

**Maine Department of Transportation
I-395 Connector
Public Advisory Committee**

Meeting Minutes

Monday, September 11, 2000

Holbrook School

7:00-9:00 pm

PAC Meeting #1

Public Advisory Committee (PAC):

Alan Bromley
Joan Brooks
Rodney Buswell, Sr.
Ellen Campbell
Manley DeBeck, Jr.
Sandi Duchesne
Keith Guttormsen
Maxine Harrow (for Edward Harrow)
Linda Johns
Scott A. Leach
Stan Moses
Roger Raymond
Jim Ring
Peter Waas

Not in attendance:

Joseph M. Baldacci
Rick Bronson
Al Ckolfield
Bion Foster
Melody Knadler
Charles Plummer

Study Team:

Andrew Bickmore
Terry Blair, Sr.
Richard Bostwick
Bill Coombs
Mari Costanzo
Michael Davies
Dale Doughty
Philip A. Dunn
Raymond Faucher
Bill Leet
Susanna Liller
Jim Linker
Dale Mayo
Fred Michaud
William Plumpton
Redington Robbins

The meeting began with introductions. Mike Davies introduced himself, members of the study team, and Bill Plumpton, (MDOT's consultant). Gannett Fleming Inc, has been retained by the Department for their expertise and level of experience in conducting Environments Assessments. Bill Plumpton, will provide environmental oversight throughout the study. Susanna Liller and Mari Costanzo were also introduced as associates from the firm Barton & Gingold. Barton & Gingold was retained by the Department to provide facilitation services as well as being responsible for document preparation / distribution during the study.

PAC members introduced themselves:

Sandi Duchesne- works for BACTS and lives in Clifton
Peter Waas- works on the Sunrise Economic Development Council
Keith Guttormsen- is on the Calais Chamber of Commerce
Roger Raymond- represents RTAC II
Scott A. Leach- represents RTAC III
Alan Bromley- is on the Town of Holden Planning Board
Maxine Harrow- is standing in for her husband and lives in Eddington
Stan Moses- is on the East/West Corridor Committee
Ellen Campbell- lives in Holden
Linda Johns- lives in Clifton and is a land surveyor
Manley Debeck- is on the Brewer City Council
Jim Ring- is the City Engineer for Bangor
Rodney Buswell, Sr.- owns Peavey Manufacturing, lives in Eddington
Joan Brooks- lives in Eddington, works with community development

Susanna's Presentation:

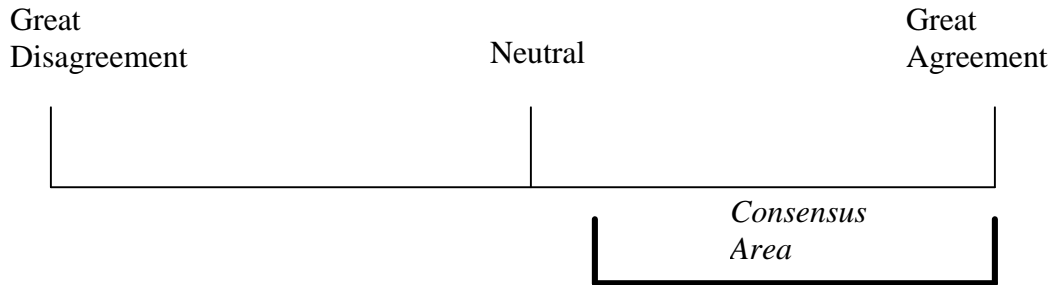
Susanna announced that the last ten minutes of the meeting are open for public discussion.

Susanna announced that PAC members are a conduit to the community, and that in addition to PAC meetings, there will also be public meetings. She asked for PAC suggestions for meeting ground rules. The adopted ground rules are:

Ground Rules (and who submitted):

1. One person talk at a time, Jim
2. Don't let one person monopolize, Sandi
3. Don't beat a dead horse, Ellen
4. Have an agenda and stick to it, Joan
5. Don't get personal, Manley
6. Respect other people's positions, Stan
7. No side conversations, Susanna
8. Start and end on time, Susanna
9. Stay objective, Mike
10. Speak up if you don't understand, Bill
11. If you are a PAC member, make a commitment, Joan

The Consensus Process:



Group decisions are made by consensus; therefore it is important that the group has a common understanding of what is consensus. Agreement happens on a continuum: with any decision people can be “way over to the left- in great disagreement” or “way over to the right- in great agreement” or “right in the middle- neutral”.

A group has consensus as long as everyone is at least at “the Notch Above Neutral” or higher. The test to make sure everyone is at consensus is to ask each person if he/she can support the decision outside of the room, i.e. when he/she is defending the decision alone, without his/her fellow decision-makers.

If someone can't come to consensus, then he or she has to come up with a alternative that everyone can come to consensus on.

Questions from the PAC:

Sandi: Can people have stand-ins?

Mike: Yes, as long it does not become habitual.

Stan: What if the process fails to reach consensus?

Mike: If consensus can not be reached, those individuals must present a better option.

Susanna: And keep talking about why you disagree.

Sandi: When is it okay to move on from an issue?

Susanna: We can always go back to an issue later. Also, members can decide to move on even if they are not a “notch above neutral”.

Bill's Presentation:

Goal: Location approval that then gets handed over to the engineers. The process is driven by the National Environmental Policy Act.

NEPA:

- Signed in 1970 so that federal agencies would consider environmental impact.
- Country's basic national charter for protection of the environment.
- Established environmental policy, provided interdisciplinary framework for agencies to prevent environmental damages, and contains action-forcing procedure to ensure agencies and decision-makers consider environmental factors.

Quote:

“Ultimately, of course, it's not better documents but better decisions that count. The purpose is not to generate paperwork, but to foster excellent action.”

-Council of Environmental Quality

Agencies:

Federal Highway Administration is the lead agency, then there are many, many other agencies involved who are potentially impacted by the decision (i.e. MDEP, Maine Historic Preservation, Army Corps of Engineers, Fish & Wildlife, EPA, concerned citizens, etc.)

Levels :

- Categorical Exclusions, CE
- Environmental Assessment, EA when significance of impact is unknown
- Prepare Environmental Impact Statement. EIS if impact is known to be significant.

Purposes of an EA

- to document NEPA compliance
- to determine if an EIS is required, and, if required, create its foundation

Note: It is possible to transition from EA to EIS if necessary.

Overview of Steps in the NEPA Process

Internal Administrative Activities and Internal Scoping
organizing resources

conducting start up meetings
establishing Scope of Work and activities to be performed

Agency and Public Scoping

Scoping

determine the connected, similar, and cumulative actions
determines the alternatives to be considered
determines the direct, indirect, and cumulative impacts to be

evaluated

Activities include

introductory Interagency meeting
formation of a PAC
initial public meeting

Purpose and Needs

clear definition of problems

Alternatives development and Impact Assessment

only alternatives that are responsive to purpose and needs
Natural Environment issues
Social Environment issues

Avoidance and Minimization of Alternatives

Draft EA Preparation and Circulation

public hearing
respond to substantive comments

Final EA Preparation

FONSI

document prepared by the federal agency briefly presenting why an action does not have a significant impact and an EIS won't be prepared. Must include description of mitigation measures.

Bill gave out handouts that detail the NEPA process. He also made it known that a project-specific website will developed to provide additional study information.

Mike Davies pointed out that there are 3 hurdles to completing an EA:

- Community support
- Agency support
- Coming up with a realistic alternative

Questions from the PAC:

Al: How much federal is there versus state funding?
Mike: There is an 80%-20% split.

Al: What does the 20% go to?
Mike: This is the States matching portion and is utilized throughout all phases of the project.
Sandi: The 80%-20% split is used for every road that is larger than a local road.

Stan: Is the Federal Highway Administration aware of this project?
Mike: Yes they are aware of the study. Jim Linker and Ken Todd are our federal representatives and one of them, most likely Jim Linker will be actively involved in the study.

Linda: How long after the EA is the design done? Construction?
Mike: The Study will take approximately 1 ½ to 2 years, then the design starts and that may take 2 years, and at least 2 more years for construction. This is all contingent on available funding.

Ellen: Is it possible to make PAC meetings more frequent than every 6-8 weeks?
Bill: Yes, at the beginning. Later there will be too much to do in between each PAC meeting.
Mike: I would like the meetings every four weeks in the beginning.

Stan: How was this project defined to federal entities?
Mike: Local communities voiced concerns with the changes in traffic patterns after the completion of I-395, new traffic data was collected and analyzed, representatives endorsed their constituents concerns, MDOT agreed to conduct a formal study to identify alternative Transportation solutions.

Joan: Define regional and local.
Mike: Local- Clifton to Bangor, Regional- East, West, North, South commerce routes.

Stan: Did this process (NEPA) happen before the building of I-395?
Bill: Yes.
Jim: More recently, the process was used for the I-295 interchange which is under construction now.

Stan: Were the unanticipated impacts of I-395 a failure of the NEPA process?
Is it this PAC's job to anticipate similar potential impacts?

Bill: Yes, it is part of this PAC's job. So far, there's been terrible tracking of the results of these projects and we need to do better.

Mike: It was not necessarily a failure the process. I believe we are more informed with better resources and technology to help in the decision making process.

Jim: Bangor and Brewer were likely the only ones involved at the time.

Stan: So they were not thinking regional enough back then. That's an important point.

Joan: Traffic patterns are also affected by rail service. It doesn't look like we're looking at anything other than the highways.

Bill: We do have to look at other factors. That's the plan.

Sandi: We can learn from I-395 to look at the whole map.

Peter: I thought I-395's purpose was to dump traffic out of Brewer toward Rt 3?

Mike: Many factors have contributed to our current traffic conditions, completion of I-395, NAFTA, currency exchange rate, strong economy, etc.

Peter: A lot of problems seem like they came up afterward.

Scott: What about the Sensible Transportation Policy?

Bill: That happens as a process concurrent to NEPA.

Stan: Are natural and manmade factors weighted equally?

Bill: Yes. And economics.

The meeting moved to scheduling.

The suggestion was to meet the first Monday of every month- this works at least for October.

The next PAC meeting was scheduled for:

Monday, October 2nd
Location: Brewer Auditorium
Upstairs Conference Room
7:00 to 9:00 pm

Future meetings are to be on 11/15 and 12/18.

Susanna then opened the meeting up to questions from the public:

Jack Neeley from Holden: Is the option of not building anything being considered?

Bill: Yes.

Jack: Why was there such a short time for appointments to the PAC?

PAC members noted there was plenty of time.

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.

Jack: Have you considered that whatever is built may not be a link, but the start of an East/West highway? We have to consider future building as a result.

Bill: Yes. That goes under the study of cumulative effects-studying the past, present, and future.

John Bryant from Holden: The definition of regional has changed. How would you define it? Why, for example, do you have a representative from Calais?

Mike: Regional representation is important. This is a regional as well as a local transportation issue and we must work together to identify possible solutions.

John: How can you stay objective when you talk about I-395 as a link?

Mike: It's hard, but we have to consider a no-build option.

Bill: There are missing links all over the country. We must consider the existing logical termini and decide if it is still reasonable. It would be hard to throw away the I-395 investment.

Richard Bower, Eddington: The air conditioner makes it difficult for the public to hear PAC members. Can we shut it off?

Susanna: Please let us know any of those problems at the beginning of the meeting so we can fix them right away.

Grant Bryer from Holden: How was the financial math done for this without project data?

Mike: The \$18.6 million estimate was based on a best guess reasonable solution.

Grant: How do you deal with eminent domain? Do you pay residents fair-market value?

Mike: That is taken into consideration during the design phase, people are always fairly, or more than fairly compensated.

Grant: The community does not get this information.

Mike: We have professionals in our Right of Way group who can provide any information on Right of Way issues.

There were no more questions.

Susanna thanked everyone and the meeting was adjourned.