



Committee on Environment and Natural Resources
% Legislative Information Office
100 State House Station
Augusta, ME 04333

May 12, 2025

RE: LD 1904, An Act to Establish the Municipal Shoreline Protection Legal Fund

Dear Sen. Tepler, Rep. Doudera, and Members of the Committee:

My name is Francesca “Ches” Gundrum and I am Maine Audubon’s Director of Advocacy. Maine Audubon is a wildlife conservation nonprofit – we fulfill our mission to “conserve Maine wildlife and wildlife habitat” by engaging people of all ages in nature through a science-based approach to education, conservation, and advocacy. On behalf of Maine Audubon and our 30,000 members, supporters, and volunteers, thank you for the opportunity to submit testimony in support of LD 1904, *An Act to Establish the Municipal Shoreline Protection Legal Fund*.

Healthy lakes and ponds are essential to Maine wildlife and Maine’s economy. For Common Loons, clean water is critical, as they are visual predators that rely on clear waters to see and pursue fish. Common Loons hold a special place in the hearts and minds of all who see and hear them. Their striking plumage, soulful cries, and ability to seemingly vanish under water have inspired legends of magic, mysticism, and creation for many centuries. For more than four decades, Maine Audubon has worked to assess the status and safeguard the future of Maine’s loon population. Through the Maine Loon Project we work with residents and partners statewide to promote healthy lakes, clean water, and quality habitat for loons and to understand trends in their population over time. We engage lake users in efforts to protect loons from threats like boat strikes, nest washouts from boat wakes, and nest site disturbance during the vulnerable period of egg incubation. Across Maine, there are roughly 2,000 loon conservation volunteers that dedicate time and energy to observing and protecting Common Loons. **Mainers care deeply about this iconic species and are eager to support initiatives – like this bill – to help municipalities protect Common Loon habitat and health.**

Because loons are heavy and their legs are located at the very back of their bodies, they move awkwardly on land. So they can easily slip on and off without being noticed, they typically build their nests within a foot of the water’s edge, which leaves nests especially vulnerable to flooding by boat wakes and from shoreland development. Especially when existing shoreland protection laws and rules are violated, development can eliminate nesting habitat or reduce habitat quality by increasing disturbance and predation. Some homeowners and developers violate shoreland zoning laws and rules by cutting healthy trees along the water’s edge, removing shrubby vegetation that stabilizes shoreline and helps keep water clean, or by adding jetties, stairs, boat launches, sand, and other features without the

necessary permits. State and municipal shoreland zoning laws and rules are critical to protecting water quality and Common Loon habitat on Maine lakes, but they are not always enough. Fines may be assessed and paid as the “cost of doing business,” but the damage remains.

LD 1904 will help municipalities hold shoreland zoning violators accountable. This bill establishes the Municipal Shoreline Protection Legal Fund to assist municipalities in paying legal costs incurred in pursuing egregious shoreland zoning violations. Municipalities are required to reimburse the fund within six months of the settlement or final adjudication of the legal claim for which the funding was received. State and municipal shoreland zoning laws and rules exist to help protect water quality, limit erosion, conserve wildlife, and preserve the natural beauty of Maine’s shoreland areas. We cannot let lakefront property owners get away with violating our laws just because they can afford to. **Maine’s shoreland zoning laws benefit us all, and we must ensure that they work and that Maine towns can defend this critical natural resource.**

From trauma caused by boat strikes, climate change impacts, habitat loss, mercury and lead poisoning, etc., loons face tremendous obstacles when it comes to hatching and raising chicks on Maine’s lakes and ponds throughout the spring and summer months. The threat of egregious shoreland zoning violations is a threat that we can address right now and will help mitigate the compounding impacts faced by loons. This legislation offers a creative policy to help towns protect essential Common Loon habitat, fragile shorelines, water quality, lake health, and recreational opportunities for everyone. Additionally, we recommend increasing fines associated with shoreland zone violations in order to help dissuade landowners from violating our laws *and* support the fund.

We encourage the Committee to support this bill.

Sincerely,



Francesca “Ches” Gundrum
Director of Advocacy