebody said not only is No-Build the smartest thing
2 financially, it will also win this whole thing a lot
3 faster and we have much better and more important
4 things to do in the State of Maine, way more
5 important than some more concrete and some more
6 asphalt.

(Applause.)

MR. PLUMPTON: Susan.

AUDIENCE MEMBER: Good evening. Thank you
for allowing me to speak. My name -- people would
love to be Susan Swain, but it is indeed Susan Dunham
Shane. I just want to address a couple of points.
Number one, with regard to information in the DEIS.
The zoning map for the Town of Eddington will have to
be revised. You are operating not under our current
zoning map. And I want to read for those of you who
have not had a chance to review the study just one
little section from page 185. The Maine -- and it's
from the affected environmental and environmental
consequences. Those of you that go to planning board
meetings know about Susan and her cites. The
MaineDOT would work with the Town of Eddington to
maintain the safety and preserve the capacity of
Route 9 in the study area. The range of possible
activities that could be considered to maintain the

45-1

1 safety and preserve the capacity of Route 9 in
2 accordance with Maine's rules covering access
3 management are working with the Town of Eddington to
4 change the zoning, eliminate existing and minimize
5 future curb cuts and working with individual land
6 owners to acquire property or development rights. I
7 believe that that is pretty clearly stated.

8 We should realize from that that that's a
9 direct conflict of growth. There is an Economic
10 Development Committee in this town because this town
11 needs more development. Route 9 is the only road, it
12 is the backbone I should say, but the only road in
13 the entire town that is fully serviced by public
14 water. This is attractive to development. If we are
15 restricted in the Route 9 corridor then how do we
16 grow? And exhibit -- under Exhibit 3.54, potential
17 induced development by alternate within one half mile
18 of interchanges and intersections lists that on Route
19 9 between Chemo Pond Road and Davis Road there is the
20 possibility of growth in -- the potential induced
21 growth of 16 acres of forested land yielding 16
22 houses. It is vitally important to understand that
23 this connector as planned dumps into one of our
24 commercial districts, goes through the second
25 commercial district, and continues in our mixed use

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1 district before exiting to Clifton.

2 I would like to also point out that in the
3 study the truck numbers are from 1998 and as I
4 mentioned in conversation this afternoon at the open
5 house I believe that for people to have an accurate
6 understanding there should be more recent data. I'd
7 also like to share that in the sound impacts section
8 I questioned why when they -- the DOT and the rest of
9 the program assigned sensitive receptor locations. I
10 was excited to get to read the whole report because I
11 would be able to find out in area 11 and 12 and 13
12 and 14 what would be the post-construction sound
13 level in those areas that would be through the Route
14 9 corridor and on Route 46 because of major concerns
15 for the residents of Route 46 besides the safety
16 because of the narrowness of the road is also
17 lessening of noise. I did not find any computer mods
18 on those numbers and it was explained to me that they
19 weren't important, but in the traffic increase study
20 it shows that the Route 9 corridor after the
21 intersection to the line would experience by 2035 123
22 percent of vehicle increase. I mentioned this to the
23 very nice young man, who I kind of lit into with the
24 sound section of DOT, and I said, people need to now
25 how much sound is going to be added and how much will

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1 be taken away. And he said, well, if you double the
2 traffic it's only more 3 dB. So for those of you on
3 Route 46, I guess conversely that means if you get
4 half as much traffic you're only going to lose 3 dB
5 of sound which makes this also not really a great
6 idea. There is not enough benefit.

7 The last thing I would like to know from the
8 board is the loss in the -- the monetary loss to
9 towns in the connector is \$17,800. I'm assuming that
10 for all of us as taxpayers that doesn't seem like
11 very much, so I would question and would hope in the
12 next part of the study that you would tell us what
13 the \$17,800 in tax loss is just the amount that is
14 contained within the land that would be taken for the
15 connector. And that would be it. Thank you very
16 much for letting me speak.

17 (Applause.)

18 MR. PLUMPTON: To our next commentor, I
19 apologize, but I can't read your handwriting but your
20 address is 1369 Main Street -- Main Road, excuse me,
21 Main Road.

22 AUDIENCE MEMBER: Representative Johnson.
23 Thank you. My comments since this is a public
24 comment period is more for the public than it is for
25 you gentlemen, but first of all, I want to thank you

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1 guys for coming up here and giving us your time and
2 we appreciate that very much. And I want to thank
3 you guys all for showing interest in this. I mean,
4 this is our town. This is our community and you
5 folks in Brewer and anybody from Holden, Clifton
6 that's here, we really appreciate that. I ran on the
7 promise to be your representative and that's what I
8 want to do, so I want to hear from you guys what you
9 all want to do. I'm going to put my feeling aside on
10 this whole thing. I also ran as a fiscal
11 conservative and so the less money we can spend, the
12 better off I feel about it. So that's where I'm
13 coming from, you know. And that's the main thing I
14 wanted to say is to make sure you get a hold of me
15 and tell me how you feel about it because I'm hearing
16 from people different people, different things, so
17 make sure you get your comments to me so I can take
18 them to Augusta and be your voice down there.

19 And the last thing I want to say is we've
20 heard a lot about vernal pools tonight and I've never
21 been a fan of vernal pools, they limit way too much
22 construction not just roads but buildings, homes,
23 businesses, expansions, and things, but now that I've
24 heard tonight from Gretchen that they have shrimp in
25 them I may reconsider it. Thank you.

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1 (Applause.)

2 MR. PLUMPTON: Thank you to everyone to came
3 out tonight to get involved or stay involved in this
4 study and particular thanks to those that have
5 offered comments. Is there anyone here that hasn't
6 had a chance to speak that would like to and hasn't
7 spoken already? (Hearing none.) Is there anyone
8 that offered comments this evening who has another
9 thought that they'd like to offer, a second chance?
10 Last call. Well, with that, thank you. We're going
11 to wrap up our public --

12 AUDIENCE MEMBER: Wait, wait, we're not
13 done.

14 MR. PLUMPTON: I'm sorry. I didn't see a
15 hand. I'm sorry.

16 AUDIENCE MEMBER: (Rusty Gagnon.) One thing
17 I'd like to add is we're a mutual aid community. We
18 have a fire department and ambulance and Brewer
19 responds to us and we respond to them. Holden
20 responds to us; in fact, we share a fire chief. And
21 the point is when something has to happen our
22 vehicles have to get wherever it has to be and they
23 need to do it in a quick hurry. They don't need to
24 be dealing with a whole bunch of trucks coming from
25 Canada or a bunch of people who are getting in the

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1 way and don't pull over to the side of the road. So
2 when you consider safety you need to consider the
3 fact that there has got to be a fast access route for
4 our vehicles to get to people whose lives may
5 dependent upon it.

6 MR. PLUMPTON: Thank you, Rusty.

7 AUDIENCE MEMBER: (Judy Sullivan.) I have
8 just one quick comment I'd like to make.

9 MR. PLUMPTON: Go ahead.

10 AUDIENCE MEMBER: (Judy Sullivan.) If I
11 remember correctly when I read your study in terms of
12 efficiency, this is part of this whole thing is to
13 make it more efficient that from where we are now if
14 2B-2 is built you save five minutes. Five minutes.
15 \$60 million and we save five minutes of travel time.

16 (Applause.)

17 AUDIENCE MEMBER: I've just got one
18 question. Jeremy Robertson, resident of Clewleyville
19 Road in Eddington for 39 years now. This whole road,
20 the only one that benefits is Canada, right? How
21 much are they chipping in?

22 (Applause.)

23 AUDIENCE MEMBER: Call their lobbyist.

24 MR. PLUMPTON: Larry Adams.

25 AUDIENCE MEMBER: (Larry Adams.) We've

1 asked a lot of questions and when are we going to get
2 some answers? Out of my 32 questions there is
3 probably 150 questions and do we wait now for six or
4 eight months?

5 MR. PLUMPTON: Is there anyone else that
6 would like to -- Susan, please.

7 AUDIENCE MEMBER: (Susan Dunham Shane.) I'm
8 sorry, one other thing I wanted to request of the
9 study is in the report it discusses in many --
10 several times the intersection of Route 46 and Route
11 9 and that that would be done at a later time,
12 however, I feel that for the residents of that area
13 and considering the traffic flow increase that part
14 of the final study must include actual drawings and
15 plans as to how that intersection would be handled
16 for the traffic flow and integration of Route 46.

46-1

17 MR. PLUMPTON: Is there anyone else that
18 would like to offer another comment?

19 AUDIENCE MEMBER: Yeah, I was just going to
20 say --

21 MR. PLUMPTON: Sir, if you could state your
22 first and last name, please.

23 AUDIENCE MEMBER: Yup, Jim Kurtz. I live
24 down here on 178, Riverside Drive. I haven't been in
25 this area long, but I have friends that live in this

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1 area. For years I've driven from Brewer to
2 Ellsworth, Ellsworth to Brewer and I saw what the DOT
3 did when they put in 395. It was a joke, okay. You
4 know, because people don't know how to yield. How
5 many here know what yield means raise your hands?
6 Well, when people are coming off 395 they don't know
7 what yield means and do you know how many times I
8 almost got run off that road because of what you did
9 there?

10 AUDIENCE MEMBER: It's a race.

11 AUDIENCE MEMBER: (Jim Kurtz.) And then
12 what you did you improved Route 1A to Ellsworth.
13 Well, that's like a drag strip, you know. I wish the
14 state police would stay on that road constantly. And
15 I've seen many accidents. I've been stopped in
16 traffic. You know, I don't know how you come up with
17 designing roads, but, you know, what you're talking
18 about here we don't need it. It's a waste of money.

19 (Applause.)

20 AUDIENCE MEMBER: (Jim Kurtz.) You know, we
21 need something, yeah, we do need something to fix the
22 traffic problems in places, but we need something
23 done differently, you know, and maybe we should put
24 more money into, you know, like I said, the state
25 police and getting them on the roads like on Route 1A

1 going down through Ellsworth and pulling people over
2 and really ticketing them because it's -- it is --
3 it's like a drag race and I've been driving that road
4 for 20 years. And, you know, what they do down to
5 Lucern is, you know, they decided, oh, let's put in
6 a, you know, in the center line they put grooves in
7 it so people won't cross the center line, that's not
8 going to solve anything. You know, maybe because you
9 think people fall asleep, that's not what it is.
10 People are passing, coming down through Lucern, okay.
11 I see people, you know, it's one lane and then two
12 lanes coming up from Ellsworth, I see people actually
13 going over into that passing lane so they can pass
14 people, you know. So I think you all got to sit back
15 and rethink what's going on here. Maybe, you know --
16 maybe this east/west highway, I don't know much about
17 that, maybe that's the answer and hold off until if
18 they do put the east/west highway in maybe that's
19 what they need to do. Let's hold off, you know, if
20 that's going to go through, let that go through and
21 let's just back off this. And what I would rather
22 see is some other kind of, you know, more police
23 presence on Route 46, on 9. I'm sure, you know,
24 maybe you can take some money out of the
25 transportation budget and put it into the police fund

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1 or whatever for the state police, you know, and try
2 to slow people down, that's where the problem is.
3 You know, it's not expanding roads and more roads
4 because it just takes -- how many of you here drive
5 1A? Look what's happened. How many deadly accidents
6 happened on it just last year? So did expanding 1A
7 solve anything? No, it didn't. I think when it was
8 in worse shape it slowed people down. So I'd like
9 you just to, you know, rethink it and we don't need
10 this. Let's see what happens with the east/west
11 highway first and see what that's going to do.

12 (Applause.)

13 AUDIENCE MEMBER: My name is Rhodaleigh
14 Berry from Brewer. I live on Eastern Avenue and I'm
15 not happy with this meeting tonight. If I would have
16 known it was this type of meeting I probably would
17 have never come, you know, because I wasn't coming
18 here to listen for anything more than the -- the
19 first two people that spoke, everybody else, thank
20 you so much for saying what you said and everything
21 makes sense to me to you people here, but I thought
22 it might have been -- the meeting might have been
23 divided a little bit better than what it is about all
24 of us talking and saying how we feel. I'm for the
25 No-Build for sure, but you people are the people we

1 need to hear from. We need to hear your comments
2 about our questions and I thought we might be able to
3 hear a little bit about that or something from you
4 people, you know.

5 (Applause.)

6 AUDIENCE MEMBER: (Rhodaleigh Berry.) I
7 feel like I just wasted my time tonight. I could
8 have got information about this meeting through my
9 neighbors, you know, that I love dearly, but that's
10 just the way I feel. I thank you for coming. I
11 thought I would hear a comment or two from you
12 people, but obviously not. It's 10 more minutes
13 before 8 o'clock. Thank you so much for coming.

14 (Applause.)

15 MR. PLUMPTON: Is there anyone else that
16 would like to offer comments before we wrap up?

17 AUDIENCE MEMBER: Hi. I'm Jane (Newvey)
18 from Brewer. If this road 2B-2 goes in it goes right
19 behind my house. I've been there 39 years. It's a
20 lovely development. My neighbors are here. Our
21 property values will go down. We're all pretty much
22 a retirement age except for a few young families who
23 have just moved in. We're about ready to sell. What
24 have you done to us? You know, how do we get out of
25 this and where does it go now? How many years do we

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1 have to worry about this? We already went through
2 this once. This is -- all our neighbors pay taxes in
3 Brewer. We are good upstanding citizens and yet
4 you're going to run a highway right behind our
5 houses. I can't put my grandchildren out to play. I
6 can't let the dog out. It won't be safe and the
7 noise will tremble probably the way it is. My
8 question to you is if we don't want it in Brewer,
9 Eddington doesn't want it, how can you make us have
10 it?

11 (Applause.)

12 AUDIENCE MEMBER: Jeremy Robertson again,
13 Resident of Eddington for 39 years. I just have one
14 question, are you people ever going to give us an
15 answer to any of this and, if so, how are we ever
16 going to find out about the meeting because every
17 time you've got any kind of meeting you try to hide
18 it from us. It's pretty cowardly the way you guys
19 are acting, so I'd just like to know when we can get
20 some answers.

21 MR. PLUMPTON: Before we wrap up and talk
22 about the process moving forward is there anyone else
23 that would like to offer a comment this evening?

24 AUDIENCE MEMBER: Carol Smith from Brewer.
25 I have a concern. When we first started this process

Attachment: Comments and Public Meeting Transcripts

80

1 back in 2000, I remember some comments from people
2 who had bought homes or built homes that were on some
3 of these routes and, what were there, like 75 of them
4 or something, and they were concerned over the fact
5 that no one ever told them that this was a
6 possibility. I understand change happens, but I know
7 a lot of my neighbors, I've lived in my neighborhood
8 for almost 26 years and a lot of them have lived
9 there longer and we bought our house because of the
10 neighborhood because it was a quiet neighborhood and
11 we kind of always coveted it and always hoped we
12 could afford to live there and the day came when we
13 could, but I'm really concerned about the people like
14 some of my newer neighbors who bought homes or built
15 homes that knew nothing of this process starting
16 again. We were told back in 2000 or a few years
17 after the process that it was necessary for people
18 selling their homes to let perspective buyers know
19 that this might happen in their neighborhood. What
20 about my neighbor John here who just bought his house
21 a few years ago knew nothing of it? His realtor
22 didn't tell him that. People built homes since the
23 last PAC meeting. What about us when we decide now
24 we don't want to live with this and we want to sell
25 our home? What if we want to do it in the next few

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1 years before this process ends, what are our rights?
2 Are we going to have to start disclosing this to
3 perspective buyers when people before us didn't have
4 to? That's one thing that I think is a huge concern.
5 Thank you.

6 (Applause.)

7 AUDIENCE MEMBER: Judy Sullivan and I have a
8 question briefly. Did I -- do I understand that the
9 process works that once you have an alternative that
10 you're happy with that you're going to then purchase
11 or deal with the land issue, acquire land at that
12 time prior to funding? Because that kind of makes me
13 nervous too because if you do it prior to funding in
14 this state in this economy is it possible that people
15 lose their places of living and if they have to
16 readjust or however that's done and then the road
17 doesn't get built because there's no funding. Why is
18 that process in that manner? Why isn't it funded
19 first and then people lose their property if they
20 need to?

21 MR. PLUMPTON: Very good. Let's start to
22 wrap up our public hearing this evening. We'll talk
23 about comments, those that read from prepared
24 statements if you care to you can offer them to our
25 stenographer, it would make life just a little bit

1 easier for her. The comment period will remain open
2 until the middle of the month. Try to get your
3 written comments in by the middle of month, but if
4 that doesn't work and they trickle in over the few
5 days after that, that's fine too, it will all be
6 considered. All of the comments regardless of the
7 mechanism that they're delivered will be considered
8 most seriously by the Federal Highway Administration,
9 the DOT and the Corps of Engineers moving forward.
10 If you send your comments to one agency you don't
11 need to send them to them all, these guys will
12 exchange comments and when they regroup and start
13 planning the next couple of phases of the study
14 they'll start by looking at all of the comments that
15 have been offered tonight, those that have been
16 offered over the past few weeks, and those that will
17 continue to be offered in the coming couple of weeks,
18 reflect upon the project and changes that can be made
19 to make a better project.

20 The process moving forward, following the
21 close of the comment period these agencies will get
22 started looking at those comments and preparing
23 responses to them, reflecting on the changes, all of
24 that will get wrapped together in the final
25 Environmental Impact Statement. At this point, it's

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1 currently envisioned that their final Environmental
2 Impact Statement would be issued about the end of the
3 year. That's the best guess that we can give you at
4 this point in time.

5 So with that, thank you everybody for
6 turning out, getting involving, staying involved in
7 the study. We greatly appreciate it and please drive
8 safely.

9
10 (Hearing concluded at 8:00 p.m.)
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C E R T I F I C A T E

I, Robin J. Dostie, a Court Reporter and
Notary Public within and for the State of Maine, do
hereby certify that the foregoing is a true and
accurate transcript of the proceedings as taken by me
by means of stenograph,

and I have signed:

Court Reporter/Notary Public


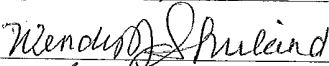
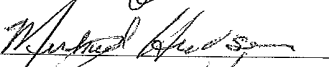
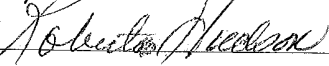
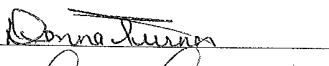
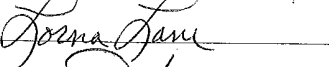
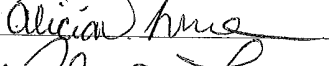

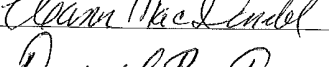
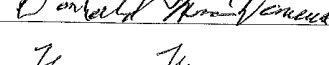
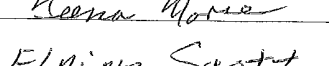
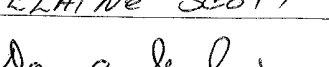
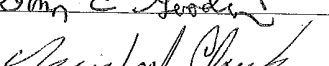
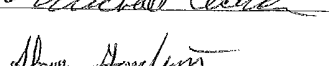
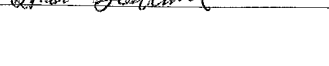
My Commission Expires: February 6, 2019.

DATED: May 9, 2012

Dostie Reporting
7 Morrisette Lane
Augusta, ME 04330
(207) 621-2857

Attachment: Comments and Public Meeting Transcripts

We the citizens of the Town of Eddington, in the County of Penobscot, State of Maine, do hereby protest the "I-395/Rt. 9 Connector Project proposed preferred Alternative 2B-2 Route, and other alternatives 5A2B-2, 5B2B-2, and K loops as mentioned in the Draft Environmental Impact Statement submitted March 2012" and by affixing our signatures below, let it be known to the Selectmen of the Town of Eddington, Maine Dept. of Transportation, and all others, that we do not support this project and request instead a "No-Build" option. Said "No-Build" option to truly mean NO BUILD ANYWHERE within the entire original project "Study Area".

	Printed Name	Street Address	Signature
1	CHRIS SHIRLAND	231 Main Road	
2	Wendy Shirland	231 main Road	
3	Mike Hudson	199 Chemo Pond Road	
4	Bobbe Hudson	199 Chemo Pond Rd	
5	Donna Turner	281 Chemo Pond	
6	Lorna Lane	319 Chemo Pond Rd	
7	Alicia Lane	319 Chemo Pond Rd	
8	Alan Lane	319 Chemo Pond Rd	
9	Eleanor MacDonald	556 Chemo Pk Rd	
10	Donald MacDonald	556 Chemo Pk Rd	
11	Keena Morse	590 Chemo Pk	
12	Elaine Scott	598 Chemo Pk	
13	Donna Gordon	614 Chemo	
14	Mike Clark	612 Chemo Pk Rd	
15	Shawn Goodwin	620 Chemo Pond Rd	

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	Printed Name	Street Address	Signature
1	Terry Willette	632 Chemo Pond Rd	Terry Willette
2	RICHARD MORSE	580 chemo pond Rd	Richard Morse
3	GARY M PELLETIER	50 FORESTRY LANE	Gary M Pelletier
4	Liane Alexander	23 Forestry Lane	Liane Alexander
5	Landon Alexander	23 Forestry Lane	Landon Alexander
6	VERLYN B BELL	37 FORESTRY LN	Verlyn B Bell
7	Judith A Bell	37 Forestry Ln	Judith A. Bell
8	Dennis Jurczyk	65 FORESTRY Ln	Dennis Jurczyk
9	Rhonda Moulton	282 Chemo Pond Rd	Rhonda Moulton
10	Heather Ahearn	142 Chemo Pond Rd	Heather Ahearn
11	Robert Ahearn	142 Chemo Pond Rd	Robert Ahearn
12	Virginia Doyle	88 chemo Pond	Virginia Doyle
13	CHARLES	841 Chemo Pond	Charles Doyle
14	Doug Cousins	6 we will Rd	Douglas Cousins
15	ANN A Prewitt	14 Merrill Rd	Ann A. Prewitt

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	Printed Name	Street Address	Signature
1	Harry Bunting	29 Merrill, RD,	Harry Bunting
2	Karen Bunting	29 Merrill Rd	Karen Bunting
3	Marie Sechrest	36 Merrill	Marie Sechrest
4	Brandon Varney	39 Merrill	Brandon Varney
5	Melissa Allen	37 Merrill	Melissa Allen
6	Judy Cluff	62 Merrill Rd	Judy Cluff
7	Donna J. Burton	68 Merrill Rd	Donna J. Burton
8	Richard Chapman	79 Merrill Rd	Richard Chapman
9	Sandra H. Cookson	76 Merrill Rd	Sandra H. Cookson
10	Sandra Goodkowsky	101 MERRILL RD	Sandra Goodkowsky
11	RICHARD-JANICE-TUTT	114 MERRILL RD	Richard-tutt
12	Lyn Babb	134 MERRILL RD Eddington ME	L Babb
13	Gaele Rewe	150 Merrill Rd	Gaele Rewe
14	Paul Salley	1411 main Rd	Paul Salley
15	Kim Salley	1411 main Rd	Kim Salley

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	Printed Name	Street Address	Signature
1	Nichole Hanke	2 Pond Rd Eddington	Nichole Hanke
2	Nellie Beathan	14 pond Rd.	Nellie Beathan
3	DAVID BEATHAN	14 pond Rd	David Beathan
4	G. ROBERT BURKE	15 Pond Rd.	Bob Burke
5	U. Pellitteri Smith	36 Pond Rd.	Nancy Pellitteri Smith
6	Harold Miller	33 pond Rd	Harold Miller
7	WANDA Witmer	50 Pond Rd.	Wanda Witmer
8	Russell Witmer	50 Pond Rd	Russell Witmer
9	Ronald Fagan Ronald Fagan	1403 Main Rd	Ronald Fagan
10	Brian E. York	1375 maine road	Brian E York
11	CAROLINE GILBERT	1381 MAIN RD.	Caroline R. Gilbert
12	LORIN M. WALKER	1369 Main Rd	Lorin M Walker
13	Bundy Margo	1358 Main St.	Bundy Margo
14	Rusty Gagnon	1359 Main St.	Rusty Gagnon
15	Steven R. Murphy	189 Chemond Rd	Steven R Murphy

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	Printed Name	Street Address	Signature
1	Wendell Tucker	181 Chemo Rd. Ed	Wendell Tucker
2	Linda Tucker	181 Chemo Rd. Ed	Linda Tucker
3	Stanley Novak	135 Chemo Rd.	Stanley Novak
4	Jeremy Dunn	43 Chemo Road Rd	Jeremy Dunn
5	Vaughn Rogers	899 Main Rd	Vaughn Rogers
6	Christine Rogers	899 Main Rd	Christine Rogers
7	Jennifer VanLoan	899 Main Rd	Jennifer VanLoan
8	Dietrich M. Carson	5 Rue Lorraine	Dietrich M. Carson
9	Donald E. Matthews	27 Rue Lorraine Dr.	Donald E. Matthews
10	John Matthews	31 Rue Lorraine Dr.	John Matthews
11	Vicki Matthews	31 Rue Lorraine Dr.	Vicki Matthews
12	Jennifer L. McGowan	959 Main Rd.	Jennifer L. McGowan
13	Jay Robichard	975 Main Rd.	Jay Robichard
14	EUGENE L. FOSTER	985 MAIN ROAD	Eugene L. Foster
15	Christine Faloon	1035 Main Rd	Christine Faloon

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	Printed Name	Street Address	Signature
1	Christina Giorgi	1043 main rd Eddington	Christ A.
2	Deric Laporte	1043 main rd Eddington ME 04428	Deric Laporte
3	John D. Hill Jr	1051 1051 main rd	John D. Hill Jr
4	Autumn Hill	1051 main Rd	Autumn Hill
5	Susanne Bishevsky Walker	1051 Main St.	Susanne Bishevsky Walker
6	Leslie Colligan	Eddington ME 04428 28 Hope Manor Apt 1	Leslie Colligan
7	Thomas L. Murry, Jr	28 HOPE MANOR APT 4 EDDINGTON, ME 04428	Thomas L. Murry, Jr
8	Mary Knight	9 HOPE MANOR #3 Eddington ME 04428	Mary S. Knight
9	Londa Burleigh	3 hope manor apts Eddington ME 04428	Londa B. Burleigh
10	Marlene Finson	27 HOPE MANOR APT 3 EDDINGTON MAINE 04428	Marlene Finson
11	Theresa Corcoran	27 HOPE MANOR APT 3 Eddington ME 04428	Theresa Corcoran
12	Jeanne Leighton	41 BOOKS Rd Eddington ME 04428	Jeanne Leighton
13	Dennis [unclear]	107 BOOKS Rd	Dennis [unclear]
14	Michael LaFountain	1283 Main Road	Michael LaFountain
15	Nicole LaFountain	1283 main rd	Nicole LaFountain

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	Printed Name	Street Address	Signature
1	MARTIN A MILLET	1284 MAIN RD Eddington Me	Martin A. Millett
2	SHARON E. MILLETT	1284 MAIN RD Eddington, Me	Sharon E. Millett
3	Meagan Watson	1270 Main Rd Eddington Me	Meagan Watson
4	3rd Lt. J. Mac	4 ...	3rd Lt. J. Mac
5	Catherine Curtis	Willbottle Rd Eddington	Catherine Curtis
6	Rob Shroy	1270 Main Rd	Rob Shroy
7	Ruth Cheverie	1246 Main Rd	Ruth Cheverie
8	Richard A. Cheverie	1246 Main Rd	Richard A. Cheverie
9	Michael Monaghan	1222 Main Rd	Michael Monaghan
10	Jory W Sechrest	1202 MAIN Rd	Jory W Sechrest
11	Kathie Potter	1202 Main Rd.	Kathie Potter
12	LARRY Gordon	1202 MAINE Rd.	Larry Gordon
13	Stephen Garrison	1192 WA 146 RD	Stephen Garrison
14	Joanne Garrison	1192 Main Rd	Joanne Garrison
15	Robert A Foster	1158 Main Rd	Robert A Foster

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	Printed Name	Street Address	Signature
1	Sharon Foster	1158 Main Road	Sharon Foster
2	Ralph Russell	1146 Main Rd	Ralph Russell
3	Carol Russell	1146 Main Rd	Carol Russell
4	Nicholas Fox	1140 Main Rd	Nicholas Fox
5	Karen Osborne	1120 Main Rd	Karen Osborne
6	Meaghan Fox	1140 Main Rd	Meaghan Fox
7	Rebecca Stithan	1078 Main Rd	Rebecca Stithan
8	TERRY O'HALLORAN	1068 Main Rd	Terry O'Halloran
9	Terry Blake	1050 Main Rd	Terry Blake
10	Sam E. Sykes	1020 Main Rd	Sam E. Sykes
11	LES NEWSOM	950 Main Rd	LES NEWSOM
12	Bonnie Newsom	950 Main Rd	Bonnie Newsom
13	Tom Vanchioni	948 Main Rd	Tom Vanchioni
14	Craig Russ	934 Main Rd	Craig Russ
15	Jim Russell	924 Main Rd	Jim Russell

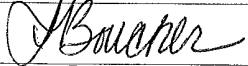
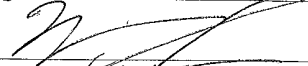
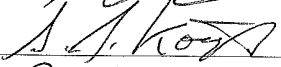
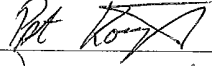
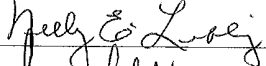
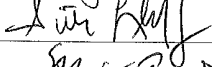
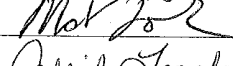
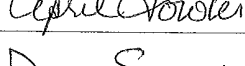
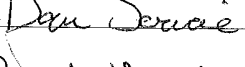
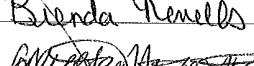
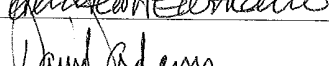
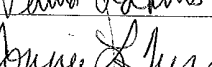
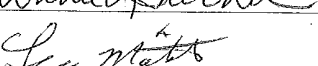
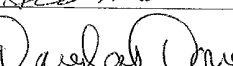

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	Printed Name	Street Address	Signature
1	Colleen Kessel	24 Main Rd Eddington ME	Colleen Kessel
2	MORROW, ADAM J.	17 Chemo Pond Rd Eddington ME 04428	Adam Morrow
3	Kristi Morrow	17 Chemo Pond Eddington, ME 04428	Kristi Morrow
4	Ann Jenkins Bull	93 Chemo Pond Rd Eddington, ME	Ann Jenkins Bull
5	Karen M. Sylvester	35 Chemo Pond Eddington, ME	Karen M. Sylvester
6	Daniel R. Nutt	153 Chemo Pond Eddington	Daniel R. Nutt
7	Carla Nutt	153 Chemo Pond Rd Eddington ME	Carla Nutt
8	GLORIA CASSIDY	7 Chemo Pond Eddington ME	Gloria Cassidy
9	FRANK PAWELCZYK	29 COMINS LANE EDDINGTON	Frank Pawelczyk
10	Bar Pawelczyk	29 Comins Lane Eddington ME	Bar Pawelczyk
11	Regina Sullivan	37 Comins Ln Eddington	Regina Sullivan
12	Karen McDonald	15 Grandview Dr Eddington ME	Karen McDonald
13	John Barry	21 Grandview	John Barry
14	ROBERT DORR	63 GRANDVIEW DRIVE EDDINGTON	Robert A. Dorr
15	PAMELA DORR	63 GRANDVIEW DR EDDINGTON, ME	Pamela M. Dorr

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	Printed Name	Street Address	Signature
1	Lillian Boucher	97 Comins Lane	
2	Karen Santos	260 Main Rd	
3	Stephen J. Kotyk	747 MAIN RD	
4	Patricia J. Kotyk	747 Main Rd	
5	Nelly E. Libby	46 Comins Lane	
6	Seth B. Libby Jr.	46 Comins Lane	
7	Mr. Mark Fowler April Fowler	36 Comins Lane	
8	April Fowler April Fowler	36 Comins Lane	
9	DAN SORCIE	741 MAIN RD.	
10	Brenda Newells	741 main RD.	
11	Gretchen Feldmann	439 Main Rd.	
12	AND ADAMS	447 MAIN RD	
13	Connie TURNER	447 MAIN RD	
14	Lisa Madot	469 MAIN RD	
15	Doug Dancette	485 main Rd	

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	Printed Name	Street Address	Signature
1	Kathleen Wood	491 Main Rd	Kathleen Wood
2	ADAM GILLESPIE	501 MAIN RD	Adam Gillespie
3	Stephanie Gillespie	501 main rd.	Stephanie Gillespie
4	Stephen Elkins	502 Main Rd	Stephen Elkins
5	Joyce Kennedy	643 Main Rd	Joyce Kennedy
6	Terry J Wolfe	501 Main Rd	Terry J Wolfe
7	DANA KERUS	587 MAIN ST	Dana Kears
8	ALLEN MERTZ	597 MAIN RD	Allen Mertz
9	Jessica Collins	597 main Rd	Jessica Collins
10	HAL Meyers	651 Main Rd	Hal Meyers
11	Laurie A. Meyers	651 Main Rd.	Laurie Meyers
12		9 Orchard Ln	Mike Burken
13	Susan A. McKay	34 Lois Ln.	Susan A. McKay
14	CHARLES KNOWLTON	115 Chemo Rd Rd	Charles Knowlton
15	Beverly B. Knowlton	115 Chemo Rd Rd	Beverly B. Knowlton

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	Printed Name	Street Address	Signature
1	Larry Lancaster	650 Main Rd	Larry Lancaster
2	FANNIE LANCASTER	650 MAIN RD EDDINGTON	Fannie Lancaster
3	Benjamin Martin Pratt	638 Main Rd	B. M. Pratt
4	Robert Shaver	634 Main Rd	Robert Shaver
5	TIMOTHY LAMBER	602 MAIN RD	Timothy Lamber
6	Jeremy Ferris	592 MAIN RD	Jeremy Ferris
7	Susan Grover	10 Maple Grove Ln	Susan Grover
8	Charles Grover	10 Maple Grove Ln	Charles P. Grover
9	Charles Grover Jr	566 Main Rd	Charles L. Grover Jr
10	Marlene Grover	566 Main Rd	Marlene Grover
11	John W. McDonald	538 Main Rd	John W. McDonald
12	Deborah L. Buswell	498 Main Rd	Deborah L. Buswell
13	Deborah L. Buswell	498 Main Rd	Deborah L. Buswell
14	Lucille Guay	4 DAVIS RD	Lucille Guay
15	Wilfred Guay	4 DAVIS RD	Wilfred Guay

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	Printed Name	Street Address	Signature
1	Danah R. Perry	448 MAIN RD	[Signature]
2	Mindy Perry	448 Main Rd.	[Signature]
3	Shirley Brissett	474 Main Rd	[Signature]
4	Jane R. Bull	23 Eagle Ln	[Signature]
5	Chantelle Holmes	169 Chemo Pond Rd	Chantelle Holmes
6	Ralph Holmes	169 Chemo Pk Rd	Ralph Holmes
7	Fred Clair	171 Chemo Pk Rd	Fred Clair
8	Theresa Clair	" "	Theresa Clair
9	Ann Libby	152 Chemo Pk Eddington, ME	Ann Libby
10	Philip Robertson	691 Main Rd	Philip Robertson
11	Joe Veilleux	24 Laurel	Joseph Veilleux
12	Kimberly Kelley	21 Davis Rd	Kimberly Mary Kelley
13	Bethany Welch	43 Davis Rd	Bethany Welch
14	CC Braxton	34 Davis Rd	[Signature]
15	Greg Smith	P.O. Box 86 Eddington, ME	[Signature]

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	Printed Name	Street Address	Signature
1	Irene Smith	10 Erin Lane	Irene Smith
2	Tyler Smith	10 Erin Lane	Tyler Smith
3	Sylvia Morrill	19 Erin Lane	Sylvia Morrill
4	Kolbi Currier	338 Main St Bradley	Kolbi Currier
5	Bryan Guay	201 Cram St Bradley	Bryan Guay
6	Matthew DeRoche	70 Davis Rd	Matthew DeRoche
7	Nathaniel DeRoche	70 Davis Rd	Nathaniel DeRoche
8	Emily Slater	137 Davis Rd	Emily Slater
9	Donna Slater	137 Davis Rd	Donna Slater
10	Denise Doane	140 Davis Rd	Denise Doane
11	Mike Doane	140 Davis Rd	Mike Doane
12	Bruce Griffiths	178 Davis Rd	Bruce Griffiths
13	RYAN ROGERS	199 DAVIS RD	Ryan Rogers
14	Nichole Foster	199 Davis Rd	Nichole Foster
15	Raymond ROGERS	23 KNOX LANE	Raymond Rogers

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	Printed Name	Street Address	Signature
1	Stephanie Martin	155 Gatchell Rd	Stephanie Martin
2	Nancy A. Coulter	170 Merrill Rd Eddington, ME	Nancy A. Coulter
3	Jaime Wood	3 rd Eddy H. Smith	Jaime Wood
4	Rusawoods	546 Main Rd Eddington	Rusawoods
5	Todd Russell	34 Dan Boileau Ln EDDINGTON	Todd Russell
6	Ashley Michael	540 Main Rd Eddington	Ashley Michael
7	Ronald Blake	1050 Main Rd Eddington	Ronald Blake
8	Allison Lander	602 Main Rd. EDDINGTON	Allison Lander
9	May Brown	1058 Main Rd, Eddington, ME, 04428	May Brown
10	MARK PRULIX	49 JARVIS CORP DR EDDINGTON	Mark Prulix
11	Timothy S. Croucher	626 Main Rd Eddington	Timothy S. Croucher
12	DAN SOUCIE	741 MAIN RD EDDINGTON	Dan Soucie
13	Ten Pawlencio	9 Orchard Lane Eddington, ME, 04428	Ten Pawlencio
14	STEPHEN KISLUS	626 MAIN RD. EDDINGTON, ME 04428	Stephen Kislus
15	Joe Powell	193 Main Rd Eddington ME	Joe Powell

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	Printed Name	Street Address	Signature
1	WAYNE A. Edgcomb	52 KNOX Lane Edgcomb	Wayne A. Edgcomb
2	Heidi Shawney	63 KNOX Ln.	Heidi Shawney
3	Rocky Ruggiero	171 DAVIS RD.	Rocky Ruggiero
4	Scott Adams	208 DAVIS Rd	Scott D. Adams
5	Nina Adams	208 Davis Road	Nina Adams
6	Daniel Sinclair	243 Davis Road	Daniel Sinclair
7	RUSSELL BURpee	262 DAVIS RD	Russell Burpee
8	James Black	285 Davis Rd	James Black
9	Bird Wallace	391 Davis Rd	Bird Wallace
10	Kara Wallace	291 Davis Rd	Kara Wallace
11	Marie Saker	Davis Road 314 Davis Road	Marie Saker
12	Joseph Saker	314 Davis Road	Joe Saker
13	Sherr Scanlon	241 Main Rd.	Sherr Scanlon
14	Michael S Kim	257 Main Rd	Mike Kim
15	John Nelson	285 Main RD	JOHN NELSON JR.

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	Printed Name	Street Address	Signature
1	WILBUR LIBBY	11 WILBURS ^{WAY}	Wilbur Libby
2	Sandy Knox	305 Main Rd Eddington, Me	Sandy M Knox
3	PAUL CALVANI	327 Main Rd EDDINGTON	Paul Calvani
4	Badrick Robb	27 Rockwell Lane Eddington	Badrick E Robb
5	Jeanie U Bellings	353 main Rd Eddington	Jeanie U Bellings
6	Michael Pilling	353 Main Rd. Eddington, ME 04428	Michael Pilling
7	Barbara Dufee	396 main RD Eddington, me 04428	Barbara Dufee
8	Marcia Wood	30 Coffey Hill way Eddington me	Marcia Wood
9	Stephanie Seccarola	108 Coffey Hill way Eddington, me	Stephanie Seccarola
10	Cynthia Rice	348 Main Rd Eddington, me	Cynthia Rice
11	Josh Gallagher	36 Fox Ln Eddington, Me	Josh Gallagher
12	Darlene Cookson	91 Fox Lane Eddington, Me	Darlene Cookson
13	Mark Cookson	91 Fox Lane	Mark Cookson
14	David L. Harnish	16 Fox Lane	David L. Harnish
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	Printed Name	Street Address	Signature
1	Donald Vallee	250 Main Rd	Donald Vallee
2	David Sawyer	10 Lebig Ln.	David Sawyer
3	FRANK MARBLE	13-1/2 1809 Rd	Frank Marble
4	David Inman	234 main R	David Inman
5	STEPHEN BROWN	226 main Rd	Stephen Brown
6	MELISSA SIMPSON	220 Main Rd	Melissa Simpson
7	Jane Tozier	206 Main R&	Jane Tozier
8	Charlie Tozier	" " "	Charlie Tozier
9	Doris Spencer	184 Main Rd	Doris Spencer
10	Mary Spencer	164 Main Rd.	Mary Spencer
11	Ardene Merritt	158 Main Road	Ardene Merritt
12	Edward Tucker	152 Main Rd	Edward Tucker
13	Lucille Perkins	146 main Road	Lucille Perkins
14	Renee Lee	30 Hill St	Renee Lee
15	John Ehma	30 Hill St	JOHN EHMAN

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	Printed Name	Street Address	Signature
1	Rose Hahn	46 Hill St	Rose Hahn
2	Cliff Bay	46 Hill St	Cliff Bay
3	Cliff Hahn	46 Hill St	Cliff Hahn
4	Penny Berry	46 Hill St	Penny Berry
5	Rose Berry	46 Hill St	Rose Berry
6	Nat Montgomery	50 Hill St	Nat Montgomery
7	Janet Montgomery	50 Hill St	Janet Montgomery
8	Ken Ryall	111 Riverside Dr.	Ken Ryall
9	James Anderson	133 Riverside Dr.	James Anderson
10	Scott & Margaret Rokus	11 Carriage Lane	Margaret Rokus
11	Melissa Merritt	15 Carriage Lane	Melissa Merritt
12	Adam Sirois	25 Carriage Lane	Adam Sirois
13	Willie McHenry	25 Carriage Lane	Willie McHenry
14	JAMES HAYDEN	30 CARRIAGE LA	James Hayden
15	Lianne Hayden	30 Carriage Ln	Lianne Hayden

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	Printed Name	Street Address	Signature
1	Tyler McCormick	18 Carriage Lane Eddington	Tyler McCormick
2	Vicky Shaw	12 Carriage Lane Eddington	Vicky Shaw
3	Esther S. Fawcett Eddington	147 Main Rd 04428 Eddington	Esther S. Fawcett
4	Lisa Citalc	109 Main Rd Eddington	Lisa Citalc
5	Lorraine Powell	193 Main Rd Eddington	Lorraine J. Powell
6	Joseph Powell	193 Main Rd Eddington	Joseph R. Powell
7	Mikki Haugh	201 Main Rd Eddington	Mikki Haugh
8	Brian Boulton	201 Main Rd Eddington	Brian Boulton
9	Alana Grant	201 Main Rd Eddington	Alana Grant
10	Richard Dumas	215 Main Rd Eddington ME	Richard Dumas
11	Patrick Stevens	225 Main Rd Eddington, ME	Patrick J. Stevens
12	Molly Steven	325 Main Rd Eddington ME	Molly Steven
13	Elizabeth Maud	27 Eddy Heights Apt 2	Elizabeth Maud
14	Myndie Davis	35 Eddy Heights Apt 3	Myndie Davis
15	Chir Patel	145 Chemo Pond Road	Chir M. Patel

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	Printed Name	Street Address	Signature
1	Rebecca Gibala	145 Chemo Rd.	Rebecca n Gibala
2	Kate Hayes	3 Cottage Ln	Kate Hayes
3	Mary Muldune	6 cottage ln	Mary Muldune
4	Leon Sutterburg	80 Levenseller Rd	Leon Sutterburg
5	Shelby Sutterburg	80 Levenseller Rd	Shelby Sutterburg
6	Sarah M.C. Beaulieu	55 Levenseller Rd	Sarah M.C. Beaulieu
7	MARY E. Sibley	52 Levenseller Rd	Mary E. Sibley
8	Allan D. Sibley	52 LEVENSELLAR	Allan D. Sibley
9	Bruce Curran	7 Painting Lane	Bruce Curran
10	Tina Wickstrom	8 Harriet Lane	Tina Wickstrom
11	Chester R. Moulton	33 painting	C. J. Moulton
12	Erlephamer	36 Levenseller Rd	Erlephamer
13	Aris Currier	56 Levenseller Rd	ARIS CURRIER
14	Carol Pomroy	34 Levenseller Rd	Carol Pomroy
15	Dorothy Bates	30 Levenseller Rd	Dorothy Bates

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	Printed Name	Street Address	Signature
1	JOSEPH BATES	30 Levenseller Rd	Joseph Bates
2	Jessiah Ball	c Graham Lane	Jessiah Ball
3	Angela Graham	14 Graham Lane	Angela Graham
4	Arnold Graham	14 Graham Lane	Arnold Graham
5	Teresa A Luce	25 Levenseller Rd.	Teresa A. Luce
6	Jenna Rockwell	24 Levenseller Rd	Jenna Rockwell
7	Hollis F. Rockwell Sr.	24 Levenseller Rd	Hollis F. Rockwell Sr.
8	Nancy R. Oakman	14 Levenseller Rd	Nancy R. Oakman
9	Emily C Briggs	14 Levenseller Rd	Emily Briggs
10	Anthony R. Long	213 Chewleyville Rd	Anthony R. Long
11	Carol D Long	213 Chewleyville Rd	Carol D. Long
12	Robert Blanchard	245 Chewleyville Rd	Robert Blanchard
13	Tracey Froulx	253 Clewleyville Rd	Tracey Froulx
14	Robin Patterson	253 Clewleyville Rd	Robin Patterson
15	Ed COSETTE	57 LAMBERT	Ed Colette

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	Printed Name	Street Address	Signature
1	Kenneth Arbo	44 Lambert Rd	Kenneth Arbo
2	Jo-Ann Arbo	44 Lambert Rd	Jo Ann Arbo
3	George M. Arbo	11 Ex/Kyville	
4	Synthia Wilson	131 Clewleyville Rd	Synthia Wilson
5	Haris Dunkle	122 Clewleyville Rd	
6	Sandra Dunkle	122 Clewleyville Rd	Sandra Dunkle
7	Letitia M. Adams	122 Clewleyville Rd Eddington Me	Letitia M. Adams
8	ERMA E. ADAMS	122 Clewleyville Rd Eddington Me	Erma E. Adams
9	James Swan	105 Clewleyville Rd	James Swan
10	Thomas R. Hogan	70 Clewleyville	Thomas R. Hogan
11	Jean E Hogan	70 Clewleyville	Jean E Hogan
12	Alix Worcester	61 Clewleyville Rd	Alix Worcester
13	Ben M	52 Clewleyville Rd	Benjamin Moore
14	Margaret Flacey	52 Clewleyville Rd	Margaret Flacey
15	Margaret Gaudet	48 Clewleyville Rd	Margaret Gaudet

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	Printed Name	Street Address	Signature
1	John Giron	603 MAIN RD Eddington	John Giron
2	Ralph Kent	399 Davis Rd	Ralph Kent
3	JAMES H. WHITE	619 MAIN RD	James H. White
4	RUSSELL SMITH	93 RIVERSIDE DR.	Russell Smith
5	PATRICIA T. WILKING	1350 Main Rd	Patricia T. Wilking
6	SUSAN DUNHAM SNARE	267 HANCOCK RD	Susan Dunham Snare
7	Joan M. White	619 Main Rd.	Joan M. White
8	Tim Hancock	631 RIVERSIDE DR	Tim Hancock
9	Earl Orcutt	317 Riverside Dr.	Earl Orcutt
10	CRAIG KNIGHT	1400 MAIN RD	Craig Knight
11	Deborah Nielsen	1256 Main Rd	Deborah Nielsen
12	JOHN TENNEY	83 Levenseller Road	John Tenney
13	Harland Hasey	40 monument Drive	Harland Hasey
14	Denise Knowles	77 Clewleyville Rd	Denise Knowles
15	Parrell E. Crawford	406 Riverside DR	Parrell E. Crawford

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	Printed Name	Street Address	Signature
1	Cheryl Shorey	1432 Main Rd ^{Eddington}	Cheryl Shorey
2	Thomas Irvine	102 MERRILL RD	Thomas Irvine
3	John P. B. B. B.	369 Main Rd	John P. B. B. B.
4	J. J. Smith	396 J. J. Smith	J. J. Smith
5	Ken Harvey	283 Newburyville Rd	KEN HARVEY
6	JoAnne HARVEY	283 Newburyville Rd	JoAnne Harvey
7	William J ADAMS	121 COMBES LN	William J Adams
8	Susan R. Ferris	10 POND RD	Susan R. Ferris
9	Kevin Whitmore	306 Main Rd	Kevin Whitmore
10	Cory Pelley	363 Davis Road	Cory Pelley
11	Judy Hawkins	1358 Main Rd	Judy Hawkins
12	George Hawkins	1358 Main Rd	George Hawkins
13	Dawn Cadotte	362 Main Rd	Dawn Cadotte
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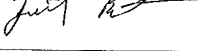
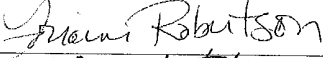
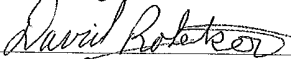
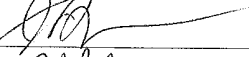
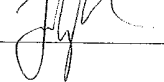
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	Printed Name	Street Address	Signature
1	GERALD L. HARVEY	49 CLEWLEYVILLE RD	Gerald L. Harvey
2	LORRAINE A HARVEY	49 Clewleyville Road, Langley, N.H.	Lorraine A. Harvey
3	Bruce Chamberlain	44 Clewleyville Rd	Bruce Chamberlain
4	Lisa Chamberlain	44 Clewleyville Rd	Lisa Chamberlain
5	Robert Legassie	39 Clewleyville Rd	Robert Legassie
6	Barbara Legassie	39 Clewleyville Rd	Barbara Legassie
7	Charlene Boudier	39 Clewleyville Rd	Charlene Boudier
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	Printed Name	Street Address	Signature
1	Herbert Robertson	163 Clewleyville Rd	
2	Philip Mitchell	163 Clewleyville Rd	
3	Jennifer Robertson	162 Clewleyville Rd	
4	Lorraine Robertson	163 Clewleyville Rd	
5	REDACTED	REDACTED	REDACTED
6	David Robertson	162 Clewleyville Rd	
7	Jeremy Robertson	17 Salem Ln	
8	Joshua Pardon	439 Main Rd	
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	Printed Name	Street Address	Signature
1	Michael Knowles	44 clarkville	Michael Knowles
2	RAYmond Bellis	363 DAVIS Rd	Raymond Bellis
3	Kevin Whitman	306 main Rd	Kevin Whitman
4	Tracey Wallace-Brasier	1399 Main Rd	Tracey Wallace
5	Kent McLaughlin	554 Main Rd	Kent McLaughlin
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	Printed Name	Street Address	Signature
1	Gail Murphy	189 Chemo Rd	Gail E Murphy
2	Maircad Stein	1311 Main Rd	Maircad Stein
3	Helmut Koch	1311 Main Rd.	Helmut Koch
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