

Committee on Inland Fisheries & Wildlife
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

February 6, 2023

RE: LD 57, *An Act to Amend Maine's Endangered and Threatened Species List*

Dear Chair LaFountain, Chair Landry, and Members of the Inland Fisheries and Wildlife Committee:

On behalf of Maine Audubon and our 30,000 members and supporters, thank you for the opportunity to submit testimony in support of LD 57, *An Act to Amend Maine's Endangered and Threatened Species List*.

Maine Audubon supports the Maine Endangered Species Act (MESA) as an important tool to conserve the state's most vulnerable species. We concur with the Department of Inland Fisheries and Wildlife's (DIFW) proposed additions and modifications to the list of endangered and threatened species as detailed in LD 57. As each of their populations are dramatically declining in the state, we strongly support the Department's suggestions of extending protections to the following eight species: Bank Swallow, Cliff Swallow, Bicknell's Thrush, Blackpoll Warbler, Saltmarsh Sparrow, Tricolored Bat, Ashton's Cuckoo Bumble Bee, and Marginated Tiger Beetle.

For decades, Maine Audubon has worked collaboratively with the Department to conserve Piping Plovers and Least Terns, two species listed as endangered under MESA. Listing under MESA has afforded additional funding to care for these birds and their breeding habitats, increased public awareness of the threats to these birds, and provided regulatory mechanisms for reviewing potential negative impacts to their nesting habitat such as the designation of "Essential Habitat." As a result, Piping Plover pairs and fledglings are at record high numbers — a tenfold increase since the species' listing in the 1980s. It is worth noting that Maine has an exceptionally good track record of working collaboratively with businesses, municipalities, and landowners to manage listed species and listed species' habitat. Rarely has MESA been utilized to stop development. Instead, the Department works cooperatively with landowners and developers to minimize disturbances to listed species, and removes them once their populations have recovered, as was the case for the Bald Eagle.

Maine Audubon is hopeful that the Department's proposed listings within LD 57 will lead to similar success stories. Let's consider one of those species. Saltmarsh Sparrows are a small but impressive songbird that has been able to thrive in Maine's salt marshes by timing their nesting with tidal cycles. Unfortunately, their numbers have been in steep decline because increased storm activity and sea level rise has led to more frequent nest flooding. Keeping these birds in Maine and beyond requires collaboration between a variety of stakeholders, including municipal officials, private landowners, biologists, engineers, and more. Our experience protecting listed, beach-nesting birds demonstrates that MESA can help foster these productive relationships. Our organization looks forward to using the increased protections and awareness listing will bring to Saltmarsh Sparrows to facilitate collaboration among those agencies and organizations working to both restore tidal marshes

and protect nesting habitat for Saltmarsh Sparrows. Because without successful nesting, the population will surely continue to decline.

Population threats and information about population status are rapidly changing for the species considered by the Department, as well as for other species. In addition to making these changes today, we strongly support the Department performing the listing review process every 2 to 4 years, as opposed to their typical 8-year time frame. We believe that this action will improve the Department's ability to respond to increasingly rapid changes to population threats and conditions and stave off truly significant population declines. We also encourage the Department to gather additional information about species that they have already considered listing, but lack concrete population data on, so that the Department may better assess whether those species are a good candidate for listing.

As species' populations begin to drop or as once-common animal species become less common in Maine, it's imperative that both the state and federal governments assess, plan, and act. MESA has been instrumental in protecting imperiled species in Maine since 1975 and is an essential step in that process. We strongly encourage the Committee to support this bill. Thank you for your time and I am happy to answer any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Francesca Gundrum', with a stylized flourish at the end.

Francesca "Ches" Gundrum
Policy Advocate

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c/o Legislative Information Office
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Saltmarsh Sparrow (*Ammodramus caudacutus*)

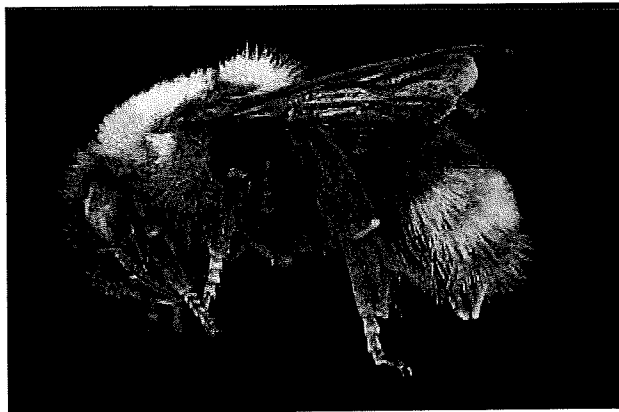
Proposed listing: Endangered

The coastal habitat for this secretive bird is being degraded by sea level rise and encroaching development across its range. Climate change fueled storms and tidal surges flood nests before the chicks can fly. Biologists have measured an annual 10.6% decline in the state Saltmarsh Sparrow breeding population since monitoring began in 1998 and are projected to be extinct by 2050 if current conditions continue.

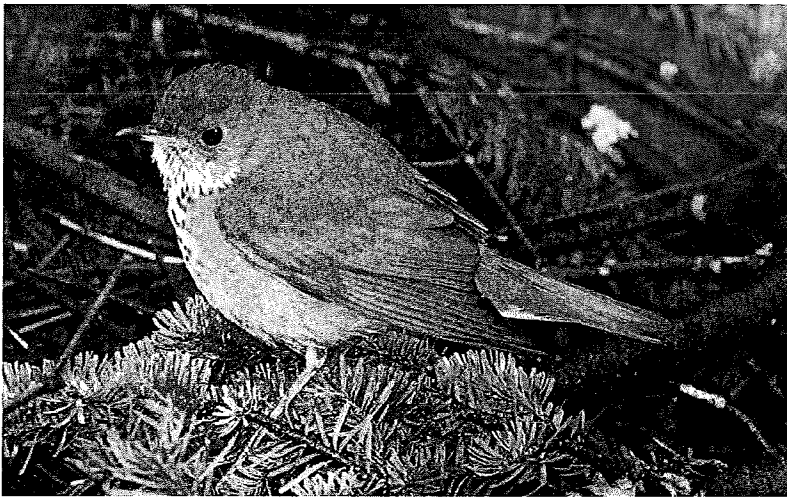


Ashton Cuckoo Bumble Bee (*Bombus ashtoni*)

Proposed listing: Endangered



Like the cuckoo bird, which lays its eggs in the nests of other bird species, the Ashton Cuckoo Bumble Bee infiltrates the colonies of other bee species and takes over, forcing the bees in the host colony to raise the Ashton young. Like many pollinators, the Ashton Cuckoo Bumble Bee is experiencing steep population declines around North America (up to 90% loss), and is currently known from only a single location in Maine.



Bicknell's Thrush (*Catharus bicknelli*)

Proposed listing: Threatened

Bicknell's Thrush has a very limited breeding range: stunted forests at the treeline of mountains in New England and northeastern Canada. This already-rare habitat is further threatened by climate change and industrial forestry. Biologists believe that about 20% of the world's population of Bicknell's Thrush breeds in Maine.

Blackpoll Warbler (*Setophaga striata*)

Proposed listing: Threatened

This understated warbler breeds in Maine's boreal forests, and is undergoing a prolonged population decline. State biologists estimate that Blackpoll Warbler numbers are down by 99% since 1960, and by 59% since 2010. The Blackpoll Warbler is already at the southern edge of its range in Maine's boreal forests, and also faces threats during migration and on its wintering grounds on islands in the Caribbean and in northern regions of South America.



Bank Swallow (*Riparia riparia*) and Cliff Swallow (*Petrochelidon pyrrhonota*)

Proposed listing: Threatened

Like other aerial insectivores, populations of these two swallow species have declined sharply in recent years. Cliff Swallows have experienced an estimated 6.9% per year decline in Maine between 1966 and 2019, and Bank Swallows have had an

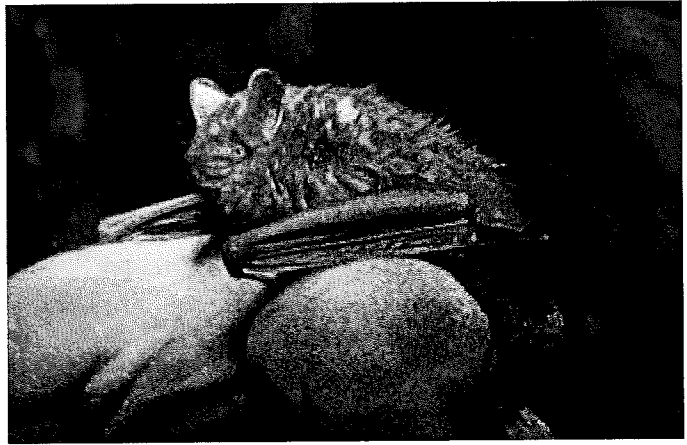


estimated 10.9% annual decrease. There is some evidence that a lack of suitable nesting areas is impacting Bank Swallows, while Cliff Swallows may be particularly susceptible to impacts on their South American wintering grounds.

Tricolored Bat (*Perimyotis subflavus*)

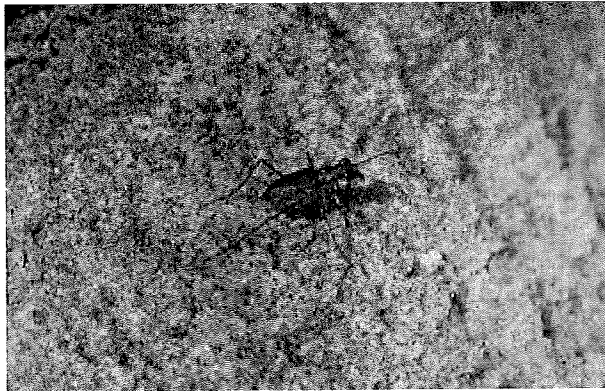
Proposed listing: Threatened

Like many North American bat species, the Tricolored Bat has been devastated by White-nose Syndrome. Their historical low abundance in Maine and susceptibility to White-nose syndrome make conservation an urgent concern.



Margined Tiger Beetle (*Ellipsiptera marginata*)

Proposed listing: Threatened



The Margined Tiger Beetle lives along intertidal zones, back beaches, saline flats, salt marshes, beaches, and tidal mud flats along the Atlantic coast. It is known from just 13 locations in seven Maine towns between York and Georgetown, and its low and fragmented populations are further threatened by sea-level rise and habitat degradation from adjacent development.