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Testimony on H.R. 2548, *the Protect America's Working Waterfronts Act*

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Good afternoon, Madame Chair and members of the committee (Chairwoman Bordallo and Ranking Member Brown). My name is Jennifer Litteral and I am representing the Island Institute to provide testimony on H.R. 2548, *Protect America's Working Waterfronts Act*. Thank you for convening this hearing and for inviting me here today.

I would like to share with you two examples of working-waterfront access that the state of Maine has saved. These examples are important because they highlight the degree to which working-waterfront access is a cornerstone of Maine's coastal economy and heritage.

If you follow winding Route 131 in midcoast Maine, it will eventually lead you to the end of the St. George peninsula to the village of Port Clyde. Port Clyde is home to the famous Marshall Point Lighthouse, and the ferry to Monhegan Island, and is also noteworthy for its rich history in art as it is home to three generations of Wyeths.

However, the tradition of Port Clyde is steeped in the fishing industry going back some 200 years. This fishing village was originally named *Herring Gut* due to the plentiful herring runs in the area. When the herring were running, the church bells would ring, calling all the women in the area to the fish factory to clean and package the catch. The church bells have stopped ringing 100 years ago and both the village name and the fishery have changed, but the fishing heritage continues to thrive.

Today in Port Clyde you will find two significant fisheries – lobster and groundfish. Unique to this village, fishermen have formed an alliance that brings together the lobster and groundfish fisheries, and centers on a single wharf. Together, Port Clyde fishermen are working together to preserve their heritage, their community and resources for future generations. The first goal of their alliance was to preserve access to the ocean for the fishing fleet.

Of Port Clyde's 400 year-round residents, half of them are directly dependent on commercial fishing from the town's historic fishermen's cooperative wharf, built more than 200 years ago. This property is one of only 81 prime working-waterfront access points remaining along Maine's 5,300-mile coastline as identified in the Island Institute's 2007 report on the mapping of Maine's working waterfront, *The Last 20 Miles*.

Although just a tiny coastal village, Port Clyde has the distinction of being home to the second largest groundfishing fleet between Portland, Maine and the Canadian border. Without protection, restoration and expansion, the historic Port Clyde property and the seafaring heritage it represents might have become just one more casualty in the development trend that threatens working-waterfront properties along Maine's coastline.

This trend however, is not unique to the state of Maine. Rising property values and development are putting the squeeze on traditional water-dependent uses in coastal towns throughout our nation. One fisherman from Port Clyde stated, "*Once you give up working waterfront, you will never get it back.*" While there are many trends that you can count on, one that you will never see is a developed waterfront property being replaced by a fishing wharf.

Of Maine's 20 miles of working waterfront, 60% are actually privately owned and vulnerable to conversion and development. In Maine, more than \$740 million in state revenue and 35,000 jobs are supported by working waterfronts.

Maine has been a national leader in establishing tools to protect our working waterfronts. Due to a lack of other funding, federal programs, or existing state programs, the only remaining option was to go to a state vote to create new funding for this issue. In 2006, the state of Maine created the Working Waterfront Access Pilot Program with \$5 million in state bonds. Three years later through working waterfront covenants we have secured: 19 properties, more than one mile of coastline with a fair market value of \$17 million, nearly 1,000 fishing-related jobs and \$40 million in income directly dependent on working waterfronts.

The Port Clyde fishermen's cooperative wharf was one of the 19 properties secured through that program. The fishermen used funds from the sale of their development rights to build an additional wharf on the property to accommodate both the lobster and groundfish fisheries in the town on one facility.

At a celebration on September 13, 2008 the new Port Clyde wharf was dedicated, Gerry Cushman, who was present at the event, is a third-generation lobsterman and groundfisherman. He led the effort to apply to the Working Waterfront Access Pilot Program on behalf of the lobster cooperative. In fact, Gerry's father was one of the fishermen who originally formed the lobster co-op in Port Clyde. At the event, he said, "I wish my dad could be here today – I feel like I am completing a legacy that he started by keeping this wharf working forever." Another fisherman said that day, "*It may seem like just a dock, but it's the keystone of our lives.*" While policies and state and federal funding can bring about many successes, there are few that result in something as tangible and concrete as standing on a new wharf.

Six months after the Port Clyde wharf celebration, and 100 years after they went silent, the town's church bells began to ring again, calling workers to a newly-built fish processing facility to process the catch from the lobster, groundfish and shrimp landed at the Port Clyde wharf. As Glen Libby, a second-generation groundfisherman, noted,

*"Bringing back a call to workers is symbolic of our hope to keep this community's working waterfront alive and thriving".*

The second example takes us three hours north of Port Clyde on Route 3. Here you come to the town of Tremont on the "quiet side" of Mount Desert Island, home of Acadia National Park, and visited by more than three million people yearly. Mount Desert Island also has a deep history in fisheries. Many towns on the island were stations for salting and drying cod dating back some 200 years. Today, that fishery has been replaced by lobster, which is thriving. However, much of the working-waterfront access on the island has been squeezed out to accommodate other uses.

The Davis family (Robert and Wayne), owners of a multi-generational fishing business also applied to the Working Waterfront Access Pilot Program. The Davis Wharf is the last full-service, non-dealer owned fishing wharf on Mount Desert Island.

The family sold off its development rights to secure this property in perpetuity for working-waterfront access in lieu of selling the property for development to retire. . Wayne Davis said, *"It's not just for us; we are doing this for the grandkids. If we didn't do this, we were afraid it wouldn't be here for them down the road"*. They reinvested the funds into their business, adding a hoisting winch for loading gear onto their boats and extending the floats into deeper water so they could have access at any tide

At the dedication of the Davis Wharf this past August, Robert Davis said, *"Fishing is a battle every day. But when I go to my grave, I'm going to look back and say I got something accomplished. Today's the day I'll remember. Today's the day"*.

Rarely do you see so many interest groups aligned and coming together to work on a solution in unison: from conservation organizations and NGOs to fishermen, state officials and bipartisan legislators, all leading the effort together. This is an issue worth investing in, and it can be highly successful at a community, state and national level.

The state of Maine has seen many successes using this tool to secure working-waterfront access, such as the two I have highlighted here today. There is more need than there is state funding to secure the miles of coastline that are required to support our working waterfront-dependent stakeholders around the nation. We feel that creating a model from this tool at the federal level will have similar impacts across the nation. H.R. 2548, *Protect America's Working Waterfronts Act* will go a long way towards sustaining coastal resilience, and the future of our nation's iconic centuries-old tradition of working and living by the sea.