

April 11, 2021

Department of Inland Fisheries and Wildlife Committee
Department of Marine Resources Committee

Re: L.D. 114 and L.D. 89
Bills Concerning Regulation of Airboat Noise

To Committee Members,

I am a resident of Freeport and am commenting on L.D. 89 (An Act to Regulate Airboats) and L.D. 114 (An Act to Address Airboat Operations). I appreciate and support the actions of the committees on this issue over the past two years and understand the difficulties in finding a consensus path forward. While the two bills are very similar they differ in the critically important issue of allowable noise limits from airboats. L.D. 89 proposes reasonable limits and I am FOR this bill. I OPPOSE L.D. 114 because the proposed noise limits are excessively high and will offer no relief to the overwhelming complaints of coastal residents that were clearly presented during the recent attempted consensus-based rule development process..

I live on the Wolf Neck peninsula in Freeport with exposure to the Harraseeket River to the west and the Little River embayment to the east. Starting three years ago in the summer of 2018 the relative tranquility of this region was disrupted with the startling loud noise from an airboat used for clamming in mudflats on both sides of Wolf Neck. Airboat use continued in 2019 and increased to two boats operating in this area in 2020. The disruption and intrusion of airboat noise is hard to characterize to anyone who has not been exposed to it. For humans, the noise is so loud it interrupts communicable speech, prohibits listening to music, stops telephone conversations, wakes you up if asleep, and otherwise totally disrupts normal life. And it is unavoidable. The high speed and wake from airboats in the Harraseeket River is a safety risk to swimmers, sailers, kayakers, and moored boats. Furthermore, the detrimental effects of airboat sound and vibration levels to wildlife and marine organisms are well documented.

When exposed to airboat noise no one can avoid the obvious question – how could such a loud noise possibly be permissible by local or state laws? State laws for all other watercraft limit noise levels to 75 dBA when measured 50 ft from the boat. The daytime noise limit proposed in L.D.114 is 90 dBA as measured at the shoreline, which far exceeds the 75 dBA limit at 50 ft for all other boats particularly when accounting for the physics of sound level versus distance from source occurring for shoreline measurements.

My primary complaint is that the noise from airboats operating in the Wolf Neck peninsula area is simply too loud and allowing a 90 dBA limit will do little to mitigate the problem. Numerous examples are available to attempt to convey what 90 dBA sounds like – a table saw, a subway, the cockpit of a propeller airplane, a motorcycle at 25 ft., a blender, a smoke alarm, etc. While these examples would certainly be disturbing if sustained without hearing protection for the 15 to 20 minutes we typically hear an airboat, they all under represent the wholeness and low frequency disturbance of airboat noise. Daytime limits for public health and safety are commonly limited to 75 dBA even in industrial zones. Similarly, common municipal nighttime noise limits are 55 to 60 dBA. From my background as a professional engineer with over 40 years of experience in a broad application of heavy civil engineering construction and blasting projects, I fail to understand why L.D.114 should be adopted when it proposes to exempt airboat noise from the norms and standards that apply to every other aspect of noise control in our society. Even within the limited context of

regulated boat noise in Maine, a 90 dBA limit for a shoreline measurement is extremely permissive and out of balance with the requirements for all other watercraft. No other boat operating in Maine generates noise anything close to this.

In contrast, L.D. 89 proposes a daytime noise limit of 80 dBA and a nighttime limit of 65 dBA, both based on shoreline measurement. While these limits still exceed the normal standards referenced above, they are much closer to acceptable norms and were offered by the coastal residents group during the consensus-based rule making process as a goodwill compromise to airboat operators. Moreover, shoreline noise measurements of moving airboats made by the DIFW in 2019 and 2020 demonstrated that 100% of the measured sound levels were less than 83 dBA and 85% were less than 80 dBA. Clearly, the 80 dBA limit proposed in L.D.89 is easily attainable by most airboats.

I urge the DIFW and DMR committee members to reject L.D. 114 and approve L.D. 89's noise limits of 80 dBA during the daytime and 65 dBA at night. L.D.89 provides a better balance between airboat operators, coastal residents and coastal wildlife, and would have no effect on others in Maine's working waterfront. I fully support the proposal to measure airboat noise from the shoreline in accordance with SAE J1970, and continuation of the stakeholder group to study the effects of airboat noise on humans and wildlife.

Respectfully,

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