

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

BEFORE THE JOINT STANDING COMMITTEE ON INLAND FISHERIES & WILDLIFE

NEITHER FOR NOR AGAINST L.D. 2141

**“An Act to Enhance Protections for and Better Address Invasive
Aquatic Plant Infestations in Inland Waters of the State”**

Presented by Representative HASENFUS of Readfield.

Cosponsored by Senator HICKMAN of Kennebec and Senator CURRY of Waldo, Representative ARATA of New Gloucester, Representative BRIDGEO of Augusta, Representative CRAVEN of Lewiston, Representative DILL of Old Town, Representative DOUDERA of Camden, Representative MORIARTY of Cumberland, and Representative NANGLE of Cumberland.

DATE OF HEARING: January 31, 2024

Good afternoon, Senator LaFountain, Representative Landry and Members of the Inland Fisheries and Wildlife Committee, I’m Francis Brautigam, Director of Fisheries and Hatcheries with the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, as well as the Department of Environmental Protection, neither for nor against LD 2141. Both Departments appreciate the public and legislative support, as well as the bill’s intent to prevent the further spread of invasive aquatic species, and both agencies remain very committed to making meaningful progress to improve existing AIS work programs.

This bill establishes a onetime \$2,000,000 appropriation to MDEP’s Invasive Aquatic Plant and Nuisance Species fund to address the most serious aquatic plant infestations in inland waters of the State. The bill also requires the Department and the Department of Environmental Protection to monitor inland waters of the State known to have invasive aquatic plants; and to provide educational materials to the public and to watercraft owners regarding surface use restrictions. Furthermore, the Commissioners in consultation with the Task Force on Invasive Aquatic Plant and Nuisance Species (“Task Force” herein) must include a review of watercraft inspection protocols and surface use restrictions on inland waters with invasive aquatic plants, including how these protocols may be strengthened.

Following recent discussions within and between both state agencies, it was recognized that respective agency work programs and expanded investments to improve the management of aquatic invasive species should be addressed through the biennial budget process. As such, both agencies are prepared to manage their respective AIS work program priorities through the 2026-27 biennial budget planning process, which will be completed by September of this year. Both agencies have been actively developing work program priorities to enhance investments to manage AIS. Highlights from this planning process will be presented this morning under LD 1342. The development of baseline funding

for AIS prevention and management through the biennial budget planning process is the preferred approach over a one-time, short lived appropriation of funding proposed in this bill that may not even reflect the highest agency work program priorities.

Tasks identified in this bill relating to surface use restrictions, inspections and monitoring protocols on waters where aquatic invasive plants occur, and associated public outreach and education are already a focus of current ongoing work programs. They are also a focus of additional expanded programs to be considered in the biennial budget, they are reflected in pending actions already identified during the recent AIS stakeholder process and revised task force responsibilities recently legislated in 2022 (under LD 1826). They are also reflected in ongoing strategic planning by MDEP. As such, identified tasks in this bill are not new to the Departments and are already receiving attention, and as such would not benefit from additional legislation.

Also, proposed language in this bill appears to establish a role for the task force that already exists. In 2022 Public Law (resulting from LD 1826), Chapter 522 was amended to clarify the role of the task force. That revision requires that, on or before January 15, 2023, and biennially thereafter, the task force submit to the Legislative committees of jurisdiction for the Departments of Environmental Protection, Inland Fisheries and Wildlife, and Marine Resources a report containing its findings and recommendations, including any suggested legislation, on matters relating to controlling the introduction of invasive aquatic plants and nuisance species in the State. Revised Chapter 522 also required the Task Force to convene a stakeholder group in developing findings and recommendations. The Task Force submitted this report on January 15, 2023. The next report is not due to the legislature until January 15, 2025. The specific focus of tasks identified in this bill for review by the Task Force are consistent with the scope of the revised statute. There is currently a process in law that defines the role of the task force and expectations for the task force to report out to the natural resource agencies and the joint standing committee of each agency on matters related to managing AIS.

I'm happy to answer any questions now or during the work session.