

# Chapter G

## Marine Resources

### 1. Purpose

It is important that a Comprehensive Plan provide a thorough analysis of marine resources. Specifically, this chapter:

- a) describes Brooksville's coastal marine resource areas, facilities, and water-dependent uses;
- b) assesses the adequacy of existing facilities, and public access points to handle current and projected use demands; and
- c) assesses the effectiveness of existing measures to protect and preserve coastal marine resource areas and water-dependent uses.

### 2. Key Findings and Issues

Marine resources contribute in important ways to Brooksville's economic and recreational activities, especially in the summer months when both the Buck's Harbor Yacht Club and Buck's Harbor Marina are open to serve members, visitors, and guests. The local fishing community, which has flourished in the past, now faces serious challenges (including climate change, international tariffs, protection of right whales) that confront the industry all along the Eastern seaboard.

The Shore Access Committee initially addressed the need for better public access to the water and completed the Betsy's Cove Town Landing in 2001. In 2002, Brooksville adopted a Harbor Ordinance to regulate marine activities in Brooksville. It established a Harbor Committee and a Harbormaster who is appointed annually by the Selectmen. The Ordinance also sets forth controls for moorings in Buck's Harbor, Smith Cove and other coastal waters in town.

### 3. Key Findings & Issues from 2006 Plan

Most survey respondents said that there was a need for good public access to our waters and 67% rated that access as "poor" to "adequate". Only 33% of respondents felt that access facilities were good to excellent. Workshop attendees suggested that the Shore Access Committee be revived and that Shoreland Zoning be strengthened.

### 4. 2018 Public Opinion Survey Results

By the 2018 survey, there was a very substantial positive shift in viewpoints: 56.6% of the respondents said that public access to coastal waters was good to excellent, and 21.6% said it was adequate. Those viewing public access as poor decreased from 34% to 14.2%.

This shift in viewpoints undoubtedly reflects the fact that the Town developed several more public access points following the one in Betsy's Cove: Bagaduce Falls Town Landing in North Brooksville, Dodge's Point Town Landing in Smith Cove in West Brooksville, and a right of way to the Bagaduce River shore on South Wharf Road in West Brooksville. In 2020, the Town accepted

Bakeman Beach on Weir Cove Road in Cape Rosier as a gift from Maine Coast Heritage Trust.

## **5. Marine Resource Inventory**

### **Shellfish:**

While some shell fishing continues in Brooksville, harvesting license information from the Maine Department of Marine Resources indicates that it is on the decline. Some areas are closed to shellfish due to polluted water. These closed areas include Buck's Harbor, Penobscot Bay and parts of the Bagaduce River. The closed areas can change periodically, but have not for many years.

The Town adopted by referendum vote a Shellfish Conservation Ordinance on March 3, 2014, with the purpose of establishing a shellfish conservation program for the Town to ensure the protection and optimum utilization of shellfish resources, especially clams, within its limits. At Town Meeting the following evening an Article to fund the Ordinance was turned down, which resulted in the Department of Marine Resources Commissioner being unable to approve the Ordinance. The Town's flats in Smith Cove and up along the Bagaduce River are, therefore, open to all diggers. There are currently no plans to bring the issue before the Town again.

### **Aquaculture:**

Brooksville has potential for shellfish aquaculture, especially in the Bagaduce River. There are currently 9.5 acres in two commercial leases for suspended oyster culture in the River above Reversing Falls in North Brooksville. There are currently no new leases under review, but increased pressure and limitations on lobster and scallop commercial fisheries could increase interest and investment in aquaculture in the future. Parts of the Bagaduce River and Smith Cove have good potential for aquaculture. Care must be taken that any potential development does not affect access for shoreland owners or interfere with navigation or other designated current uses, such as mooring and anchorage. As stated in the Town's Harbor Ordinance in Section 11:

11.1 Moorings within Brooksville tidal waters related to aquaculture projects that require a permit from any State or Federal authority also require a permit from the Town of Brooksville.

11.2 Moorings connected to any aquaculture project requiring a permit from State or Federal Authority may be subject to review with special consideration to the economic, scenic, ecological, recreational, and commercial fishing effects of the project.

Kelp could be farmed on long lines off Cape Rosier and Harborside, but to date there is no interest. Seaweed harvesting is controlled by the shoreland property owner.

### **Alewives:**

There is considerable local interest in restoring the ability of this once-plentiful anadromous species to migrate to its traditional fresh water spawning grounds. The three-town Peninsula Alewife Committee, of which Brooksville is a member, is working with the Maine Center for Coastal Fisheries and others to restore access to Meadow Brook, which flows into the Bagaduce River. When finished with the restoration work, there will be a nature trail with interpretive signage explaining the

historic importance of this native species, a type of large herring.

**Marine Licenses in Brooksville:**

The licenses listed in Table G-1 are those sold by the Maine Department of Marine Resources (DMR) to Brooksville residents. These include Brooksville residents who may fish out of town but do **not** include non-residents who may fish in Brooksville. The numbers shown thus understate the full use of Brooksville’s waters.

**Table G-1  
Brooksville Marine Licenses, Boats and Tags**

| License Type  | Number of Licenses per Year |             |             |             |             |           |
|---|-----------------------------|-------------|-------------|-------------|-------------|-----------|
|   | 1999                        | 2000        | 2001        | 2002        | 2003        | 2004      |
| Commercial Fishing (crew/single)  | 3                           | 4           | 3           | 4           | 3           | 3         |
| Commercial Shellfish  | 9                           | 5           | 5           | 4           | 2           | 1         |
| Lobster/crab all classes  | 35                          | 36          | 37          | 33          | 33          | 31        |
| Marine Worm Digging   | 1                           | 0           | 0           | 0           | 0           | 0         |
| Scallops Diver  | 0                           | 2           | 0           | 0           | 0           | 0         |
| Scallops Dragger  | 6                           | 6           | 4           | 3           | 3           | 2         |
| Sea Urchin Diver  | 1                           | 1           | 0           | 0           | 0           | 0         |
| Sea Urchin Dragger  | 4                           | 4           | 2           | 2           | 2           | 2         |
| Seaweed Harvester   | 1                           | 0           | 0           | 0           | 0           | 0         |
| <b>Total of Licenses</b>  | <b>60</b>                   | <b>58</b>   | <b>51</b>   | <b>46</b>   | <b>43</b>   | <b>39</b> |
| <b>YEAR</b>   | <b>1998</b>                 | <b>1999</b> | <b>2000</b> | <b>2001</b> | <b>2002</b> |           |
| Lobster Tags Issued   | 10,689                      | 10,847      | 12,134      | 13,244      | 12,510      |           |
| Fishing Boats Registered  | 62                          | 64          | 62          | 65          | 63          |           |
| Retail Seafood licenses   | 10                          | 8           | 8           | 8           | 6           |           |
| Wholesale Seafood licenses  | 2                           | 2           | 2           | 2           | 2           |           |
| <i>SOURCE: Maine Department of Marine Resources<br/>More recent data has been requested</i> |                             |             |             |             |             |           |

Lobster, scallop, crab and urchin fishing, as well as other forms of commercial fishing, are a significant source of employment. While not significant, there has also been some harvesting of clam, shrimp, eel, marine worm and seaweed in past years. Lobster tags, which are issued by the State to register the fisherman and boat on each lobster trap, have generally been on the increase.

**Harbors, Marinas & Other Public Access to the Coastal Shore:**

Tables G-2 and G-3 below list the privately owned harbor and marina facilities for the town of

Brooksville, as well as other access points in public ownership. These include developed Town landings in Betsy's Cove, at Dodge's Point in Smith Cove at the end of Town Landing Rd, and at Bagaduce Falls in North Brooksville, and the Right of Way to the shore at the end of South Wharf Road in West Brooksville. The privately owned access points to salt water in Brooksville include a marina, a yacht club, and a boatyard.

**Table G-2  
Brooksville Coastal Marine Boating Facilities**

| <b>Name and Location</b>                            | <b>Facilities</b>   |
|---|---|
| Bagaduce Canoe Landing<br>off Bagaduce Road         | Canoe launch site owned by the Blue Hill Heritage Trust to the Bagaduce River. Roadside parking only.   |
| Bagaduce Falls Town Landing<br>in North Brooksville | Town-owned small boat, kayak and canoe launch at the reversing falls bridge. No floats; tie-up on shore only. Paved parking for 8 and off-road grass parking for 10 vehicles.                         |
| Betsy's Cove Town Landing<br>in Buck's Harbor       | Town-owned paved boat ramp and floats in Betsy's Cove. 25 dinghy tie-up sites. 7 on-site parking spaces.  |
| Bakeman Beach<br>on Weir Cove Rd on Cape Rosier     | No pier or floats. Parking for 7 vehicles.  |
| Buck's Harbor Yacht Club<br>in Buck's Harbor        | Two private piers, floats, playground, tennis courts, unpaved boat ramp, 28 parking spaces, 5 mooring permits, and 50 dinghy tie-up spaces. Membership required for use of facilities unless a guest. |
| Buck's Harbor Marina<br>in Buck's Harbor            | Private pier, marine services (fuel, pump out) and supply store. Parking and rental moorings. Membership required for use of facilities.  |
| Clifford Family Dock<br>in Weir Cove                | Private pier, marine services (fuel, pump out) and supply store. Parking and rental moorings. Membership required for use of facilities   |
| Dodge's Point Town Landing<br>in Smith Cove         | Town-owned paved boat ramp and parking spaces. Floats with 20 dinghy tie-up spaces. Picnic tables. On land storage for canoes and kayaks.   |
| Holbrook Island Sanctuary<br>on Cape Rosier         | State Park -- 1 pier and 30 total parking spaces, a few mooring sites and short term dinghy tie-up space on mainland. One large float and day mooring on Island.                                      |
| Seal Cove Boatyard<br>Horseshoe Cove Rd             | Private full-service boatyard offering maintenance and upgrade services (carpentry, fiberglass, paint, varnish, rigging, fabrication), storage, rental moorings, and emergency haul-out.              |
| S Wharf Rd Town Landing<br>in West Brooksville      | Bagaduce River boat access via public easement. Minimal parking in road right-of-way.   |

For more resources and facilities, see the Water Resources, Natural Resources, and Recreation and Health sections.

**Table G-3  
Marine Boat Moorings and Floats 2019**

| Area   | Number     |
|--|------------|
| Bagaduce River                                     | 32         |
| Buck's Harbor                                      | 345        |
| Cape Rosier<br>(Orcutt Harbor to Head of the Cape) | 231        |
| Eggemoggin Reach                                   | 38         |
| Harborside<br>(including Tom Cod Cove)             | 48         |
| Smith Cove   | 199        |
| <b>TOTAL</b>                                       | <b>886</b> |
| <i>Source: Brooksville Harbormaster</i>            |            |

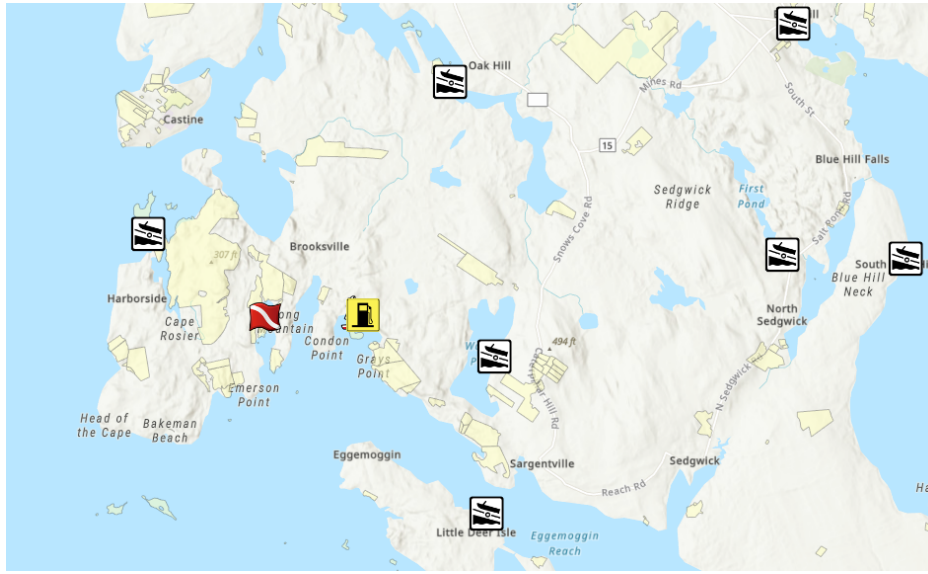
## 6. Adequacy of Access

The town has made major investments in its access facilities in recent years and plans to continue to do so. With the planned improvements to the new Town Landing at Bakeman Beach on Weir Cove Rd on Cape Rosier, Brooksville will have taken another step in fulfilling its goal of providing good public access to the coastal shore for its citizens and visitors. The Town will continue to look into the potential development of other access points.

### Water-Dependent Uses:

Water-dependent uses are defined as those uses that require direct access to coastal waters and cannot be located away from these waters. These include fishing operations, piers, and the like. Boat building, maintenance and storage are a significant contributor to Brooksville's economy. Since boatyards require at least some access to coastal waters, their needs should be considered in evaluating water-dependent uses. Brooksville's current water-dependent uses are shown on Map G-1.

## Map G-1 Locations of Water Dependent Uses



Source: Local Knowledge

Legend: Boat on a ramp = boat launching site, red flag = commercial boatyard, yellow gas pump = commercial marina

## 7. Effectiveness of Existing Measures to Preserve Marine Resources

The primary way that marine resources are protected in Brooksville is through its Shoreland Environmental Protection Ordinance passed in December 2016. This is the basic ordinance that all Maine towns are required to have. When Brooksville is revising its land use ordinances, it may also want to review its current treatment of water quality concerns such as storm water runoff from development. The ordinance revisions could call for stricter attention to erosion and sedimentation prevention in new subdivisions. Site plan review procedures could stress standards for the extent of impervious surface and drainage. Such measures could build on those already in place. Enforcement is an important part of any land use ordinance. Vegetative clearing and the construction of large homes have altered the view of the shoreline from the water. The impact of such development could be mitigated by thorough enforcement of existing (and any future) shoreland zoning standards.

Overall, it is becoming more difficult for Brooksville and other coastal towns to retain their fishing heritage. The high price of shoreland, competition for public access, and federal fishing restrictions are making fishing more challenging. One specific measure that could be considered is a shoreland zoning restriction to protect water-dependent uses from being converted to residential use. There is presently no such protection beyond the small Commercial Fisheries and Maritime Activity Districts shown on the map of Current Land Use in Chapter N.

## 8. Regional Marine Resource Issues

Brooksville shares its marine resources with other communities adjoining Penobscot Bay and Eggmoggin Reach. It thus may want to address issues such as water quality and public access cooperatively with these towns.

## 9. Goals & Objectives

| <b>Goal: Assure community access to the Town’s marine resources.</b>   |  |  |                        |
|--|--|--|------------------------|
| <b>Objective</b>   | <b>Strategy</b>  | <b>Responsible Party(ies)</b>                                      | <b>Timeframe</b>       |
| Replace the seawall holding up the entrance road to the Town Landing at Betsy’s Cove before Summer 2022.                         | essential project: bid specifications out for response in Fall of 2021. Estimated total project cost \$600,000, Funding from Town, Maine DOT and Maine Dept. of Marine Resources. Will add 4-6 new parking spaces. | Harbor Committee<br>Town Vote<br>(voted in affirmative, July 2021) | Within 1 year.         |
| Provide additional parking within walking distance for Betsy’s Cove Town Landing.  | Determine and designate off-site parking   | Harbor Committee<br>Select Board                                   | Immediate and ongoing. |
| Maintain the existing Town Landings and a Reserve Account for major repairs.   | Maintain the existing Town Landings on an on-going, as needed basis. Maintain a Reserve Account for major repairs and maintenance items (e.g., replacement of floats, piers, and launch ramps).                    | Harbor Committee   | Annual and ongoing.    |
| Monitor for sea level rise and its effects on moorings and Town Landings.  | Confirm that mooring tackle specifications are consonant with changes in water depth.  | Harbor Committee<br>Sea Level Rise and Climate Change Committee    | Annual and ongoing.    |
| Ensure that the current commercial and maritime uses of property on the Buck’s Harbor waterfront remain as currently designated. | Amend the Shoreland Environmental Protection Ordinance and other relevant ordinances as needed to ensure that no current commercial and maritime uses convert to residential use.                                  | Harbor Committee<br>Planning Board<br>Select Board<br>Town Vote    | 1-2 years.             |
| Plan for future growth at Dodge’s Point Town Landing   | Monitor usage of parking and kayak storage and explore options for expanding the Landing’s footprint.  | Harbor Committee<br>Town   | Current and ongoing.   |

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| <b>Objective</b>   | <b>Strategy</b>   | <b>Responsible Party(ies)</b> | <b>Timeframe</b> |
|--|---|-------------------------------|------------------|
| Provide all tide access to Betsy’s Cove Town Landing floats. | Continue to explore all tide access to the floats in Betsy’s Cove. This access, now estimated to be completed by 2029, would be the only public all tide access in Brooksville. Funds for this project, whose cost is not yet known, would come from the Town, the US Army Corps of Engineers, Maine DOT, and MDMR. | Harbor Committee<br>Town Vote | 3-9 years.       |