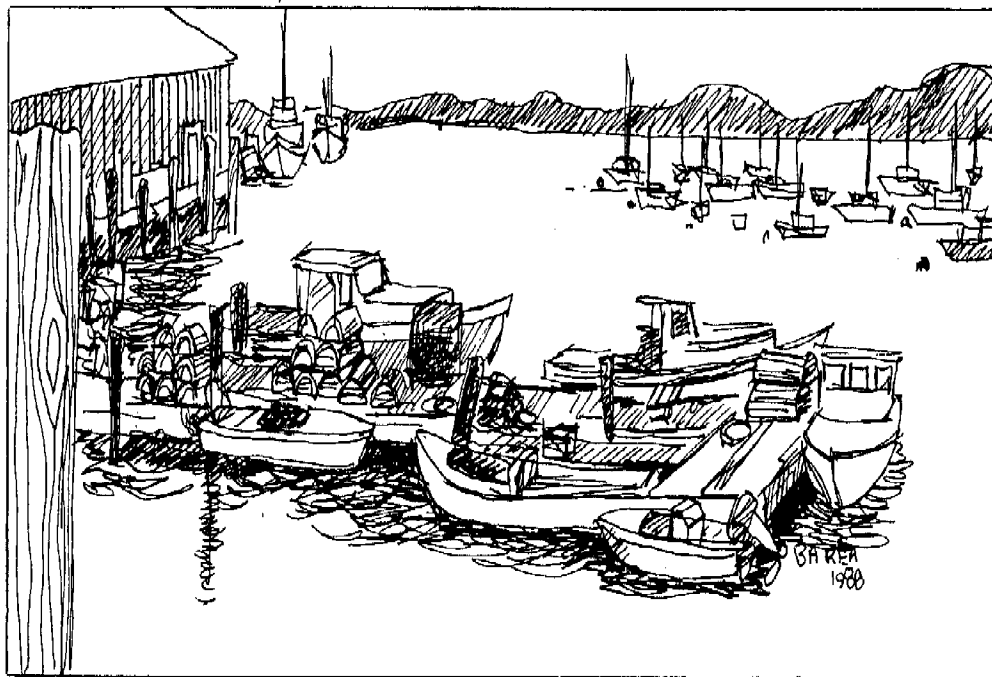


PROTECTING PRIME SITES FOR WATER DEPENDENT USES



The State Planning Office
and

Department of Economic and Community Development

March, 1989

State Planning Office

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PROTECTING PRIME SITES FOR WATER DEPENDENT USES

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INTRODUCTION

Maine's coastline is over 3,500 miles long, yet less than 5 percent has sufficiently deep and sheltered water to provide necessary operational areas for Maine's marine industries. Of the approximately 175 miles that are suitable for working waterfront activities, more than half are already occupied by a variety of residential, commercial, and industrial uses. Moreover, during the past 10 years, growth pressures and rising real estate values have provided incentives for the conversion of vacant properties and structures and boatyards that supported maritime industries to housing, professional offices, and other types of land use activities that do not require a waterfront location.

Many coastal communities are concerned about the loss of traditional "water dependent" activities along their waterfronts and conflicts arising between new waterfront development, such as apartments or restaurants and marine industries. For instance, the noises and smells associated with commercial fishing activities are often not welcomed by owners of adjacent residential properties. Additional pressures are created as commercial fishermen and increasing numbers of recreational boaters are forced to compete for limited moorings and docking space in busy harbors.

Strong local support for protecting traditional waterfront activities led to enactment of Maine's Coastal Policies in 1986 by the Legislature. The nine Coastal Policies, listed in Appendix B, cover a wide range of topics affecting the use and management of coastal resources. Under this law, State and municipal actions affecting coastal areas - regulatory, funding, and planning - are required to be consistent with the Coastal Policies. Two of the Coastal Policies are particularly relevant to the protection of water dependent uses:

Policy #1 - To promote the maintenance, development, and revitalization of the state's ports and harbors for fishing, transportation, and recreation.

Policy #3 - Support shoreline management that gives preference to water dependent uses over other uses; that promotes public access to the shoreline; and that considers the cumulative effects of development on coastal resources.

To help communities implement these policies, the Legislature also amended the Shoreland Zoning statute to encourage municipalities to establish districts, under local zoning ordinances, that give preference to water dependent uses.

In 1989, Maine's communities began developing comprehensive plans and implementation programs under the Comprehensive Planning and Land Use Regulation Act of 1988. Coastal cities and towns are required to ensure that local plans and implementation programs are consistent with the Coastal Policies and ten state goals specified by the Act. One of these goals, echoing the concerns addressed by the Coastal Policies, directs municipalities to, "protect the state's marine resources industry, ports, and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public."

As a first step, to assist communities interested in protecting water dependent uses, the State Planning Office (SPO) has prepared maps that show existing and prime water dependent use sites in all coastal cities and towns. The following discussion explains how these maps were prepared and provides suggestions for using the maps as local plans and implementation programs are developed. Development of

these water dependent use maps is part of a more comprehensive effort by SPO and the Office of Comprehensive Planning in the Department of Economic and Community Development to help communities improve local management of coastal resources. A new publication entitled, Coastal Management Techniques: A Handbook for Local Officials, presents a fuller discussion of waterfront and harbor planning and management issues. The Handbook, available from the Office of Comprehensive Planning and coastal regional councils, contains several examples of local actions and ordinances designed to protect water dependent uses.

WHAT IS A WATER DEPENDENT USE?

A water dependent use is one that must have direct access to the water in order to function. Other uses, such as restaurants, professional offices, and condominiums, may be enhanced by a waterfront location but do not require one. Maine law defines functional water dependent uses as;

...those uses that require for their primary purpose, location on submerged lands or that require direct access to, or location in coastal waters and which therefore cannot be located away from these waters. Those uses include, but are not limited to, commercial and recreational fishing and boating facilities, finfish and shellfish processing, storage, and retail and wholesale marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas,

navigation aides, basins and channels, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water that can not reasonably be located or operated at an inland site and uses which primarily provide general public access to marine or tidal waters (38 MRSA 436 [1-D]).

As communities initiate harbor and waterfront planning activities, defining what is meant by the term "water dependent use" will be important. Communities may choose to adopt the state definition above or develop one that is more tailored to reflect local needs and circumstances. In some instances, it may be necessary to distinguish "water dependent uses" from "water related uses". A water related use is one which is not intrinsically dependent on a waterfront location but whose operation benefits economically from a shoreline location. Examples are marine electronics sales and repair establishments, marine refrigeration and plumbing establishments, and boat rigging establishments. Generally, definitions that list specific uses instead of using broad open-ended descriptions will be easier to interpret and administer. It also may be necessary to define key terms such as marinas, marine-related offices or restaurants which may have broad interpretations unless they can be delineated.

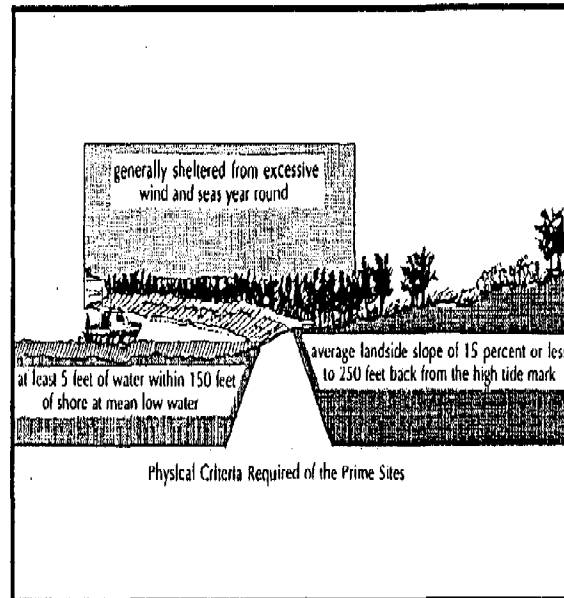
THE MAPPING PROJECT

The goal of this mapping project is to identify coastal areas that are particularly suitable for water dependent uses. Suitable sites, characterized by special physical features described below, are important natural resources along Maine's coastline. THE SITES DESIGNATED ON THE MAPS DO NOT HAVE FIXED BOUNDARIES, BUT ARE MEANT TO HIGHLIGHT GENERAL AREAS THAT ARE SUITED FOR WATER DEPENDENT ACTIVITIES. Consequently, communities are encouraged to supplement these maps with more detailed inventories and assessments that meet local needs. Suggestions for additional data collection efforts are outlined below.

For the purposes of this project, areas ideally suited to support water dependent uses include those meeting the following three criteria:

- 1) Land Slope: less than 15% slope within 250 feet of the shore;
- 2) Water Depth: at least 5 feet within 150 of the shore at mean low water; and,
- 3) Protection: generally sheltered from excessive wind and seas year round.

Each of the three criteria was mapped separately, then the sites that overlapped were designated as potentially prime sites. Existing water dependent use sites (not necessarily "prime" sites) were also mapped to serve as a point of reference. A draft map was sent to town and city officials so that the prime sites could be verified. After incorporating local comments, the final site selections were made.



The actual mapping process consisted of the following steps:

- To identify suitable land slopes, areas within the 40 foot contour line on United States Geological Survey topographic quadrangles (1:2400) were shaded. The 40 foot contour was determined using the formula for slope (rise/run); thus, a 15% slope means no greater than a 37.5 foot incline over a distance of 250 feet.
- To identify areas with suitable water depth, the line 150 feet from the shore was marked on National Oceanographic and Atmospheric Administration (NOAA) nautical charts. Then, if the 150 foot line was at, or greater than, the six-foot depth contour line, the area was shaded as an acceptable depth.
- To identify areas suitably protected, the NOAA charts and local knowledge of the coastline were used. This aspect of the mapping process relied most heavily on local review.

AVAILABILITY AND DESCRIPTION OF MAPS

Two types of maps are available to each coastal municipality. These maps include a single copy of a large scale (1:12,000) blue-line map and several copies of a small scale (1:48,000) map. Figure 1 is an example of a small map.

The maps identify those sites that are considered particularly "prime" for water dependent uses with small square symbols. In addition, the maps identify existing water dependent uses with arrows.

The large map, which offers more detail, can be used at public meetings or during planning sessions. The smaller one is inexpensive to reproduce and can be handed out at meetings or to the general public.

USING THE WATER DEPENDENT USE MAPS

The most important information provided by these maps is the location of prime water dependent use sites using the three natural conditions described above. Clearly, however, these criteria are not the only factors that determine suitable locations for water dependent activities. Indeed, as noted above, many existing water dependent use sites are not identified as "prime" sites for this project, but are important sites.

The maps are intended to serve as a starting point for local boards or committees concerned about waterfront and harbor management issues. For example, under Maine's new Comprehensive Planning law, coastal communities are required to set local policies and develop implementation strategies aimed at the protection of water dependent uses. It is anticipated that these maps will be helpful as communities

begin to identify those areas where water dependent use activities should be encouraged. Similarly, the maps should be helpful for coastal cities and towns undertaking more detailed harbor and waterfront management plans. In other cases, communities updating or amending local shoreland zoning ordinances may be able to use the maps to identify appropriate locations for special districts that protect water dependent uses.

In each of these cases, however, communities will need to collect and analyze other types of information. Other factors that should be considered include the following:

Existing and Surrounding Land Uses. Adding existing waterfront land use patterns (e.g. residential, recreational, commercial) to the water dependent use maps will help communities further define the most appropriate areas to reserve for water dependent activities. Communities are likely to be most concerned about protecting waterfront areas that presently support water dependent uses, whether or not they are mapped as "prime" sites. Additionally, vacant or under utilized properties adjacent to prime water dependent use sites pose valuable opportunities. Conversely, waterfront land that is already used for or is near an incompatible use, such as a residential development, will be less desirable to reserve for water dependent uses.

Overland Transportation. Identifying existing or planned roads and rail lines that connect a waterfront area with regional or national transportation systems may also be important factors. Some water dependent uses, such as cargo handling facilities, are dependent on overland transportation to the site particularly good roads. Railroads may be required or desirable for some types of water dependent uses.

Availability of Public Services and Utilities. Some water dependent uses may require municipal services such as sewerage systems, water supply and distribution systems, and solid waste collection and disposal systems. The availability of parking areas may also be impor-

Water Dependent Use Mapping Initiative
Maine State Planning Office

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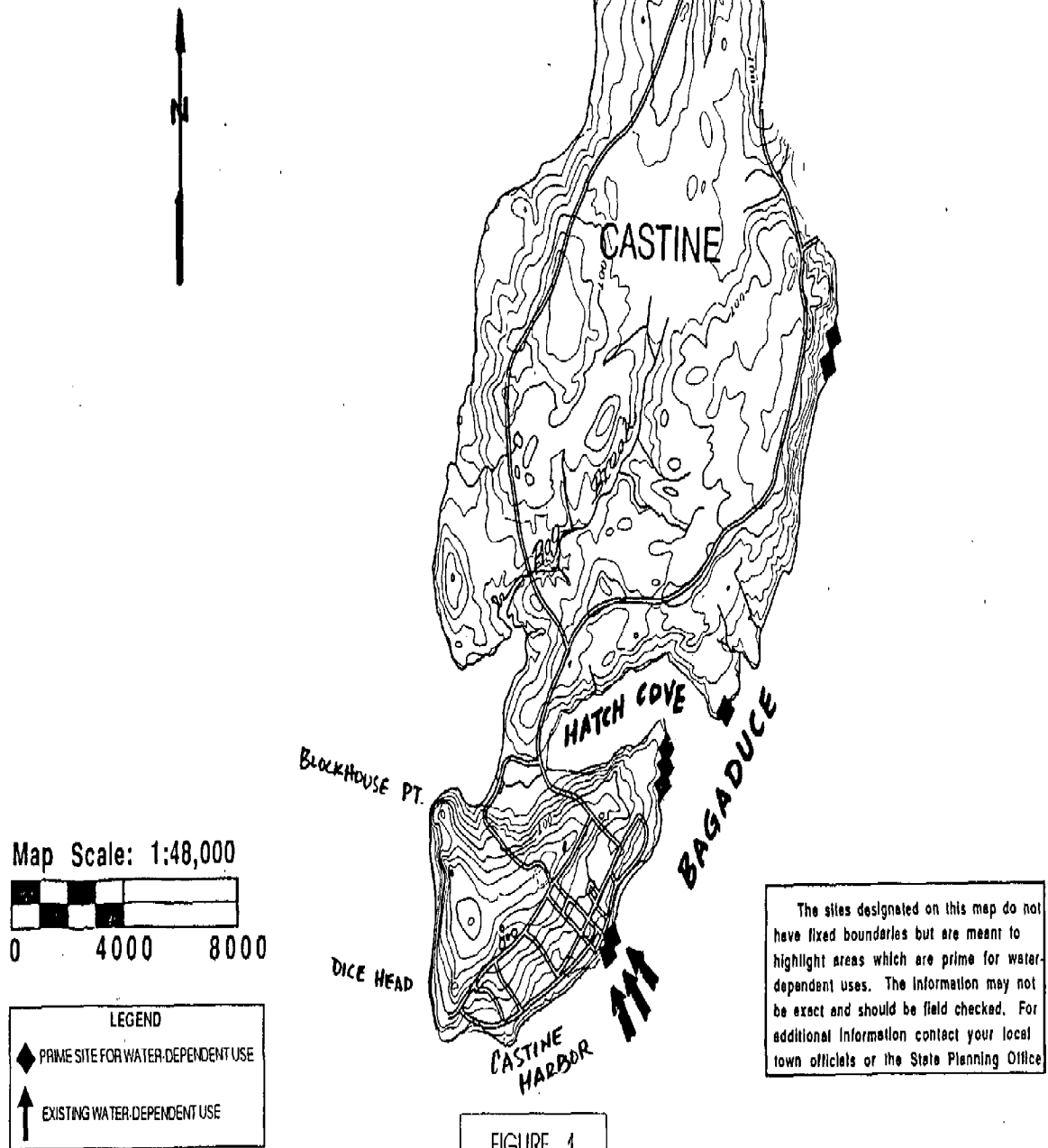


FIGURE 1

tant for certain water dependent businesses and industries. Additionally, the existence of a town-owned wharf or boat launching facility can serve as a focal point for water dependent activities.

Environmental Impacts. Some sites may be on or near wetlands, important aquifers, wildlife and shellfish habitat, or other environmentally sensitive areas. Federal, State, and local environmental regulations and other development constraints may limit the suitability of some sites for intensive commercial or recreational activity.

Access to the Open Sea. Some sites may be cut off from the open sea by ledges or tidal flats.

MANAGEMENT OPTIONS

Protecting water dependent uses is usually only one of several waterfront and harbor issues facing coastal communities. Other concerns often include managing limited docking and mooring space, ensuring adequate public water access sites and facilities, and coping with insufficient parking and related traffic problems during the summer months.

Too often, crisis situations and unexpected circumstances, such as the sale of a prime waterfront lot, require local officials to act without guidance from a community plan or a set of policies. Ideally, concerns and problems related to waterfront and harbor areas should be identified and addressed as part of an overall shoreline management plan or a community's comprehensive plan. Goals and policies determined by a broad-based planning process can guide future decisions related to zoning, land acquisitions, and capital improvements. An outline of the basic steps involved in the waterfront/harbor planning process is presented in BOX A.

A variety of both regulatory and non-regulatory implementation techniques can be used by communities to manage waterfront areas and protect water dependent uses. A successful strategy is likely to incorporate more than one technique. For example, a municipality may choose to establish zoning requirements that favor water dependent uses as well as acquire land for the development of a dock and parking area that can be used by local fishermen. Several important techniques are described briefly below; however, local officials are encouraged to review more detailed information and examples presented in Coastal Management Techniques: A Handbook for Local Officials, and obtain planning assistance from your regional council or the Office of Comprehensive Planning. Additionally, a new publication, Managing The Shoreline for Water Dependent Uses: A Handbook of Legal Tools, prepared by the Marine Law Institute at the University of Maine School of Law for the Maine Coastal Program, contains valuable information on legal issues and techniques related to the protection of water dependent uses. Copies of both handbooks are available from the Office of Comprehensive Planning.

BOX A

OVERVIEW OF WATERFRONT/HARBOR PLANNING PROCESS

STEP ONE: Establish a Waterfront/Harbor Committee
The Committee should fairly represent the major waterfront users and those directly affected by the plan. The community can choose to establish a permanent committee (to author a plan and manage long-term waterfront/harbor needs) or a temporary committee (to develop a plan and propose implementation recommendations to the community). In either case, the Board of Selectmen or Town/City Council should officially designate a body responsible for plan development.

STEP TWO: Design a Public Participation Program
Most often, plans are successfully adopted and implemented when the public is engaged in their development. However, effective public participation involves more than just holding hearings. The committee should design a broad-based public participation process utilizing a variety of techniques, such as public forums, citizen surveys, press coverage, and special events. Public participation should occur throughout the planning process.

STEP THREE: Inventory Resources
Identifying both the natural (e.g. shellfish areas, ledge outcrops) and physical resources (e.g. waterfront land use and ownership status, piers, wharves) within the waterfront/harbor area is an important part of the planning process. An initial identification of the most pressing issues will help to determine the scope of the inventory. The information gathered will be used by the community to analyze specific questions regarding the present and future uses of the waterfront and harbor.

STEP FOUR: Analyze Needs and Identify Issues
Using the inventory data collected by the Committee, the current and future waterfront/harbor needs of the community and the adequacy of existing facilities to meet those needs should be assessed. Considering the interests of all user groups (e.g. commercial fishermen, recreational

boaters, waterfront businesses, etc.) is important. At the same time, key issues concerning waterfront and harbor areas (e.g. lack of parking, overcrowding at the town landing, conflicts between water dependent activities and other land uses) should be clearly and objectively identified by the committee.

STEP FIVE: Develop Goals and Policies
Community goals and policies emerge from an understanding of existing resources, community needs present and future, and local problems and concerns. The purpose of establishing goals and policies is to broadly identify how the community would like to use and manage its waterfront and harbor areas in the future.

STEP SIX: Design and Implement a Strategy
This part of the process involves the development of an appropriate strategy to implement the community's goals and policies. The committee should carefully examine a variety of tools and techniques, including regulatory measures, land acquisition, capital improvements, and public education. The strategy should contain an implementation timetable and an assignment of specific responsibilities to local boards, committees, or officials. At this stage, public participation is critical since actual impact on various interests can be gauged.

STEP SEVEN: Evaluate the Plan
The final step in the planning process involves examining the effectiveness of the plan - what worked and what didn't work. By doing this analysis, the community can take appropriate corrective measures. Successful aspects of the plan can also be highlighted and shared with other communities facing similar problems.

Regulatory Techniques

Zoning is a common tool used by municipalities to regulate land use. Communities can adopt zoning ordinances containing districts which favor or require water dependent uses. These districts can range from strict Water Dependent Use Districts to ones which allow a mixture of uses. However, it is important to keep in mind that Maine law requires that each municipal zoning ordinance be based on a comprehensive plan. Thus, communities interested in waterfront zoning should first be sure that local planning goals and policies support such an initiative.

As a community begins designing a Water Dependent Use District, the answers to the questions listed in BOX B can help municipal planning committees determine appropriate types of uses given local concerns and conditions. Often, communities find that more than one Water Dependent Use District is needed to accommodate different sections and characteristics of the waterfront or shoreline, as well as incompatible water dependent activities.

Strict Water Dependent Use Districts.

Communities should consider adoption of strict Water Dependent Use Districts for areas containing vital traditional commercial fishing businesses and industries. The noises, smells and general intensity of these industries make their coexistence in close proximity with certain other land uses very difficult. Once certain non-water dependent uses, such as offices and condominiums, are established near fishery operations, there may be pressure brought to limit marine industry activities, and eventually convert the sites to other non-water dependent uses.

Additionally, communities may wish to control the types and/or sizes of water dependent uses allowed in a Water Dependent Use Dis-

trict. For instance, permitted uses could be restricted to specific types, such as commercial fishing and related activities (e.g. ice, bait and fuel vendors, retail and wholesale marketing facilities, etc.). This type of limitation may be appropriate where berthing of commercial fishing vessels is threatened by encroaching marina operations designed for recreational use. Alternatively, commercial fishing could be favored by limiting the size of other types of water dependent activities. For example, marinas could have limitations on the maximum number of slips they offer for recreational boats. However, it is important to insure that all uses which are necessary to the proper functioning of a working waterfront are included in a Water Dependent Use District. Some water related uses, such as ice making, are necessary for fish processing and transportation.

The Department of Environmental Protection has prepared optional ordinance language for a Maritime District as part of the 1989 revision of the Model Municipal Shoreland Zoning Ordinance. The "model" Maritime District, developed by an advisory committee that included representatives of marine industries, should be a useful guide for communities considering the establishment of such a district.

Mixed Use Districts.

Some communities may determine that allowing mixed uses in Water Dependent Use Districts is appropriate. In some cases, the expenses associated with operating marine businesses and industries can be offset by leasing or selling portions of buildings or land areas to non-water dependent uses. Allowing mixed uses can also contribute to year-round economic activity in a waterfront area. However, taking the time to identify appropriate non-water dependent uses that should be permitted or allowed as a conditional use in the District is important. For example, certain types of professional offices, stores, or restaurants may be more compatible with marine businesses than residential complexes, particularly when they offer services to or otherwise enhance a water dependent use.

Districts that permit non-water dependent uses can be limited so as to favor water dependent uses in several ways:

- require fixed percentages of land area or building floor space to be devoted to water dependent uses (or marine related uses);
- allow non-water dependent uses only on the upper floors (e.g. second or third floor) of buildings in the District;
- limit building size and height (allow larger buildings for water dependent uses); and
- establish maximum permitted lot coverages (allow greater lot coverage for water dependent uses), setback requirements, and specified building orientations.

Establishing these types of requirements is likely to affect possible uses of waterfront properties in the District, as well as visual quality and the availability of public access to the water. As specific zoning requirements are developed, however, communities should take care to ensure that restrictions established to control non-water dependent uses do not inadvertently hinder the operations of maritime business and industries.



BOX B

QUESTIONS TO GUIDE THE DESIGN OF WATER DEPENDENT USE DISTRICTS

Purpose of the District

***What is the community vision for the land area to be encompassed by the district?**

This vision should be expressed in a general policy statement which describes the uses and activities which the community wishes to promote, preserve, and protect. This policy should also articulate the community's desired pattern of physical development for the area.

Permitted & Conditional Uses

Note: Permitted Uses are those uses allowed in a district provided that standard requirements, which apply to all uses, are met. These requirements typically include minimum lot size requirements, building setbacks or yard requirements, and maximum lot coverage ratios. Conditional Uses are those uses which may be appropriate in a district if specific conditions are met beyond the standard requirements for that district. These conditions must be in the form of specific standards defining the type, size limitation, and other characteristics for the use. These conditions must be clear and quantifiable in order to withstand legal scrutiny (see questions on performance standards below).

***What uses in the proposed district are important to the community to retain and encourage?**

These uses should be permitted uses in the district. In the case of Water Dependent Use Districts, these will be at least a large percentage of those uses described in Maine's definition of water dependent uses noted at the beginning of this report.

***Are there specific non-water dependent uses needed by the water dependent uses in order for them to function?**

Examples are ice making for fishing operations, boat riggers and sailmakers for marina operations, marina operations, marine related offices in connection with the actual water dependent activity. These supporting uses (water related uses) may be permitted or conditional uses. Designation as conditional uses can insure that water related uses will not interfere with the water dependent uses in the district. To accomplish this, the ordinance should include conditions which may take the form of maximum area per lot devoted to use, prohibition from first floor occupancy, etc.

***What non-water dependent uses can be safely accommodated along with the water dependent uses without displacing them or detracting from their efficient operation?**

Communities should give careful thought to allowing non-water dependent uses in the proposed district. These uses may be limited to specific types of retail stores, offices, or industries that are highly valued by the community and/or fulfill a special need. Similar to the water related uses, these uses may be designated as permitted or conditional uses. However, to ensure that these uses do not displace water dependent uses, their designation as conditional uses with clearly defined standards is strongly recommended.

Prohibited Uses

***What non-water dependent uses threaten to displace water dependent uses?**

These uses should not be permitted in the proposed district unless they are adequately controlled. Certain non-water dependent uses, such as residential development, may be incompatible with commercial water dependent uses under any conditions.

***What existing uses will be made non-conforming by the proposed new district?**

Since non-conforming status ("grandfathered") is usually severely restrictive, consideration should be given to the effect this will have on existing businesses' expansion plans and operations. This is particularly important if certain water dependent uses, such as fish rendering plants or marinas, are assigned non-conforming status. It is very possible that restrictions imposed on expansion may force such uses out of business. As a new Water Dependent Use District is developed, a community may want to ensure that all existing water dependent uses are considered to be conforming uses.

Multiple Districts

***Are there conflicts between different types of water dependent uses?**

Conflicts between commercial fishermen and recreational boaters may be resolved by designating different sections of the waterfront for each use.

***Are there sections of the waterfront that have different existing use patterns?**

Waterfronts are complex and often will require two or more zoning districts to ensure adequate regulation.

Performance Standards and Dimensional Requirements

***What spaces within the district cannot be fully utilized by water dependent uses and could be devoted to some other uses without conflict?**

In some cases, second or third floors in structures are not important to the operation of water dependent uses.

***What spaces within the proposed district should remain open for...**

- efficient operation of water dependent use activities? Large areas are often needed for boat and equipment storage. Maxi-

mum lot cover ratios and building setback requirements can ensure adequate open space. Also consideration should be given to the noise, smell and other operational characteristics of water dependent uses.

- **safety?** Spacing between buildings is necessary for emergency and fire access,
- **visual corridors and aesthetics?** Many people value the view of the water from streets and sites near the harbor.

***What sizes and heights of structures should be allowed in the proposed district?**

Communities may wish to limit the size of new buildings to the approximate size of existing buildings in the harbor area. However, some water dependent uses which the community may wish to encourage or retain might require larger buildings. In these cases, maximum building sizes for water dependent uses and non-water dependent can be different.

***What size lot is adequate to accommodate the allowed buildings and uses, including their parking and open spaces, etc.?**

Communities may wish to establish a minimum lot size permitted in the district. While this approach may limit flexibility in terms of using the site, it has the advantage of preventing the creation of inappropriately small lots which may require variances from other dimensional requirements of the district in order to be utilized.

Non-Regulatory Techniques

Acquisition.

As growth pressures have increased, waterfront land values have also risen. While the acquisition of prime waterfront property can be expensive, it is one of the most effective ways for a community to control waterfront development.

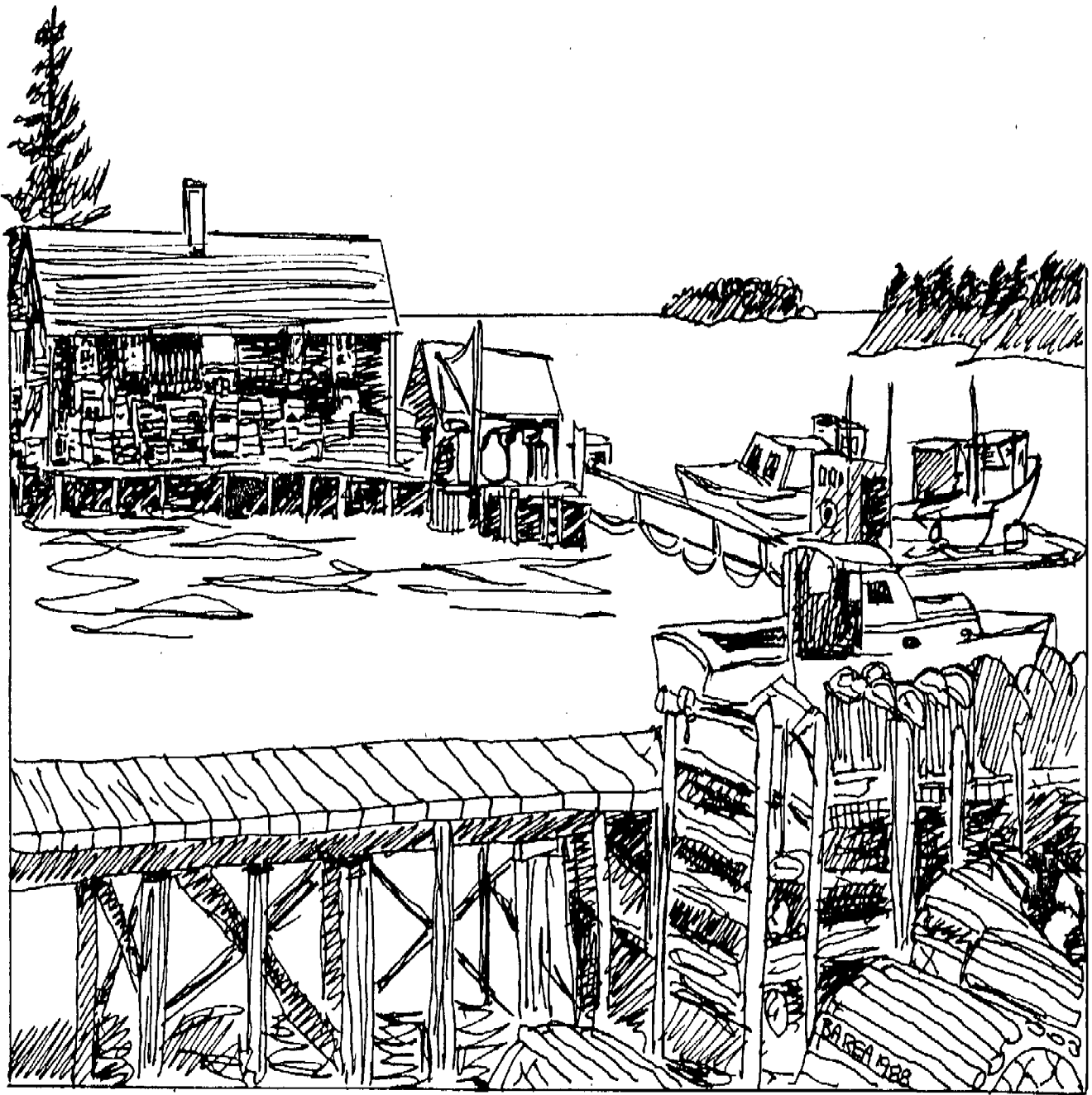
The traditional method of acquiring land is to purchase and retain all legal rights (fee simple). A number of towns in Maine have purchased fishing piers or boat storage areas to help promote water dependent activities. Waterfront land owned by a city or town can be leased with restrictions on the types of uses permitted. In Boothbay Harbor, for instance, the town purchased a fishing pier on the harbor's eastern side. It is now leased to marine businesses and has preserved access for traditional commercial fishing activities. Communities can also buy land and resell the property with restrictive covenants on its use. Alternatively, a municipality may acquire a "less than fee interest" in a waterfront parcel at less than the full market price, such as an easement for public access.

In some communities, land trusts may be helpful in protecting waterfront property. Land trusts are private non-profit organizations that can acquire or accept gifts of property, conservation easements, or other interests in real property to enable public use or benefit from the land, including the preservation of public access points for water dependent uses. Land trusts can also assume responsibility for managing property owned by someone else. For example, the Town of Harpswell acquired two acres of land at Mackerel Cove, an area traditionally used as a park in the summer and for boat storage in the winter. To ensure the continuation of this tradition, the Town placed covenants on the land and asked the local land trust to manage the property. The Maine Coast Heritage Trust, a statewide non-profit organization, provides assistance for local land trusts (see Appendix A).

Several grant programs, administered by State agencies, provide financial assistance for land and easement acquisitions. Information about these programs is presented in Appendix A.

Public Improvements.

Communities can also encourage water dependent uses by providing needed public infrastructure, such as piers, docks, or parking facilities. Some water dependent uses also require public sewerage, water, and road systems to support their operations. Municipal funds may also be used to pay for harbor dredging projects. For example, the Town of Scarborough recently acquired a vacant parcel of land adjacent to the Town landing and is developing parking facilities for commercial and recreational users and providing other site improvements. Partial funding for the project was provided through Maine's Coastal Program. Whether and how a community provides and maintains these facilities and services can impact the viability of water dependent uses. Information on sources of financial assistance available to support various types of waterfront improvements are also described in Appendix A.



APPENDIX A

TECHNICAL AND FINANCIAL ASSISTANCE FOR COASTAL COMMUNITIES

The Maine Coastal Program and other state and regional programs offer a variety of technical and financial assistance to coastal communities.

Technical Assistance

Coastal communities working to protect water dependent uses or develop other strategies to implement Maine's Coastal Policies can obtain technical assistance from the coastal planning staff at the Office of Comprehensive Planning, Department of Economic and Community Development, Station #130, Augusta, Maine 04333. For information or assistance, please contact Francine Rudoff, Kirk Schlemmer, or Mary Boyd-Broemel at 289-6800.

Additionally, technical assistance is also available from coastal planners with Maine's regional councils. Local officials are encouraged to contact the appropriate agency listed below.

Southern Maine Regional Planning Commission
Box Q, 255 Main Street,
Sanford, Me 04073
Contact: Madge Baker at 622-7146

Greater Portland Council of Governments
233 Oxford Street,
Portland Me 0410
Contact: Tamara Risser at 774-9891
Southern Kennebec Planning and Development Council
125 State Street,
Augusta, Me 04330
Contact: Paula Thomson at 622-7146
Lincoln County Planning & Resource Office
Lincoln County Courthouse,
Wiscasset, Me 04578
Contact: 882-6312
Eastern Mid-coast Planning Commission
9 Water Street,
Rockland, Me 04841
Contact: Tom Ford at 594-2299
Penobscot Valley Council of Governments
10 Franklin St.
Bangor, Me. 04401
Contact: Betsy Bass at 942-63489
Hancock County Planning Commission
RFD #4 Box 22,
Ellsworth, Me. 04605
Contact: Jim Drew at 667-7131
Washington County Regional Planning Commission
63 Main Street,
Machias, Me. 04654
Contact: Glenn Avery at 255-8686

Other sources of technical assistance include the following organizations:

Maine Coast Heritage Trust (MCHT)
PO Box 416
Topsham ME 04086
729-7366

or
PO Box 426
Northeast Harbor ME 04662
276-5156

MCHT promotes conservation of Maine's coastline and islands, by negotiating gifts of land and easements to conservation organizations. MCHT offers professional advice and assistance to land owners, land trusts, and municipalities.

Island Institute
60 Ocean Street
Rockland ME 04841
594-9209

The Institute provides natural resource management counseling services for coastal island owners and communities and carries out island research and education.

Maine Municipal Association (MMA)
Community Drive
Augusta ME 04330
623-8428

MMA provides assistance to towns in developing zoning ordinances, local code enforcement, and legal affairs.

Financial Assistance

A number of sources also provide financial assistance to Maine communities to support projects which enhance opportunities for water dependent activities.

Coastal Planning Grants are available for municipal waterfront and harbor planning ac-

tivities. These activities should result in implementation strategies to further Maine's Coastal Policies.

For further information, contact Kirk Schlemmer, Office of Comprehensive Planning, Department of Economic & Community Development, or your regional council.

Waterfront Action Grants are available to municipalities for the acquisition and development of shorefront land to improve public access; low cost construction projects on waterfront land; and the rehabilitation of municipally-owned piers.

For further information, contact Mary Boyd-Broemel, Office of Comprehensive Planning, Department of Economic & Community Development, or your regional council.

Community Revitalization Grants are available for downtown revitalization, housing rehabilitation, public facility improvements, and other local programs that benefit low and moderate income people.

For further information, contact Leonard Dow, Office of Community Development, Department of Economic & Community Development, 289-6800.

Land & Water Conservation Fund grants are available to support the acquisition and/or development of outdoor recreation facilities, including waterfront parks.

For further information, contact John Picher, Office of Comprehensive Planning, Department of Economic & Community Development, 289-6800.

Boating Facilities Program awards grants for the acquisition, development and improve-

ment of state, regional, or local recreational boat access sites. Funds for the program are derived from the state gasoline tax.

For further information, contact Richard Skinner, Bureau of Parks & Recreation, Department of Conservation, 289-3821.

APPENDIX B

MAINE'S COASTAL POLICIES 38 MRSA Section 1801

In 1986, the Legislature enacted a law, Maine's Coastal Management Act, establishing nine Coastal Policies. Under this Act, state agencies and local governments are required to conduct their activities - regulating, planning, and developing coastal resources - affecting the coastal area consistent with the following policies:

1. Port and Harbor Development.

Promote the maintenance, development, and revitalization of the State's ports and harbors for fishing, transportation, and recreation;

2. Marine Resource Management.

Manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats; to expand our understanding of the productivity of the Gulf of Maine and coastal waters, and to enhance the economic value of the State's renewable marine resources;

3. Shoreline Management and Access

Support shoreline management that gives preference to water-dependent uses over other

uses, that promotes public access to the shoreline, and that considers the cumulative effects of development on coastal resources;

4. Hazard Area Development.

Discourage growth and new development in coastal areas where, because of coastal storms, flooding, landslides, or sea-level rise, it is hazardous to human health and safety;

5. State and Local Cooperative Management.

Encourage and support cooperative state and municipal management of coastal resources;

6. Scenic and Natural Areas Protection.

Protect and manage critical habitat and natural areas of state and national significance, and maintain the scenic beauty and character of the coast, even in areas where development occurs;

7. Recreation & Tourism

Expand the opportunities for outdoor recreation and encourage appropriate coastal tourist activities and development;

8. Water Quality.

Restore and maintain the quality of our fresh, marine, and estuarine waters for the broadest possible diversity of public and private uses; and

9. Air Quality.

Restore and maintain coastal air quality to protect the health of citizens and visitors and to protect enjoyment of the natural beauty and maritime characteristics of the Maine coast.

