

January 27, 2023 - Re: LD 164 - An Act to Fund the Lake Restoration and Protection Fund

Dear Members of the Environment and Natural Resources Committee;

My name is Roberta Hill. I am an aquatic ecologist and educator who has been actively working in lake protection in Maine for the past 30 years, primarily in the non-profit sector, most recently for Lake Stewards of Maine (LSM) where I served as Invasive Species Program Director for 23 years. I am now engaged in lake conservation and community outreach through my consulting work. I appreciate the opportunity to submit testimony in favor of LD 164, and will limit my comments to three key points:

Lakes are especially vulnerable to the impacts of a changing climate.

In her letter that prefaces *Maine Won't Wait*, the State of Maine's landmark climate action plan adopted in 2020, Governor Mills writes: "*Before us now is a threat that jeopardizes not only Maine's natural resources but our state's economic and social wellbeing, too From our rocky coast to the western foothills, our pine tree forests, our bountiful farmland, and the people and creatures of all kinds who call these places home, the climate crisis poses a direct and immediate threat.*"

Lakes are especially vulnerable to this "immediate" threat, and many of them are already showing the proverbial warning signs of canaries in the coal mines. Shorter periods of ice cover, warmer water temperatures, greater frequency and intensity of extreme weather events, invasive pests in forested watersheds, and other climate-driven impacts will all take a toll on lakes. Researchers at University of Massachusetts Amherst (Allen & Bradley 2016) predict that Maine, which is warming faster than other parts of the county, will see a higher number of invasive species introductions than most states. Included in that wave of biological newcomers are a number of invasive aquatic plants that would not have found suitable conditions here a few short decades ago. Similarly, the increasing occurrence of toxic algal blooms in our state is a fairly recent (and likely climate-driven) phenomena.

Maine's Community Resilience Partnership program offers much needed resources for communities working to do their part to reduce carbon emissions, transition to clean energy, and become more resilient to the impacts of a changing climate. And though some of this resilience work will surely benefit lakes, the needs of towns in this regard are many (and growing) and the funds for the CRP program are not without limit. Given the particular vulnerability of lakes to climate influences, as well as their enormous ecological, cultural and economic values, the funding made possible by this legislation, focused as it is exclusively on protecting and restoring lakes, is absolutely warranted and necessary.

The funds will be matched and amplified in value many times over.

Over the span of my career in the nonprofit sector: first at Lakes Environmental Association, then Portland Water District, and most recently at LSM, I have worked with literally thousands of individuals and dozens of lake communities all across the state. I am quite confident in my assessment that the outpouring of passion, stewardship, and determination that you will likely see through holding this hearing is merely the tip of the iceberg. Maine is very fortunate indeed to have so many people who care deeply for the "waters of the State," people and communities willing to give of themselves in every way imaginable in order to ensure the continued health of our lakes, ponds, rivers and streams, and deeply committed to the work of protecting

them for future generations. These people make up an abundant, creative and extremely-capable ‘care and repair’ economy that is commonly overlooked in contemporary economic calculations. Once the funding that is being sought in LD 164 gets into the hands of these communities, I can assure you it will be multiplied in value many times over. Maine lakes currently face a number of interrelated, compounding and intensifying threats. Now is the time to shore up our lakes’ greatest system of defense: the people and the communities who have made an abiding commitment to their continued well-being.

This legislation provides an opportunity to revisit the original 1987 statute.

I believe there is an opportunity here, as part of this legislative process, to revisit the original legislation that established the Lake Restoration and Protection Fund in 1987 and to revise and amend the statute as needed to bring it in line with current realities and understandings. For example:

The original statute states that the funds must be used exclusively to “improve or maintain the quality of lake waters in the State and for no other purpose.” The threat of Invasive Aquatic Species (IAS) was hardly on the State’s radar back in 1987 when the original legislation was enacted. IAS often, but not always, impact water quality (think Sebago Lake). If the intention of this legislation is to make funding available for overall lake protection and restoration (not exclusively *water quality* protection), perhaps the language of the original statute could be updated to make clear that projects aimed at addressing the threat of IAS also qualify for funding.

A blanket 50% match requirement may put the funds out of reach for some lake communities, especially those in less prosperous and less populated parts of the state. A good example of this are the communities surrounding Big Lake in Washington County, where invasive variable water milfoil was discovered in 2019. Subsequent surveys, conducted primarily by the Passamaquoddy Tribe at Indian Township’s Environmental Department and a team of dedicated and highly-experienced volunteers trained by LSM (most traveling in from other, more southerly parts of the state) determined that the invader is spreading northward into the extensive flowage that comprises the East Branch of the Saint Croix River. The cost of nipping this extremely serious infestation in the bud or even controlling it to a level that will substantially reduce the threat to surrounding and downstream waters is going to be formidable, yet if we are to prevent widespread harm to the pristine waters of Maine’s northern counties, *now* is the time to act. The median household income in Washington County is only 66% of that in York County, and the population is less than 20%. Communities in Washington County simply do not have the same capacity to raise matching funds as those in the southern parts of the State. I am sure a simple formula could be developed to even out the playing field in this regard.

Finally, there is no mention, either in the original statute or this bill, of how the Tribes will benefit from this legislation or this fund. The Wabanaki have been working as caretakers of Maine lakes and other ecosystems long before the host of current threats arrived in Maine. They continue to struggle to this day to restore healthy and robust ecosystems under a system that has largely ignored their ecologically- and spiritually-informed traditional knowledge. Yet this knowledge is, and will increasingly be, fundamental to the work of protecting and restoring the natural environment in the face of so many troubling threats. It is estimated that indigenous peoples, making up just five percent of the global population, protect 80 percent of the world’s remaining biodiversity. Clearly there is something extremely valuable to be learned from traditional ecological knowledge (TEK). In my view, all of us who care about Maine lakes and other natural resources would be better served if the Maine’s Tribes were holding a meaningful seat at the table when matters pertaining to the health of our environment are being deliberated. If the wording of the original

statute is to be revisited, perhaps it would be a good opportunity to consider how TEK could be incorporated into the process for the benefit of all.

I wish to be clear that the above comments, pertaining to possible improvements that could be made to the original statute, are offered as helpful suggestions only, and are in no way intended to detract from my full and enthusiastic support for this bill.

I greatly appreciate your consideration of my comments.

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LD 164