

# ***I-395/Route 9 Transportation Study PAC Meeting Summary***

April 15, 2009  
7:00 to 9:00 PM

Holbrook Middle School, 202 Kidder Hill Road, Holbrook, Maine

## **Overview of Meeting**

---

### **1. Welcome and Introductions**

Seven of twelve PAC members were in attendance.

### **2. Status of Study Moving Forward**

The MaineDOT and the FHWA are moving forward with the study.

### **3. Activities Completed Since November 2008**

- Dismissed Alternatives 5B2E3K and 2B-2 with connectors to 5A2E3K.
- Completed most of the preliminary design including typical sections, interchanges, and intersections.
- Completed most of the impacts assessment work and documentation to be included in the environmental impact statement.

### **4. Discussion of the Results of Connectors and Range of Alternatives Being Considered**

Most of the alternatives resulting from the development and analysis of connectors were dismissed because they resulted in greater impacts than the alternatives being retained for further analysis. Three connectors were found to have some merits and are currently being evaluated.

### **5. Results of the Preliminary Impacts Assessment and Further Avoidance and Minimization of Impacts**

The PAC asked if alternatives with greater impacts would be dismissed. Further dismissal of alternatives that do not satisfy the Study the purpose and need, are duplicative, or have greater impacts would occur with the concurrence of the federal resource agencies at the May 2009 Interagency meeting.

### **6. Review of Short-term Activities**

The study team's remaining work over the short-term consists of:

- Refine the 'skinny' diamond interchange, if any of the 5A alternatives are retained. If dismissed, no further work on this interchange would be done.
- Tabulate impacts to properties affected by the alternatives.
- Estimate cost of construction of each retained alternative.
- Analyze crash reductions.
- Analyze economic impacts.
- Analyze noise impacts.
- Revise permit application.
- Update the posters and release another newsletter, anticipated in late May 2009.

### **7. Next Meeting and Anticipated Timeframe**

Fall 2009 after the Draft Environmental Impact Statement (DEIS) is circulated and before the public hearing.

**8. Questions from the Public**

- Questions or clarification and comments on the study.

**Meeting Details**

---

<b>Attendance</b>	<b>PAC Members</b>	<b>Representing or Background</b>
	Alan Bromley	Holden
	Rick Bronson, Fire Chief	Brewer
✓	Joan Brooks	Eddington
✓	John Bryant	Holden
✓	John Butts	Holden
	Manley DeBeck, Jr.	Brewer
✓	Rob Kenerson	BACTS
✓	Linda Johns, City Planner	Brewer, Clifton
	Rodney Lane, Lane Construction	Construction
✓	Charles Plummer	Eddington
	Roger Raymond, Bucksport Town Manager	Bucksport
✓	Jim Ring, Bangor City Engineer	Bangor
	<b>Study Team</b>	
✓	Ray Faucher	MaineDOT
✓	Judy Lindsey	MaineDOT
✓	Mark Hasselmann	FHWA
✓	Bill Plumpton	Gannett Fleming, Inc.
✓	Michelle Brummer	Gannett Fleming, Inc.

**1. Welcome and Introductions**

Ray Faucher welcomed the public advisory committee (PAC) and the audience. He said that Bill Plumpton and Michelle Brummer would be late in joining the meeting.

**2. Status of Study Moving Forward**

The MaineDOT and the FHWA are moving forward with the study.

**3. Activities Completed Since November 2008**

Ray reminded that PAC that the study team had identified connectors between the north/south portions of the three western-most alternatives, which resulted in the creation of 14 additional alternatives (hybrids). The MaineDOT met with the federal and state regulatory and resource agencies in December to review these alternatives. At that meeting, the number of alternatives was reduced based on the transportation benefits and screening, resulting in 7 build alternatives, 1 upgrade alternative and the no build alternative. These 9 alternatives are being assessed for their impacts on the natural and human environments.

The MaineDOT has completed most of the preliminary design including typical sections, interchanges, and intersections for the alternatives being considered. The MaineDOT has completed most of the impacts assessment work and documentation to be included in the Environmental Impact Statement and Section 404 permit application supporting information.

#### **4. Discussion of the Results of Connectors and Range of Alternatives Being Considered**

Ray reviewed the results of the connectors.

- 5B2E3K was dismissed due to commercial impacts in Brewer. A hybrid alternative, 5B2B3K-1, is currently being retained for further analysis.
- 2B-2 with connectors to 5A2E3K was dismissed due to greater impacts to wetlands, floodplains, and residential areas than those alternatives being considered; 2B-2 was retained for further analysis.
- 5A2E3K with connectors to 2B-2 were retained; these alternatives are known as 5A2E3K-1 and -2.

Jim Ring asked for clarification on the location of the Brookfield Estates Drive, and asked that we add the estate location to the figure, and identify the alternative that affects this development.

Ray responded that Brookfield Estates is located on the south side of Eastern Avenue in the vicinity of the Brewer/Holden town line and is impacted by Alternative 5A2E3K.

Ray stated that the federal regulatory and resource agencies agreed with the dismissal of select alternatives based on impacts and their ability to satisfy the study purpose and needs. The alternatives that tie into Route 9 at Eddington and use a section of Route 9 do not satisfy the purpose and need statement.

Ray presented typical sections of the upgrade and other build alternatives, noting that, with the exception of the upgrade alternative, the MaineDOT would acquire land for a four-lane right-of-way, though only two lanes would be constructed initially.

Ray presented more detailed views of the interchanges and intersections with the existing highway network.

- For the upgrade alternative, a new Route 46 intersection with Route 9 is shown east of the existing intersection to retain and not impact the Tradewinds business at the north end of Route 46. The northern end of Route 46 would become a local road ending in a cul-de-sac.
- For Alternative 2B-2, I-395 would require an upgrade to the existing interchange with Route 1A.
- For Alternatives 2B-2 and 5A2E3K-1, the connection to Route 9 would be accomplished with a T-intersection.
- For Alternative 3EIK-2, two partial interchanges would be constructed, one at its connection with I-395 and the second at the alternatives crossing of Route 1A, to eliminate concerns with traffic weaving that would result from the construction of a single interchange with I-395.

- For Alternative 5A2E3K, the proposed interchange with Route 1A is a narrow diamond configuration. The existing I-395/Route 1A interchange would be eliminated.

Jim Ring asked why a simple slip lane for eastbound Rte 1A traffic is not proposed for Alt 3EIK-2? He is concerned with safety, geometrics and a weaving movement. Ray response by saying the volume on Route 1A will increase, not allowing left turns will protect mobility.

Linda Johns noted that there is an 81-acre DEP-restricted wetland mitigation site between Felts Brook and I-395 to the southwest of Route 1A.

## **5. Results of the Preliminary Impacts Assessment and Further Avoidance and Minimization of Impacts**

Ray showed several tables comparing the alternatives to:

- The impacts to land use and land cover, in acres.
- Displacements of residences and businesses.
- The impacts to streams, wetlands, vernal pools, and floodplains.

These tables show that the alternatives beginning with '5' parallel to the utility corridors have the highest wetland impacts.

Jim Ring stated that Alternatives 2B-2 and 5A2E3K-1 do not meet the long-term need. He asked if there is any need to continue studying these alternatives. Ray replied that the US Army Corps of Engineers (Corps) would probably require that MaineDOT carry at least one forward.

John Bryant asked if the purpose and need had changed. Ray replied that the purpose and need have not changed and are general, as agencies don't want to predetermine the outcome. The speed of traffic through the east Eddington village has always been a concern. As a built up area, it poses a challenge to making connections to Route 9 west of the east Eddington Village.

John Bryant stated that the tables of impacts do not relate to the system linkage need, as indicated by the asterisks.

Linda Johns asked if MaineDOT is looking at dismissing some alternatives. Ray replied, yes, specifically those that are duplicative in function and location and have higher impacts than other alternatives. A May meeting is scheduled with the federal and state regulatory and resource agencies to discuss dismissing alternatives from further consideration.

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

Bill continued. The preliminary engineering for the interchanges and the intersections has been fully developed except for the diamond interchange. The conceptual ramp design for Alternative 5A2E3K shows slip ramps that would need to include traffic signals. All traffic would be controlled by the traffic signals and most of the turns drivers would make would be left-turns across traffic. The diamond interchange would work, but as traffic volumes increase, traffic would not flow through the area as well as when the interchange was first opened to traffic. Proposing traffic signal as part of a new diamond interchange lacks long term vision for safety

and mobility along the corridor. All of the alternatives beginning with 5A use the diamond interchange.

Ray added that there are few options for adjusting the location of this interchange.

Linda Johns stated that the wetland compensation site is “off limits” to relocation, as far as she knows. Ray said that he would look into whether the wetland compensation site was off limits or could be impacted and wetlands replaced a second time. Mark Hasselmann said that it may come down to who owns the property. Linda thought that Maritime and Northeast Pipeline still owns it.

An audience member asked why Alternative 5B2E3K-1 was still being considered. Bill replied that the EPA wanted to see an alternative parallel to the existing utility corridor. It has not been dismissed at this time, although it has many impacts. The EPA would need to concur with dismissing it and this will be discussed at the mid-May interagency meeting.

Bill stated that the power point presentation was the core of the meeting’s discussion material and asked the PAC what other questions they had. He noted that all of the Alternatives beginning with ‘5’ accomplish similar functions and not all need to be considered further. Similarly the two alternatives beginning with ‘3’ are similar to one another. It is in the best interest of all to narrow the range of alternatives being considered and the interagency meeting in May could determine if alternatives are dismissed from further consideration.

Ray said that the DEIS would be ready in late summer or fall 2009. He noted that this study is being handled under new regulations. The MaineDOT is sharing draft chapters of the DEIS with the regulatory agencies as they are developed, rather than submitting them as a single report. Bill estimated that the DEIS would be about 250 pages.

## **6. Review of Short-term Activities**

Bill outlined the study team’s remaining tasks over the short-term:

- Refine the ‘skinny’ diamond interchange, if any of the 5A alternatives are retained. If dismissed, no further work on this interchange would be done.
- Tabulate impacts to properties affected by the alternatives
- Estimate cost of construction
- Analyze crash reductions
- Analyze economic impacts
- Analyze noise impacts
- Revise permit application
- Updates the posters and release another newsletter, anticipated in late May 2009.

Ray said that the DEIS is 75-80 percent complete.

Linda asked how the cost of construction plays into the MaineDOT’s decision. Ray said that the cost of construction would probably not play a big role. The alternatives in this study are relatively similar in length and earth-moving requirements with the exception of the two alternatives that connect to Route 9 to the west of Route 46. The most costly alternatives were dismissed earlier. Bill added that costs can’t factor too much into the DOT’s decision, as costs would change in final design. Ray noted that the impact to natural and human environments are the primary decision making factors. Bill added that until the highway is constructed, opportunities to reduce impact always exist.

Bill said that the posters in each town would be updated in late May and a press release or newsletter would be issued at the same time.

Linda asked for clarification on the 5A alternatives that end in -1 and -2. Bill referred her to the interactive map on the study website. John Butts said he had trouble viewing the map on Monday. Bill would look into it on Thursday.

John Bryant added that the alternative names are difficult to manage and asked if they could be simplified. Ray said that in the short term the names need to stay. Others have asked the same question. As the study reaches a conclusion on which alternatives should be carried forward, there should be an opportunity to rename them.

Charles Plummer asked for clarification on the selection of a preferred alternative a few years ago. Ray replied that the communities did have a preferred alternative, but that the federal regulatory and resource agencies requested more detailed analysis of a broader range of alternatives, such as is being prepared now.

## **7. Next Meeting and Anticipated Timeframe**

Bill reminded the PAC that as this study resumed last year, the study team planned for six PAC meetings. This is the third meeting as scheduled.

The next meeting would be in the fall after the DEIS is circulated. Bill suggested that the next meeting take place before the public hearing to help the PAC understand what the document says and to answer questions. He noted that the public hearing tends to be scheduled toward the end of the public review period so that reviewers have time to read the document thoroughly before commenting.

Ray suggested that the PAC may want to submit a formal public comment at the public hearing. The next PAC meeting would provide an opportunity to prepare comments. He said that community consensus at this point, for or against any of the alternatives, can influence the DOT's decision.

Bill stated that after the public comments, both written comments and verbal testimony, the MaineDOT would review those comments and prepare written responses to them. The fifth PAC meeting, anticipated for late fall 2009 or winter 2010, would be used to share the comments and ask the PAC to help understanding the comments. The responses to the substantive comments would be distributed with the FEIS.

Bill stated that the FEIS is the document that states the recommended alternative and explains why that alternative was selected from all others.

Ray stated that the Record of Decision or ROD is the end product of the environmental impact process. Based on the schedule to date, MaineDOT anticipates a ROD in 2010. However, the Corps's determination on the Section 404 permit application may take additional time and may affect the overall schedule. MaineDOT would be hesitant to work on the FEIS until the Corps LEDPA decision as MaineDOT does not want to rework the FEIS.

Looking beyond the ROD, Bill stated that final design would take 2-3 years once started by MaineDOT. The permitting process would also take several years to complete. And construction would take another several years.

Ray reminded the PAC of Kat Fuller's attendance at the 2<sup>nd</sup> PAC meeting to talk about funding constraints. Since then, the MaineDOT has decided to commit a pot of money for completed studies, like the I-395/Route 9 Study. Some money is being set aside to follow through on the outcome of this study and others.

Bill asked the PAC again if there were questions and if they understood the process. They indicated they had no questions and understood the upcoming steps of the process.

Bill drew attention to the new T-intersection in Clifton on the north side. He said it affects two properties in Clifton, therefore the study team plans to discuss these impacts briefly in the DEIS. Linda Johns agreed to convey that intent to the town and property owners. Linda feels if MaineDOT provides the property owners the opportunity to ask questions prior to the public hearing it should not be an issue.

Ray stated that every property owner of affected property by the alternatives would receive a letter and a public hearing notice when the DEIS is printed and distributed.

Bill asked Joan Brooks about cemeteries noted in Eddington's comprehensive plan. Joan said that one had been expanded. He asked John Bryant if there were any cemetery changes in Holden. John replied that the cemetery on Clewleyville Road was expanded.

Joan Brooks added that one of the alternatives is shown in proximity to a cemetery. Bill agreed that the illustrations provided show close proximity. He assured her that the linework was drawn at a larger scale to avoid the cemetery.

Joan Brooks asked if the Eddington School was also avoided. Bill replied that the alternatives in the vicinity of the school have not changed. He advised her to review the DEIS carefully and make a public comment, if this area remains a concern.

An audience member asked if all graphics and presentation materials were on the study website. Bill said yes, including an interactive map of the alternatives.

Linda Johns asked if the 5A2E3K-1 could be dismissed due to its impacts. Ray said that federal regulatory and resource agency concurrence is needed. Bill noted that the alternative's alignment has shifted. The previous location required encasement of portions of the pipeline, which would come at a high expense. Shifting 5A2E3K-1 from the pipeline put it onto the compressor station.

Joan Brooks asked how safety is viewed in comparison to wetlands. Bill said that safety was defined at the beginning of the study as the elimination of crashes. Other aspects of safety certainly exist but were not part of the study's definition. As far the agencies are concerned, the DOT and FHWA define safety as the elimination of crashes.

Joan Brooks asked if the environmental impact process has to look at impacts to vernal pools. Bill said, yes, both significant and non-significant vernal pools. Data was acquired and plotted for the study analysis and shared with Brewer and Holden. It was not provided to Eddington since the town did not have a system to view the data. An audience member said that Eddington now has the capability to view the data and requested a copy of the data. Ray and Bill agreed to provide GIS data to the Town of Eddington.

John Bryant asked if the interagency meeting had been scheduled. Ray said that the meeting is scheduled for Tuesday, May 12<sup>th</sup> at 9am.

Jim Ring asked 1) if farmland impacts are included in the regulatory review, and 2) how residential impacts and proximity was factored into the process. Bill replied that the study team did look at land uses, including farmland. The Farmland Protection Policy Act of 1981 affords consideration and protection for active farmland and forested areas underlain by soils that could support agriculture. For this project the Farmland and farmland determination are documented in the DEIS but do not rise to the level of concern (a non-issue) for this study.

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

Joan Brooks asked how wide the right-of-way is. Ray said that it varies. Where a controlled access design is used, the right-of-way would range from 250 to 300 feet and could be wider for large cuts and fills. Bill agreed that the 250 to 300 foot wide range was reasonable to expect. For the improved Route 46, easements would be acquired for grading on private property.

Linda Johns asked for clarification on how the wetland impacts are tabulated. Bill replied that the DEIS calculates the impacts for the full buildout, i.e. the four lane highway. However, for the Section 404 Permit application, only the impacts for the two lane facility are used. Ray said that the Corps previously asked for the total impacts but now advises only reporting the short term impacts. Linda said for the permit purpose this scenario makes sense but it seems short-sighted for planning purposes. Mark Hasselmann added that the difference between the two and four lane impacts would be shown in the DEIS and that the indirect and cumulative sections of the document will account for the 2 versus 4 lane difference. Bill added that the wetland impacts shown in the tables are four lane impacts plus an indirect impact estimated as a 25-foot buffer.

An audience member asked for clarification on the use of the term shrub in multiple tables. Bill replied that one table shows shrub as a land use/land cover. The other shows shrub as a wetland type.

## **8. Questions from the Public**

An audience member asked if the number of alternatives had increased as a result of the connectors. Bill replied that, yes, there are two new 5A alternatives as a result of the connectors. He asked if the website shows them all. Bill said that the map of alternatives on the website shows all nine alternatives.

At 9:00pm, Ray thanked everyone for their attention and dismissed the meeting.

## **Action Items/Follow-ups**

---

1. Provide GIS data to the Town of Eddington.
2. Verify the easy operation of the interactive map showing the range of alternatives.