

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

Commentator: U.S. Army Corps of Engineers (Corps)

Corps Comment #1

- Submit Phase I information package for Highway Methodology approval.

Response

- On July 11, 2005, MaineDOT received confirmation of "...the completion of Phase I and the Corps determination on which highway alternatives will be carried into Phase II of the methodology and studied in more detail." The results of the Phase I screening identified the following alternatives to be "...carried forward for further analysis in Phase II in order for the Corps to determine the least environmentally damaging practicable alternative ... corridors 6d, 1c, 1e and the no build." MaineDOT will submit the Phase II analysis to the Corps for approval.

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Corps Comment #2

- Section 2.1, page 2-1. The corridor screening analysis should dismiss alternatives in compliance with the Section 404(b)(1) Guidelines. If an alternative is practicable (even partially so), it must then be analyzed for environmental impact. It may only be dismissed if it is more environmentally damaging than the selected alternative.

Response

- The Upgrade Alternative included widening of Route 25 and TSM measures. The Route 25 widening would cause the demolition of multiple properties that contribute to the National Register of Historic Places historic districts. Section 4(f) of the DOT Act of 1966 "requires the Secretary may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if--

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- (1) there is no prudent and feasible alternative to using that land; ..." therefore, as there are other alternatives that do not affect Section 4(f) properties the Upgrade Alternative was dismissed from further consideration.

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- Within Section 2.1, page 2-1 of the Environmental Assessment, the discussion centers on the Corridor Screening Phase of the study. The purpose of this phase of the study was to identify the range of reasonable alternatives for study, not necessarily to determine practicability. Broadly-defined bypass corridors, 305 m (1,000 ft.) wide, were defined and evaluated to identify: (1) bypass corridors with logical termini at State or U.S. numbered routes. These corridors would accommodate the primary travel desires of traffic traveling through Gorham Village and therefore have potential to satisfy the NEPA Purpose and Need Statement and the Corps "Basic Project Purpose;" and, (2) whether natural and manmade resources in these corridors posed a severe constraint to road development.

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- The Alternatives Phase of the Gorham Bypass Study Environmental Assessment developed Bypass Alternatives within each of the five bypass corridors retained for detailed analysis. MaineDOT conducted the detailed impact analysis with a 61-meter (200 foot) corridor.

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

The Council on Environmental Quality (CEQ) regulations require that environmental documents specify the Purpose and Need to which the agency is responding in proposing the alternatives including the Proposed Action. To satisfy CEQ's regulations the NEPA Purpose and Need Statement provides measurable criteria to compare alternatives for the determination of the Preferred Alternative.

Section 1.2, page 1-2 of the EA states: "The NEPA Study Purpose is to provide for the safe and efficient movement of people and goods through and around Gorham Village in a manner that is consistent with and supports the goals of Gorham's Comprehensive Plan. Current and future demand for local and regional travel, by all appropriate modes including vehicular, pedestrian, and bicycle, should be accommodated to satisfy needs." The Corps "Basic Project Purpose" is the same as the NEPA Study Purpose with respect to its transportation objectives. However, the NEPA Study Purpose also acknowledges the importance of considering community objectives, such as those contained in Gorham's Comprehensive Plan, in planning transportation projects. MaineDOT seriously considers community objectives in its project development process.

The EA documents the Study Needs: "Transportation deficiencies in the Study Area have been identified in past studies and reaffirmed in this Environmental Assessment (EA). These deficiencies include: 1) Insufficient capacity creating traffic congestion in the Gorham Village area, 2) Outdated/inadequate road design features, particularly for accommodating truck movements, affecting traffic safety in Gorham Village and regional mobility, 3) Outdated/inadequate facilities for pedestrian and bicycle modes, 4) Safety issues in the Study Area, 5) System needs including system connectivity and commerce also have been identified."

- Ten corridors were identified and screened in the Corridor Screening Phase. For this initial screening, corridor evaluation was based on transportation factors to determine their ability to satisfy the NEPA Purpose and Need and the Corps "Basic Project Purpose." Natural and human resources were considered at a "fatal flaw" level to identify whether the corridors contained resources that would be a severe constraint to roadway development.

The 10 corridors were presented at the June 2000 Maine DOT's federal and state Interagency Meeting, and the Study Team suggested dismissing corridors 5-5 and 7-7. Additional Documentation for dismissing the two corridors was requested. Following this meeting, the Corps of Engineers determined their Basic Project Purpose. In September 2000, the various environmental and social components of each corridor carried forward for study was presented to the Interagency Group. Additional information on dismissal of corridors 5-5 and 7-7, was presented. The Interagency group agreed with the Study Team's direction to carry forward corridors 1-1, 4-4, 6-6, and 8-8 however reserved final judgment until review of the EA.

Five of the ten corridors were dismissed from further consideration because they would not fully satisfy the NEPA Purpose and Need Statement or the Corps "Basic Project Purpose," or because they would require construction of additional road segments with little or no incremental transportation benefit (e.g. diversion of traffic from Gorham Village). The corridors dismissed from further consideration were Corridors 2-2; 3-3; 5-5; 7-7, and 9-9. Natural and human resources were present in all ten corridors and, in general, posed similar degrees of constraint to roadway development in each corridor. Therefore, natural and human resources were determined to be a neutral factor in the corridor screening. This corridor screening process yielded a range of reasonable

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- Deleted:** would extend Corridor 2-2 to link with U.S. Route 202/ State Route 4 southwest of Gorham Village. In response to the agencies request for additional information, Maine DOT conducted additional traffic analysis to distinguish the diversion potential between Corridor 5-5 and 2-2. The traffic forecasts demonstrated that Corridor 5-5 would divert little or no additional peak hour trips from Gorham Village compared to Corridor 2-2, therefore, having little to no additional transportation benefit. Corridor 5-5 would construct 1.
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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

alternatives, at the corridor level, that would be forwarded for detailed alignment studies, traffic studies, and alignment-specific impact analysis in the Alternatives Screening Phase. The corridors that only partially satisfied the NEPA Purpose and Need and Corps "Basic Project Purpose" were determined not reasonable to carry forward because other corridors better satisfied the Purpose and Need. The screening dismissed from further consideration corridor segments that would provide little or no incremental transportation benefits. However, the full range of corridor alignments was retained for further study. It is MaineDOT's opinion that it would not be a reasonable investment of public funds to advance alternatives that only partially satisfy the transportation objectives when alternatives that are more effective are available.

- The Study Team and the Public Advisory Committee developed an evaluation matrix, EA Appendix A, pages A-1 through A-12, to compare and contrast the bypass corridors with respect to transportation measures of effectiveness and natural and manmade constraints in the corridors, and therefore the potential for adverse impacts.

Corps Comment #3

- Section 2.1.2
 - a. The Corridor 1 alternatives are dismissed because of greater impact to residences. The document does not clearly demonstrate why these alternatives are apparently more environmentally damaging. It also does not make it clear whether these are actual displacements or simply proximity impacts. Residential impacts alone are not generally sufficient justification for dismissal unless there is a major difference in alternatives. Even then, the Corps generally recommends that DOT attempt to analyze why residential impacts outweigh natural resource impacts.
 - b. Corridor 1A-1A is dismissed from further consideration because it is apparently more environmentally damaging than 1-1. Its environmental damage must be compared to all of the alternatives, not just 1-1.
 - c. Corridor 4-4/Alternative 4 is considered more costly and potentially more environmentally damaging and therefore it is "not considered viable". Its viability has no relationship to its practicability or environmental damage. It should be dismissed consistently with the others and in accordance with the 404(b) (1) Guidelines.
 - d. Corridor 6/Alternative 6 and 6A are also not dismissed consistently.
 - e. Corridor 8/Alternatives 8A & 8B are not dismissed based on practicability or environmental damage.

Response

- Section 2.1.2, page 2-7 of the EA describes the development and screening of alternative bypass alignments within each of the corridors retained. This was an iterative process. Quantitative analyses were performed on these alignment alternatives to aid in determination of reasonableness, practicability, and environmental impact. Results of these analyses was presented to the Public Advisory Committee, the tabulations are attached hereto as Attachments A through H. Alternatives developed within a Corridor were initially compared to other Alternatives in the same Corridor, because they would be expected to have similar effectiveness in satisfying the NEPA Purpose and Need and Corps "Basic Project Purpose" since they would connect to the same roadways and service the same travel desires. Alternatives that were retained for further analysis from the corridor-by-corridor screening were compared to alternatives in other corridors and to the No-Build Alternative. In total, 16 alternatives were developed within the five corridors retained from the Corridor Screening Phase.

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 Maine DOT recommended Corridor 7-7

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 A second corridor-level evaluation was performed on the eight remaining corridors to determine which corridors had sufficient merit to warrant more detailed impact analysis. The additional analysis for the eight corridors was also presented at the September 2000 Interagency Me... [1]

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Response to Substantive Comments,
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PIN 8151.10
STP-8151 (10)X

a. Wetland, property, and neighborhood impacts are the major distinguishing factors among the Corridor 1-1 alternatives. Wetland designation is based on NWI wetlands. Four alternatives (Alternatives 1, 1d, 1d South, and 1d North) of the seven alternatives in Corridor 1-1 were dismissed from further analysis because the bypass road would follow an alignment along Cressey Road. The presence of a limited access roadway along the existing Cressey Road would have a substantial adverse affect on this neighborhood. The existing character and cohesiveness of this neighborhood would be permanently altered, as non-acquired residents would be physically separated from their remaining neighbors across the street; noise levels would increase, pedestrian traffic would not be permitted across or along the former Cressey Road. In addition, the property acquisition costs would exceed \$3.5 million. Other alternatives available would not affect this cohesive neighborhood. Construction of any of these four alternatives would sever access to the existing homes along Cressey Road because the bypass road would be a limited access facility. Therefore, the acquisition of all the impacted homes on Cressey Street would eliminate this long-established, intact neighborhood in its entirety.

Attachment A summarizes the potential natural resource impacts of the alternatives in Corridor 1-1. For most resources, the magnitude of potential impacts would be similar for all the alternatives. Attachment A, is the preliminary Build Bypass Alternative screening matrix presented at a July 2001 PAC meeting, it documents the required acquisition of between five and 23 residences necessary for alternatives following the Cressey Road alignment (Alternatives 1, 1d, 1d South, 1d North). The Attachment A matrix also identifies the level of natural, land use and socio-economic resource impacts of the Alternative 1 series of Build Bypass Alternatives to support the determination to dismiss these alternatives from further analysis.

The following matrix provides the Build Bypass Alternative's 1, 1b, 1d, 1d South and 1d North impact level. Additional information is available from Attachment A:

Category	Alt. 1	Alt. 1b	Alt. 1d	Alt. 1d South	Alt. 1d N
Number of Stream Crossings	1	1	2	2	2
Floodplains – 100 year (acres)	0.8ac	2.07 ac.	2.0ac	1.69ac	3.09ac
Wetlands (acres)	0.5ac	3.67 ac.	0.49ac	0.18	2.19ac
Significant Wildlife Habitat	Terminates adjacent to deer wintering area.	Terminates adjacent to deer wintering area.	None	None	Terminates adjacent to deer wintering area.
Amount of Prime & Unique Farmland					
Prime Farmland (Acres)	2.4 ac.	0.93 ac.	0.33 ac.	2.8 ac.	3.8 ac.
Farmland of Statewide Importance	2.2 ac.	11.65	5.8 ac.	4.4 ac.	3.1ac.
Potential Residential Relocations (#)	23	16	23	22	20
Properties Directly Affected (number)	47	35	54	57	50

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
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Community Facilities Impacted (how)	Within 300 ft. of proposed middle school	Within 300 ft. of proposed middle school	None	None	None
Identified Potential Future Development Land Affected (how)	Skirts Narragansett District & Bisepts proposed Hartwood 80 home subdivision	Minor encroachment into Narragansett District, & Acquires 10-20 lots and bisepts the Hartwood 80 home subdivision	Skirts Narragansett District	Skirts Narragansett District	Skirts Narragansett District

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preliminary Build Bypass Alternative's 1 screening matrix was presented at a July 2001 PAC meeting, it documents the required relocation of between 20 and 23 residences necessary for build alternatives following the Cressey Road alignment (Alternatives 1, 1d, 1d South, 1d North). *Matrix 1, page 6* also identifies the level of natural, land use and socio-economic resource affects of the Alternative 1 series of Build Bypass Alternatives to support the determination to dismiss these alternatives from further analysis.

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Any difference in the impact level between the information presented in Attachment A and Table 2-2, page 2-19 of the Environmental Assessment is a result of the refinement of the impact analysis.

A fifth alternative, Alternative 1b, in Corridor 1-1 was dismissed from further evaluation because it would acquire approximately 10-20 lots being developed in the Hartwood Subdivision, as well as bisect the subdivision property. On June 11, 2005, the MaineDOT Interagency Group participated in a field walk of the Gorham Bypass Study Area. During the review of the Alternative 1c corridor in the area of the Hartwood Subdivision property, the participants a number of previously undeveloped parcels had houses constructed on the lots. MaineDOT conducted further investigation with David Cole, Gorham's Town Manager. On August 29, 2005 Mr. Cole transmitted a map with Alternative 1c overlaying the Hartwood Development Subdivision Plan. This review identified four (4) developed properties that would require acquisition if Alternative 1c was constructed as the Preferred Alternative. Gorham's tax evaluation of three of the properties as of April 1, 2005, is approximately \$570,000. Gorham has not evaluated the fourth property that started construction after April 1. Gorham has approved a new subdivision, Chase Homes Subdivision, immediately adjacent to the south of the Hartwood Subdivision. Construction of Alternative 1c would require the acquisition of 18 to 20 of the approved housing lots. In the Alternative 1, series of bypass alternatives Alternative 1b would require the acquisition of the third highest acreage of wetland: the most acreage of Farmlands of Statewide Significance, the alternative is located within 300 feet of the middle school and terminates adjacent to a deer wintering area.

For the reasons noted above and in the EA, five of the seven southwest bypass alternatives in Corridor 1-1 were dismissed from further evaluation because they would have a higher level of impact to the human environment than other alternatives within this Corridor. The MaineDOT concludes that the impacts to the human environment outweigh impacts to natural resources based on the magnitude of the impacts to human resources and based on the practicability of mitigating for impacts in terms of cost and logistics.

- b. Alternatives 1c and 1e in Corridor 1-1 and Alternative 1a in Corridor 1A-1A were retained for further evaluation. Corridors 1-1 and 1A-1A would intersect Route 25 west of Gorham Village with Route 114 south of Gorham Village. They differ, however, in that Corridor 1-1 is located along an inner alignment approximately one mile west of Gorham Village, while Corridor 1A-1A would be located on an outer alignment, approximately two miles west of Gorham Village.

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment

PIN 8151.10
STP-8151 (10)X

Following field reconnaissance of natural resources in Corridor 1A-1A, it was determined that wetlands were more prevalent in this corridor than indicated on the National Wetland Inventory maps (NWI). Wetland impacts, based on NWI maps, were expected to be minimal. However, Alternative 1a wetland impacts based on field identification is estimated at 6.35 acres (see Attachment B). Wetland impacts for Alternatives 1c and 1e are estimated at 7.47 and 6.38 acres, respectively. Alternative 1a affects to Prime Farmland and Farmland of Statewide Significance is considerably higher than Alternative 1c or 1e, 13.6 ac., 6.29 ac., and 5.8 ac. consecutively. Impacts in other natural and manmade resource categories were also similar for these three alternatives. Alternative 1a would require the construction of a longer bypass and therefore more costly than the other two alternatives. In addition, due to its length and being an outer alignment, it would be 30% less effective in diverting traffic and satisfying the NEPA Purpose and Need and Corps "Basic Project Purpose" (see Attachment C, Traffic Diversion from Village). For these reasons, Alternative 1a was dismissed from further consideration.

c. Alternative 4 was a hybrid alternative that would extend the southwest bypass, Alternative 1a, east northeast to Route 4/202, but not intersecting with Route 25 at Mosher Corner. Alternative 4 would provide similar transportation benefits to Alternative 1a, plus additional diversion of other localized trips. However, since it would not intersect with Route 25 at Mosher Corner, it would not divert east west traffic traveling on Route 25 through Gorham Village, the predominant travel desire through Gorham Village. The lack of this connection made Alternative 4 far less effective in diverting traffic and less effective in satisfying the NEPA Purpose and Need and Corps "Basic Project Purpose" than alternatives in Corridor 6-6 (see Attachment C, Traffic Diversion from Village). It was concluded that it would be neither reasonable nor prudent to construct a northerly bypass road that did not intersect with Route 25 at Mosher Corner to capture east west through traffic on Route 25. For these reasons, Alternative 4 was dismissed as not practicable considering the added cost and potential environmental impact differential between Alternatives in Corridor 1-1, without the added transportation benefit of intersecting with Route 25 at Mosher Corner provided by alternatives in Corridor 6-6.

d. Alternative 6 was dismissed from further consideration as not practicable because it would be less effective in diverting traffic and satisfying the NEPA Purpose and Need Statement and Corps "Basic Project Purpose" than other alternatives in Corridor 6-6. Alternative 6 also would have higher wetland impacts than Alternatives 1a – 6.35 ac., 1c – 7.47 ac., 1e – 6.38 ac. and 4 – 12.17 ac. versus Alternative 6 – 17.32 ac. The Alternative 6 wetland impact is similar to other alternatives in Corridor 6-6 [See the matrix on page 7 that compares the Alternative 6 family natural and social resource affects.] (See Attachment D) and causes greater fragmentation of wildlife habitat because it is on an outer alignment. Alternative 6 is also less effective in diverting traffic from Gorham Village due to its longer length, therefore, increased construction cost and land acquisition than other Alternatives in Corridor 6-6.

Alternative 6a was dismissed from further consideration based on the following data: the alternative would traverse an alignment along Cressey Road and require the acquisition of 16-23 residences. Alternative 6a would have a substantial adverse affect on this neighborhood. The existing character and cohesiveness of this neighborhood would be permanently altered, as residents that would not be acquired would be physically separated from their remaining neighbors across the street:

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**Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X**

noise levels would increase, pedestrian traffic would not be permitted across or along the former Cressey Road. In addition, the property acquisition costs would exceed \$3.5 million. Other alternatives available would not affect this cohesive neighborhood. This alternative would bisect the proposed Hartwood Subdivision; encroach into the Narragansett District; it skirts the proposed Gateway Commons and encroaches into the northern portion of the Gorham Savings Bank (Please see page four, Corps Comment #3a for Hartwood Subdivision Update.). Alternative 6a would terminate near habitat of the Upland Sandpiper, a threatened species. Comparison of Alternative 6 family natural and social resource affects.

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- Deleted: Town
- Deleted: Gorham's "Village Expansion Subarea", an area classified in the Gorham Comprehensive Plan (1993) to encourage the expansion of Gorham Village's residential and commercial uses. The Village Expansion Subarea is approximately bounded by Day Road to the south, Lovers Lane to the north, and Weeks/Cressey Roads to the west and Libby Avenue to the east. A policy statement within the Gorham Comprehensive Plan states that the Town of Gorham should manage new development within the Village Expansion Subarea to assure that it respects natural limitations, is compatible with a village environment, and promotes a pedestrian environment within the center of the village. Alternatives (... [6]
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Category	Alt. 6	Alt. 6b	Alt. 6c
Number of Stream Crossings	5	3	4
Floodplains - 100 year (acres)	4.28 ac.	1.92 ac.	6.24 ac.
Threatened and Endangered Species - Upland Sandpiper (See page 21, Comment 12)	Terminates near Upland Sandpiper Habitat	Terminates near Upland Sandpiper Habitat	Terminates near Upland Sandpiper Habitat
Wetlands (acres)	17.32 ac.	18.53 ac.	19.92 ac.
Significant Wildlife Habitat	None	Terminates adjacent to deer wintering area	Terminates adjacent to deer wintering area
Amount of Prime & Unique Farmland			
Prime Farmland (Acres)	37.6 ac.	28 ac.	35.3 ac.
Farmland of Statewide Importance	24.4 ac.	17.1 ac.	22 ac.
Potential Residential Relocations (#)	16	14	24
Properties Directly Affected (number)	114	90	104
Community Facilities Impacted (how)	None	None	Adjacent to Gorham U Church
Identified Potential Future Development Land Affected (how)	Encroaches into northern portion of the Gorham Savings Bank Property; Skirts proposed 76 home Gateway Commons	Encroaches into northern portion of the Gorham Savings Bank Property; Encroaches into the Narragansett District; Cuts the southwest corner of proposed 80 home Hartwood Subdivision (Four houses have been constructed in the Hartwood Subdivision since the EA publication.)	Encroaches into Narragansett District; Encroaches into northern portion of Gorham Savings Bank Property; Skirts proposed 76 home Gateway Commons

e. Alternatives 8a and 8b were dismissed from further consideration due to their direct impact on the human environment; i.e. Hartwood Subdivision, Park South subdivision, and/or the new middle school. These alternatives would intrude into the southerly portion of the Town of Gorham's "Village Expansion Subarea", an area classified within the Gorham Comprehensive Plan (1993) to encourage the expansion of the Gorham Village residential and commercial uses. The Village Expansion Subarea is a district designated by the Gorham Comprehensive Planning Committee aimed to assist in the future development of Gorham Village. The Village Expansion Subarea is approximately bounded by Day Road to the south, Lovers Lane to the north, and Weeks/Cressey Roads to the west and Libby Avenue to the east. A policy statement within the Gorham Comprehensive Plan states that the Town of Gorham should manage new development within the Village Expansion Subarea to assure that it respects natural limitations, is compatible with a village environment, and promotes a pedestrian environment within the center of the village. These alternatives also would not connect to a state numbered route, and would therefore not satisfy logical termini criteria.

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

Corps Comment #4

- Section 2.2.1. In the future, DOT should clearly note why TDM (and in Section 2.2.2, TSM) does not meet the basic project purpose and are not practicable. In this way, these alternatives can be dismissed in compliance with the Section 404(b) (1) Guidelines.

Response

- Comment noted.

Corps Comment #5

- Table 2-1. This table indicates that Alternative 1c has substantially less impact to natural resources than 6d (preferred) and is only marginally less effective, yet apparently, 1c doesn't meet the basic project purpose. There is insufficient support in the document for this argument including the discussion in Section 2.3.3. The impact per length of road presentation by DOT is not particularly valuable to the analysis. The Corps concurs with the EPA and USFWS in their request for additional analysis of these two alternatives.

Response

- Since the publication of the Gorham Bypass EA Table 2-1, Attachment J, was revised to reflect the following:
 - The "Use of Bypass (Vehicles per day [vpd])" and "(Vehicles per hour[vph])" columns in the EA reflected the vpd and vph counts of the highest traffic count segment of the alternative, not the total bypass alternative usage. The revised vpd and vph is the traffic volume of the entire length of each of the alternatives.
 - "Level of Service: Rte 25 @ New Portland Rd. with TSM". The analysis of the Route 25 level of service in the EA included TSM items that were not consistent with the Gorham Downtown Management Plan. The revised LOS analysis with TSM identified modifications to Gorham Village (downtown) area that are consistent with Gorham's Downtown Master Plan. The Town of Gorham has already implemented a number of the TSM strategies included in the LOS analysis.
 - Intersection Delay in seconds & % Reduction in Delay: Rte 25 @ Rte 114 and Rte 25 @ New Portland Rd. The revisions in the intersection delay are reflective of the recent TSM strategies implemented as part of the Shop n Save Supermarket project in downtown Gorham.
 - "Truck Traffic in Village & Percent Reduction & Number Reduction". The number reduction of truck traffic in Gorham Village is now included in the column for reading ease.
 - "Safety: Number of Anticipated improvements to HCLs (out of 12)/% Reduction in Crash Frequency". The safety improvement methodology in the Revised Table 2-1 reflects the analysis conducted utilizing the recent model adopted by FHWA to evaluate crash data at rural intersections. The lack of complete crash data information essential for the new FHWA model analysis required reducing the intersections analyzed from 16 in the EA to 12 in the Revised Table 2-1.
- Based on the traffic analysis completed for the EA, the MDOT concluded that none of the southwest bypasses alone (Alternative 1c or 1e) would result in acceptable LOS. However, in conjunction with a northerly bypass alternative, greater diversion of general and truck traffic away from Gorham Village would occur and achieve acceptable LOS. The revised Table 2-1, "Summary of Predicted Effects - Transportation, Final

Deleted: Alternative 1c was dismissed because it was determined that it would not satisfy the NEPA Purpose and Need nor Corps "Basic Project Purpose." It would not divert sufficient traffic volumes out of Gorham Village to achieve an acceptable level of service (LOS). Alternative 1c would divert 7,610 vpd, 17.4% compared to Alternative 6d diverting 12,570 vpd, 28.8% from Gorham Village. Year 2025 PM peak hour LOS is projected to be LOS F at the intersection of Route 25 at Route 114 with Alternative 1c. In addition, the Preferred Alternative would reduce truck traffic 28.2% in Gorham Village versus a 15.6% reduction of trucks with Alternative 1c.

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

Alternatives and Preferred Alternative,” and the discussion below provides the required information to compare the effectiveness of the alternatives.

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- Construction of Alternative 1c would have independent utility and logical termini; however, this alternative only partially satisfies the Purpose and Need Statements for the Gorham Bypass Study. After extensive study of a broad range of bypass alternatives of varied lengths and alignments, the EA concludes that a southwest bypass, Alternative 1c, alone would not fully satisfy the NEPA Purpose and Need nor, the Corps “Basic Project Purpose”. Based on the Purpose and Need, the intent of the Proposed Action is to improve traffic movements through the Town of Gorham along Routes 4, 25, 114 and 202 relieve congestion in and around Gorham Village and improve public safety. Maximizing the amount of general traffic and truck traffic diverted from the congested and poorly configured Gorham Village area, to a well-designed, limited access bypass road will address all of the identified needs. Maximizing the diversion of traffic from Gorham Village also supports the Town of Gorham’s community goals of a pedestrian friendly village. Alternative 1c’s proximity to new land development projects that are either under construction, or planned along Route 114 south of Gorham Village in the “Village Expansion Subarea” is viewed as incompatible and constricting to the Town of Gorham’s desire to encourage “Village” development that is pedestrian-friendly and less auto-dependent. Alternative 1c would be within approximately 300 feet of the new middle school and would affect a large wetland located between Weeks Road and Route 114 near Crestwood Road (see Figure 3-6, Environmental Assessment page 3-17.) Alternative 1c, like Alternative 1e, is the least effective of the Build Alternatives in improving Levels of Service at other Study Area locations (Alternative 1c, 7 of 12 intersections with improved LOS, Alternative 1e, 7 of 12 intersections vs. Alternative 6d, 9 of 12 intersections). Alternative 1c also is less effective at realizing improvements to High Crash Locations (HCLs) (Alternative 1c, improves eight of 12 existing HCLs [11% reduction in crash frequency], Alternative 1e, 10 of 12 [11% reduction] vs. Alternative 6d, 10 of 12 [25% reduction in crash frequency]). Only with the additional provision of the northern segment along with the southwest segment, i.e. Alternative 6d, the Preferred Alternative, will all the major travel desires and safety concerns through Gorham Village be addressed and traffic diversion maximized. Alternative 6d is the only alternative that provides logical termini and satisfies both the NEPA Purpose and Need Statement and the Corps Basic Purpose for both the west to east traffic, i.e. Route 25 and the southwest to north traffic, i.e. the Route 114 corridor. The two segments of Alternative 6d satisfy different aspects of the Gorham Village traffic. The northern segment addresses the west to east Route 25 through traffic; the southwest segment addresses the Gorham Village turning movements for traffic from the north and west with destinations in Portland and other locations to the south. Alternative 6d removes 28.2% of the truck traffic and diverts an overall 28.8% of traffic from Gorham Village. These diversions improve the safety of Gorham Village by reducing existing and future turning movements to and from Route 25 and Route 114. Gorham Village has three historic districts in or abutting Route 25 and Route 114 north. Diversion of traffic from these areas will help preserve the historic nature and aesthetics of the National Register properties and the historic districts integrity. Gorham’s Village Master Plan includes the transformation of the Route 25/114 area back to a more village atmosphere. Pedestrians have expressed concern and desire for more crossing time during walk lights, Gorham has not provided more walk time but instead the Town has signal timing defaulted to traffic thereby minimizing pedestrian crossing time. In summary, if only one segment, the southwest Route 114 connection i.e. Alternative 1c or Alternative 1e is constructed, only part of the Gorham Village traffic and safety problems would be addressed.

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

- Other supporting facts for dismissing Alternative 1c from further consideration is the alternative would not divert sufficient traffic volumes from Gorham Village to achieve an acceptable level of service (LOS). Alternative 1c Year 2025 PM peak hour LOS is projected to be LOS F at the intersection of Route 25 at Route 114 with or without TSM. Alternative 1e would also be LOS F at the same intersection with or without TSM. The Preferred Alternative, Alternative 6d would achieve a LOS E at the Route 25 and Route 114 without TSM or LOS D with TSM. In addition, Alternative 1c or 1e would divert only about half the number of trucks than diverted by the Preferred Alternative, -325 vpd (-15.7%) and -265 vpd (-12.8%) versus 585 vpd (-28.2%) trucks. In the design year of 2025, the No-Build Alternative total traffic through Gorham Village would be 43,690 vpd. Alternative 1c would divert 7,610 vpd (-17.4%), Alternative 1e would divert 5,690 vpd (-13%) whereas, the Preferred Alternative would divert 12,570 (-28.8%) of the daily traffic

Corps Comment #6

- Section 2.3.4. Alternative 1e is dismissed as being less practicable. There is insufficient information in the document to support this dismissal. In general, if two or more alternatives are practicable and their environmental impacts are similar, the Corps will then often defer to the proponent's determination of which is "more practicable" or which meets the project purpose better. In this case, however, there is a substantial difference in impact between 1e and other alternatives including the preferred.

Response

- The resource information provided in the "Summary of Predicted Effects Social and Economic Impacts – Final Alternatives and Preferred Alternative", Tables 2-2 and 2-3, pages 2-19 and 2-20 of the EA. Alternative 1e is shown to have low to moderate impacts on social, economic, and environmental resources relative to other bypass alternatives. Alternative 1e was dismissed from further evaluation for the same reasons as Alternative 1c; it would not fully satisfy the NEPA Purpose and Need or the Corps "Basic Project Purpose." An alternative that facilitates traffic diversion and the removal of through movement truck traffic from Gorham Village is required to satisfy the NEPA Purpose and Need and the Corps "Basic Project Purpose". Table 2-1, page 2-18 of the EA demonstrates that Alternative 1e would be the least effective alternative in diverting traffic from Gorham Village. Two factors that influence Alternative 1e's effectiveness are, that it would serve only one of the two major travel desires through Gorham Village and, this alternative is considerably less effective than other proposed alternatives in reducing truck and general traffic volumes in Gorham Village.

- Please see Corps Comment # 5, page 8 for additional comparison of Alternatives 1c, 1e and the Preferred Alternative, 6d.

Corps Comment #7

- Section 3.5.9. No mention is made of mandatory coordination with Maine's Indian Tribes pursuant to Section 106 of the Historic Preservation Act.

Response

- Bonnie Newsom, Acting Director for the Department of Cultural and Historic Preservation for the Penobscot Nation was contacted by MaineDOT regarding the Gorham Bypass Study Environmental Assessment. She had reviewed the documentation and noted on December 9, 2002 that it appeared that Gorham, New Road, MDOT PIN 8151 "will have no impact on a structure or site of historic,

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

architectural, cultural, or archaeological significance to the Penobscot Nation as defined by the National Historic Preservation Act of 1966, and subsequent updates". (See e-mail correspondence included herewith as Attachment E)

Deleted: The other Native American Nations did not respond to the request for review and comment.

Corps Comment #8

- In general terms, this is a good discussion of secondary and cumulative impact. In the future however, DOT should be as specific as possible in terms of potential impacts to aquatic and other natural resources.

Response

- Comment noted.

Corps Comment #9

- Section 4.7. If DOT is ultimately successful in demonstrating that the preferred alternative is the least environmentally damaging practicable alternative, compensatory mitigation for unavoidable impacts to aquatic resources will be a critical element of the permit process. The Corps encourages DOT to begin the mitigation search process early. Previous searches in the greater Portland areas have had mixed success. Identifying a site or sites with 20 or more acres of *compensatory wetland mitigation* (not preservation) is likely to be difficult. DOT should carefully consider the potential cost of this level of mitigation as you review the overall practicability of the build alternatives for the by-pass.

Response

- MaineDOT is aware that the Corps will not accept a mitigation package that focuses primarily on preservation. Since the publication of the Environmental Assessment and the end of the Comment Period, MaineDOT has been investigating a potential wetland mitigation site in Gorham. The preliminary results of this site investigation and potential wetland mitigation opportunities were presented to the Interagency Group in November 2003. Since the publication of the EA MaineDOT has continued efforts to identify potential wetland mitigation sites in the area of the Gorham Bypass. A partial investigation was conducted in 2004 at a gravel pit where the owner contacted the Department to express interest in developing the pit as a mitigation site. The wetlands that would be potentially impacted by the Preferred Alternative were reviewed during the June 11, 2005 Interagency Group field walk. MaineDOT has recently hired a consultant to conduct a formal site search for potential wetland mitigation sites. A list of potential sites and strategies including, wetland restoration, enhancement, and creation are being considered as part of the development of the mitigation package. A compensation package for the wetland impacts of the Preferred Alternative will be presented with the state and federal permit applications.

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EPA Comment #1

- a. Chapter 1, Section 1.5: Decision That Must Be Made, page 1-10. "As stated in this section, the EA provides the FHWA and MDOT with the decision-making tool to identify the preferred alternative that best addresses the basic project purpose and need, with the least adverse impacts on social, economic, and natural resources. The EA also allows FHWA and MDOT to determine the significance of the proposed impacts.

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

- b. We agree with the above statements, and EPA would like to emphasize the importance that the EA serves in determining whether an Environmental Impact Statement (EIS) is needed. The Gorham Bypass Study makes no determination relative to whether an EIS is necessary for the Gorham Bypass. Further, based on our review, we believe that an EIS may be indicated given the extent of the proposed impacts to a variety of environmental resources including, but not limited to: 20.4 acres of freshwater wetlands; five stream crossings; the displacement of 23-25 residents; and a potential historic site.”

Response

- The purpose of the Gorham Bypass Study Environmental Assessment (EA) is to provide the Federal Highway Administration (FHWA) and the MaineDOT with the full accounting of the effects of the alternatives developed for meeting the NEPA Purpose and Need and Corps “Basic Project Purpose.” It is the result of a process established by the National Environmental Policy Act (NEPA). The NEPA process is intended to help public officials make decisions based on an understanding of the potential environmental consequences of proposed actions, and to take actions to protect, restore, and enhance the environment (40 CFR 1500.1).
- An EA must briefly discuss the Purpose and Need for the Proposed Action, the range of alternatives considered, the resultant environmental impacts from the proposed action, and the agencies and persons consulted during the planning of the proposed action (40 CFR 1508.9 b). The EA must provide sufficient information for the project sponsor, the FHWA, to determine whether the project, as proposed, would result in a significant impact to the environment. If the project would result in a significant impact to the environment, an *Environmental Impact Statement* (EIS) would be prepared. If no significant impact to the environment is anticipated, a *Finding of No Significant Impact* (FONSI) is prepared. A FONSI is the Federal Highway Administration’s public document that briefly describes why an action will not require the preparation of an EIS. The selection of a Preferred Alternative and the FONSI are based upon the contents of the EA.
- The Environmental Assessment must consider the intensity of the impact. The intensity refers to the severity of the impact, in whatever context(s) it occurs. The regulations require that a number of variables be addressed in measuring intensity.
- It is the MaineDOT’s opinion that an Environmental Impact Statement is not warranted for the following reasons:
 - There are approximately 700 acres of wetlands within the Study Area; the Preferred Alternative will potentially impact, approximately 20 acres of wetland. To reduce wetland impacts, feasible avoidance and minimization measures will be further evaluated during the final design phase of project implementation. For unavoidable impacts, if required, MaineDOT will identify a suitable wetland mitigation strategy in accordance with state and federal regulation during the permitting phase.
 - Alternative 6d, the Preferred Alternative, will acquire approximately 23-25 housing units of over 4,060 housing units within the municipal boundaries of the Town of Gorham. Federal and federally- assisted actions that require acquisition of property must comply with Title VI of the Civil Rights Act of 1964 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC 4601 et seq). Each of these legislative controls protects owners from unfair and inequitable acquisition of property. In addition to the protection provided by the

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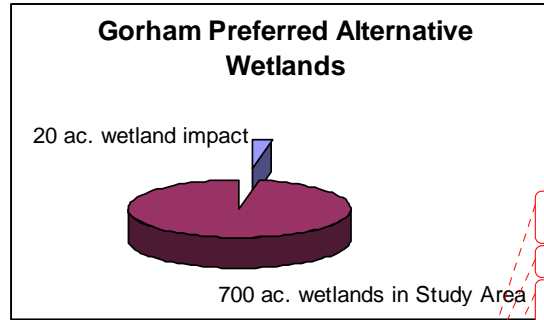
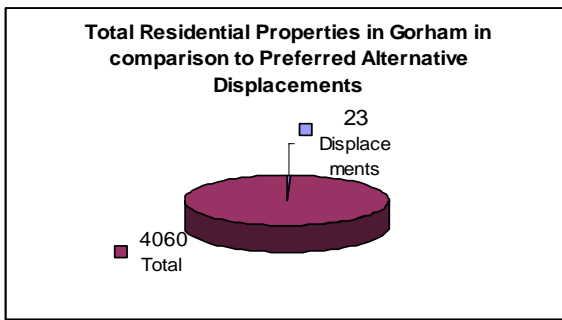
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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

Civil Rights Act and the Uniform Relocation Assistance and Real Property Acquisition Policies Act, special segments of the population are defended from discrimination by Executive Order 12989, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994. This order requires Federal agencies to identify these populations segments and identify discriminatory and disproportionately high and adverse human health or environmental effects, including social and economic effects, generated by the proposed action.

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- o The Preferred Alternative will reduce some of the existing negative traffic impacts within Gorham Village, therefore resulting in positive impacts to the Gorham Village Historic District, the Gorham Campus District, the South Street District, the Art Gallery, Baxter House, and the Academy Building all listed on the National Register of Historic Places (see Figure 3–15, page 3–40, EA). The Preferred Alternative, Alternative 6d will not affect any of the structures on the five properties identified by the Maine Historic Preservation Commission (MHPC) as potentially eligible for listing on the National Register of Historic Places. The Maine Historic Preservation Commission (MHPC) identified five properties adjacent to the Preferred Alternative, but none of the structures on these properties will be impacted by Alternative 6d, the Preferred Alternative. MaineDOT and MHPC conducted additional coordination activities since the Gorham Bypass EA Hearing. It has been determined that the Preferred Alternative will not affect any of the Section 106 properties within the proposed 200-foot highway right-of-way. MaineDOT and MHPC analyzed and adopted an avoidance alternative at the Benjamin Mosher House/Farm (Mosher Farm Property) [MHPC #172-0019]. On December 5, 2002, MHPC transmitted the results of a review of MaineDOT’s assessment of impacts on historic properties within the Preferred Alternative. The results of a MHPC field inspection of MHPC #172-0091, located on Flaggy Meadow Road revealed that since the original year 2000 architectural survey a number of “significant changes have been made to individual historic properties and the landscape between them. Consequently, the area no longer possesses sufficient integrity to be considered a rural historic district. Furthermore, although there are several individually eligible properties along this road, it appears that the alignment of the Preferred Alternative will not adversely affect them.” On March 28, 2005, MHPC concurred with the assessment of the boundary for the National Register eligible property MHPC #172-0020, at 550 Main Street/Route 25. The Preferred Alternative will not affect the approved boundary.
- o As requested, during the 2005 field season MaineDOT conducted the Phase 1 Archaeological Survey in the general vicinity of the Preferred Alternative. On August

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

30, 2005, MaineDOT received the preliminary Phase I archaeological field study findings from MHPC: "...completed the Phase I field survey within the planning corridor and did not even find any sites that require Phase II (National Register eligibility determination). Our recommendation will be that no further archaeological work is necessary (no properties in the impact area)."

- o The Study Area contains 5,040 acres of Prime and Unique, and Farmland of Statewide Significance; the Preferred Alternative will potentially affect approximately 55 acres of Prime and Unique, and Farmland of statewide significance.

- The context and intensity of the above impacts are not significant, therefore, the preparation of an Environmental Impact Statement is not warranted.

EPA Comment #2

- Chapter 2, Section 2.1.1, Corridor Screening Phase. A number of corridors were dismissed from further detailed analysis because they would only partially satisfy the transportation purpose of the project and because other corridors would better satisfy the transportation purpose.

Response

- During the Corridor Screening Phase, all corridors were screened in accordance with Section 404(b) (1) Guidelines.
- Please see Corps Comment #2, page one.

EPA Comment #3

- Table 2-1, page 2-18, Summary of Predicted Effects-Transportation. Why is the level of service for Route 25 and Route 114 considered without TSM?

Response

- Level of Service (LOS) for Route 25 and Route 114 is considered without TSM for Alternatives 6b and 6c only. All other alternatives assumed TSM. This is because LOS at this intersection is at an acceptable level (LOS D or better) for these two alternatives and TSM is not required. Route 25 at New Portland Road is considered without TSM for Alternatives 1c, 1e, 6b, 6c and 6d.

EPA Comment #4

- Table 2-2, page 2-19, Summary of Predicted Effects Social and Economic Impacts. Alternative 1c is viewed as incompatible with and constrictive to the Village Expansion Subarea plan. It would be helpful to have more information about the Village Expansion Subarea plan, and to learn whether Alternative 1c could be modified to accommodate this plan.

Response

- Figure 3-11, page 3-27 of the EA illustrates the location of the Village Expansion Subarea. The Village Expansion Subarea is an area classified within the Gorham Comprehensive Plan (1993) to encourage the expansion of and assist in the direction of future development of the Village residential and commercial uses. Day Road is the south boundary of the Village Expansion Subarea zone, Lovers Lane to the north, Weeks and Cressey Roads to the west and Libby Avenue to the east. A policy statement within the Gorham Comprehensive Plan states that the Town of Gorham should manage new development within the Village Expansion Subarea to assure that it

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

respects natural limitations, is compatible with a village environment, and promotes a pedestrian environment within the center of Gorham Village.

- Alternative 1c, developed by "threading the needle", is located between the Village Expansion Subarea, and three land development projects: the new middle school, Hartwood Subdivision and the Park South Subdivision projects (EA, Figure 3-11, page 3-27) and existing wetland resources. Modifying Alternative 1c to reduce or eliminate impacts to the Village Expansion Subarea and the new land development projects would likely result in increased impacts to existing wetlands. Existing wetland resources that may be further impacted by any potential re-design of Alternative 1c are located immediately west of Weeks Road and Crestwood Road. Roadway design features would be less desirable with respect to roadway curvature, increased roadway length, and a more skewed crossing of Weeks Road. (Environmental Assessment Figure 3-5, page 3-16 Study Area Wetland Resources and Figure 3-11, and page 3-27, Potential Future Development.)
- Alternative 1c was dismissed because it was determined that it would not fully satisfy the NEPA Purpose and Need nor Corps "Basic Project Purpose." It would not divert sufficient traffic volumes out of Gorham Village to achieve an acceptable level of service (LOS). The 2025 No-Build total traffic volume through Gorham Village would be 43,690. Alternative 1c would divert 7,610 (17.4%), whereas, the Preferred Alternative would divert 12,570 (28.8%) of the daily traffic. Year 2025 PM peak hour LOS is projected to be LOS F at the intersection of Route 25 at Route 114 with Alternative 1c. In addition, Alternative 1c would divert only about half the number of trucks in Gorham Village 1,749 (15.5%) from 2,074 in 2025, less than the 1,489 (28.2%) that would be diverted by the Preferred Alternative.
- Based on the traffic analysis completed for the EA, the MDOT concluded that none of the southwest bypasses alone (Alternative 1c or 1e) would result in acceptable LOS. However, in conjunction with a northerly bypass alternative, greater diversion of general and truck traffic away from Gorham Village would occur and achieve acceptable LOS. The "Summary of Predicted Effects - Transportation, Final Alternatives and Preferred Alternative," Table 2-1, page 2-18 of the EA provides the required information to compare the effectiveness of alternatives.

EPA Comment #5

- Request a more detailed comparison between Alternatives 6d and 1c.

Response

- Please see Response to Corps Comment #5, page nine.

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**Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X**

EPA Comment #6

- Chapter 3, Section 3.3.6, Wetlands, page 3-15. Given the prevalence of wetlands and streams in the Study Area, we recommend that an interagency site visit be scheduled as soon as possible to help evaluate the likely wetland and other natural resource impacts.

Response

- Please see Corps Comment #3, Response #3a, page four.

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EPA Comment #7

- Chapter 3, Section 3.3.8, page 3-19, Threatened and Endangered Species. The Maine Natural Areas Program (MNAP) identified the presence of the small whorled pogonia (*Isotria medeoloides*), a federally threatened species, in the Study Area. The records at the United States Fish and Wildlife Service (USFWS) indicate that the closest known occurrence in Gorham is near Dundee Pond on the Presumpscot River, outside the Study Area. If the small whorled pogonia does occur in the Study Area, then a plant survey must be conducted.

Response

- A letter received from the U.S. Fish and Wildlife Service (USFWS) (February 6, 2000) noted no federally-listed species under the jurisdiction of the USFWS are known to occur within the Study Area. Upon review of the Maine Department of Conservation letter, the small whorled pogonia is noted to be located in the Town of Gorham, not necessarily in the Study Area. There are no known occurrences in the Study Area of the small whorled pogonia; therefore, no further study will be undertaken.
- A copy of the USFWS and NRPC letters are included in this response to comments package as Attachment F.

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EPA Comment #8

- Chapter 4, Section 4.6, page 4-34, Need to strengthen the secondary and cumulative impacts section for disclosure of reasonably foreseeable impacts including growth in population and employment and impacts resulting from this induced growth (i.e. air pollution, road salt, habitat degradation and fragmentation). Will growth occur in directions other than west of Gorham?

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Response¶
<#>Please refer to response to Commentator USFWS, comment #8 on page 25 of this response.¶
¶
Comment #9¶

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Response

- The Gorham Bypass Preferred Alternative is a limited access highway that will restrict growth in the transportation corridor.
- The Study Area is located within the geographical boundaries of Air Quality Planning Area #1 (York, Cumberland, and Sagadahoc Moderate Nonattainment Area). Potential impacts for ozone and carbon monoxide (CO) concentrations were assessed. Because traffic would be reduced in Gorham Village, by 12,570 vpd (-28.8%) including a reduction of 585 trucks (-28.2%) with the Preferred Alternative, CO concentrations in Gorham Village would be reduced and no violations of the 1-hour and 8-hour CO standards are anticipated. The proposed bypass would introduce traffic into an area where there is currently no traffic, causing a slight increase in CO concentrations in the vicinity of the bypass. With the traffic, volumes and travel speeds anticipated on the bypass, this slight increase in local CO concentrations is not anticipated to lead to any violations of the CO standards.

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

- Table 3-7, page 3-30 of the EA, as shown below, depicts the Town of Gorham, Portland Metropolitan Statistical Area (MSA), Cumberland County and the State of Maine population growth from 1970 to 1990. The historic and projected population trends, indicates Gorham's growth has been vibrant and greater than the Portland MSA, Cumberland County, and the State of Maine. The Town of Gorham has been experiencing an in-migration of households over the past two decades. Discussions with planning officials in the Town of Gorham indicate that the increase in population is due to its convenient location to key economic and employment centers located in the area and its suburban living environment (Gorham Planning Department, 2000).

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Jurisdiction	1970	1980	1990	1970-80 % change	1980-90 % change	2025 Projections	% Change
Town of Gorham	7,839	10,101	11,856	28.9	17.4	18,488	55.9
Portland MSA	174,403	193,831	215,481	11.1	10.0	n/a	n/a
Cumberland County	192,528	215,789	243,135	12.1	12.7	323,483	33.0
State of Maine	992,048	1,124,660	1,227,928	13.4	9.2	1,423,000	15.9

Source: US Census: 1970, 1980, 1990, Greater Portland Council of Governments; smrpc.maine.org.2000.

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- Gorham is a relatively young Town, in 1990, 3,371 (28.4%) of the population was under the age of 18 and less than 10% were over 65. In the under age 18 population, Gorham has approximately 2% more than the State of Maine and almost 4% more than the Portland MSA and Cumberland County. Gorham's Over 65 1990 Population is 1,125 (9.5%) compared to the Portland MSA of 12.9%, Cumberland County of 13.1% and the State of Maine 13.2% (US Census, STF-3; www.census.gov.1990).

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At 2 percent (159), the Town of Gorham has a very low unemployment rate, similar to the rates of the Portland MSA (2.1%) and Cumberland County (2.3). The unemployment rate in the Town of Gorham is half the rate of the State of Maine as a whole (4.1%). Employment opportunities within the Town of Gorham include a balanced mix of businesses that provide work for people living in Gorham and surrounding communities (Maine Department of Labor, 2000). Since 1995, reliance on the service sector has abated, with 34% of the Town's covered employment in that area, down from 50%. This has been offset by gains in retail, manufacturing and construction. Gorham has a number of large employers within its municipal boundaries as well as depending on the Portland MSA and beyond for employment opportunities. Gorham's largest employer's are:

University of Southern Maine-Gorham Campus	College	396
Town of Gorham	Municipal	400
Gorham House Convalescent Care	Housing and Convalescent Care	220
American Tool Co.	Tool Manufacturing	210

www.gorhammeusa.org (1998) statistics

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

- Gorham is not simply a bedroom community providing labor for nearby market areas. Gorham is an employment center that provides work opportunities for people living in the Town and in surrounding areas. In 2000, the total employment in Gorham was 3,740. Surrounding cities such as Portland, Westbrook and Buxton make an important contribution to Gorham's work force. The fact that residents of different communities fill over half of the jobs in Gorham attests to the Town's position as a thriving employment center. Gorham residents are also mobile and are able to find work in other markets. In 1990, 4,569 people commuted from the Town to another employment destination, (www.gorhammeusa.org/GorhamInformation/GorhamEconomy.htm, 2004).

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- The potential for secondary development to occur, as a consequence of the Preferred Alternative is determined in large part by the individual municipal planning objectives and local zoning. Gorham has established a variety of standards that guide the development and use of nonresidential structures. Gorham has a site plan review procedure that requires that proposals specific types of nonresidential activities be reviewed and approved by municipal officials prior to the granting of required permits. It is Gorham's desire to work with applicants to make this process as simple and quick as possible. Gorham, in May 1999, adopted zoning bylaws that have followed the guidance of the Town's Comprehensive Plan (1993). The zoning bylaws control where and when growth can and should occur. Gorham has established a bi-level review system. Smaller projects go through a simplified review process involving a staff review committee consisting of the heads of various municipal departments. Larger nonresidential and multifamily residential projects go through a review process involving the Gorham Planning Board. This process requires that the board hold a site walk and public hearing with respect to the project.

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- The Preferred Alternative will provide traffic relief on Routes 25, 114, and 4/202 where they converge in Gorham Village. Traffic relief on these roadways may enhance the desirability of providing additional commercial and residential development along these routes. Gorham's Comprehensive Plan (1993) and Land Use Ordinances (2003) direct how development will occur throughout the town. These directives have designated areas planned for future development, such as in the Village Expansion Subarea including Gorham Village where a mix of residential and commercial uses already exists. Narragansett District is another area designated by the Town of Gorham as a location for development of future commercial or institutional uses.

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- Gorham Village links northern and western communities with Portland's employment centers and provides connectivity to the Portland International Jetport; marine facilities in the cities of Portland and South Portland; passenger and freight rail terminals in Portland, and the Maine Turnpike (Interstate Route 95). Residential development has been occurring west of Gorham, where lower priced homes can be found or built by individuals and families employed in the Greater Portland Area. The Preferred Alternative will improve travel times and safety to these areas from Portland and other employment centers east of Gorham, making these areas more attractive for development. Zoning, infrastructure support, and other actions within the control of local municipalities will continue to have the greatest influence on the extent and type of development that occurs in these communities. Towns to the north of Gorham attract seasonal traffic to the lakes and mountain tourist areas.
- Substantial residential development is already occurring and will continue to occur with or without the bypass in Gorham and communities west and north of Gorham. Continued

**Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X**

residential development is self evident by the construction that has occurred in Gorham's Hartwood Subdivision. This development is in response to the need for: lower priced homes for individuals and families employed in the Greater Portland Area and the desire to live in the suburbs of Portland. These towns have prepared comprehensive plans, zoning ordinances and other regulatory documents that dictate the goals, policies and objectives for guiding residential development to areas the community has deemed most appropriate, foster commercial and industrial development in designated locations, and improve mobility of the residents while maintaining the intrinsic character of their town. They reflect the values of the town's residents about how they would like to manage development. The various policy statements recognize that their towns will continue to grow and change in the future. The growth in population and employment within the communities surrounding Gorham are projected to increase at a steady pace in the foreseeable future. The strong housing construction market has been consistent in the communities that comprise the Portland Metropolitan Statistical Area. The Portland Metropolitan Statistical Area constitutes the strongest economic output in the State of Maine. Job creation in the Greater Portland Area has been consistent, and due to its desirable location in Maine, industry will continue to be attracted to Southern Maine in the foreseeable future, with or without construction of the Gorham Bypass. The need for construction of reasonably priced homes within driving distance of Greater Portland and the desire to live in the suburbs of Portland will continue with or without a Gorham Bypass.

- Growth has been occurring and will continue to occur in Gorham and the surrounding communities according to the following factors: present economic conditions, availability of developable land, and strong labor markets. Growth is projected to continue to occur in Gorham and the surrounding communities with or without construction of a bypass road.
- The Preferred Alternative will reduce congestion and improve safety in the Gorham Village area. The bypass is a controlled access roadway that will not provide access points except at the number roadways, Routes 4, 25, 114 and 202. The lack of access points from the roadway will not promote or encourage new development. Gorham and the surrounding towns have local zoning that has identified desired development areas. The Preferred Alternative will not result in substantial cumulative or secondary effects, in terms of intensity or context, to the social or natural features analyzed.

EPA Comment #9

- Section 4.7, Summary of Mitigation, page 4-36. January 2000 letter requested preliminary discussion of potential options available to compensate for wetland impacts.

Response

Please see Corps Comment #9, page 11.

EPA Comment #10

- Request a meeting to discuss the Preferred Alternative 6d relative to Alternative 1c to understand practicability issues of the two alternatives.

Response

- Comment noted.

Commentator: U.S. Fish and Wildlife (FWS)

FWS Comment #1

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Deleted: <#>Potentially, the Preferred Alternative will permanently impact approximately 20.4 acres of wetlands. Efforts to avoid and minimize wetland impacts have been considered during Preliminary Engineering and Environmental Studies. Feasible avoidance and minimization measures will be evaluated during the final design phase of project implementation. For unavoidable impacts, MaineDOT will identify a suitable wetland mitigation strategy in accordance with state and federal regulation during the permitting phase. MaineDOT will explore EPA's recommended opportunities for wetland restoration, enhancement, and creation in the Presumpscot and Stroudwater River watersheds. MaineDOT understands that wetland preservation is only to be used to augment the value of wetland restoration, enhancement and creation efforts, when it is demonstrated that preservation complements the functions of these other compensation efforts.¶ Since the publication of the EA and the end of the Comment Period MaineDOT has been investigating a potential wetland mitigation site in Gorham. The preliminary results of this site investigation and potential wetland mitigation opportunities were presented to the Interagency Group in November 2003. Wetland restoration, enhancement, and creation are being considered as part of the development of the mitigation package. A compensation package for the wetland impacts of the Preferred Alternative will be presented with the state and federal permit applications.¶ During final design, a site visit will be scheduled with state and federal ... [13]

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

- Chapter 1, Section 1.4, page 1-10. Scope of this Environmental Assessment. Requests a brief discussion of the other components addressed in the "Preferred Improvement Strategy for the Gorham to Portland Route 25 Corridor", the MIS by PACTS, to provide a broad sense for other environmental impacts that might result from all components.
- Discuss component independence.

Response

- Attachment G is excerpted from the PACTS MIS. It lists the short-term, mid-term, and long-term recommendations for the Gorham to Portland Corridor. The recommendations include new roadway construction, such as the Gorham Bypass, traffic operational improvements, land use policy reviews, improved transit service, park and ride lots, etc. Collectively, they would improve mobility in the corridor, while independently, each would address a particular deficiency within the corridor. The Gorham Bypass would address congestion and safety issues within the Study Area defined in the EA.
- **Component independence -**
The PACTS MIS recommended short, mid, and long-term recommendations for the Gorham to Portland Corridor. Page 7-15, Section 7.5.1 discusses Gorham Village Analysis and Recommendations and states: "The signal timing changes, etc. which are recommended as immediate actions in Gorham Village should have some positive benefit, but will still leave Gorham Village with continued traffic congestion." It was noted that it is critical that roadway projects be initiated which will noticeably reduce congestion in Gorham Village and be compatible with the long-range vision of the Community.

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The Gorham Village MIS recommendations continue: "The logical type of improvement would be one which directly diverts traffic from the Village. A look at the peak hour traffic volumes through the Main Street/South Street intersection, the principal constraint point in the Village, demonstrates which traffic flows are dominant."

The Environmental Assessment has determined that the Preferred Alternative has independent utility, satisfies the MIS Gorham Village recommendation, the NEPA Purpose and Need and the Corps "Basic Project Purpose."

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FWS Comment #2

- Chapter 1, Section 1.5, Decision that Must be Made. Expand section to determine whether the Preferred Alternative would result in significant impacts to the environment, thus warranting the preparation of an EIS.

Response

- Please see EPA comment #1, page 12.

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FWS Comment #3

- Chapter 2, Section 2.1.1, Corridor Screening Phase. Provide an explanation as to why the nine bypass corridors evaluated for effectiveness in addressing the Study Purpose and Need were dismissed from further detailed analysis.

Response

- Please see Corps Comment #2, page one.

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FWS Comment #4

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

- Chapter 2, Section 2.3, page 2-16. Request a more detailed comparison between Alternatives 6d and 1c. USFWS states that it appears Alternative 1c is still practicable and would have less environmental impacts than Alternative 6d.

Response

- Please see Corps Comment #5, page eight.

FWS Comment #5

- Chapter 3, Section 3.3.5, Aquatic Habitat, page 3-15. Recommend deleting the first sentence of this section concerning no fishery resources.

Response

- Comment noted.

FWS Comment #6

- Schedule a site visit to evaluate wetlands and other natural resource impacts.

Response

- Please see Corps Comment #3, page five.

FWS Comment #7

- Chapter 3, Section 3.3.8, page 3-19. Based on USFWS information the Small whorled pogonia does not occur in the Study Area.

Response

- Please see EPA Comment #7, page 16.

Comment #8

- USFWS received two letters raising concerns that the bypass corridors under consideration including the Preferred Alternative, will negatively impact the “Bryant Indian Massacre Site.” Provide a discussion of the “Bryant Indian Massacre Site”.

Response

- The Bryant Indian Massacre Site is a single-family residence located on Route 114 (Fort Hill Rd) where Indians allegedly killed five members of the Bryant family. The massacre took place on April 19, 1746. Mr. Bryant and four of these children, including his two-week-old baby, were murdered within the house. Mrs. Bryant was captured and taken prisoner by the Indians to Quebec. She arrived there in September 1746, and died the following spring.
- MHPC included information concerning the Bryant Indian Massacre Site, on the Fort Hill Road in their coordination with MaineDOT. The site is located near or within the boundaries of the Preferred Alternative. As stated in the Response to EPA question #1, page 14 during the field season of 2005 Maine DOT conducted the Phase 1 Archaeological Survey in the general vicinity of the Preferred Alternative. On August 30, 2005, MaineDOT received the preliminary Phase I archaeological field study findings from MHPC: “...completed the Phase I field survey within the planning corridor and did not even find any sites that require Phase II (National Register eligibility determination). Our recommendation will be that no further archaeological work is necessary (no properties in the impact area).”

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Comment #5¶

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Schedule a site visit to evaluate wetlands and other natural resource impacts.¶
Response¶
<#>An Interagency site visit will be scheduled at a future date for the Preferred Alternative.¶
Comment #7¶
Chapter 3, Section 3.3.8, page 3-19. Based on USFWS information the Small whorled pogonia does not occur in the Study Area.¶
Response¶
Please refer to response to Commentator EPA, comment #

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

FWS Comment #9

- Chapter 4, Section 4.3.2, page 4-9. Discuss impacts to the 11,737 feet of new roadway within 500 feet of streams.

Response

- The Preferred Alternative will occur within 500 feet of six different MaineDEP stream systems. The total length of the roadway alignment occurring within this zone is 11,737 feet. The alignment of the Preferred Alternative generally crosses these waterways perpendicular to the stream which limits the length of the impact, however in the northern segment the road parallels the 150 foot zone along Fort Hill Brook and an unnamed branch of Mosher Brook on the east side of the Study Area. Much of this area occurs away from the waterway and potential impacts can be minimized through best management practices. The southern leg of the Preferred Alternative crosses two streams within the Gully Brook sub-watershed and occurs within 500 feet of Strout Brook which occurs on the east side of Route 114.

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FWS Comment #10

- Chapter 4, Section 4.3.4, page 4-12. Discuss potential indirect effects on waterfowl and wading birds due to disturbance and noise from Alternative 6d's crossing of Tannery Brook.

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Response

- Based on a discussion with Mr. Phil Bozenhard of MDIF&W and a review of mapping displaying the location of waterfowl and wading bird habitat in relation to the Alternative 6d roadway crossing of Tannery Brook, potential indirect impacts to this habitat are expected to be minimal. The road crossing occurs approximately 1,000 feet downstream from the habitat, while the crossing location is in a narrow portion of the brook, containing speckled alder (*Alnus incana rugosa*) and a forested upland edge.

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Comment #11¶
Chapter 4, Section 4.3.6, pages 4-14, and 4-15. Either include a wetlands map depicting the locations of Wetlands #1-20 on Figure 3-6 or add a new map in Chapter 4.¶
Response¶
<#>A numbered wetland map is included herewith as Attachment H.¶
Comment #12¶
Chapter 4, Section 4.3.8, page 4-20. Recommend additional evaluation of the potential of more suitable open habitat in the vicinity of Mosher Corner for the upland sandpiper.¶
Response¶
Based on a discussion with Mr. Phil Bozenhard of MDIF&W, and the location of the Upland Sandpiper habitat (*Bartramia longicauda*) is south of the Mosher Corner intersection, outside of the proposed construction area.

FWS Comment #11

- Chapter 4, Section 4.3.6, pages 4-14, and 4-15. Either include a wetlands map depicting the locations of Wetlands #1-20 on Figure 3-6 or add a new map in Chapter 4.

Response

- A numbered wetland map is included herewith as Attachment H.

FWS Comment #12

- Chapter 4, Section 4.3.8, page 4-20. Recommend additional evaluation of the potential of more suitable open habitat in the vicinity of Mosher Corner for the upland sandpiper.

Response

- Based on a discussion with Mr. Phil Bozenhard of MDIF&W, and a review of the location of the Upland Sandpiper habitat (*Bartramia longicauda*) south of Mosher Corner intersection, impacts to this species would be limited. Given the large amount of existing grassland habitat in the Mosher Corner area, the Preferred Alternative is not expected to decrease the amount of this habitat.

FWS Comment #13

- Chapter 4, Section 4.6, page 4-34. Need to strengthen the secondary and cumulative impacts section for disclosure of reasonably foreseeable impacts from induced growth including any future environmental effects on wetlands, streams, and wildlife habitat.

**Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X**

Response

- Please see EPA Comment #8, page 16

FWS Comment #14

- Section 4.7 Summary of Mitigation, page 4-36. January 2000 EPA letter requested a preliminary discussion of options available to compensate for wetland impacts.

Response

- Please see Corps Comment #9, page 11.

Commentator: Maine Drinking Water Program

Comment

- O'Brien Mobile Home Park public water supply well protection area is described as being only 24 feet from the bypass ROW. Include further investigation of potential impacts on this water supply and contingency plan.

Response

- The O'Brien Mobile Home Park community water supply well (Public Water System #ME0009011) wellhead protection area, is approximately seven meters (24 feet) from the Preferred Alternative proposed right-of-way. However, the well in question is located topographically, and likely hydrogeologically, upgradient from the Preferred Alternative, and is therefore not likely to be impacted by potential roadway contaminants. Opportunities to further minimization potential impact by roadway contaminates will be reviewed during final design. Once the Preferred Alternative advances to the final design phase, further investigation will evaluate the O'Brien Mobile Home Park public water supply well protection area before and after construction. A site contingency plan may be developed, as required.

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

Commentator: *Maine Historic Preservation Commission*

Comment

- Include commitment to conduct 1) Additional Phase I and II archaeological consultation and surveys for the Preferred Alternative 2) Further design consultation in the vicinity of the Joseph Libby House (MHPC#172-0175) and the Mosher Farm (MHPC #172-0019).

Response

- As requested, during the field season of 2005 Maine DOT conducted the Phase 1 Archaeological Survey in the general vicinity of the Preferred Alternative. On August 30, 2005, MaineDOT received the preliminary Phase I archaeological field study findings from MHPC: "...completed the Phase I field survey within the planning corridor and did not even find any sites that require Phase II (National Register eligibility determination). Our recommendation will be that no further archaeological work is necessary (no properties in the impact area)."
- MaineDOT and MHPC conducted additional coordination since the Gorham Bypass EA Hearing. It has been determined that the Preferred Alternative will not impact any of the Section 106 properties within the proposed 200-foot highway right-of-way/ MaineDOT and MHPC analyzed and adopted an avoidance alternative at the Benjamin Mosher House/Farm (Mosher Farm Property) [MHPC #172-0019] and in the vicinity of the Joseph Libby House (MHPC #172-0175).

Commentator: *William B. Gorsuch, Representative of ColeBrook Estates*

Comment

- Letter, Page 2, 2nd paragraph Noise: How can Federal funds be utilized if the 67 dBA noise abatement criteria is exceeded? The July 14, 2003 PAC meeting minutes state that "noise barriers were assessed and determined not to be cost effective".

Response

- FHWA requires an evaluation of potential noise impacts and consideration of noise abatement if Noise Abatement Criteria (NAC) (67dBA in this case) are approached or exceeded. FHWA does not automatically require noise abatement be implemented if the NAC are exceeded, and each case is evaluated individually based on factors such as cost effectiveness and practicability to provide meaningful abatement.

Commentator: *Robert Morrill Pettit*

Comment

- Was there an alternative change from the hearing on July 16 from the previous routing on the northern segment?

Response

- The northern segment of the Preferred Alternative presented at the July 16, 2003 public hearing is the same as presented at the Gorham Town Council Meeting on January 15, 2002.

Commentator: *John Bradshaw*

Comment

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Deleted: requires additional Phase I and II archaeological consultation and surveys, will be conducted the final design phase. Any archaeological site found within the Area of Potential Effect (APE) would be evaluated to determine appropriate treatment. Sites meeting these requirements would be reviewed under Section 106, if potentially impacted by transportation improvements. The additional site-specific investigations will complete the Section 106 and Section 4(f) processes, and identify measures to minimize and avoid impacts and mitigate potential harm.

Deleted: Once the Preferred Alternative advances to the final design phase MaineDOT will conduct additional design consultation with MHPC to discuss minimize efforts of slope encroachment at the Mosher Farm (MHPC #172-0019). Please refer to response to Commentator EPA, Comment #1c, page 15 of this response.

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Deleted: <#>In light of the ever-growing land use development in the Town of Gorham MaineDOT is reevaluating the noise analysis conducted for the Gorham Bypass Study and Environmental Assessment. FHWA requires an evaluation of potential noise impacts and consideration of noise abatement if Noise Abatement Criteria (NAC) (67dBA in this case) are approached or exceeded. FHWA does not automatically require noise abatement be implemented if the NAC are exceeded, and each case is evaluated individually based on factors such as cost effectiveness and practicability to provide meaningful abatement.¶ See Attachment I for updated noise analysis and noise barrier information.¶ Commentator: Robert Morrill Pettit, Gorham Resident¶ Comment¶ Was there an alternative change from the hearing on July 16 from the previous routing on the northern segment?¶ Response¶

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Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

- Why not extend the southwest route all the way to Route 22? Going to Route 114 will not help the back up at Route 22/114 at all.
- Four-way intersections at State roads will not help in moving traffic. Make overpasses. Is this potentially a future expansion?

Response

- "The NEPA Purpose and Need is to provide for the safe and efficient movement of people and goods through and around Gorham Village in a manner that is consistent with and supports the goals of Gorham's Comprehensive Plan. ..." The Preferred Alternative is not intended to solve traffic problems along Route 22/Route 114.
- All connections of the Gorham Bypass to state routes are proposed as at-grade intersections. Grade separated interchanges with overpasses are not required.

Commentator: Constance M. Riechel

Deleted: , *Gorham Resident*

Comment

- Has the upgrade alternative been evaluated and what are the results of the traffic studies with the widening of Routes 25, 22 and New Portland Road?
- Will the southwest route extend from Route 114 to Route 22?

Response

- The Upgrade Alternative would provide improvements to the existing roadway system within and approaching Gorham Village to reduce motorist delay and improve traffic flow to acceptable levels of service (LOS) for these facilities, defined as LOS D or better. To improve LOS in Gorham Village additional travel and turning lanes are required on Route 25 between and including the Route 114 and New Portland Road intersections and on Route 114 and New Portland Road to achieve LOS D under the Upgrade Alternative. Additional lanes would not be accomplished without considerable residential and business displacements, including Section 106 of the National Register of Historic Places impacts. Section 106 requires Federal agencies to take into account the effects of their undertakings on historic properties and seeks to accommodate historic preservation concerns with the needs of Federal agencies. It is estimated that between 20 and 25 residential displacements and between 15 and 20 business displacements would be required. These acquisitions and relocations would occur within the Gorham Village Historic District, which is listed on the National Register of Historic Places. Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 requires that the "USDOT Secretary shall not approve any program or project (other than any project for a park road or parkway under section 204 of this title) which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use". The acquisitions and relocations would contribute at least half of the estimated \$9.4 to \$14.3 million cost of this Alternative. Due to the increased capacity in Gorham Village, the Upgrade Alternative would actually result in an increase in traffic volume in Gorham Village, as compared to the No Build and bypass alternatives. Increasing traffic in Gorham Village is contrary to the Town of Gorham Comprehensive Plan

**Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X**

(1993), the Gorham Main Street Master Plan (1998), and the primary Study Need - to reduce traffic volumes, particularly truck volumes in Gorham Village. Route 22 is not included in the Upgrade Alternative because it is outside of the Study Area and the subject of a separate study conducted in 2002 by PACTS, Route 22/114 Overlap Study.

For these reasons, it was determined that the Upgrade Alternative does not satisfy the NEPA Purpose and Need nor the Corps "Basic Project Purpose" and was dismissed from further consideration.

- No, the southwest route proposed as part of the Preferred Alternative, Alternative 6d, does not extend to Route 22.
- "The NEPA Purpose and Need is to provide for the safe and efficient movement of people and goods through and around Gorham Village in a manner that is consistent with and supports the goals of Gorham's Comprehensive Plan. ..." The Preferred Alternative is not intended to solve traffic problems along Route 22/Route 114.

Commentator: James and Nancy Sanderson

Comment

- Has a beltway been considered off from I-295 or MTA?

Response

- A beltway has not been considered as part of the Gorham Bypass Study, except to acknowledge that the Maine Turnpike Authority has completed an initial financial feasibility study of a new toll road between Gorham and the Portland Metropolitan Area. Further study of this toll road would be required and no decisions have been made.

Commentator: Margaret Young

Comment

- Is the reason for a 200' ROW so the bypass can be widened in the future?

Response

- The guidelines for the purchase of right-of-way for control of access highways such as the proposed Gorham Bypass are as follows: acquire a consistent right-of-way width that provides enough land for construction and maintenance of the project. This width would include land for the construction of the fill embankments or excavations associated with the roadway earthwork. As a result, a 200 foot right-of-way width is necessary. In most areas, the 200-foot right-of-way width could accommodate widening to a four-lane undivided facility, if required in the future. Projected traffic volumes do not warrant a four-lane facility for the next 20-25 years.

Commentator: Gary Harmon

Comment

- Will noise barriers be considered for the Pleasant Lane area?

Response

Deleted: <#>The Upgrade Alternative would provide improvements to the existing roadway system within and approaching Gorham Village to reduce motorist delay and improve traffic flow to acceptable levels of service (LOS) for these facilities, defined as LOS D or better. To achieve LOS D under the Upgrade Alternative, additional travel and turning lanes would be required on Route 25, between and including the Route 114 and New Portland Road intersections, as well as on Route 114 and New Portland Road. Additional lanes could not be accomplished without considerable residential and business displacements. It is estimated that between 20 and 25 residential displacements and between 15 and 20 business displacements would be required. These acquisitions and relocations would occur within the Gorham Village Historic District, which is listed on the National Register of Historic Places. The acquisitions and relocations would contribute at least half of the estimated \$9.4 to \$14.3 million cost of this Alternative. Due to the increased capacity in Gorham Village, the Upgrade Alternative would actually result in an increase in traffic volume in Gorham Village, as compared to the No Build and bypass alternatives. Increasing traffic in Gorham Village is contrary to the Town of Gorham Comprehensive Plan (1993), the Gorham Main Street Master Plan (1998), and the primary Study Need - to reduce traffic volumes, particularly truck volumes in Gorham Village. Route 22 is not included in the Upgrade Alternative because it is outside of the Study Area and the subject of a separate study conducted in 2002 by PACTS, Route 22/114 Overlap Study.¶
For these reasons, it was determined that the Upgrade Alternative does not satisfy the NEPA Purpose and Need nor the Corps "Basic Project Purpose" and was dismissed from further consideration.¶
<#>No, the southwest route proposed as part of the Preferred Altern... [15]

Deleted: <#>The Gorham Bypass Study did not consider a beltway, except to acknowledge that the Maine Turnpike Authority has completed an initial financial feasibility study of a new toll road between Gorham and the Portland Metropolitan Area. The Maine Turnpike Authority on the potential of a new toll road has made no decision. Further study of this toll road would be required.¶
Commentator: Margaret B. Young, Gorham Resident¶
Comment¶
Is the reason for a 200' ROW so the bypass can be widened in the future?¶

Response to Substantive Comments,
Gorham Bypass Study and Environmental Assessment
PIN 8151.10
STP-8151 (10)X

- In accordance with FHWA guidelines and MaineDOT's Highway Traffic Noise Policy, noise barriers were evaluated as possible noise mitigation measures for all impacted receptors. Noise barriers were considered and not determined to be cost effective.

Commentator: Daniel & Roberta Aceto

Comment

- Where are the 13 HALs and where will they be with the bypass?

Response

- There were 16 identified High Crash Locations (HCLs) in the Study Area. These are listed on page 3-5 of the EA. Each of these HCLs are expected to improve except the intersections of New Portland Road at Brackett Road; Route 114 at Washburn/McLellen; and Route 22 at Burnham Rd. (see page 4-8 of the EA).

Commentator: Charles Crockett

Comment

- What is the accident data for Route 25 on Brandy Brook Hill in the vicinity of the proposed westerly terminus?

Response

- The accident data for Route 25 on Brandy Brook Hill in the vicinity of the proposed westerly terminus was acquired from the MaineDOT Crash Records from the years 1996-1998. Route 25, from Wood Road to Cressey Road (including Brandy Brook Hill) had three total accidents along this section of road (0.86 mile) from 1996-1998. Critical rate for this section of Route 25 is 0.39. This is not a high crash link.

Deleted: <#>The guidelines for the purchase of right-of-way for control of access highways such as the proposed Gorham Bypass are as follows: acquire a consistent right-of-way width that provides enough land for construction and maintenance of the project. This width would include land for the construction of the fill embankments or excavations associated with the roadway earthwork. As a result, a 200-foot right-of-way width is necessary for the Gorham Bypass. In most areas, the 200-foot right-of-way width could accommodate widening to a four-lane undivided facility, if required in the future. Projected traffic volumes do not warrant a four-lane facility for the next 20-25 years.¶

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Commentator: Gary Harmon,
Gorham Resident¶

Comment¶

Will noise barriers be considered for the Pleasant Lane area? ¶

Response¶

<#>In light of the ever-growing land use development in the Town of Gorham, MaineDOT is reevaluating the noise analysis conducted for the Gorham Bypass Study and Environmental Assessment.¶
See Attachment 1 for updated noise analysis and noise barrier information.

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Interagency Group agreed with the Study Team's recommendation to dismiss Corridors 5-5 and 7-7.

A second corridor-level evaluation was performed on the eight remaining corridors to determine which corridors had sufficient merit to warrant more detailed impact analysis. The additional analysis for the eight corridors was also presented at the September 2000 Interagency Meeting. Dismissed from further consideration because they would not satisfy the NEPA Purpose and Need Statement nor the Corps "Basic Project Purpose," or because they would require construction of additional roadway segments with little or no incremental transportation benefit (e.g. diversion of traffic from Gorham Village) were Corridors 2-2, 3-3 and 9-9. The natural and human resources were presented in Appendix A of the EA. Corridor 2-2 was dismissed from further consideration because there are other corridors that would better satisfy the transportation purpose. Corridor 2-2 and 1A-1A are similar in length, 4 miles compared to 3.9 miles. Comparing Corridor 2-2 impacts with Corridor 1A-1A the increased potential impact level is an additional 13 acres wetlands; 140 acres Prime Farmland; 10 acres vegetative communities; the same number of neighborhoods; and 1 acre of right-of-way.

Corridor 3-3 was

because it would not satisfy the transportation purpose. Corridor 3-3's incremental advantages over Corridor 1A-1A are minimal; only 200 additional vehicles per day would be diverted from Gorham Village. The additional road segment between Route 25 (Ossipee Trail) and Route 114 (Fort Hill Road) included in Corridor 3-3 would cost an additional \$3 million and increase potential social, economic and natural impacts over Corridor 1A-1A with negligible additional benefit. Comparing Corridor 3-3 impacts with Corridor 1A-1A, the increased potential impact level

an additional 4 acres of wetlands; 50 acres Prime Farmland; 52 acres vegetative communities; 300 linear feet of fisheries habitat; affect 2 additional neighborhoods; and 33 acres of right-of-way.

Due to the increase, level of impacts and minimal incremental advantages over Corridor 8-8, Corridor 9-9 was dismissed from further consideration. The addition of a road segment between New Portland Road and State Route 25 (east) distinguishes Corridor 9-9 from Corridor 8-8. With Corridor 9-9, only 100 additional vehicles per day would be diverted from Gorham Village and only 130 peak hour vehicles would utilize the additional road segment between New Portland Road and State Route 25 (east). Corridor 9-9 would cost \$2.5 million more than Corridor 8-8 and increase potential social, economic and natural impacts. Comparing Corridor 9-9 impact level with Corridor 8-8, the impact level is an additional 1-acre wetlands; 32 acres Prime Farmland; 17 acres vegetative communities; 4,000 linear feet of fisheries habitat; potentially affect 1 additional neighborhood, and acquisition of 24 acres of right-of-way.

This corridor screening process yielded a range of reasonable alternatives, at the corridor level, that were forwarded for detailed alignment studies, traffic studies, and alignment-specific impact analysis in the Alternatives Screening Phase. The corridors that only partially satisfied the NEPA Purpose and Need and the Corps "Basic Project Purpose" were determined not reasonable to carry forward because other corridors better satisfied the two Purpose statements. The screening dismissed corridor *segments* that would provide little or no incremental

transportation benefits. However, the full range of corridor **alternatives** was retained for further study. MaineDOT determined

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Judy Lindsey

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At the September 2000 Interagency meeting the agencies concurred that Corridors 1-1, 4-4, 6-6, and 8-8 would be forwarded for analysis that is more intensive; however, they reserved final judgment until review of the EA. At an August 2000 Public Advisory Committee (PAC) meeting members of the PAC expressed the desire to carry Corridor 1A-1A forward for further study in the alignment development/impact analysis phase.

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the same as Alternatives 1, 1d, 1d South and 1d North (see response to Commentator page 5, Comment # 3). In addition, the property acquisition costs would exceed \$3.5 million. Other alternatives are available

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Gorham's "Village Expansion Subarea", an area classified in the Gorham Comprehensive Plan (1993) to encourage the expansion of Gorham Village's residential and commercial uses. The Village Expansion Subarea is approximately bounded by Day Road to the south, Lovers Lane to the north, and Weeks/Cressey Roads to the west and Libby Avenue to the east. A policy statement within the Gorham Comprehensive Plan states that the Town of Gorham should manage new development within the Village Expansion Subarea to assure that it respects natural limitations, is compatible with a village environment, and promotes a pedestrian environment within the center of the village. Alternatives 8a and 8b also would not connect to a State numbered route, and would therefore not satisfy logical termini criteria nor the Purpose and Need. Corridor 8-8 alternatives would potentially affect 1,535 linear feet per mile of fisheries aquatic habitat compared to 860 linear feet per mile with Corridor 6-6; 29 acres of wetlands versus up to 18 acres; and potentially affect a deer wintering area.

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Comment #4

Section 2.2.1. In the future, DOT should clearly note why TDM (and in Section 2.2.2, TSM) does not meet the basic project purpose and are not practicable. In this way, these alternatives can be dismissed in compliance with the Section 404(b) (1) Guidelines.

Response

The Gorham/Portland Corridor Alternative Analysis, September 1997, conducted by the Portland Area Comprehensive Transportation Committee (PACTS) analyzed Transportation System Management (TSM) measures and Transportation Demand Management (TDM) measures. TSM measures, such as traffic signal timing or phasing adjustments, access management improvements, and improved signage or pavement markings, and TDM measures, such as ridesharing/carpooling programs, and trip-reduction incentives, could be successful in improving short-term safety and reducing traffic congestion. However, the study concluded that future year conditions would not satisfy either the NEPA Purpose and Need nor the Corps "Basic Project Purpose" of improving and relieving traffic congestion through Gorham with only those improvements. A long-term program of transit service expansion, carpool and

Matrix 2: Build Bypass Alternatives 6, 6b and 6c Impact Level.

vanpool promotion, and other non-auto travel modes will have a beneficial effect on personal mobility in the corridor; however, it will only have a minor effect on traffic congestion and safety over the long-term. Level of Service (LOS) for the Route 25/Route 114 intersection is considered without TSM for Alternatives 6b and 6c only. All other alternatives assumed TSM during analysis. This is because LOS at this intersection is at an acceptable level (LOS D or better) for these two alternatives and TSM is not required. The Route 25/New Portland Road intersection is considered without TSM for Alternatives 1c, 1e, 6b, 6c and 6d.

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In accordance with the American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, Archaeological Resources Protection Act, Executive Order 13007--Indian Sacred Sites, Executive Order 13175--Consultation and Coordination with Indian Tribal Governments, Executive Order 12898--Executive Order on Environmental Justice and the implementing regulations for these authorities, MaineDOT contacted the Penobscot Indian Nation, Passamaquoddy Tribe of Indians in Perry and Princeton, Maine, Aroostook Band of Micmacs, and the Houlton Band of Maliseet Indians requesting review and comment of the Gorham Bypass Study-Study Area regarding effects to historic properties on tribal lands as well as significant religious and cultural historic properties.

MaineDOT, regarding the Gorham Bypass Study, contacted Bonnie Newsom, Acting Director for the Department of Cultural and Historic Preservation for the Penobscot Indian Nation.

Page 17: [10] Deleted Judy Lindsey 08/30/2005 1:08 PM

Gorham is a relatively young Town, in 1990 3,371 (28.4%) of the population was under the age of 18 and less than 10% were over 65. In the under age 18 population Gorham has approximately 2% more than the State of Maine and almost 4% more than the Portland MSA and Cumberland

Table 3-7, Page 3-30 of EA

Jurisdiction	1970	1980	1990	Population			1990-2025 % change
				1970-80 % change	1980-90 % change	2025 Projections	

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Source: US Census: 1970, 1980, 1990, Greater Portland Council of Governments; smrpc.maine.org.2000

Page 17: [12] Deleted Judy Lindsey 08/30/2005 1:08 PM

Town of Gorham	Municipal	400
Gorham House Convalescent Care	Housing and Convalescent Care	220
American Tool Co.	Tool Manufacturing	210

Potentially, the Preferred Alternative will permanently impact approximately 20.4 acres of wetlands. Efforts to avoid and minimize wetland impacts have been considered during Preliminary Engineering and Environmental Studies. Feasible avoidance and minimization measures will be evaluated during the final design phase of project implementation. For unavoidable impacts, MaineDOT will identify a suitable wetland mitigation strategy in accordance with state and federal regulation during the permitting phase. MaineDOT will explore EPA's recommended opportunities for wetland restoration, enhancement, and creation in the Presumpscot and Stroudwater River watersheds. MaineDOT understands that wetland preservation is only to be used to augment the value of wetland restoration, enhancement and creation efforts, when it is demonstrated that preservation complements the functions of these other compensation efforts.

Since the publication of the EA and the end of the Comment Period MaineDOT has been investigating a potential wetland mitigation site in Gorham. The preliminary results of this site investigation and potential wetland mitigation opportunities were presented to the Interagency Group in November 2003. Wetland restoration, enhancement, and creation are being considered as part of the development of the mitigation package. A compensation package for the wetland impacts of the Preferred Alternative will be presented with the state and federal permit applications.

During final design, a site visit will be scheduled with state and federal regulatory agencies to investigate the proposed wetland mitigation strategy.

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Alternative 1c was dismissed because it was determined that it would not satisfy the NEPA Purpose and Need nor the Corps "Basic Project Purpose." It would not divert sufficient traffic volumes out of Gorham Village to achieve an acceptable level of service (LOS). Year 2025 PM peak hour LOS is projected to be LOS F at the intersection of Route 25 at Route 114 with Alternative 1c. In addition, it would divert only about half the number of trucks that would be diverted by the Preferred Alternative. Based on the traffic analysis completed for the EA, MaineDOT concluded that none of the southwest bypasses alone (Alternative 1c or 1e) would result in acceptable LOS. However, in conjunction with a northerly bypass alternative, greater diversion of general and truck traffic away from Gorham Village would occur and achieve acceptable LOS. The "Summary of Predicted Effects - Transportation, Final Alternatives and Preferred Alternative," Table 2-1 revised, *Attachment J* provides the required information to compare the effectiveness of alternatives.

The Upgrade Alternative would provide improvements to the existing roadway system within and approaching Gorham Village to reduce motorist delay and improve traffic flow to acceptable levels of service (LOS) for these facilities, defined as LOS D or

better. To achieve LOS D under the Upgrade Alternative, additional travel and turning lanes would be required on Route 25, between and including the Route 114 and New Portland Road intersections, as well as on Route 114 and New Portland Road. Additional lanes could not be accomplished without considerable residential and business displacements. It is estimated that between 20 and 25 residential displacements and between 15 and 20 business displacements would be required. These acquisitions and relocations would occur within the Gorham Village Historic District, which is listed on the National Register of Historic Places. The acquisitions and relocations would contribute at least half of the estimated \$9.4 to \$14.3 million cost of this Alternative. Due to the increased capacity in Gorham Village, the Upgrade Alternative would actually result in an increase in traffic volume in Gorham Village, as compared to the No Build and bypass alternatives. Increasing traffic in Gorham Village is contrary to the Town of Gorham Comprehensive Plan (1993), the Gorham Main Street Master Plan (1998), and the primary Study Need - to reduce traffic volumes, particularly truck volumes in Gorham Village. Route 22 is not included in the Upgrade Alternative because it is outside of the Study Area and the subject of a separate study conducted in 2002 by PACTS, Route 22/114 Overlap Study.

For these reasons, it was determined that the Upgrade Alternative does not satisfy the NEPA Purpose and Need nor the Corps "Basic Project Purpose" and was dismissed from further consideration.

No, the southwest route proposed as part of the Preferred Alternative, Alternative 6d, does not extend to Route 22.

"The NEPA Purpose and Need is to provide for the safe and efficient movement of people and goods through and around Gorham Village in a manner that is consistent with and supports the goals of Gorham's Comprehensive Plan. ..." The Preferred Alternative is not intended to solve traffic problems along Route 22/Route 114.

Commentator: James and Nancy Sanderson, Gorham Residents

Comment

Has a beltway been considered off from I-295 or MTA?