

To: Chair Baldacci, Chair Roberts, and members of the Inland Fisheries and Wildlife Committee

From: Gary C. Brink
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Residency Status: Resident

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Re: Support of LD 1763

I support LD 1763 because it prohibits non-water-dependent floating structures (NWFS) on inland and coastal waters. I do so for the following reasons:

FWFS are a Danger to Public Safety and Navigation

_ FWFS are a danger to public safety and navigation as they do not have proper lighting that allows them to be seen at night or a proper designated location on a lake, so others do not know where they are located when it is dark.

_ FWFS are a danger to public safety in that towns are not equipped to do water rescues at night for anyone living on such a structure.

_ FWFS are not registered, and no one knows where such a structure would be, and EMS would not be able to find the location.

_ FWFS are not built to any standards and can sink causing harm and or death to the inhabitants.

FWFS Damages the Environment and Creates Health Hazards

_ There is no regulated sewage systems onboard these FWFS and sewage is going directly into the lakes causing public health hazards.

_ Garbage from these FWFS is being thrown overboard directly into lakes as their disposal systems are not adequate to support regular habitation.

_ FWFS located in littoral areas damage critical fishery habitat.

FWFS are not allowed under the Public Trust Rights - The rights of the public to use Maine's waters and its submerged lands are known today as Public Trust Rights. The state of Maine serves as trustee of its submerged lands and is tasked with protecting the public's right to use these lands and to obtain fair market rental value on behalf of the public in exchange for granting exclusive use of public trust resources to private entities. Any occupation of submerged lands by a privately owned structure affects the public's ability to freely exercise at least some of its public trust rights.

FWFS will cause additional Cost to the Town and State

_ FWFS are not built to standards and are known to sink. Towns and or the state will have to remove them from the lakes when that happens. These structures are not registered, and no one knows who located it on the lake and the town will have no recourse in recovering the cost of removal.

_ FWFS reduce the value of shoreland property and reduce the Tax Base of the town. Any shoreland property with a FWFS sitting in front of it will have a significantly reduced appraised value.

_ The state opens itself to lawsuits from town and residents for not properly regulating FWFS under Public Trust Rights.

Conflicts with Shoreland Owners and Fishermen

_ Confrontations between shoreland owners and FWFS have already been experienced. Conflicts between homeowners who are contributing tens of thousands of dollars in property tax and FWFS that are contributing nothing are bound to occur. The state and town may be included in extensive lawsuits.

_ Noise, air, and light pollution from these FWFS running generators to power electricity dramatically decreases the reasons why people come to Maine and invest in Maine by purchasing land and providing income for thousands of Mainers.