

April 2025



To: The Committee on Inland Fisheries and Wildlife

RE: LD 1763 – An Act to Regulate Nonwater-dependent Floating Structures on Maine's Waters

Senator Baldacci, Representative Roberts, and members of the Committee on Inland Fisheries and Wildlife, my name is Stacey Keefer, Director for the Maine Marine Trades Association (MMTA). MMTA represents over 120 Maine businesses and an industry comprised of boatyards, boat builders, marinas, boat dealers, and marine retailers.

On behalf of the members of MMTA, we would like to express our appreciation for the multi-agency Floating Structure Report created in 2023. We acknowledge that this challenging topic warranted discussion and recommendations.

MMTA agrees that there needs to be a definition of nonwater-dependent floating structures in statute. We support the bill's intentions for protection of water access and water quality as part of the State's responsibility to our Public Trust. We share concerns that floating structures, especially poorly constructed ones, could become problematic and create marine debris and abandoned property issues. We share concerns regarding the placement of floating structures that could add to the growing number of moorings that have been upsetting boaters and waterfront property owners in recent years. We also do not want to see the visual aesthetics of our waterways changed, especially in Maine's Unorganized Territories. We also agree that municipalities should be able to have some control over the presence of the structures.

So yes, we do support most aspects of the bill, however this topic is also challenging for our organization to take a position because some of our members have decades-old businesses with some of these structures included as part of their business operations. We understand that the Submerged Lands Program prohibits floating structures, however we oppose any legislation that would shut down existing business activity using floating structures that have had no complaints or violations. DiMillo's Restaurant, a well-known Portland landmark, is one example of a business that does not deserve to have their operation shut down based on the language proposed in LD 1763. There must have been some sort of allowance made back in the early 80's when the floating restaurant opened. We believe the spirit of this bill is not aiming to shut down that floating structure.

We would like the Committee to note that many marinas already have policies that prohibit floating structures that have no propulsion and/or steering mechanism. Some of those prohibitions may be based on their commercial insurance policies. However, we believe that floating structures located in commercial (non-private) marinas are less risky for abandonment because they have watercraft capable of moving or towing the structures, plus a nearby ramp or hoist where the structure could be removed from the water in the case of extreme weather conditions. Many of our coastal marinas are also equipped with waste pumpout equipment or

they have access to pumpout boats that can properly dispose of human waste and protect water quality.

We understand that the Legislature prefers to avoid exemptions in statutes, however MMTA would prefer to see an amendment to LD 1763 that would allow the few existing floating structures located at commercial marinas to continue to exist. Rather than creating exemptions, perhaps special permits could be issued for the few existing floating structures. The permit could also allow for law enforcement inspections regarding the use of proper marine sanitation devices or other appropriate waste disposal plumbing.

In summary, we hope the Committee will create some controls over nonwater-dependent floating structures, but we ask you to give consideration for a few businesses who have had floating structures as part of their existing operations.

Respectfully,

A handwritten signature in cursive script that reads "Stacey Keefer".

Stacey Keefer
Maine Marine Trades Association, Executive Director