

Dear Committee Chairs and Members,

Thank you for the opportunity to testify regarding LD 114.

My name is Thomas “Spike” Haible. I live in Harpswell on Middle Bay and was a citizen representative on the Department of Inland Fisheries and Wildlife stakeholder group that met over the past several months. That group’s goal, ably led by DIFW Deputy Commissioner Tim Peabody, was to develop a consensus based solution to the problem of excessive airboat noise. The noise problem has been an ongoing issue for many years for coastal residents and businesses that live and operate along the waterfront. The increasing use of airboats and the resultant exponential increase in noise levels has caused the issue to burst forth into the public consciousness, and needs to be addressed.

With great respect for Rep. McCreight, and Dep. Commissioner Peabody, I am opposing LD 114 for several significant reasons. First and foremost is that the bill sets decibel limits that are based on the joint DIFW/DMR report to the Legislature on the stakeholder process. However, the report Incorrectly concludes that a consensus was reached and that noise limits of 75Db at night and 90Db during the day was acceptable to all parties. This is not true. Dep. Comm. Peabody could see that consensus was unachievable due to the resistance of the airboat operators to sound level reductions, but had to bring the group’s work to a close due to the time pressure to create a report. The citizen representatives made numerous efforts to bring the noise limits down to levels that were not only achievable but livable for coastal residents and businesses. We modified those limits to try for compromise with the airboat operators, but to little avail.

For those who have not experienced regular exposure to airboats, “livable” is a very real measure. We all know when a machine creates too much noise; it interrupts conversation, causes sound pressure in the ears at or near the pain threshold, interrupts sleep, and more. Airboat noise is unique along the working waterfront; no other working watercraft creates the sound levels and intensity, or complaints, that an airboat does. Yet, at the February 8th airboat demonstration using three different airboats, levels that nearly matched the limits proposed by citizen stakeholders were achieved. The conclusion was clearly that airboats could be operated at acceptable levels.

Many studies have been done on the effects of loud noise on the human and natural environment. Maine’s own Maine State Planning Office addressed the problem of noise in our living environment in Technical Assistance Bulletin #4 (“Noise”, May 2000). To quote from the introduction of the report, “Noise....does not accumulate in the environment, but its impacts can be long lasting affecting people’s lives and property values. Noise causes a deterioration in the quality of life as much as, if not more than, many other environmental problems”. That report goes on to promote standards for daytime and nighttime exposure to noise. There are Maine cities and towns that have adopted those noise limits. Airboats could likely not meet any of the limits that have been adopted.

Airboats are not aircraft. They are watercraft, plain and simple. They operate over water and on water saturated surfaces such as mud and sand. They have a large propeller that is derived from aircraft, but they do not fly. They are boats. 'Airmobiles', which are also known as hovercraft and use vertical and horizontal propellers and are notoriously noisy, are subject to noise limit regulation in Maine. An effort by the citizen group to set the same standards for airboats as airmobiles, which seemed completely logical, was rejected.

It has been said by the airboat operators that any regulation of their airboats is essentially an attack on the working waterfront. Nothing could be further from the truth. I at one time worked on the water, and I have the greatest respect for those who make their living on the water. But that appreciation does not mean I think airboats, used by shell fishermen to pursue their livelihood, should get a pass on regulations when other working waterfront users do not. We're simply talking about noise here, not preventing someone from working.

My last comment is a warning of sorts. Maine has relatively few airboats now, but their use will increase, and spread. Maine's inland waters, our lakes and rivers, are already seeing some airboat use. If it spreads, resistance will grow rapidly and it will be because of noise. Maine is not Florida, the land of the airboat. No one wants to go to their camp or vacation home upcountry and then listen to airboats. Many Mainers head north to their camps to get away from the noise and hub-bub of daily life. Having an airboat arrive on their quiet lake or riverfront will be a shock that will not be tolerated. DIFW regularly creates rules that limit motorized access to ponds and lakes. It is long past time to put regulations in place dealing with airboat noise. It really is time to move on from the attitude expressed by the name on one local airboat; "Too Loud, Too Bad". I therefore testify against LD 114.

Thank you for incorporating my testimony in your decision making.