



Testimony from Maine Lakes in **OPPOSITION** to:

LD 1161, An Act Concerning Marina-based Restaurants in the Shoreland Zone

Submitted to the Environment and Natural Resources Committee

April 12, 2021

Senator Brenner, Representative Tucker and Distinguished Members of the Environment and Natural Resources Committee,

Thank you for the opportunity to appear before you today in opposition to LD 1161, An Act Concerning Marina-based Restaurants in the Shoreland Zone. My name is Susan Gallo, and I am the Executive Director of Maine Lakes. Our membership organization includes more than 2,500 individual members, supporters and volunteers as well as over 80 Lake Associations. We are dedicated to our mission of promoting, protecting, and enhancing lake water quality, and of preserving the ecological, economic, recreational, and aesthetic benefits of Maine's lakes for all Maine people.

As you are all I'm sure aware, Maine's 2,500 or so Great Ponds belong to the people of Maine. It takes a village to keep those lakes clean, especially in light of climate change impacts including more intense storms (that bring excess rainfall carrying more nutrients that feed algae growth and sediments that cloud water into our lakes); warmer water temperatures (that promote more algae growth over longer periods); and less time under ice (lengthening the growing season for algae). LakeSmart homeowners around a lake help protect water quality, as I mentioned in previous testimony. Regulations on forest practices in the uplands of a watershed help reduce downstream runoff. Town ordinances work to protect water quality at a local level. And importantly, DEP works at

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the state level to enforce strong shoreland protection rules, designed to protect water quality for all of us who enjoy Maine lakes.

LD 1161 weakens shoreland protection rules and undermines DEPs ability to protect the water resources that are so vital to Maine people and the Maine economy. The bill changes the classification of marina-based restaurants to “functionally water-dependent uses” and also defines them as “accessory” (rather than “primary”) use of the premise.

The result of this change would be that water setbacks and impervious requirements at existing marina restaurants would be eliminated, and marinas would be allowed to open up new restaurants with dining, parking, and buildings right on the water.

We work tirelessly to ensure that property owners around lakes do all that they can to eliminate erosion and runoff in order to protect water quality. Existing regulations ensure that businesses around a lake also do their part to protect water quality.

How can this be an acceptable outcome that years of hard work by homeowners around a lake, with significant investments of both time and money in best management practices and pollution mitigation strategies, could literally be eliminated by one marina expanding a parking lot, using and treating excessive wash water, and managing other waste right on the shoreline?

Maine Lakes supports Maine businesses, and we know many, many marina owners around the state who are fully aware of the benefits Maine’s clean lakes provide and work to keep them clean. We believe there is a way forward to promote new business opportunities at marinas, but believe any business expansion must comply with established standards designed to to protect water quality.

We believe it is any marinas best interest to keep these standards strong so they support the very resource their business depends on.

We urge you to oppose LD 1161.

Thank you for your time and attention today. Please contact me any time with questions at sgallo@lakes.me.