



Testimony in Opposition to LD 228 and LD 488
Before the Committee on Environment and Natural Resources
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Senator Tepler, Representative Doudera, and members of the Environment and Natural Resources Committee, my name is Luke Frankel, and I am the Woods, Waters, & Wildlife Director and Staff Scientist at the Natural Resources Council of Maine (NRCM). I am here today to testify in opposition to LD 228, An Act to Allow Coastal Seawalls to Be Raised by up to 2 Feet in Order to Accommodate Predicted Sea Level Rise and LD 488, An Act to Protect Coastal Property by Allowing Property Owners to Protect Their Existing Dwellings.

Coastal sand dune systems and coastal wetlands are some of Maine's most valuable and cherished natural resources. In addition to providing habitat for ecologically and culturally important species such as Piping Plovers, Least Terns, and Common Eiders, they also are key drivers of Maine's tourism economy, which brought in \$9 billion from out-of-state visitors in 2023.¹ Of this \$9 billion, \$2.6 billion was directly attributed to Maine beaches, which also supported 34,300 jobs resulting in \$1.4 billion in total wages that year.² Maine's beaches are economic engines that need to be protected.

The strong coastal storms in 2023 and 2024 demonstrated the threat that sea-level rise poses to both infrastructure and natural resources along Maine's coast. In addition to causing millions of dollars of damage to public and private infrastructure, these storms caused sand dunes across the state to recede an average of 26 feet over the course of a one-year period. In hard-hit areas like Popham Beach in Phippsburg, this erosion extended up to 124 feet.³

Although on the surface these two bills appear to address some of the negative impacts of sea-level rise, in reality they just call for a temporary fix of one problem at the expense of making other problems worse. While seawalls and other hardened structures may provide some degree of local protection for an individual property, they have been shown to accelerate erosion on the adjacent beach area.^{4,5} This increased erosion from shoreline hardening has a direct negative impact on property values in addition to increasing the risk that other infrastructure along the coast will be damaged in the future.⁶ Allowing property owners to raise their seawalls by two feet or fortify their land by placing riprap into protected natural resources will not solve the issues associated with sea-level rise – it only buys time for the

¹ https://motpartners.com/wp-content/uploads/2024/05/MOT_GovCon_HighlightSheet_2023_Printed-Paper_FNL-0430.pdf

² https://themainebeaches.com/wp-content/uploads/2024/04/MOT_Regional_HighlightSheet_2023_MBA.pdf

³ <https://www.bangordailynews.com/2024/11/12/midcoast/midcoast-environment/midcoast-maine-winter-storms-sand-dunes-erosion-data/>

⁴ Nawarat, K., Reynolds, J., Voudoukas, M.I. et al. (2024). Coastal hardening and what it means for the world's sandy beaches. *Nat Commun* 15, 10626. <https://doi.org/10.1038/s41467-024-54952-1>

⁵ Tavares, K. D., Fletcher, C. H. & Anderson, T. R. (2020). Risk of shoreline hardening and associated beach loss peaks before mid-century: O'ahu, Hawai'i. *Sci Rep* 10, 13633. <https://doi.org/10.1038/s41598-020-70577-y>

⁶ Kolstad, C. T. (2020). Coastal armoring and sinking property values: The case of seawalls in California. *Journal of Environmental Economics and Policy*, 100(18), 278-293. <https://doi.org/10.1007/s10018-020-00278-3>

property owners that can afford to implement these projects while causing further damage to the property of their neighbors and our beaches.

Since 1987, the Natural Resources Protection Act (NRPA) has played an integral role in protecting natural resources of statewide significance from “the cumulative effect of frequent minor alterations” [38 M.R.S. § 480-A (2023)]. The law accomplishes this through comprehensive, well-thought-out environmental standards that reduce harm caused by development. For coastal sand dune systems, these standards require that projects “not unreasonably interfere with the natural supply or movement of sand or gravel within or to the sand dune system or unreasonably increase the erosion hazard to the sand dune system” [38 M.R.S. § 480-D (2023)]. Due to the known impacts of cutting off the natural movement of sand within sand dune systems and increasing scour erosion along beaches due to wave reflection, the construction of new seawalls and the expansion of existing seawalls beyond their existing dimensions are currently prohibited under Maine’s Coastal Sand Dune Rules. In keeping with NRPA’s goal of reducing “the cumulative effect of frequent minor alterations” through sound regulations, we strongly recommend that these restrictions be upheld.

For these reasons, we urge the Committee to vote Ought Not to Pass on LD 228 and LD 488. Thank you for your time and consideration.