

I-395/Route 9 Transportation Study PAC Meeting Summary

**August 20, 2008
7:00 to 9:00 PM**

Brewer Auditorium, State Street, Brewer, Maine

Overview of Meeting

1. Welcome and Re-Introductions of Study Team and Committee Members

- Three new members
- Six meetings anticipated
- Michelle Brummer, Gannett Fleming, Inc., Public Outreach Coordinator

2. Revised Study Process: Moving from an Environmental Assessment (EA) to an Environmental Impact Statement (EIS)

Additional and more detailed analysis of resources as provided in the EA is needed to comply with the intent of the National Environmental Policy Act and closely related legislation. An EIS will be prepared.

3. Purpose and Role of the PAC

The PAC's advice will influence the selection of a preferred alternative. Thoughtful, respectful participation is requested. Public comment will be taken at the end of each meeting.

4. Results of the June 4th Public Scoping Meeting and Continued Issues Identification

Continued discussion by the PAC on:

- splitting parcels and limiting landowner access
- blocking recreational corridors
- development pressure on the northern terminus at Clifton
- impact on habitat
- Route 9, especially significant impacts to residential uses
- truck traffic
- connection to the existing I-395 facility
- use the rail right-of-way

5. Overview of Study Schedule

Approximately 12-16 months to the draft EIS or DEIS document.

6. Next Meeting: Anticipated Agenda and Timeframe

Possibly October or November with advance materials provided to the PAC.

7. Questions from the Public

- Availability of maps, study data, etc.

Meeting Details

Attendance	PAC Members	Representing
absent	Alan Bromley	Holden
✓	Rick Bronson, Fire Chief	Brewer
✓	Joan Brooks	Eddington
✓	John Bryant	Holden
absent	Rodney Buswell, Sr.	Eddington
✓	John Butts	Holden
absent	Manley DeBeck, Jr.	Brewer
✓	Rob Kenerson	BACTS
✓	Linda Johns, City Planner	Brewer, Clifton
✓	Rodney Lane, Lane Construction	Regional Development Trends
✓	Charles Plummer	Eddington
✓	Roger Raymond, Bucksport Town Manager	Bucksport
absent	Jim Ring, Bangor City Engineer	Bangor
	Study Team	
✓	Ray Faucher	MaineDOT
✓	Scott Duncanson	Gannett Fleming, Inc.
✓	Michelle Brummer	Gannett Fleming, Inc.

1. Welcome and Re-Introductions of Study Team and Committee Members

Ray Faucher welcomed attendees to the public advisory committee (PAC) meeting. Ray stated that the MaineDOT and the study team anticipated six PAC meetings to complete the study.

Michelle Brummer welcomed the PAC and the public and introduced herself as the moderator for the PAC meetings and coordinator for other public outreach activities.

The PAC members introduced themselves.

Michelle offered a sign-up sheet to receive e-newsletters. She reviewed the agenda, noting public comments and questions would be taken at 8:45pm or after the other agenda items were addressed.

2. Revised Study Process: Moving from an Environmental Assessment to an Environmental Impact Statement

Ray and Scott Duncanson described the National Environmental Policy Act (NEPA) process, its requirements, and documents for the study, noting the shift in preparation from an Environmental Assessment (EA) to an Environmental Impact Statement (EIS). Scott described the three classifications of NEPA documents:

- A categorical exclusion (CE), which is prepared when the impacts of a study are known and not significant.
- An EA, which is prepared when the significance of impacts of a study are uncertain; if it is determined that significant impacts would result, an EIS would need to be prepared
- An EIS, which is prepared when the impacts of a study are significant.

Ray stated that the result of the EIS would be the same as was anticipated from the EA: the identification of a preferred alternative alignment that can be supported by federal agencies and advanced for design, permitting, and construction. He emphasized that the EIS requires a slightly different level of analysis and additional requirements (e.g., a public review and comment period). He explained that the federal agencies, namely the Federal Highway Administration, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service, reviewed the study and determined that the preparation of an EIS was necessary to adequately evaluate the impacts of the alternatives because:

1. the analysis performed in support of the EA was too brief for several resources
2. the EA identified a potentially significant impact to wetlands

The decision to elevate the study from an EA to an EIS was made in the fall of 2005. This decision followed the reauthorization of the federal highway bill, which approved new “rules” for the study process. These new rules were indicated in the federal highway bill but not fully developed or specified. The MaineDOT decided to wait until the new rules were fully developed to re-start this study. These new rules took effect in February 2007 and made the MaineDOT a co-lead and signatory agency for the study. The MaineDOT met with the federal and state regulatory and resource agencies to identify a range of alternatives for study in the EIS.

Scott reviewed activities recently completed:

- Redesign of the study website www.i395-rt9-study.com
- Updated understanding of recent residential, commercial and utility developments
- Updated traffic counts and safety data with 2006 data
- Met with towns and the City of Brewer
- Met with state and federal agencies
- Conducted the June 4, 2008 Public Scoping Meeting
- Began analysis of the range of alternatives
- Refined and adjusted alternatives based on public comments and new information

3. Purpose and Role of the PAC

Michelle provided an overview of the PAC including its purpose, value, and ground rules. She noted that six meetings with the PAC are planned in relation to milestones achieved:

- 3 during preparation of the DEIS/404 Application
- 1 prior to circulation of the DEIS/404 Application
- 1 during preparation of the FEIS/404 Application
- 1 during availability of the FEIS/404 Application and preparation of the ROD

She confirmed that the 3rd Wednesday of select months is a time PAC members can commit for meetings.

John Bryant asked what “advisory” means. Ray replied that local communities have a lot of influence in the selection of a preferred alternative. The community’s support or opposition for a given alternative is given substantial weight in the decision-making process.

4. Results of the June 4th Public Scoping Meeting and Continued Issues Identification

A scoping meeting was held on June 4th to help determine the significant issues to be addressed in the EIS. Scott reviewed the comments received and the status of each.

1. Update traffic counts and projections.
Response: New traffic counts in the region were taken in 2006 and incorporated into the model and additional counts are planned at the Route 9/178 intersection. {Completed on September 4 & 5, 2008 }
2. Remove the 80,000 pound weight limit on the interstate to enable trucks to use I-95 and I-395.
Response: This is a congressional policy that can only be revised by congressional action. There has been discussion of revising this policy through the 2009 transportation bill.
3. Coordinate highway location and design with local fire departments.
Response: The study team has talked with local emergency service providers.
4. Would Alternative 3A-3EIK-1 displace residents of the Pine Cone Mobile Home Park?
Response: No.
5. How much property would be acquired?
Response: the MaineDOT would acquire sufficient property for use as right-of-way for the construction of a two lane highway with the potential for future expansion to four lanes.
6. Would the highway be widened to a four lane highway?
Response: Not at this time. It would be upgraded to four lanes when traffic volumes increase.

Scott acknowledged these comments as the community’s significant issues to be addressed in the EIS and asked if there were others.

Charles Plummer said he heard concerns about the new highway splitting parcels and limiting landowner access to portions of their property.

John Bryant stated concerns about the new highway separating the towns, blocking recreational corridors, such as snowmobile trails.

Linda Johns expressed concern for increasing the development pressure on the northern terminus of the corridor near Clifton.

Ray added that the study team is also preparing a 404 permit application. These two efforts are being performed concurrently so that the public review periods for both the EIS and the 404 permit can occur at the same time. At the end of the comment period, the U.S. Army Corps of Engineers would state which alternative it can support.

John Bryant stated that the study was conceived as an east-west highway and now seems like it would function as a connector. He asked which it was. Ray replied probably both.

Ray stated that the U.S. Army Corps of Engineers (ACOE) with input from the U.S. EPA and the U.S. Fish and Wildlife Service required the MaineDOT to reevaluate 5 build alternatives that had been developed as a part of the Environmental Assessment process, that included the two

alternatives previously submitted in the original Draft ACOE permit application, both alternatives along the existing utility corridors and one other from the Family of “3” alternatives to be selected by MaineDOT’. The MaineDOT selected one of the last alternatives to be dismissed from the EA’s consideration.

Seven alternatives are being considered:

1. No build
2. Upgrade of Routes 1A and 46
3. 3EIK-2 – one of two alternatives included in the Draft ACOE permit application
4. 2B-2 – the second alternative included in the Draft ACOE permit application
5. 5B2E3K – the alternative that parallels one of utility corridors that includes the new NRI Electric Transmission Line corridor
6. 5A2E3K – the alternative that parallels the second utility corridor that includes the new natural gas pipeline corridor
7. 3A-3EIK-1 - one of the last alternatives to be dismissed from the study when preparing the study EA

The MaineDOT was asked to consider possible connections to Route 178, and combinations of alternatives in an effort to further minimize impacts.

Roger Raymond asked what the basis of the agencies’ requirements was – analysis, policy, or other. Ray replied that the agencies’ review was primarily based on aerial photography and a philosophy of co-locating linear infrastructure. This intent doesn’t reflect the markedly different footprints of overhead transmission line corridors, underground pipeline corridors, and surface transportation corridors.

John Bryant asked about the impact of the new corridor on habitat, particularly unfragmented habitat blocks. Ray replied that there are a variety of opinions on the significance of traversing habitat. Wildlife crossings have been installed and are being studied to determine their effectiveness. In addition, new state environmental regulations have afforded protection to vernal pools. Data on locations of vernal pool has been developed and is available to the study team and the review agencies.

John Bryant noted that the inter-alternative connections seem to converge on Route 9 and asked if this means that Route 9 is already determined to be a preferred segment. Ray replied that all alternatives are being considered equally.

Joan Brooks stated that upgrading Route 9 would have significant impacts to residential uses. She stated that if the weight limit on the interstate is raised, trucks would not come through the study area. Ray responded with an indicator of truck weight. Trucks with two rear trailer axles are 80K pounds and under. Trucks with three rear trailer axles are more than 80K pounds; and when loaded, are not allowed on the interstate, but exceptions may be able to be made.

Rob Kenerson asked if there had been a study of the origin and destination of truck traffic in the area. Ray indicated that a license plate survey was performed to see where all vehicles, including large trucks, were entering and exiting the study area. This data is available and provided the basis for the traffic projection.

Rick Bronson asked if the additional traffic counts in the vicinity of Route 178 would include counts of truck traffic. Ray hoped that vehicle classification would be included.

Linda Johns asked about the connection to the existing I-395 facility. Ray indicated that the alternative would likely include half interchanges at I-395 and Route 1A rather than a full interchange with closely spaced ramps which could pose an operational problem for weaving traffic. Linda asked about the possibility of getting an exemption to the weight restriction on I-395 so that trucks could get across the river and out of town. Ray replied that exemptions to the weight restriction have been given. The time to pursue such an exemption would be after the preferred alternative is identified.

Joan Brooks asked what prompted the interest in connection to Route 178. Ray indicated that the U.S. Army Corps of Engineer's requested it.

Rob Kenerson stated that BACTS has total traffic counts but probably not truck traffic counts. Charles Plummer said he had seen counters recently and that truck traffic is heavy at the Route 9/178 intersection.

Joan Brooks stated that some of the alternatives make sense on paper, but that topography make them unreasonable. Ray agreed and stated that the federal agencies made other suggestions that fit this kind of description.

Ray noted that Gannett Fleming updated the existing and projected land use in 2007. In addition, the federal agencies came to the study area for a field view to gain a better understanding of the community and the potential impacts.

Joan Brooks asked if both 2B2 and 5B2E3K represent upgrades to the Route 9 corridor. Ray replied that 2B2 uses Route 9 and 5B2E3K follows a separate utility corridor south of Route 9.

John Bryant asked if the corridor could use the rail right-of-way to minimize impact to wetlands. Ray said no and agreed that there are a lot of wetlands along the rail corridor.

Linda Johns noted that the most westerly route passes through residential areas and near the natural gas pipeline compressor station. Ray confirmed that the environmental conditions along the various alternatives have changed since the study started.

Linda Johns asked at what point some of the alternatives could be dismissed. Ray stated that if a specific alternative seems unreasonable and the federal agencies agree that further analysis is not needed, the alternative can be dismissed.

Joan Brooks noted that one of the connections to Route 178 passes west of the Eddington school and this might not be a good location.

Rick Bronson asked if it is premature to say if any of the alternatives are impractical. Ray agreed that it is too early and that credible criteria and analysis are needed to suggest dismissal of any of the alternatives at this time.

Rick Bronson stated that 5B2E3K passes near the recently constructed gas compression station. It is ready for operation. He shared that nearby residents receive an annual survey asking about existing and planned public and residential facilities in this vicinity. The survey cites federal regulations regarding a required offset distance to protect citizens from the effects of a potential gas leak.

John Bryant and Linda Johns asked if the vernal pool data is available. Ray stated that it is available.

John Bryant asked if the updates in land use information reflected changes only adjacent to the alternatives. Ray replied that the study team attempted to update land use for the entire study area. Scott requested that the PAC review the maps and submit any other updates to the study team.

Rob Kenerson asked if the snowmobile trails have been recognized in the study. Ray stated that local trail data and wildlife corridor data is still needed. He referenced the fact that there is new research on how to design effective wildlife crossings.

John Butts asked if the maps provided to the PAC and shown on screen would be available on the website. Ray responded that they would be added soon.

5. Overview of Study Schedule

See item 3 for an overview of PAC meetings and study milestones.

6. Next Meeting: Anticipated Agenda and Timeframe

Ray stated that the next PAC meeting would be scheduled in a few months. The study team would send materials to review in advance of the meeting.

7. Questions from the Public

Steve Condon, planner for the Town of Holden, stated that the preliminary plan for the large tract in the center of the study area is outdated. New regulations requiring conservation subdivision are in place. Fifty percent open space would be required. Copies of the new regulations are available at the town office. He requested copies of the new maps for the Town Office.

Frank Higgins asked if the maps would be available on the study website. Michelle indicated that the website would be updated in approximately two weeks.

Benji Grant of Holden asked for an explanation of the color-coded graphics. Ray explained which graphics represented the overhead transmission line and the new natural gas pipeline.

Bob Haney of Holden stated he was pleased to see that the connection to Route 178 would be considered. He asked if the traffic count data is available. Ray stated that the traffic count data is available on the MaineDOT website.

Linda Johns asked to receive the traffic count and archeology site data. Ray stated that the new traffic data would be presented at the next meeting but that the archeology site data was not available to the public.

Benji Grant restated an earlier question asking if the study was a regional transportation solution or an I-395/Route 9 connector. Ray responded by saying that the study is probably both: primarily and east-west connector but one that should consider opportunities to solve other regional issues.

Michael Mannigan, a new resident of Eddington, asked when I-395 was constructed. Ray replied that I-395 was built first in Bangor in the 1950s-1960s. In the 1980s, I-395 was extended east to Route 1A.

At 8:50pm, Ray thanked everyone for their attention and dismissed the meeting.

Action items

1. Provide O&D (license plate matching) data to PAC.
2. Check with Rob Kenerson on the availability of Route 178 traffic counts.
3. Follow-up with Linda Johns and Rick Bronson with regard to exact location and FERC requirements for buffer zone around new gas compressor station.
4. Provide copies of vernal pool mapping, digital and hard copy to municipalities.
5. Consider impacts to recreation trails (snow mobile and ATV is becoming popular) and wildlife corridors.
6. Add maps and handouts to study website.
7. Provide copies of alternatives maps for municipal offices including connections.
8. Provide a link to MaineDOT traffic count data.