



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

May 18, 2023

**Testimony of Meghan Russo
Maine Department of Transportation
Before the 131st Legislature, Joint Standing Committee on Transportation**

In Opposition to LD 209

An Act to Authorize an Interim Use Trail on the Berlin Subdivision Rail Corridor

Senator Chipman, Representative Williams and members of the Joint Standing Committee on Transportation, I am Meghan Russo, Manager of Legislative and Constituent Services for MaineDOT. MaineDOT respectfully opposes LD 209.

LD 209 circumvents the process that was established by this committee during the 130th Legislature with the passage of LD 1133, currently found in 23 MRSA §75. This process established the Rail Use Advisory Council and guidelines for the review of non-rail recreational or nonrecreational transportation use of state-owned inactive rail.

Advisory Councils are established for individual segments of rail line and are charged with making recommendations to the Commissioner of MaineDOT, and at that time, based on the council's recommendation, the Commissioner may choose to submit legislation. The purpose of this council is to facilitate discussion, gather information, and provide advice to the commissioner regarding the future use of a rail corridor identified in the petition. These recommendations will include the benefits and costs of potential uses of the rail corridor, including rail and trail use, with the understanding that *any non-rail use of the corridor is considered interim in nature.*

The final Portland to Auburn Rail Use Advisory Council meeting was held on January 26, 2023. At this time the council has voted 7 in favor of an interim trail until rail use, 5 in favor of rail with trail, 1 in favor of a rail only use, and two members of the council abstained from voting. Commissioner Van Note is reviewing the report and recommendations and has not determined whether he will bring forward a resolve to this committee, at this time.

Thank you for your consideration. As always, we are more than happy to answer any questions you may have.