Maine Turnpike Authority

430 RIVERSIDE STREET
PORTLAND, MAINE 04103

June 9, 2008

Dear Interested Citizen:

On April 3, 2008, the Maine Turnpike Authority held a public meeting at the York Middle School to update residents and receive comments and questions on the ongoing study regarding the replacement of the York Toll Plaza. At that meeting, we made a commitment to record the relevant questions posed and provide written responses to everyone who signed the meeting attendance sheets. Those responses are enclosed.

We had hoped to send these responses to you much earlier, but as you may know, the process and schedule of the study has been adjusted significantly since April 3. We felt it was important to re-examine all of the questions in the context of these changes and update our responses accordingly, which required additional time.

The most notable change in the study process and schedule was the decision of the Turnpike Authority -- at the request of the York Board of Selectman and in response to concerns expressed by local citizens -- to direct its chief consulting engineer to conduct a more in-depth study of the feasibility of rebuilding the toll plaza at the existing location. We expect that this additional component of the study will be presented to our Board later this summer and we look forward to sharing this information with local officials and interested citizens.

I hope that you find the enclosed information to be useful. Please understand that it is not intended to serve as the conclusive response to the many local concerns expressed about this project, but rather another step in the process to enhance the dialogue on this important issue.

Sincerely,

Daniel J. Paradee
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Responses to Questions
MTA public meeting on the replacement of the York Toll Plaza
York Middle School
April 3, 2008

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1) Introduction

On April 3, 2008, the Maine Turnpike Authority staff held a well attended public meeting at the York Middle School in York Maine to update residents and receive comments and questions regarding an ongoing study about the replacement of the York Toll Plaza. Recognizing that such a large forum does not always provide an opportunity to answer all questions adequately, MTA staff recorded questions with the intent of providing written answers. This document contains those answers.

It is important to note that the Turnpike Authority, at the urging of the York Board of Selectman and in response to concerns raised by local citizens, has significantly adjusted the process and schedule of this study since the April 3, meeting. Most notably, the Turnpike Authority has agreed to commission a more in-depth study of the feasibility of reconstructing the toll plaza at the existing location. These adjustments in process and schedule had to be accurately reflected in the answers contained in this document and thus prolonged its completion.

This is not intended to be the conclusive response to all local questions and concerns, but is rather just another step in the process to enhance the dialogue on this important and challenging issue.

2) Purpose of MTA & Accountability

1. Why does the Turnpike Authority still exist and collect tolls?

   Response: The Maine Turnpike Authority was established by the Maine Legislature in 1941 to function as an independent agency of government with the power to issue revenue bonds and collect tolls for the purpose of building, maintaining and operating an express highway. As an independent agency, the Turnpike was created to carry its own debt and credit rating, completely separate from the state's debt and credit rating.

   At the time, it was generally understood that once the debt for the construction of the Turnpike was paid off, the tolls would be removed and the cost of maintaining the Turnpike would be paid for, like other state highways, through the gas tax and various other taxes. However, when the issue came before the Legislature in the early 1980's, legislators were confronted with several financial realities.

   - *In order to maintain and operate the Turnpike, the Legislature would have had to significantly raise the gas tax or redirect funding from other transportation projects around the state.*
   - *In 1982, The Turnpike was nearly 35 years old and experiencing significant traffic growth. The Legislature recognized that substantial investments to rehabilitate the original infrastructure would be required in the foreseeable future.*
   - *The Legislature foresaw the need for major capital improvements on the Turnpike including the construction of new interchanges and the eventual widening of the southern section of the Turnpike. They understood that these projects would require substantial investments that might not be possible without continued toll revenue.*
   - *The Legislature understood that eliminating tolls and relying instead on the gas tax to maintain the Turnpike, would significantly increase the cost burden on Maine residents, while decreasing the burden on out-of-state users. Out of state drivers contributed only 20% of the gas revenues collected in the state, but they contributed up to 50% of the tolls collected.*

   For these and various other reasons the Maine Legislature voted in 1982 to continue the Maine Turnpike Authority and the collection of tolls. The tolls are used to fund operations and maintenance as well as to pay debt service on the existing bonds.

2. To whom is the Maine Turnpike accountable?

   Response: The Turnpike Authority was created by an act of the Maine Legislature. Its annual operating budget and any adjustments to the borrowing cap must be approved by the Maine Legislature.

   Six members of the Maine Turnpike Authority Board of Directors are appointed by the Governor and confirmed by the Maine Senate. The seventh member is ex-

officio and is the Commissioner of Transportation or his/her designee. The Governor's appointees must be selected to provide representation from the counties along the Turnpike corridor, including York, Cumberland, Androscoggin and Kennebec.

The Turnpike Authority is also accountable to its bondholders. Bondholders are represented by bond counsel to assure that the Maine Turnpike is properly maintained and managed. The Maine Turnpike is one of only six toll agencies in the country that has earned AA credit ratings from all three of rating agencies: Standard & Poors, Fitch and Moody's. The Maine Turnpike is also required to comply with applicable Maine Department of Environmental Protection and United States Army Corps of Engineers environmental permits.

3) Purpose of Toll Collection and York Plaza

1. Why doesn't the MTA spend more money on encouraging E-ZPass vs. cash?
   Response: The Maine Turnpike Authority conducts E-ZPass promotional campaigns, employing television advertising, newspaper advertising and direct mail. The most recent effort, which took place in November of 2007 consisted of an extensive 42,000 piece mailing to all residents of 13 towns in southern York County that were not identified as E-ZPass customers. The direct mail effort was supported by a three week large space display advertising campaign in newspapers serving the southern York County area. The total cost of the promotional program was $41,534.00. The MTA will continue to pursue creative, targeted and cost-effective marketing strategies

2. Why are tolls collected from school buses?
   Response – The MTA is required by its bond resolution to collect tolls from all vehicles in an equitable manner to pay for the maintenance and operation of the roadway.

3. Why does the MTA want to build a new toll plaza?
   Response – The new toll plaza project is being contemplated because of the identification of deficiencies and safety concerns with the existing plaza as documented in the LD534 Response Report. The current plaza has outlived its life expectancy through a series of retrofits, not the least of which was expanding the plaza from 11 lanes to 17 lanes. Current data supports the construction of a new facility as the most prudent expenditure of funds.

4. Why doesn't the MTA remove the York Toll?
   Response: The ideal way to distribute tolls fairly and equitably to the patrons traveling on toll highways, such as the Maine Turnpike, is with strategically placed toll plazas. Well placed toll plazas work to maximize equity and balance toll rates in all types of toll systems. The critical element is that the toll plazas bookend the toll road itself. All major toll roads of significant distance in this region of the United States have a mainline toll plaza located at both ends. This includes the Maine Turnpike, Massachusetts Turnpike, New Jersey Turnpike, Garden State Parkway, and Pennsylvania Turnpike.

Removal of the York Toll plaza without other significant toll system changes will exacerbate toll rates and toll equity. For example, out-of- state patrons entering from the south will be able to travel to Gray without paying a toll. In order to make up this lost revenue, toll rates at the remaining mainline and interchange toll plazas will have to go up significantly, or other toll system infrastructure will need to be added (see response below). Significant toll rate increases at interchange and northern mainline toll plazas will primarily affect Maine residents and will likely result in diversion to local roads as patrons choose not to utilize the Maine Turnpike for short to moderate distance trips.
In conclusion, the York Toll Plaza plays a big part in allowing the Maine Turnpike Authority to effectively and equitably distribute tolls to all patrons, including the large amount of patrons that come from out-of-state.

5. Why doesn't the MTA remove York Toll and collect the toll revenue at all other toll locations?

   Response: Without a southern mainline plaza, the only way to collect cash tolls from vehicles entering the Turnpike from the south would be to reconstruct exiting toll booths at every plaza from Wells to Gray. This would roll back the significant operational gains made ten years ago when the Turnpike Authority converted to a faster, more efficient and cost-effective system of toll collection.
   In 1997, the Maine Turnpike converted from a toll ticket system to a new system of fixed fares and electronic toll collection. The changes were driven by a pressing need to handle ever-increasing traffic volumes more efficiently and to reduce the rising operational cost of collecting tolls.

   Under the fixed fare system, all cash paying customers of the same vehicle class pay the same amount when entering the Turnpike and exit the Turnpike at most interchanges without stopping to pay a toll. By collecting the same fixed fare cash amount from every customer upon entry, the system eliminated time consuming fare calculations and dramatically sped up toll collection. More importantly, the system eliminated the need for customers to stop and pay a toll when exiting at Turnpike interchanges. Because exiting toll booths were no longer necessary, many were converted to additional entering lanes, increasing the thru-put capacity at each plaza and preventing the need for costly and environmentally impactful toll plaza expansions. In its first year of operation, the new system eliminated more than 25 million vehicle stops, which in turn reduced congestion, gas consumption, air pollution and turnpike operating costs. The reintroduction of exiting tolls to collect revenue lost by the elimination of the York toll plaza would result in millions of unnecessary vehicle stops and would increase congestion, air pollution and gas consumption.

6. Why doesn't the MTA remove the York Toll, keep the toll free exits, and simply replace the lost revenue by increasing entry tolls at every other location?

   Response: If the southern toll plaza is eliminated and exit tolls are not reintroduced, we estimate that entry tolls at all locations would have to be increased by $0.90 to make up for the lost revenue. This would result in extreme

toll inequity for Turnpike users. For example, under such a system motorist entering the Turnpike in York could travel more than 50 miles to Gray without paying a toll. A motorist traveling 31miles from Wells to Gray would pay $1.50 ($0.90 + 0.60). A motorists traveling just 1 mile from Exit 47 to Exit 48 in Portland would also pay a toll of $1.50. The toll rates for the New Gloucester and West Gardiner mainline toll plazas would also need to increase to $1.75. This proposal would create extreme toll rate inequities and would significantly shift toll burden currently paid by out-of-state users onto Maine resident users.

7. Why can't we remove the York Toll and make up the lost revenues by increasing tolls incrementally from south to north? For example, charge 60 cents at Wells, 75 cents at Kennebunk, $1.00 at Biddeford and so on.
Response: This proposal would create even greater toll rate inequities by allowing motorists who enter from Exit 7 or further south to travel for free up to Exit 63, while charging excessively high tolls for motorists making short trips between exits in the Biddeford - Saco area and the greater Portland area. This would also shift more of the toll burden from out-of-state users to Maine resident users.

8. Can One-Way Tolling be applied at the York Toll Plaza?
Response – One-way tolling is a method of toll collection that involves charging twice the fare in one direction, while allowing toll free travel in the other direction. The Maine Turnpike Authority conducted a feasibility study of one-way tolling in 2005. The feasibility study took place at the same time and benefited from the experience of a two-year, one-way tolling demonstration project at the Hampton Toll Plaza on the New Hampshire Turnpike.
Based on the findings of the feasibility study and the experience of Hampton Toll Plaza demonstration project, the Maine Turnpike Authority determined that one-way-tolling was not a viable tolling strategy for Maine. The Authority's decision was largely due to concerns about the number of vehicles that would divert onto local roadways to avoid the double-tolled direction. The study estimated that an average of 11.7% of the vehicles would divert around the toll plaza to avoid the doubled toll. Note that one-way tolling was not resumed at the Hampton Toll Plaza following the demonstration project for the same reason.
A closer look at one-way tolling suggests that it is only successful on bridges, tunnels and in rare instances on highways, where there is little opportunity to divert around the facility to avoid the toll. The only successful examples of one-way tolling in our region of the country are on bridges and tunnels in urban areas, such as the Tobin Bridge in Boston, Tapanzee Bridge in New York and the Benjamin Franklin Bridge in Philadelphia. It is successful on these facilities because it is virtually impossible to divert around them and reach your destination in a reasonable amount of time. This is not the case on the Maine Turnpike and other more rural toll highways, where the opportunity for diversion exists. A doubled toll in one direction at the York Toll Plaza would likely result in an unacceptable level of diversion onto Rt. 1 and other alternative routes.

9. Why doesn't the Maine Turnpike adopt cashless tolling?
Response: Cashless tolling may become a universally viable technology someday in the future, but not the identifiable future, particularly on a highway like the Maine Turnpike, which serves such a diverse mix of users.
The most common application of cashless tolling is a system in which a very high percentage of a highway's users have an electronic toll collection device (E-ZPass) in their vehicle and pay their tolls accordingly. Tolls are collected from the small percentage of motorists who do not have electronic toll collection by capturing a video image of their vehicle's license plate and sending the registered owner a bill.

Successful examples of cashless tolling involve highways in urban areas that serve primarily as commuter routes and have a very high rate of electronic toll collection usage, generally exceeding 80%. In addition, the vast majority of their users typically reside within the same jurisdiction or use the same electronic toll system operator, making it possible to conduct a billing and enforcement program for motorists without electronic toll collection.

The Maine Turnpike shares none of the characteristics that are essential for a successful cashless tolling program. The Maine Turnpike is primarily a rural highway. It is not a commuter-oriented highway. Most Maine Turnpike drivers are occasional users and a high percentage of them are from out-of-state. Nearly 50% of the users of the York Toll Plaza are from out-of-state.

While E-ZPass usage on the Maine Turnpike is nearing 50% and continues to grow, there is no expectation, given the highway's diverse user base, that the rate will reach the 80% -90% range in the near future. That means that the Authority would be required to collect a significant portion of its revenue by capturing video images of license plates and sending a bill to the vehicle's owner. Because the Maine Turnpike serves so many occasional users, the cost of processing and sending a bill could exceed the toll amount to be collected. There is no universal, reliable system in place that would allow the Authority to access the names and addresses of out-of-state drivers for billing purposes, and certainly no system to enforce penalties for unpaid video tolls.

10 Will the Turnpike's E-ZPass technology soon become obsolete?
Response: Like any technology, electronic toll collection is always evolving, but there is no indication that the current system will become obsolete in the foreseeable future. The Maine Turnpike Authority is an active, voting member of the E-ZPass Interagency Group (IAG), which is comprised of 24 agencies, operating in 13 states that provide compatible E-ZPass technology to their customers. Together, the IAG agencies have issued more than 17 million active E-ZPass tags. Given the significant commitment by the Maine Turnpike and all other IAG member agencies to create and maintain a system that is compatible

from state to state, it is highly unlikely that any sudden technology changes would be adopted by the IAG that would render the systems of member agencies obsolete.

4) York Plaza Conditions and Concerns (Deficiencies)

1. What are the traffic delays at York Toll Plaza? What impact has E-ZPass had on the delays?

   Response: E-ZPass has had a positive influence on delays and backups at the York Toll Plaza. One of the more notable factors in this has been the shift in cash paying customers to the E-ZPass system. For the existing arrangement and number of lanes, on average, dedicated E-ZPass lanes can process approximately three times as many vehicles as a cash lane. Following is some of the more recent delay and backup data.

   - In 2005 northbound backups averaged 1157' with 173 seconds of delay for cash customers. By comparison E-ZPass customers averaged 120 seconds of delay.

   - In 2005 southbound backups averaged 4335' with 442 seconds of delay for cash customers. By comparison E-ZPass customers averaged 375 seconds of delay.

   Experience indicates that, as cash-payers shift into the E-ZPass program, toll plaza backups and delays diminish. However, given the mix of users that include cash-paying patrons and E-ZPass patrons, we will continue to encounter situations in which cash backups block access to the dedicated E-ZPass lanes exacerbating backups and delays significantly. This diminishes the potential benefit of the growth in E-ZPass usage. The solution to this circumstance is the safe separation of the cash paying patrons from the E-Z Pass patrons.

2. If the York Toll Plaza has safety problems, how can the MTA still operate it?

   Response: All highways and toll plazas have safety challenges. It is the responsibility of the operator to minimize those safety challenges. Over the years the MTA has invested a significant amount of money to upgrade and repair the existing plaza to minimize crashes and traffic flow problems that often result in crashes. But these upgrades and repairs are not able to address the plaza's more fundamental safety problems of being located near an interchange, on a curve and at the bottom of a hill. These fundamental problems will only cause the plaza to become more unsafe as traffic volumes increase. The toll plaza study is being conducted to ensure the future, long-term safe operation of the plaza.

3. Why is the speed limit for the E-ZPass lane 35 mph at the Hampton Toll Plaza in New Hampshire, and 10mph at York?

   Response: The approach to both York and the Hampton Plazas is signed at 35mph. The speed limit immediately before and after both plazas is 10mph for E-ZPass customers.

4. Why are the E-ZPass lanes on the right side?

   Response: When the MTA introduced electronic toll collection (ETC) in 1997, the dedicated ETC lanes were located on the left of the plaza for approaching traffic. This configuration seemed to make sense because it allowed ETC users to travel straight through the plaza. The MTA, however, received complaints from residents of nearby communities saying that the ETC lanes were often blocked by tourists who seem to congregate near the middle of the plaza. The middle lane also made it difficult to access the interchange. The MTA held focus groups with local residents, which concluded that the ETC lanes should be placed on the far right side, allowing users to go around the backups in the middle of the plaza and access the York interchange easier. The MTA responded by moving ETC lanes to the far right. In 2005, the MTA added back ETC lanes on the left side of the plaza, so now there are dedicated ETC lanes on both the left and right side of the plaza. It should also be noted that all toll lanes will accept E-ZPass.

5) Feasibility Study & Proposed Facility

1. How will the plaza be plowed and kept safe during a snowstorm?

   Response: The MTA maintenance crews will plow this plaza much the same way the mainline is plowed and maintained. With the presence of median barriers and barriers separating cash from E-ZPass patrons, the plowing will consist of a number of one-way loops with typical snow removal procedures in certain areas.

2. How will the toll plaza be designed so that it will be visually pleasing?

   Response: The conceptual design for a new plaza is in the very preliminary stages with only a few initial thoughts; the toll plaza should be in keeping with southern Maine and be a subtle but welcoming 'gateway' to Maine. The new plaza will replace the existing substandard, rusted, antiquated, and bumpy plaza that more than 17 million people experience each year as they enter and depart Maine.

3. Why is the proposed toll plaza being designed to accommodate large volumes of traffic when bottlenecks occur downstream at the Hampton Toll Plaza in NH?

   Response: The MTA has a responsibility to its customers and to the State of Maine to operate as safely and efficiently as possible. While it is important for agencies in neighboring states to communicate and cooperate, MTA standards of safety and operation should not be determined by the standards of other highways or facilities.

4. Why is the plaza currently designed with a total of 21 lanes? If Highway Speed Tolling efficiently and quickly processes vehicles, why are there more lanes than the existing 17 lane plaza?

   Response: The MTA is still in the early stage of design development. Initial designs called for 21 lanes consisting of seven northbound and eight southbound cash lanes with three highway speed tolling lanes in each direction. This is a reasonable preliminary estimate of the number of lanes required based on current

traffic projections, E-ZPass usage, toll collection processing rates and acceptable vehicle backups. As part of the MTA's ongoing avoidance and minimization (of impacts) process, traffic modeling parameters are being refined and updated to reduce the number of lanes while providing a safe plaza and reasonable level of service.

5. What factors into the width and length of the proposed toll plaza?
   Response: The width of the plaza footprint is a function of the number of lanes and necessary support buildings. See the question above for discussion on the number of lanes. The length of plaza footprint is based on a design that allows for: 1.) E-ZPass and cash paying vehicles to safely diverge and merge, 2.) cash paying vehicles to slow down and choose a cash lane, 3.) an appropriate distance for vehicles to queue, and 4.) for the cash paying vehicles to accelerate and merge into one lane before merging with the E-ZPass vehicles.

6. How can traffic safely merge at 65 mph after paying tolls?
   Response: Cash customers will exit and enter the mainline using an off-ramp and on-ramp that meet all of the standard guidelines of a typical interstate interchange at 65 mph posted speed.

7. How does the crash rate on the Maine Turnpike compare to National rate? If the Turnpike is much lower, why is there a need to lower the crash rate?
   Response: The standard of comparing crash rate statistics in Maine is not against National values but instead against statewide values. Crash rate data was requested of the MaineDOT for the three year periods of 2003-2005 and 2004-2006. This data shows that the roadway immediately south of the York Toll plaza for both the Northbound approach and the Southbound departure are high crash locations; in fact the Northbound approach has the #11th highest crash rate out of 1,054 high crash locations within the State of Maine.

8. Can the accident data for the High Crash Locations be provided?
   Response: Yes. Data for High Crash Locations as well as all crash data for the Turnpike is available from the MaineDOT for any interested party. The MTA has also provided this information to the Town of York. In summary, both the northbound and southbound lanes on the south side of the York Toll Plaza are rated to be High Crash Locations by the MaineDOT. The northbound lanes on the southside of the plaza are ranked as the 11th highest crash location of 1,054 high crash locations in the state.

9. What consideration has there been for access to the plaza for fire and police?
   Response: Access for emergency vehicles has been discussed in general terms with town officials. This type of access is always a part of the design process for all plazas and service buildings. From these early discussions, we have the required level of information necessary for conceptual planning and will work with local fire, police and emergency management to acquire more detailed information as the project moves into preliminary and final design

10. If funding is so critical for the Turnpike, is constructing a new toll plaza more imperative than repairing bridges and other infrastructure?

Response: The roadways, bridges, interchanges, toll plazas, service areas and maintenance areas are subjected to increasing stress due to age, growing levels of traffic and the demands of the harsh northern New England climate. To ensure the sound condition and effective operation of the Turnpike, the Authority's 20 year plan funds and implements proactive Operation and Maintenance, Reserve Maintenance and Capital Improvement programs. The vigilance of the Authority through these programs has resulted in a well-maintained and efficiently-operated Turnpike. As the Authority looks to future initiatives, such as the reconstruction of the mainline toll plaza in York, it will continue to assure that turnpike facilities meet current safety standards as well as projected demands. Given that the York Toll Plaza handles more than 16 million vehicles per year and generates 40% of the revenue necessary to maintain the MTA's overall infrastructure, its safe and efficient operation is no less important than any bridge or section of roadway.

6) <u>What Would it Take to Build at the Existing Location?</u>

1. Can the York plaza be reconstructed at the existing site?

Response: At the urging of the York Selectman, the Turnpike Authority has directed its consulting engineer to conduct a more in-depth study about the possibility of constructing a new plaza at the existing location. Prior to this the MTA commissioned feasibility study that considered three different alternatives at the existing site in addition to the no-build alternative. The study concluded that each of the alternatives failed to achieve the basic safety and efficiency objectives originally intended by the toll plaza improvement project, and failed to meet the basic design guidelines established by the Federal Highway Administration for safe toll plaza design and operation. The study also indicated that the cost of building at the existing site would be similar to the cost of building at a new site that would achieve the project objectives and meet federal guidelines for toll plaza safety.

The following are operational issues identified as unresolved at the existing location alternative that affect both capacity and the safety of patrons and staff:

A. Safety concerns remain due to proximity of Chases Pond Road interchange. Confusing traffic patterns will result with access to the on and off ramps occurring within the cash lanes of toll plaza area.

B. The plaza will remain at the low point of a hill which is not recommended. This creates a safety concern due to the potential of heavy vehicles losing their brakes and striking the plaza or stopped traffic. In addition the hill leads to heavy engine braking noise southbound and heavy acceleration noise northbound as commercial vehicles approach and depart the plaza.

C. *Sight distance will not improve, in fact from both north and south approaches it will get worse due to cash lanes being moved further from the center of the mainline. Sight distance is compromised by the close location of Chases Pond Road Bridge and horizontal curve of the mainline approach. Improper sight distance, leads to inefficient decisions and unsafe last second lane changes.*

D. Wetland and other environmental impacts will be significant and obtaining permits will be more difficult. The mitigation of these impacts, even if allowed, would add $3-10 million to the 'similar' project costs resulting in a project cost exceeding a new location.

2. What is the value of the wetlands around the existing plaza? When comparing sites, is the quality of the wetland considered?
   Response: Wetland type, area, quality and function are considered when screening sites. Wetlands adjacent to the existing toll plaza are substantive and associated with the Little River. While some of those nearby wetlands have experienced impacts attributable to nearby facilities (such as the toll plaza), the effects are limited to the immediate proximity. The wetland is extensive, diverse, and one of the larger contiguous wetlands in the study area. Similarly, wetlands adjacent to other development or roadways may also have experienced degradation or changes to the functions, which is also considered.

3. How much has the ground at the toll plaza settled?
   Response: From available information, pavement in the immediate plaza area has settled as much as 4.5 feet.

4. With proper engineering, can the settlement of the existing site be remedied?
   Response: Yes, the existing site could be engineered to minimize the effects of differential settlement, though at a substantial cost. Soil settlement is only one of the operational and safety concerns at the plaza.

7) Site Identification and Screening Process

1. Why does the MTA consider the York Plaza project in the early stages of the project development process when the LD534 Report was delivered as Final to the legislature's Transportation Committee?
   Response: There has been much confusion about the relationship between a study report which was completed to meet the specific requirements of a law passed by the Maine Legislature (LD 534) and the Turnpike Authority's broader study regarding the reconstruction and possible relocation of the southern toll plaza, which is still ongoing.
   In LD 534, the Legislature required the Turnpike Authority to document the need for the replacement of the southern toll plaza as well as the reasons why the existing location may not be suitable for this replacement project. The parameters of this study and report were clearly defined by the Legislature and did not

include any discussion of alternative sites. The MTA completed the report and presented it to the Legislature's Joint Standing Committee on Transportation, as required by the law. The MTA has since received correspondence from the House and Senate Chairmen of the Transportation Committee confirming that the MTA has completed and complied with the requirements of LD 534.

The MTA's study regarding the replacement and possible relocation of the southern toll plaza is a separate and much more extensive undertaking including items reported in the LD 534 Response Report. The purpose of the study is to inform the Turnpike Authority Board of the deficiencies of the existing plaza and to recommend strategies to address those deficiencies and to make operational improvements that will allow the facility to function safely and efficiently in the future. It will present the Board with a range of options from rehabilitating the plaza, to modifying the plaza in conjunction with adjacent mainline reconstruction (to meet current design criteria), to building a new plaza at an alternate site. Benefits, impacts and costs will be included in the report for comparison purposes. This study was and is still in the early stages. The MTA Board: 1) has not received the study report, 2) has not made any decisions about the feasibility of replacing the plaza in the current location, 3) has not yet considered any alternative locations, and 4) has not filed for any environmental permits.

- *Once the Turnpike Board makes a decision, the regulatory agencies such as the Maine Department of Environmental Protection and the U.S. Army Corps of Engineers will review all the data and will make their own determination if permits for a project are feasible.*

2. Was the public involved in LD534?

   Response: LD534 required that the MTA should "hold informational sessions with interested parties." The MTA staff sought guidance on this requirement from the Chairs of the Legislature's Transportation Committee. They confirmed that a public meeting with selectmen from York, Ogunquit and Wells televised on local access cable would satisfy the intent of the law. (The MTA also held a number of other meetings as contained in the following response) The MTA arranged and participated in that meeting on January 23, 2008. The MTA reported back to the Legislature's Transportation Committee at a public meeting on April 3, 2008. Again, it is important to note that LD534 was specifically focused on the technical information regarding the deficiencies of the York Toll Plaza. It did not include any discussion of alternate sites, environmental impacts, community impacts or other issues that have since generated public interest.

3. What public meetings have been held to date?

   Response: It is important to understand that while the subject of replacing the York toll plaza has been discussed with local officials and at public meetings for several years, specific information about potential alternate sites and their potential community and environmental impacts was not available until recently. The MTA has provided information as it has become available during the course

of the study. The following meetings have occurred to present information and gather input:

A. Municipal Meetings

1. *Town staff input and information sharing – throughout*
   a) *Annual Town Visit meetings December 16, 2004*
   b) *Annual Town Visit meetings November 28, 2005*
2. *Town Managers' meetings*
   a) *1st meeting Sept. 26, 2006*
   b) *2nd meeting including Plaza site tour November 29, 2007*
   c) *3rd meeting January 22, 2008*
   d) *4th meeting February 15, 2008*
3. *Joint Select Board meeting – October 25, 2006*
4. *Joint Select Board presentation – January 23,2008*

B. Permitting Agency Meetings

1. *State/Federal Interagency meeting – October 10, 2006*

C. Legislative Meetings

1. *Legislative hearing on LD 534 – April 13, 2007*
2. *Legislative Tour & Briefing – August 9, 2007*
3. *Legislative Tour & Briefing – August 10, 2007*
4. *Legislative Tour & Briefing – September 21, 2007*
5. *Legislative Tour & Briefing – December 10, 2007*
6. *LD534 presented to Transportation Committee – April 3, 2008*

D. Public Meetings

1. *Public Informational meeting – February 27, 2008*
2. *Public Informational meeting – April 3, 2008*
3. *Meeting of York Selectman and MTA Board – April 29 , 2008*
4. *Meeting of York Citizens and MTA staff – May 15, 2008*

4. Why weren't the LD534 Options compared to the Site Identification and Screening Alternatives?

   Response: The LD534 Response Report details the investigation and findings related to possibilities of addressing specific deficiencies and safety issues at the existing plaza. A range of the upgrade and modification options were developed for the existing toll plaza that address some of these deficiencies. (It became apparent that looking at a generic relocation alternative may also be necessary.) The Site Identification and Screening Report details the investigation and location of possible sites along the Maine Turnpike corridor that hold potential for meeting basic design guidelines for the construction of a mainline toll plaza as well as addressing the identified deficiencies and safety issues. The options dealing with the existing site can not fairly be compared to the alternative locations for the simple fact that the existing site options do not meet the basic engineering design guidelines for mainline toll plazas currently in use today. Even though the existing site options are shown with associated costs, these numbers do not tell the whole story, e.g. simply replacing the toll booths, canopy and tunnel does not address traveler safety, congestion, or staff safety.

5. Why aren't the results of the LD534 and Site Identification and Screening Reports combined?

   Response: The LD report was prepared at the request of the Legislature to address specific questions of the Legislature. The Site Identification and Screening report is being prepared for submission to the Army Corps of Engineers for the purpose of obtaining a LEDPA (Least Environmentally Damaging Practicable Alternative). The report documents the entire site location process, which is consistent with good transportation planning practices as well as federal and state environmental laws. Elements of the LD report, such as documenting project purpose and need and evaluating the existing facility location, are also elements required by federal and state environmental laws. In summary, the Maine Department of Environmental Protection and the Army Corps of Engineers will review both the feasibility of the existing location as well as alternate locations.

6. The Site Identification and Screening Report began with 16 sites and narrowed the candidates to four. What criteria were considered to eliminate the 12 sites?

   Response: The 12 sites were not carried forward due to their high levels of impacts including one or more of the following reasons: residential impacts or proximity to higher density development, wetland or natural resource impacts, impacts to tidal wetlands, and/or refined engineering screening.

7. How can a design be shown if a site is not yet selected?

   Response: Conceptual site designs were developed to compare multiple locations and to assess relative impacts between alternatives. This is a standard planning/engineering method. Additional site refinement, design and consideration of public input will need to be applied to the four alternative sites to develop even more site-specific information for use when screening the sites.

8. When comparing the four alternative sites, how is the criteria weighted in the comparison matrix? What consideration is given to homes?

   Response: The environmental permitting agencies do not provide a specified weight or factor for comparing dissimilar resources (homes, wetlands, etc.). Resources and potential impacts are quantified and compared or ranked within each resource and compared on whole. Generally, residences and wetlands are the most prevalent consideration in screening sites.

9. How are people represented in the comparison matrix of the four alternative sites?

   Response: People are represented in the homes/residences categories including densities of homes, proximity of homes, land-use type and the inclusion of proposed developments.

10. What is the cost comparison of reconstructing the existing plaza vs. a new site?

    Response: It is important to note here that a comparison of cost alone does not tell a complete story. First and foremost is that an alternative that does not meet basic goals, purpose and/or design guidelines can not fairly be compared to an

alternative that does meet all of these criteria. As well, at the current stage of development there are a number of items that are not accounted for either completely or partially, e.g. wetland impacts and the mitigation ratio they must be replaced at, soil engineering and the extent to which advanced construction methods might need to be applied. With that said, reconstruction of the existing plaza, while not addressing all safety or operational issues, and not meeting the basic engineering design criteria could cost $37 million dollars plus an additional $10 million dollars worth of wetland mitigation costs (estimated 26 acres impacted) plus upwards to $15 million dollars for advance soil construction. Still, the estimate for the existing site alternatives does not include potential costs of reconfiguring the Chases Pond Road interchange or its complete relocation to meet some of the basic design guidelines; which could also add millions to the cost, pushing the total cost to over $70 million dollars. A new plaza alternative in a new location could cost $36-38 million with an additional $0.5 to $4 million in wetland mitigation costs (estimated 1-11 acres impacted). A new plaza would be located such that other unknown costs are minimized and/ or avoided, e.g. soils, interchanges, roadways, etc. Based on location selection criteria a new location would meet all the basic design criteria as well as address deficiencies and issues currently plaguing the existing plaza. Therefore a new plaza in a new location may cost up to $40 million dollars. To reiterate, costs of reconstructing at the existing site vs. building a new plaza at an alternative site are not the only factors for comparing options. Reconstructing the existing plaza leaves many deficiencies unresolved including safety concerns that are a leading factor in the Plaza being identified as a High Crash Location.

11. When selecting a site, are cemeteries considered? There is at least one near MM11.3.
    Response: Yes, cemeteries are considered a significant constraint.

12. When selecting a site, are vernal pools considered? There are many surrounding all of the alternative sites.
    Response: Yes, vernal pools are considered in the evaluation. An initial site inspection was conducted to identify vernal pools and significant wildlife habitat within potential project footprints and within a 500 foot buffer area from the footprint.

13. How are wetland impacts estimated?
    Response: Wetland areas were identified for all candidate sites in the same manner using aerial photographs, Natural Resources Conservation Service Soil Survey mapping of hydric soils, National Wetland Inventory mapping of wetlands, and USGS topographic maps. The wetland information for alternative sites is equivalent and only used to make comparisons between initial alternatives (Phase 1) for screening. Subsequent information will be added to refine wetland boundaries to compare the Phase 2 alternatives. Once the preferred site is selected, formal wetland delineations will be conducted to determine exact wetland boundaries, locations surveyed, and permit applications will be prepared

using refined site design and field-delineated wetlands. Other information such as functional assessments and ecological resources will be included.

14. Are wildlife sanctuaries reviewed and considered?
    Response: Yes. If land in the Wildlife Sanctuary was identified as a special wildlife habitat or critical habitat area, then that area would be considered in the screening analyses. If the Wildlife Sanctuary is not designated as special or critical habitat, no special consideration is made

15. Will any roads be relocated? Who would pay for this?
    Response: At this stage of planning, the MTA does not anticipate the relocation of any local road. As the project enters into design, there may be a need to address some existing roadside ditches and grading. The MTA would incur the costs for such work to any public road if the work is necessitated by MTA construction.

16. Will security for the York Water District Treatment Plant be compromised if the selected site puts the plaza in close proximity?
    Response: The treatment plant and Chases Pond are not currently fenced from nearby properties, but the Turnpike right-of-way is fenced. A fence will be installed along the right-of-way between the toll plaza and all abutters. Sites at Mile Markers 8.7 and 9.9 are the closest to the treatment plant, and based upon the conceptual design, it is unlikely that any additional tree clearing between the Turnpike and the treatment plant will be needed.

17. If the water line is required to be relocated, who will pay for it?
    Response: This is a legal question that would depend in part on the nature of the York Water District's property rights in the property through which the line runs. The MTA would work with the York Water District to determine these rights and responsibilities accordingly.

18. How much on-site investigation has there been?
    Response: To date, staff, engineers, planners, surveyors and scientists have conducted various preliminary field investigations to collect and/or verify publicly available data to be able to develop the conceptual plans. As the project progresses there will be a need for more detailed information gathering in all of these areas. Most recently in April and May 2008, environmental scientists have been onsite to verify wetlands and locate vernal pools.

19. Is the MTA's mapping accurate?
    Response: Mapping resources used to date for site identification and screening is of the accepted scale, quality and resolution to meet expectations of all review and permitting agencies. As the project progresses, refined mapping and information will be gathered and used.

20. How will all of the public input be reviewed and used before selecting the preferred site to rebuild the York Toll Plaza?

Response: The Turnpike Authority is reviewing the information and confirming that all data is considered and there are no substantive data gaps for making a site selection. Any new information will be included in the site screening and permitting processes.

21. Has the public said anything that would affect the MTA's decision of rebuilding the York Toll Plaza at an alternative site?
    Response: The MTA received a lot of information from the April 3, 2008 meeting. Examples of information that the MTA will pursue further includes environmental impacts, land use, public infrastructure, possibility of a cemetery and the additional meetings with a smaller core group of York residents and officials to spend more time learning various items about the project and the area.

22. Is it possible that all four sites could be rejected?
    Response: Any and all of the sites are subject to elimination during the course of the study.

8) Environmental Considerations

1. How is air quality going to be addressed; for example ozone non-attainment area; exhaust blowing to the beaches?
   Response: The Federal and State Permit process will dictate the procedures for analyzing air quality. Since this area is a non-attainment area for ozone, Maine is required to prepare State Implementation Plans (SIP) that show how the state will improve the air quality to attain the National Ambient Air Quality Standards. Both new and improvement highway projects must be contained in the area's Transportation Improvement Program (TIP). The modeling procedures for ozone and NO2 require long term meteorological data and detailed area wide emission rates for all existing and potential sources. This modeling is performed by the Maine Department of Transportation (MaineDOT) in conjunction with Metropolitan Planning Organizations (MPOs) for the region to show that regional emissions plus projects in the TIP are in conformance with the SIP and the Clean Air Act (CAA) amendments. The Portland Area Comprehensive Transportation Committee (PACTS) and the Kittery Area Comprehensive Transportation Study (KACTS) are the two MPOs responsible for this analysis. Once the MaineDOT and MPOs have completed their analysis, it is forwarded to the FHWA for final ruling on the TIP's conformance with the SIP and the CAA and its amendments. Conformance with the SIP means that the area will be on schedule with complying with the CAA and its amendments throughout the state.

2. How is lighting going to be addressed?
   Response: Lighting will be developed for the selected site during the preliminary and final design stages. Lighting technology has improved over the years with the benefits being better ability to control the 'night sky' effect as well as better control of surface illumination and its reflectivity. The design will incorporate

fixtures that direct light downward and are consistent with safety practices for highway lighting.

3. How is noise going to be addressed?
   Response: The noise levels along the project will be addressed according to the Maine Turnpike Authority's Highway Traffic Noise Policy. This policy parallels the Maine Department of Transportation's Noise Policy, with both policies following the criteria set forth in 23 CFR 772 which is the FHWA's highway traffic noise policy. Future noise levels will be modeled according to FHWA procedures, impacts and potential mitigation measures will based on the Highway Traffic Noise Policy.
   The noise heard at a highway speed toll plaza is similar to what is heard along the mainline today and is less than what is heard at the existing plaza today. A good portion of this is attributed to the design guidelines for locating a toll plaza and the implementation of highway speed tolling. Noise will be addressed during the preliminary and final design stages.

4. How will the groundwater supply be protected?
   Response: The toll plaza facility will be designed and constructed to meet current building and safety codes. Storm water management systems will meet current Maine Department of Environmental Protection standards to protect groundwater and surface waters.

5. How will adjacent streams and other waterways (that eventually lead into the ocean) be protected from stormwater pollution?
   Response: For a project such as the proposed toll plaza, the Turnpike is required by law to construct stormwater management systems that meet the State of Maine requirements. Compared with older design and construction methods, new construction methods are vastly improved.

6. How are the Priority Coastal Rivers (Cape Neddick and Josias) being evaluated, treated, prevented, avoided etc?
   Response: These rivers are known resources and are identified in the site selection and screening process. See responses to storm water and groundwater above. The Cape Neddick and Josias Rivers are not listed as Non-point Source Priority Watersheds, Coastal Waters or Rivers and Streams by the Department of Environmental Protection.

7. How will pollution of water supply be prevented?
   Response: The York Public Water Supply is derived from surface water taken from Chases Pond. The Turnpike and toll plaza alternatives are not in the watershed of Chases Pond. The water inlet to the public system is uphill of the Turnpike and the distance from the nearest proposed work area for a toll plaza to the inlet is 1,050 feet for Site 8.7 and 900 feet for Site 9.9. Drainage from a toll plaza or the roadway cannot physically enter Chases Pond. The main water line crosses beneath the Turnpike similar to many other public utilities beneath roads

and highways. Measures will be taken to protect the pipe during construction. Crossing or relocating a water main is a routine utility protection/relocation occurrence and should not pose any pollution threat to the water supply.

9) Right-of-Way Considerations

1. How will access to the toll plaza be decided?
   Response: Site access from an identified local road for MTA employees and other associated parties is noted in the comparison matrix of the four alternate sites in the Site Identification and Screening Report and will be further analyzed for the preferred site.

2. What is the MTA doing to consider the "human factor" when proposing a project at the scale of a new mainline plaza?
   Response: The MTA is required by the regulatory permitting agencies to consider both human resource and natural resource impacts in the development of this project.

3. How are homes values in a poor housing market going to be fairly established?
   Response: It is one of the goals of the MTA not to displace anyone. However, in these situations, home values, are established using generally accepted appraisal practices such as the use of comparable sales in the same or similar markets. Because all the homes in a region are under the same market conditions, the "market value" is a relative value that rises and falls affecting all homes equally.

4. How much money has been set aside for purchase of land?
   Response: Money has not been specifically set aside for the purchase of land. However, the MTA is committed to setting aside the amount of money necessary to assure that landowners receive fair and appropriate compensation for any land acquired.

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