

# 1

## Introduction

**How to Read This Chapter:** This chapter defines the action by the Federal Highway Administration (FHWA) and the Maine Department of Transportation (MaineDOT) that is the subject of this Supplemental Draft Environmental Impact Statement (SDEIS) and establishes the purpose of and need for that action. In addition, this chapter reviews the history of the study and the relevant issues considered in the SDEIS. It also lists the federal and state permits and actions likely to be necessary in order to implement the proposed action.

All accompanying figures are bound separately in Volume 2 of this SDEIS.

---

### 1.1 Introduction

The FHWA and the MaineDOT have undertaken the Aroostook County Transportation Study (ACTS) pursuant to the National Environmental Policy Act (NEPA) and the Maine Sensible Transportation Policy Act (STPA) to identify transportation improvements that will enhance travel mobility and efficiency within northeastern Aroostook County and support regional economic growth.

---

#### 1.1.1 Study Area

The Study Area for the ACTS comprises the northeast corner of the state and is shown on Figure 1-1. It includes the central and northeastern portions of Aroostook County and is bounded on the south by Interstate 95 (I-95), on the west by Route 11 and on the north and east by the Canadian border. I-95 terminates in Houlton in the southeast corner of the Study Area. Therefore, the majority of the Study Area has no Interstate highway access. The Study Area is approximately 100 miles long and 25 to 40 miles wide, encompassing approximately 2,760 square miles.

The Study Area is sparsely populated, with a population of 70,576 people according to the 2000 U.S. Census. The majority of the population (39,115) lives in the Presque Isle-Caribou area in the central portion of the Study Area. For a more detailed description of the geography and settlement patterns within the Study Area, please refer to Chapter 1, page 1-1, of the February 2002 Draft Environmental Impact

Statement (DEIS). Section 3.3 (page 3-22) of the DEIS discusses the land use patterns along the highway corridors that are the subject of this SDEIS.

---

### 1.1.2 Study History

As discussed in the DEIS, consideration of new controlled access highways in northern Aroostook County dates back to the 1960s. I-95 was extended to Houlton and the Canadian border in 1966. Feasibility studies related to an extension of I-95 to the St. John Valley were done in 1968, 1988, 1994, and 1997. The 1997 study found that a new 4-lane Interstate-type highway would provide greater economic benefit to Aroostook County than would a 2-lane arterial alternative or upgrade alternative; however, the 2-lane arterial would be the least costly and would provide the greatest travel benefits per unit cost.<sup>1</sup>

Other transportation improvements within the Study Area have also been considered to alleviate localized transportation deficiencies. In 1993, MaineDOT studied the feasibility of constructing a bypass around downtown Presque Isle to separate through traffic from local traffic, thereby easing congestion and reducing the potential for accidents within the Presque Isle Central Business District.

---

### 1.1.3 ACTS DEIS

The ACTS began in April 1999 with a symposium held in Caribou at which FHWA, MaineDOT, and then-Governor King, introduced the study to municipal officials, business leaders, and the public. Attendees at the symposium were asked to provide input on the Purpose and Need for the study as well as other transportation issues that they would like to see addressed as part of the study.

The Scoping Process for the DEIS was initiated by a Notice of Intent to prepare an Environmental Impact Statement published in the *Federal Register* (week of September 16-24, 1999). A series of Public Scoping Meetings were held on September 14, 15 and 16, 1999 in Frenchville, Presque Isle, and Houlton, Maine, respectively.

A Public Advisory Committee (PAC) composed of representatives from throughout the Study Area was formed to assist MaineDOT with this Study. The PAC has provided input on the Purpose and Need, assisted with the highway corridor screening process, and provided on-going review of findings related to transportation, economic, and environmental impacts. The first PAC meeting was held on June 8, 1999. The most recent PAC meeting (the 26th) was held July 12, 2005.

---

<sup>1</sup> Wilbur Smith Associates and Coastal Environmental, Inc. May 20, 1997. *Final Report, Houlton to Fort Kent Transportation Study, Aroostook County, Maine, PIN 6462.00*. Report prepared for the MaineDOT.

The Notice of Availability of the DEIS appeared in the *Federal Register* on March 8, 2002. The DEIS presented the screening process that led to the identification of the four alternative highway corridors that were analyzed in detail, along with the No-Action Alternative. The four corridors, designated as Composite Corridor 1 (C1), Composite Corridor 2 (C2), Corridor Hm, and Corridor Km, extended the length of the Study Area from I-95 to the St. John Valley. The DEIS Corridors are shown on Figure 1-2. Corridors Hm and Km were generally being new-alignment corridors, while Corridors C1 and C2 comprised mainly existing highways, making use of Routes 1 and 161.

A series of three public hearings on the DEIS were held in Presque Isle, Frenchville, and Houlton on March 19, 20, and 21, 2002, respectively. At these hearings, FHWA and MaineDOT heard testimony with regard to the four DEIS Corridors. The comment period on the DEIS closed on April 30, 2002. The comments are summarized briefly in Section 1.3.2 (page 1-8). Comment letters and responses to comments on the DEIS are provided in Volume 3 of this SDEIS.

---

#### 1.1.4 Post-DEIS Study

Based upon the results of the DEIS and comments received on it, MaineDOT undertook additional studies to further analyze potential highway corridors. These studies included:

- MaineDOT examined potential locations for a new commercial border crossing facility in the St. John Valley. Suitable locations were identified in Van Buren and along Route 1 east of downtown Madawaska.
- MaineDOT identified a potential new border crossing location along Route 1 east of downtown Madawaska. MaineDOT evaluated potential new routes for a highway connection between Route 161 in Cross Lake Township and the proposed border crossing location. These routes are longer and farther east than the highway connection that was part of Corridors C1 and C2 in the DEIS. The DEIS connection provided a new north-south highway between Route 161 in Cross Lake Township with Route 1 west of Madawaska in Frenchville.
- MaineDOT has examined a number of additional options for the Presque Isle Bypass portion of DEIS Corridors Hm, C1, and C2.
- MaineDOT has examined additional options for the Caribou Bypass portion of Corridors C1 and C2.
- MaineDOT has examined potential alternatives for a new interchange at I-95 and Route 1 in Houlton.

Based upon the findings from the DEIS and these additional studies, FHWA and MaineDOT have dismissed Corridor Km from further consideration; have modified the remaining three DEIS Corridors; and developed a new composite corridor

composed of the southern portion of Corridor C1 and the northern portion of Corridor Hm (see Section 2.3 [page 2-7] and Section 2.4 [page 2-9] for a detailed discussion).

---

### **1.1.5 Re-Evaluation**

In compliance with the FHWA's NEPA regulations (23 CFR 771.129), because greater than three years passed since the publication of the DEIS and the publication of a Final Environmental Impact Statement (FEIS), MaineDOT prepared a Re-evaluation of the DEIS to determine if there had been significant changes to the environment that would have a bearing on the proposed action or its impacts. The June 2005 Re-evaluation determined that because MaineDOT had modified the highway corridors under study and identified a large number of potentially historic structures along those corridors, a SDEIS was warranted. By preparing this SDEIS, FHWA and MaineDOT are providing the public, as well as state and federal review agencies, with the opportunity to comment on the new information that is being provided in the SDEIS, and in particular the Draft Section 4(f) Evaluation in Chapter 5, before the FEIS is prepared. FHWA and MaineDOT will respond to comments on this SDEIS in the FEIS before a Record of Decision (ROD) is prepared.

---

### **1.1.6 Other Actions in the Study Area**

Three other transportation actions within the Study Area are currently in the planning, design, and construction process. These projects have been developed subsequent to the DEIS, and are addressed in Section 2.4.1 (page 2-9) of this SDEIS as part of the No-Action Alternative. At present (April 2005), improvements to Route 161 are being undertaken in Cross Lake Township. The highway reconstruction works begin approximately 0.18 miles north of the Cross Lake Township town line and extend northwest approximately 5.11 miles to approximately 0.04 miles north of Ouellette Road.

Two additional projects are currently proposed in the Study Area. The first project is the proposed construction of a roundabout in Caribou at the intersection of Route 1, North Main Street, and the Cary Medical Center driveway. The roundabout would extend approximately 300 feet north and south on Route 1, and about 100 feet east and west onto North Main Street and the Cary Medical Center driveway. It is anticipated that the project would be substantially complete in November 2006.

The second project is for a commercial border crossing in the St. John Valley. The General Services Administration (GSA) has identified a site for the proposed border crossing approximately 0.25 mile southeast of the present Madawaska Border Station in downtown Madawaska. The GSA expects the project to be completed and operational by 2011.

---

## 1.2 Purpose and Need

As was presented in the DEIS, the purpose of the ACTS is to evaluate transportation alternatives that would improve the region's economy by improving transportation mobility. Aroostook County has an inadequate transportation system that limits access and mobility to, from, and within the county. Poor mobility in turn limits economic opportunity.

Specific elements of the need for transportation improvements include:

- Aroostook County suffers from a long-term loss of population;
- The unemployment rate in the Study Area has been chronically higher than the state average;
- The rate of job growth has been chronically below the state average;
- There has been a lack of diverse job opportunities which would retain and attract workers; and
- There is a need to improve transportation access to, from, and within Aroostook County and the surrounding provinces to improve access to jobs, reduce long distances and travel times for goods to market, and address issues of transportation system continuity.

Transportation improvements should be developed to address the economic and transportation needs and to meet the following major objectives:

### **Economic Objectives:**

- Help to maintain and expand Aroostook County's economy;
- Enhance the marketability of Aroostook County's existing and potential economic assets;
- Improve access to jobs and services; and
- Improve connections to markets within and outside of Aroostook County including New England, Canada, and more distant areas.

### **Transportation Objectives:**

- Reduce travel time to, from, and within Aroostook County;
- Enhance the reliability of Aroostook County's transportation system;
- Improve traffic flow through Houlton, Mars Hill, Presque Isle, and Caribou;
- Reduce the potential for crashes;
- Provide an adequate highway geometry;

- Reduce speed differentials in developed areas and among highway users;
- Reduce conflicts caused by the varied traffic mix; and
- Improve access management along existing highways.

For a complete discussion of the Purpose and Need, refer to Section 1.2 (page 1-5) of the DEIS. As the ACTS has progressed, FHWA and MaineDOT have focused on those objectives within the overall Purpose and Need that are most closely related to the Study's purpose which is to identify transportation improvements that will improve the region's mobility and provide economic benefits. Other objectives contained in the DEIS Purpose and Need statement have been given less attention because they are not directly related to mobility and economic benefits. These include, for example, accommodating higher truck weights and addressing wildlife conflicts.

---

## 1.3 Scope of this SDEIS

This SDEIS has been prepared in conformance with the requirements of the Council on Environmental Quality (CEQ) NEPA regulations and with FHWA's NEPA regulations and guidance documents.<sup>2</sup> The purpose of this SDEIS is to present new and updated information with regard to changes in the study and environment that have occurred since the February 2002 DEIS. Most importantly, MaineDOT has dismissed from consideration one of the DEIS corridors, modified the remaining DEIS corridors, including both their proposed routes and typical cross sections, and added a new corridor. There has also been one important change in the environmental setting of the proposed corridors. MaineDOT has identified over 1,000 structures that are greater than 50 years old along the study corridors. Of these, approximately 100 have been determined to be on or eligible for listing on the National Register of Historic Places. Finally, through detailed aerial photo interpretation, wetland resources have been mapped at a higher level of detail along the corridors than was done for the DEIS.

---

### 1.3.1 Study Phasing

The ACTS has been undertaken as a phased study. The purpose of the DEIS was to identify potential corridors within which specific highway alignments could be further refined and analyzed in subsequent NEPA documents. This approach was spelled out clearly in the Summary of the DEIS (page S-1) which stated:

*Each of the corridors analyzed in this DEIS is a broad band extending from I-95 to Madawaska. Within each of these bands are several potential highway alignments. In subsequent phases of this Study, specific highway alignments within the Preferred Corridor would be identified and analyzed. Due to the*

---

<sup>2</sup> See Section 1.5 on page 1-10 for citations of CEQ regulations and FHWA NEPA regulations.

*length of the Study Area, it is likely that the Preferred Corridor would be divided into several segments or phases for future analysis. NEPA compliance (which may include a FEIS, a Supplemental EIS, Environmental Assessment, or Categorical Exclusion documentation) would be required for each phase.*

The phased approach taken for the ACTS is fully consistent with the use of tiering as described in the CEQ's NEPA regulations. The CEQ's NEPA regulations encourage the use of tiered EISs to focus analysis on the actual issues that are ripe for decision and exclude from consideration issues that are already decided or not yet ripe (see 40 CFR 1508.28). FHWA's NEPA regulations also state that a tiered approach may be suitable in some instances:

*"The first tier EIS would focus on broad issues, such as general location.... and land use implications of the major alternatives. The second tier would address site-specific details on project impacts, costs, and mitigation measures."*  
(23 CFR 771.111(g)).

The Phase 1 DEIS examined four major corridors at a macro-level, basing the impact analysis on GIS-level information and using uniform impact widths (300 feet for new corridors and 150 feet for upgraded corridors). It did not attempt to identify or analyze impacts of specific highway alignments within the corridors, nor did it examine the use of reduced right-of-way widths and/or specific roadway cross sections.

MaineDOT and FHWA have identified this SDEIS as a Tiered NEPA document, and it includes both Tier 1 and Tier 2 level analyses. At the Tier 1 level, similar to the DEIS, it describes four major north-south corridors connecting I-95 to the St. John Valley. The four corridors have been divided into 11 segments that represent potential second phase or Tier 2 projects. In compliance with FHWA's segmentation criteria (23 CFR 771.111(f)), each segment has logical termini, independent utility, and would not restrict consideration of alternatives for other segments. Each segment has been developed such that it could be funded and constructed within a reasonable timeframe as funding becomes available.

For reasons that are presented in Chapter 2, FHWA and MaineDOT have deferred the selection of an overall preferred north-south corridor. This SDEIS identifies a "**Proposed Action**" that consists of highway construction on three of the 11 segments and Corridor Management Plans (CMPs) for portions of Route 1 between Presque Isle and Caribou and between Caribou and Van Buren. Additional NEPA review and documentation will be needed before any of the remaining segments are advanced.

The segments that are proposed to be carried forward into design and permitting following soon after this Tiered EIS process compose what this SDEIS refers to as the "**Proposed Action.**" Upon FHWA's issuance of the ROD following completion of the FEIS, MaineDOT expects to be able to proceed into final design and permitting for the three segments that compose the Proposed Action. Therefore, this SDEIS also presents Tier 2, alignment-specific, information for these three segments.

Those segments for which the decision is being postponed until a later time are referred to as “**Deferred Segments.**” Because decision-making regarding the selection of a Preferred Corridor and the segments that compose it is being deferred until funds or need are identified, this SDEIS presents less detailed information on these Tier 2 Deferred Segments. When MaineDOT reconsiders these segments, either individually or as part of an overall corridor, they will require additional NEPA review. Future NEPA studies will, however, be able to build on the information that has been gathered and analyzed as part of this EIS process.

---

### 1.3.2 Comments on the DEIS

Comments on the Draft EIS were received at three public hearings and through written comments. Approximately 200 people attended the public hearings. Forty people provided comments at the hearings, and an additional 115 written comments were received.

Federal agency comments were submitted by the U.S. Environmental Protection Agency (EPA), U.S. Coast Guard, U.S. Army Corps of Engineers (USACOE), and the Department of the Interior (DOI).

One state elected official provided comments. State agency comments were submitted by the Department of Inland Fisheries and Wildlife (IF&W) and the State Historic Preservation Officer.

Local and regional comments were submitted by officials of Caribou, Castle Hill, Presque Isle, Fort Kent, Hodgdon, Limestone, Littleton, Madawaska, Mapleton, and St. Agatha.

Non-governmental organizations that submitted comments included the Caribou Chamber of Commerce, Loring Commerce Center, the Presque Isle Chamber of Commerce, Fort Kent Area Chamber of Commerce, Fort Kent Merchants Association, the Aroostook Municipal Association, and Aroostook County Tourism.

The USACOE, EPA, and IF&W recommended that Composite Corridor 1 be given serious consideration as the preferred corridor, based on their finding that on-alignment upgrades would be less environmentally damaging than new alignment corridors. The EPA noted that extensive further study would be required for any corridor to address concerns regarding impacts to wetlands, groundwater, and water supplies, and that secondary impacts (uncontrolled growth and induced growth) were also concerns.

Municipalities and non-governmental organizations expressed a wide range of opinions concerning the preferred corridor. These included No Action (Littleton), a preference for Composite Corridor 1 (Fort Kent, Hodgdon), Corridor Km (Caribou,

Madawaska, St. Agatha, Loring Commerce Centre, Presque Isle Chamber of Commerce), and Corridor Hm (Limestone, Castle Hill, Mapleton, Presque Isle). Most communities indicated that an upgrade or widening of existing highways would adversely impact communities and residents, and would not meet the transportation objectives of the study.

The list of commentors is presented in Chapter 6. The comment letters and responses to substantive comments are contained in Volume 3.

Since the close of the comment period on the DEIS, MaineDOT has received numerous additional letters with regard to the ACTS. Many of these letters are from local citizens having concerns that their property would be adversely affected by proposed highway corridors. These comments are also summarized in Volume 3 of this SDEIS.

---

### 1.3.3 Relevant Issues for the SDEIS

Based upon comments that were received on the DEIS and others received throughout the study, the major issues for the SDEIS analysis include:

- Economic impacts, both beneficial and adverse. Beneficial impacts include transportation cost savings for Aroostook County businesses, the potential for increased tourism, and improved commuting times. Adverse impacts could include lost income due to bypass effects.
- Transportation impacts, including improved mobility, safety, and reduced travel times.
- Land use impacts, particularly those to active farms, and impacts caused by property takings along existing and proposed new highways.
- Impacts to cultural resources, primarily those to historic properties along existing and proposed new highways.
- Impacts to the natural environment, particularly those to aquatic systems, and the potential for habitat fragmentation.
- The potential for secondary impacts, both beneficial and/or adverse, caused by induced development.

---

## 1.4 Federal and State Decisions and Actions

This SDEIS has been prepared to summarize the analyses conducted since the DEIS; to identify a Proposed Action; explain why decision making has been deferred for some corridor segments; and to assess the potential transportation, social, economic, and environmental impacts of the Proposed Action. Following the comment period on this SDEIS, MaineDOT and FHWA will prepare a FEIS that responds to comments received

on the SDEIS. Following the review of the FEIS, FHWA will issue a ROD that will explain the reasons for the project decision, summarize mitigation measures that will be incorporated into the proposed project, and document the Section 4(f) compliance.

This SDEIS also helps MaineDOT to meet the requirements of the Maine Sensible Transportation Policy Act (STPA), which requires MaineDOT to “evaluate the full range of reasonable transportation alternatives for significant highway construction or reconstruction projects.”

MaineDOT actions that may proceed after the completion of this EIS process may include final design, right-of-way acquisition, construction, and implementation of mitigation measures.

---

## 1.5 Applicable Regulations, Required Coordination and Permits

Federal and state statutes and regulations require interagency and public coordination during the preparation and review of an EIS. These programs also require that certain permits and approvals be obtained prior to construction.

**Federal** statutes and regulations that are applicable to this study include:

- NEPA of 1969 as amended, and regulations found at 40 CFR 1500-1508 and the FHWA NEPA regulations at 23 CFR 771.119-771;
- Sections 401 and 404 of the Clean Water Act of 1972, as regulated by the USACOE and the EPA through 33 U.S.C. 1251-1376;
- Section 4(f) of the Department of Transportation Act of 1966, 49 U.S.C. 303 and 23 U.S.C. 138;
- Section 6(f) of the Land and Water Conservation Fund Act of 1965, 16 U.S.C. 460;
- Section 106 of the National Historic Preservation Act of 1966;
- Endangered Species Act of 1973, 16 U.S.C. 1531 et. seq as regulated at 50 CFR 17;
- Executive Order 11990, Protection of Wetlands, May 24, 1977;
- Executive Order 11988, Protection of Floodplains, May 24, 1977;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, February 11, 1994;
- EPA, National Pollutant Discharge Elimination System, 40 CFR 122;
- Magnuson-Stevens Fishery Conservation and Management Act, 50 CFR Part 600; and
- Uniform Relocation Assistance and Real Property Act of 1970, 42 U.S.C. 61.

**State** statutes and regulations that are applicable to this study include:

- Maine Sensible Transportation Policy Act of 1991, 23 M.R.S.A. § 73;
- Maine Department of Environmental Protection, Natural Resources Protection Act, 38 M.R.S.A. § 480-A et seq;
- Maine Department of Environmental Protection, Solid Waste Management Law, 38 M.R.S.A. § 1301;
- Maine Department of Environmental Protection/Maine Department of Transportation, Stormwater Memorandum of Agreement, May 30, 2003;
- Maine Endangered Species Act of 1975, 12 M.R.S.A. § 7751 et seq; and
- Maine Land Use Regulatory Commission, 12 M.R.S.A. § 684.

---

## 1.6 Overview of SDEIS

Chapter 2 of the SDEIS describes the screening process that has led to the identification of the Proposed Action, explains why some highway segments are being deferred, provides an overview of the different alignment options that were studied for the highway segments included in the Proposed Action, and summarizes the predicted impacts from the preferred alignment option.

Chapter 3 of the SDEIS describes the existing conditions along the segments included in the Proposed Action.

Chapter 4 presents the analysis of the anticipated direct, secondary, and cumulative transportation, land use, economic, social, cultural, natural resource, and atmospheric impacts for the Proposed Action. Impacts are described for each of the alignment options studied for these corridor segments. It also presents MaineDOT's proposed mitigation measures.

Chapter 5 is the Draft Section 4(f) Evaluation. It presents the reasons why there is no feasible and prudent alternative to the use of land associated with certain historic properties that have been determined eligible for listing on the National Register of Historic Places. It also presents the mitigation measures that will be employed to minimize harm to these properties resulting from the use.

Chapter 6 contains the list of persons who commented on the DEIS.

Chapter 7 summarizes the coordination and consultation with federal, state, and local agencies that MaineDOT has undertaken throughout the ACTS as well as the public participation process.

Chapter 8 lists the SDEIS preparers.

Chapter 9 provides the SDEIS circulation list.

Chapter 10 lists the documents referenced throughout the SDEIS.

Chapter 11 is the Index.