Town of Freeport

Increasing Municipal Capacity to Preserve Working Waterfront and Coastal Access Through Collaboration with a Regional Planning Organization (Fiscal Year 2024, project awarded 2023)

"Freeport's coastal access was identified during past planning processes as a key area of challenge to their economy and resilience. This project helped advance the municipality's understanding of opportunities for building resilience for future climate impacts on the working waterfront and succeeded in preserving access points for shellfish harvesters. The approaches developed through the project can be shared regionally with other coastal communities facing the same challenges on their working waterfronts." – Sara Mills-Knapp, Director of Sustainability, GPCOG

Left: Winslow Boat Ramp, Freeport, ME (2024). Right: Sand Beach, Freeport, ME (2024). Credits: Charles Tetreau

Project Description

The goal of this project was to create a replicable framework for identifying strategies to protect and expand coastal public access, as well as enhance working waterfront infrastructure to better support the varying fishing and aquaculture industries based in Freeport. The first portion of this project was a feasibility study to identify potential sites for future development of a public all-tide or deep-water boat ramp. The harbormaster and consulting engineers (GEI Consultants, Inc.) selected nine sites which were analyzed against 20 criteria, like waterfront suitability, environmental impact, parcel ownership, and upland suitability.

The second portion of this project focused on protecting and/or expanding walk-in access for shellfish harvesters. Many harvesters rely on handshake (verbal/informal) agreements for permission to cross private property and access intertidal mudflats. These agreements are not formally documented and are at risk of being lost if ownership of the property changes. The project team worked with Freeport Conservation Trust and Tidal Bay Consulting to send letters to over a dozen property owners who currently or previously allowed shellfish harvesters to walk through their properties. They met with over half of these property owners to discuss various options to preserve access. Ultimately, they developed a written formal access agreement for shellfish access based on a trail easement model, which is frequently used for other types of public access across private property. The shellfish trail easement is only for use by harvesters and will be held by the Town of Freeport, and enforced by the Marine Resource Conservation Officer.

The Town of Freeport partnered with the Greater Portland Council of Governments (GPCOG) and Freeport Conservation Trust, and contracted Tidal Bay Consulting and GEI Consultants Inc. to complete the project. This initiative built on several other projects and resources including the Working Waterfront Inventory Template by Tidal Bay Consulting and Maine Coast Fisherman's Association, the Community Intertidal Data Portal by Tidal Bay Consulting, Viewshed, and GPCOG, Preserving Access to the Intertidal Guidance Document by the Casco Bay Regional Shellfish Working Group, the Climate Smart Working Waterfront project by The Gulf of Maine Research Institute, the Gouldsboro Shore Project, and GPCOG's 2023 Shore and Harbor Planning Grant project with Manomet– Protecting and Improving Shore Access in Casco Bay.

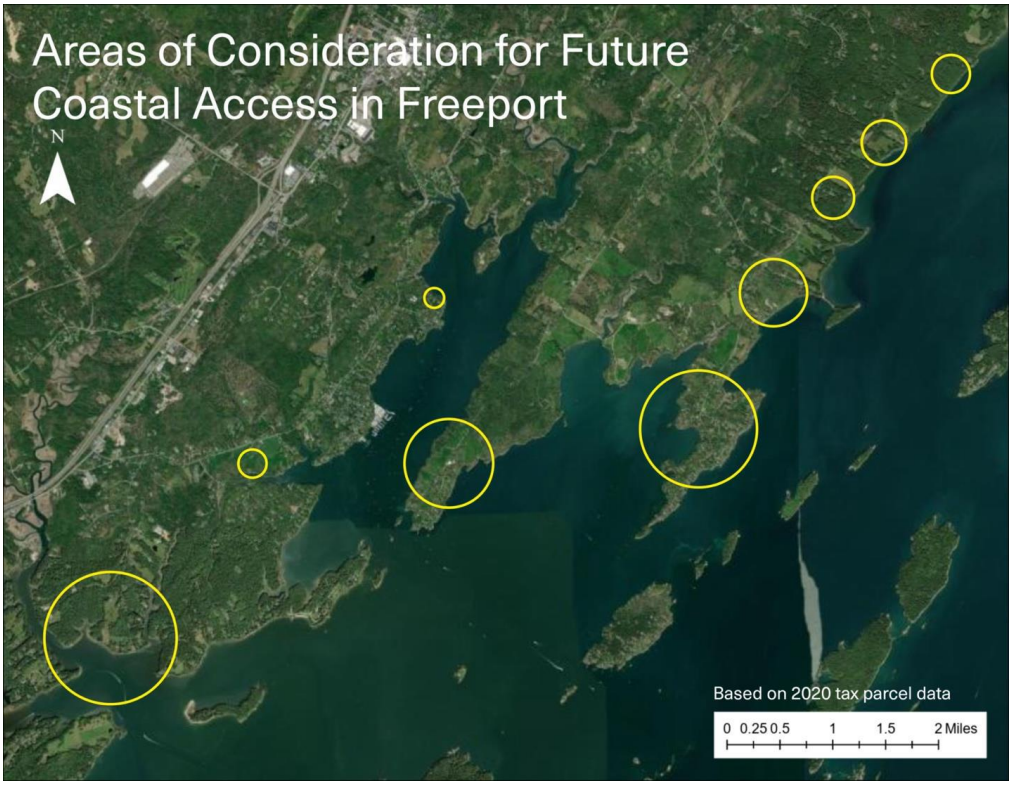
Photo of project team at a walk-in access site consulting with a riparian landowner. Credit: Jessica Joyce.

Project Results

The feasibility study for the future development of an all-tide boat ramp determined that all nine assessed sites are unsuitable for a boat ramp at this time. While the sites did contain some favorable conditions, many of them would need to be dredged for the ramp, and all of them had deed or easement restrictions that did not permit the construction of a public boat ramp. The feasibility study did conclude that several privately owned sites could be suitable for a boat

ramp, if the sites were to go up for sale and if the Town of Freeport were to purchase them or secure a public access easement.

The walk-in public access portion of this project resulted in one successful trail easement with a private landowner, establishing formal long-term access to the upper Harraseeket River for shellfish harvesters. As of early 2025, the easement is being drafted by a land use attorney, and the plan is for the easement to be held by the Town of Freeport. A general template for a trail shore access easement between a municipality and a private landowner is being created to be used by other communities interested in replicating this process.



Appendix A – Areas of consideration for future deep water boat launch sites, based on landowner outreach and engineering analysis, taken from Freeport Deep Water Access Study by GEI Consultants, Inc. (p. A-4, 2024).

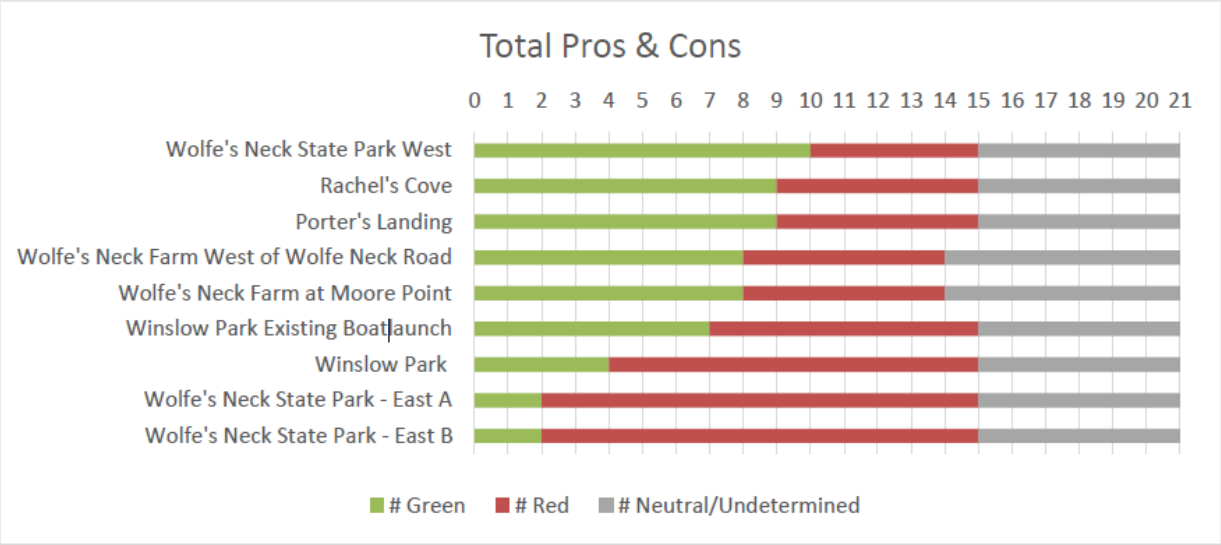


Fig. 5. Total Pros & Cons, taken from Freeport Deep Water Access Study by GEI Consultants, Inc. (p. 12, 2024)

Future Plans

The Town of Freeport recently finalized their first formal harvester access trail easement with a landowner. They also now have a record of high priority parcels that they can watch for potential sales for a deepwater boat ramp, and the Town and Freeport Conservation Trust will continue conversations with property owners to encourage formalizing more agreements for intertidal access. The project team is sharing knowledge gained from this project, as well as the methodology, for other communities to apply in their public access improvement efforts.

Lessons Learned

Public access preservation should start with a review of legal documents tied to a parcel, such as deeds, affidavits, and easements, to gain a foundational understanding of the legal access landscape of that parcel. Additionally, it is critical to speak with property owners, who could include private landowners, land trusts, non-profit organizations, and the state.

Photo of a private access path in Freeport, ME used by shellfish harvesters. Credit: Jessica Joyce

Thank you to Jessica Joyce and Sara Mills-Knapp for helping to prepare this summary.

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