



**Testimony of the Island Institute Against LD 1211, Resolve to Create a Study Group to
Research Balancing Development and Conversation Maine's Coastal Waters...
May 4th, 2021**

Senator Miramant, Representative McCreight, and members of the Committee on Marine Resources, I am Nick Battista, and I am testifying against LD 1211 for the Island Institute.

The Island Institute is a 38-year-old nonprofit organization based in Rockland, Maine. We work to sustain Maine's island and coastal communities and are committed to a just, resilient, and vibrant future for the coast of Maine. We work in partnership with courageous leaders to support resilient communities and confront a changing world.

The Island Institute supports having challenging conversations about the future of the coast. How these conversations happen, how they are framed, and when they occur are crucial to making strides towards addressing the complex challenges our coast is facing.

In its current form, LD 1211 does not provide for a particularly helpful structure for having productive conversation. The Study Commission has a very broad mandate to review a significant swath of statute and regulations in Maine and elsewhere as well as to make broad recommendations across multiple titles of State statute. Further, the Commission is supposed to review "failures of the current coastal waters management system" and requires the consideration of a specific strategy. It is far from clear that these "failures" are actually systemic failures and not merely a disagreement about specific outcomes in a particular instance.

Identifying and articulating a clear systemic policy problem to charge the Commission with reviewing would be an essential first step. If the policy problem is focused on bay management from a resource or ecosystem perspective, the Committee should include a review of past work in Maine on this topic as well as the likely significant financial resources needed to implement such an idea. If the policy problem is focused on creating ways for municipalities to exert control over the State's ability to make decisions about submerged lands that it holds in trust for all Mainers, the Committee should include considerations for how activities that are in the public interest and based on sound State policy are not overridden by the desires of a few people.

Any Commission and stakeholders involved in the process would benefit from clearly understanding the intentions of the Committee to engage substantively in these topics. Once the Committee determines the appropriate policy questions and direction for this Commission, the Island Institute **potentially could** help inform the process. Absent further clarity along the lines above, LD 1211 should not move forward.