



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

April 30, 2025

RE: LD 1763, An Act to Regulate Nonwater-dependent Floating Structures on Maine's Waters

Dear Sen. Baldacci, Rep. Roberts, and Members of the IFW Committee:

My name is Francesca "Ches" Gundrum and I am Maine Audubon's Director of Advocacy. Maine Audubon is a wildlife conservation non-profit – 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 1763, *An Act to Regulate Nonwater-dependent Floating Structures on Maine's Waters*.

This legislation aims to protect lake health by prohibiting non-water-dependent floating structures (NWFS) on both inland and coastal waters. NWFS are defined as waterborne structures supported wholly or in part by their own buoyancy that can function in a location other than the surface waters of the State and that do not require, for their primary purpose, water or direct water access. NWFS are not considered capable of safe and practicable navigation – examples include, but are not limited to, floating camps, restaurants, hotels, and billboards. This prohibition includes exceptions for functionally water-dependent uses, swimming structures, water toys, ice fishing shacks, and aquaculture facilities. The bill also clarifies the regulation of houseboats and homemade watercraft under the laws regulating watercraft.

Healthy lakes and ponds are essential to Maine fish and wildlife and our economy. For Common Loons, clean water is critical, as they are visual predators that rely on clear waters to see and pursue fish. Loons are excellent indicators of lake ecosystem health because they are top predators in their food web and highly sensitive to changes in water quality and food availability. Additionally, 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 40 years, 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 protect Common Loon habitat and health.

We appreciate the Department of Inland Fisheries and Wildlife (DIFW) and other natural resource agencies for responding to the growing number of complaints about NFWS, the confusing and sometimes conflicting regulatory structure, and the threat that these structures pose to the health of Maine lakes and ponds. **Tackling this issue now will help address present and prevent future damage to the fish and wildlife that depend upon healthy aquatic ecosystems.** Specifically, we are concerned about NWFS impacts to important littoral habitats (areas that are near the shoreline, where sunlight can penetrate to the bottom), unregulated sewage discharge impacts to water quality, among others.

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. Thank you for your time and I am happy to answer any questions. **We encourage the Committee to support this bill.** Thank you for your time and consideration.

Sincerely,



Francesca "Ches" Gundrum
Director of Advocacy