

WATERFRONT PLANNING FOR THE BLUE HILL BAY REGION

July 9, 2012

Ellsworth City Hall Auditorium

Meeting Notes

Tom Martin, Hancock County Planning Commission welcomed everyone to the meeting and Barbara Arter, BSA Consulting reviewed the objectives of the meeting and of the project (Blue Hill Bay Watershed Needs Assessment). She also reviewed some of the maps of the area illustrating waterfront access.

Natalie Springuel, Maine Sea Grant Program: "*Preserving the Working Waterfront: Available Tools*"

- There is a Working Waterfront Coalition - Maine is leader in WW.
- Maine has developed tools which are new and innovative and exiting approaches.
- Some conservation and some protecting working waterfront.
- Website in accessing the Maine coast: [Accessing the Maine Coast](http://www.accessingthemainecoast.com): Hosts a comprehensive website to help waterfront users, government, public entities, and private waterfront landowners address coastal access issues in their communities - www.accessingthemainecoast.com
- A trend in declining access
- How to have a positive impact to your community regarding waterfront access. Are you a private landowner or a planning board or a waterfront user?
- Example - clam flats - you used to clam the flats and now a new landowner is limited access. So there are tools to help you.
- Tools available can be characterized: 1) acquire the lands 2) get rights to use land; contract for access, 3) plan and regulate, and 4) use policy for access. See website.....
- Contracting for access - ex) clammer can approach new land owner and develop a contract.
- Example for agreements: the Maine Island Trail association - helped put Maine on map for protecting access. MITA focuses on access with agreements with landowners and there are some in BHB. The landowner offers use of that island and organization pays fee.
- The category of acquiring access - buy it or a partial interest in the land. Own the land or get an easement (right to use land) for example, secure an easement to clam flat.
- Conservation easement - property is in landowner's control but there are stipulations regarding development but you can put in access.
- Another category is protecting land for conservation. And protecting lands for access and easement.
- Ex) lobstermen had access to pier and pier went for sale. They tried to buy it but they were short so they sent to York Land Trust who stepped up to buy and provide easement. This is first working model.

- The land value in current use taxation which allows for 50% taxes. Enroll in this tax incentive program.
- Davis wharf - has 9-10 lobstermen - this is another positive example.
- Fish pier at current use taxation in Tremont. Through WW pilot program - money from MLF. Apply for funding in order to enhance WW and put in covenant so that it stays as WW and not developed. They sold their development rights. But kept fishing rights. The DMR holds a covenant. Could be town that applies. "Coastal enterprises" helps it happen. Protected 19 props since it was passed and 750 jobs,
- How do you define working waterfront. Yes it's lobsters having access to coast. But someone else has different idea. The state of Maine as a traditional marine resource but we may expand it to include recreation and tourism.
- Question: what if town loses fishermen then they are stuck with restricted harbor/pier etc?
- WW is currently now fishing and fishing support. 20% for open space and 50% for WW.
- Town can apply for funds if they have a landowner. It can be a coop or a town or landtrust. Step one -call Coastal Enterprises.
- Is there a quota - yes there are different taxing.
- It is important to have it in your comp plan. The criteria in the application are that you should have it in your comp plan. What if town does not have a comp plan? Is there more than one way to skin a cat? In terms of protecting the land, you do not have to have your town involved.
- BHHT is getting involved with Brooksville. More land trusts are starting to do this.
- From tax assessor standpoint, it saved the fishermen as well as the birds and bees for conservation organizations.
- It's about preserving fishing industry.

Peter A. Slovinsky, Maine Department of Conservation: "Planning for Sea Level Rise and Storm Surges"

- Highlights of transferrable other efforts.
- What has been done in other places? Nothing has been done in E Maine. So we will look at southern Maine.
- Sea level is rising regardless of cause. What is impact?
- Why does sea level change? global sea level -1) thermal expansion and 2)volumetric increase from ice and 3) global climate variation. Land is sinking and sea is rising due to seasonal variation, major current influences
- Last hundred years from 1947-2011. Sea level 2.2 mm/year and in 100 years it raised 8 inches. Last fifty years is the fastest increase we have seen in the last 13000 years. 8 inches per century.
- Predicting sea level rise - 2 feet rise is expected by 2100 year.

- 1992-2011 there has been 3.1 mm per year increase. But this is without considering ice sheets melting. So you come up with 13 inch rise in the next 50 years. So for planning purposes use a range of sea level rise.
- Mean sea level is higher in summer than winter. All of the highest measurements have occurred in the recent years.
- Storm surge - 3 ft or more happens once every 7 years.
- Surge = predicted tide plus observed tide is "surge." And include freshwater precipitation events.
- Maine - what is it doing to plan for SL rise? 1995 report for southern Maine. Nothing happened to it. 2006 produced Protecting Maine Beaches for the future. This was directed for coastal sand dunes. Need to bring info to local communities. ex) NOAA office for community outreach with technical assistance.
- SLAWG - a sea level working group. Towns are incorporating info. Working with Old Orchard Beach and Saco and Scarborough beaches so we are getting with towns to work with communities
- Question to think about: where might wetland move ; where might clam flats move?
- They use LIDAR data and create a model - GIS-based visualization. A 3-D view of Ocean Park - this community has terrible flooding. And highest annual tide plus two feet - is flood level. They got this flood in 2007 but they realized that they could get this level of flooding could happen every month. Roads would not sustain. So now that we know how its going to food and how to plan - improve culverts, raise roads, better ditching.
- Implementation strategies: 1) use LIDAR to set shoreland zoning - 250 ft from highest tide 2) add SLR to coast mgmt 3) also change floodplain ordinances to increase freeboard. Build a house that is 3 ft above the 100-year base flood elevation.
- Consider identifying areas to undeveloped uplands which may allow for floodplain, wetlands, overflow, etc.
- Elevate walking paths on top of protective walls.
- Engineering strategy to close off bay.
- Emergency access needs to be re-examined.
- Tide gates- close during surge.
- Remove tidal restrictions.
- Elevate vulnerable roads
- Elevate infrastructure
- Retrofitting storm drains so that they don't back up
- Build fish pier higher than predicted highest high tide.

General Discussion of Public Access Challenges Facing the Blue Hill Bay.

- Examples - BH Hospital was flooded a couple years ago.
- Other examples of flooding in area?
- Get Pete's Ellsworth data.

- Use a higher flood plan ordinance - build 3 ft higher rather than 1 ft higher.
- SHIP Program: MDOT funding to repair or maintain pier, etc
- Towns can apply for grants - when you apply consider SL rise.
- How can towns work together?
- Carl: MCHT is disappointing in that it looks non-advertising of public access. They don't put up sign – Gotts Island , Anne's Point has no signs and does not encourage public access. Land trusts need to encourage access - through signs, and better paths, they get tax break but there is no access. Tax breaks for conservation land helps town of Tremont. Towns can share public access. Open space needs to be advertised - Gotts Island is an example.
- Identified these same needs in BH Friends and Neighbors group.
- This is complex problem and it can be overwhelming and we need to use resources in town and from state and WW and etc....
- Comp plans need to be revisited.