



P.O. Box 233, Richmond, ME 04357 www.fomb.org

Testimony Supporting LD 883 as Amended, 5/10/ 2021

**An Act to Protect Endangered Species Whose Life Cycle Includes
Maine Land or Waters**

**Senators Dill, Senator Miramant, Representative Landry, Representative
McCreight and members of the Joint Standing Committees on Inland
Fisheries & Wildlife & Marine Resources:**

My name is Ed Friedman and I chair Friends of Merrymeeting Bay (FOMB) an organization of about 450 households engaging in research advocacy, education and land conservation focused on the protection, preservation, and enhancements of the Merrymeeting Bay area and Gulf of Maine. Our membership includes many hunters and fishermen. I am testifying this morning not only on behalf of FOMB but as part of a large coalition in favor of **LD 883 as Amended** by Senator Miramant, **An Act to Protect Endangered Species Whose Life Cycle Includes Maine Land or Waters**.

The US Endangered Species Act of 1973 (ESA) was designed to protect and recover imperiled native species and their ecosystems before they go extinct. When a species is listed as Endangered or Threatened (E/T) under the ESA, it is in danger of extinction throughout all or a significant portion of its native range or getting to that point. Failing to include federally-listed species on state lists flies in the face of federal and state law intentions.

Maine is one of only ten states (and the only one in the northeast) that does not mandate or highly recommend in statute the state-level listing of federally E/T species. There is no biological reason for Maine not to list a species the US Fish and Wildlife Service and National Marine Fisheries Service have listed as endangered or threatened. While species listing is technically separate (at least with IF&W) from management, listing these species at the state level is at minimum quite symbolic and should also facilitate better management and enhanced cooperation among all relevant state agencies.

Prior to 1996, authority to list species rested with the two relevant Commissioners. LD 883 as amended, returns partial listing authority by Rule to the Commissioners of Inland Fisheries & Wildlife and Marine Resources. The proposed LD requires these Commissioners to place all federally E/T species whose life cycle includes Maine land or waters, onto Maine's Endangered Species lists. Species not listed under the US Endangered Species Act continue with Maine ESA or MMESA designation by the legislature, following recommendation by the Commissioners.

Maine's threatened and endangered species listings are applied inconsistently: Of the currently 16 federally-listed threatened and endangered birds, mammals, reptiles, and fish found in Maine, six are not listed at the state level: red knot, Canada lynx, blue whale, green turtle, Atlantic salmon (Maine's state fish), and Atlantic sturgeon. We hope LD 883 will close some management loopholes in Maine and help to bring these and other species back from the brink.

Maximizing E/T species management and protection informed by the best available science rather than politics hastens the recovery process enabling a relaxation of possible restrictions sooner rather than later.

Species around the world are going extinct at an unprecedented rate. Factors include population growth, development, resource extraction (water, oil, timber, mineral, etc.), wireless radiation pollution, pesticide and other toxic chemical use, light pollution, over-harvest and exploitation, invasive species, decrease in natural nutrient flows from river damming, fragmentation of habitat and habitat loss in terrestrial, riverine and lacustrine systems, ocean noise pollution (ship traffic, military, sonar, seismic exploration) and climate change.

Given the threats above, it would be unrealistic to think that federally listed species will not increase. Any species threatened or endangered at the federal level is in danger of extirpation and deserves state protection as well. We cannot justify not listing a species at the state level when it is at risk of extinction across its national range.

For these reasons, we urge you to **support LD 883 as amended**. Thank you for your time and consideration.

Please vote *Ought to Pass as Amended* on LD 883.

Thank you & I'm happy to answer any questions.

Organizational Coalition Supporters:



Wildlife Professional Supporters:

INDIVIDUALS:

- *Edward Baum, Fisheries Scientist, Retired Program Coordinator for Maine Atlantic Sea-Run Salmon Commission*
- *Topher Browne, Journalist and author of "Atlantic Salmon Magic"*
- *Mark Des Meules, Former Science & Stewardship Director for The Nature Conservancy VT, Former Executive Director Land for Maine's Future, Maine Atlantic Salmon Collaborative, Former Executive Director Damariscotta River Association*
- *Joan Garner Trial, Ph.D., Retired MDIFW Fisheries Biologist, Atlantic Salmon Commission, DMR Bureau Sea Run Fisheries*
- *Albert M. Manville II, Ph.D., Retired Senior Wildlife Biologist for USFWS, Certified Wildlife Biologist for The Wildlife Society, Adjunct Professor at Johns Hopkins University, Sole Proprietor of Wildlife and Habitat Conservation Solutions, LLC*
- *Paul Nickerson, Retired USFWS and co-author of the federal rule listing Atlantic salmon in Maine*
- *Ray "Bucky" Owen, Ph.D., Former MDIFW Commissioner*
- *Catherine Schmitt, Journalist and author of "The President's Salmon: Restoring the King of Fish and its Home Waters"*
- *Matthew Scott, Emeritus, AFS, AIFRB; Retired Chief Biologist Maine DEP and former Deputy Commissioner MDIFW*
- *Mark Whiting, Ph.D., Retired DEP Biologist for DEP Salmon Rivers Program*