

## SPARKING NEW LIFE INTO MAINE'S STAR CITY PROJECT

### **PROJECT READINESS**

#### **Planning and Constructability**

Project components and related planning studies are included in the most recent [MaineDOT Three-Year Work Plan](#) for 2024 through 2026. Upon notification of a BUILD grant award, MaineDOT will modify the workplan to include all grant-funded Project components in the 2026 through 2028 work plan.

Project ID	Description	Town Work Plan Page
028492.00	Route 1: Beginning 0.02 of a mile north of University Street and extending north 2.34 miles.	<a href="#">Pg. 5</a>
026800.00	Route 1: Planning Partnership Initiative. Study to evaluate pedestrian and bicycle safety recommendations and improve connectivity within the study area along Route 1 – Main Street, and intersections.	<a href="#">Pg. 3</a>
025753.00	Route 1: Beginning 0.02 of a mile north of University Street and extending north 2.33 miles. This project is using Congressionally Directed Spending.	<a href="#">Pg. 2-3</a>

Right-of-way (ROW) determinations will be completed as a part of preliminary engineering, which is currently underway. MaineDOT does not anticipate significant ROW acquisition will be required since the major Project components are road diet retrofits within the existing ROW.

MaineDOT anticipates utilizing its delegated authority for Categorical Exclusions on portions of the Project. Further, MaineDOT is applying an innovative means with respect to NEPA and permitting for this project through Programmatic Agreements to ensure timely and consistent reviews and accelerate project delivery. MaineDOT and various other State and Federal departments have executed agreements to expeditiously but thoroughly review environmental impacts from projects. MaineDOT will take advantage of the following up-to-date agreements, where applicable, to streamline the environmental review and approval process:

1. Programmatic Agreement between the Federal Highway Administration, Maine Division and the Maine Department of Transportation Regarding the Processing of Actions Classified as Categorical Exclusions for Federal-Aid Highway Projects;
2. Programmatic Agreement among Federal Highway Administration, Federal Transit Administration, the Advisory Council on Historic Preservation, the Maine State Historic Preservation Officer, and Maine Department of Transportation Regarding Implementation of the Federal Aid Highway and Federal Transit Programs in Maine;
3. Cooperative Agreement between U.S. Department of the Interior Fish and Wildlife Service (USFWS), FHWA and the MaineDOT for State Transportation Reviews by the USFWS in Maine;
4. Programmatic Agreement for the State of Maine concerning identification of listed and proposed species and designation of non-Federal representative under the Federal Endangered Species Act between FHWA, Maine Division USACE, and MaineDOT
5. Programmatic Agreement for the State of Maine concerning identification of listed and proposed species and designation of non-Federal representative under the Federal Endangered Species Act between FHWA, Maine Division USACE, and MaineDOT.
6. Memorandum of Agreement for Stormwater Management Between the MaineDOT, MTA and Maine Department of Environmental Protection.
7. Memorandum of Agreement between United States Army Corps of Engineers (USACE), New England District and MaineDOT for Expediting Permit Application Evaluations

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under Section 214 of the Water Resources Development Act of 2000, as amended, and Section 139(j) of Title 23, United States Code, Assistance to Affected State and Federal Agencies, July 2022.

### Proposed Schedule

The Project Schedule outlines milestones by date:

Project Milestone	Start Date	Completion Date
Project Kickoff	February 2025	February 2025
Preliminary Design	September 2025	June 2026
NEPA	June 2026	June 2027
Obtain Permits/Approvals	June 2026	May 2028
STIP/TIP Inclusion	January 2024	January 2026
Final Design	July 2026	February 2027
ROW Acquisition	February 2027	May 2028
Anticipated finalization of grant agreement	N/A	June 2028
Anticipated obligation of grant funds	N/A	July 2028
Start/End Construction	October 2028	October 2031

The Project Phases included in this BUILD funding request consist of ROW, Final Design, and Construction.

### NEPA and Permitting

MaineDOT recognizes that assuring sustainability of habitats, ecosystems, and transportation infrastructure can occur in concert rather than in conflict. Toward that end, MaineDOT endeavors to exercise reasonable stewardship over both natural resources and transportation infrastructure through its commitment to addressing aquatic organisms, wildlife habitats, and fish passage in cooperation with natural resource agencies, while weighing all aspects of a proposed project.

#### *Required Approvals*

The Project sponsors have initiated communication with environmental agencies and interested parties. Preliminary baseline data collection to identify natural and cultural resources potentially affected by the Project is underway. This information will be refined during design and will be used to avoid and minimize impact while meeting the purpose and need of the Project.

#### National Environmental Policy Act (NEPA)

The NEPA process will inform and be incorporated into design efforts. Each of the project components can be classified as Categorical Exclusions in accordance with 23 CFR 771.117. MaineDOT is currently reviewing the Project and preparing NEPA documentation in accordance with its 23 U.S.C. § 326 CE Assignment Memorandum of Understanding between FHWA, Maine Division and the Maine Department of Transportation for State Assumption of Responsibility for Categorical Exclusions, dated October 9, 2024.

Should any issues arise, MaineDOT will work directly with the respective agencies to quickly resolve them. Public involvement will be completed in accordance with MaineDOT Public Involvement Plan and the MaineDOT NEPA Public Involvement Plan. These plans can be found at <https://www.maine.gov/mdot/env/NEPA/public/index.shtml>

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The anticipated date for NEPA completion is June 2027.

### Historic and Archeological

MaineDOT and FHWA Maine Division will complete the Section 106 process for all Project elements in accordance with the *Programmatic Agreement among Federal Highway Administration, Federal Transit Administration, the Advisory Council on Historic Preservation, the Maine State Historic Preservation Officer, and Maine Department of Transportation Regarding Implementation of the Federal Aid Highway and Federal Transit Programs in Maine*.

MaineDOT's Historic Coordinator will oversee architectural survey and archaeological review of the Project area. The Project area does include historic properties. The design team will work to avoid and minimize impacts and resolve any adverse effects to these properties in consultation with the City of Presque Isle, the MaineDOT Historic Coordinator, and the Maine Historic Preservation Commission as outlined in 36 CFR 800 and the MaineDOT Section 106 Programmatic Agreement.

### Section 4(f) of the Department of Transportation Act

The MaineDOT Cultural Coordinator will review the project corridor to identify Section 4(f) resources. Project details and right-of-way information will be evaluated to avoid and minimize potential Section 4(f) uses. Based on the project scope and preliminary plans, any Section 4(f) use that is unavoidable is expected to be *de minimus*.

### Endangered Species Act (ESA) and Essential Fisheries Habitat (EFH)

The Project area includes designated Essential Fish Habitat. MaineDOT and FHWA will incorporate Conservation Recommendations provided by NMFS for any culvert or bridge replacements that require in-water work. The Project is located within the range of the federally endangered Northern Long-Eared Bat and Canada Lynx. MaineDOT will complete consultation with U.S. Fish and Wildlife Service and the National Marine Fisheries Service and will incorporate avoidance and minimization measures into the project design.

### Section 404 Clean Water Act Permit/Section 10 of the Rivers and Harbors Act (U.S. Army Corps of Engineers)

Freshwater wetland and stream impacts may be required to complete some components of the Project. Project design will avoid and minimize temporary and permanent wetland impacts to the extent practicable. MaineDOT anticipates that wetland impacts, and any in-water work will be eligible for Pre-Construction Notification (PCN) under the Maine Programmatic General Permit. Use of In-lieu fee mitigation payments to the Maine Natural Resources Compensation Program will streamline compensatory mitigation for unavoidable wetland impacts.

### Natural Resources Protection Act (Maine Department of Environmental Protection)

Wetlands and waterbodies are regulated by the Maine Natural Resources Protection Act. MaineDOT anticipates that wetland and stream impacts associated with the Project will be permissible under the Individual Permit process.

### Stormwater (Maine Department of Environmental Protection)

The Project will incorporate Best Management Practices for temporary and permanent management of soil erosion and sedimentation. Permanent measures for treatment of stormwater quantity and quality will be incorporated as necessary in accordance with Maine Stormwater

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Laws and Chapter 500 regulations and the Memorandum of Agreement for Stormwater Management Between the MaineDOT, MTA and Maine Department of Environmental Protection.

### Floodway/Floodplains

The project will not require work in a designated floodway or floodplain.

### **Project Support**

As a Village Partnership Initiative project, community stakeholders and residents have been included in numerous public outreach efforts. MaineDOT and the City will continue seeking community feedback during all Project lifecycle states, including NEPA. NEPA-related public involvement will be completed in accordance with the MaineDOT [Public Involvement Plan](#) and the MaineDOT [NEPA Public Involvement Plan](#). MaineDOT utilizes a [Virtual Public Involvement](#) platform to present project information on-demand. Through this web-based platform, visitors can view project details, provide feedback, and have access to traditional contact methods for sharing input, such as mailing address, email address, and phone number for the project manager.

The Project team will continue to evaluate the additional formats and techniques to involve the public based on its potential for social, economic, and environmental impacts. MaineDOT will request that any public meeting notices be posted at municipal buildings and public libraries to solicit comments from and accommodate people who may not have internet or mobile access.

As a part of preparing its Comprehensive Plan in 2022, the City engaged in a multi-year review process led by the City's Planning Board. The plan includes research, policies, and strategies for accomplishing the City vision within this decade. The Board and City Council held multiple public meetings in 2020 and 2021 to garner citizens input in the planning process.

In developing the Project's 2024 Village Partnership Initiative planning study, the *Route 1 Main Street Downtown Transportation Feasibility Study* (Attachment D), Project planners engaged the public through outreach efforts which included public meetings and additional opportunities to present comments. Two public meetings were held on the UMPI campus in 2023 (June 8 and October 11). Each elicited numerous citizen questions and comments. Two additional meetings were held in September 2024. Feedback included the following comments:

- Walking areas around town should be connected, more crosswalks north of downtown
- Too many lanes on Main Street
- Separated bike facilities considered favorable
- Better snow removal options are needed
- Sidewalks and crosswalks needed in retail area around Walmart, Shop and Save, etc.
- Consider pedestrian bridge from Walmart across stream to westerly neighborhoods
- Promote the use of biking and electric bikes
- Concerns were raised about raised islands for pedestrian refuge and vegetation of refuge islands. Could present maintenance issues.
- Questions were raised about signal timing on Main Street. Signal improvements needed.
- Positive comments regarding traffic calming effects and anticipated slower speeds associated with three-lane section.

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Numerous letters of support accompany this application. The Project has received the support of a diverse group of elected officials and stakeholders who understand the significant benefits the Project will generate. MaineDOT will post all support letters at [www.maine.gov/mdot/grants/](http://www.maine.gov/mdot/grants/) with additional letters posted to the site as they are received.

### Risks and Mitigation

During the development of the BUILD package, risks were contemplated but each has a comprehensive mitigation strategy. Coordination between the design team and the environmental team will continue to ensure that the Project goals and community needs can be met while avoiding, minimizing, and mitigation potential environmental impacts.

Project Risks	Mitigations
Unexpected delays to the Presque Isle Bypass project could impact the timeline of the downtown improvements Project	Teams within MaineDOT for both Projects will communicate about schedule changes, progress updates, etc., throughout each project's lifecycle
Lower than anticipated use of the bypass upon completion could impact the conditions necessary to implement the downtown improvements Project	Ensuring the bypass is well-marked and easy to access from US 1 via ample signage that designates the bypass as the freight route.
Potential National Register eligible historic properties within the project area	Close coordination with MHPC and the Municipality will be completed regarding potentially affected resources. The project design will be compatible or complement the character-defining features of NR-eligible properties.

### Technical Capacity Assessment

MaineDOT is an accomplished, experienced, and responsible recipient of past successful TIGER, FASTLANE, INFRA, BUILD, and RAISE grants and can be relied upon to fully fund and commence the Project well in advance of the obligation date and to complete the Project well in advance of the expenditure deadline without risk.

MaineDOT also adheres to Administrative and National Policy Requirements during all phases of all projects. MaineDOT’s Federal grant and formula fund experience includes the management of numerous infrastructure projects and the associated Federal requirements and regulations, such as compliance with Buy America, Americans with Disabilities Act, the Davis Bacon Act, and the Uniform Relocation Assistance and Real Property Acquisition Act.

MaineDOT understands the requirement of Section 3(C)(iv) of Executive Order *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*. As part of the grant agreement phase, MaineDOT will provide documentation of past, current and ongoing compliance, as it has with prior grants.

MaineDOT follows all applicable domestic preference laws including Executive Order 14005, “*Ensuring the Future Is Made in All of America by All of America’s Workers*” (86 FR 7475) and ensures the use of goods, products and materials produced in the United States for all infrastructure projects.

Since the enactment of the Infrastructure Investment and Jobs Act (IIJA), MaineDOT has successfully managed a total of \$585 million in various grants programs. Prior to IIJA, MaineDOT received various awards from TIGER, FASTLANE, and BUILD and has extensive experience managing projects that meet all Federal requirements and regulations.