

TOWN OF CUMBERLAND RESOLUTION

Request to the Maine Department of Transportation to Create a Rail Corridor Advisory Council for the proposed Casco Bay and Royal River Trails and to Appoint a Town of Cumberland Official to Serve on any such Rail Corridor Advisory Council

WHEREAS, the Casco Bay Trail network includes in its vision a 26-mile, disused rail corridor (hereinafter referred to as the “Casco Bay and Royal River SLA Corridor”) from Portland to Falmouth, Cumberland, Yarmouth, North Yarmouth, Pownal, New Gloucester, and Auburn, currently known as the St. Lawrence and Atlantic Rail Corridor, that was acquired by the State of Maine in 2007 and 2010, respectively; and

WHEREAS, the Casco Bay Trail Alliance, formed in 2019, created a vision, and is leading the effort to convert the Casco Bay and Royal River SLA Corridor to a multi-purpose “trail-until-rail” to be included in an off-road, multi-use trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine; and

[Casco Bay Trail Alliance](#)

WHEREAS, the Casco Bay Trail network is part of a statewide trail plan, “Maine Rail Trail Plan 2020-2030,” issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure; and

[Maine Rail Trail Plan 2020-2030](#)

WHEREAS, long-distance multi-use trails are a key recommendation of a 2010 report “Improving Maine’s Quality of Place Through Integrated Bicycle and Pedestrian Connections” by the Maine Dept. of Transportation, State Planning Office, Dept. of Conservation, and Center for Disease Control and Prevention; and

[Improving Maine’s Quality of Place Through Integrated Bicycle and Pedestrian Connections](#)

WHEREAS, the Governor has recently signed into law LD 1133, allowing for the creation of Rail Corridor Advisory Councils to “facilitate discussion, gather information and provide advice to the commissioner regarding future use” of rail corridors owned by the State; and

[LD 1133 As Enacted](#)

WHEREAS, we understand that a freight operator holds a freight railroad easement, but has discontinued freight service on the rail line; and

WHEREAS, we understand that the freight operator is subject to a contract with the Maine Department of Transportation (hereinafter referred to as the “2018 Amended Discontinuance Agreement”), stating that, unless freight rail service is resumed by November 1, 2021, the operator “shall . . . seek authority from the [Surface Transportation Board] to abandon the Railroad Line. Maine DOT shall not object to the proposed abandonment;” and

[Discontinuance Agreement – 10 June 2013](#)

[Discontinuance Agreement Amendment – 18 June 2018](#)

WHEREAS, it is recognized that some part of the rail corridor is potentially also suitable for future passenger rail service, but there is an alternative corridor that could also be used to extend passenger train service between Portland and Lewiston-Auburn that is still actively used by trains, including Amtrak, thereby allowing both public purposes, trains, and trails; and

[Corridor Map from July 26 Council Presentation](#)
[Rail Trail Discussion on CBTA Website](#)

WHEREAS, the Town of Cumberland Comprehensive Plan identifies specific goals and actions that include: “to maintain existing trail systems with the Town and where possible, connect trails;” “consider off-street multi-use trails in certain locations;” “encourage a trail system throughout town;” “develop a map that shows parcels that would allow for important trail and open space linkages,” and “support the development of sidewalks, bike lanes and trails to provide safe non-vehicular transportation;”

[Comprehensive Plan, Town of Cumberland](#)

WHEREAS, Sec. 2 to 23 M.R.S.A. §75, entitled “An Act to Create the Rail Corridor Use Advisory Council Process,” requires the Commissioner of Transportation to invite at least nine (9) and no more than fifteen (15) persons to serve on a council, which include: ... (I) One or more municipal officials or staff from municipalities located on the rail corridor; and

WHEREAS, to ensure that the rights of Cumberland residents and abutters are thoroughly considered and respected as part of this process, it may be worthwhile for the Town of Cumberland to learn more about, and to be proactively involved in the membership of any council discussing the Casco Bay and Royal River SLA Corridor with the Maine Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CUMBERLAND ASSEMBLED THIS 13th DAY OF SEPTEMBER, 2021, THAT:

1. The Cumberland Town Council hereby petitions the Maine Department of Transportation to create a Rail Corridor Use Advisory Council to discuss and consider the future use of the Casco Bay SLA Corridor as an off-road, multi-use trail;
2. As part of that process, and as a pre-condition to the Town of Cumberland’s initial support for the project, that at least one representative from Cumberland’s Town Council be included in the membership of any Rail Corridor Use Advisory Council to ensure the rights and concerns of Cumberland residents and abutters to any proposed trail be thoroughly considered and respected, prior to the creation of any off-road, multi-use trail network; and
3. The Cumberland Town Council also petitions the Maine Department of Transportation, where lawful and appropriate, to enforce the 2018 Amended Discontinuance Agreement, or, in the alternative, provide a notice-and-comment procedure to consider public comment prior to amending or extending that agreement.

Motion by Councilor Segrist, seconded by Councilor Gruber, to adopt a resolution to create a Rail Corridor Advisory Council for the proposed Casco Bay and Royal River Trails, and to appoint a Town of Cumberland Official to serve on any such Advisory Council.

VOTE: 6-1 (Edes opposed) MOTION PASSES



TOWN OF FALMOUTH RESOLUTION

Request to the Maine Department of Transportation (MaineDOT) to Create a Rail Corridor Use Advisory Council for the proposed Casco Bay Trail

- WHEREAS,** the Casco Bay Trail refers to a 10-mile, disused rail corridor (hereinafter “Casco Bay SLA Corridor”) from Portland to Falmouth, Cumberland, and Yarmouth, currently known as the St Lawrence and Atlantic (SLA) rail corridor, that was acquired by the State of Maine in 2007 and 2010; and
- WHEREAS,** the Casco Bay Trail Alliance, formed in 2019, created a vision, and is leading the effort, to convert the Casco Bay SLA Corridor to a multi-purpose “trail-until-rail” to be included in an off-road bicycle and pedestrian trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine; and
- WHEREAS,** the Casco Bay Trail is part of a broader Maine Trail Plan issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure; and
- WHEREAS,** long-distance multi-use trails are a key recommendation of a 2010 report “Improving Maine’s Quality of Place Through Integrated Bicycle and Pedestrian Connections” by the Maine Dept. of Transportation, State Planning Office, Dept. of Conservation, and Center for Disease Control and Prevention; and
- WHEREAS,** the 2016 Falmouth Bicycle-Pedestrian Plan listed the long-term goal of “investigat[ing] the feasibility of creating a rail-with-trail to Portland through a regional public-private partnership effort for pedestrians and bicyclists;” and
- WHEREAS,** the possibility of a trail alongside the existing rail was explored in a 2017 GPCOG/PACTS study “Rail with Trail: Preliminary Feasibility Assessment of Building an Active Transportation Corridor from Portland to Yarmouth;” and
- WHEREAS,** the 2017 study provided preliminary information about the technical feasibility of adding a trail along the Casco Bay SLA Corridor and assessed the level of community support for such a project; and

Resolution No 15-2022

- WHEREAS,** the focus of the study was to add a future trail to the existing rail right-of-way so as to preserve the potential for future restoration of freight and/or passenger rail service to the currently inactive rail corridor; and
- WHEREAS,** the study included a well-attended regional public meeting that indicated a high level of community support for adding a trail to the rail corridor, but also some concerns; and
- WHEREAS,** the 2017 report recommended that a more detailed feasibility study be developed; and
- WHEREAS,** the Governor has recently signed into law LD 1133, allowing for the creation of Rail Corridor Advisory Councils to “facilitate discussion, gather information and provide advice to the commissioner regarding future use” of rail corridors owned by the State
- WHEREAS,** the Saint Lawrence and Atlantic rail right-of-way was originally purchased by the Maine Department of Transportation for rail purposes; and
- WHEREAS,** a freight operator holds an freight railroad easement, but has discontinued freight service on the rail line, and
- WHEREAS,** the freight operator is subject to a contract with the Maine Department of Transportation (“the 2018 Amended Discontinuance Agreement”), stating that, unless freight rail service is resumed by November 1, 2021, the operator “shall . . . seek authority from the [Surface Transportation Board] to abandon the Railroad Line,” which, once granted, would terminate the freight railroad easement over the Railroad Line, and
- WHEREAS,** the Casco Bay SLA Corridor has been studied for possible conversion to passenger rail, but, according to a 2019 study commissioned by the Maine Department of Transportation (“Lewiston Auburn Passenger Rail Service Plan – Operating Plans and Corridor Assessments”), converting the Casco Bay SLA Corridor to passenger rail would require transit through the East End with a new “Ocean Gateway Station,”
- WHEREAS,** the Lewiston Auburn Passenger Rail Service Plan – Operating Plans and Corridor Assessments made a recommendation to “eliminate options that require an Ocean Gateway Station; and”
- WHEREAS,** the June 2021 Legislative Document 991, “Resolve, Directing the Department of Transportation To Conduct an Economic Evaluation Study for Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area,” lists two options to be further studied, neither of which includes the Casco Bay SLA corridor south of Yarmouth, implying that the Casco Bay SLA corridor is currently no longer being studied for future passenger rail use; and

Resolution No 15-2022


WHEREAS, it may be worthwhile for the Town of Falmouth to express its interest to explore the future use of the Casco Bay SLA Corridor as a multi-use trail to MaineDOT

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FALMOUTH ASSEMBLED THIS 26TH DAY OF JULY, 2021, THAT:

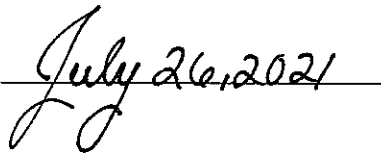
The Falmouth Town Council hereby petitions the Department of Transportation to:

1. create a Rail Corridor Use Advisory Council to consider future use of the Casco Bay SLA Corridor as a multi-use “trail-until-rail,” and
2. enforce the 2018 Amended Discontinuance Agreement, or, in the alternative, provide a notice-and-comment procedure to consider public comment before amending or extending that agreement.

Attest:


Ellen Planer, Town Clerk

Date:





- WHEREAS,** the Casco Bay Trail network envisions an off-road bicycle and pedestrian trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine; and
- WHEREAS,** the Casco Bay Trail Alliance vision is consistent with and complimentary to Freeport’s “Connect Freeport” vision; and
- WHEREAS,** the Connect Freeport vision and activities are consistent with and complimentary to Freeport’s Complete Street Committee Ordinance and Complete Street Policy; and
- WHEREAS,** the Casco Bay Trail network includes in its vision a 26-mile, disused rail corridor (hereinafter “Casco Bay and Royal River SLA Corridor”) from Portland to Falmouth, Cumberland, Yarmouth, North Yarmouth, Pownal, New Gloucester, and Auburn, currently known as the St Lawrence and Atlantic rail corridor, that was acquired by the State of Maine in 2007 and 2010; and
- WHEREAS,** the Casco Bay and Royal River SLA Corridor is integral to the Connect Freeport vision to establish an off-road trail the connects Freeport to Portland; and
- WHEREAS,** an off-road connection between Freeport and Portland will impact Freeport’s economic development through bicycle tourism, regional recreational use, and commuting; and
- WHEREAS,** the Casco Bay Trail Alliance, formed in 2019, created a vision, and is leading the effort, to convert the Casco Bay and Royal River SLA Corridor to a multi-purpose “trail-until-rail” to be included in an off-road multi-use trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine; and
- WHEREAS,** the Casco Bay Trail network is part of a broader Maine Trail Plan issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure; and
- WHEREAS,** long-distance multi-use trails are a key recommendation of a 2010 report “Improving Maine’s Quality of Place Through Integrated Bicycle and Pedestrian Connections” by the Maine Dept. of Transportation, State Planning Office, Dept. of Conservation, and Center for Disease Control and Prevention; and
- WHEREAS,** a freight operator, Genesee and Wyoming, holds an operator easement, but is not currently operating freight service on the rail line; and
- WHEREAS,** the contract between MainedOT and the Genesee and Wyoming freight company allows for the abandonment of the freight easement by November 2021; and

WHEREAS, abandonment of the freight easement will enable a decision-making process to be led by MaineDOT about the future best use of the Casco Bay and Royal River SLA Corridor; and

WHEREAS, it is recognized that some part of the rail corridor is potentially also suitable for future passenger rail service, but that a 2019 study commissioned by the Maine Department of Transportation ("Lewiston Auburn Passenger Rail Service Plan") recommended that any future passenger rail between Portland and Lewiston-Auburn should avoid the Casco Bay and Royal River SLA corridor south of Yarmouth; and

WHEREAS, there is an alternative corridor that could also be used to extend passenger train service between Portland and Lewiston-Auburn that is still actively used by trains, including Amtrak, thereby allowing both public purposes, trains and trails; and

WHEREAS, it may be worthwhile for the Town of Freeport to express its interest in the Casco Bay and Royal River SLA Corridor to MaineDOT

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FREEPORT ASSEMBLED THIS 20th DAY OF July, 2021, THAT:

The Freeport Town Council hereby petitions the Department of Transportation to

1. accept the abandonment of the above-referenced freight easement,
2. to the extent the Department is considering any extension or amendment to the above-referenced freight easement, provide a notice-and-comment procedure to ensure that all voices are considered before granting a benefit at no cost to a single company, and
3. create a Rail Corridor Use Advisory Committee to consider future use of the Casco Bay and Royal River SLA Corridor as a multi-use "trail-until-rail."

A true attest copy of the Resolution approved by the Freeport Town Council on July 20, 2021.

Christine S. Wolfe
Freeport Town Clerk

To approve the Resolve authorizing the application for, acceptance of, and appropriating a grant from the John T. Gorman Foundation for the purpose of funding Choice Neighborhood Implementation Grant personnel support and related activities:

Whereas, the City adopted the Choice Neighborhood Transformation: Growing our Tree Streets in September 2019; and

Whereas, on May 26, 2021, Lewiston Housing, in partnership with the City of Lewiston received a Choice Neighborhood Implementation Grant from the Department of Housing and Urban Development; and

Whereas, the award provides grant funding to Lewiston Housing and the City to build targeted replacement housing, implement an associated people plan, and critical community improvements in the neighborhood; and

Whereas, the City as co-grantee will provide project direction, and lead implementation of the neighborhood plan; and

Whereas, the John T. Gorman Foundation (JTG) has invited the City to apply for an end of year grant to support increasing City staff capacity related to the implementation of the Choice Neighborhood Transformation Plan;

Now, Therefore, Be It Res that the Lewiston City Council hereby authorizes application for, acceptance of, and appropriating a grant from the John T. Gorman Foundation for the purpose of funding Choice Neighborhood Implementation Grant personnel support and related activities.

Passed - Vote 7-0

**RESOLVE TO REQUEST TO THE MAINE DEPARTMENT OF TRANSPORTATION
TO CREATE A RAIL CORRIDOR ADVISORY COUNCIL TO EVALUATE A RAIL
TRAIL CONVERSION OF THE STATE OWNED PORTION OF THE STATE OWNED
SAINT LAWRENCE AND ATLANTIC RAILROAD**

VOTE (217-2021)

Motion by Councilor Rea, seconded by Councilor Lajoie:

To approve the attached Resolve to Request to the Maine Department of Transportation to Create a Rail Corridor Advisory Council to Evaluate a Rail Trail Conversion of the State Owned Portion of the State Owned Saint Lawrence and Atlantic Railroad:

Whereas, the City of Lewiston envisions interim trail use on the State owned Saint Lawrence & Atlantic Railroad between Auburn and Portland; and

Whereas, that line is included as the Casco Bay Trail as part of a statewide trail plan Maine Rail Trail Plan 2020-2030," issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure; and

Whereas, long-distance multi-use trails are a key recommendation of a 2010 report “Improving Maine’s Quality of Place Through Integrated Bicycle and Pedestrian Connections” by the Maine Dept. of Transportation, State Planning Office, Dept. of Conservation, and Center for Disease Control and Prevention; and

Whereas, the Governor has recently signed into law LD 1133, allowing for the creation of Rail Corridor Advisory Councils to “facilitate discussion, gather information and provide advice to the commissioner regarding future use” of rail corridors owned by the State; and

Whereas, the *Legacy Lewiston Comprehensive Plan* encourages improvement and expansion of bicycle and pedestrian connections in and to the City, and the Cities Complete Street Committee strongly endorses the creation of a rail advisory committee to evaluate alternative uses of the Saint Lawrence & Atlantic Railroad; and

Whereas, it may be worthwhile for the City of Lewiston to express its interest in the creation of a Rail Corridor Advisory Council to evaluate connections to improve bike and pedestrian connections to communities south of the City,

Now, Therefore, Be It Resolved that the Lewiston City Council hereby petitions the Maine Department of Transportation to create a Rail Corridor Use Advisory Council to consider future use of the Saint Lawrence & Atlantic Railroad as a multi-use trail.

Passed - Vote 7-0

REPORTS AND UPDATES

Councilor Rea reported on the recent Androscoggin County Budget Committee meeting and the committee is reviewing a proposed tax increase and studying each department budget. Councilor Gelinas shared the Public Health Committee is working on the final details for the September 18 Rally for Recovery in Kennedy Park.

OTHER BUSINESS

No Other Business was presented at this time.

EXECUTIVE SESSIONS

VOTE (218-2021)

Motion by Councilor Lajoie, seconded by Councilor Khalid:

To enter into an Executive Session pursuant to MRSA Title 1, Section 405 (6) (C) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 7-0
Executive Session began at 8:55pm and ended at 9:22pm.

TOWN OF LISBON

A

RESOLUTION

Of the Lisbon Town Council, Lisbon, Maine

WHEREAS, the Lisbon Town Council on December 17, 2013 voted unanimously to support a Regional Rail to Trail Committee and to work with Lewiston, Auburn, Androscoggin Land Trust and other non-profit organizations on a plan to construct a multi-use trail from Lisbon to Lewiston on the inactive rail line.

AND WHEREAS, the 2013 resolution states that the Lisbon Town Council “supports any legislative effort that will result in the development and completion of a multi-use trail for recreational and wellness activities. The effect of the completion of this trail will allow all citizens of the State of Maine and its visitors to have access to all that Maine has to offer in terms of recreation and area to encourage healthy lifestyles. It will also optimize and develop regional cooperation that would enhance economic development opportunities for the Androscoggin County region.”

AND WHEREAS, the Casco Bay Trail network envisions an interconnected system of trails connecting Portland, Lewiston-Auburn, and Brunswick, Maine, and includes the multi-use trail between Lisbon and Lewiston referenced in the 2013 resolution.

AND WHEREAS, the Casco Bay Trail network plan includes the Lisbon Papermill Trail, a multi-use trail on the inactive rail line between Lisbon and Lewiston, and a multi-use trail on the disused rail corridor (hereinafter “Casco Bay and Royal River SLA Corridor”) from Portland to Falmouth, Cumberland, Yarmouth, North Yarmouth, Pownal, New Gloucester, and Auburn, currently known as the St Lawrence and Atlantic rail corridor, that was acquired by the State of Maine in 2007 and 2010.

AND WHEREAS, the Lisbon-to-Lewiston rail trail plan, the Casco Bay and Royal River SLA Corridor plan, and the broader Casco Bay Trail network plan together enhance the regional impact of its component projects on recreation, wellness, transportation, and economic development opportunities for the Town of Lisbon.

AND WHEREAS, the Maine legislature enacted two bills in 2021, one of which establishes a Rail Corridor Advisory Council process within the Maine Department of Transportation, designed to evaluate prospective future uses of state-owned rail corridors, and one of which directs the Maine Department of Transportation to establish a statewide active transportation plan.

BE IT THEREFORE RESOLVED, that the Lisbon Town Council hereby petitions the Maine Department of Transportation to consider in its active transportation plan the Lisbon to Lewiston rail trail, the Casco Bay and Royal River SLA Corridor rail trail, and the larger Casco Bay Trail network.


BE IT FURTHER RESOLVED, that the Town of Lisbon petitions the Maine Department of Transportation to create a Rail Corridor Use Advisory Council to consider future use of the Casco Bay and Royal River SLA Corridor as a multi-use trail.

IN WITNESS WHEREOF, We have here unto set our hands and caused the Seal of the Town of Lisbon, Maine to be affixed at Lisbon, Maine this 17th day of August, 2021.

Lisbon Town Council, Town of Lisbon, Maine:



Allen Ward, Chairman

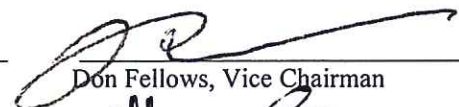


Norm Albert

Kasie Kolbe



Mark Lunt



Don Fellows, Vice Chairman



Jeff Cannon

Fern Larochelle

Attest: 

Twila D. Lycette, Lisbon Town Clerk



Town of North Yarmouth, Maine

RESOLUTION

Request to MDOT for the Creation of a Rail Corridor Use Advisory Council for the Casco Bay Trail

Whereas the Casco Bay Trail network includes in its vision a 26-mile, disused rail corridor (hereinafter “Casco Bay and Royal River SLA Corridor”) from Portland to Falmouth, Cumberland, Yarmouth, North Yarmouth, Pownal, New Gloucester, and Auburn, currently known as the St Lawrence and Atlantic rail corridor, that was acquired by the State of Maine in 2007 and 2010;

Whereas the Casco Bay Trail Alliance, formed in 2019, created a vision, and is leading the effort, to convert the Casco Bay and Royal River SLA Corridor to a multi-purpose “trail-until-rail” to be included in an off-road multi-use trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine;

Whereas the Casco Bay Trail network is part of a broader Maine Trail Plan issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure;

Whereas long-distance multi-use trails are a key recommendation of a 2010 report “Improving Maine’s Quality of Place Through Integrated Bicycle and Pedestrian Connections” by the Maine Dept. of Transportation, State Planning Office, Dept. of Conservation, and Center for Disease Control and Prevention;

Whereas the Governor has recently signed into law LD 1133, allowing for the creation of Rail Corridor Advisory Councils to “facilitate discussion, gather information and provide advice to the commissioner regarding future use” of rail corridors owned by the State;

Whereas a freight operator, Genesee and Wyoming, holds an operator easement, but is not currently operating freight service on the rail line;

Whereas the freight operator is subject to a contract with the Maine Department of Transportation (“the 2018 Amended Discontinuance Agreement”), stating that, unless freight rail service is resumed by November 1, 2021, the operator “shall . . . seek authority from the [Surface Transportation Board] to abandon the Railroad Line. Maine DOT shall not object to the proposed abandonment;”

Whereas it is recognized that some part of the rail corridor is potentially also suitable for future passenger rail service, but that a 2019 study commissioned by the Maine Department of Transportation (“Lewiston Auburn Passenger Rail Service Plan”) recommended that any future passenger rail between Portland and Lewiston-Auburn should avoid the Casco Bay and Royal River SLA corridor south of Yarmouth;

Whereas the 2018 Town of North Yarmouth Comprehensive Plan reports survey findings that 96 percent of respondents ranked trail networks as very important or somewhat important for the Town to preserve and protect;

Whereas over 90 percent of respondents to the Comprehensive Plan survey ranked scenic views, Royal River Corridor/greenway, public access to open space, and Royal River access as very important or somewhat important;

Whereas there is an alternative corridor that could also be used to extend passenger train service between Portland and Lewiston-Auburn that is still actively used by trains, including Amtrak, thereby allowing both public purposes, trains and trails;

Whereas it could be a benefit for the Town of North Yarmouth to express its interest in the Casco Bay and Royal River SLA Corridor to MaineDOT


NOW, THEREFORE, BE IT RESOLVED that the Municipal Officers of North Yarmouth hereby petitions the Department of Transportation to:

1. Create a Rail Corridor Use Advisory Council to consider future use of the Casco Bay SLA Corridor as a multi-use trail
2. Enforce the 2018 Amended Discontinuance Agreement, or, in the alternative, provide a notice-and-comment procedure to consider public comment before amending or extending that agreement.

Approved: September 7, 2021



Brian Sites, Chairperson



Austin Harrell

Paul Hodgetts



James Moulton, Vice Chairperson



David Reed


Certification

I, the undersigned, do hereby certify:

That I am the duly appointed Town Clerk of the Town of North Yarmouth and acting; and

That the above-mentioned constitutes a Resolution of the Select Board of said Town, as duly adopted at a meeting of the Select Board thereof, held on the 7th day of September 2021.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed the seal of said Town of North Yarmouth, this 14 day of September, 2021.



Debbie Allen Grover, Town Clerk
Town of North Yarmouth

Resolve 1-21/22

Motion to amend to be the same as the Resolve approved by the Sustainability and Transportation Committee: 9-0 on 9/8/2021

Passage: 9-0 on 9/8/2021

Effective 9/18/2021

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**RESOLUTION REQUESTING THE ESTABLISHMENT OF A RAIL CORRIDOR USE
ADVISORY COUNCIL FOR THE CASCO BAY TRAIL AND THE ENFORCEMENT
OF THE 2018 AMENDED DISCONTINUANCE AGREEMENT FOR THE CASCO BAY
SLA CORRIDOR**

WHEREAS, the Casco Bay Trail refers to a 10-mile, disused rail corridor from Portland to Falmouth, Cumberland, and Yarmouth, currently known as the St Lawrence and Atlantic rail corridor (hereinafter “Casco Bay SLA Corridor”), that was acquired by the State of Maine in 2007 and 2010; and

WHEREAS, the Casco Bay Trail Alliance, formed in 2019, created a vision, and is leading the effort, to convert the Casco Bay SLA Corridor to a multi-purpose “trail-until-rail” to be included in an off-road bicycle and pedestrian trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine; and

WHEREAS, the Casco Bay Trail is part of a broader Maine Trail Plan issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure; and

WHEREAS, long-distance multi-use trails are a key recommendation of a 2010 report “Improving Maine’s Quality of Place Through Integrated Bicycle and Pedestrian Connections” by the Maine Dept. of Transportation, State Planning Office, Dept. of Conservation, and Center for Disease Control and Prevention; and

WHEREAS, the possibility of a trail alongside the existing rail was explored in a 2017 GPCOG/PACTS study “Rail with Trail: Preliminary Feasibility Assessment of Building an Active Transportation Corridor from Portland to Yarmouth;” and

WHEREAS, the focus of the 2017 study was to add a future trail to the existing rail right-of-way so as to preserve the potential for future restoration of freight and/or passenger rail service to the currently inactive rail corridor; and

WHEREAS, the study included a well-attended regional public meeting that indicated a high level of community support for adding a trail to the rail corridor, but also some concerns; and

WHEREAS, the 2017 report recommended that a more detailed feasibility study be developed; and

WHEREAS, the Governor has recently signed into law LD 1133, allowing for the creation of Rail Corridor Advisory Councils to “facilitate discussion, gather information and provide advice to the commissioner regarding future use” of rail corridors owned by the State, and

WHEREAS, the SLA rail right-of-way was originally purchased by the Maine Department of Transportation for rail purposes; and

WHEREAS, a freight operator holds a freight railroad easement, but has discontinued freight service on the rail line, and

WHEREAS, the freight operator is subject to a contract with the Maine Department of Transportation (“the 2018 Amended Discontinuance Agreement”), stating that, unless freight rail service is resumed by November 1, 2021, the operator “shall . . . seek authority from the [Surface Transportation Board] to abandon the Railroad Line,” which, once granted, would terminate the freight railroad easement over the Railroad Line, and

WHEREAS, the Casco Bay SLA Corridor has been studied for possible conversion to passenger rail, but, according to a 2019 study commissioned by the Maine Department of Transportation (the Lewiston Auburn Passenger Rail Service Plan – Operating Plans and Corridor Assessments), converting the Casco Bay SLA Corridor to passenger rail would require transit through the East End with a new “Ocean Gateway Station,” and

WHEREAS, the above referenced 2019 study made a recommendation to “eliminate options that require an Ocean Gateway Station,” and

WHEREAS, the June 2021 Legislative Document 991, “Resolve, Directing the Department of Transportation to Conduct an Economic Evaluation Study for Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area,” lists two options to be further studied, neither of which includes the Casco Bay SLA corridor south of Yarmouth, implying that the Casco Bay SLA corridor is currently no longer being studied for future passenger rail use; and

WHEREAS, it may be worthwhile for the City of Portland to express its interest to Maine DOT to explore the future use of the Casco Bay SLA Corridor as a multi-use trail.

NOW, THEREFORE, BE IT RESOLVED that the Portland City Council hereby petitions the Department of Transportation to:

1. accept the abandonment of the above-referenced freight easement;
2. to the extent the Department is considering any extension or amendment to the above-referenced freight easement, provide a notice-and-comment procedure to ensure that all voices are considered before granting a benefit at no cost to a single company; and
3. create a Rail Corridor Use Advisory Council to consider future use of the Casco Bay SLA Corridor as a multi-use “trail-until-rail.”

TOWN OF YARMOUTH RESOLUTION
Request to MaineDOT for the Creation of a
Rail Corridor Use Advisory Council for the Casco Bay Trail

WHEREAS, the Casco Bay Trail network includes in its vision a 26-mile, disused rail corridor (hereinafter "Casco Bay and Royal River SLA Corridor") from Portland to Falmouth, Cumberland, Yarmouth, North Yarmouth, Pownal, New Gloucester, and Auburn, currently known as the St Lawrence and Atlantic rail corridor, that was acquired by the State of Maine in 2007 and 2010; and

WHEREAS, the Casco Bay Trail Alliance, formed in 2019, created a vision, and is leading the effort, to convert the Casco Bay and Royal River SLA Corridor to a multi-purpose "trail-until-rail" to be included in an off-road multi-use trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine; and

WHEREAS, the Casco Bay Trail network is part of a broader Maine Trail Plan issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure; and

WHEREAS, long-distance multi-use trails are a key recommendation of a 2010 report "Improving Maine's Quality of Place Through Integrated Bicycle and Pedestrian Connections" by the Maine Dept. of Transportation, State Planning Office, Dept. of Conservation, and Center for Disease Control and Prevention; and

WHEREAS, a freight operator, Genesee and Wyoming, holds an operator easement, but is not currently operating freight service on the rail line; and

WHEREAS, the contract between MaineDOT and the Genesee and Wyoming freight company allows for the abandonment of the freight easement by November 2021; and

WHEREAS, abandonment of the freight easement will enable a decision-making process to be led by MaineDOT about the future best use of the Casco Bay and Royal River SLA Corridor; and

WHEREAS, it is recognized that some part of the rail corridor is potentially also suitable for future passenger rail service, but that a 2019 study commissioned by the Maine Department of Transportation ("Lewiston Auburn Passenger Rail Service Plan") recommended that any future passenger rail between Portland and Lewiston-Auburn should avoid the Casco Bay and Royal River SLA corridor south of Yarmouth; and

WHEREAS, there is an alternative corridor that could also be used to extend passenger train service between Portland and Lewiston-Auburn that is still actively used by trains, including Amtrak, thereby allowing both public purposes, trains and trails; and

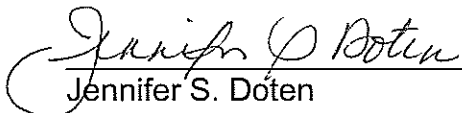
WHEREAS, it may be worthwhile for the Town of Yarmouth to express its interest in the Casco Bay and Royal River SLA Corridor to MaineDOT

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF YARMOUTH ASSEMBLED THIS 15th DAY OF July 2021, THAT:

The Yarmouth Town Council hereby petitions the Department of Transportation to:

1. accept the abandonment of the above-referenced freight easement,
2. to the extent the Department is considering any extension or amendment to the above-referenced freight easement, provide a notice-and-comment procedure to ensure that all voices are considered before granting a benefit at no cost to a single company, and
3. create a Rail Corridor Use Advisory Committee to consider future use of the Casco Bay and Royal River SLA Corridor as a multi-use "trail-until-rail."

VOTED 6-0 by the Yarmouth Town Council by Roll Call vote July 15, 2021 at Yarmouth, Maine.



Jennifer S. Doten
Town Clerk