



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
OFFICE OF THE COMMISSIONER
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333

AMANDA E. BEAL
COMMISSIONER

TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON INLAND
FISHERIES AND WILDLIFE
IN SUPPORT OF LD 1763

An Act to Regulate Nonwater-dependent Floating Structures on Maine's Water

April 30, 2025

Senator Baldacci, Representative Roberts, and members of the Joint Standing Committee on Inland Fisheries and Wildlife, my name is John Noll, and I am the Director of the Submerged Lands Program within the Bureau of Parks and Lands (BPL). I am speaking on behalf of the Department of Agriculture, Conservation and Forestry in support of LD 1763, *An Act to Regulate Nonwater-dependent Floating Structures on Maine's Water*.

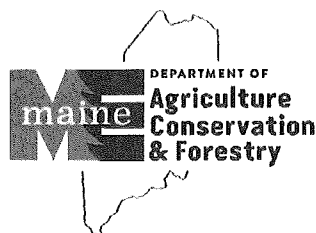
The state of Maine holds title to submerged lands in Great Ponds and all coastal waters from the mean low-tide line out to the three-mile territorial limit of state waters. As such, the Submerged Lands Program manages these submerged lands through a leasing program that seeks to balance the public trust rights of fishing, fowling, and navigation with the need for privately owned water-dependent structures such as piers and docks in state waters.

Nonwater-dependent floating structures, including floating camps and homes, do not have public trust rights. Not to be confused with houseboats (which have a motor), these floating structures have increasingly appeared on Maine's coastal and inland waters over the past several years. They have been temporarily and, in most cases, permanently moored or anchored on waters across the entire state. They have drawn the attention and consternation of other users of our public waters, including boaters, anglers, shorefront landowners, and municipal authorities.

Nonwater-dependent floating structures are usually not motorized or fit for navigation and therefore must be permanently moored or fixed to a dock. These floating structures, by taking up limited mooring and dock space in Maine's Great Ponds, harbors, and working waterfronts, mean there is less space available for commercial fishing vessels and recreational boaters, both of which provide essential revenue to Maine's waterfront communities. Since float homes or other nonwater-dependent floating structures are not defined nor addressed in Maine Revised Statutes, and because they are not located on land, these structures are not subject to local control unless a town has specifically addressed these structures in its local ordinances.

The mission of the Submerged Lands Program within the Bureau of Parks and Lands is to protect the public's trust rights to use our state's waters and submerged lands. From this standpoint, the question becomes clear: shall the state of Maine continue to allow seasonal or year-round

HARLOW BUILDING
18 ELKINS LANE
AUGUSTA, MAINE



PHONE: (207) 287-3200

FAX: (207) 287-2400

floating structures to displace the traditional public trust rights of fishing, fowling, and navigation? A commercial fishing vessel or recreational boat must move aside for every floating camp or structure on Maine's coastal waters and Great Ponds.

The Land Use Planning Commission (LUPC) oversees planning and zoning for Maine's unorganized territories, which cover nearly half the state. While their zoning rules prohibit new residential uses in wetlands and waterbodies, enforcing regulations against floating homes has been challenging. LUPC staff lack boats and must coordinate with other agencies, like the Maine Warden Service, to contact floating home owners. In one case, after being contacted by LUPC, an owner moved their floating home between jurisdictions to avoid enforcement. The proposed bill would ban floating homes statewide and give the Maine Warden Service authority to enforce this ban, helping address LUPC's enforcement challenges.

LD 1763 will protect Maine's traditional public trust rights of fishing, fowling, and navigation by creating a multi-agency statutory framework to identify and define non-water dependent floating structures, establish enforcement responsibilities, and standardize the regulation of these structures across several state agencies. For these reasons, DACF supports the passage of LD 1763.

A department representative will be available to answer questions during the work session.