



Testimony in **SUPPORT** of:

LD 92, An Act To Minimize the Propagation of Invasive Aquatic Plants

*Submitted to the Inland Fisheries and Wildlife Committee
February 13, 2023*

Good afternoon, Chair LaFountain, Chair Landry, and Distinguished Members of the Inland Fisheries and Wildlife Committee. Thank you for the opportunity to appear before you today in support of LD 92. My name is Susan Gallo, and I am the Executive Director of Maine Lakes. Our membership organization includes more than 6,000 supporters and volunteers as well as over 80 Lake Associations. We are dedicated to our mission of promoting, protecting, and enhancing lake water quality, and of preserving the ecological, economic, recreational, and aesthetic benefits of Maine's lakes for all Maine people.

Some of you remember this bill came before this committee in 2021. LD 184, had overwhelming support from the public, with more than 50 pieces of support testimony submitted in person or in writing. Despite that support, the bill did not pass, in large part due to concerns from IFW about enforceability and their desire to use voluntary measures as well as educational tools to increase awareness about the problem.

I am here today to reiterate much of my testimony from 2021, but this time I would like to frame it a little differently.

We often use a tool box analogy for problem-solving and behaviour change solutions to combat problem, especially in conservation. But tools are generally used alone, and in reality, tools for conservation problems like invasive species management, must be used together, especially since the risk is high and the cost is immeasurable.

For example, we have one tool, a law that requires trailers and boats traveling on Maine's roads be free from plant material, in order to reduce the likelihood that bits of invasive plants will be carried to new lakes.

We also have a second too, also a law, that requires boat registrants pay a Lake and River Protection sticker fee, the funds from which support work to reduce risk of invasive species spread along with other invasive management issues.

In concert with those laws, we have a third tool, an established Courtesy Boat Inspection program at boat launches across the state, run largely by lake associations and watershed organizations with the support of the funds from the Lake and River Protection sticker fee fund. These inspectors are goodwill ambassadors, offering a service to boaters. If they find plant fragments on boats they remove them, and they inform boaters of our invasive species transport law. There is no summons or fines or any other enforcement. And that is great. We use the three tools at our disposal to help us deliver a meaningful, lasting message about the risks of invasive species spread by boats and trailers.

For the problem of invasive species risk reduction, education alone is not enough.

In 2021, the department was in favor of education instead of a clean, drain, dry law. Although education is extremely important and should be a part of our statewide prevention efforts, education is not enough. Efforts have been made to increase social media, website, and email content going out to statewide constituents, but these efforts alone will not reach everyone and will not prevent the spread of invasive aquatic organisms. We know that agencies do not have staff capacity to sustain all needed outreach efforts. And that is another reason why pairing education with a law is the best way forward.

Creating a simple law that requires boaters to travel with an open drain plug is a straightforward way to add another tool into our tool box, one that will, like the transport law, work together with the CBI program as well as other existing (and hopefully expanded) educational efforts to increase meaningful awareness and reduce the risk of invasive species spread.

A few other issues that I won't have time to address when speaking to the committee:

You will likely hear that enforcement of this law is a problem. I would counter that enforcement is an issue with most of the laws relating to boats and boating in the state, simply due to the low number of wardens relative to the huge number of boaters on our lakes and ponds every day. That doesn't mean we don't consider new laws or expand existing ones. Rather, we communicate those laws to the public and trust that boaters will obey and follow them. IFW does a great job of conveying information in their rules and guides. **The vast majority of boaters who are made aware of the risk from not draining boats after leaving a water body will comply with this new, simple, easy regulation.**

You will also hear that not all boat launches have catch basins to catch water draining from a boat. The concern is there is a **miniscule** chance that a boat could arrive at a launch with its drain plug in place but upon arrival, or departure, could then have the drain plug removed, possibly contaminated with invasive species, that reaches the lake. I speculate the danger of new infestations from this particular series of events must be close to zero. I realize catch basins are increasingly a part of boat ramp design (or redesign), and that's great. I would argue the protective benefits to the vast majority of lakes for the vast

majority of boaters far outweigh the small risk of this particular situation at an access without a catch basin.

And to reiterate some of my prior testimony from 2021:

Boaters are already required to inspect and clean vegetation off their trailers and equipment. Asking them to pull the drains at the same time is an easy step for them to take that adds another layer of invasive risk prevention.

Similar laws have been implemented, painlessly and effectively, in many other states. Our neighbors in New Hampshire, Vermont, and New York all require that drains be removed, and similar laws are in place in 11 other states in the west and midwest.

Risks of additional invasive species entering Maine are high. We are surrounded on all sides by invaders that have not yet made it into our waters. Zebra mussels, a devastating invasive that has spread widely in Lake Champlain and throughout the Great Lakes, has also reached New Brunswick. It is a species likely to travel in its tiny larval form in bilge water and in water pooling in the bottom of boats. It is critical to add a layer of risk prevention, beyond what boaters already do, for these “invisible” invaders.

The costs to control invasive species are extremely high. Maine nonprofits partner with the DEP to carry out extensive boat inspection programs throughout the state and to work with volunteers to proactively look for invasive species invasions. These programs are already at their max capacity, and funding is not adequate to meet current needs. It is imperative to take every simple step we can to eliminate further risk.

Invasive species have economic impacts. Invasive aquatic plants can harm native sport fish populations. They form dense mats that make boating, fishing, and swimming difficult. Studies have documented some invasive species can have a negative impact on property values.

Invasive species have negative ecological impacts. Invasive species change habitats and outcompete and threaten native plants and animals. Dense mat of invasive plants shade and choke out other species, and lower fish habitat quality.

Thank you for your time and attention today. For more information, please see the attached fact sheet, which was generated by a collaborative group of lake and watershed organizations. I am also happy to provide additional resources. Please contact me any time at sgallo@lakes.me.

Support LD 92: An Act to Minimize the Propagation of Invasive Aquatic Plants

Summary: Requires boats leaving a water body be drained prior to transport

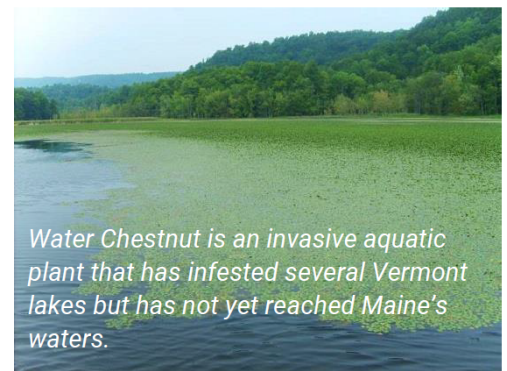
Public Hearing: Feb. 13 at 1 p.m., Inland Fisheries and Wildlife Committee

Invasive plants harm recreational opportunities, water quality, wildlife habitat and local economies.

- Invasive aquatic plants are usually introduced into lakes and ponds when they hitchhike on boats and their associated equipment.
- Once introduced, invasive species grow and spread rapidly, outcompeting native plants, degrading habitat for fish and other wildlife, and in some cases decreasing property values.
- An aquatic invasive plant, Eurasian watermilfoil (present in 3 Maine lakes), reduced Vermont lakefront property values up to 16% and Wisconsin lakefront property values by 13% (Zhang and Boyle, 2010).

Maine has limited capacity to fight additional invasive species infestations.

- As of January 2023, more than 30 Maine lakes and rivers are infested with 7 different invasive species.
- Maine's nonprofits and lake associations bear the brunt of invasive species management and removal work. Courtesy Boat Inspection efforts are at or beyond capacity throughout the state.
- Funding from the Department of Environmental Protection supports much of these efforts but even with revenue through the Lake and River Protection Sticker, there is not enough funding to support existing prevention and control needs.
- Additional infestations pose major challenges to existing management strategies and organizational/agency capacities.



Maine has yet to deal with some of the worst aquatic invaders.

- Maine is surrounded by states with more severe invasive infestations of more and different invasive aquatic species, putting Maine's lakes at great risk for additional infestations as boats move across state lines and between water bodies.
- Draining water from motors, live wells, and bilges is a recommended practice for reducing the spread of devastating animal aquatic invaders from nearby states, including Spiny Water Flea and several species of invasive mussels that can travel in microscopic larval forms.

Maine's laws need to be stronger to reduce the risk of spread.

- While existing Maine law prohibits the transport of aquatic plants, we lag neighboring states in requiring the simple, easy, quick step of draining boats before overland transport.
- New Hampshire, Vermont, and New York (along with 12 other states) require that drain plugs be removed from boats before transport.

Complying with a new law requiring the draining of boats before transport is quick, easy, and costs nothing other than a few minutes of boaters' time. This small investment will make a big difference in reducing risks to Maine's lakes from aquatic invaders.

