

—April to December of 2017—
Year 17 of the MaineDOT/FHWA
I-395/Route 9 Transportation Study &
Route 9 Connector project...

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

Other than a frenzy of surveyors seen in the “hood” in June, the DOT has again gone silent; the update on pg.4 comes a year after the previous update. I’ve combined the 2nd, 3rd and 4th quarters of 2017 because of the lack of substantive news...

AND—once again—after seventeen years—we still wait...

MDOT’s own documentation decries 2B-2 met only 20% of purpose and needs in Apr2009. An identical alternative (2B) was removed from consideration in Jan2003 for serious safety concerns and the failure to satisfy the system linkage and the traffic congestion needs.

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

What is it about **NO** that they don’t seem to understand??

Wednesday, April 26, 2017 Last update: 9:42 a.m.

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CONTRIBUTORS

To fix Maine's roads and bridges, we all need to have equal stakes in the outcome

By Andrew McLean, Special to the BDN

Posted April 26, 2017, at 7:45 a.m.

(Excerpts from original [BDN oped](#))

“Because of declining revenues and the increasing cost of maintaining deteriorating roads and bridges, the Maine Department of Transportation has estimated we need another \$160 million every single year just to keep up with basic maintenance. Every year we let that deficit grow, we incur more risk and lost opportunities.”

“The Department of Transportation has earned our trust by completing projects in an efficient and timely manner. The money we pay in fuel tax all goes to fix roads and bridges. The department has used new design and finance techniques to stretch the dollar further than ever. It has organized its planning and construction of projects based on need and economic importance through its annual work plan. And, lastly, the implementation of the statutory goals set out a framework in Maine law for the progress that is needed on our roads and bridges. When asking the public for further investment, we have to ensure those dollars are being spent efficiently. In my view, the Department of Transportation has earned the public's trust.”

While I don't necessarily disagree with most of what Representative McLean states—I do vehemently disagree with his opinion that the MDOT has gained public trust. For those of us impacted by the MDOT selection of 2B-2 for the I-395/Route 9 Connector, let me remind everyone that 2B-2 does not satisfy the original purpose and needs of the project—specifically the system linkage need to connect I-395 to Route 9 at the Eddington/Clifton corporate boundary (“east of Route 46”). Let me also remind everyone of the “hostage taking” during the March 2016 BACTS meeting where the MDOT came en masse to threaten local communities with the complete loss of state monies if they didn't approve the connector project. **How is it possible to spend \$61 million on a project that many of us see no need for at the same time that the MDOT is complaining about needing another \$160 million per year for basic maintenance? How is that fiscally responsible and how does that possibly build public trust??** (L. Adams 4.26.2017)

With the passage of the FY2018 budget, the City of Brewer will lose \$927,576 in tax revenues over the 20 year design-life of 2B-2.

3 · I-395/Route 9 Transportation Study Environmental Impact Statement



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:

- Alternative 2B-2/the Preferred Alternative
 - » Brewer: \$37,000
 - » Holden: \$7,200
 - » Eddington: \$17,800
- Alternative 5A2B-2
 - » Brewer: \$42,700
 - » Holden: \$19,100

The DEIS, issued March 2012, does not reflect projected 2018 rates and property valuation, does not anticipate future tax rates and property valuation, and does not anticipate future abatements for property values driven down by those in close proximity to 2B-2. DEIS-data is 6 or more years out-of-date; the DEIS is misleading and the support data is invalid at best.

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Community impacted by footprint of alternative 2B-2	DEIS-stated approximate annual tax revenue decrease	Tax rate per \$1,000 of assessed value at the time of DEIS	Property values as reflected on page 140 of DEIS	DEIS-stated revenue loss over 20 year design-life of 2B-2	Presumed tax rate per \$1,000 of assessed value	Adjusted revenue loss over 20 year design-life of 2B-2
Brewer	\$37,000	\$17.95	\$2,061,281	\$740,000	\$22.50	\$927,576

* Note: this table does not reflect current or future property abatements, and/or future changes in property values and tax rates.

CONCLUSION: The DEIS-stated-data (circa 2011) does not reflect the actual loss in tax revenues over 2B-2's 20 year design-life; that projected loss is now \$187,576 more than the DEIS-stated-loss. It's not far-fetched to suggest that Brewer's revenue losses will surpass the \$1.0 million mark over 2B-2's 20 year design-life, especially as future tax rates and abatements are considered.

QUESTION: Mechanisms to offset Brewer's projected 20 year revenue losses and losses in real estate devaluation suffered by impacted residents due to proximity effect are non-existent. We are expected to absorb these losses, with zero compensation, for a connector that we do not need and vehemently do not support—at a time when the state is constantly looking at Maine's communities to balance the state's budget, no more evident than during the recent school budget talks—and, at a time when the state cannot even afford to maintain the roads and bridges we drive on every day. What does that \$927,576 loss in revenues represent? Consider this—that projection would have funded the school district with approximately 93% of the extra funds requested for FY2018 with only cents worth of an increase in the tax rate...

The first official MaineDOT project update since July of 2016:

From: Moulton, Rhobe

Sent: Thursday, July 06, 2017 1:21 PM

To: 'townofeddington@roadrunner.com'; 'ben@holdenmaine.com'; 'sbost@brewermain.gov'

Cc: Foley, Brad; Bodge, Stephen (Stephen.Bodge@maine.gov); Yonce, Luther; Rowe, Laurie

Subject: Rte 9 connector WIN 18915.00 updates

Good afternoon

I thought it would be a good time to give you an update on the connector.

We are still working on gathering ground data and information for our designers to work with on establishing the centerline for the connector. As you can imagine, there is a lot to be gathered. Once we have that info we can proceed to where the actual alignment will be and therefore give property owners a more concise answer to who will be impacted and the extent of those impacts. Current schedule indicates a late winter/early spring preliminary public meeting.

In the meantime, the Board of Realtors has requested to meet with our senior property officer so they can better understand the right of way process involved. That meeting will happen in the near future.

Thank you for your continued support of this project and don't hesitate to contact me with any questions or concerns

Rhobe

Rhobe Moulton
Senior Project Manager
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A [BDN article](#) and email to impacted neighbors and community leaders points out how the MaineDOT relates (NOT) to the public.

Midcoast

Friday, July 7, 2017 Last update: 4:07 a.m.

Opponents of Route 1 traffic fix in Wiscasset allege 'disturbing' misinformation by MDOT

By Beth Brogan, BDN Staff
Posted July 06, 2017, at 6:12 p.m.

Public Participation - MDOT's version

Larry Adams

7/6/2017 9:56 PM

<http://bangordailynews.com/2017/07/06/news/midcoast/opponents-of-route-1-traffic-fix-in-wiscasset-allege-disturbing-misinformation-by-mdot/> BDN article posted 7.06.2017

Hark said the MDOT failed to provide an opportunity for “effective public participation,” as required by law, and failed to make public that the same study was conducted in 1996 and “basically said that what they’re planning to do wouldn’t have any significant effect” [on Route 1 traffic].

“It seems to us that the MDOT’s version of what effective public participation is is limited to what the MDOT wants the public to know,” Hark said recently. “We can’t figure out why they’re pushing this project...and it does nothing for Wiscasset.

Wiscasset resident Bill Sutter...said, “Every word that has come out of the DOT is that they are paying no attention and...they are not obliged to do anything differently than what they intend to do.”

“...they are not obliged to do anything differently than what they intend to do.”

Sound familiar? The problems in Wiscasset are not unique – we have experienced similar problems with the MDOT since first discovering that 2B-2 was put back in play (December 2011) as the preferred alternative for the \$61 million I-395/Route 9 connector project. Public participation is laughable because in the end, the MDOT will do whatever they want to do, with no accountability, and with complete disregard for the people that they

are impacting. My personal observation is that the MDOT/FHWA did everything they could to minimize my efforts, to include MDOT Management essentially calling me a liar, in public, at the now infamous March 2016 BACTS meeting. Questions promised to be answered in the DEIS (March 2012) were never answered to my satisfaction and never will; they based the selection of 2B-2 solely on a “hard look at Route 9” and it is factual that they (MDOT/FHWA) have never shared the data (we questioned if this data even existed) to back up their epiphany that after almost a decade of study, 2B-2 (meeting only 20% of purpose and needs in April/May 2009) replaced 5 other viable alternatives (meeting 100% of purpose and needs in April/May 2009). AND, it is factual and highly disturbing that the FHWA project manager advised the MDOT project manager (December 2011) that 2B-2 did not meet the study purpose and needs, only to be silenced by both the MDOT and the FHWA.

So, I can certainly sympathize with our friends in Wiscasset, since we have experienced most of the same issues with our own relationship with the MDOT/FHWA. Again: “...they [MDOT] are not obliged to do anything differently than what they intend to do.”

All of this occurring when the state of Maine cannot even afford to maintain existing roads and bridges, and at the same time that [TRIP reported just on 6/27/2017](#) that 19% of Maine’s rural roads are rated poor (15th worst in the nation) and 20% of Maine’s rural roads are rated mediocre with 15% of Maine’s rural bridges are rated structurally deficient (10th worst in the nation).

Today’s official MDOT Route 9 connector status report (first project update since July of 2016) ends with the new project manager (6th since 2000) thanking the impacted community managers for their continued support of the project. Really?? Seems like once again, as every other time that a new MDOT project manager has come aboard, all prior historical data has been erased as if “...they are paying no attention and...they are not obliged to do anything differently than what they intend to do.”

Comment (Beth’s Mum) from the same [BDN article](#): “Hope the residents can stand up the MDOT--it seems to me that department has been getting a bit too big for their britches in the last decade or so.” How true...

Larry

FOR IMMEDIATE RELEASE
JUNE 27, 2017 AT 6:00 A.M. EDT
Report available at: tripnet.org

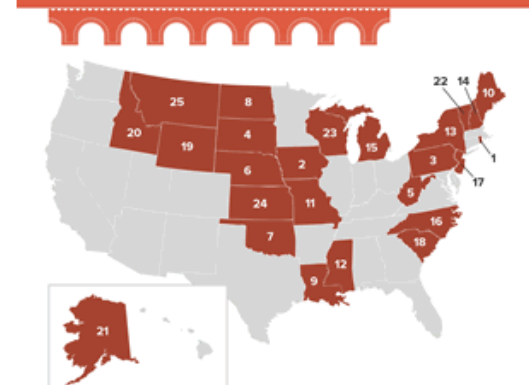
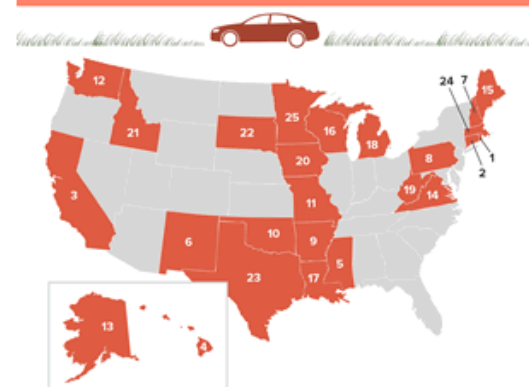
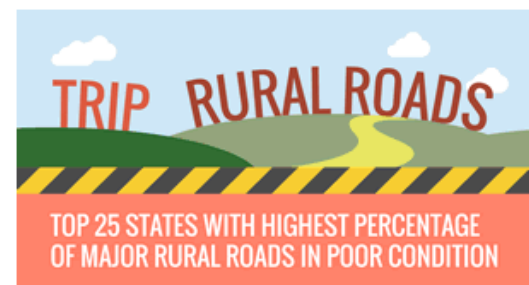
Contact: [Rocky Moretti \(202\) 262-0714 \(cell\)](#)
[Carolyn Bonifas Kelly \(703\) 801-9212](#)
TRIP office [\(202\) 466-6706](#)

MAINE'S RURAL ROADS AND BRIDGES HAVE HIGH RATES OF DEFICIENCIES; STATE'S RURAL TRANSPORTATION SYSTEM IN NEED OF MODERNIZATION TO BETTER SUPPORT ECONOMIC GROWTH AND CONNECTIVITY

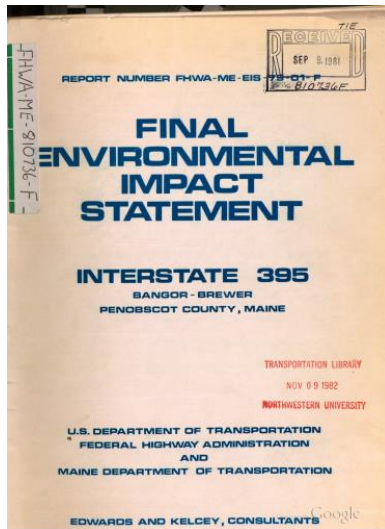
http://www.tripnet.org/docs/Rural_Roads_ME_TRIP_Release_06-27-2017.php

The report finds that rural roads and bridges in Maine have significant deficiencies. Nineteen percent of Maine's rural roads are rated in poor condition - the 15th highest rate in the nation - and 20 percent are rated in mediocre condition. Fifteen percent of Maine's rural bridges are rated as structurally deficient, the 10th highest rate in the nation. The rate of traffic fatalities on Maine's non-Interstate, rural roads - 1.51 fatalities per 100 million vehicle miles of travel - is more than triple the fatality rate on all other roads in the state.

Rank	STATE	Rural Roads in Poor Condition	STATE	Structurally Deficient Rural Bridges
1	Rhode Island	41%	Rhode Island	22%
2	Connecticut	39%	Iowa	22%
3	California	38%	Pennsylvania	22%
4	Hawaii	28%	South Dakota	20%
5	Mississippi	25%	West Virginia	17%
6	New Mexico	25%	Nebraska	16%
7	Vermont	24%	Oklahoma	16%
8	Pennsylvania	22%	North Dakota	16%
9	Arkansas	22%	Louisiana	15%
10	Oklahoma	22%	Maine	15%
11	Missouri	21%	Missouri	14%
12	Washington	21%	Mississippi	13%
13	Alaska	20%	New York	13%
14	Virginia	20%	New Hampshire	13%
15	Maine	19%	Michigan	13%
16	Wisconsin	19%	North Carolina	11%
17	Louisiana	18%	New Jersey	11%
18	Michigan	17%	South Carolina	11%
19	West Virginia	17%	Wyoming	11%
20	Iowa	15%	Idaho	10%
21	Idaho	14%	Alaska	10%
22	South Dakota	14%	Massachusetts	10%
23	Texas	14%	Wisconsin	10%
24	Massachusetts	13%	Kansas	9%
25	Minnesota	12%	Montana	9%



Benefit-Cost Ratio of I-395 Extension versus I-395/Route 9 Connector and a curious method of rounding up that defies known mathematical principles.



The MDOT's 1977 Interstate Route 395 Extension in Bangor-Brewer, Benefit-Cost Analysis Summary reported substantial reductions in travel time for the proposed extension. (The report addressed only an extension from Main Street, Bangor to Parkway South in Brewer). Overall, operating cost savings for the entire roadway network were negative since local motorists traveled longer distances to obtain the travel time savings on I-395. Net user benefits were positive, however, and provided a benefit of \$19 to \$20 for each dollar of facility costs regardless of which design alternate is considered. In addition to benefits for Interstate travelers, there will be reduced congestion in the built-up areas of Bangor-Brewer.

The Benefit-Cost ratio (B/C) was 19-20:1 for the original I-395 extension project from Main Street in Bangor to Parkway South in Brewer. FEIS obtained from Google books.

I-395/Route 9 Transportation Study Environmental Impact Statement
Net Present Value Analysis and Benefit-Cost Ratio of Modeled Transportation Benefits
August 1, 2012

Inputs: 0.07 Percent Discount Rate, 20 Years Analysis Period
(references: <http://www.fhwa.dot.gov/infrastructure/asstmgmt/primer03.cfm>, http://www.whitehouse.gov/omb/circulars_0094)

Calendar Year	Project Life	Study Year/ Exponent	Present Value Factor	Construction Costs		Benefits	
				Current Year	Present Value	Current Year	Present Value
2015		0		\$61,000,000	\$61,000,000	0	0
2016	1	1	1.00000	0	0	4,167,500	4,167,500
2017	2	2	0.87344	0	0	4,386,842	3,831,638
2018	3	3	0.81630	0	0	4,606,184	3,760,018
2019	4	4	0.76290	0	0	4,825,526	3,681,371
2020	5	5	0.71299	0	0	5,044,868	3,596,921
2021	6	6	0.66634	0	0	5,264,211	3,507,766
2022	7	7	0.62275	0	0	5,483,553	3,414,881
2023	8	8	0.58201	0	0	5,702,895	3,319,137
2024	9	9	0.54393	0	0	5,922,237	3,221,304
2025	10	10	0.50835	0	0	6,141,579	3,122,067
2026	11	11	0.47509	0	0	6,360,921	3,022,028
2027	12	12	0.44401	0	0	6,580,263	2,921,716
2028	13	13	0.41496	0	0	6,799,605	2,821,594
2029	14	14	0.38782	0	0	7,018,947	2,722,069
2030	15	15	0.36245	0	0	7,238,289	2,623,489
2031	16	16	0.33873	0	0	7,457,632	2,526,158
2032	17	17	0.31657	0	0	7,676,974	2,430,333
2033	18	18	0.29586	0	0	7,896,316	2,336,235
2034	19	19	0.27651	0	0	8,115,658	2,244,047
2035	20	20	0.25842	0	0	8,335,000	2,153,922

	Installation	Benefits
SUM OF PRESENT VALUES	61,000,000	61,424,195
AVERAGE ANNUAL EQUIVALENTS	5,381,279	5,798,009
BENEFIT-COST RATIO		1.1
AVG ANN EQUIV NET BNFTS	\$416,731	

Benefits and Assumptions

Benefits (2011\$)

\$5,117,000	reduction in crash costs
\$417,000	reduced vehicle operating costs
\$2,801,000	travel time savings
\$8,335,000	
\$4,167,500	
\$219,342.11	(half of total benefits, divided by 19 years)

Assumptions:

1. \$8,335,000 in benefits would occur as of design year 2035. However, a lower level of annual benefits would begin in year 1 of project life. Because the amount of benefits was not modeled separately for each project year, it was assumed that 1/2 of design year benefits would occur in project year 1, and increase linearly until 2035.
2. The salvage value of right-of-way was not subtracted from the total project cost. Subtracting the salvage value would decrease the project cost and increase the positive benefit-cost ratio.

Notes:

1. Benefits calculated to design year of 2035, however roadway is expected to exist past 2035 and would continue to provide transportation benefits.
2. Other non-transportation benefits, such as employment and related economic development supported by improved mobility and access, are not accounted for and would provide additional benefits for the public.

MDOT reports the Benefit-Cost Ratio for the I-395/Route 9 connector is 1.1 even though, using their numbers, the ratio is equal to 1.00695 or 1.007 or at best 1.01 when rounded up and not 1.1. A project must be equal to or greater than 1.0 to be assumed beneficial—however—the greater the number, the more beneficial and a B/C of 20 is certainly more beneficial than a project that merely breaks the threshold by a few thousandths when using costs that have been proven to be nothing more than a guesstimate to make the ratio favor the project. Wouldn't 2B-2's \$61 million be better spent on the current unmet transportation needs of our state—those that may be more beneficial?

Friday, July 21, 2017 Last update: 9:48 a.m.

By [Michael Shepherd](#), BDN Staff

[Maine lawmakers back roads bond](#); GOP stalls LePage-backed student debt relief

“AUGUSTA, Maine — A \$105 million transportation bond proposal cruised through the Maine Legislature on Thursday, but Republican opposition stalled a \$40 million student debt relief plan from a strange tag-team: Gov. Paul LePage and Democrats.

[The transportation bond](#) would devote \$80 million to roads and bridges, \$20 million to multimodal transportation and \$5 million to culvert upgrades. It was the only one of three bond proposals backed by the Legislature’s budget committee approved by the full Legislature on Thursday. The money supports the Maine Department of Transportation’s work plan.”

According to the [2017-2019 MaineDOT Work Plan](#): “This year, even with the funding assumptions in this Work Plan, (which include new bonding, as well as bonding that has yet to be proposed or approved), the department’s highway and bridge programs will experience a shortfall estimated at approximately \$59 million per year.”

Core Highway and Bridge Programs CY 2017-2018-2019 <i>Work Plan</i> vs. Need, to Meet Statutory Goals (in millions of \$)				
Work Group	Average Annual \$ from 2017-2018-2019 <i>Work Plan</i>	Annual \$ Needed to Meet Basic Statutory Goals	Average Annual \$ Shortfall	Dollar % Shortfall*
Bridge Projects	\$121	\$140	-\$19	-13%
Highway Reconstruction/Rehab	\$78	\$100	-\$22	-22%
Pavement Preservation	\$90	\$108	-\$18	-17%
Light Capital Paving	\$27	\$27	\$0	0%
Total - Core Programs	\$316	\$375	-\$59	-16%

Maybe, if the MaineDOT wasn’t promoting another questionable \$61 million project, such as the I-395/Route 9 Connector, they wouldn’t have to ask for yearly bonding **AND even after that yearly request for bonds; the shortfall is still \$59 million per year or \$177 million over the life of the plan.**

Is this the current 2B-2 engineering plan??

A map of 2B-2 was provided to a city official several weeks ago from the current Route 9 Connector Project Manager, the sixth MaineDOT project management change since the start of this project in 2000; I was given access to that file. I have no idea of the date or even the validity of the file, but it was uploaded in May of 2017. It is a 303MB file and I am unable to upload files greater than 32MB on this website, hence the only way to share it is through screen captures. I hesitated for weeks to give anyone access to this, as there are still inaccuracies as can be seen on several of the screen captures. One would expect, after all these years and after spending in excess of \$3 million, that if a road is supposed to meet another road, or a bridge is going over or under an existing road, that those should all line up and in some cases they do not. SO, use these screen captures at your own peril. An inaccuracy of mere feet can make all the difference when you are that close in proximity to either losing your home and/or property or abutting 2B-2's right-of-way.

Per the DEIS, 2B-2 will go under Eastern Avenue near Woodridge Road:

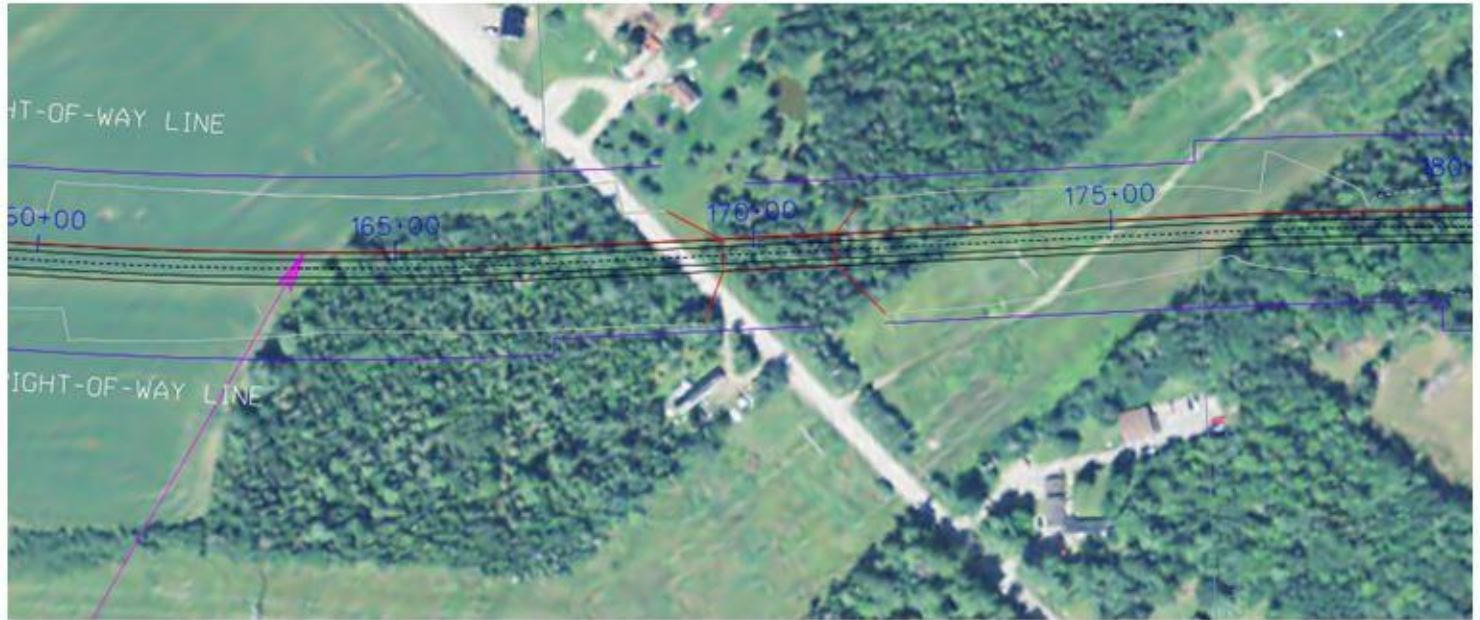
*Note the slight inaccuracy @80+00.



Is this the current 2B-2 engineering plan (continued)??

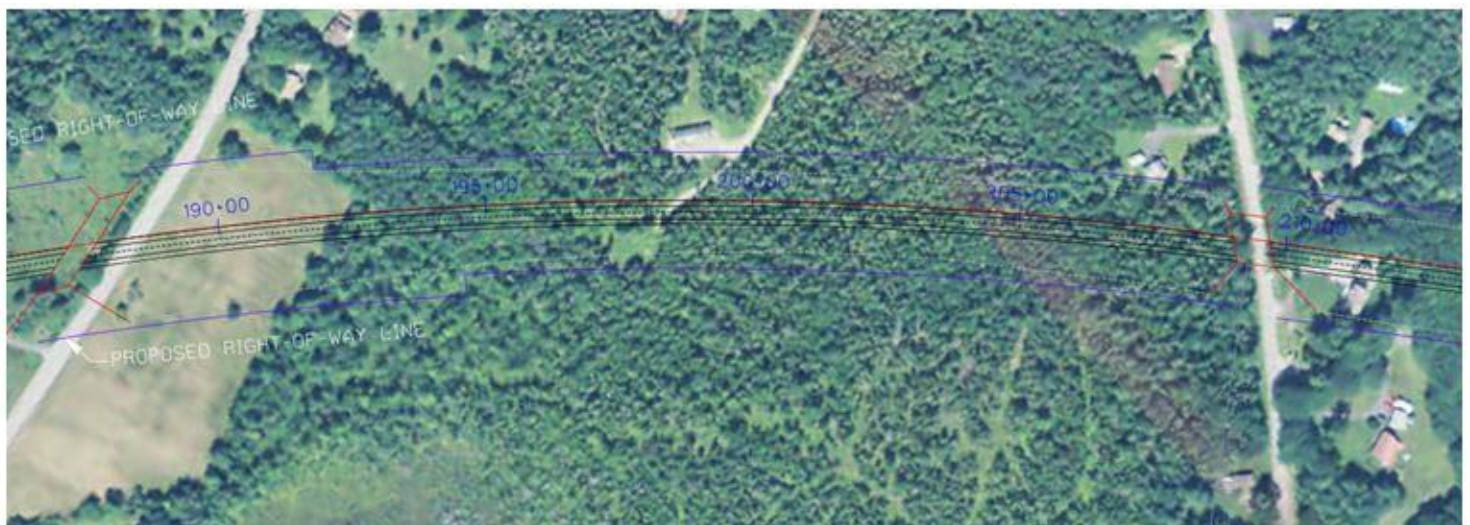
Per the DEIS, 2B-2 bridges over Lambert Road:

*Note the inaccuracy west of 170+00.



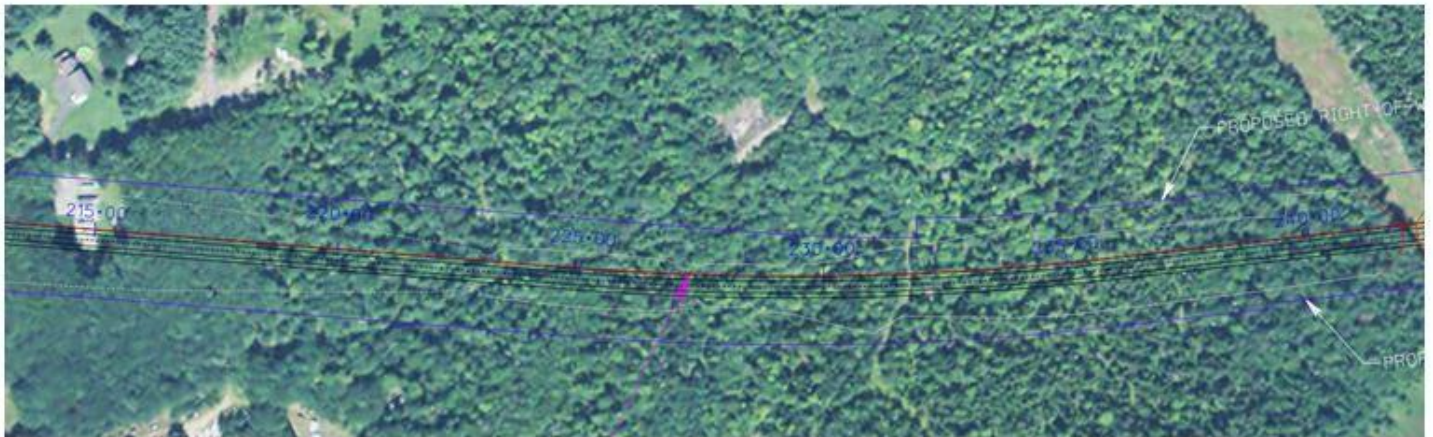
Per the DEIS, 2B-2 goes under Clewleyville Road (not Mann Hill Road as in the DEIS) and over Levenseller Road:

*Note the inaccuracy of area especially to the west of 190+00.

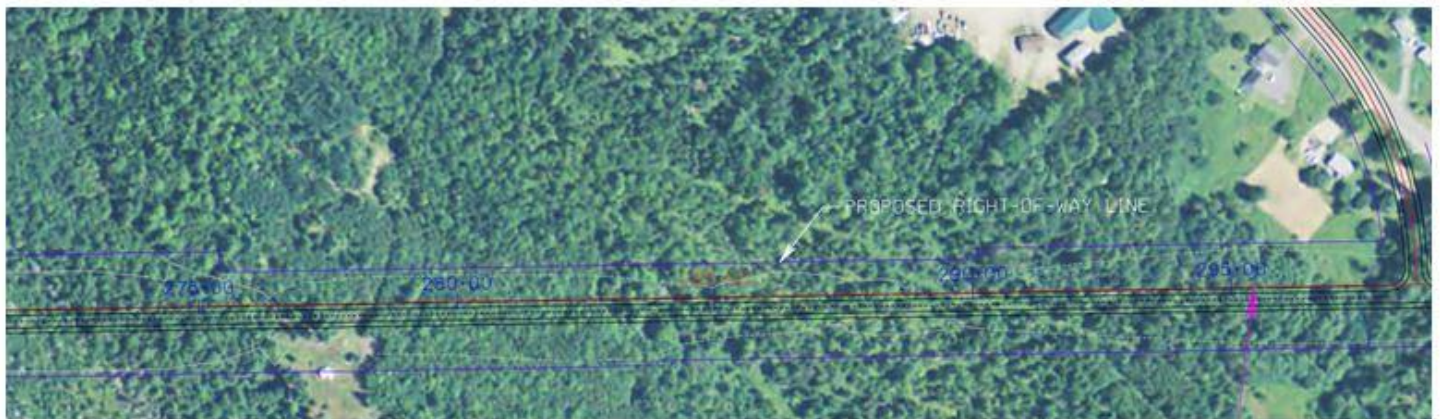


Is this the current 2B-2 engineering plan (continued)??

Area northeast of Levenseller Road:



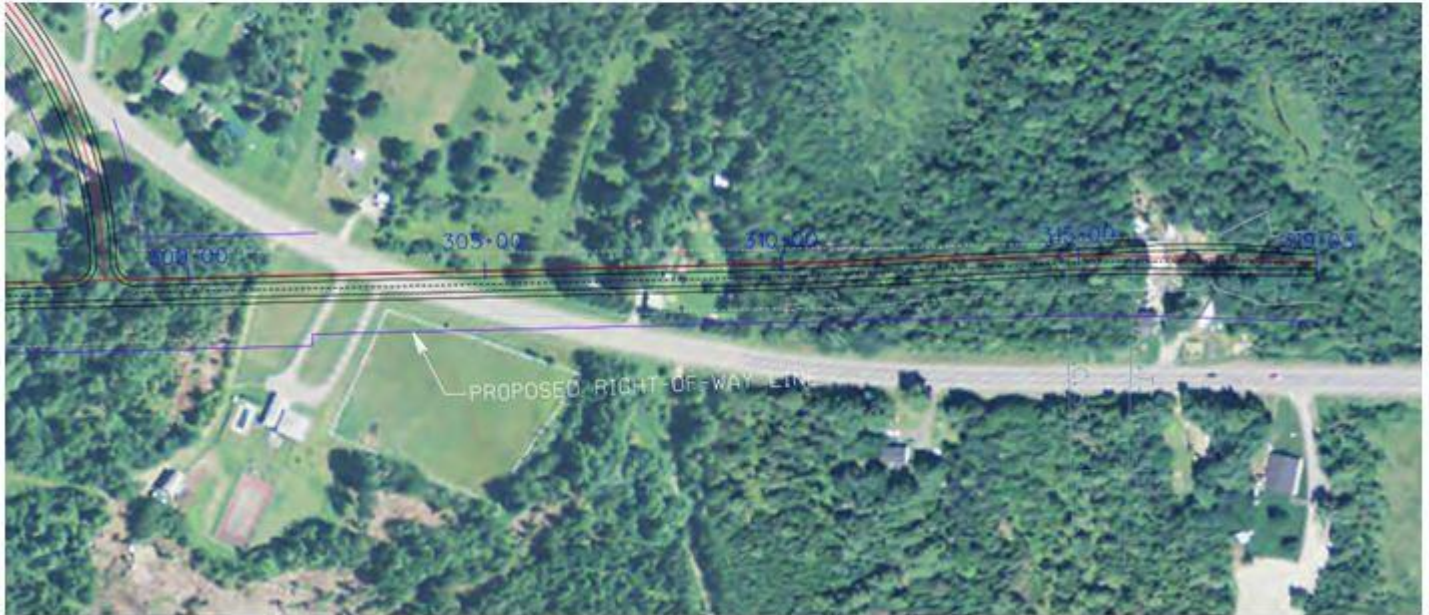
Section of 2B-2 just before the intersection of 2B-2 and Route 9:



Is this the current 2B-2 engineering plan (continued)??

Route 9 (Maine Street, Eddington):

Note the inaccuracy from 300+00 to 319+03.



DEIS Summary page s.12:

Alternative 2B-2 would bridge over Felts Brook in two locations at the I-395 interchange. It would pass underneath Eastern Avenue between Woodridge Road and Brian Drive. Alternative 2B-2 would bridge over Eaton Brook, bridge over Lambert Road, pass underneath Mann Hill Road, and bridge over Levenseller Road connecting to Route 9 at a “T” intersection. Route 9 eastbound would be controlled with a stop sign.

Notable Quotables...



MaineDOT Quotables:

"The DOT took another hard look at Route 9."

"It's true, Ken decided the reduced lane and 100' to 125' width was all we needed in the foreseeable future so why do more."

"To be clear...the proposed Right-of-Way for the project corridor is 200 feet (minimum). The design standard...is the "Freeway" design standard as documented in the DEIS..."

"Yes. It satisfies Purpose and Need - not what we've been talking about, but..."

"...cost estimates should be reduced by one-third. The basis for this reduction includes...Using a Rolling Design..."

"Fill in the range of cost...Low should be no greater than \$65 M...you decide High."

"Estimated cost of 2B-2 is \$61 M."

"...DOT will change references...'partially satisfies' the need to 'in the near term' and define 'near term' as the year 2030."

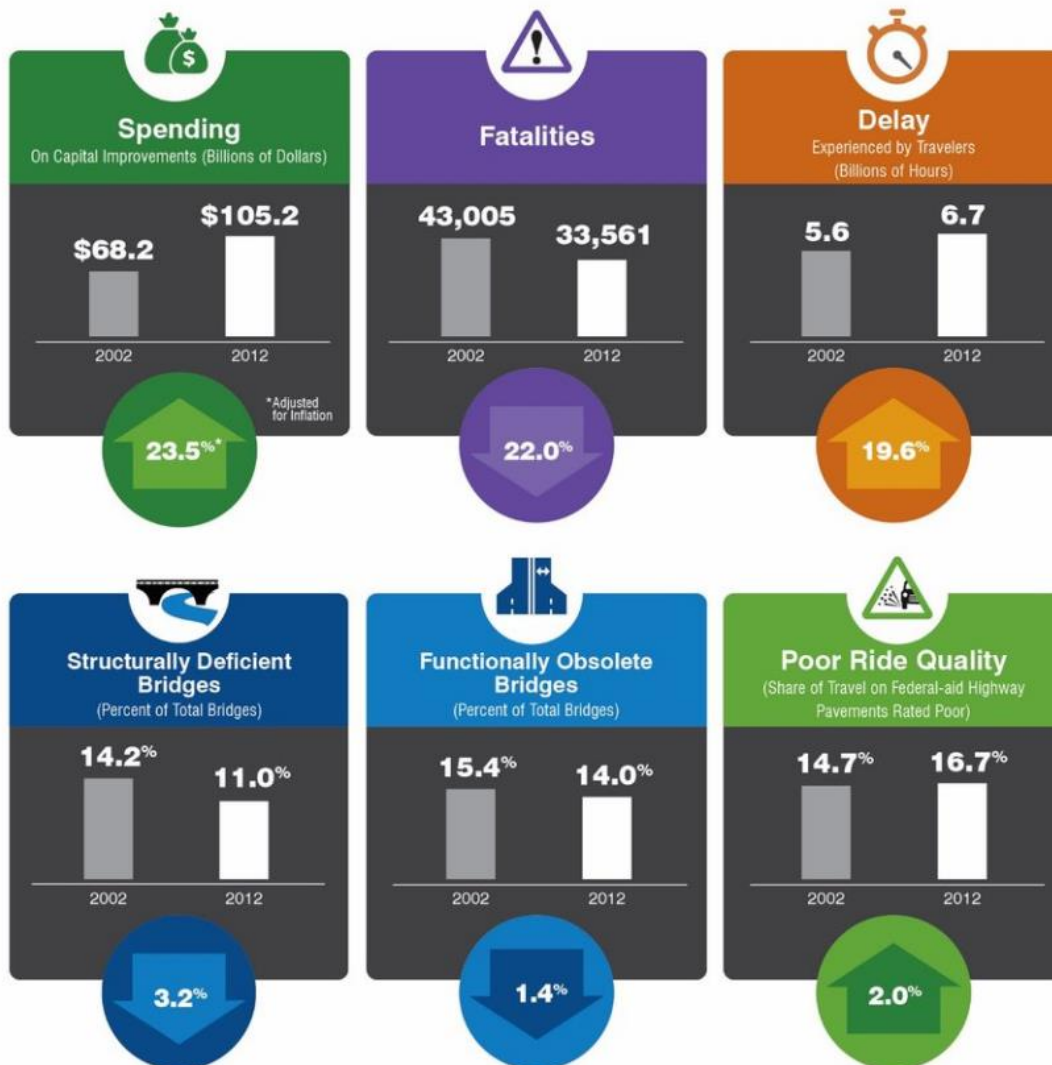
"...system linkage need and need for a limited-access facility should be considered a long-term need."

"Adding more miles to our transportation system in this current fiscal environment doesn't make financial sense...Our responsibility going forward is to manage our existing infrastructure within our existing budget...We are struggling to maintain the roads and bridges we currently have in a safe and serviceable condition." Commissioner Bernhardt, Press Release dated August 1, 2011.

"This has been a great process. When is Judy bringing the champagne?" (EPA official)

[Strong Towns](#) reports: “The Federal Highway Administration (FHWA) came out recently with its latest [biennial report to Congress](#) on the state of the nation’s highways and transit systems. According to the FHWA report, capital spending on roads by all levels of government increased by 23.5 percent in inflation-adjusted terms between 2002 and 2012.”

2002–2012 Highway System Trends



“More and more of your gas taxes are going not toward building new roads or fixing old ones, but rather paying the interest and principal on the highways you already use.”

“The areas of highway spending that are increasing the fastest are not expansion or maintenance, but interest on debt, which rose at a 7.9 percent average annual rate between 2002 and 2012, and bond retirements, which increased at an average annual rate of 12.8 percent. In other words, more and more of your gas taxes are going not toward building new roads or fixing old ones, but rather paying the interest and principal on the highways you already use.”

Is the approval of transportation bonds every November to enable spending of \$61 million on a highly questionable/deficient 2B-2 alternative really the best use of our limited transportation dollars??



Yes on Question 3: Bond needed to fund transportation maintenance, improvements

The bond funding is needed so the state doesn't fall further behind on infrastructure improvement, but it won't solve the problem. [Read More](#)

EDITORIALS 4 hours ago

“The group [ASCE] rated 40 percent of the state’s roads as being in fair to unacceptable conditions and nearly 15 percent of the state’s bridges as structurally deficient, much higher than the New England and U.S. averages.”

“Mainers spend an extra \$385 per year, on average, on vehicle maintenance because of the poor condition of the state’s roads, according to the [latest assessment](#) from the American Society of Civil Engineers. The group rated 40 percent of the state’s roads as being in fair to unacceptable conditions and nearly 15 percent of the state’s bridges as structurally deficient, much higher than the New England and U.S. averages...The Maine Department of Transportation expects to use \$80 million from the bond to repair and rehabilitate highways and bridges.”

In concurrence with this bond, the DOT actively pursues the expenditure of more than \$61 million (2011 dollars) for the construction of the highly questionable/deficient I-395/Route 9 connector. The “sky is not falling” if you have \$61 million in one pocket and claim that your other pocket is empty...

Comments for: Yes on Question 3: Bond needed to fund transportation maintenance, improvements



Yes on Question 3: Bond needed to fund transportation maintenance, improvements

The bond funding is needed so the state doesn't fall further behind on infrastructure improvement, but it won't solve the problem.

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EDITORIALS

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“It is disgraceful, tragic, and bordering on criminal that the governor and legislature abdicate their

RESPONSIBILITY to maintain our infrastructure.

These items SHOULD be part of the regular annual budget. **The fact that citizens must approve borrowing to pay to fix past negligence is pathetic.** Just like our schools that crumble because they were not properly maintained!!! Pay me now or pay me MORE later!!!” ([jalbertini](#))

“Each and every year a larger percentage of the state budget goes to cover DHHS services like welfare mostly as a result of federal mandates. This has been this way for a couple decades.

Each and every year the percentage of the budget dedicated to roads and bridges declines.

Now we have a bond issue request that covers among other things normal road maintenance that should be part of the budget. On the same ballot we have a request to expand Medicaid costing the state a minimum of \$55 million annually. The percentage of money going to DHHS rises again.... so we can borrow money to fill potholes and mow the roadside.

That \$385 annually for your vehicle maintenance is going to get worse. Make a decision.” ([Questionyou2](#))

“Since 2001 we have voted and passed 9 of these bonds totalling \$1.86 billion dollars in bond money and fed matching. **Where did all that money go on top of the DOT budget money?** And our roads are still failing???” ([Brennan Huff](#))

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

Comments for: Yes on Question 3: Bond needed to fund transportation maintenance, improvements



Yes on Question 3: Bond needed to fund transportation maintenance, improvements

The bond funding is needed so the state doesn't fall further behind on infrastructure improvement, but it won't solve the problem.

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15 Comments

Bangor Daily News

Larry Adams ▾

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Larry Adams · a minute ago

A key voice behind Question 3 had a different vision of bonding during his February 2011 job interview: During questioning at his hearing, Bernhardt said the administration would oppose raising the gasoline tax as well as any new bonding initiatives. "We have to leave no stone unturned," he said, responding to questioning from Democrats on the Transportation Committee. "We need to be able to tell the people, the department is as efficient and cost-effective as it can be, I believe, before we can go out and ask for more additional funding than we already receive." [http://www.pressherald.com/...](http://www.pressherald.com/)

Maybe, if the MaineDOT stopped pursuing questionable projects such as the ongoing \$120 million Presque Isle Bypass, the \$61 million I-395/Route 9 connector (2B-2 alternative in final engineering), and the already completed \$20 million Caribou Bypass, at the same time when the MaineDOT cannot afford to maintain our existing roads and bridges, when 40% of our state's roads are rated as fair to unacceptable, when 15% of our state's bridges are rated as structurally deficient, when 15% of our state's bridges are rated as functionally obsolete, and when the MaineDOT work plan incorporates an annual shortfall of \$59 million (\$177 million in the current 3 year plan) in the Core Highway and Bridge Program, we wouldn't need to vote on bonds almost every November since Commissioner Bernhardt testified that he would oppose any new bonding initiatives.

The MaineDOT is actively pursuing the \$61 million I-395/Route 9 connector, even though the Brewer City Council has unanimously voiced non-support in 3 different resolutions since 2012; before you vote on Question 3, ask yourself if that \$61 million wouldn't be better spent on the unmet transportation needs of the state of Maine? Existing road and bridges should be the top priority and not someone's pet project...

The "sky is not falling" if you have \$61 million in one pocket and claim that your other pocket is empty...

^ | ▾ · [Edit](#) · [Reply](#) · [Share](#) >

Bernhardt—against bonds before he was for them:



During questioning at his [February 2011 confirmation] hearing, Bernhardt said the administration would oppose raising the gasoline tax as well as any new bonding initiatives. "We have to leave no stone unturned," he said, responding to questioning from Democrats on the Transportation Committee. "We need to be able to tell the people, the department is as efficient and cost-effective as it can be, I believe, before we can go out and ask for more additional funding than we already receive." (Portland Press Herald 2.09.2011)

On Commissioner Bernhardt's watch, the DOT has actively pursued highly questionable projects such as the \$120 million Presque Isle Bypass, the \$61 million I-395/Route 9 Connector, and the \$20 million Caribou Bypass whilst:

1. A \$59 million annual shortfall exists in the Core Highway/Bridge Program.
2. MaineDOT cannot afford to maintain existing failing roads and bridges.
3. 40% of Maine's roads are rated as fair to unacceptable.
4. 15% of Maine's bridges are rated as structurally deficient.
5. 15% of Maine's bridges are rated as functionally obsolete.

Maine voters have sanctioned bonds almost every year since Mr. Bernhardt's confirmation. The covert selection, a decade into the study, of a \$61 million alternative (2B-2) that met only 20% of the original study purpose and needs, plus a lack of transparency and the failure to include impacted citizenry and their governing officials in the decision-making process when our existing infrastructure is deteriorating, illustrates that the MaineDOT lacks the fiscal responsibility as promised by Mr. Bernhardt during his confirmation.

Shouldn't Maine's deficient roads and bridges be repaired or replaced before allocating limited transportation funds to any new project? Wouldn't that \$61 million be better spent on Maine's documented unmet transportation needs?

The "sky is not falling" if you have \$61 million in one pocket and claim that your other pocket is empty...

“Fourteen percent of locally and state-maintained bridges in Maine are structurally deficient, meaning there is significant deterioration to the major components of the bridge. This is the ninth highest rate in the nation...A significant number of Maine’s bridges were built from the 1950s through the 1970s and have surpassed or are approaching 50 years old, which is typically the intended design life for bridges built during this era. The average age of Maine’s bridges is 52 years. The cost of repairing and preserving bridges increases as they age and as they reach the end of their intended design life.”

http://www.tripnet.org/docs/ME_Bridge_TRIP_Report_2017.pdf

http://www.tripnet.org/docs/ME_Bridge_TRIP_Report_Appendix_2017.pdf

http://www.tripnet.org/docs/ME_Bangor_Bridge_TRIP_Release_11-01-2017.php

QUESTION: How many bridges could be rebuilt with the \$61 million cost of 2B-2?

ANSWER: At an average of \$1.24 million per bridge, using data within the DOT Work Plan released in January 2017, 49 bridges could be rehabilitated!!

How is it possible and does it make any sense that the DOT continues to promote the controversial I-395/Route 9 connector when those dollars could fund the repair of 49 structurally deficient/functionally obsolete bridges?

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

Larry

<http://i395rt9hardlook.com/>



HOME NEWS ORGANIZATIONS RESOURCES

FOR IMMEDIATE RELEASE

Wednesday, November 1, 2017

Report available at: tripnet.org

FIFTEEN PERCENT OF BANGOR AREA BRIDGES AND 14 PERCENT OF STATEWIDE BRIDGES ARE STRUCTURALLY DEFICIENT. NEW REPORT IDENTIFIES BRIDGES IN BANGOR, SOUTHERN MAINE, AND CENTRAL MAINE THAT ARE IN NEED OF REPAIR OR REPLACEMENT (excerpt)

Bangor, ME – Fourteen percent of bridges statewide and 15 percent of bridges in the Bangor region are structurally deficient according to a new report released today by [TRIP](http://tripnet.org), a Washington, DC based national transportation organization. A bridge is structurally deficient if there is significant deterioration of the bridge deck, supports or other major components.

In the Bangor region, which includes Penobscot and Piscataquis Counties, 53 of the 360 bridges (20 feet or longer) are structurally deficient. Bridges that are structurally deficient may be posted for lower weight limits or closed if their condition warrants such action. Deteriorated bridges can have a significant impact on daily life. Restrictions on vehicle weight may cause many vehicles – especially emergency vehicles, commercial trucks, school buses and farm equipment – to use alternate routes to avoid weight-restricted bridges. Redirected trips also lengthen travel time, waste fuel and reduce the efficiency of the local economy.

MaineDOT's current funding for state bridge repairs is \$105 annually, but a [2014 report](#) found that the state should be spending \$140 million annually to maintain bridges in their current condition and \$217 million annually to make significant progress in improving the condition of the state's bridges. Early findings from an updated bridge analysis being conducted by MaineDOT indicate that the annual cost to maintain the state's bridges in their current condition has increased significantly from the 2014 estimate.

A significant number of Maine's bridges were built from the 1950s through the 1970s and have surpassed or are approaching 50 years old, which is typically the intended design life for bridges built during this era. The average age of Maine's bridges is 52 years. The cost of repairing and preserving bridges increases as they age and as they reach the end of their intended design life.

The chart below details the 10 most heavily traveled structurally deficient bridges in the Bangor region.

Rank	County	Facility Carried	Feature Intersected	Location	Year Built	ADT
1	Penobscot	STILWATER AVE.	N CHAN STILLWATER RIVER	0.7 MI N of jct I-95	1952	16,640
2	Penobscot	STILWATER AVE.	S CHAN STILLWATER RIVER	.7 MI.N. I-95	1952	16,640
3	Penobscot	I-95 SOUTHBOUND	M C RR & PERRY RD	0.2 MI SW OF I95 / I395	1962	15,750
4	Penobscot	95 NB	SQUADABSCOOK STR	2 MI E TL/95 MILE 176.5	1961	12,090
5	Penobscot	I 95 NB	SQUADABSCOOK STREAM	3.3 MI E TL / 95 MI 177.9	1961	12,090
6	Penobscot	95 NB	SQUADABSCOOK STREAM	2.5 MI E TL/ 95 MI 177.1	1961	12,090
7	Penobscot	SA 6	INTERSTATE 95	INTERCHANGE #47	1960	9,998
8	Penobscot	US 1A & 9	SQUADABSCOOK STR	.4 MI N 9&202	1924	6,090
9	Penobscot	ROUTE 155	PENOBSCOT RIVER	.3 MI.W. US#2	1946	5,261
10	Penobscot	ROUTE 11 & 157	SCHOODIC STR/DOLBY FLOWA	100 FT W DOLBY REST AREA	1926	4,890

The following 10 structurally deficient bridges in the Bangor region have the lowest average rating for the condition of the deck, substructure and superstructure (carrying a minimum of 500 vehicles per day). Each major component of a bridge is rated on a scale of zero to nine, with a score of four or below indicating poor condition. If a bridge receives a rating of four or below for its deck, substructure or superstructure, it is rated as structurally deficient. A list of the 25 structurally deficient bridges in the Bangor region with the lowest average rating for the condition of the deck, substructure and superstructure is included in the report.

Rank	County	Facility Carried	Feature Intersected	Location	Year Built	ADT
1	Penobscot	ROUTE 155	PENOBSCOT RIVER	.3 MI.W. US#2	1946	5,261
2	Penobscot	ROUTE 11 & 157	SCHOODIC STR/DOLBY FLOWA	100 FT W DOLBY REST AREA	1926	4,890
3	Penobscot	ROUTE US2	R OVERFLOW & SUNKHAZE ST	3.3 MI N OF JCT RTE 178	1938	4,455
4	Piscataquis	ESSEX STREET	PISCATAQUIS RIVER	0.1 MI NE OF JCT RTE 15	1930	2,157
5	Piscataquis	ROUTES 6 11 & 16	PISCATAQUIS RIVER	0.3 MI NW OF SLY JCT 11	1926	3,479
6	Penobscot	US 1A & 9	SQUADABSCOOK STR	.4 MI N 9&202	1924	6,090
7	Penobscot	ROUTE US2	SUNKHAZE ST/R OVERFLOW	3.2 MI N OF JCT RTE 178	1922	4,455
8	Penobscot	US RTE 2 & RTE 100	HARVEY BROOK	0.7 MI NE OF JCT RTE 69	1923	3,364
9	Penobscot	ROUTE US 2	BEACH BRIDGE BROOK	2.2 MI.N. TOWNLINE	1938	2,160
10	Penobscot	ROUTE US 2	MATTAWAMKEAG RIVER	.2 MI.S. #157	1928	2,008

[Click here to view complete report.](#)

Preserving Maine's Bridges

THE CONDITION AND FUNDING NEEDS OF MAINE'S AGING BRIDGE SYSTEM

MAINE BRIDGE CONDITIONS

Fourteen percent of locally and state-maintained bridges in Maine are structurally deficient, meaning there is significant deterioration to the major components of the bridge. This is the ninth highest rate in the nation.

Chart 1. Maine bridge conditions.

County	Total Bridges	Number Structurally Deficient	Share Structurally Deficient
ANDROSCOGGIN	132	12	9%
AROOSTOOK	224	22	10%
CUMBERLAND	334	32	10%
FRANKLIN	128	24	19%
HANCOCK	70	17	24%
KENNEBEC	185	22	12%
KNOX	49	12	24%
LINCOLN	61	9	15%
OXFORD	248	50	20%
PENOBSCOT	285	40	14%
PISCATAQUIS	75	13	17%
SAGadahoc	64	8	13%
SOMERSET	168	30	18%
WALDO	92	13	14%
WASHINGTON	103	27	26%
YORK	232	21	9%
MAINE STATEWIDE	2,450	352	14%

Source: Federal Highway Administration National Bridge Inventory, 2016.

Key fiscal components direct from the [TRIP report](#):

Repairing and replacing poor bridges and preserving bridges that are in fair and good condition requires adequate and consistent funding.

The current replacement cost of Maine's state-maintained bridges is \$8.2 billion.

MaineDOT's current annual bridge funding is \$105 million per year from 2016 to 2018. This level of annual investment is slightly lower than the \$112 million per year from 2009 to 2013 that resulted from the authorization of \$160 million in TransCap bonds.

The report, "Keeping our Bridges Safe 2014," found that an annual bridge investment of \$140 million was needed to maintain the state's bridges in their current condition.

An annual investment of \$217 million in the state's bridges would be needed to maintain the entire bridge system and substantially meet service, condition and safety goals.

The average age of Maine's bridges is 52 years. The design life of most bridges is 50 years, though bridges have life spans that are dependent on factors such as materials, environment, level of use, and level of maintenance. Current design guidelines and construction materials may raise the expected service life of new bridges to 75 years or longer.

Bonds are not free!!!

“The bond [Question #3] would cost nearly \$29 million in interest over the 10-year payback period.” BDN 11.06.2017

Question: What does that \$29 million represent?

Answer: 23 deficient and currently unfunded bridges could have the needed rehabs funded with the bond's interest payment, using the average cost of \$1.24 million per bridge rehab in the current DOT Work Plan.

Don't forget how the MaineDOT acted in this study:

Significant changes in the original I-395/Route 9 connector study's purpose and needs, a decade into the study without consulting or advising the Public Advisory Committee (PAC) and/or releasing those critical changes to the public for over 32 months from the last and final April 2009 PAC meeting until discovery in December of 2011, ended with the covert selection of a deficient \$61 million 2B-2 alternative that met only 20% (one in five) of the original study purpose and needs in April 2009. Lack of transparency and the failure to include the PAC, impacted citizenry and their community leaders in the decision-making process of a controversial, questionable \$61 million project at the same time that our immediate infrastructure needs go unmet, begs to question whether these actions meet the department's efficiency and cost effectiveness as promised by Mr. Bernhardt during his February 2011 confirmation.

11.10.2017: I added the following comment on 11.09 in response to the [11.07 BDN article](#) and this morning that same comment has magically disappeared. Not sure why, as my comment was 100% factual and not combative or addressed to any other comment; comments are now closed. **Never had a comment in over 5 years deleted and I hope it was accidental and not a form of censorship; what ever happened to free speech??**

During questioning at his [February 2011 confirmation] hearing, Bernhardt said the administration would oppose raising the gasoline tax as well as any new bonding initiatives. "We have to leave no stone unturned," he said, responding to questioning from Democrats on the Transportation Committee. "We need to be able to tell the people, the department is as efficient and cost-effective as it can be, I believe, before we can go out and ask for more additional funding than we already receive." <http://www.pressherald.com/2011/02/09/lepages-nominees-for-farm-agency-dhhs-confirmed-2011-02-09/>

During Commissioner Bernhardt's watch, the DOT has supported several controversial and highly questionable projects as the \$120 million Presque Isle Bypass, the \$61 million I-395/Route 9 Connector, and the \$20 million Caribou Bypass whilst today:

1. An annual -\$59 million shortfall exists in the Core Highway/Bridge Program.
2. MaineDOT cannot afford to even maintain our existing roads and bridges.
3. 40% of Maine's roads are rated as fair to unacceptable.
4. 15% of Maine's bridges are rated as structurally deficient.
5. 15% of Maine's bridges are rated as functionally obsolete.

Changes in the original I-395/Route 9 connector study purpose and needs, a decade into the study without consulting or advising the Public Advisory Committee (PAC) and/or releasing those critical changes to the public for over 32 months from the final April 2009 PAC meeting until discovery in December of 2011, ended with the covert selection of a deficient \$61 million 2B-2 alternative that met only 20% (one in five) of the original study purpose and needs in April 2009.

Voters have sanctioned transportation bonds almost every year since Mr. Bernhardt's confirmation. Lack of transparency and the failure to include the PAC, impacted citizenry and their community leaders in the decision-making process of a controversial, questionable \$61 million project at the same time that our immediate infrastructure needs go unmet, begs to question whether these actions meet the department's efficiency and cost effectiveness as promised by Mr. Bernhardt during his confirmation.

Where is the accountable to Maine taxpayers? Have they turned all the stones over?

Shouldn't our existing roads and bridges be repaired or replaced before allocating our limited transportation funds to any new project?

Wouldn't that \$61 million be better spent on Maine's current, well-documented unmet transportation needs? \$61 million would fund the rehabilitation of 23 bridges (using average repair costs in the Work Plan) that are presently unfunded.

That \$61 million also represents 76.25 percent of the requested \$80 bond for roads and bridges in Question #3.

The "sky is not falling" if you have \$61 million in one pocket and claim that your other pocket is empty...

<http://bangordailynews.com/2017/11/29/news/midcoast/wiscasset-sues-state-to-stop-building-demolition-for-route-1-traffic-fix/>

"They [MaineDOT] have been very intransigent about continuing the conversation." I love that comment.

<http://www.pressherald.com/2017/11/29/wiscasset-sues-state-to-block-controversial-route-1-traffic-project/>

<http://www.boothbayregister.com/article/towns-ask-dow-withdraw-bill-wiscasset-traffic-plan/94860?source=mp>

"At a Wiscasset public hearing in October, [Senator] Dow announced plans to propose legislation which "would slow the process down" and take another look at Option 1, which doesn't eliminate Main Street parking."

Senator Dow is apparently going to offer this bill up today in Augusta. Our own personal experience with legislative action, Archie's attempt to stop 2B-2 via LD 47 in February 2015, proved that the JSC on Transportation, which has the jurisdiction of DOT oversight for Maine's citizens, behaved more like an arm of that department - Senator Dow's bill has no chance and will promptly be shot down. I do give the Senator kudos for standing up for his constituency.

It's too bad that our DOT civil servants do not and/or will not listen to the people that they are sworn to serve!!

Hope everyone had a great Thanksgiving!!

Larry

Wiscasset sues state to block controversial Route 1 traffic project

Portland Press Herald

By Colin Woodard

Posted November 29

“They [MDOT] have been very intransigent about continuing the conversation.”

(Excerpt below from original article)

The town of Wiscasset has sued the Maine Department of Transportation seeking to block a controversial project aimed at improving the flow of traffic through its historic village.

At issue is the state’s plan to widen the section of Route 1 – which is Main Street in Wiscasset – that passes through the village and gets clogged in the summer with motorists traveling up and down the coast. The project would take parking places in front of local businesses, add traffic lights and turning lanes, and require the demolition of a 1916 building that once housed Maine’s first Ford dealership.

The lawsuit, filed late Tuesday in Lincoln County Superior Court, says the project would “adversely affect the historic character and viability” of the village and does not comply with town ordinances or state law. The town has asked the court to order the transportation department not to begin work on the project until it complies with local regulations and reaches an agreement with town officials on how to pay long-term costs.

“The Town looks forward to seeing the process through and is hopeful that MDOT will comply with the Town’s requests,” said Town Manager Marian Anderson in a written statement. “We look forward to continuing to work positively with MDOT to resolve the issues.” She did not respond to messages from the Portland Press Herald.

Opponents of the \$5 million project – which will receive no federal funding – have argued that it would ruin the town center’s character and drive out businesses without making any meaningful improvement to the traffic problems, which result in miles-long backups in both directions approaching the village and on the bridge over the Sheepscot River.

“At least we are headed toward a conclusion of this controversy one way or another,” said Bill Sutter, a resident who is a vocal opponent of the plan. “They have been very intransigent about continuing the conversation.”

A spokesman said the transportation department was disappointed to learn of the lawsuit. “The Department recently met with town representatives and was continuing to work in good faith to address public concerns about certain project features when it was told of the lawsuit,” Ted Talbot said via email.

The Portland attorney representing the town, Peter Murray, did not respond to a request for comment Wednesday.

The town’s lawsuit claims the Department of Transportation is in violation of state laws requiring it comply with local zoning, which requires it get permission from the town’s historic preservation commission before demolishing the Haggett Garage. It also alleges that the state broke its commitment with the town to draft an agreement that would spell out how ongoing costs associated with the project – like the maintenance of sidewalks, parking lots and landscaping – will be covered.

In his statement, Talbot said the department couldn’t comment in detail because the matter is now in litigation. But he did say it is considering delaying the demolition of the former garage as it works on an agreement with the town.

“They [MaineDOT] have been very intransigent about continuing the conversation.”

Bill Sutter | Wiscasset resident | Portland Press Herald 11.29.2017

“The people further find that the decisions of state agencies regarding transportation needs and facilities are often made in isolation, without sufficient comprehensive planning and opportunity for meaningful public input and guidance.”

[Title 23: §73. Transportation policy](#)

When the DOT's uncompromising actions make their way into State Statute, it should be obvious that the DOT is indeed “intransigent about continuing the conversation”. The Public Advisory Committee (PAC) and community leaders within the I-395/Route 9 Connector study area were not included in the decision making process or even advised of critical changes over a 32 month period that started with 2B-2 meeting only 20% of study purpose and needs and ended with 2B-2 selected as the preferred alternative...





Wiscasset cuts deal with state to delay razing garage for Route 1 traffic fix

By Charlotte Boynton, Lincoln County News • December 4, 2017 4:16 pm

(Excerpt of original article :)

WISCASSET, Maine — An agreement between the Maine Department of Transportation and the town of Wiscasset will delay the demolition of Haggett's Garage until at least February.

The MDOT plans to demolish the building at 36 Water St. to clear the way for a new parking lot, part of a \$5 million downtown traffic improvement project.

The agreement follows the town's filing of a complaint against the MDOT in Lincoln County Superior Court on Wednesday.

"In the face of growing concern about the downtown viability without on-street parking and the uncertainty of (the MDOT's) willingness to honor the town's ordinance process, the town of Wiscasset filed a complaint today in Lincoln County Superior Court," Wiscasset Town Manager Marian Anderson said in an email to local reporters Wednesday. "The town looks forward to seeing the process through and is hopeful that (the MDOT) will comply with the town's requests. We look forward to continuing to work positively with (the MDOT) to resolve the issues."

Along with the complaint, the town's attorneys filed a motion for a temporary restraining order to block the demolition of Haggett's Garage.

The town and the MDOT reached an agreement outlined in a court order by Superior Court Justice Michaela Murphy on Thursday.

The order blocks the demolition of Haggett's Garage and any "actual project construction" absent another court order or a written agreement between the parties.

The MDOT can continue "design and other activities" in connection with the project and can request bids for construction. The department can also "secure the building" with signs and "temporary barriers."

An evidentiary hearing on the town's request for a preliminary injunction will take place at 9 a.m. Feb. 2.

The town's lawsuit ultimately seeks a court order to block the project until the MDOT complies with all state and local laws and regulations, obtains a certificate of appropriateness from the Wiscasset Historic Preservation Commission, and obtains a municipal-state project agreement from the town "or at least makes a good faith effort to obtain such agreement" before it begins construction.

Work Plan

- The 2018-2019-2020 DOT Work Plan should be released during the first week of January 2018.
- Last year's DOT Work Plan (1.03.2017) set aside \$7.25 million for alternative 2B-2's final project design and to initiate eminent domain activities.
- I have no direct knowledge of any homes or properties that have been seized to date; I have no direct knowledge where the engineering stands, but they seem to be taking an awful long time to engineer a highway that was engineered enough to be jammed through the EIS process. What were those preliminary engineering plans dated in August 2011 and April 2013, if not detailed?
- Only when the new work plan is released next month, will we know what to expect in 2018 and beyond, and if any of the recent bond money has found its way into this project. Many wonder where the MaineDOT found the \$7.25 million in 2017 when the state doesn't have enough money to even maintain our existing infrastructure. Many say that alternative 2B-2's \$61 million construction cost should be reauthorized to fund Maine's existing, unmet transportation needs...

Posted 4:00 am | 12.10.2017

BY COLIN WOODARD STAFF WRITER

(Excerpt of original article.)

Conflict erupts in Wiscasset over state's decisions about Route 1 project

“The MDOT can’t really tell you the truth because the truth doesn’t work.”

Ralph Doering | Wiscasset Resident | 12.2017

“They are just hell-bent to get done what they have all planned,” says Katharine Martin-Savage, one of the select board members who voted to file the suit. “

The state government’s latest effort to mitigate one of Maine’s most notorious summertime traffic bottlenecks has [bitterly divided this town](#) of 3,700, triggering lawsuits, [accusations of duplicitous dealings](#) by Maine Department of Transportation, and heated disagreement between opponents and supporters, including Gov. Paul LePage, who has said he’s had enough of the townspeople’s complaints and would like to build a viaduct right over the area. “I have given MDOT full authority to fix this nightmare with or without working with Wiscasset,” LePage wrote a constituent in August. “After 65 years of trying to work with Wiscasset, the time has come to move on.”

Residents and the select board were initially supportive of the plan, but majorities of both now oppose it because they say the state has not upheld its end of the bargain, [breaking key promises](#). In June, [residents revoked their support](#) for what they considered an altered plan in a town referendum 400-323, and the select board did the same, 3-2. The town [filed a lawsuit against the DOT on Nov. 28](#) to stop work from commencing.

Bill Sutter, a Wiscasset native who worked for the DOT for 30 years, became alarmed when he heard the agency had quietly [dropped plans to use federal funds](#) to cover 80 percent of the project costs shortly after receiving initial approval from the town in June 2016. Sutter knew the move [exempted the project from having to follow federal historic preservation and environmental rules](#) as the department had promised when pitching the project to residents.

EMINENT DOMAIN ACTION FURTHER ERODED TRUST

The department lost additional trust when it [reversed prior assurances that it would not use eminent domain](#) to execute it. The Haggett Garage – a 1916 structure that was owned by Coastal Enterprises Inc., the community economic development nonprofit – was under contract to be sold to its current tenant, the Midcoast Conservancy, when [the DOT intervened to acquire it by eminent domain](#), intending to knock it down to make way for substitute parking.

DOT spokesman Ted Talbot responded that the department had “hoped and relayed that eminent domain would most likely not be necessary,” but he also characterized CEI as “a willing seller” to the state, an assertion Phillips disputes.

Phillips wrote to LePage this June in the hopes of saving the building and preventing the year-round tenants and their nine employees from leaving downtown. He got a blunt email response from the governor, who has to cross the bridge to get from the Blaine House to his Boothbay home. “We are moving forward because we are convinced Wiscasset has no interest in working with the state to resolve this drastic issue,” LePage wrote June 26. “Next step is doing what was done in Bath – we go over the downtown and by-pass Wiscasset altogether.”

PREDICTED ‘SEVERE IMPACTS’ REMOVED IN EDITED REPORT

Meanwhile, village business and commercial property owners have **charged the DOT is intentionally concealing** the effect that the loss of on-street parking will have on the downtown.

Ralph Doering, a seasonal resident whose family owns several commercial properties on and near Main Street, hired an attorney and traffic engineer to review project documents acquired from the department via public records requests. They discovered the department had **removed language in its own traffic consultant’s report** prior to releasing it to the public that predicted “severe impacts” to local businesses. The Maine Sunday Telegram obtained and reviewed the documents.

That draft report by HNTB Corp., the global engineering powerhouse that designed the Maine Turnpike, identified Orono as the best comparison for the effects of removing on-street parking. “Businesses that survived (banks, convenience store, Town offices) had own off-street parking,” the report said. “Nature of Business changed. Several replaced front door with rear door.”

DOT personnel removed most of this language, **leaving an upbeat version** that suggested everything had gone fine in Orono.

“You don’t have to be a real estate professional to know that if you take parking away from Main Street it’s really detrimental, as businesses will close or they will go out of town to locations where parking is more readily available,” says Doering, whose lawsuit to stop the project was rejected by a lower court on largely technical grounds and is currently on appeal before the Maine Supreme Judicial Court. **The MDOT can’t really tell you the truth because the truth doesn’t work.”**

Greg Paxton, the organization’s executive director, says it is also concerned about the department eschewing \$4 million in federal funds and the associated historic preservation requirements. “That’s a lot of money to pay to avoid a standard review,” he says.

In a written response, DOT’s Talbot acknowledged the department is avoiding using federal funds but said it is doing so to reduce red tape and delays. “Federal processes, reviews, and associated approvals can add months to project delivery timeframes,” he said...

A document on the department’s website dated July 17 states that the HNTB report was **edited to remove wording** “in areas that went beyond the assigned task” and were part of the “normal process of finalizing studies and reports.”

TOWN ALLEGES STATE BROKE ITS COMMITMENT

The town’s lawsuit claims the **department is violating state laws requiring it to comply with local zoning and ordinances** and asserting it needs to get local permission and permits before it can demolish the Haggett Garage, which the department initially intended to begin taking down last week. The town also alleges the state broke its commitment with the town to draft an agreement that would spell out how ongoing costs associated with the project – such as the maintenance of sidewalks, parking lots and landscaping – will be covered. It is scheduled to be heard in February.

Public documents show **the DOT has instructed would-be contractors not to apply for local permits** to undertake the demolition. Talbot declined to comment on the issue on account of the lawsuit, but the department has previously maintained that it does not need local approvals.

“They are just hell-bent to get done what they have all planned,” says Katharine Martin-Savage, one of the select board members who voted to file the suit. “I really wish they would be serious enough to sit down and really discuss a compromise of some sort that allows parking on both sides of Main Street.”

“Everything 2B-2 for 2018” cover page for website:



News Release for August 1, 2011

“Adding more miles to our transportation system in this current fiscal environment doesn’t make financial sense,” said Bernhardt, “Our responsibility going forward is to manage our existing infrastructure within our existing budget.” With current funding levels stable at best, MaineDOT concluded that the expenditure of funds on new infrastructure was not justifiable. “We are struggling to maintain the roads and bridges we currently have in safe and serviceable condition.”

August 11, 2011 - MaineDOT Commissioner Bernhardt

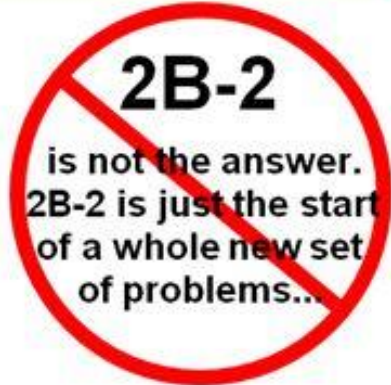
MDOT’s own documentation decries 2B-2 met only 20% of purpose and needs in Apr2009. An identical alternative (2B) was removed from consideration in Jan2003 for serious safety concerns and the failure to satisfy the system linkage and the traffic congestion needs.

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



“They [MaineDOT] have been very intransigent about continuing the conversation.”

Bill Sutter | Wiscasset resident | Portland Press Herald 11.09.2017

www.i395-rt9-study.com

What is it about **NO** that they don’t seem to understand??

“The people further find that the decisions of state agencies regarding transportation needs and facilities are often made in isolation, without sufficient comprehensive planning and opportunity for meaningful public input and guidance.”

“The MDOT can’t really tell you the truth because the truth doesn’t work.”

Ralph Doering | Wiscasset Resident | 12.2017

Actual text from Title 23: §73. Transportation Policy.

As we go into the 19th year of this study, DOT remains silent...