

May 1, 2025

Testimony of Peter S. Merfeld, P.E., Maine Turnpike Authority  
Before the 132nd Legislature, Joint Standing Committee on Transportation

**In Opposition to LD 1138**

**An Act To Reduce Pollution Associated with transportation in Alignment with the State's  
Climate Action Plan**

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Senator Nangle, Representative Crafts, distinguished members of the committee, my name is Peter Merfeld and I am the Chief Operations Officer for the Maine Turnpike Authority (MTA). I am here today to testify in opposition to LD 1138.

MTA is firmly committed to doing our part to combat climate change. We have integrated sustainability into our long-range planning, investments, and operations, and I had the privilege of serving as the MTA representative on the Governor's Transportation Working Group (TWG) of the Maine Climate Council. Through that experience, I contributed to the consensus-based recommendations that shaped the "Maine Won't Wait" Climate Action Plan.

We appreciate the sponsor's amendment to LD 1138. However, despite these changes, LD 1138 still imposes burdensome and redundant requirements that could significantly hinder MaineDOT's and MTA's ability to deliver transportation projects effectively.

First, the amendment continues to require highly complex modeling and impact assessments — including projections of induced demand and net change in vehicle miles traveled (VMT) — prior to the inclusion of projects in work plans and long-range plans. While we support thoughtful environmental review, these modeling demands are resource-intensive, costly, and reliant on highly specialized expertise. For example, evaluating indirect land use impacts for the Gorham Connector alone cost approximately \$100,000 and took 18 months to complete. Extending such requirements statewide would overwhelm limited staff and financial resources.

Second, LD 1138 remains redundant with existing state and federal environmental review laws. Transportation projects already undergo rigorous environmental review processes, including under the National Environmental Policy Act (NEPA), the Maine Environmental Policy Act (MEPA), and MaineDOT's own Public Involvement and Environmental Review Procedures (STPA 17-229 C.M.R. ch. 103, § II-2). Public transparency and participation are built into these existing frameworks.

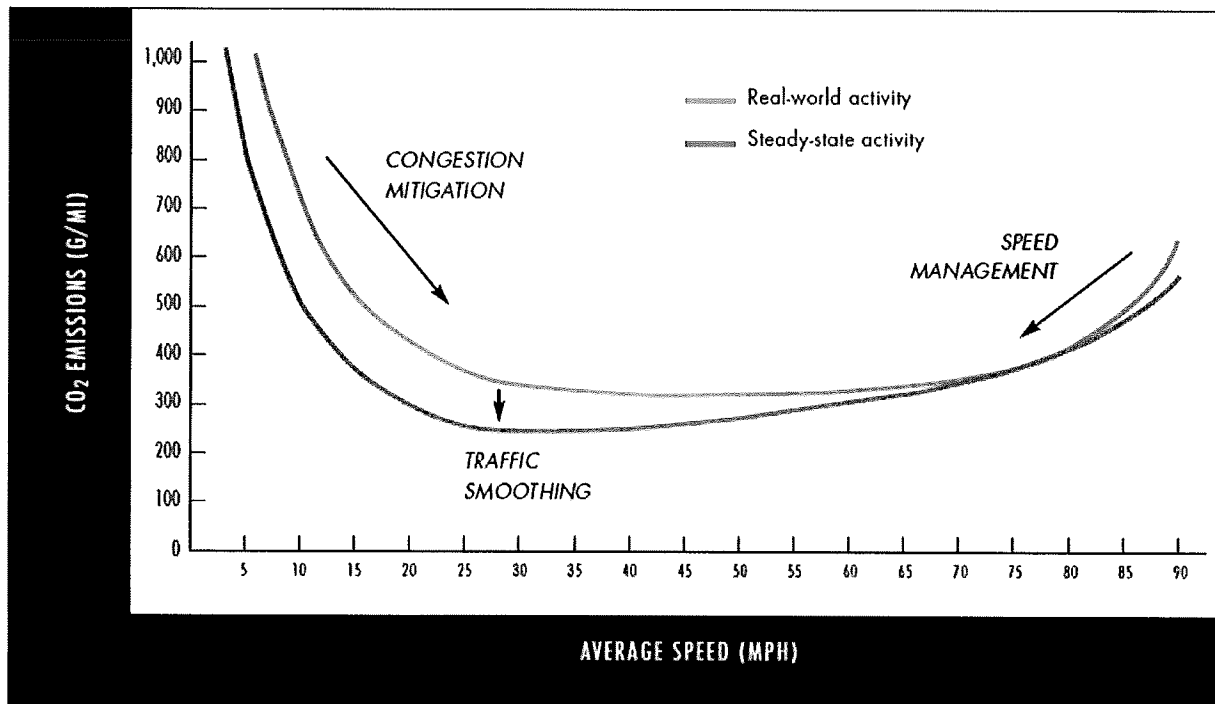
Third, the bill places unrealistic expectations on MTA and MaineDOT to track activities and impacts that are beyond our ability, such as land use changes, parking management, and private development decisions. These are functions typically managed by municipalities, regional planning organizations, and environmental agencies like the EPA. Adding such responsibilities to transportation agencies' core missions is impractical and counterproductive.

Fourth, while VMT is an important metric, using it as the primary measure for greenhouse gas emissions reductions oversimplifies complex dynamics. Travel behavior, vehicle technologies, speed, and trip purposes all influence emissions. As shown by the emissions vs. speed curve below, optimizing traffic flow — even with higher VMT — can reduce greenhouse gas emissions. Moreover, advances in electric and hybrid vehicle adoption will decouple VMT from emissions trends.

Fifth, LD 1138 assumes that all roadway capacity expansions will automatically induce additional demand. Our experience with the Maine Turnpike widening project from Wells to South Portland in the early 2000s suggests otherwise. The project successfully relieved congestion without triggering unsustainable growth in vehicle volumes, providing lasting benefits to public mobility and economic development.

In conclusion, while we respect and share the intent of LD 1138 to address transportation-sector emissions, the bill's requirements remain misaligned with the practical capabilities and missions of MaineDOT and MTA. For these reasons we oppose LD1138.

Thank you for your time and consideration. I would be happy to answer any questions.



Barth, Matthew, and Kanok Boriboonsomsin. "Traffic Congestion and Greenhouse Gases." Access Magazine, Fall 2009. [Accessed April 28, 2025].

Available: <https://www.accessmagazine.org/fall-2009/traffic-congestion-greenhouse-gases/>