

MAINE DEPARTMENT OF TRANSPORTATION  
MAINE WOODS TO WATER RAIL CONNECTION PROJECT  
CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY  
IMPROVEMENTS (CRISI) 2022

ATTACHMENT 8  
SECTION 22905  
DOCUMENTS

Agreement between  
**Eastern Maine Railway**  
and  
**Maine Department of Transportation**  
for purposes  
49 USC 22905

This letter agreement is provided for purposes of The Maine Department of Transportation's ("Applicant") compliance with the requirements of Section 22905(c)(1) of Title 49, United States Code for the FY2022 Federal Railroad Administration Consolidated Rail Infrastructure and Safety Improvements grant project to improve assets owned by the Eastern Maine Railway ("the Railroad").

The work proposed in the CRISI grant within the rights of way owned by the Eastern Maine Railway owning the rights of way "(the railroad transportation corridor)" includes new track and track rehabilitation to strengthen overall rail infrastructure between Mileposts 72.2 and 109.

**Section 22905(c)(1)(A): Compensation for use**

The Railroad agrees that it will not require, and the Applicant will not compensate, the Railroad for use of the Railroad rights-of-way used in the Project.

**Section 22905(c)(1)(B): Adequacy of infrastructure capacity**

The Applicant and Railroad assures the adequacy of infrastructure capacity to accommodate both existing and future freight and passenger operations. No passenger operations are anticipated as part of this project.

**Section 22905(c)(1)(C): Collective bargaining agreements**

The Railroad assures that collective bargaining agreements with the Railroad's employees (including terms regulating the contracting of work) will remain in full force and effect according to their terms for work performed by the Railroad on the Railroad transportation corridor.

**Section 22905(c)(1)(D): Liability insurance**

The Applicant assures that it complies with liability requirements consistent with 49 U.S.C. § 28013. There are no passenger operations conducted or expected to be conducted on the rights-of-way.



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Ian Simpson  
General Manager  
Eastern Maine Railway

Date: November 22, 2022



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Nathan Moulton  
Director, (OFPS)  
Maine Department of Transportation

Date: 11/28/22

Agreement between  
**Maine Department of Transportation**  
and  
**Canadian Pacific Railway**  
for purposes  
49 USC 22905

This letter agreement is provided for purposes of providing assurance to the Maine Department of Transportation (“Applicant”) that Canadian Pacific Railway (“the Railroad”) intends to comply with the requirements of Section 22905(c)(1) of Title 49, United States Code for the FY2022 Federal Railroad Administration Consolidated Rail Infrastructure and Safety Improvements grant project to improve assets owned by the Railroad as described in the subsections below. The Railroad’s commitment to do so is dependent upon funding being granted under the CRISI grant program, and is dependent on sufficient committed freight revenue from Highland Pellets, LLC, which is presently in negotiation.

The work proposed in the CRISI grant within the rights of way owned by the Class I or other railroad/lessor owning the rights of way “(the railroad transportation corridor”) includes track construction and refurbishment works, and bridge deck replacement works to strengthen overall rail infrastructure between Milepost 0 and approximately Milepost 70 on Canadian Pacific Railway’s Bangor Subdivision for the purpose of enabling the intended freight rail driven by Highland Pellets, LLC as understood today.

**Section 22905(c)(1)(A): Compensation for use**

The Railroad agrees that it will not require, and the Applicant will not compensate, the Railroad for use of the Railroad rights-of-way used in the Project. No third party use of the Railroad’s right-of-way is anticipated under the scope of this CRISI grant submission. Should third party use of the Railroad’s right of way be deemed to be required at a later date, the Railroad is agreeable to negotiating ordinary land license payments at that time.

**Section 22905(c)(1)(B): Adequacy of infrastructure capacity**

The Applicant and Railroad assures the adequacy of infrastructure capacity to accommodate the anticipated traffic driven by the proposed wood pellet development in the town of Millinocket, ME as understood today. No passenger rail operations currently exist on this section of the Railroad’s network, and no future passenger rail operations are being contemplated at this time.

**Section 22905(c)(1)(C): Collective bargaining agreements**

The Railroad assures that collective bargaining agreements with the Railroad’s employees (including terms regulating the contracting of work) will remain in full force and effect according to their terms for work performed by the Railroad on the Railroad transportation corridor.

**Section 22905(c)(1)(D): Liability insurance**

The Applicant assures that it complies with liability requirements consistent with 49 U.S.C. § 28013. There are no passenger operations conducted or expected to be conducted on the rights-of-way.

Signed and delivered by the **Central Maine & Quebec Railway US Inc.** by its authorized signatory:



Nikol Daniels  
Director of Real Estate

11/28/2022

(Date)

Signed and delivered by the **Maine Department of Transportation** by its authorized signatory:



Nathan Moulton  
Director, Office of Freight and Passenger Services

11/29/2022

(Date)