

Memorandum of Agreement  
among  
MAINE TURNPIKE AUTHORITY (MTA) and MAINE DEPARTMENT OF TRANSPORTATION  
(MaineDOT)  
and  
certain MAINE MUNICIPALITIES WEST OF PORTLAND  
REGARDING a GORHAM CONNECTOR  
2021 - 2026

Whereas, transportation deficiencies in traffic corridors west of Portland have been evident to the Maine public and policy officials for decades;

Whereas, these deficiencies arise from insufficient capacity, increasing congestion, safety hazards and outmoded roads;

Whereas, such deficiencies have been documented in numerous studies and reports dating back to the 1970's, including, among others:

- the Westerly Connector Study (1988),
- the Route 25 Corridor Study (1993),
- the Gorham-Portland Alternatives Analysis (1997),
- the Route 114/1-295 Ramp Study (1998),
- the Route 22/114 Location Study (1999),
- the Maine Mall Area Transportation Plan (2001),
- the PACTS 22/114 Overlap Study (2002),
- the Gorham Bypass Environmental Assessment (2003),
- the Gorham East-West Feasibility Study (2012), and
- the PACTS Destination Tomorrow Plan (2017);

Whereas, following a Gorham Bypass Environmental Assessment in 2003, MaineDOT constructed a two-lane limited access highway connecting Routes 25 and 114 to relieve congestion within Gorham Village;

Whereas, in 2007, in response to further concerns about the need to improve connections between Greater Portland and points west, the 123rd Maine Legislature enacted a Resolve (LD 1720) directing MaineDOT and MTA to study "existing highway infrastructure and future capacity needs" within the region;

Whereas, in 2009, MaineDOT, MTA, PACTS, and the municipalities of Gorham, Scarborough, South Portland, and Westbrook responded cooperatively to the Legislative Resolve by entering into a public process to develop solutions to traffic deficiencies west of Portland;

Whereas, after study and public engagement over a span of several years, the parties jointly produced in 2012 a comprehensive Gorham East-West Corridor Feasibility Study that identified three overlapping strategies:

1. **Improved highway.** Build an improved roadway system to reduce vehicle hours traveled, reduce fuel consumption, eliminate safety hazards, improve air quality, enhance economic productivity, create faster and more viable transit routes, remove through traffic from secondary and residential roads to make room for pedestrians, bicycles, and those seeking a local destination, create opportunities for long range community planning, and restore a village character to those parts of North Scarborough, South Gorham and Westbrook that are daily overwhelmed with rush hour traffic;

2. **Land Use Planning.** Revise and integrate comprehensive land use plans to take advantage of and preserve highway traffic solutions, to foster economic development and community revitalization, to preserve and enhance regional livability, and to preserve a sense of community and quality of life in a manner consistent with Maine's Sensible Transportation Act;

3. **Expand Transit.** Develop more transit routes into the region to preserve highway capacity, to fulfill land planning goals, to enhance connectivity to the Maine Mall, Portland downtown, transportation centers, hospitals, health facilities, and college campuses, to improve workforce access to good jobs, and otherwise to serve populations seeking to live in compliance with municipal comprehensive plans;

Whereas, significant mobility and safety deficiencies documented by MTA and MaineDOT persist in the region despite land use and transit improvements that have so far been implemented;

Whereas, in 2017, the State Legislature enacted Public Law 68 (LD 905) which authorized MTA to

"Construct, maintain, reconstruct and operate a connector in Cumberland County from Route 114 in South Gorham to an interchange on the turnpike to address safety and mobility deficiencies in a manner that maximizes public safety, enhances the mobility of people and goods, and minimizes adverse effects on the community in accordance with local and regional comprehensive planning."

Whereas, this second legislative directive added turnpike bonding authority and was endorsed by municipalities most affected by the project;

Whereas, on September 6, 2018, the MTA Board approved a *Resolution Relating to the Proposed Gorham Connector* authorizing MTA staff to study potential corridor alignments for a Connector between the Gorham By-pass roundabout on Route 114 and Exit 45 on the Maine Turnpike, to perform traffic forecasts and revenue estimates, to engage with landowners along potential corridors, to analyze regional natural resources, and to evaluate requirements for permitting a highway corridor within the region;

Whereas, GPCOG's 2016 Destination 2040 regional long range transportation plan and 2021 Transit Tomorrow strategic plan projects that the region will continue to experience population growth, further exacerbating existing traffic deficiencies and reducing connectivity between the region and major transportation facilities in greater Portland including the Maine Turnpike, the Portland Jetport, the Portland Transportation Center, the Maine Mall, and nearby connecting highways;

Whereas, funding levels and work plan obligations for MaineDOT do not support constructing effective roadway improvements along existing roadways in the region and there is no room to expand existing roadways and intersections without condemning many homes;

Whereas, adding capacity via a Gorham Connector is most effective to achieve the goal of improving interconnectivity between the Maine Turnpike and other transportation systems in the region and is consistent with MTA's statutory purpose;

Whereas, a new Gorham Connector will reduce CO and GHG emissions as called for in 2020 *Maine Won't Wait: A Four-Year Plan for Climate Action*;

THEREFORE, MTA, MaineDOT, and the Municipalities agree as follows:

1. MTA agrees to advance development of the Gorham Connector between the southern terminus of the Gorham Bypass and Exit 45 on the Maine Turnpike based on financial viability, legislative direction, and municipal support.
2. MTA will develop a project plan through design, permitting and construction consistent with the requirements of the STPA, Maine Natural Resources Protection Act (NRPA), National Environmental Policy Act (NEPA) and the US Army Corps of Engineers New England Highway Methodology.
3. MTA will advance the Gorham Connector using a process to gather public input from an advisory committee and technical working groups on design components and potential public benefits to support local community goals beyond traffic improvements (e.g., multimodal transportation, commuter parking, public transit expansion, and achievement of land planning goals).
4. MTA will endeavor to obtain right-of-way in as amicable a manner as possible and will maintain strict adherence to the MTA Acquisition Policy.
5. To the extent practicable, MTA will design the Gorham Connector to avoid, minimize and mitigate impacts to cultural and natural resources, including wetlands, the Red Brook watershed, farmlands, historic areas and structures, and wildlife corridors and habitat.
6. Following construction, MTA will be responsible for ongoing operation and maintenance funded through the collection of tolls.
7. To assist in developing the Gorham Connector in a supporting role, MaineDOT agrees to:
  - (a) Participate in an Advisory Committee through appointment of a representative to regularly attend Committee meetings and provide information and advice from the perspective of MaineDOT.
  - (b) Explain publicly the benefits of the Gorham Connector as part of an integrated solution to safety and mobility needs and land planning in the region; participate in public forums to explain how the Connector fulfills goals contained in DOT work plans and asset management plans; and
  - (c) Evaluate regional transportation improvements to maximize the effectiveness of investments in the transportation network and support municipal land use goals.
8. To participate in a supporting role each municipality agrees to:
  - (a) appoint a representative to an Advisory Committee to guide development of the Gorham Connector, have the representative available to attend regular meetings and to coordinate with MTA and DOT in matters relating to the project;
  - (b) explain publicly the benefits of the Gorham Connector as part of an integrated solution to safety and mobility needs of the region, participate in public forums and explain relevant land use goals contained in comprehensive plans;
  - (c) support and explain the results and recommendations of studies and agreements, including specific transportation and land use management strategies, when requested by the legislative body of the Town, by PACTS, by the press, or by members of the public;
  - (d) cooperate with other parties to this Agreement and with those who may join as partners; and

