

Rivers and Coastal Waters Commission

Brunswick, Maine

Minutes

March 24, 2021

Members Present: Mark Worthing (Citizen Rep), Sue Stableford (Citizen Rep), Bill Good (Citizen Rep.), Cory Theberge (Vice Chair Citizen Alt.) William Wilkoff (Parks & Rec. Rep) Marko Melendy (Chair-Marine Resources) Doug Niven (Citizen Alt.)

Town Councilors Present: Steve Walker/Kathy Wilson

Staff: Dan Devereaux (Coastal Resource Manager) Daniel Sylvain (Harbormaster/Marine Warden)

A meeting of the Rivers and Coastal Waters Commission was held via electronic device on Wednesday, March 24, 2021. Chair Melendy called the meeting to order at 6:00 P.M.

Minutes: (02:34-3:45) December 2020 and January 2021 Approved. Motion to approve by Niven, Second by Wilkoff, unanimous of the Committee. There were some small clerical errors that were pointed out.

Harbormasters Report: (03:47 - 16:35) Officer Sylvain updated the committee

- There are 86 moorings that have been preapproved thus far. There are three new moorings (2 in Gurnet area and 1 near Mere Point). Another mooring application from an individual that purchased a camp on Williams Island in West Bath that came with a 50' deeded right of way off Four Wheel Drive Road in Brunswick. The individual has used an unregistered mooring off his right of way to access his camp on Williams Island over the last year. Since the right of way does not meet the current mooring ordinance requirements for owning a mooring in Brunswick, his application has been denied. A denial letter has been issued from the Town attorney and Town Clerk.. Sylvain stated that the applicant intends to appeal the denial to the Town.
- The Police Department has sent 4 additional officers to the harbormaster training and those officers will also be attending an enhanced boater safety courses. Having additional officers offers more on the water coverage when needed.
- The police patrol boat is undergoing annual maintenance and the Jet Ski is underway of being issued to the town under a manufacturers grant. The town fleet consists of a 20' center console maritime skiff, a 21' airboat, and a loaner jet ski.
- All ice fishing shacks on the river has been safely removed.
- LPA aquaculture license applications
 - o Running Tide applied for four LPA's in West Bath in the New Meadows River. Because of the close proximity of Sawyer Park to those applications the Town of Brunswick is considered a riparian owner and is authorized to make comment on the applications. Because of the narrow navigational channel in the area Sylvain expressed navigational concerns with those applications. Those applications have recently been denied by the Maine Department of Marine Resources.

- Ferda Farms applied for two LPA's near the Thomas Point Beach intertidal. Do to the close proximity to the intertidal being a concern they have elected to move the location of those applications into deeper waters.
- Mere Point Oyster Company has put in four LPA applications in an existing spot in Upper Maquoit Bay that was occupied by a previous LPA license holder in 2020 who recently gave up those locations. Mere Point Oyster Company has also applied for an additional 4 LPA applications near their existing lease to install shellfish rafts in an effort to help with bird mitigation.
- Sylvain stated that the town has instituted a 50 dollar application fee for each LPA review, which became active in January 2021. All applications will now be assessed a 50 dollar review fee by the town regardless of their issuance or denial by the state.

AGENDA

1. **Airboat Regulation Update:** (16:59 – 27:20)

Melendy provided a brief overview of the ongoing process to try to develop a consensus around adoptions of rules pertaining to airboat usage along the coast. Under legislative mandate a consensus group was built of concerned citizens, airboat operators, local enforcement officers, shoreline residents, and municipal and state officials. Devereaux explained the process when consensus can't be built by the working group. He stated a detailed report on all the meetings and any studies conducted in those meetings will be sent back to the legislature for consideration and adoption into law. Walker, Devereaux, and Eldridge met with Senator Daughtry to express concerns on the impacts of enacted airboat laws and how they could impact the local shellfishing fleet. Devereaux clarified that the rules and regulations regarding boating rule are under the control and authority of IF&W. Worthing stated that this is complex issue and supports a study to understand how the airboats fit into the coastal noise.

2. **Permanent Intertidal Structures:** (27:30 – 39:08)

Melendy explained the agenda item. Melendy indicated a letter was sent on behalf of the Commission regarding the concerns for larger out of the ordinary piers and the impacts to the Town's coastal waters. Devereaux explained that staff has been conducting site evaluations along with the contractors. Melendy stated that there are other similar but smaller pier projects proposed. Sylvain stated that he has been present when the applicant's consultants conducted alternate site evaluations. Sylvain indicated that the area is a high producing shellfish area. Steve Walker explained the sections in the ordinance that he believes the application does not meet, which the ordinance states the structure should be no larger than what is needed AND it should conform to surrounding character. Walker indicates that the Miller Point application meets neither of those conditions in his opinion.

3. **Simpsons Point Discussion:** (39:11 – 52:12)

Melendy explained the agenda item. Town Council approved the widening of the road and paving of the existing road. Walker explained the purpose and reasoning behind the recent town sponsored citizen's advisory council. Walker stated the Town Council elected to establish the group and work to develop policy and uses at the site going forward. Marko explained that the RCWC will have two representatives appoint to the council. There was discussion surrounding the allocation of funds for the project and where those funds are allocated from.

4. New/Old Business: (52:15 – 1:19:00)

a. WATER ACCESS POINTS:

- Melendy spoke of water access discussions in past meetings and believes the commission should revisit some of the possibilities of those areas providing access to the water for the public.

b. OCEAN ACIDIFICATION:

- Melendy brought up previous questions around the impacts of shellfish aquaculture on ocean acidification. Melendy reports that he only found research on how ocean acidification impacts aquaculture. Worthing clarified that he was looking for information on the removal of shellfish having impacts and if so how much. Walker indicated that uses both algae and shellfish aquaculture have been used to buffer acidification on ocean farm sites. He also states he believes to get at the core of acidification Brunswick's land management practices would be a better start.

c. ADDITIONAL PARKING AT MERE POINT BOAT LAUNCH:

- Niven asked about the status of the overflow parking that was proposed at Mere Point Boat Launch. He also stated that in preparation for the summer months the town should consider putting up no parking sides along Mere Point Road. Devereaux stated that if there is immediate concern to contact the police department. The process for the proposed parking lot is being worked on through the planning department and they are working through the zoning ordinance to see how an additional parking lot can happen. Sylvain stated that he would inquire with the police chief about the parking problems and develop a plan to address those concerns over the summer. Harrower indicated that the marina is already getting overnight parking requests and wanted an updated on whether or not overnight parking will be allowed at the boat launch this year. Sylvain stated that IF&W would be setting those policies soon. Walker asked about the single cars in trailer spaces at the boat launch. Sylvain stated that this is an ongoing issue. Stableford stated that there is not enough single car parking at Mere Point Boat Launch.

d. PARK RANGERS:

- Stableford inquired on the status of the hiring of the park rangers for the summer. Devereaux stated the process has been underway and the hiring advertisement is going out next week.

e. DRONE MONITORING:

- Melendy reminded Sylvain to see if it is possible to get drone video of the Miller Point Project.

NEXT MEETING: Wednesday April 24pm 6pm

Sue Stableford suggests that Devereaux reach out to Jay Astle from public works and let him know of the concerns about the Simpson Point paving project

Meeting adjourned @ 1:19:04

Submitted By,

Dan Devereaux,

Please note: These minutes are action minutes. The entire meeting can be viewed by visiting the Town TV3 website.

<http://tv3hd.brunswickme.org/CablecastPublicSite/show/4413?channel=1>

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