

To the Members of the Commission to Study Unmanaged Storm Water Pollution:

My name is Roberta Manter, and I am the founder of Maine ROADWays, which is an acronym for Residents & Owners on Abandoned & Discontinued Ways. I wrote to you earlier, and was hoping to be able to attend your meeting on Sept 9 to be able to meet you face to face. It's looking like that may not happen at this time. In my previous letter, I asked if there might be the possibility of doing a presentation on discontinued roads at one of your future meetings. In support of that request, I thought I should give you some more background.

The Maine DOT has produced an index of records of discontinued county roads. (You can view a copy here: <https://www.hancockcountydeeds.com/pdfs/discontinued-roads-sm.pdf>)It contains approximately 3,000 listings of roads that were discontinued under county authority before July 29, 1976. That does not count former county roads that were discontinued by towns after that date, when all county roads in organized townships were transferred to town authority. It also does not count town ways that were discontinued by towns, nor does it count roads that were simply abandoned, whether officially or not. We have been trying for years to get towns to inventory their discontinued roads so we at least know where they are, but that effort has met with resistance.

The vast majority of these roads receive no public maintenance, although many of them remain legally open to unrestricted public use by what ever vehicle can manage to get through. Although there are two statutes that address damage to public easements, both require catching the person who did the damage. But those who enjoy the challenge of traveling on these roads are often counting on the fact that no one will be watching. To add to the problem, these roads are also often seen as a convenient place to dump items that one would have to pay to dispose of properly. So who knows what is being added to the runoff.

I've been collecting data on such roads for over forty years, and now list 300+ towns and growing, that have problem roads. I assist people statewide in trying to find solutions for the problems these roads cause, both on an individual basis, and through legislation. The formation of the Abandoned and Discontinued Roads Commission in 2022 was one of the results of those efforts.

I have had the opportunity to speak on the topic not only to the Legislature, but to various groups and agencies including the Maine Registry of Deeds Association, Maine Society of Land Surveyors, Maine Association of Mediators, and Common Ground Fair. I would love to be able to show you slides of some of the egregious cases of uncontrolled erosion I have seen, such as a plume of silt flowing into Lake St George from a discontinued road.

Please believe me, discontinued roads are a significant contributor to non-point source pollution. A town cannot simply relieve itself of all responsibility to provide maintenance, yet leave a road open to public use, and expect that there will be no adverse effects. I hope that your Commission will be allies in our efforts to get control of this situation. I would welcome the opportunity to be able to show you what I see on a regular basis. You might want to check out the Maine ROADWays facebook page or my website, www.maineroadways.blogspot.com

Thank you.

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