

Notice Concerning Intertidal Rockweed Ownership and
Prohibition of Harvesting Rockweed

Property in question physical address: _____

Property in question tax parcel number (consult your property tax bill or call your town office): _____

Notice is given that there is no authorization to enter this Property for the purpose of, (1) harvesting any rockweed (*Ascophyllum nodosum*) attached to and growing in the intertidal zone of the Property; or (2) depositing or securing bags of harvested rockweed.

Under Maine law, “[t]he intertidal zone belongs to the owner of the adjacent upland property, or some other person to whom that part of the land has been transferred by the upland owner”. *Ross v. Acadian Seaplants, Ltd.*, 2019 ME 45, ¶ 12, 206 A.3d 283; *Britton v. Donnell*, 2011 ME 16, ¶ 7, 12 A.3d 39, 42 (“Under the common law, the land of the intertidal zone belongs to the owner of the adjacent upland property, subject to certain public rights.”); *Bell v. Town of Wells*, 557 A.2d 168, 173 (Me. 1989) (“[W]e have long since declared that in Maine, as in Massachusetts, the upland owner’s title to the shore [is] as ample as to the upland.”). While ownership of the intertidal zone is subject to certain public rights, “the harvesting of rockweed is not encompassed within the rights held by the public.” *Ross*, 2019 ME 45, ¶ 32, 206 A.3d 283. “[R]ockweed attached to and growing in the intertidal zone is the private property of the adjacent landowner.” *Id.* ¶ 33.

Maine law is clear on the subject: As the upland owner, the owner of said property holds fee title to the adjacent intertidal lands unless it has been transferred, and any rockweed attached to and growing on that intertidal land is private property of the owner.

Date: _____

PROPERTY OWNER NAME: _____

PROPERTY OWNER SIGNATURE: _____