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January 31, 2007

Senator John Martin, Chair  
Representative Theodore Koffman, Chair  
Joint Standing Committee on Natural Resources  
Room 214 Cross Office Building  
100 State House Station  
Augusta, ME 04333-0100

RE: 2006 Annual Report Beach Management Program

Dear Senator Martin, Representative Koffman and Committee Members:

Maine's coastal sand beaches are at once cornerstones of the State's tourism industry, areas with significant habitats, and places where Maine people love to live and play. In February 2006, the Joint Standing Committee on Natural Resources of the 122<sup>nd</sup> Legislature received a report entitled "*Protecting Maine's Beaches for the Future: A Proposal to Create an Integrated Beach Management Program* (*report*)"<sup>1</sup>. The report's aggressive action plan included the use of regulations, education, citizen stewardship and investment to reach shared goals. The Beach Management Program is now being implemented through a collaborative effort among state agencies and local and regional stakeholders, including environmental groups, citizen volunteers, municipalities and others. The State Planning Office ("SPO"), the Department of Environmental Protection ("DEP") and the Department of Conservation's Maine Geological Survey ("MGS") share responsibilities for implementation of the program.

Following receipt of the report, Resolve 2005 c.175 ("Resolve")<sup>2</sup> was enacted. This law calls for the establishment of a Beaches Advisory Committee and the submittal of an annual report on beach management to the Joint Standing Committee on Natural Resources ("Committee"). This correspondence, submitted on behalf of the three agencies cited above, serves as the annual report of activities for 2006. The purpose of this report is to brief the Committee. No legislative action is being requested at this time.

### **Background – Maine's Integrated Beach Management Program**

The product of a stakeholder effort in 2004-2006, *Maine's Integrated Beach Management Program* included thirty-one recommendations aimed at improving and sustaining Maine's coastal sand beaches for the benefit of Maine residents, visitors and businesses. Aside from recommendations concerning the Natural Resources Protection Act and DEP's Chapter 355 Sand Dune Regulations

<sup>1</sup> February 2006. Available at: [http://www.maine.gov/dep/blwq/topic/dunes/report06\\_protect.pdf](http://www.maine.gov/dep/blwq/topic/dunes/report06_protect.pdf)

<sup>2</sup> Available at: [http://janus.state.me.us/legis/ros/lom/LOM122nd/Res151-200/Res151-200-24.htm#P257\\_43436](http://janus.state.me.us/legis/ros/lom/LOM122nd/Res151-200/Res151-200-24.htm#P257_43436)

(which were addressed by the 122<sup>nd</sup> Legislature in 2006), the report's recommendations concern beach restoration, habitat protection, mitigation of storm hazards, education and outreach, data and information and funding. Activities in support of the Beach Management Program in 2006 are summarized under five topical headings below.

## 1. Advisory Committee

As directed by the Resolve, a seven-member Beaches Advisory Committee has been established and includes:

- Andrew Fisk, Director, Bureau of Land and Water Quality, DEP
- Eliza Townsend, Deputy Commissioner, Maine Department of Conservation (“DOC”)
- Robert Marvinney, Director, MGS
- Kathleen Leyden, Director, Maine Coastal Program/SPO
- Paul Schumacher, Executive Director, Southern Maine Regional Planning Commission
- Jody Jones, Wildlife Ecologist, Maine Audubon Society (*representing a large wildlife conservation organization in the state*)
- Robert Foley, Past President, Maine Coastal Coalition (*representing a coastal property owners association in the state*)

In addition to the seven members above, four additional members were selected by the Maine Coastal Program (in consultation with DEP and MGS)<sup>3</sup>:

- Peter Daigle, Legislative Director, Maine Innkeepers Association
- John Bubier, City Manager, Biddeford, Maine
- Kristin Whiting-Grant, Marine Extension Associate, Maine Sea Grant
- Steve Walker, Beginning with Habitat Program Coordinator, Maine Department of Inland Fisheries and Wildlife (“DIFW”)

The duties of the Advisory Committee will include:

- receiving updates on shoreline change and storm events, regulatory enforcement, restoration and acquisition activity, and water quality;
- overseeing development of geographic priorities for beach management activities;
- assisting in the development of funding criteria and reviewing any beach management projects proposed subsequent to the development of a new state beach management funding program; and,
- drafting subsequent annual reports for the Joint Standing Committee on Natural Resources, including recommendations for further action.

To allow state agency staff to complete certain key tasks prior to the formation of the Advisory Committee, the formal convening of the group was delayed until 2007. A late winter 2007 meeting of the group is planned.

## 2. Funding

The new Beach Management Program calls for a variety of investments in Maine's coastal sand beaches. In summer 2006, the State Planning Office, as part of Governor Baldacci's Natural

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<sup>3</sup> Resolve 2005 c.175 prescribed the composition of the seven member group, but allowed SPO, DEP and MGS the discretion to include others.

Resource-Based Industry Initiative<sup>4</sup>, convened a workshop on “Green Infrastructure” to look collectively at the investment needs associated with tourism and recreation. Following the workshop, a coalition of public and private sector stakeholders agreed on a list of priorities for future investment. A sum of \$2 million for a pilot program for beach restoration, sanitary facilities and signage continues to be discussed as part of a potential bond proposal.

### **3. Data and information**

The beach management report tasked the Maine Geological Survey with conducting various data collection programs that support implementation of the Beach Management Program. Due to the number of tasks and the current lack of task-dedicated field teams, efforts remain ongoing and will continue through the spring and summer of 2007. All efforts are expected to be completed by the end of summer 2007. MGS has begun the following activities:

- Updating the regulatory lines for administration of the Coastal Sand Dune rules using recent digital color aerial photographs and LIDAR (Light Detection and Ranging) topographic data.
- Mapping the inland boundary of the newly defined Erosion Hazard Areas (EHAs). EHAs are areas that can reasonably be expected to become part of a coastal wetland in the next 100 years due to erosion, flooding and sea level rise.
- Improving the existing State of Maine Beach Profiling Project (SMBPP) through establishment of benchmarks of known horizontal and vertical positioning. The SMBPP is a volunteer-based program, overseen by Marine Sea Grant and MGS that monitors beach profiles on a monthly basis. By establishing known starting points, each measured profile can then be tied to ground coordinates in a Geographic Information System.
- Implementing the Maine Beach Monitoring Program (MBMAP) by establishing a benchmark network and conducting surveys of beach features.
- Implementing a simulation of the impacts of a two foot rise in sea level on existing coastal wetlands and development in selected coastal Maine towns.
- Updating the Maine Beach Scoring system to expand its geographic scope to cover the majority of Maine’s sandy beaches (Georgetown to Kittery) and including newly collected and available data. The Beach Scoring System helps classify different geomorphic characteristics of the Maine shoreline and helps identify areas susceptible to coastal hazards. The Scoring System will be used to help identify and prioritize those areas that may benefit most from dune restoration and/or beach nourishment activities.
- Providing information for consideration by the Board of Environmental Protection regarding creation of an accurate record of coastal engineering structures.

### **4. Willing seller acquisition of storm-damaged properties**

The beach management report tasked SPO with preparing a GIS analysis (for planning purposes only) to assist future discussions about the use of willing-seller land acquisition as a tool for storm hazard mitigation. The concept behind the use of this tool is that many structures are still at risk of storm damage along the Maine coast. Should storms damage dwellings and properties, residents should have the option to reduce their exposure to coastal hazards by relocating. SPO’s effort would create a list of priority geographic areas for use by landowners, the Maine Emergency Management Agency (“MEMA”), municipalities, land trusts, the Land for Maine’s Future program and other existing land acquisition programs. The Maine Coastal Program, in consultation with

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<sup>4</sup> <http://www.maine.gov/spo/natural/gov/>

MEMA, MGS, DOC, DIFW and other agencies, has collected information about flood insurance loss claims, erosion hazards, proximity to other public lands, important habitats and other attributes for entry into a Geographic Information System.

## **5. Public outreach and training**

The Beach Management Program was presented to attendees at the annual meeting of Save Our Shores (SOS) Maine in summer 2006. SOS is a membership organization of coastal homeowners and business owners.

SPO, MGS and DEP are actively contributing to the planning and sponsorship of the Maine Beaches Conference scheduled for June 2007, hosted by the Maine Sea Grant College Program at the University of Maine. The event is held biannually and attracts 200 coastal homeowners, coastal professionals and citizen volunteers.

The Maine Coastal Program has consulted with Maine Sea Grant staff on the design of, and grant writing efforts for, a social marketing campaign to increase citizen interest in the use of best management practices to reduce storm risks (such as elevating on posts, flood-proofing household systems). Social marketing identifies barriers to citizen action and creates new methods to facilitate behavior change.

In September 2006, SPO's Floodplain Management Program, in collaboration with the federal Department of Homeland Security's Federal Emergency Management Agency ("FEMA") sponsored a two-day training on FEMA's Coastal Construction Manual. Fifteen architects, engineers and code officers attended the session, aimed at training professionals in storm-resistant building technology.

## **Briefing for the Joint Standing Committee on Natural Resources**

Implementation of the Beach Management Program is off to a strong start. Staff from SPO's Coastal Program, MGS and DEP will answer the Committee's questions on the material presented in this letter at a briefing scheduled for Thursday, February 1<sup>st</sup> at 1 p.m. Should you have questions in the meantime, please contact me at 287-3144 or [kathleen.leyden@maine.gov](mailto:kathleen.leyden@maine.gov).

Thank you for your consideration.

Sincerely,



Kathleen Leyden  
Director Maine Coastal Program

cc: Beaches Advisory Committee  
David Littell, DEP  
Sue Inches, SPO  
Ken Elowe, IF&W  
Steve Burgess, MEMA  
Paul Anderson, Maine Sea Grant