



**Dick Woodbury
Casco Bay Trail Alliance**

Testimony in Support of LD209 Amendment

Resolve, to Direct the Department of Transportation to Implement the Recommendation of the Portland to Auburn Rail Use Advisory Council

May 18, 2023

Senator Chipman, Representative Williams, and Members of the Committee on Transportation:

My name is Dick Woodbury. I live in Yarmouth, around the midpoint of the proposed Casco Bay Trail between Portland and Auburn. I am also a Board member of the Casco Bay Trail Alliance, and I am testifying today on behalf of the Alliance. We strongly support the amendment to LD209.

The Proposed Bill Amendment Would Authorize MaineDOT to Approve an Active Transportation Thoroughfare Connecting Maine's Largest Population Centers

There is great demand in Maine for safe active transportation opportunities, as demonstrated by the extensive public comment on today's bills. People in Maine want to get out of their cars—whether to commute to work, travel to a local shop, or enjoy the outdoors. Creating the infrastructure for active transportation options isn't just popular. It's good for the environment and public health, too.

The proposed bill amendment would authorize a trail connecting Maine's two largest population centers—Lewiston/Auburn and Portland—and the many towns in between, including New Gloucester, Pownal, North Yarmouth, Yarmouth, Cumberland, and Falmouth. The resulting off-road trail would connect communities, trails, and public transportation options between these communities.

MaineDOT has recognized the great potential benefits in rail trails like the one proposed in the bill amendment for LD 209. According to MaineDOT's Statewide Active Transportation Plan, a thriving active transportation system is one that:

1. Supports and improves people's quality of life and ability to access jobs, education, businesses, healthcare, essential services, social/recreational opportunities, and other destinations;
2. Can serve as a first- and last-mile connection to other modes of transportation;
3. Is accessible to all Maine people and visitors; and
4. Can serve as an integrated, safe, and connected system regionally and statewide.

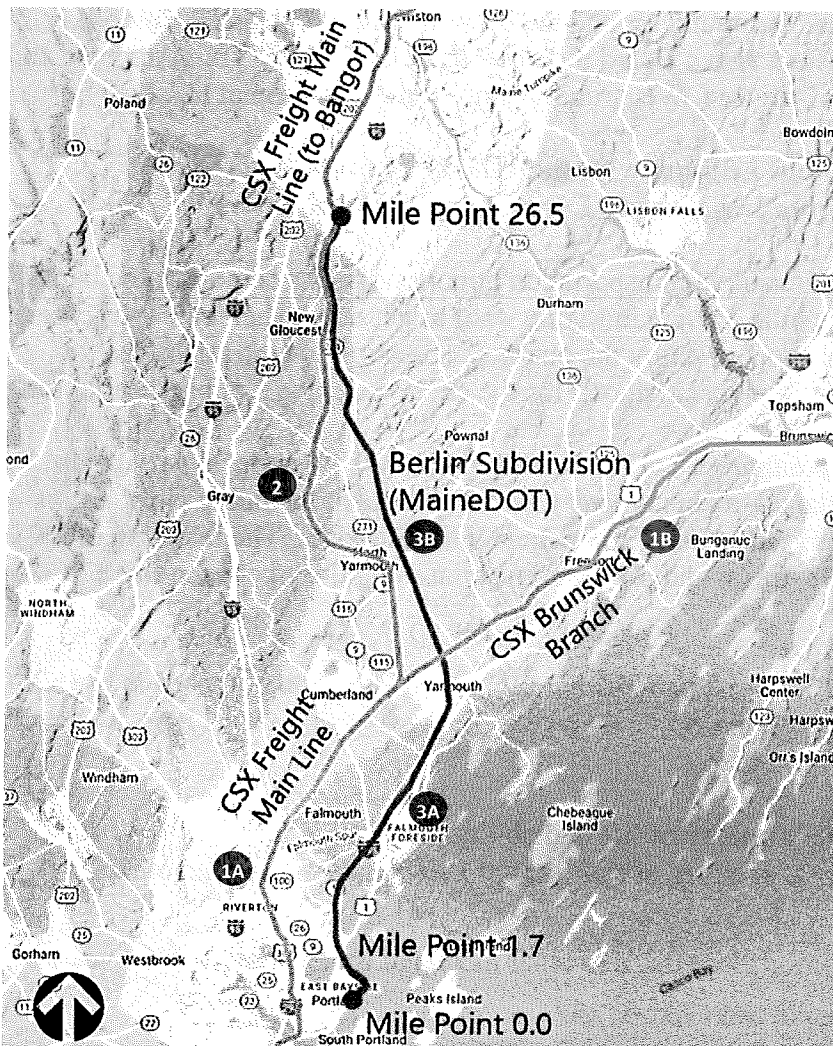
The proposed interim trail between Portland and Auburn satisfies all these goals and would make the connecting cities, towns, and region more livable, healthy, and environmentally friendly.

The Rail Use Advisory Council Process for the State-Owned Corridor from Portland to Auburn Supports an Interim Trail

The proposed LD209 amendment would implement the recent results of the Portland-to-Auburn Rail Use Advisory Council. MaineDOT recently completed the rail use advisory council process for the Portland-to-Auburn corridor, with 12 members voting for a trail use (either interim trail or rail with trail), and 7 voting specifically for interim trail. Only one person voted against any trail use.

The draft bill amendment would also provide MaineDOT with discretion in how to move forward, including with more information gathering. Current law prohibits trail use of this corridor. Allowing MaineDOT to authorize an interim trail—as reflected in the draft bill amendment—would enable further planning and development for an interim trail that satisfies all MaineDOT’s priorities.

The following map was developed as background to the RUAC process and demonstrates the case for prioritizing the Berlin Subdivision corridor for a trail. The reference numbers and notes are ours.



**CBTA Vision for
Prioritizing Corridors**

- 1 This corridor is already shared by CSX and Amtrak for freight and passenger rail use from Haverhill, MA to Brunswick, ME.
- 2 This corridor is actively used by CSX for freight. It has substantial unused capacity that could be designated for similar shared passenger service to Lewiston-Auburn, Waterville, Brunswick, and/or Montreal.
- 3 This corridor is unused, does not connect to Portland Transportation Center, and is less cost effective than line 2 for restoring passenger service to Lewiston-Auburn. It would make an unbelievable rail trail; likely one of the most popular in the country with all associated economic benefits.

Berlin Subdivision Rail Corridor Study area

Prioritizing Corridors for Rail and Trail

Throughout the development of the Casco Bay Trail vision, we have advanced the view that the Berlin Subdivision rail corridor, shown in purple on the map, can be repurposed as a rail trail without in any way compromising prospective future passenger trains to Lewiston-Auburn, Waterville, Brunswick, and/or Montreal.

There are many reasons why the CSX corridor, shown in orange on the map, makes more sense to prioritize for expanded train service if that becomes feasible.

First, it is the only corridor that goes through Portland Transportation Center, thereby accessing destinations to the South. (The Berlin Subdivision dead ends in Portland.)

Second, it builds on an active CSX-Amtrak partnership that enables freight and passenger services to be coordinated on the same line. This is already done on about 100 miles of track between Haverhill, Massachusetts and Brunswick, Maine. Such an agreement could easily be expanded to include service to Lewiston-Auburn and beyond. Indeed, it is impossible to move a train from Portland to downtown Lewiston-Auburn without using CSX tracks.

Third, it concentrates whatever limited funds Maine decides to allocate to rail to the upgrading and ongoing maintenance of just one corridor in this region, rather than two.

And **fourth**, it enables us to advance dual public purposes – trains and trails – between Maine’s two most populous metropolitan areas.

Finally, if a second active train corridor between Portland and Lewiston-Auburn became desirable and feasible in the future, the “interim” nature of the Portland-to-Auburn trail would defer to that need, as reflected in the draft bill amendment.

Study after study reaches essentially the same conclusion:

- A \$500,000 study conducted by VHB and WSP in association with NEPRA, MaineDOT, and the cities of Auburn and Lewiston (Lewiston-Auburn Passenger Rail Service Plan: Operating Plans and Corridor Assessments, May 2019) found that: “Light rail is not considered appropriate for the corridors being considered because it cannot operate on existing railroad track” (page 6). Further, the report found that the proposed route on the Berlin Subdivision railway from Yarmouth to Portland (requiring the Ocean Gateway station in downtown Portland) is “an impractical proposition” (page 91). The report recommended: “eliminate options that require an Ocean Gateway Station” (pages ES-2, 98).
- A \$200,000 study conducted by VHB and RKG in association with NEPRA, MaineDOT, and the cities of Auburn and Lewiston (Lewiston-Auburn Passenger Rail Study: Economic Evaluation Study, January 2023) found that even for alignments other than Ocean Gateway, the Lewiston-Auburn rail concept was given an “estimated low rating” for relevant criteria such as “mobility improvements” and “environmental benefits” (page 19).
- In their April 2023 letter conveying this most recent Passenger Rail study to your committee, MaineDOT writes: “MaineDOT has concluded that passenger rail service to Lewiston and Auburn is currently not eligible or competitive for federal discretionary

funding” (cover letter, page 7). Further, because of these findings, “MaineDOT does not support designing or constructing a passenger rail alternative between Portland and the Lewiston and Auburn area at this time” (cover letter, page 8).

- In Maine DOT’s recently adopted Maine State Rail Plan, March 2023, the Department again finds that “In its current form, the Lewiston-Auburn passenger rail project does not appear eligible for CIG funding” (page 60), a key federal funding source for heavy rail, commuter rail, light rail, streetcars, and bus rapid transit.
- Maine DOT’s recently adopted Maine State Active Transportation Plan, March 2023 lists the Portland-to-Auburn trail as the first priority among rail-trails, based on criteria such as accessing “jobs, educations, business, recreation, and other destinations” and serving “first- and last-mile connections to other transportation modes” (see page 60).
- The Greater Portland Council of Governments, after a careful review process, selected “Casco Bay Trail, Phase I” for inclusion in their Connect 2045: A Long-Range Transportation Plan for Greater Portland, Maine, December 2022 (pages 122, 125). The proposed Phase 1 project covers 11.3 miles, including all the proposed Berlin Subdivision rail trail in Falmouth and most of the proposed rail trail in Yarmouth. Also recommended in the GPCOG long-range plan were the “Portland City-wide Shared Use Pathway Network Projects” (pages 123, 125) which include the Portland segment of the Berlin Subdivision rail trail from the waterfront (at the new Roux Institute) to the Falmouth town line.

Based on these volumes of past studies, many of them completed this year, and buttressed by the support for a trail-until-rail option among most voting members of the RUAC committee, there is simply no good rationale for putting off the authorization of this corridor as an interim trail.

The Linchpin of a Statewide and National Vision

This project is not just for the local residents and communities that want this trail. It is also integral to multiple Active Transportation plans, including the Maine Trails Coalition’s Maine Active Transportation Arterials Plan and Greater Portland Active Transportation Arterials Plan; the Casco Bay Trail loop between Portland, Lewiston-Auburn, Brunswick, and back to Portland; and the national 3,000-mile East Coast Greenway from Calais, Maine to Key, West Florida. Map illustrations of all four corridors are provided on the next page; and use of the Berlin Subdivision corridor as a rail trail is a linchpin of all four.

The combination of its being a high-volume commuter route between Freeport and Portland, its recreational appeal through the many beautiful parks and lands of the Royal River watershed, its connectivity between Maine’s two most populous metropolitan areas, and its connectivity within Portland between the peninsula, East Deering, and the new Roux Institute – together will make this rail trail among the most popular in the country – with all the tourism and economic development impacts that accompany major destination rail trails nationally.

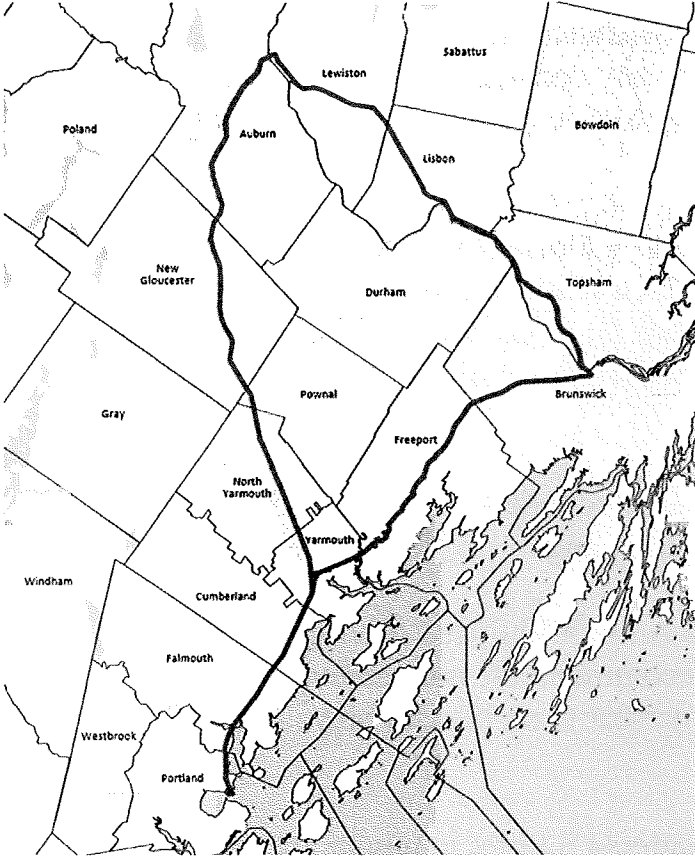
Thank you for your consideration.

Sincerely,
Board of Directors
Casco Bay Trail Alliance

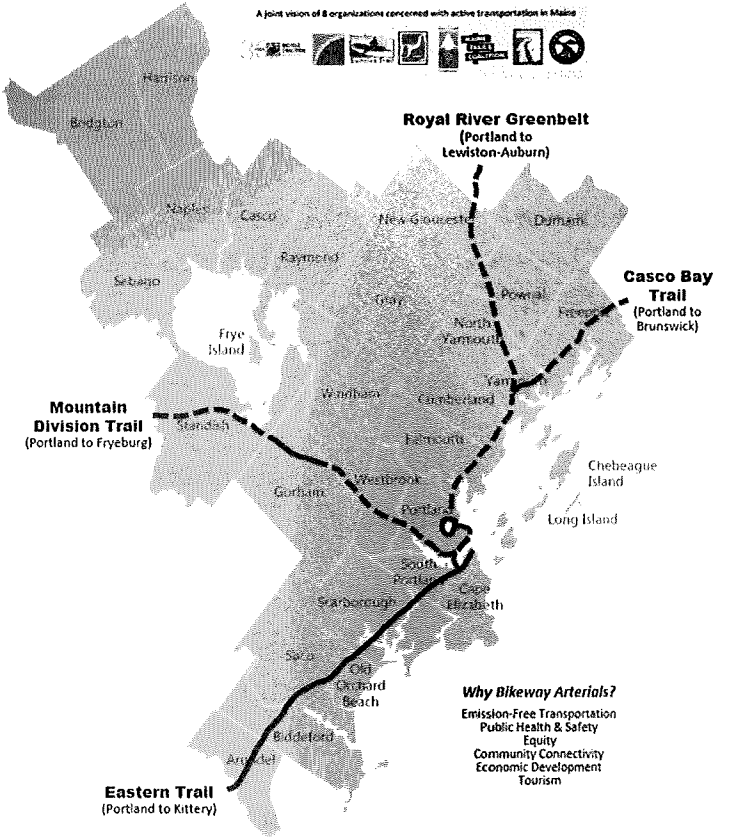
www.cascobaytrail.org
cascobaytrail@gmail.com

THE BERLIN SUBDIVISION IS INTEGRAL TO ALL REGIONAL TRAIL PLANS

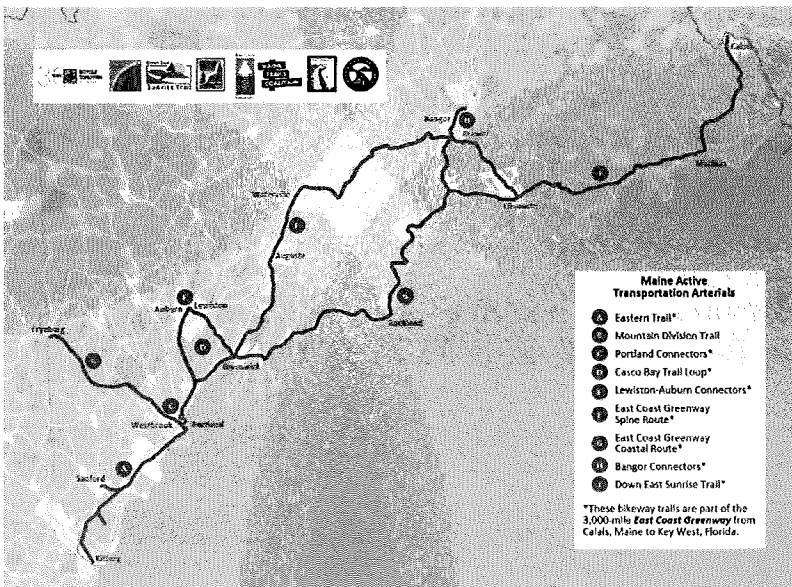
CASCO BAY TRAIL LOOP



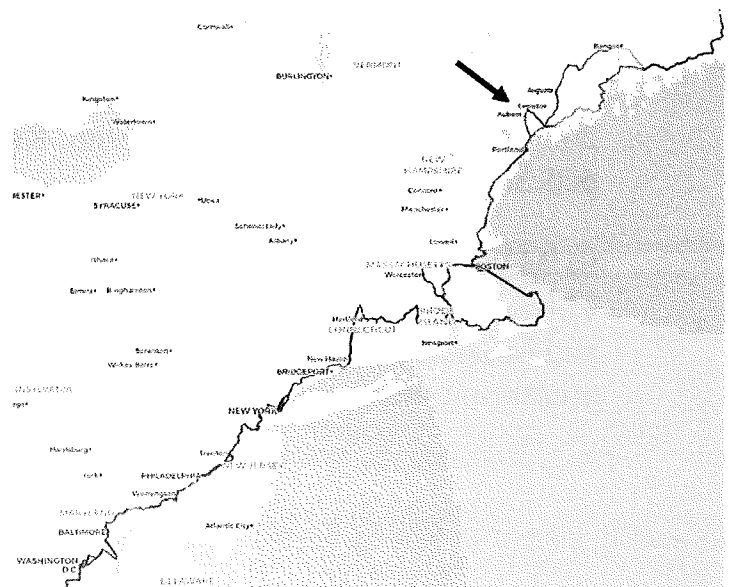
GREATER PORTLAND ACTIVE TRANSPORTATION ARTERIALS



MAINE ACTIVE TRANSPORTATION ARTERIALS



EAST COAST GREENWAY



Proposed Amendment to LD209

Resolve, to Direct the Department of Transportation to Implement the Recommendation of the Portland to Auburn Rail Use Advisory Council Preamble.

Whereas, the State Railroad Preservation and Assistance Act requires the Department of Transportation to seek legislative approval for any conversion of a state-owned rail corridor in which the department controls the right-of-way to a nonrail recreational or nonrecreational transportation use; and

Whereas, the Portland to Auburn Rail Use Advisory Council was formed in April 2022 pursuant to Maine Revised Statutes, Title 23, section 75, to review the section of the St. Lawrence and Atlantic rail corridor from mile post 0.0 in Portland to mile post 26.5 in Auburn, referred to as the Berlin Subdivision Rail Corridor, for potential nonrail use; and

Whereas, the Portland to Auburn Rail Use Advisory council convened and met for nine months from April 2022 through January 2023; and

Whereas, of the 13 members of the Portland to Auburn Rail Use Advisory Council to cast a vote, a majority of 7 members voted to recommend the conversion of 26.5 miles of the inactive Berlin Subdivision Rail Corridor to an interim bicycle and pedestrian trail; and

Whereas, any conversion to nonrail use is considered interim in nature and rail corridors are to be preserved for future rail use as provided under the State Railroad Preservation and Assistance Act; now, therefore be it:

Section 1. Trail construction on Berlin Subdivision Rail Corridor.

Resolved: That, based on the recommendation of the Portland to Auburn Rail use Advisory Council, the Department of Transportation may permit the conversion of 26.5 miles of the Berlin Subdivision Rail Corridor to an interim bicycle and pedestrian trail.

SUMMARY

This resolve allows the Department of Transportation to permit an interim bicycle and pedestrian trail on 26.5 miles of the inactive Berlin Subdivision Rail Corridor, while preserving the corridor for future rail use.