

Infrastructure Rebuilding and Resilience Commission

Commission Meeting #3

August 5, 2024



GOVERNOR'S OFFICE OF
POLICY INNOVATION AND THE FUTURE

MAINE
EMERGENCY MANAGEMENT AGENCY



Agenda – August 5th

1:00 – Welcome & meeting purpose

1:20 – Background & Working Waterfront Overview

- Department of Marine Resources
- Maine Climate Council's Coastal & Marine Working Group
- Working Waterfront Coalition

2:00 – Panel: Perspectives on Working Waterfront Resilience

2:45 – Break

3:00 – Discussion

3:55 – Closing remarks

4:00 – Adjourn



Resilient Maine: NOAA CRRC Grant

- NOAA Climate Resilience Regional Challenge Grant Award
- *Resilient Maine: Local Adaptation and Resilience Actions at a Coastwide Scale*
- Funding: \$69M through Inflation Reduction Act
- Project Implementation:
 - Lead: GOPIF, State Resiliency Office
 - Multiple state agencies, UMaine, Maine Conservation Corps, Maine Development Foundation, Wells National Estuarine Research Reserve, Maine Coast Heritage Trust
- Implementation Timeline: October 2024 – 2029 (5 years)



Resilient Maine: NOAA CRRC Grant

1. Build Enduring Community Resiliency
 - Capitalize Community Resilience Partnership; capitalize Maine Infrastructure Adaptation Fund; provide engineering support; expand regional technical assistance collaborative; develop sustainable funding plan
2. Reduce Climate Impacts through Nature-based Solutions and Investments in Green Infrastructure
 - Develop & deploy climate risk assessment tools/models to communities; advance nature-based solution capacity; improve climate-related permitting process changes; land acquisition
3. Strengthen Resiliency of Working Waterfront (WWF) Communities
 - Support WWF; build capacity of WWF communities; strengthen economic resiliency of WWF



Working Waterfronts Support the Economic Engine of Maine's Commercial Fisheries

- \$611 million in Landed Value
- Well over \$1.5 billion in economic activity
- 10,000+ license holders
- 35,000 Direct and Indirect Jobs



Photo by J.
Monkman

“Working Waterfront”

Working waterfront or working waterfront property. "Working waterfront" or "working waterfront property " means land, legally filled lands and piers and wharves and other improvements to land adjacent to the navigable coastal waters of the State and used by a commercial fisheries business. (12 MRS 6001)



Photo by J. Monkman

Focus...

Family owned, large scale, municipally owned... This is what makes up the critical infrastructure that that *is* Maine's working waterfront.

We must make sure it is...

- **Resilient**
- **Accessible**
- **Protected Against Conversion**



\$ Challenges \$

- Public dollars (state/federal)
 - Investing public money in private infrastructure (challenges)
 - Family wharfs need help with engineering and permitting (is this the place to invest?)
 - *Refocus on larger municipal wharfs? Should this be the long-term goal?*





Flood Insurance

- I am not aware of a single successful claim
- “Flood Insurance, it’s too damn expensive”
- How do we overcome this in the face of sea-level rise?
 - **BUILD TO BE RESILIENT!**

GOVERNOR'S OFFICE OF
Policy Innovation
and the Future



MAINE
Emergency
Management Agency



Infrastructure, Planning and Procurement

- Infrastructure – inventory?
What is that exactly
- Advance planning and
procurement
- Procurement of materials and
contractors

**We need one plan that
everyone supports**



Maine's Working Waterfronts are Vulnerable

- Threat of conversion
 - Demographic changes
 - Increasing property values (and taxes)
 - Changes in fisheries
 - Workforce housing
- Climate change
 - Sea level rise
 - Storm impacts



Resiliency – Building for the “New Normal”

Challenges:

- Engineering
- Permitting
- Materials



Photo by M. Britsch

State Working Waterfront Programs/Grants

- Working Waterfront Resilience Grants (DMR/DOT/GOPIF)
- *One-time federal funding (\$10 million) (DMR/DOT/?)*
- Shore and Harbor Planning Grants (MCP)
- Small Harbor Improvement Program (DOT)
- Working Waterfront Access Protection Program (DMR/MCP/LMF)



Photo by J. Monkman

Working Waterfront Resiliency Grants (WWRG)

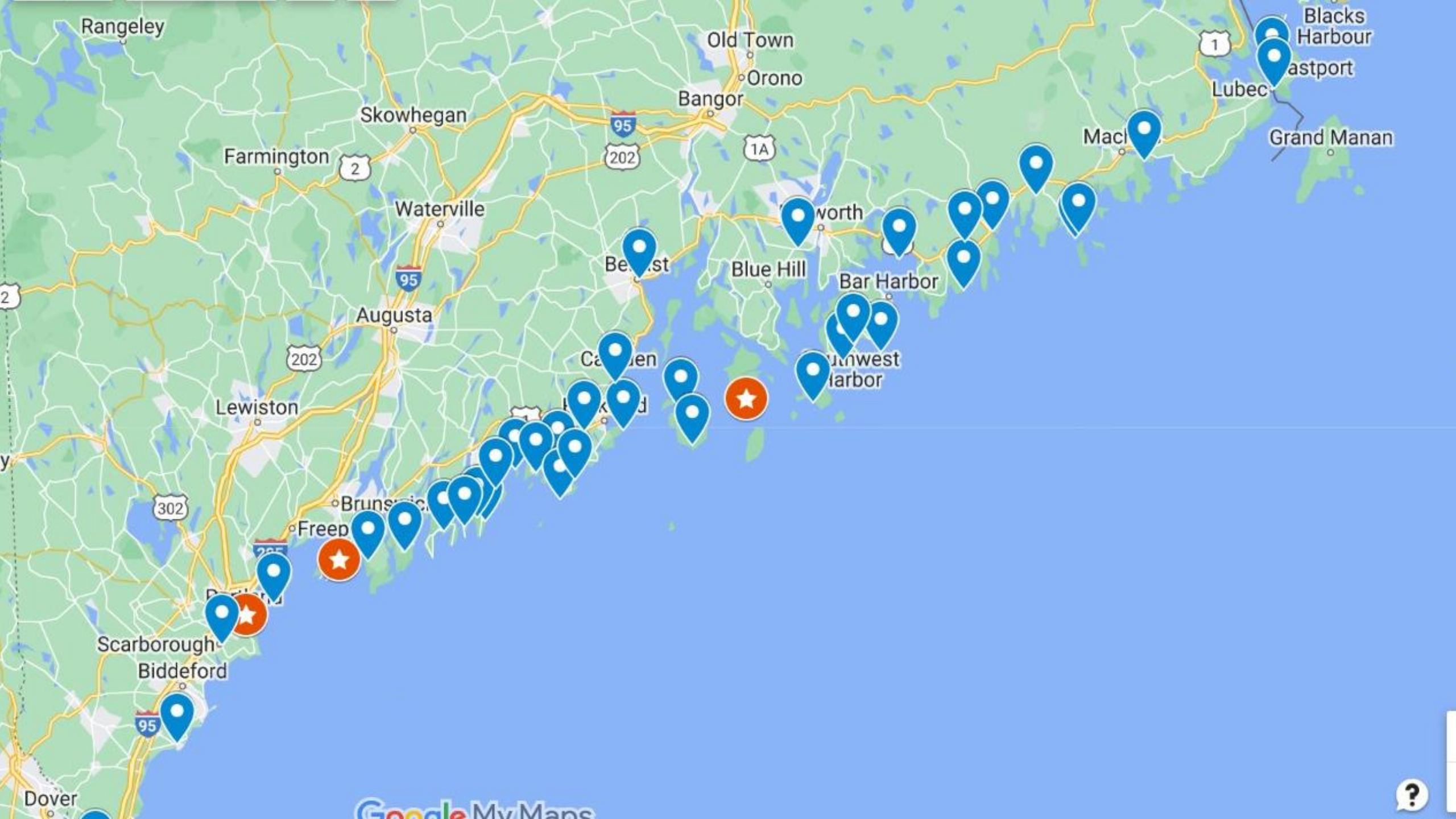
- Sec. UUUU-2. Funds must be used for **public infrastructure** projects and may be used for some types of **private infrastructure upgrades with significant community benefits, such as working waterfront infrastructure**. For the purposes of this Part, "**working waterfront infrastructure**" means **wharves and piers that support commercial fisheries and aquaculture businesses in this State**. Projects must demonstrate **increased resilience to future storm and flooding impacts**. The award criteria must prioritize proposals that demonstrate a **significant and compelling community benefit**; recipients that are not covered by **Federal Emergency Management Agency** disaster funds; and recipients that demonstrate that the damage **is not covered by insurance** and that all emergency relief currently available has been exhausted.



WWRG

- Targeted toward properties damaged in the winter 2024 storms.
- \$25 million available for WW (required 1:1 match)
- Eligibility: 10+ commercial license holders/growers for access/landings
- Grant application opened May 9
- Applications due June 10
- 80 applications received (68 eligible)
- \$21.2 m in awards made July 12
- Funds available August 9





Shore and Harbor Planning Grants (MCP)

Shoreline access planning, waterfront and harbor planning, identification and resolution of waterfront use conflicts, and planning, feasibility, and design efforts for resilient waterfront infrastructure.

Small Harbor Improvement Program (DOT)

Economic development, public access, improved commercial fishing opportunities and works to preserve, and create, infrastructure at facilities in tidewater and coastal municipalities. SHIP assists municipalities in improving or creating facilities, such as public wharves, piers, landings and boat ramps. There is a required 50% local share under this program. The SHIP program can provide up to \$250,000 in assistance towards eligible projects.

GOVERNOR'S OFFICE OF
Policy Innovation
and the Future



MAINE
Emergency
Management Agency



Working Waterfront Access Protection Program (WWAPP)

- *To provide protection to strategically significant working waterfront properties whose continued availability to commercial fishing & aquaculture businesses is essential to the long-term future of this economic sector*
- State buys development rights to restrict property uses to those that are compatible with commercial fisheries and aquaculture
- Restrictive covenant signed by owner (Grantor) and representative of state (Holder/DMR)) recorded in the county registry and follows the deed in a future land sale
- Covenant sale price determined by a standardized appraisal
- State obtains Right of First Refusal



Photo by J. Monkman

WWAPP Summary

Applicant type	# Projects	Appraised FMV	LMF Allocations	Applicant Match	Acres	Feet Shorefront	# Boats	# Fishermen
Co-op	12	\$10,970,000	\$2,802,650	\$8,659,000	27.90	4296.00	429.00	741.00
Family wharf	4	\$2,635,000	\$743,750	\$2,097,930	2.00	924.80	56.00	138.00
Historical Society	1	\$830,000	\$255,000	\$772,000	0.54	170	3	6
Land Trust	1	\$450,000	\$34,600	\$500,000	1.90	227	4	4
Municipal landing	3	\$2,003,000	\$563,250	\$1,961,350	3.54	657.00	350.00	481.00
Non-profit	2	\$2,200,000	\$550,000	\$1,380,000	0.99	325.00	32.00	57.00
Private Business	7	\$6,730,000	\$1,493,500	\$5,130,890	7.68	2125.00	181.00	489.00
TOTALS	30	\$25,818,000	\$6,442,750	\$20,501,170	44.55	8,725	1,055	1,916



Climate Council Coastal and Marine Working Group Recommendations

1



Build healthy and resilient coastal communities and protect critical place-based infrastructure.



2

Support climate adaptation of Maine's fisheries, aquaculture and seafood industries.

3



Monitor, conserve and increase resilience of coastal and marine ecosystems.



Empower Local and Regional Community Climate Adaptation and Resilience Efforts

Support **zoning and planning as land use tools** to protect WWF

Increase public literacy on the role of working waterfronts

Technical assistance and funding to climate resilience initiative with a **working waterfront set aside**

Governmental **leadership with collaboration** from public and private entities

WWF = Working Waterfront

Infrastructure Rebuilding and Resilience Commission

August 5, 2024

GOVERNOR'S OFFICE OF
Policy Innovation
and the Future



MAINE
Emergency
Management Agency



Increase Resilience of Public and Private Working Waterfront Infrastructure to Climate Change

Fill workforce and contractor capacity gaps for resilience work

Prioritize **clean-energy projects** on WWF

Accessible and understandable resources for WWF resiliency improvements

Funding for working waterfront access resiliency upgrades & protection

Identify and address permitting barriers to increasing resiliency of WWF

WWF = Working Waterfront

Infrastructure Rebuilding and Resilience Commission

August 5, 2024

GOVERNOR'S OFFICE OF
Policy Innovation
and the Future



MAINE
Emergency
Management Agency



Preserve and Expand Waterfront Access, Including Intertidal Access

Develop
statewide WWF
Strategy

Funding for WWF
purchase, covenants,
easements,
protection

**Technical
assistance** for
private WWF
owners

Address barriers to
equitable access

Increase capacity of
public WWF

Increase **WWF
inventory** data at
all scales

WWF = Working Waterfront



Working Waterfront Coalition



Working waterfronts infrastructure is important to the future of Maine's coastal communities – a changing landscape

- Elevated concern for the future of working waterfront businesses due to environmental/climate changes in the Gulf of Maine and impacts to businesses that rely on working waterfronts
- Demographic changes, housing pressures, in-migration, gentrification of coastal communities, are all putting pressure on the land side of working waterfronts
- Zoning and related land use regulation for working waterfronts is complex and hard for both businesses and capacity constrained communities to navigate. In some places there is also an increased willingness for abutting or other landowners to resort to costly and time consuming litigation
- Multiple instances of communities coming together to support a particularly important piece of working waterfront infrastructure – including the former Stinson Canary in Prospect Harbor, GMRI's acquisition of Union Wharf, and multiple other efforts along the coast.
- At least 5 new reports or significant resources that help us better understand the pressures facing working waterfronts
- Renewed interest and energy for Maine's Working Waterfront Coalition to support communities, specific working waterfronts, and elevate the needs of working waterfronts into state policy

Maine's Working Waterfronts – CMWG Work

Climate ready infrastructure – Accounting for and helping working waterfronts understand and address the impacts from sea level rise and storm surge to the physical infrastructure

Infrastructure that supports others in adapting to climate change – Building the resilience of working waterfront businesses to withstand environmental changes provides a critical location for other businesses, those who make their living on the water, to adapt and change.

Location for GHG mitigation projects – stabilizing or controlling energy costs can help these businesses be better positioned to respond to dramatic shifts in the ecosystem or social pressures on land. Mitigation here is a critical adaptation strategy for these businesses.

Privately owned infrastructure providing a public good – many key working waterfronts are privately owned operations that provide a public good, including access to public trust resource. They are often left out of community resilience related work.

Discussion questions

- What recommendations are emerging for you?
- What additional information or research is needed to shape a policy or action recommendation?
- Based on what you heard today, where should the commission continue to focus?



Discussion themes

- What recommendations are emerging for you?
 - Revisions to permitting
 - balance work windows with project expediency
 - Accessible by smaller firms
 - More use of permit by rule, pre-approved “toolbox” of construction practices and solutions
 - More expertise in permit review agencies
 - Construction – need to be at 10 feet above high tide in exposed coastlines,
 - Bundling similar projects to entice firms with larger contracts
 - Towns need funding that can respond quickly when properties come on the market
 - Funding for community engagement and discussions that allow towns to be ready for opportunities
 - Incentivize catching up on deferred maintenance
 - Toolkits for communities

Discussion themes

- What recommendations are emerging for you?
 - Supporting community conversations
 - Pilot conversations in communities about moving toward publicly-owned WWF infrastructure; Need standardized data and approaches for these conversations
 - Continue funding for regional coordination, education, conversations about vulnerability and resilience
 - Encourage philanthropy to realign around resiliency
 - Scalability of granting programs – match and upfront costs are barriers for small communities to complete large projects, role for philanthropy?
 - Bonding?
 - Formalizing networks, contracts for service – debris management, contractor services (MCFA example)
 - Funds from impact fees, development fees for private WWF improvements

Discussion themes

- What additional information or research is needed to shape a policy or action recommendation?
 - Inventory highest priority WWF areas
 - Examples of solutions support electrification of WWF and marine operations
 - Need town-level economic activity data that can shape local spending priorities
 - Is the new Land Bank Authority and entity that can facilitate the purchase of WWF that come on market?
 - MGS/Island Institute model for assessing condition of infrastructure
 - Analysis of in-state and national foundations that might be interested in investing in resilience/in Maine?
 - What are they interested in supporting? Community conversations, WWF preservation, match/upfront costs

Commission Meeting Schedule (through Nov.)

May 21	11am-12:30	Executive Order signing, Stonington visit (optional)
May 31	9am-12pm	York County visit (optional)
June 26	1-4pm	Commission meeting #1 – zoom
June 28	9am-12pm	Western Maine visit (optional)
July 17	11am-2pm	Downeast visit (optional)
July 24	1-4pm	Commission meeting #2 – zoom
August 5	1-4pm	Midcoast visit & Commission meeting #3
September 4	1-4pm	Commission meeting #4 – zoom
September 18	1-4pm	Commission meeting #5 – zoom
September TBD	TBD	Northern Maine visit (optional)
October 2	1-4pm	Commission meeting #6 – in person location TBD
October 30	1-4pm	Commission meeting #7 – zoom
November 12	1-4pm	Commission meeting #8 – in person 109 Capitol Street, Augusta, DHHS conference room



Thank you

- More information on the Resilience Commission, including meeting dates and a Commission Contact form, is available on the Maine Governor's Office of Policy Innovation and the Future's website:
- <https://www.maine.gov/future/infrastructure-commission>

