

May 4.2021

Senator Miramant, Representative McCreight, Honorable Members of the Joint Standing Committee on Marine Resources:

Thank you for the opportunity to testify in favor of **LD1211, a Resolve to Create the Study Group to Research Balancing Development and Conservation in Maine's Coastal Waters and Submerged Lands.**

I am Ann Hirschhorn, a member of Friends of Frenchman Bay. It is a citizens organization which was formed in 2017 to protect and preserve Frenchman Bay. The members serve as local witnesses to help the State carry out its mandate to ensure the sustainability of our natural resources. My family has owned a home in Hancock for over 80 years, though four generations. We treasure it as our family home and heritage.

Over the past four years we have followed cases involving the coastal waters and submerged lands. Fully informed, fair and equitable resolution of the inevitable conflict between development and conservation is often difficult or impossible to achieve. Four of us, including Representative Lynne Williams, Kathleen Rybarz and Kathryn Gaianguest, met weekly through late spring, summer and fall of 2020. We researched case histories, reviewed current Maine laws, requested and received expert legal research into pertinent state and national law from the National Sea Grant Law Center, We spoke with representatives from government and municipal entities, conservation groups, fishermen, aquaculturists, marine scientific researchers, members of the tourism industry and other businesses, Park officials, year-round and seasonal residents. We appreciated and learned from their thoughtful input.

We concluded that when well-meaning Maine people plan for development or set about to preserve and protect our natural resources, **the inevitable conflicts are in need of a forum and process for resolution, which is neither pro- or anti-development, nor pro- or anti-environment.** This has been achieved for the coastal land zone, to most peoples' satisfaction, with the landmark Mandatory Shoreland Zoning Act of 1971, which declares that **development must not be uncontrolled, inappropriate or dangerous. No such legislation exists for the coastal waters and submerged lands.**

Maine's coastline is diverse and complex with different bays having different character and culture, needs and wants. Maine is a home rule state. Currently, many who live and work around a particular Bay are **disenfranchised**. The diversity requires different regional approaches which can only be determined through local input.

We felt we were not ready to propose definitive legislation; we needed to have input from those who have developed and administered the laws as well as those who've lived and worked within their constraints. Therefore, we are proposing a Resolve (LD 1211) to create a Study Group to review pertinent Maine and other State laws; to look at case studies where the current system has failed; to determine whether **usage planning** needs to occur for the the coastal waters and submerged lands; and, if so, what kind of system needs to be set up. Such a study, emphasizing the need for regional involvement, was recommended in 2007 and has never been done.

In light of the currently **exponentially increasing demands** for use of the coastal waters, LD 1211 presents an opportunity to establish **local regional input**, in this home rule state, that is mandated to protect its natural resources. Hopefully, it will create a **regional forum and process** which would be **complementary to, but not duplicative of**, processes in the current regulatory system.

Thank you.

Ann Michelson Hirschhorn, M.D.