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Coastal Land Access
Great Ponds Access
17 M.R.S. § 3860

JOSEPH E. BRENNAN
ATTORNEY GENERAL



RICHARD S. COHEN
JOHN M. R. PATERSON
DONALD G. ALEXANDER
DEPUTY ATTORNEYS GENERAL

STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

June 8, 1977

The Honorable Maynard Connors
House of Representatives
State House
Augusta, Maine 04333

Dear Representative Connors:

You have asked several questions as to the rights of persons to gain access to the coastline and to great ponds and the rights of persons to exploit the natural resources found therein once access has been gained. We would answer these as follows:

1. There is no right of access to the coastline for any purpose. Under the Colonial Ordinance of 1641, the public has the right to walk along the strand (i. e. between the high and low water marks) for the purpose of fishing and fowling, but the ordinance grants no right of access to the strand.
2. As indicated in the preceding answer, the Colonial Ordinance gives the public the right to fish and fowl below the high water mark, a right which is limited only by State statutes or local ordinances which govern the exploitation of marine resources generally.
3. By statute, 17 M.R.S. §3860, the public has the right of access on foot over unimproved land to a great pond. There is no exception for great ponds the lands surrounding which are in single ownership.

I hope these responses answer your questions.

Sincerely,

CABANNE HOWARD
Assistant Attorney General
Chief, Natural Resources Section