



Top 20 reasons why the MDOT/FHWA selection of 2B-2 as their preferred alternative is a flawed decision:

**I-395/Route 9 Transportation Study**  
PAC Meeting April 15, 2009



**Purpose and Needs Matrix**

Alternatives	Meets Purpose		Meets Needs		
	Study Purpose	USACE Purpose	System Linkage	Safety Concerns	Traffic Congestion
No-Build	No	No	No	No	No
Alternative 1-Upgrade	No	No	No	No	No
2B-2	No	No	No	Yes	No
3A-3EIK-1	Yes	Yes	Yes	Yes	Yes
3EIK-2	Yes	Yes	Yes	Yes	Yes
5A2E3K	Yes	Yes	Yes	Yes	Yes
5A2E3K-1	No	No	No	Yes	No
5A2E3K-2	Yes	Yes	Yes	Yes	Yes
5B2E3K-1	Yes	Yes	Yes	Yes	Yes



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

MDOT/FHWA's preferred alternative is now 2B-2 at a cost of \$61 million.

- Alternative 2B-2 did not meet the original Purpose and Needs as clearly shown on April 15, 2009.
- [MDOT's own opinion](#) how alternative 2B-2 now meets Purpose and Needs: "Judy Lindsey: Yes. It satisfies Purpose and Need - not what we've been talking about, but it will still do a lot..." sounds more like a waste of taxpayer dollars on a short-term band-aid fix of a project.
- FHWA Right of Way Program Manager (MH) advised MDOT Project Manager (JL) on December 13, 2011 that the 2-lane/2-lane ROW Preferred Alternative does not satisfy Purpose and Needs; concerned the criteria change to a 2-lane/2-lane ROW of the Preferred Alternative will alter impacts and prior analyses and is not comparable (apples to apples) as those done with 4-lane/4-lane ROW. (MH) was overruled by his superiors. (Maine Freedom of Access Act—FOAA)
- MDOT has yet to provide substantive evidence that 2B-2 meets Purpose and Needs. Nothing they have provided, which has mostly been the infamous quote: "MDOT took a hard look at Route 9", meets the straight face test. Even with a FOAA request lawsuit by a private citizen, the MDOT still did not provide evidence of the reasoning and/or process behind the change where 2B-2 now meets Purpose and Needs.
- The City of Brewer and the Town of Eddington, excluded from the decision-making process, have withdrawn their support from the I-395/Route 9 connector project, supporting only the No-Build option by Resolve in 2012 and 2013.

- [Cumulative effects](#) for alternative 2B-2 include: 26 acres of floodplains, 182 acres of wetlands, 602 acres of forest vegetation, 873 acres of wildlife habitat, and unknown impacts to 4,900 feet of streams from storm-water runoff.
- “The proposed project is within...designated critical habitat of the [endangered Atlantic salmon](#)...FHWA determines the proposed project may affect, is likely to adversely affect Atlantic salmon and its [critical habitat](#)...”
- There are 22 properties in Brewer, with an appraised value of \$2.25 million, directly impacted by 2B-2. MDOT will have the authority to acquire those properties by Eminent Domain. MDOT will [acquire 163 acres](#) per the DEIS.
- Alternative 2B-2 will have a significant negative impact on many residential properties. Alternative 2B-2’s residential displacement is 4 times that of the previous preferred alternative. ([8 residential displacements](#))
- Alternative 2B-2’s proximity displacement (buildings within 500’ of the edge of roadway) is 7.9 times that of the previous preferred alternative—largest amount by far of all the 70+ studied alternatives. (190 proximity displacements) After studying 70+ alternatives, the MDOT/FHWA have decided to site this connector within the most populous segment of the Study area.
- Regulations guaranteeing vernal pool inhabitants a 750’ buffer have altered the study outcome without consideration for the human element—regulated only by Eminent Domain. Humans abutting the right-of-way are not considered directly impacted.
- Future 4-lane-divided-highway [upgradability](#), part of the original criteria, was discarded by October 2011 in a decision to purchase right-of-way only large enough (approximately 200 feet) to support 2-lanes of traffic; a change applicable only to the last 3 remaining alternatives in consideration and not the other 70+ studied alternatives.
- The MDOT may have already further downgraded the right-of-way from 200 feet to 100 feet in August 2011; a change applicable only to the last 3 remaining alternatives and not the other 70+ studied alternatives. (FOAA)
- The MDOT plans to further downgrade the design standard from freeway criteria to rolling criteria following the conclusion of the NEPA process; a change applicable only to 2B-2 and not the other 70+ alternatives. (FOAA)
- An October 2003 MDOT/FHWA/ACOE Technical Memorandum indicated safety concerns with that [same](#) 4.5 mile section of Route 9 that now supports alternative 2B-2: “Traffic congestion and conflicting vehicle movements on this section of Route 9 would substantially increase the potential for new [safety concerns and hazards](#).” AND “The lack of existing access controls and the inability to effectively manage access along this section of Route 9, and the number of left turns, contribute to the [poor LOS and safety concerns](#)...”
- TRIP reports that [33% of Maine's bridges](#) are rated structurally deficient or functionally obsolete.
- TRIP reports that [33% of Maine's roads](#) are rated as poor to mediocre.
- “Even with this new \$100 million bond, the highway and bridge programs at the state still face a [shortfall of about \\$110 million](#) per year.” (Action Committee of 50 special to the BDN.)
- “DOT’s long-range plan published in 2010 identified approximately [\\$3.0 billion in unmet capital need](#) over the next decade.” (Action Committee of 50 special to the BDN.) That’s \$3,000 million, folks!!
- The \$61 million in state and federal funds that can be saved by terminating the I-395/Route 9 Transportation Study would be better spent on the [unmet transportation needs](#) of our state now and over the next decade.