

BRIDGE ADVISORY COMMITTEE MEETING MINUTES

5/22/17

IN ATTENDANCE:

Bridge Advisory Committee (BAC) Members: Mike Astbury, Deborah Brewster, John Chapman, Lynne Clark, Bill Cousins, Vaughn Leach, Steve Rappaport, Jim Schatz, Karen Wyatt

Department of Transportation (MDOT): Wayne Frankhauser, Michael Wight, Andrew Lathe

Federal Highway Administration (FHWA): Cassie Chase, Cheryl Martin

HNTB: Tim Cote, Kevin Brayley

Old Business:

Community Problems & Needs Discussion – Item was tabled by committee.

New Business:

Selection of future meeting dates

- Monday, June 12th (6:00pm – 8:00pm) – this date has been revised to Wednesday, June 14th
- Monday, July 17th – work session with facilitator and BAC – no presentations
- Week of July 31st – tentative for scheduling informational public meeting
 - Public meeting topics to be discussed by BAC on July 17th

Presentation of letter from Anne Luskey to BAC

Discussion: Design Matrix & Site Constraint Map - Tim Cote, HNTB

- Left column – identifies constraints
- Top row – identifies options considered
 - Any specific number of columns? Best to include reasonable concepts and let them drop off the matrix under the weight of their own constraints
- Evaluation criteria – what we look at and evaluate against
 - Best case to worse case
- What happens when community needs differ from engineering standards?
 - BAC discussions are to bridge the gap between the community needs and engineering best practices
- Site constraints map – useful tool, consider putting on website prior to public meeting. Include dimensioning/stationing and elevations

Topic Presentation: National Environmental Policy Act (NEPA)

By Cassie Chase, Federal Highway

- Procedural law – requires Federal agencies to consider environmental effects of their actions – it is about how we get to a decision, not specifically about the decision that was made.
- NEPA umbrella
 - Federal nexus (Federal funds involved in a project triggers NEPA)
- Purpose & Need:
 - Need – why are we doing the project?
 - Purpose – how you measure success
- Essential elements
 - Purpose & needs, alternatives, effects analysis, mitigation, public involvement, interagency coordination, documentation
- Provide basis for reasonable range of alternatives, evaluations & comparisons
 - Include avoidance/minimization alternatives and no build/no action alternative
- Effects analysis
 - What are the important resources?
 - Where/how will the action impact the resource?
 - What will happen because of the action?
- Mitigate for adverse effects
- Document
 - Informs decision makers, evidence of alternatives and impacts analysis, proof of compliance, informs administrative record
 - If it did not get documented, it didn't happen
- Goal of the NEPA process is to make better decisions to solve transportation problems
- Questions/Comments:
 - As we work our way through options, FHWA will raise specific concerns under NEPA - Schatz
 - Is NEPA the statute that involves environmental impact statements? – Rappaport
 - Environmental impacts statement (EIS) is not the class of action we chose. – Chase
 - FHWA would have chosen and EIS if we were concerned about specific or extreme impacts. Types of impacts on this project will not rise to that level (or EIS) – Martin
 - Categorical Exception (CE) is the level of review chosen for this project – Lathe
 - Nothing that we are doing (with a CE) diminishes the environmental effort, just because the review process is a categorical exception does not mean a lower bar than an Environmental Impact Statement - Chamberlain

Topic Presentation: Environmental & Natural Resources

By Kristen Chamberlain, MDOT

- Natural Resources
- Coastal Wetlands
 - Intertidal Vegetation
 - Migratory Corridor through Salt Pond
 - Anything below high tide elevation of any year
- Fish Species

- Alewives, smelt & eels/elvers
 - Migrate through bridge site to salt pond & freshwater streams
 - Endangered Species
 - Shortnose sturgeon, Atlantic sturgeon, and Atlantic salmon
 - Assume present unless data can prove otherwise
 - Endangered fish life-cycle activity favors in-water activity during winter months
 - Shellfish & Waterfowl
 - Scallops, soft shell clams & oysters
 - Wintering eider ducks, ducks, and loons
 - Discussion on importance of winter foraging area at outlet of bridge for eider ducks with Zach Holderby of Downeast Audubon. Eider duck population experienced decline five years ago, very sensitive to human presence (can't forage with lots of noise)
 - Public – There is a wintering population of barrows golden-eye up in the salt pond
 - Marine Mammals
 - Mapped two haul-outs sites
 - Susan Shaw may have anecdotal data on seals
 - Can't take, harm or harass marine mammals
 - Northern Long-eared Bat
 - Acoustic survey indicates they are somewhere near the falls bridge
 - No evidence they roost on the bridge
 - Tree clearing would need to be timed with winter hibernation (November through April)
 - Construction Activity
 - Habitat conversion
 - Temporary Impacts
 - Noise, turbidity, migration barriers, behavior modification, detour bridge, work trestle, pile driving
 - This activity may modify fish/marine mammal behavior
 - Get turned around, not eat, not find shelter – consider duration & frequency of in-water construction (impact/noise activity)
 - Shellfish sensitive to turbidity (silty water)
 - There is no identifiable fish spawning habitat at the bridge
 - Cofferdams
 - Isolate work area – don't let dirt escape
 - Can rescue & evacuate fish that get into cofferdam
- Avoidance, Minimization & Mitigation
 - Footprint of permanent features, timing of tree removal, isolate work area, duration, footprint of in-water temporary access, limit soil disturbance, noise attenuation & monitoring

Public Comment:

- Eider ducks will be impacted during the day as they are foraging, not so much at night. Can work be done at night?
- Can a bridge be shipped & installed instead of building at site?

- Some elements can be prefabricated and delivered
- Foundation rehabilitation will require in-water work

Adjourned at 8:00pm