

Committee on State & Local Government
% Legislative Information Office
100 State House Station
Augusta, ME 04333

February 6, 2024

RE: LD 2101, *An Act to Strengthen Shoreland Zoning Enforcement* (EMERGENCY)

Dear Sen. Nangle, Rep. Stover, and Members of the State and Local Government Committee:

My name is Francesca “Ches” Gundrum and I am Maine Audubon’s Policy Advocate. Maine Audubon is a wildlife conservation non-profit – we fulfill our mission to “conserve Maine’s 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 2101, *An Act to Strengthen Shoreland Zoning Enforcement* (EMERGENCY).

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 1,500 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 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 2101 will help hold shoreland zoning violators accountable. This bill authorizes municipalities and the Land Use Planning Commission (the zoning and planning authority for Maine's 10.4 million acres of unorganized territory) to suspend or revoke shoreland zoning violators' permits, and place liens on properties in violation. 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 violate our laws just because they can afford to. Maine's shoreland zoning laws benefit us all, and we must ensure that they work.

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 common-sense policy to protect essential Common Loon habitat, fragile shorelines, water quality, lake health, and recreational opportunities for everyone.

Maine is fortunate to be one of only a handful of states where you can watch loons raise their young—let's keep it that way. We urge the Committee to support this bill. Thank you for your time and I am happy to answer any questions.

Sincerely,



Francesca "Ches" Gundrum
Policy Advocate