

## Mountain Division Rail Corridor Use Advisory Council

Meeting Minutes 11/28/21

**Attendees:** Paul Schumacher (Chair), Nate Moulton, Nate Howard, Meghan Russo, Jack Sutton, Dan Hester, David Kinsman, Paul Hunt, Katie Haley, Theresa Egan, Dwight Warren, Colin Burch, and Zach Mosher.

### 1. October 28<sup>th</sup> Speakers: Council Recap and Discussion

- Recordings of previous meetings are available upon request.
- Agendas, presentations, and meeting minutes can be found here:  
<https://www.maine.gov/mdot/ofbs/ruac/mdrcc/meetings/>

### 2. Portland Water District Property/Rail Easement

Nate Moulton, the Director of the MaineDOT Office of Freight and Business, gave a presentation on MaineDOT's Rail Easement within the Portland Water District (PWD) Property:

- MaineDOT does not have trail rights on the section of Mountain Division (about 3 miles) within the PWD. The state only has an easement for rail purposes.
- MaineDOT negotiated an easement along the "jeep trail" in Standish to avoid impacts (filling wetlands) to Otter Ponds during the construction of the existing trail.
- Any trail recommendations would be "off-corridor" at this location. Potential alignments could follow Route 35 and Route 114 to a point north of the Sticky River and loop back to the railroad.
- ATVs are not allowed on PWD land.
- Any changes in use along the PWD land would require approval of PWD Board of Trustees
- It may be possible to use other PWD land for the trail to get around the "no trail rights" section of the Mountain Division.

### 3. HNTB Scope

The following tasks are included in the consultant's (HNTB) scope:

- a. Existing conditions inventory and analysis. The task includes assessment of corridor limitations for rail service, rail with trail following MaineDOT Rail with Trail requirements and for removal of rail infrastructure and trail use.
- b. Utilize available GIS mapping and aerial imagery. No field visits are included at this stage.
- c. Identify opportunities and constraints

- d. Development of cost estimates. This task includes planning level estimates for rail upgrades, trail conversions, and rail with trail.
- e. Analysis of Economic Benefits. HNTB will be using RBouvier Consulting to perform the economic analysis

The fee for the consultant is \$60,000. The study is a very high-level overview.

We expect the rail with trail option could require a substantial amount of fill in wetlands.

MaineDOT's standard setback for trail with rail is 15' offset or 11.5' with a 6' fence.

Expect HNTB to be under contract by December 1<sup>st</sup>

#### 4. Questions/General Discussion

**Question:** What is the process for reverting railroad that has been converted to a trail back to an operating railroad?

**Answer:** Currently such a process does not exist. However, it is likely that MaineDOT would take the proposal to the Legislature's Transportation Committee for approval to revert the corridor back to a rail use.

**Question:** Can we have HNTB look at the cost of using PWD rail corridor within the 3 miles area with no trail rights?

**Answer:** We could use general per-mile figures to develop a cost estimate.

**Question:** Will the council consider another rail uses?

**Answer:** Yes, rail proposals including expansion of the Conway Scenic Railroad to Portland, Jack Sutton's Crown of New England proposal and the expansion of freight rail will be considered should be weighed by the council.

Snowmobiles are allowed to operate on the Mountain Division rail under agreement with MaineDOT.

ATV and snowmobiles are not allowed on the existing portions of the Mountain Division trail.

Recently signs were erected on the railroad in response to frequent complaints regarding ATV trespass. These signs do not change the use of the railroad. They simply state existing law.

#### 5. Outline/Agenda for Future Meetings

Next meeting is December 9<sup>th</sup>.

Future meetings topics include ATV usage, additional rail usage including freight rail, trail funding

## **6. General Public Comment**

Rick Bennett: Appreciates everyone who is volunteering on committee

Paul Drinan: The trustees could allow the trail to exist on the railroad footprint