

## Coastal and Marine Working Group Working Waterfront & Infrastructure meeting #5

Thursday, February 8, 2024, 3:00 pm

Next meeting: Wednesday, February 14, 1:00 pm

[Click here to join the meeting](#)

### Link to the strategy template:

#### Attendees:

- Bill Needleman\*
- Nick Battista\*
- Kathleen Billings\*
- Cameron Reny\*
- Gabe McPhail\*
- Jeremy Garielson\*
- Monique Coombs
- Olivia Richards
- Maggie KellyBoyd
- Melissa Britsch
- Abby Westberry
- Jared Wildwistle

#### Agenda:

Here is the [working waterfront strategy](#) and the [notes](#) from last time.

- Grounding and timeline
- Update on infrastructure adaptation fund and discussion
- Update on other related activities
- Questions for 2/15 meeting w Commissioner Keliher
- Review strategy document – confirm 3 buckets, review listed actions +/-, with focus on adding any additional actions.

We will need to start talking about prioritizing the actions as well as filling out the template. In our discussion we will want to keep the following in mind:

- Timeframes for both implementation and to realize outcomes (2025, 2030, 2050)
- Next steps for implementation – does this need new legislation, a new state program, other activities
- Any thoughts on measuring outcomes

#### To-dos (also in the document below):

- **To-do:** Where the money goes matters and affects how the programs are ultimately administered. This group should think about our recommendations for which agencies should be involved.
- **To-do:** talk more with GOPIF about the WWF parts that went into the Climate Resilience Regional Challenge grant (submitted in mid-February) and how this group could play a role in guiding the funding if the state gets it. There will be opportunities to fine-tune the grant further if the funding comes through.
- **To-do:** this group needs to come up with questions and things to emphasize to Commissioner Keliher at the next CWMG meeting
- **To-do:** Nick will ask Ben if the Fisheries/AQ group is talking about new species opportunities and remind him to ask the commissioner how DMR is responding.
  - o **To-do:** if other people come up with things to discuss with the commissioner about WWFs next week, reach out to Nick.
- **To-do:** There is a need to find funding to quickly secure properties, as well as guidance and a toolbox for helping people identify and protect properties. This group should work to flesh out this idea. What is the right role for the state and what fits in the climate plan?
- **To-do:** clarify whether towns can create an impact fee for the conversion or sale of commercial properties, or if legislation would be required.
- **To-do:** Start working on the other parts of the template, including next steps for implementation.

#### Kickoff:

- The template is due in early March!
- The full CMWG will start refining the templates from the various subgroups later in March
- The CMWG will submit the combined templates to GOPIF in June and the final report comes out in December
- The next few meetings are very important for this WWF & Infrastructure subgroup to finalize our ideas

#### Updates:

- \$50 million hopefully being added to the Infrastructure Resilience and Adaptation Fund. WWF resilience part of that. The money can definitely go to publicly owned WWFs. Private WWFs will likely be eligible but the language is being worked on.
  - o *Question:* being part of the Community Resilience Partnership is currently a requirement to get funding, which is a hurdle for some communities. Will it still be a requirement?
    - Too early to tell, but a good thing to pay attention to!
  - o *Question:* are there two \$50 million pots?
    - Yes. The infrastructure fund (DOT) and a separate fund to support businesses hurt by the recent storms (DECD – aka LD 2191)
      - DECD has to go through a rulemaking process (90 days) to establish their program = time lag until implementation. Also, state building code and architectural people would be involved in this project to make sure engineering and architectural requirements are followed. This can also add time.
      - The DOT fund is a bit faster since it doesn't have those requirements

- **To-do:** Where the money goes matters and affects how the programs are ultimately administered. This group should think about our recommendations for which agencies should be involved.
- GOPIF is finalizing their application for the NOAA CRRC grant. It would be a game-changer if the state gets it – lots of funding for resilience.
  - There are components related to WWFs
  - This group (WWF subgroup of the CMWG) needs to make sure our recommendations tie in with the GOPIF application, since it would provide funding and staff.
  - **To-do:** talk more with GOPIF about the WWF parts that went into the grant and how this group could play a role in guiding the funding if the state gets it. There will be opportunities to fine-tune the grant further if the funding comes through.
- February 15: Commissioner Keliher and Megan Ware will be attending the CMWG meeting.
  - **To-do:** this group needs to come up with questions and things to emphasize, and ideas to get the commissioner's reaction about.
    - Example: how WWFs are threatened by climate change both to the infrastructure and to the businesses that use the infrastructure
    - *Question:* is there any conversation about new species opportunities and if/how DMR is responding? Don't want to miss opportunities. New infrastructure could be involved and we should make sure to mention it.
      - The Fisheries/AQ group should be discussing this. **To-do:** Nick will ask Ben and remind him to bring this up.
      - Comment: people are starting to see squid!
      - The Fisheries and Aquaculture group discussed new species a bit yesterday and the CMWG needs to be thinking about new species – this will be very important in the future.
        - *Note:* federally-regulated species are very complicated to manage since quota is divided among states.
      - One thought is that the climate plan could give the state of Maine some leverage to discuss these issues.
    - **To-do:** if other people come up with things to discuss with the commissioner about WWFs next week, reach out to Nick.

### Strategy document discussion:

- *Process:* add new ideas in red!
- There are currently three strategy buckets. Are these the right buckets?
  - Increase resilience of public and private WWF infrastructure
    - Broad definition, including boat yards and marine construction
  - Support private WWFs that support commercial fishing and aquaculture (CF/AQ) businesses
    - Tricky strategy because calling for state support for private WWF businesses is challenging
  - Promote access and preservation of working waterfronts

- Again, broad definition, even though some programs are more narrow
- *Comment:* good to be broad but also narrow and carve out some space just for CF/AQ needs
- *Question* about the buckets: the language is good, but how can we shape the language so the important details don't get lost? How do we make sure that crucial WWF properties are protected?
  - Flesh out the third bucket and provide examples of properties to protect if they become available. Have a mechanism for protecting private properties. Build a lifeline for these properties so we can be proactive!
- *Comment* about making sure the right agencies manage funds – DECD gets involved when paper mills go out of business. Could we have a similar approach for WWFs where the state gets involved and looks for an owner when crucial properties go up for sale? For the regionally significant facilities, make sure we have the tools to protect them and that we can be ready quickly to act!
  - We need an inventory first... We need to identify important WWFs statewide. But it can be risky to define what is important. Could we work this into comprehensive planning so communities can identify their priorities?
    - We need both: a broad, higher-level process and also a locally-driven process
- *Comment:* towns can identify their wharves through assessor data. Local officials can keep tabs on properties but securing them is tricky.
  - *Need:* funding to quickly secure properties, as well as guidance and a toolbox for helping people identify and protect properties.
  - **To-do:** flesh this out further. What is the right role for the state? This is a WG for the state's climate plan.
  - The LMF program could be more appealing if it is larger
  - *Need:* There is also a need for a big pot of money to purchase and protect WWFs
    - Especially a rapid response mechanism. Maybe a revolving loan fund? Portland has one, and they are often a gap funder rather than a long-term solution. Model to borrow from!
    - What would be the timeframe for a rapid response? 4 weeks? 12 weeks?
      - Smaller WWFs are at risk of converting to private properties and they turn over FAST. Larger properties or those with less residential opportunities will turn over slower.
    - If people know that there are funding opportunities, they might be more inclined to participate in a program to protect their WWF
    - We need to buy time to figure out how to make properties financially sustainable. Need to ID new users. Covenants and easements aren't everything. The fast action fund could help buy time.
      - *Note:* Public money to private properties should include some kind of preservation requirement to maintain working use.
- *Idea:* Possible connection to affordable housing – if affordable housing units will be sold and not kept as affordable housing, the seller has to alert the state and municipality. There is a time period for people to make an offer to keep it as affordable housing. Right of first refusal!

- Tax credits are a mechanism to incentivize participation in affordable housing and to get a right of first refusal on a property. Could we do something similar for WWFs? How can we incentivize participation?
- We could have a tax credit for WWF resilience. Encourage resilience upgrades and maybe work in a protection mechanism. Could be a way to support private businesses.
  - Do tax credits go into a larger bin of “revenue to support WWFs?”
  - *Idea* for a larger bin of financing to support WWFs, including loans and grants and tax incentives
- *Idea*: need for a clearinghouse to help people let others know that a WWF is for sale and to find possible buyers. Some kind of point person/broker for WWFs to connect uses and places.
  - This happens on an informal level and as part of community economic development efforts, but we need a group to maintain and expand it.
  - This is related to economic development efforts because revenue is needed to support infrastructure.
  - Does this clearinghouse idea belong in our WWF/Infrastructure document?
- *Idea*: Related to financing – can we harness funds from gentrification? Things like losing housing to short-term rentals and second-home ownership. Portland has a condo conversion fee (impact fee, not a tax). Could we do a fee for conversion of commercial properties? Either sale or changed use?
  - **To-do**: clarify whether towns can do that or if legislation would be required.
- *Comment*: Land use is an important tool and component for protecting WWFs (zoning)

### Wrap-up:

- Are people comfortable with the info in the document?
- Does anything give anyone heartburn? Anything to drop?
- We have concrete ideas and ones that need fleshed out further.
- We seem to be in the right ballpark with the three buckets.
  - Lots of actions.
- **To-do**: In the next meeting, we need to start working on the other parts of the template.
  - Including next steps for implementation. We didn’t do enough last time. We need to identify what is needed to implement these ideas, like legislation or research.
- Think about implementation and actions to add. Everyone can add, but please track changes or make clear notes.
- Good that we’re talking about the financing part. We will need to start putting numbers on things, though. How much money is needed?
- We need to be clear that regulatory changes are needed to support resilience. There may be some environmental costs, or at least trade-offs. Lost docks are pollutants, too.
- Emphasize other efforts to describe how valuable WWFs and the blue economy are to Maine

### Things to think about in the next meeting:

- Working waterfront resilience investment tax credit
  - additional details and thinking to inform program design
  - gut check on whether this is a helpful idea that is worth pursuing further

- What inventories/assessments should happen at the state level, what should happen at the local level, currently these are split into actions. If somebody wanted to add thoughts to the local assessment that would be particularly appreciated.