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December 3, 2010

Members of the Mid-coast Bypass Task Force

Subject: Recent Developments in the Wiscasset Route 1 Corridor Study

Dear Task Force Member:

As you know, the path toward a solution to the traffic congestion in the Wiscasset-Edgecomb area has been a long and challenging one. The Mid-Coast Bypass Task Force has made important contributions to the progress we have made. The Task Force provided MaineDOT and FHWA with advice on substantive comments regarding the Draft Environmental Impact Statement (DEIS), on bypass access in Wiscasset, and on a preferred bypass route. All of this helped shape the final alternatives presented to the US Army Corps of Engineers for their consideration as the Least Environmentally Damaging Practicable Alternative (LEDPA). Although the Corps determined alternative N8c to be the LEDPA over alternative N2a, the decision marked a milestone in the process and opened the door for completion of the Final EIS and the Record of Decision.

Progress has been made toward the FEIS, but new environmental information requires MaineDOT, FHWA, and the Corps to revisit some decisions made in the last year. During the summer of 2010, shortly after the Corps had determined the LEDPA, the US Fish & Wildlife Service (USF&WS) confirmed a bald eagle's nest on Davis Island, within the proposed alignment of N8c.

Since becoming aware of this discovery, MaineDOT has been engaged in fact-finding and consultation with FHWA, USF&WS, and the Corps to fully understand the ramifications of the existence of this eagle nest. The newly discovered nest is protected by the Bald and Golden Eagle Protection Act of 1940. Under this federal law, a permit from USF&WS would be needed to remove a nest, even if it is not in use. Before a permit could be issued for the Davis Island nest, a determination must first be made that no practicable bypass alternatives are available to avoid the nest. As the above agencies consider that the other DEIS alternatives are practicable, a permit application to remove the nest for alternative N8c would not be successful.

Because of this new-found information, MaineDOT is seeking advice from the members of the Task Force on whether to proceed with the decisionmaking necessary to build a bypass. Going forward would require MaineDOT to obtain a new LEDPA determination from the Corps. The



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LEDPA would likely come from one of the N2 alternatives brought forward in the DEIS. The process timeline would be extended, but a new LEDPA determination, the FEIS, and the Record of Decision could all be achieved in 2011. On the other hand, stopping the process would mean that a bypass route would not be chosen, and that years would pass before a new study would revisit the bypass issue.

The question of a Wiscasset bypass has been a long-standing issue at the local, regional, and state levels. Much effort has been invested to reach this point in the decisionmaking process, but more work must be done, and funding to make a bypass a reality is not yet in hand. MaineDOT would appreciate your input at this critical juncture in the Wiscasset Route 1 Corridor Study to help us determine if local, regional and statewide support exist to complete the study and proceed toward future design and construction. I look forward to meeting with you on December 15 to discuss this important matter. Carol Morris will be sending each of you a meeting notice once we have located an appropriate location to hold the meeting. We expect the meeting will be held in the early evening.

Sincerely yours,



Kat Beaudoin  
Chief of Planning  
Bureau of Transportation Systems Planning

cc: Cheryl Martin, FHWA  
Jay Clement, ACOE  
Wende Mahaney, USF&WS