



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

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COMMISSIONER

SENT VIA ELECTRONIC MAIL

April 19, 2017

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Re: Letter of Objection – Maine Turnpike Authority Toll Plaza project application

To the Parties:

On December 2, 2016 Deputy Commissioner Melanie Loyzim determined that a hearing would assist the Department’s understanding of the Maine Turnpike Authority’s (MTA) Natural Resources Protection Act (NRPA) application for the proposed relocation of a toll plaza in York, Maine. This determination was in part based on information submitted to the Department by the applicant, the Intervenor, and members of the public that constituted credible conflicting technical information, and proposed an alternative to MTA’s Open Road Tolling (ORT) plan that would reduce impacts to protected natural resources.

In its April 14, 2017 letter of objection, MTA requests that the Department reconsider its decision to conduct a hearing because, in MTA’s view, the Coalition for Responsible Toll Collection (CRTC) did not submit credible conflicting technical information in its pre-filed testimony. Specifically, MTA asserts that the Coalition did not submit a report, entitled “Shortfalls in MTA’s Response to the Army Corp [sic] of Engineers” prepared by the eTrans Group, Inc., which concludes that All Electronic Tolling (AET) is a feasible alternative to ORT.

MTA submitted this report as Appendix 2(I) in its October 17, 2016 application for a NRPA permit and thus the report is in the record. The report is also posted on the Department’s website.

The Coalition has no obligation to submit evidence at the hearing; it may rely solely on the information in the record. Additionally, the eTrans report is not the only source of conflicting technical information. Therefore, I have determined that the hearing will go forward as scheduled.

Sincerely,

Paul Mercer  
Commissioner

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