

**STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Maine Turnpike Authority)	
Natural Resources Protection Act)	PETITION FOR LEAVE TO INTERVENE
Site Location of Development Act)	OF THE TOWN OF YORK
)	
Application: York Tollbooth Replacement)	

Pursuant to 5 M.R.S.A. § 9054 and Chapters 2(7)(C), 20(4)(A) and 30(5)(A) of the Department's Rules, the Town of York (the "Town") hereby seeks leave to intervene as a party in the Department's hearing concerning the above referenced applications filed by the Maine Turnpike Authority ("MTA").

In support of this request, the Town states that it, and its residents, are likely to be substantially and directly affected by this hearing proceeding and MTA's plans to relocate or alter the existing tollbooth in York, Maine. Both the existing toll plaza and MTA's proposed new toll plaza are located within the Town of York. Any proposal to modify, replace, or reconstruct the existing toll plaza will impact York residents, both due to construction and siting impacts and related traffic impacts on adjacent road systems. Given the significant interest by York residents, the Town has hosted numerous public comment events on this project, both with respect to the current proposal by MTA and MTA's prior proceeding in 2010.

In addition, the Town's Board of Selectmen have, through counsel, provided comments to the Department on the appropriateness of the use of the Site Location Act General Permit for this project, and the Town was the entity that requested that the Department hold a public hearing in this proceeding.

Finally, with regard to the merits of the applications and the need for a public hearing, as noted in its prior communications with the Department, the Town contends that an "All

Electronic Tolling” facility (or “AET”) is a feasible and practicable alternative to the Open Road Tolling” proposal submitted by MTA. The Town contends that an AET facility will generate, over the long term, the same or more toll revenue for MTA, while eliminating any impacts to environmental resources. The Town also contends that AET will improve safety at the toll plaza. The Town has previously retained experts to provide comments to regulatory officials, including the U.S. Army Corps of Engineers, on the question of whether an AET facility is a less environmentally damaging alternative to MTA’s current proposal.

If granted party status, the Town will submit expert testimony on issues relevant to the feasibility of AET, will respond to comments from MTA to-date regarding its assessment of AET, ORT and associated impacts, and will attend all pre-hearing conferences and will comply with all Department scheduling orders concerning this matter.

In summary, the disposition of this permitting proceeding will impact the Town of York and its residents. The Town will be substantially and directly affected by the Department’s permitting decision and respectfully requests that the Department grant its petition to intervene as a full party in this proceeding.

Thank you.

Date: 1/25/2017

Town of York



Stephen H. Burns, Town Manager