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BEACH ACCESS LAWS TO BE EXPLAINED IN WELLS RESERVE SERIES

WELLS, Maine, July 18, 2014 — Enjoying Maine’s coastline isn’t always a walk on the beach. In fact, 25 years ago the Maine Supreme Court ruled that the public’s right to use privately owned tidelands is strictly limited.

The 1989 Moody Beach decision, this year’s Goose Rocks decision, and other cases over the past quarter century have affected private property owners’ rights and the public’s ability to use Maine’s intertidal lands and dry sandy beaches.

After a quarter century of legal wrangling, confusion and controversy remain. Who is a legitimate visitor to a beach and who is a trespasser? Why can clammers and scuba divers use private intertidal lands while a sunbather sometimes cannot? Why would one beachfront property owner have lesser rights to control public use than another?

On Wednesday, the Wells Reserve at Laudholm begins a series of programs to examine Maine’s court cases, laws and customs in other states, perspectives of private landowners, and how court actions and public debate might shape creative solutions to shoreline access in the future.

“We want to help people make sense of the laws surrounding Maine’s intertidal zone,” said Paul Dest, director the Wells Reserve, who is coordinating the series with the Maine Sea Grant College Program. “These lectures and presentations will feature attorneys and scholars who have delved into the complexities of Maine’s tidelands laws. We appreciate their willingness to share their observations and opinions through open public sessions.”

The first program will be at the Wells Reserve at Laudholm on July 23 at 6pm. John Duff, an attorney, professor, and author of *Public Shoreline Access in Maine: A Citizen’s Guide to Ocean and Coastal Law* will explain the effects of the Moody Beach Case and how that decision and others affected ownership and public use over time. Stephanie Showalter Otts, director of the National Sea Grant Law Center in Mississippi, will survey the laws and customs that surround shoreline ownership across the country and compare them to Maine’s situation.

On August 28, also at the Wells Reserve, the private landowner perspective will be presented by Sidney “Pete” Thaxter and Ben Leoni, attorneys from Curtis Thaxter, the Portland law firm. Thaxter presented oral arguments for the landowners before the Supreme Court in the Moody Beach case in 1988 and the Goose Rocks Beach case in 2013. Leoni was one of the lead attorneys for Curtis Thaxter in Goose Rocks and helped develop the legal arguments that led to the Supreme Court ruling in their clients’ favor.

The series concludes with a panel discussion being planned for October 2 at the University of Maine School of Law in Portland. Details on this program will be forthcoming.

Registration for each program is required at 646-1555. A $5 donation is suggested. For more
The Wells Reserve at Laudholm is a 2,250-acre National Estuarine Research Reserve with its headquarters listed on the National Register of Historic Places. The Wells Reserve’s goal is to protect and restore coastal ecosystems around the Gulf of Maine. Staff and volunteers expand knowledge about coasts and estuaries, engage people in environmental learning, and involve communities in conserving natural resources.

The work of the Wells Reserve and the care of its historic site are made possible by Laudholm Trust. Organized as a 501(c)(3) nonprofit in 1982, member-supported Laudholm Trust provides vital monetary and in-kind support to the Wells Reserve. This local support enables the Wells Reserve to receive additional funds from the National Oceanic and Atmospheric Administration.

The Wells Reserve at Laudholm is located on Laudholm Farm Road, just off U.S. Route 1 near the Wells-Kennebunk line.

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