Working Waterfront Advisory Council Meeting #2
Meeting Summary
May 5th, 2026 in Augusta and via Zoom

Council members present: Dan Bookham, Casey O'Hara, Chad Strater, Hugh Cowperthwaite, Rhiannon Hampson, Bob Carey, Tora Johnson, Boe Marsh, Stacey Keefer, Rachel Bizzaro, Robert Wood, Shey Conover, Heather Moretti, Linda Nelson, Mitch Lench

Maine Office of Community Affairs (MOCA) staff present: Samantha Horn, Jocelyn Runnebaum, Harriet Booth, Erin Campbell, Melissa Britsch, Hannah Silverfine, Marina Tomer, Brian Ambrette

Collaborators and members of the public present: Monique Coombs, Olivia Richards, Natalie Springuel, Sebastian Belle, Elizabeth Dudley

(Meeting commenced at 12:34pm. A quorum was present – 15 members.)

Welcome & Agenda Overview

- Stacey Keefer (Council Chair) welcomed everyone, reviewed the meeting materials that were sent out on April 21st, and reviewed the meeting agenda.

Council Business

- Approval of meeting summary from February 24th – no comments or feedback.
    - Tora Johnson made a motion to approve the meeting summary and Casey O'Hara seconded. Unanimous vote – motion passed.
- Review and approval of the revised Terms of Reference document for the Council.
    - Harriet Booth (Council staff) reviewed the revisions to the document that were based on feedback and discussion from the last Council meeting. Major changes included adding a section outlining a quorum for the Council and detailing the decision-making methods that the Council will use for different types of decisions.
    - Rhiannon Hampson made a motion to approve the Terms of Reference document in its revised state and Tora seconded. Unanimous vote – motion passed.
- Review and approval of proposed mission statement for the Council's work.
    - Stacey read the proposed language and offered time for feedback and discussion. No discussion.
    - Boe Marsh made a motion to accept the proposed language as the mission statement and Dan Bookham (Vice Chair) seconded. Unanimous vote – motion passed.
    - Stacey noted that this can get revisited later as conditions or goals change but this will be the current, acting mission statement for the Council.

Summer/Fall Meetings & Work Plan

- Samantha Horn (MOCA director) gave a brief overview of legislative proposals and the timelines that would need to be met for the different pathways. These included 1) department bills, 2) legislative bills, and 3) committee bills. If the Council would like to submit a proposed bill through MOCA (department bill), the department would need that by August (2026). Legislative bills typically need to be submitted by November/early December. (Legislative) committee bills can be submitted after receiving the Council's annual report in February (2027).
    - Tora asked about the advantages and disadvantages of these different pathways/timeframes. Samantha responded that they can impact exactly how the bill gets submitted and whether the language/content gets changed. Submissions through the department will go into the system as is but bills submitted by legislators and committees have more discussion and may be revised.
    - Bob Carey added that submissions do not need to be fully fleshed out into legislative language for that August deadline. They can instead be general ideas that the Council wants to promote and would work with the department to submit. He added that there is more uncertainty in an election year. Stacey agreed and added the concept of 'placeholder bills' or concept drafts that the Council could submit.
    - Samantha requested early communication and to stay in touch if there is a bill that the Council may want to submit through MOCA so she can facilitate dialogue with the Governor's office.
- Proposed meeting dates for the remainder of 2026
    - Harriet reviewed the proposed dates for the next two Council meetings, including the fourth meeting being held as part of the Maine Working Waterfront Conference.
    - Stacey proposed voting on the September meeting date. September 1 was the preference for the Council.
        - Boe made a motion to hold the meeting on Sept 1 (1-3pm) and Casey seconded. Unanimous vote – motion passed.
    - Stacey asked if Council members were open to voting on the November meeting without knowing the exact meeting time. Members were willing. Harriet specified that it would be held in Bar Harbor and there would likely be a hybrid option.
        - Tora added that it would be good to have as many Council members as possible attend the conference.
        - Tora made the motion to hold the November meeting at the WWF Conference in Bar Harbor on Nov. 13 and Rhiannon seconded. Unanimous vote – motion passed.

Update on Working Waterfront Definitions Project

- Stacey gave an overview of a project that she is working on as part of the Working Waterfront Coalition Policy Task Force and that may be a potential topic of a legislative proposal that the Council could recommend. This project explores working waterfront definitions in Maine statute and explored where working waterfronts are mentioned throughout statute. There are several titles that have various definitions within them, including Title 5 (Land for Maine's Futures), Title 12 (Conservation and Marine Resources), Title 30 (Pine Tree zones), Title 33 (Property), Title 36 (Taxation), and title 38 (Natural Resource Protection Act). Stacey noted that some of those definitions also define commercial fisheries or working waterfront property, real estate, covenants, or land. Out of those 6 titles, there are 5 different definitions that are used for working waterfront. The state may ultimately prefer to have some consistency around these key definitions so it may be worthwhile to look into where the Council could recommend more consistency. Stacey offered that any other Council members could join her and the Coalition task force members to dig into this topic further. Requested feedback/discussion on this topic.

- Chad Strater responded this has been a challenge in covenants and definitions impact insurance coverage for working waterfront properties. Tora agreed that it would be good to have a committee work on this, specifically focused on conferring with folks who have involvement in the relevant statutes and could speak to where the challenges are. Boe added that the definitions should have a direct link to the purpose and impact of working waterfronts. Stacey agreed and offered to share a document that summarizes the context of the definitions and where they are tied to funding mechanisms or other impacts. Stacey requested that Harriet/MOCA folks explore options to obtain support from the Office of Policy and Legal Analysis (OPLA) to help guide potential future wording changes.
- Bob Carey asked if there is a desire to standardize definitions across statutes. Stacey responded that it's not yet clear what the ask is but that it could be explored. Bob suggested the group explore what the Council's purpose for this work could be and it was suggested that it should connect to the Council's mission statement. Boe suggested defining impact and demonstrating how working waterfront positively impacts commercial fishing and the state at large.
- Rhiannon suggested a goal of deconflicting and creating a standard working definition that can be adapted and tailored to individual purposes in different bills. This could be helpful for legislators moving forward. Chad asked if there are other definitions that we could use as a model and it was suggested that this ultimately relates to land use definitions.
- Bob Wood provided the working waterfront definition from the National Working Waterfront Network that could be used as a good starting point:
    - *"Working Waterfronts are the waterfront lands, waterfront infrastructure, and waterways that are used for a water-dependent activity, such as ports, small recreational boat harbors, fishing docks, and hundreds of other places across the country where people use and access the water."*
- Tora suggested obtaining help from the legislative library or other resources that provide the legislative intent of these definitions so the Council can better understand what the language was trying to achieve. Boe suggested also digging into the history of the Working Waterfront Access Protection Program (WWAPP).

Overview of Working Waterfront Groups & Initiatives

- Harriet provided an overview of a new draft ecosystem map that outlines the different working waterfront groups and how they relate to each other and the Legislature. The purpose of the visual is to help clarify roles of these different groups, define relationships, and show how they interact and connect to one another. Harriet walked through the diagram, specifying that the bubbles represent the different groups and the arrows signify what those groups do in relation to each other. (Harriet mentioned that there are also companion pages to the visual that provide more context and detail.) Requested initial feedback on this visual.
    - There was a suggestion to clarify what the arrows represent and to potentially overlap the bubbles to signify what is being shared/exchanged between groups. There was another suggestion to use dotted lines to show indirect communication

between groups that could help differentiate the arrows and what they represent. Appreciation was expressed that the diagram centered industry/Tribes/municipalities and for the effort to map everything out visually. An additional question/suggestion was raised about how to incorporate public interest broadly and to show how these groups and various elements of this system are meant to be acting in the public's interest.

Flood Insurance & Financing Challenges Discussion

This discussion was a continuation of this topic from the February Council meeting with the purpose of 1) sharing experiences related to insurance after the '23-'24 storms, 2) identifying what information and clarifications on this topic are needed, and 3) brainstorming potential solutions.

- Casey O'Hara began by sharing about his business in Rockland. They prioritized having coverage over the past several decades, including pier/wharf/dock coverage, and focused on insuring their bigger structures that couldn't be hauled out before a storm. That coverage was essential after the '23-'24 storms since their docks were destroyed. They were covered for rebuilding but maxed out the limits on their policies and the insurance companies consequently dropped them. They have been delayed in reconstruction and haven't been able to get the same coverage because prices are much higher now. Additionally, they will be paying out of pocket to make resilience upgrades as part of the reconstruction to protect from future storm damage. Dan elaborated on the fact that insurance companies won't insure a structure that hasn't been built yet (was fully destroyed). Insurance companies have no incentive to insure properties that may continue getting damaged by storms, but they also only cover rebuilding back to the original state and won't cover upgrades that would mitigate against future risk. He proposed the idea of a state-backed program or fund that can help support those upgrades and that would fill the gap in what is needed for future storm resilience but what insurance companies won't cover. Rhiannon agreed and also offered the idea of a state-backed revolving loan fund to cover this.
- The question was raised if there could be systemic changes in the insurance world that would support resilience upgrades because it mitigates risk going forward, and if incentives exist for insurance companies to support those upgrades. Bob C. offered the example of the new roof program in Maine that incentivizes roof replacement with fortified standards. The state program provides grants to cover the higher cost of building materials to meet the standard and homeowners receive a credit from the insurance company as a long-term benefit. Ideally, insurance underwriters would encourage resilience upgrades because it reduces future risk but that is the challenge across the country: insurance companies only provide coverage to build back to the original and then they drop policies due to future risk.
- Tora asked if there are engineering standards at the range of scales that would be needed in Maine, and how to partner with the insurance industry on this. Dan responded that the real challenge is not necessarily the standard but that our Maine infrastructure is fairly old and worn down. In other places, there are more recently built wharves and piers that get insured much easier. As an industry, he suggested thinking about identifying what we want to build back to in terms of structures and styles and materials. Rhiannon provided context on how building to resilience standards in a community can be extremely challenging due to complexity and high cost. What the industry needs to maintain true working waterfront can often be in conflict with how to build structures that are resilient to climate hazards.

- Dan spoke to the increase in storm frequency going forward and the questions that we need to ask ourselves: 1) In order to sustain access do we maintain current structures, or do we look to some radical rebuilding/revamping? 2) What role does the private sector play or the federal flood insurance program play? 3) What roles do municipal government and the state play? 4) Can we figure out a way to fund that mechanism?
- Linda Nelson cautioned about requiring certain resilience standards that could threaten small businesses, which are the majority of the businesses in Maine. She added that there needs to be great care in defining and identifying what we want to achieve. The Infrastructure Rebuilding and Resilience Commission (IRRC) dealt with this by placing equal value on the resources needed for rebuilding. The goal was to have available funding and equity in that funding when rebuilding is inevitably necessary for small businesses. Dan agreed and spoke about the balance needed between communities and insurance companies assuming risk. High costs exist for businesses to rebuild and also for insurance companies to cover rebuild costs because of high costs of building materials.
- The issue was raised of limited capacity in small towns or small businesses and the ability of those groups to be able to evaluate risk and figure out insurance – it requires extensive technical assistance. Additionally, waterfront appraisals also don't always reflect the improvements that are needed and the full cost/worth of a property.
- Mitch Lench asked if there is transparency in what infrastructure investment insurance companies would need to insure properties and if those advance costs could be outlined. Bob C. responded that there's not much transparency and that costs are tailored to specific properties and the factors of each property. Dan added that Maine's relatively small coastline geography (compared to other states) also creates challenges in getting attention and resources to obtain some of this information. Insurance companies are paying high prices for reinsurance and that pushes coastal insurance prices in Maine extremely high. There are big differences between inland and coastal risk, but there is also more education needed about where the biggest risks actually are in New England. He suggests that we need a more unified voice about what we expect as a working waterfront community and how to proactively deal with it as a state.
- Rhiannon asked if there is a similar entity to the American Farm Bureau/Farm Families for coastal infrastructure, some sort of larger governing body or trade association for high-risk coastal communities, and if there is any coalition-building with other coastal states. There isn't anything currently but Bob C. proposed the idea of a mutual assessment/aid program for coastal property owners. He referenced that insurance has multiple layers: property owners are responsible for the first chunk, then insurance covers the next level, then the insurance company's reinsurer covers the level above that. There could be a similar structure put in place by an entity where participants fund the program but there is a responsibility breakdown so folks are invested but also have some protection. This could be structured by region and it would be a shared risk model that relies on community buy-in.
- Shey Conover asked how much of the insurance marketplace that affects working waterfronts is driven by other, larger coastal regions, and if defining these separately could be beneficial. Dan responded that it's a mixed bag but working waterfronts are fairly unique and cautioned against being aligned with larger marine industries. It would be best to fit models to the specifics of Maine communities but we could learn from other New England states that are having similar challenges. It was brought up that part of the issue could be that there are few reinsurers who are willing to underwrite for catastrophic risk and the

question of catastrophe bonds was raised. That's not a model often used in this region but is frequently used in the Eastern Caribbean to offset high hurricane risk.

- The topic of Canada's working waterfront was raised and how they deal with these challenges. They have similar challenges but one big difference is they have a system of large, powerfully built federal piers that sustain less damage in storms. Even when small piers get damaged, harvesters/others can switch to the public infrastructure and there's a much smaller impact on the industry overall. This spurred the suggestion to advocate for federal funding to build some of this resilient shared public infrastructure in Maine. This could be more effective and efficient than making small repairs on older, exposed infrastructure that may keep getting damaged (i.e. 'handing out band aids' instead of focusing on building fortified, stronger infrastructure).
- The question was raised if there are models for fortified building standards from other states that could be helpful. Other states have very stringent codes for rebuilding but Maine does not currently have these and there could be a cultural push against creating standard codes that are strictly enforced and could threaten small businesses. It was brought up that there is also likely not an interest in the consolidation of access in Maine and solutions that have a 'funnel effect'. Incentives for meeting higher levels of code would be useful but not financial and regulatory systems that are forced on businesses. It was suggested that a more productive option could be the community, 'layer-cake' model of insurance.
- Tora brought up the fact that there is an experiment happening in the wild as a result of those storms that has forced some consolidation on pier use already. Smaller piers that were destroyed are being let go and thus caused some industry to move to functional piers that are now seeing greater pressure. To maintain diversity in industry and infrastructure, we need a system that finds the sweet spots and invests in these places. There is also more use of public piers, which are getting much busier. It's important to identify where investment of rebuilding will be most useful and that should inform these rebuild programs. Tora brought up a survey that showed that folks want to see more public infrastructure so that resources/damage can be shouldered more broadly. However, there is also a challenge in raising the funds to rebuild and upgrade public infrastructure as well. One example is that the Stonington fish pier needs to be raised but the municipality can't raise the funds to do that, despite it being one of the busiest commercial, publicly owned piers.
- Stacey suggested the need for a geographic study of both private and public infrastructure to look at where to invest and rebuild resilience infrastructure. If the state had funds to invest, that would inform where it should be invested. Boe emphasized the importance of private working waterfront and its huge impact on the industry and communities. A geographic study could look at that impact and importance within a community, as well as the various services at different working waterfronts. (The current working waterfront inventory project with MCP and MCFA is looking at these factors, among others.)

Discussion and decision on forming topical working groups

- Stacey asked if there is interest in forming a summer working group on these topics.
    - Tora responded that the definitions work feels riper and shorter term and the insurance/risk/resilience topic may need more time. She suggests first focusing on the definitions work, while continuing to spend time exploring the insurance topic. Dan offered additional guidance on the insurance work, as needed, and it was

brought up that information from other projects (WWF Inventory, Trust Feasibility Project) will help inform this work as well.

- Stacey asked who would be interested in meeting between May and September on the definition topic (participating in the Coalition task force that is already working on this).
  - Tora and Boe both expressed interest.
- Stacey then asked if there is interest in forming a working group on the insurance topic.
  - Several people expressed interest, specifically with the goal of distilling the themes from this discussion and pulling out major threads and potential solutions to help inform strategies to pursue. There was also a suggestion to bring in case studies to better understand the issue, which would prepare the group to identify solutions.
  - Harriet offered to staff a group to keep digging into these pieces. Chad, Rhiannon, Bob C., and Dan expressed interest in participating, and the group could report back out to the full Council in September.

Public Comment Period

- Sebastian Belle (Executive Director of Maine Aquaculture Association) offered his perspectives on the working waterfront definitions project, stating that each of those definitions were likely developed in the context of a specific program (and political context) and suggested fully understanding why they were crafted before suggesting any changes, and not making changes simply because they are inconsistent. He cautioned against unintended consequences of whether working waterfront is covered by or included in those programs going forward.

Wrap-up & Next Steps

- Harriet will send out the draft meeting summary, calendar holds for the fall Council meetings, and follow-up information on the working groups. She will also send out more information on the WWF Conference as soon as it's available and coordinate timing for the Council meeting at the conference in the coming months.
- Bob C. made a motion to adjourn the meeting and Casey seconded.
  - Unanimous vote – motion passed.

(Meeting adjourned at 2:52pm.)