

Joseph Kumiszczka

Cumberland

LD 30

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Opposition to LD 30

Please do not vote to pass LD 30. Please do not allow this railroad infrastructure to be removed. History tells us that once the tracks are pulled, they never get replaced. Our state needs a new comprehensive analysis of Maine's railroad infrastructure. Rail is our economic and environmental future.

The line from Portland to Lewiston Auburn is one of the most important in our state. This current proposal would remove the railway forever; it would not be an "interim" use. Once torn up the line will be legally-defined as abandoned. This attempted conversion will trigger a claim for money damages from abutting property owners. The claim results from the blocking of resident's reversionary property rights in the rail corridor. This taking would require payment of just compensation under the Constitution. The claim is based on Maine property law. Owners of land that abut a public right of way (in this case a former rail corridor) are presumed to own a portion of the land with the right of way, such that when the railroad is ever abandoned the land would revert to their ownership. Please, do not remove the rails.

Passenger rail traffic is increasing. Amtrak has set records this year for both ridership and revenue levels. They expect to double ridership nationwide by 2040, with a strong focus on the East Coast. Boston is now looking at an \$8 billion rail plan that would benefit Maine. This plan would link North and South Stations and finally connect Maine to the rest of the country through one rail line. Maine has pledged to reduce its transportation emissions significantly. Clean fast electrified rail will transform the region and remove tens of thousands of cars from the roads. The line between Portland and Auburn is part of America's first International rail line. The railway connects Portland to Montreal. This can be the start of future expansion north to Montreal, but we need to preserve this rail-line to accomplish that. Rail proponents have identified the federal dollars to accomplish how we can convert this line to electrified passenger rail in 2 to 3 years and run 20 trips per day between Maine's largest metro areas.

New rail-line usage offers a vision for our economic and environmental future. While other transportation sectors have been slow to electrify, 75% of all passenger rail transportation takes place on clean electric trains. Every other state in New England is moving forward in planning and policy development for passenger train services, Maine is not.

The Trail Alliance claims the trail will reduce the use of vehicles; this RECREATIONAL trail would increase vehicle emissions as people will have to drive and park to use this trail. For example, there would be no public access in Cumberland to the proposed trail. The Rail Use Advisory Council process that investigated the trail use was flawed. The membership of the council was loaded with special interest groups. There was no input from personal property owners from any of the towns affected by this trail. Well-organized and well-funded proponents of the project have abused the public engagement process, and have pushed this project through before property owners have been notified about what is going on. This is nothing short of a vaguely disguised land grab by special interest groups.

You will not find a similar trail that hasn't generated a significant increase in unlawful camp sites, property damage, and physical assaults. Who will patrol and who will respond to folks abusing private property. If this is to be state-property...where does that liability lie, what are our protections? There is no public access in much of the corridor; how will police or rescue units respond? Recently Portland Trails said it's discouraging people from using part of the Presumpscot River Trail as there have been documented incidents of violence and injury to people.

There are the obvious reasons to not proceed with a high traffic trail route at the

expense of a potential passenger rail line. I've listed several, but the "Stop the Casco Bay Trail" Website (at stopcascobaytrail.com) outlines many more.

It's common sense. Vote LD 30 Ought Not To Pass. Don't rip up our railroads for recreational trails.