



Meeting Notes

Meeting Date: May 31, 2022

Notes Prepared By: Phil Goff, Project Manager

Place: Virtual Meeting

Date: 6/01/2022

Project No.: WIN: 25979.00 / VHB: 55607.00

Project Name: MaineDOT RUAC Supporting Study – SLA Berlin Subdivision

RUAC Meeting Attendees:

| MaineDOT Team | RUAC | |
|--|---|---|
| <ul style="list-style-type: none"> Nate Howard, (MaineDOT, PM) Nate Moulton, (MaineDOT Dir. of Freight and Passenger Services) Patrick Adams (MaineDOT) Meghan Russo Tony Grande (VHB) Phil Goff (VHB) Tim Bryant (VHB) Mike McDonough (VHB) | <ul style="list-style-type: none"> Chair Bill Shane (Cumberland Town Manager) Doug Beck (ME Bureau of P&L, RTC Manager) Brian Harris (ME Yacht) Charles Hunter (Assis. VP for Genessee & Wyoming) Chris Chop (GPCOG Transpo Director) Christine Landes (New Gloucester Town Manager) Diane Barnes (North Yarmouth Town Manager) Dick Woodbury (CBTA) Hope Cahan (Falmouth Town Councilor) | <ul style="list-style-type: none"> Jeremiah Bartlett (Portland Transpo. Eng.) Jonathan LaBonte (Transpo. Advisor for Auburn Town Manager) Ralph Scalise Meghan Russo (ME DOT Dir., Legislative Affairs) Scott LaFlamme (Yarmouth EcDec Dir.) Tony Donovan (Portland Rail Advocate) Angela King (BCM Advocacy Director) Nate Wildes (ED, Live and Work in Maine) |

Agenda:

- > Introductions
- > Round Robin Discussion Re: Opportunities and Challenges (2 min each)
- > 4/25/22 Meeting Follow-up on Action Items
- > Milepost 0 Discussion
- > Public Comment
- > Schedule and Agenda for next meeting



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Round Robin Discussion:

- › Phil started things off by provided a list of prompting questions to initiate discussion. He explained that each person should take 2-3 minutes to provide input, and that responses or comments should be held off until everyone has had a chance. The prompt questions included:
 - Whether the Berlin Subdivision corridor is left alone, used for interim trail use, or re-established with active rail, how would that change the local economy and/or quality of life?
 - How is the inactive rail corridor perceived in your community and what aspirations do you hear from residents and business owners?
 - How would any changes to the corridor fit into a regional or statewide vision for enhanced transportation, recreation, and/or economic development?

The RUAC Members discussed the following:

- › Hope Cahan: Hope has familiarity with portions but not the entirety of the rail corridor. Her understanding from this group was that they would have access to VHB's analysis of the corridor to understand potential economic benefits, cost estimates for construction, and rail/trail options, and use this info to address the question put forth for discussion and make recommendations. Falmouth has supported the potential trail aspect (whether with rail or not). To provide a statewide vision, she noted the need for more of VHB's analysis for review.
- › Jeremiah Bartlett: Based on Portland's economic development trends in and around this corridor, Jeremiah noted many opportunities. He noted questions and concerns that have been raised regarding potential impacts on the northern part of the corridor. Portland sees the corridor as bifurcated since the trestle bridge has been removed. From Portland's standpoint, regardless of the corridor's use and how it's supported, it needs to be addressed and will be significant for future use potential.
- › Dick Woodbury: Dick has previously worked and lived on a bike path and expressed the significance of his ability to commute as part of his lifestyle. This line is a significant commuting corridor in the state through the beautiful, preserved lands of the watershed. The CBTA envisions potentially creating a loop from Lewiston to Brunswick through Freeport, Yarmouth, and Portland. He noted that pieces of this are already advancing through a TIF agreement and other funding and that downtown Yarmouth and Freeport will be fully connected through an off-road bike trail. Dick has spent a lot of time with communities sharing this vision and gaining buy-in and has seen lots of enthusiasm. He supports optimizing public support for the inclusion of a trail and working to understand what the community envisions more deeply.
- › Angela King: Angela noted the significant availability of information regarding the benefits of trails, in general, beyond this corridor. She noted that developing a network of trails for AT and recreational purposes makes sense for Maine and would be great for the health of the State.



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- › Tony Donovan: Tony noted that the corridor can and must be used for trains, and that exclusive use for non-rail uses would not be feasible or in the public's interest as a whole. Tony expects the opportunity to present the findings from physical fieldwork done on the trail to the Council. He noted that Class 3 or interurban light rail train could operate on this line tomorrow due to the good existing conditions.
- › Bill Shane: Bill noted that many constituents are excited about what this corridor could potentially be. He agrees that some corridor sections are extremely challenging for dual-purpose use. He hopes that all members of the RUAC can have a chance to go for a ride on it, as it is difficult to understand the depths of specific drop-off points from aerial/drone photography. He looks forward to reviewing VHB's technical and economic findings and anticipates having more in-depth conversations as the process moves forward.
- › Scott LaFlame: Scott noted that not all sections of the corridor are created equal and that there are many variances to consider. Yarmouth has supported a multi-modal pathway through the corridor section bisecting Main Street and has expressed openness to other options in other areas. Yarmouth does not have the opportunity to put in a train station due to recent streetscape improvements. Scott noted the importance of considering all lane alternatives and options for everyone to win. The ultimate policy decision will be based on the economic and cost-benefit analysis and evaluating the optimal leveraging of existing assets. Scott expressed interest in learning more regarding the timing and objectives of concurrent studies and how they intersect with the Council's scope of work.
- › Brian Harris: Brian reminded the group that ME Yacht Services is the only private business on the Council. ME Yacht uses the last .5 miles of track in this corridor to transport boats to an offsite storage facility. This process is a huge part of their business model, creates jobs, and provides services to recreational boaters. Brian noted the potential benefit of trail development for recreation and commuting and that boating is also a form of recreation. He supports coexisting uses on this last half mile of the corridor, supporting multi-use rail and trail.
- › Diane Barnes: Diane supported the need for more information on VHB's findings as a basis for continued discussion. She noted community support for recreational use of the trail but advised looking at potential impacts to abutters, from whom there may be some pushback. Abutters on rails-turned-trails in other areas sometimes report negative experiences from having trails in their backyards. Diane also noted the need to explore trail use for snowmobiles and ATVs.
- › Nate Wildes: Nate noted the importance of considering the investment in what is working in Maine and what will boost and sustain quality of life. This consideration includes the infrastructure we need for today, tomorrow, and beyond when the assets we are discussing today are completed and utilized to the greatest extent. The statewide consensus from employers is focused on people and investing in/building infrastructure that will attract and sustain talent. Nate noted that this consensus is not targeted toward one perspective or strategy and that the only way to screw this up is by not doing anything.
- › Jonathan LaBonte: Jonathan agrees with the group's sentiments that information is lacking as a basis for the discussion at hand. He noted concern for current parallel and ongoing planning processes that should inform how this process lays out. Context, including the continuation of MaineDOT planning efforts,



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changing market conditions concerning the future of trucking with rising fuel prices, and changing populations, should be considered in developing final recommendations. It is important to fully understand the implications of these factors from a freight perspective in having these discussions. In addition to understanding the context of these factors, Jonathan noted that if there were approval to build a trail tomorrow, there wouldn't be capital to build it tomorrow. He suggested optimizing low-hanging fruit opportunities to create assets during ongoing planning efforts.

Follow up on 4/25/2022 Council Meeting Action Items:

- › Nate H will provide a copy of the lease with the narrow-gauge RR in Portland.
- › Nate H will confirm if RKG's Scope of Work included review of zoning along the corridor (which could impact sites for future rail stations)
 - Phil Goff response:
RKG's Scope does not explicitly call for any review of zoning reg's along the corridor and how that may impact the economic benefits for either restored rail service or development of a trail. Per Eric Halvorson from RKG: For our scope of work, we found property value multipliers in some of the other trails reports that we were planning to apply to parcels of land within a half-mile of the trail which we could also apply within a half-mile of a station under the rail scenario. We didn't plan on reviewing or commenting on existing zoning, just focusing on potential increases in value using those metrics from other reports. Per the RUAC's desire to identify future rail station sites along the corridor, we could include a high-level discussion of the added value of more-intensive TOD zoning in the area surrounding potential future rail stations, without getting into the details.
- › VHB will develop cross section graphics to show how the trail could fit within the corridor at various locations (future Action Item)
- › Nate will provide VHB's Scope of Work to the Council
- › Nate to provide link to the RUAC meeting recording
- › Nate will send out date options for the next RUAC meeting
- › Tony D will send a copy of a drone video of the corridor to VHB

Milepost 0.0 Discussion:

Nate Moulton informed the Council of MaineDOT's stance regarding the starting point for the Project, as being open to different recommendations. MaineDOT is okay with segmenting the corridor into smaller groups, including the sections from milepost 0.0 to the bridge, the bridge section, and the segment up to the rail junction in Yarmouth. Because of the configuration and current CSX service, in all likelihood any trail will need to bridge over the rail "diamond". VHB's cost estimates can be sub-totaled to reflect these segments. The Council provided the following feedback:



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- › Dick Woodbury: Dick had no objection to exploring this option. He noted that a recent assessment concluded not using options that include the ocean gateway terminal. The legislation that initiated this year's study was very explicit that it would not use the portion of the corridor from Portland to Yarmouth.
- › Nate Moulton: Nate confirmed that the corridor purchased through TPA would always retain the right to revert to rail use.
- › Tony Donovan: read aloud his written comments submitted to MaineDOT related to flaws in previous VHB report on passenger rail service within the corridor and the need to include the full corridor—MP 0.0 up to Auburn—as a single entity for cost estimating. (Written comments attached)

Public Comment:

Public comments included the following:

- › Kristine Keeney: Kristine noted that the Maine Trails Coalition has just released an Active Transportation Arterials Plan, including maps, cost estimates, and detailed descriptions for segments connecting the 25 largest population centers in Maine. She hopes this plan will be considered in MaineDOT's SATP planning efforts and noted the availability of resources to review for work already done. Kristine responded to Jonathan LaBonte's input regarding the absence of funding. She noted that while this is historically true, there are current funding opportunities through the new Bipartisan Infrastructure Law legislation, and particularly in active transportation during the transportation reauthorization period over the next five years (e.g., carbon reduction program, safe streets for all program, program overcoming barriers to mobility due to previous infrastructure investments, etc.).
- › Doug Leland (Freeport): Doug noted that Maine has inadequate active transportation infrastructure. He has had the opportunity to visit and use other cities'/states' connectivity infrastructures, which are robust, widely used by the population, and offer significant benefits to communities. He noted that Maine has this opportunity, which is consistent with the DNA of the state in getting people outdoors. Doug hopes this will be considered when evaluating use options for this corridor. Based on the previous discussion regarding mile point 0.0, he expressed that the swing bridge should not be a part of the current study from a trail perspective and is not sure this would be the most cost-effective way of connecting trails.
- › Paul Drinan: Paul provided links in meeting chat for resources focused on the benefits of connecting communities with trails. These resources include the Maine Rail Trail Plan, exploring the conversion of unused rail corridors to trail use vs. maintaining rail use, and the Active Transportation Arterials Plan. He hopes the Active Transportation Arterials Plan will be adopted by regional and statewide stakeholders and incorporated into the SATP.
- › Patricia Barber: Patricia participated as a public member in the Mountain Division RUAC meetings. She noted that abutters were not a part of these meetings and that many people along the lines didn't know these efforts were taking place. She expressed the importance of reaching out to them. Abutters along the Down East Sunrise trail have experienced issues with trespassing and theft.



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- › Bill Shane: in a wrap up to the public comments, Bill noted that the Council would like to have a better sense of the full context of the RUAC efforts from Nate and Nate, including a summary of the Mtn Division process and recommendation.

NEXT STEPS:

- › Nate will coordinate with Brian Harris on setting a time for Council members to visit the trail this summer on the high-rail pickup truck, using ME Yacht Services as a potential starting point.
- › Nate will provide data from the website's comment portal for the Council's review at the end of the month due to the volume of comments received (82 comments so far).

The following was noted regarding the next RUAC meeting:

- › The RUAC would like to review more of VHB's work to-date, including the cross-sections and any information from the first two or three tasks, if possible, and learn more regarding the Council's advisory scope/role.
- › The next meeting is to be scheduled tentatively for June 28 at 10:00 AM. Future meetings can be held on an as-needed basis.
- › Opportunities for public comment could perhaps be spread throughout the meetings, rather than just at the end.



Memo

To: Portland to Auburn Rail Use Advisory Council
William R. Shane P.E., Chair
Town Manager Town of Cumberland

CC: Nathan Howard, Director, Rail Transportation
MaineDOT, Office of Freight and Passenger Services
Maine Department of Transportation 33 State House Station Augusta, Maine 04330

From: Maine Rail Transit Coalition
Anthony Donovan, Managing Director

Date: June 1, 2022

RE: Portland to Auburn RUAC Meeting #2 Meeting Agenda – 5/31/22

Chair and Council Members

The Maine Rail Transit Coalition (MRTC) position on this Corridor Council is that the Maine-owned railroads, all 400+ miles can, and must be used for trains, including passenger train service. In our view, the Casco Bay Trails proposal to make exclusive use any part of the railroad corridor for non-rail uses is not in the best interests of the public as a whole, and in fact violates the original rationale for State acquisition of these critical transportation infrastructure assets.

In the next few months, the MRTC expects an opportunity to provide a presentation to this Council. We look forward to providing more specifics on a plan to use the St. Lawrence & Atlantic (SLR) line for passenger train service, with additional background on the decades of work MRTC – along with many rail advocates statewide and in the Legislature – making progress toward the goal of sustainable, equitable and environmentally critical alternative transportation systems providing mobility.

For today's discussion, MRTC wants to focus on MP 0.0 and a few important facts that have otherwise been ignored or described in a manner that needs to be clarified.

Critical to today's discussion is the \$500,000 2019 Lewiston/Auburn Passenger Rail Service Plan, conducted by the same consulting firm selected by MeDOT for this as this Council, VHB. The MRTC team and its consultants were responsible for legislation which established the funding for the L/A plan, and we participated to the extent allowed in all aspects of the work.

1. In our opinion the VHB study was flawed and incomplete. The consultants ended their work with a list of recommended "Next Steps," but the report was not submitted to the Legislature, or towns that partially funded the report for acceptance. There was no opportunity for public comment on the conclusion of the work. Yet Maine DOT is drawing conclusions concerning the proper use of the report, as is Casco Bay Trails, in their municipal resolutions which led to the establishment of this Council. Please consider the following:



- Although the VHB analysis indicated the SLR into Portland OcéanGate route is a viable alternative, equal to and in some cases more favorable to other routes, there are numerous references in the report, including under "Next Steps"¹, that this alternative be eliminated.
 - The report clearly states that "this project is not to provide recommendations"². Yet, in recommending as a next step, "Eliminate Options that require and Ocean Gateway Stations", it appears the Study Committee is doing just that.
 - According to members of the report's Project Committee, they were NOT given an opportunity to review the report, or to vote on recommendations prior to public release, although the report states that "... *Based on the comprehensive evaluation and the Committee's involvement in the development of this project, the Project Committee makes the following recommendation for this project.*"

Our conclusion is that any assumptions made that the route into Portland OcéanGate should be eliminated are based on incomplete and misleading information, including, (VHB quotes in Italics)

- *In 1984, the rail swing bridge and trestle at Back Cove in Portland was significantly damaged by fire. The bridge was subsequently abandoned along with approximately 1.5 miles of track located in the Eastern Promenade.*
 - This railroad corridor has not been abandoned; abandonment of any railroad requires an extensive public process. The state has, however, already abandoned two (critical) railroads serving Portland. One is the 1998 abandonment of the Maine Central RR route along Commercial Street. The other was the 2010 abandonment of the Union Branch through Portland for conversion to a recreational trail. On the SLR, **neither the trestle bridge into Portland nor the approximately 1.5 miles of track have been abandoned. The Maine Narrow Gauge Railroad (MNGR) operates on the 1.5 miles under FRA regulations as an active railroad, subject to the applicable rules and regulations.**
- *The bridge, as stated in the VHB report as "...would need to be reconstructed at a significant cost",*
 - This bridge has been evaluated for reconstruction at a cost in at least two reports, including the VHB study. The estimated cost of reconstruction is less than that of the recently constructed Martin's Point road bridge just up the same river (\$27 million), and about the same cost as the recently celebrated I-295 bridge replacement over Veranda Street (\$21 million.) "Significant" does not mean prohibitive, in our view.
- *"The tracks south of Back Cove are currently used by the Maine Narrow Gauge Railroad and Museum for scenic excursion trips through the Eastern Promenade park and recreation area. There is also a multi-use path between the tracks and the Atlantic Ocean."*
 - True, but the state lease for both these uses specifies that the return of Standard Gauge rail service takes precedent over this current use. No one seriously is considering removing the Eastern Prom Trail. In fact, the MRTC considers this 1.5 mile section of the railroad corridor an ideal place to design and build a world-class rail-with-trail segment.

¹ "Final L-A Report - 20190521.pdf" Chapter 9, section 9.6 Page 104

² "Final L-A Report - 20190521.pdf" Chapter 7 section 7.1. page 73 **7.1 Introduction** This chapter summarizes the evaluation that was performed on each of the Preferred Alignments using metrics that evaluate mobility, potential environmental impacts, estimated cost, and implementation timeframe. **Since this project is not tasked with making a recommendation on a Recommended Alignment,** these evaluation metrics are informational in nature and serve as the building blocks for future considerations.



Additional points:

- MNGR was allowed to operate on this route for the expressed purpose of maintaining an Active Use under FRA regulations, and therefore protecting it from Abandonment.
- The railroad corridor is *not* part of the Eastern Promenade. Throughout the history of this park, which is on the National Historic Register, railroad owners have not allowed encroachment into the corridor. This is stated in the City of Portland's Eastern Prom Master Plan.
- *"The narrow gauge (i.e., the distance between the rails) is not consistent with the equipment used by modern railroads."*
 - The MNGR tracks operate over standard gauge railroad ties. The corridor width definitely allows standard gauge service, as previously existed. A field investigation of this section of the corridor might have prevented this inaccuracy.
- *"Implementation of a new passenger rail line may require closures or consolidation of grade crossings (vehicular, pedestrian/bike, or both) and possible encroachment onto the trail in areas where right of way may be constrained."*
 - Every permitted crossing of the railroad tracks has been subject to the condition that they are temporary. The abutting developers are aware of this, as is the City of Portland. As previously stated, standard gauge rail has precedence.
- *"Constructing an additional track in parallel to the proposed passenger service would require land acquisition and possibly result in Section 4F permitting implications due to being located within designated parkland."*
 - As already stated, this is not parkland.
- *"at Ocean Gateway the construction of a station with double track would likely require some elimination or modification of parking (both on-street and changes to the tail alignment running through the area.)"*
 - Considering the costs of this professional consulting, we find terms such as "would likely require", troubling. These are the untested assumptions, however, that account for the VHB/MeDOT recommendations to exclude this route since it was not studied.
 - Observations:
 - How does one know double-track will be required?
 - The service would require a platform, but why not use the existing Portland Oceangate terminal as a station?
 - Providing passenger train service to this congested, bustling downtown area will *reduce* the number of cars and parking, thus relieving congestion – not creating it. Cars have also been identified as the primary contributors to Climate Change. In our opinion, subsidized on-street parking should no longer be public policy. Nor is this a reason to not consider this part of the corridor.

Service into Portland at India Street was evaluated in the 2011 Portland North study, many of whose conclusions are still relevant. This study has been the basis of the MRTC public and private initiatives to establish passenger train service to Portland. In 2019, the city, and regional MPO, PACTS, and NNEPRA conducted a study for bringing passenger train service to downtown Portland from the west. The \$50,000 study, conducted by VHB, indicated ridership of over 500,000 annually and, according to the study, would reduce congestion and provide economic vitality.



Now, In the evaluation of the state-owned St. Lawrence & Atlantic RR connecting the commuter towns north of Portland directly to the downtown over existing tracks, the Maine Department of Transportation and its consultants appear to be drawing strikingly different, and largely unsupported, conclusions.

1. The VHB study provided pictures of every significant feature on both the freight mainline corridor and the SLR, except for the last segment of railway corridor into Portland.
 - *"Field visits were performed on both rail corridors to assess the existing condition of the track and related infrastructure. The inspection did not include any track south of Mile Post 2.66 (including the tracks that led to the former B&M Baked Beans factory, the Back Cove bridge, or the Narrow-Gauge Railroad)."*
 - **Appendix B: Photos from Rail Field Visits St. Lawrence and Atlantic Rail Line Photos** (beginning at) MP 4.5 – Presumpscot Bridge.
2. Senator Ben Chipman of Portland introduced legislation to the flesh out the incomplete Lewiston-Auburn report for consideration in the 130th Legislative Session. LD 991, **'Resolve, Directing the Department of Transportation To Complete a Feasibility Analysis To Initiate a Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area'**, in which the MeDOT position was "ought not to pass,". The MeDOT amended version required that the bill be limited to an economic analysis, and that the study not include the SLR segment into downtown Portland.

MRTC believes that not by including the entire corridor in the study, Maine DOT gives the appearance of favoring trail use over rail, perhaps because of a lack of interest in maintaining and leveraging these critical transportation assets.

The Corridor Council law 1133 states: *"Upon petition by one or more governmental entities that represent communities along a state-owned rail corridor in which the department controls the right of-way requesting the department to review a non-rail recreational or nonrecreational transportation use of that rail corridor,..."*

It does not say a "partial" review. It specifies the corridor, which means the whole corridor.

The Maine Rail Transit Coalition will submit a detailed presentation of our extensive background work, including an engineer's report that substantiates current condition of the tracks and the potential for its use to address impacts of transportation on climate, as well as the ability to meet the goals of federal Infrastructure funding for a clean energy future.

MRTC strongly recommends that this council's deliberations include *all* of the SLR corridor up to mile post 0.0. We are available for questions or additional information at any time.

Sincerely

Anthony Donovan, Director
Maine Rail Transit Coalition