

From: Larry Adams

Sent: Tuesday, June 12, 2018 6:18 AM

To: Allison.Behuniak@mail.house.gov

Cc: Councilor Kevin O'Connell

Subject: I-395/Route 9 Connector in Penobscot County, Maine

Dear Ms. Allison Behuniak | Legislative Assistant | Rep. Bruce Poliquin (ME-02)

Kevin O'Connell requested that I contact you to answer any questions that you may have concerning the project that Kevin discussed with you.

This project has been under study since the year 2000. The majority of the 79+ studied alternatives terminated east of Route 46, at or near the Eddington/Clifton corporate border to satisfy the study's System Linkage Need (northern logical termini criteria) for most of the study's first 10 years. The 2B-2 alternative, now the preferred alternative, terminates 4.5 miles to the west of the original System Linkage Need logical termini, thus 2B-2 does not satisfy the study's original System Linkage Need.

The original study System Linkage Need was in compliance with the December 2005 Notice of Intent to proceed with the EIS. I contend that the NOI, a federal document, was ignored when the FHWA approved the change to the northern logical termini to allow 2B-2 to terminate on Route 9 4.5 miles to the west of the original logical termini. FOAA documents show this manipulation and it was interesting to see how our transportation officials parsed words in the NOI to change that criteria and how these officials are able to operate without accountability to the public that they are sworn to serve and protect. The logical termini was changed in January 2012, apparently to make DEIS statements work. FOAA documents are included as part of many of the documents listed below. The facts I present are not my facts, they are facts gleaned from MaineDOT/FHWA documents.

At the final PAC meeting held on April 15, 2009, alternative 2B-2 satisfied only 20% (1 of 5) of the study's purpose and needs. With absolutely zero interaction over the next 32 months with the impacted communities, 2B-2 was covertly chosen by the MaineDOT as the new (and the second) preferred alternative. A 2013 FOAA request would show that even the FHWA project manager, within 90 days of the Draft Environmental Impact Statement in March of 2012, stated that 2B-2 did meet the study purpose and needs, only to be silenced by superiors.

MaineDOT's own words, from an October 2003 Memorandum, describe why 2B-2 (aka alternative 2B) was removed earlier from consideration:

“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.” Why would the state and feds want to negatively affect people??

“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.” Why would the state and the feds want to severely impact local communities??

“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.” SAFETY CONCERNS and HAZARDS – REALLY??

2B-2 does not meet the original study purpose and needs and has a construction cost of \$61 million. Spending that kind of money without bypassing the 35 mph section of Route 9 in the vicinity of 9/46 to provide the original decade-long System Linkage Need is shortsighted and a waste of our limited transportation dollars. The DOT will say that they “right-sized” the project, but this occurred only after 2B-2 was essentially the only alternative still under consideration; they did not go back and take a second look at any of the 79+ alternatives that met purpose and needs with the “right-sized” downgraded engineering criteria such as the change from interstate criteria to rolling rural, dropping the future build-out to a four lane divided road and to the minimizing of the right-of-way widths (which they still deny to this date). One of the first alternatives to be “chosen” was 4B which paralleled Route 46, but was removed from consideration due to the amount of earthwork required – well, downgrading the criteria certainly would have saved earthwork on that alternative, but it was never reconsidered. It is obvious now that someone made the decision, early on, that 2B-2 would be chosen, no matter what the purpose and needs were. The study was a sham and a shell game and a waste of some \$2.3 million over the first 14 years. February of 2014 was the last time we had an accurate accounting of monies spent on this study.

I have corresponded with MaineDOT and FHWA officials at length and have been marginalized at every step along the way. An example of our frustration: I posted many questions in emails during the early months of 2012. The MaineDOT was of course embarrassed that they had been found out, actually issued an apology for their lack of keeping us all advised and were reluctant to answer anything – they did offer to come to each of the three impacted communities to brief the elected officials only. When private citizens cried foul, the MaineDOT cancelled all of the scheduled meetings and said that all our questions would be answered during the May 2012 DEIS public hearing. I offered some 37 essay-style questions to the DOT and went to that meeting expecting answers. GUESS WHAT?? They decided that the meeting would be a “listening only session”. The DOT/FHWA/ACOE panel sat muted and refused to answer any questions – not one!! And, in fact to date, the MaineDOT and the FHWA have never had to publicly debate in person, face to face, the merits of this project. This has been a sickening process and I believe that the NEPA process was skirted to make the 2B-2 selection possible; at one point I contacted the lead NEPA point of contact at the HDQs of the FHWA to plead my

case – again with no joy. Both the state and the feds are complicit in this project; it's hard to believe that when the FHWA project manager voiced his concerns, his own superiors silenced him; so essentially, we are to spend a minimum of \$61 million on a deficient, controversial project that the feds could have put a stop to – and for some reason balked and many of us are now impacted by a project that does not meet the original purpose and needs. It's one thing to be impacted, but to be impacted by a project that should have never gotten the go ahead is a hard pill to swallow...

2B-2's construction cost was estimated at \$61 million (2011 dollars). FOAA documents suggest that this was nothing more than a guesstimate and more of a mathematical manipulation to get the Benefit to Cost ratio to work. The \$25 million grant "legitimizes" 18 years of lies and deceit; many say the connector will end up costing tens of millions more and Maine taxpayers will end up with the bill, especially if this grant is the sole federal money that will be pumped into this project. This is not just a letter from some disgruntled citizen – many share my opinions and the City of Brewer City Council has unanimously passed resolves of non-support on three different occasions, all ignored by the DOT/FHWA. Now that \$25 million of federal funds has been added to this project, it is my opinion and my hope that this matter would be passed on to the DOT IG to insure that this study and the monies spent to date and to be spent in the future are all above board and within federal regulations. I wrote the DOT IG twice, early on, and received nothing but a computer generated form letter in return.

I maintain a citizen's website <http://i395rt9hardlook.com/> that was developed in February 2014 using MaineDOT's own documentation, just like the above 3 statements within quotation marks. I have been active in this pursuit since December of 2011, when I accidentally discovered that this project was turned on its head with the selection of an alternative (2B-2) that did not meet purpose and needs when they had 5 other alternatives that met 100% of the purpose and needs in April 2009.

The above is just a glimpse of what is wrong with this project; for the complete story, please view the following documents and peruse the rest of the website at your leisure:

<http://i395rt9hardlook.com/if-you-only-have-the-time-to-read-two-articles-read-these/comments-to-the-stip-by-l-adams/>

<http://i395rt9hardlook.com/if-you-only-have-the-time-to-read-two-articles-read-these/comments-to-the-stip-by-g-heldmann/>

<http://i395rt9hardlook.com/if-you-only-have-the-time-to-read-two-articles-read-these/bacts-testimony-la/>

<http://i395rt9hardlook.com/if-you-only-have-the-time-to-read-two-articles-read-these/bacts-testimony-sb/>

<http://i395rt9hardlook.com/if-you-only-have-the-time-to-read-two-articles-read-these/ld47-testimony-la/>

<http://i395rt9hardlook.com/if-you-only-have-the-time-to-read-two-articles-read-these/ld-47-testimony-gh/>

<http://i395rt9hardlook.com/if-you-only-have-the-time-to-read-two-articles-read-these/substantive-questions/>

I hope this information may help fill in the blanks. Any questions, please email or call. Thank you for your time and consideration.

Larry Adams