



February 24, 2025

Support with Amendments

L.D. 228, An Act to Allow Coastal Seawalls To Be Raised By Up To 2 Feet In Order To Accommodate Predicted Sea Level Rise

Members of the Environment and Natural Resources Committee:

We are providing the following testimony on behalf of the American Council of Engineering Companies of Maine (ACEC Maine). ACEC Maine's membership is made up of more than 60 consulting engineering firms from throughout the state from all engineering disciplines.

ACEC agrees that more needs to be done to protect eroding shorefront properties. Every day ACEC members help clients protect their property pursuant to state statutes and regulations. We agree with the sponsor of this bill that seawall heights need to be raised for certain properties to protect them from erosion.

However, protecting properties from coastal wave erosion requires engineering designs that are heavily site specific – topography, neighboring structures, etc. Setting an arbitrary cap for two feet above the existing height will limit the engineer's ability to provide solutions that will withstand the rising tides and storms on the coast. While a rise of two feet may work for some properties, others would need to be raised higher. The height of the seawall should be measured from an established datum, such as based flood elevation.

Seawall structures also need to be supported with engineered backfill to prevent erosion behind the wall caused by waves that go over the wall.

ACEC recommends the following amendments:

Sec. 1. 38 MRSA §480-E, sub-§19 is enacted to read:

19. Height increase of existing seawall in coastal sand dune system. Notwithstanding any provision of this article or department rule to the contrary, the department ~~may~~ shall authorize a one-time increase in the height of a seawall or similar structure in a coastal sand dune system through a permit or permit by rule under this article if:

A. The seawall is in existence on January 1, 2025;

~~B. The height of the seawall is increased by no more than 2 feet; seawalls are no higher than 2 feet above the mapped FEMA base flood elevation;~~

C. The raising of seawall height shall not impair the function of adjacent structures;

D. Engineered backfill, including blended rock fill, is provided when needed to support the seawall; and

EE. The height increase of the seawall otherwise meets all applicable requirements adopted by the department by rule that are consistent with these requirements.

The department may adopt rules establishing standards for height increases of seawalls in accordance with this subsection.

We thank you for your time and consideration on this important piece of legislation and hope that the committee finds this testimony helpful.

Sincerely,

/s/ Mark Adams

Mark Adams
President-elect ACEC of Maine
Chair of ACEC of Maine Government Affairs Committee