

Mooring Group Meeting Minutes

August 27, 2026

In-Persons Working Group Members:

Christl Theriault, IF&W, Legislative Liaison, Facilitator
Tim Thurston, DACF, Navigational Aid Supervisor
Heather Seiders, DACF, Outdoor Recreation Planner – Boating Facilities Program
John Noll, DACF, Director - Submerged Lands Program
Bob Gardner, Owner of Great Pond Marina, Belgrade
Shawn Hebert, Treasurer, Maine Harbor Masters Association
Andy Wess, Winthrop Town Council
Sgt. Carleton Richardson, Maine Warden Service, Boating Law Assistant
Sam Minervino, Long Beach Marina Owner
Rebecca Lambert, Maine Municipal Association
Ben Goodsoe, Acting Director LUPC

Non-Member:

Bruce Hart, President of Long Beach Community Association
Charlie Frechette

Working Group Members Who Joined Via TEAMS:

Susan Gallo, Maine Lakes Executive Director
Brooklyn Tilton Acting Senior Planner at LUPC
Marc Restuccia, Toddy Pond Lake Association

Old Business:

7/22/26 All approved meeting minutes

8/5/26 Finalized after one word edited, Rebecca abstained from the vote.

New Business:

In the last couple of weeks state staff reviewed the survey and broke the results down to four subcommittees:

1. **Define Terms:** Many are already in statute and rule and then some things that aren't defined but we feel should be. Should we add or change definitions?
2. **Overarching Authority:** review statewide framework, consider what a municipal framework might be and look at the unorganized territory (UT) as a separate committee. A reminder was made to remember that we are looking at headings and we can work out the details later.
3. **Permitting Program:** Review NH's mooring program that was provided for review and consider what we might use for our statute.
4. **Rule Chapter:** This subcommittee looked at what details might need to be addressed at the rulemaking level and they were reminded how rules function, that they can be changed more frequently than a law and the agency would have authority in law to create them. The larger working group thought a rule chapter would be an appropriate place to mirror DEPs Chapter 1000 rule whereby municipalities create their shoreland zoning ordinances. We could instead have a model mooring ordinance that towns could adopt.

General information prior to breakout:

Everyone has the same information regardless of the committee you participate in.

Does anyone have additional goals or subcommittees? A suggestion was made that we should develop a problem statement articulating why this work is important. This is typically provided in report backs.

Group Members:

1. Definitions: Carleton Richardson, Susan Gallo

2. Authority: Rebecca Lambert, Ben Goodsoe, Shawn Hebert, Christl Theriault, Andy Wess, Diano Circo

3. Permitting: John Noll, Marc Restuccia, Tim Thurston,

4. Rules: Sam Minervino, Bob Gardner, Heather Seiders, Brooklyn Tilton

Break out Committees (notes attached as appendices)

Terms Subcommittee Report back

Reviewed definitions and provided comments for the larger working groups' consideration.

- **Anchoring** (what is a short period of time, come up with what that means). (Maybe add time frame less than 72 hours.)
- **Float and Swim Float/Platform** (combine these 2 definitions.)
- **Marina** water parking facility for boats or parking for water access. (Review the shoreland zoning definition.) (Adding a non-commercial use part)
- **Mooring** (add that this is a stationary point, this is really important) (add doesn't include swim lines) (Add waterski courses?)
- **Mooring field** (2 or more was really low, a home with one float and one mooring would then be a mooring field. Prefer a group of 4 otherwise every camp would be considered a mooring field.) (in regards to this talked about a level of permitting for 1 vs. 2-3 vs. 5 for mooring fields.)
- **Mooring location** (Remove the word of master and choose person.)
- **Winter Mooring Marker** (need to make sure the definition takes into account snowmobile strikes.)

Add **Mooring Buoy** Definition: White Ball with Blue Strip from Navigational Aids Rule.

Add **Shorefront Property** Definition: NH Def is a starting point

Group discussion about the following topics:

Winterize: Can place a mooring stick, submerge a float three to four feet below the surface, this may cause a hazard to navigation. Another way is to place a rope on the chain and run the rope to the shore. This wouldn't impede navigation. Boat fender/bumper. Toggles that float near the bottom to stay out of the way for trolling.

Mooring field: suggested 2 or more because the ability to place a mooring isn't a right and it limits shorefront owners to one mooring. If we are here for public trust rights, we have to think about this.

Add anchorage for a non-commercial mooring field?

Adjust Water Safety Zone per Navigational Aids Rules.

Authority Subcommittee Report Back:

Discussion about the framework of authority for moorings to be managed:

- Need statewide consistency.
- Flexibility and reasonableness to implement.
- Approach in UT needs to be targeted.
- Suggestion to have an opt-in approach for the towns.

Shallow water moorings, address the environmental concerns or create additional requirements for or don't allow them to be in water less than so many feet, note this in Rules.

If a permitting program was established:

- Where would it live,
- how would it function,
- would it be for only certain lakes, and
- How would this work?
- Percentage of fees for a harbormaster, enforcement, state to administer?
- How should the permitting authority be divided?
- Would this be on an as needed basis?

Submerged Lands Program comments on permitting program questions:

- Program has to be funded through user fees.
- If there is State or municipal oversight, there must be permitting fees otherwise this work cannot be supported but Submerged Lands has a process in place for protection of Sub Lands, and everything is already there.
- It may also belong in IF&W, but this isn't part of their mission.
- Submerged lands would need funding to pay for another position.
- What would the fees be?
- Shorefront landowners should be treated like everyone else and mooring fields should be handled differently. Shorefront owners can put one mooring in front of their property as long as it is done responsibly but mooring fields need to be handled with public input.
- Coastal mooring field costs are different than a shorefront mooring owner. They think that if we have a permit system, everyone needs to participate.
- In terms of consistency, you need it statewide for all users and shorefront property owners. To administer, it needs to be the same for everyone. The process would be different, but everyone needs to participate. Placing a mooring means you are putting an object on private property.
- There is a slight difference between submerged lands and flowed lands. Statute would need to give submerged lands the authority to regulate moorings over flowed lands, that could be included as part of the legislative proposal.
- We need to educate the public and remind them that moorings are a privilege; you are taking up room on the surface and in the water column. An example is Cobbossee Lake where most of the moorings are placed over non-submerged lands. These would be adjacent to submerged lands. Even though it is not currently an issue on all lakes it could become an issue.
- Andy to bring law information to the next meeting.
- The discussion about the authority framework is similar to the current framework but it would provide better consistency, more oversight from the state level, better clarity of the laws and

give local authority a template to work from and possibly some resources to implement mooring regulations.

- The problems are not the same everywhere.
- Not a problem with UT lakes currently but we want whatever is implemented to be flexible enough to apply to lakes where there are problems.
- This is also about protecting the future and having a system in place.

Permitting Subcommittee Report Back:

- Discussed if the state had to administer the program versus what towns would do.
- **Shorefront Landowners:** Have a permit? Yes, but whether they pay is undecided.
- **Standards and Setbacks.** Including water quality buoys.
- **No Grandfathering** with some exceptions.
- **Mooring Fields** must have a permit. Request information similar to DMR aquaculture permits.
- **Decal issuance,** Replacement, Renewal, Fee
- **Transfer of mooring permits** not allowed but may transfer tackle.
- **Moorings Prohibited.** Prohibited in channels, not blocking fairways, boat access or ramps, not beyond 200' WSZ. May be exceptions.
- **Headway speed within an anchorage.**
- **Mooring floats in closed areas.** Example Belfast harbor. Add this to rules.
- **Special Exceptions:** Water Quality moorings should require a permit. Maybe something outside of the normal review process but completed to make sure they are correct. Water ski courses and Water Ski Jump should be included in permitting program.
- **Owner is responsible for removal.** Director can order removal for non-compliance.
- **Discussed liability insurance** in case a boat sinks or gets loose and causes damage.

Rules Subcommittee Report Back

Two different rule chapters, one for organized townships and one for UT but organized townships were the focus.

Here is a framework for a rule chapter:

Preface: Communicate public trust rights, submerged lands vs fee ownership, division of authority, purpose

Authority:

Applicability: What waters?

Effective Dates:

Availability

Severability

Conflicts

Amendments

Harbormaster Requirement: Do we require?

Definitions: Group 1

Mooring Registration: Group 3

Mooring Field Regulations: put in subheadings

Mooring Standards: Minimum Tackle Specifications: Example in model ordinance for a town. Where a town could have flexibility based on the water body.

Mooring inspection: part of model ordinance

Mooring Removal: Remove the ball and use a fender or something else to mark the anchor and tackle location.

Sam added that liability insurance would protect a town or a boat owner.

Rules Discussion: label the mooring balls, suggested that a sticker be issued by the permit system, that mooring owners stencil their own numbers and that there is some way to track short of name and number on the ball. Town could build a list but would know who owned it.

Next Steps:

What does the group think is the best way to move forward? Do the subcommittees want to meet outside of the group. Some groups want to meet outside of the larger group next week.

Authority group will circulate a document within the subcommittee and determine if another meeting is needed. Rule chapter group will meet at the beginning of next week.

If Bangor is too far for the next meeting, we could switch it to a teams meeting with space in Augusta for an in-person meeting. Are we going to be ready for another meeting in two weeks? It is going to be difficult to complete report back before Nov. We could also provide a report back without the actual legislative language, just give suggested proposals for the committee to consider and then draft the statute during the session based on what's supported. Can the legislature allow for more meetings if requested?

Further Rules Discussion:

What was the reason for a five-year inspection?

Place holder, if tackle is appropriate, tackle should last five years. This is dependent on the levels of phosphate in the water. Bob can get five years out of his tackle. Two years seemed a little onerous for the public. Five to seven years is when it would need replacement. This would be an area where towns could have flexibility.

Public comment

Charlie Frechette: Thank you, appreciate what you are doing. Happy with the level of experience, comfortable with the panel. This is an issue that has been going on from year to year. No one to call for a mooring issue, because there is no one that can tell a person to remove their mooring. Funding for mooring fields are similar to milfoil, but there is diversity in the towns. Waves on lakes could cause you to be unable to keep a boat on a dock so moorings can be necessary. Sebago is big enough that you can go fishing without going into a mooring field but this may not be the case on a different lake. Currently there are issues with people leasing moorings. The issue on Sebago is like what Lake Winnepesaukee was before the state created the mooring program. So, we need oversight for leased moorings, or this is going to continue to be problem.

Only meant for a baseline, as a fall back.

Working group members mentioned that a task force came up with ideas in the 80's but they weren't adopted and now we are back here talking about the same thing. Instead of adopting the proposals put forth the legislature simply added inland waters to Title 38 coastal mooring law and this doesn't work well.

This committee must be all in with what we propose.

Bruce Hart: has the biggest mooring field on the lake. Has had issue with the wardens over the years and worked with the town to help them establish a mooring field that can be in compliance. Group has a tough job that is complicated. George Powell was open to mooring fields. Need to make sure that town harbor masters have authority. Related to mooring field ideas, he asked, "would this be up to the harbor master to lay it out". If there isn't a harbor master would the state make the decision? The work group responded that we hadn't gotten that far yet. Local control would be best, but the state has responsibility. Towns need an ordinance and harbor master then it is a joint decision. How would a lake association or water district tie-in? Could they hire a harbormaster. Would like to see most of what we have. Meeting Adjourned.

The following Appendixes are the proposals/thoughts from each subcommittee:

Appendix A

Definitions Subcommittee Notes

Sub-Committee 1 - Terms Defined

- **Anchor:** A heavy object attached to a rope or chain, attached to and dropped from a watercraft and used to keep the watercraft from drifting.
- **Anchoring:** To hold fast by way of anchor for a short period of time *-Maybe timeframe less vague*
- **Dock:** A structure extending alongshore or out from the shore into a body of water, to which a watercraft may be docked, or secured.
- **Fairway:** Shall mean a navigable channel in a water body, which may, but need not be, marked with channel markers. Existing Nav Aids Rules have a Fairway defined as: "A navigable channel in a restricted area of a water body which may or may not be marked with channel markers."
- **Float:** A floating platform moored or anchored for use by swimmers or watercrafts, that is not integrated and connected with a dock.

Combine with swim float definition

A floating platform or aquatic structure moored or anchored for use by swimmers, personal recreation, or watercrafts, that is not integrated and connected with a dock (includes mats, aqua floats, trampolines, wooden swim rafts)

- **Great Pond:** Shall mean any inland body of water in a natural state that has a surface area in excess of 10 acres and any inland body of water artificially formed or increased that have a surface area in excess of 30 acres.
- **Marina (Water Parking Facility):** A specifically designed commercial establishment having frontage on navigable water and as its principal use, providing for hire moorings or docking facilities for watercrafts and which may also provide accessory services such as watercraft and related sales, watercraft repair and construction, indoor and outdoor storage of watercrafts and marine equipment, watercraft, fishing, bait and tackle shops and marine fuel and sewage service facilities.
- **Non-commercial use needs to be defined: Andy wants this defined**

Parking Water access instead

Adding Non-Commercial use

- **Mooring anchor:** any anchor or weight which is designed to rest on the bed or to be buried in the bed of a navigable water body, which is designed to be attached by a chain, cable, rope, or other mechanism to a mooring buoy and which is designed to be left in position permanently or on a seasonal basis.
Mooring: when used as a noun, means a mooring anchor, or other fixed object or stationary point, with or without a mooring buoy together with attached chains, cables, ropes, and pennants and related equipment used for the purpose of securing a watercraft, float plane, float, swim platform or other floating object to the bottom of a water body (not including swim lines as defined within statute).
- **"Mooring buoy"** means a white ball with a blue stripe which is attached to a mooring anchor and either is suitable for attachment to a boat through the use of a pennant or other device or facilitates the attachment of the boat to the mooring anchor. NH's definition
- **Mooring Field:** any group of 5 or more moorings with individual moorings located according to a plan and maintained by an individual, organization, business, or governmental entity which is responsible for assignment of mooring locations and general supervision of the mooring field. (maybe located outside of the water safety zone)
- **Mooring Location:** An area on a body of water in which the person has been permitted to place a mooring.
- **Moored Object:** **NEEDS A DEFINITION**
- **Right-of-Way:** Refers to a deeded right-of-way or easement of non-shorefront landowners over a designated portion of a shorefront property for waterfront access.
- **"Shorefront property"** means any property recognized as a legal building lot by a municipality, having shore frontage on public waters. "Shorefront property" shall include:
 - (a) A lot on the public waters that is divided by a road so that the buildable portion of the lot is on the opposite side of the road from the public waters or divided by an exclusive right-of-way which has been acquired as a result of an eminent domain proceeding which resulted in the break or loss of property between the property owner's residence and shore frontage.
 - (b) A lot of record with not less than 50 feet of frontage. A lot with less than 50 feet of frontage may be included if the lot owner obtains the written consent of the abutting property owner that the abutting property may be included in the footage calculation. Such consent shall be signed by both parties, notarized and filed with the mooring application. Shorefront property shall not mean a deeded right-of-way, nor shall it mean lots not contiguous to the shore with any other type of legal shorefront access. For the purposes of

this subdivision, property owned in common by condominium associations or other groups shall be deemed owned by the group and shall not convey any rights under this subdivision to its individual members. **NH's definition**

- **Add Shoreline to this list, it is already defined but use this definition in**
- **Swim Float/ Floating Platform:** A floating platform or aquatic structure designed for swimming use and personal recreation. This shall include aqua floats and trampolines.
- **Watercraft:** Shall mean any type of vessel, boat, barge, float or craft used or capable of being used as a means of transportation on water other than a seaplane.
- **Water Safety Zone:** Area of water within two hundred (200) feet of the normal high-water line..... **This needs to be consistent with Navigational Aids Rule.**
- Winter Mooring Marker: Discussion (Take out moorings completely or mark with winter object)
 - Needs to have work on what to do in winter so it's not a hazard

New Hampshire Terms Defined for Reference to Group

Mooring of Boats on Public Waters

Section 270:59

Appendix B

Authority Subcommittee Notes

Shared Authority Concept

Statutes authorizing the state or municipalities to implement new regulations

- 1) Title 38
- 2) Title 12
- 3) Title 30-A

State Authority (DACF)

- 1) Purpose statement:
 - a) Continue to uphold and protect public trust rights pursuant to Title 12 section 573.
 - b) To oversee the placement and management of individual moorings and mooring fields on great ponds and navigable river or stream segments.
 - c) Great ponds and navigable river or stream segments are held in trust by the State for use and enjoyment by the people of Maine. The placement and use of moorings on these inland waters by individuals, property owners, or other entities is a privilege, not a right.

- 2) To issue permits and collect fees in accordance with rules adopted by DACF and state law:
 - a) For mooring fields in municipalities and in Maine's unorganized and deorganized places when applicable (see 2-c-i & ii below)
 - b) For individual, private, moorings in municipalities without a local ordinance found to be consistent with state rules and law
 - c) For mooring fields and for individual, private, moorings in portions of Maine's unorganized or deorganized areas identified within DACF's rules, specifically:
 - i) Upon granting of a finding of consistency for a mooring ordinance to be administered by county government on a great pond or navigable river or stream segment contained wholly within Maine's unorganized or deorganized areas
 - ii) Upon granting of a finding of consistency for a mooring ordinance to be administered by a municipality on a waterbody that also borders or falls within Maine's unorganized or deorganized areas, whereby DACF's rules would automatically apply to portions of the waterbody not within municipal boundaries
- 3) Enforce regulations set out in statute or rule
- 4) The ability to adopt relevant chapters of rule through the rulemaking process pursuant to Title 5 (Administrative Procedures Act)
- 5) To review proposed ordinances from municipalities and with a model ordinance created and maintained by DACF. Consistency finding review criteria would include:
 - a) A proposed local ordinance must be at least as protective of environmental resources and the public trust rights as state law; and
 - b) A proposed local ordinance must be consistent with state law and not grant additional rights or privileges to shorefront property owners, businesses, or individuals that encroach upon the public trust rights or otherwise allow rights or privileges beyond those granted by state regulations

NOTE: Alternatively, the system could be set up like the fireworks ordinance approval process.

Rebecca's notes from MMA's LPC meeting: Discussion was held at length about the ordinance approval process, the pros and cons of such a system, and the challenges with timing relating to town meeting communities. While there was no clear direction on how they would like to see this function, municipalities advocate for the most minimally invasive plan and strongly encourage model ordinances with minimum standards and consistency in statute.

Understanding the state's desire to approve ordinances relating to state resources, I offer the following for discussion about using an approach similar to the fireworks ordinance. In these cases, the approved ordinance is filed with the state fire marshal's office. In terms of inland moorings, this approach would allow the state to set minimum standards and still retain the ability to ensure the ordinance follows those standards set out in statute, while also allowing flexibility for the local process to play out.

- 6) To hire necessary staff and purchase equipment or materials necessary to implement the new regulatory framework
- 7) To create, maintain, and make available educational materials or information covering safety and other relevant topics for users of inland lakes and municipalities seeking to adopt a local ordinance
- 8) To create, maintain, and make available a model mooring ordinance for use or customization by local authorities seeking jurisdiction over moorings. The model ordinance must include at a minimum:
 - a) Title
 - b) Authority and Scope
 - c) Purpose
 - d) Applicability
 - e) Definitions
 - f) Mooring Specifications
 - g) Mooring Field Regulations
 - h) Mooring Registration
 - i) Designated Mooring Zone
 - j) Enforcement and Violations
 - k) Effective Date
 - l) Severability

NOTE: Make this list congruent with rules subcommittee proposal.

- 9) To create and administer a funding program capitalized by mooring permit application fees and available to municipalities, multi-municipal regions, or county governments, seeking to adopt a local ordinance. Examples of how funds could be awarded:
 - a) Start-up funding for harbor master positions and expenses until a municipal system is self-sustaining (projects serving more than one municipality or minor civil division could be incentivized in scoring or eligibility for higher awards)
 - b) Additional costs associated with adopting implementing and maintaining an ordinance, including but are not limited to technology and capital investments

Municipal Authority

- 1) The option to adopt and implement a local ordinance that is consistent with the state's rules and regulations
- 2) The option to hire a harbor master either individually or as part of a multi-municipal region

- 3) Eligibility to apply for state funds to be used to set up and maintain a regulatory program, purchase equipment, and engage in education initiatives
- 4) Responsibility to issue permits and collect fees for individual, private, moorings inside or outside of a mooring field in accordance with a lawfully adopted municipal ordinance
- 5) Official standing to review and provide comments to DACF when issuing permits for mooring fields within town boundaries, regardless of whether a local ordinance is in effect in the municipality. Municipalities may not assume authority to issue permits for mooring fields.
- 6) To enforce its ordinance
- 7) The state will automatically re-assume authority at the request of a municipality, or in the event that a local ordinance is repealed or found to be inconsistent with state law, or if a municipality has abolished or does not have functioning administrative bodies or offices (e.g., a harbor master or appeals board of some kind) in place necessary to administer an ordinance.

Implementation of the Regulatory Framework

- 1) Statute(s) would direct the relevant state agency (DACF?) to adopt and implement routine technical rules to achieve the intended environmental protection and management outcomes.
- 2) The state would apply and enforce its rules on all great ponds and navigable river and stream segments in municipalities in the absence of a local ordinance. Regulations would be extended to apply in the unorganized territories only around certain waterbodies. (See authority sections above.) Establishing the applicability of the state's rules would be done through routine technical rulemaking.

Potential exceptions:

- i) Coastal waters in municipalities

Great Ponds or Navigable River Segments that are also international waters? Ex: St John and Saint Croix Rivers, Great East Lake – Acton, East Grand Lake, Glazier Lake, Balch Lake – Shapleigh, Lower Kimble Pond – Fryeburg, Umbagog Lake – Upton, Azizcahos Lake – Lincoln Plt, Parkertown Twp, Lynchtown Twp, Parmachenee Lake – Lynchtown Twp (very small piece is in NH)

- ii) Municipal ordinances in effect as of [DATE]
- iii) Great ponds and navigable river or stream segments in the unorganized or deorganized areas of Maine, unless specifically identified in DACF rules.

NOTE: there was discussion about requiring towns to update the ordinances within a certain time period maybe 2 years so that they are all consistent with the model ordinance.

3) Draft topics that could also be addressed by the statute:

a) *Definitions* of terms (see Definitions subcommittee materials)

b) *Authority Over Moorings*:

- i) Sets out the state's basic authority to issue permits and for enforcement
- ii) Allows municipalities to adopt an ordinance that is consistent with state law
- iii) If municipalities decide to adopt an ordinance, authority is transferred to them once the necessary components of a regulatory program are in place [e.g., hire a harbor master, follow the ordinance adoption process in Title 30-A, any necessary accounts or appeal system is set up, etc.].
- iv) State rules and municipal ordinances must, at a minimum, include these topics:
 - (1) Preface
 - (2) Authority
 - (3) Applicability
 - (4) Effective Dates
 - (5) Severability
 - (6) Conflicts
 - (7) Amendments
 - (8) Definitions
 - (9) Harbor Master Requirement
 - (10) Mooring Registration
 - (11) Mooring Field Regulations
 - (12) Mooring Standards
 - (13) Mooring Inspection
 - (14) Mooring Removal
 - (15) Dedicated Parking and Other On-shore Infrastructure
 - (16) Designated Mooring Zone
 - (17) Abandonment
 - (18) Trespassing
 - (19) Other Moorings (e.g., ski courses, inflatables, etc.)
 - (20) Enforcement and Violations
 - (21) Fee Schedule

c) *Harbor Masters*:

- i) The municipal officers of a town that borders or contains inland waters on a great pond or navigable river or stream, on request by any person desiring mooring privileges or regulation of mooring privileges for boats or vessels, may appoint a harbor master for a term of not less than one year, who is subject to all the duties and liabilities of that office as prescribed by state law, municipal ordinances and regulations adopted by the municipal officers, municipal harbor commissioners, municipal port authorities or other such bodies empowered to

regulate municipal harbors. The municipal officers may establish the harbor master's compensation and, for cause by them declared in writing, after due notice to the officer and hearing, if requested, remove the harbor master and appoint another one. Harbor masters must be certified and meet ongoing training requirements pursuant to 38 M.R.S. §(1-A).

NOTE: this mirrors language within 38 M.R.S. §(1) but we changed the shall to a may.

- ii) Harbor masters can serve multiple municipalities or a region, and if a lake borders multiple jurisdictions, this could be encouraged where practical but not required.
- d) *Permitting Program.*
 - i) DACF would adopt rules, issue permits, and enforce rules in municipalities without an ordinance or harbor master, and in portions of the unorganized or deorganized areas of the state identified in rule and in consultation with the Land Use Planning Commission.

Appendix C

Permitting Subcommittee Notes

1) Mooring Permit Required; Limitations.

- Discussed if it should include everyone including shorefront landowners but should definitely include mooring fields and marinas.
- Standards for tackle, spacing, setbacks should be included.
- Generally, no grandfathering but there could be exceptions.
- Review should include all of the concerns included in the survey such as environmental impacts and others.
- Right, title or interest for individual mooring would be required.

2) Petitions to Require Permits; Hearings.

- For mooring fields, marinas and other large projects, the process should be similar to Sub Lands process but with public hearings like DMR aquaculture process.

3) Decal Issuance; Replacement; Renewal; and Fee.

- All moorings should have identifying numbers, perhaps stickers.
- Permits should be renewed annually.
- There should be a “rental” fee for mooring fields but undecided on whether it is paid by individual, marina or other.

- Standards for mooring buoys: blue stripe, reflective, size.
- Fee structure
- Fund for abandoned, discarded moorings, & operational maintenance

4) Transfer of Moorings Prohibited.

- Permits should be non-transferable, but moorings can be transferred upon renewal. An example would be homeowners sell their shorefront house and mooring and the buyer would renew the mooring permit in their name.

5) Moorings prohibited.

- Prohibited in channels, not blocking fairways, boat access or ramps, not beyond 200' WSZ (maybe some exceptions).

6) Docking, Mooring Prohibited. (not entirely sure what this means)

- Using mooring floats (like in Belfast harbor) may be appropriate in some situations.

7) Special Exceptions.

- Some buoys may have a special permitting process such as water quality monitoring buoys. Water ski courses should be outside normal permitting process and require higher review like mooring fields.

8) Removal of Moorings; Powers of Director.

- Owner responsible for removal of their mooring.
- Director can order removal at owner's expense if non-compliant.
- State can hire private contractors to remove moorings or use state assets to remove for non-compliance or abandonment.

Permitting Committee notes – 9/10/2026

9) Public and Congregate Mooring Fields; Permit Required.

- Within organized municipalities
- Who can apply? Municipalities, commercial businesses (e.g. Marinas), campgrounds, condos, lake associations. May be contingent on right, title and interest to adjacent land.
- Applicant is responsible for obtaining insurance (moorings, liability, look at options)
- Applicants may need a Submerged Lands Lease for mooring field or be registered with the program on a registry
- Process for approving/reviewing mooring field sites, will be at the -----state. Will require input from towns, and state agencies who have jurisdiction.
- Which authority will draft and issue the permits for mooring fields. Town or State, or will there be governing bodies for a mooring field in lake/pond with multiple towns having access.
- Fee structure to be established

10) Mooring Areas; Designation

- Limitations to mooring field: Placement, number of moorings per field, quantity of mooring fields per water body.
- Define boundary, setbacks to riparian owners and water safety zone
- Buoy type specifications and boundary markers/signage/navigation/lights
- Private moorings – to be limited to RTI of applicant, setback requirements from land or water safety zone, number of moorings allowed per riparian owner

11) Appeals

- Clear definitions on what type of decision can get appealed and procedure
- Clear verbiage of what authority can do; e.g. shall, will, may
- Will need legal counsel on procedural options
- Appealed to Town or to State?

12) Liability

- Define liability of individual and congregate mooring areas
- Insuring the boat, mooring and include liability of damage to other structures/boats
- Permits must contain a liability clause from the issuing entity

13) Rule making

- Agency Dependent
- Definitions
- Must be clear and specific to include jurisdiction, process, approvals, denials, exemptions
- Updates to municipal ordinances in rule or statutes
- All mooring rules must be in one agency
- Mirror title 38 where possible

14) Penalties

- Definition of penalties: failure to register a mooring, failure to remove,
- Enforcement of penalties: harbormaster, game warden, CEO, State
- How to handle abandoned or derelict moorings, funds/responsibility
- Likely civil offense, may reach criminal after 3 convictions, determined by group
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Appendix D

Rules Subcommittee Notes

Mooring Working Group

Rules Subcommittee

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8/27/26 additional information 9/2/26

The group feels that there will be two Rules Chapters. One for organized towns and one for unorganized towns. Below is the proposed layout for organized towns.

Preface: This should communicate the Public Trust Rights, Submerged Lands vs. Fee ownership? summary of authority between State and municipalities. Water Quality, Drinking Water, Balance of uses.

Authority: This would come from Subcommittee 2

Applicability: What waters?

Effective Dates: This should consider statute compliance timeframe and procedures.

Availability:

Severability

Conflicts

Amendments

Definitions: Come from Group 1

Harbor Master Requirement: Should a town be required to hire a harbormaster upon request for one like the coastal requirement? Should multiple towns on one water be requested to hire one harbormaster for the entire water?

Mooring Registration: Group 3 information. Proof of liability insurance? Renewal process

Add in Tiered Approach to 1-2, 3-4 and 5 or more

Mooring Field Regulations: Parking, restrooms, navigation channel, standards, proof of liability insurance to protect towns, field layout provided prior to approval and implementation or at least minimum scope standards (40' minimum is a good minimum), waitlist prioritize standards.

Mooring Standards: Minimum Tackle Specifications be clear about what objects are permitted to use, town minimum but towns could also opt to combine categories based on waterbody conditions, fetch, bottom conditions, add shallow water requirement etc. Thoughts: How to handle moorings placed by

non-shoreland owners near or creating a disturbance to a shoreland owner's personal dock or mooring? Provide minimum distances from moorings or docks.

Mooring Inspection: Could be self-inspected every year and inspected by an independent party every 2 to 5 years depending on the water conditions. In the case of commercial field, this should be the responsibility of the marina operator.

Mooring Removal: ball removal in the winter. Allow for use of fender, milk jug, require that the float be 1-2' off the bottom? Leave up to town with a variety of options?

Anchor Removal: add this and be sure to strike a balance between environmental damage due to removal and removing due to safety concerns

Designated Mooring Zone: Harbormaster/Town would decide where if any mooring field could be placed outside of the Water Safety Zone and what criteria should be considered in that determination. Navigation Channel Designation. Mooring fields and mooring zones should be strictly for boat moorings for safety purposes. This means that swim floats and other equipment should be prohibited.

Abandonment: Suggest marina owners be responsible for moorings within their fields, determine if a mooring is abandoned and how to handle removal for individual moorings. Should consequences be tied to permitting?

Trespassing: Tying up to any mooring not belonging to the boat owner (should this be allowed, is there a time period or reason it should be allowed, emergency situations, what if there is damage to the mooring if permitted) Possibly have the boat owner in an emergency situation use the contact information from the mooring to report the emergency tie-up to the town or harbormaster. Consequences for trespass? Trespass could also mean crossing private property without permission to access a mooring. Is this already law?

Moorings near State Boat Launch Facilities:

Enforcement and Violations:

Other Moorings including ski courses, inflatables etc.

Fee Schedule

Appeal Process