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Final Report of the Citizens Advisory Committee to Secure the Future of Maine's Wildlife and Fish

Maine State Legislature

Office of Policy and Legal Analysis

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Maine State Legislature

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**STATE OF MAINE
119TH LEGISLATURE
SECOND REGULAR SESSION**

**Final Report
of the**

**CITIZENS ADVISORY COMMITTEE TO SECURE
THE FUTURE OF MAINE'S WILDLIFE AND FISH**

January 2001

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Executive Summary

The Value of Maine's Fish and Wildlife Heritage

The Maine tradition of outdoor recreation is one of the longest and richest in the nation. It is a heritage rooted in the natural environment and the State's wildlife and fish. Historically, it has involved a strong emphasis on hunting, fishing and trapping and the related enjoyment of the fish and wildlife resources was passed from generation to generation. Over the years, Maine's outdoor recreation tradition has come to include non-consumptive recreational activities as well. But always it has been based, in large part, on the fish and wildlife resource whether as game, as objects for wildlife observers and photographers or as a rich supporting presence for other outdoor enthusiasts.

Fish and wildlife-based outdoor recreation provides enjoyment to Maine citizens and visitors. The opportunity for outdoor recreation is often cited as the reason our residents remain in Maine rather than move to other states for more lucrative jobs. It also provides significant, calculable economic benefits. In search of wildlife experiences in the State, outdoor enthusiasts leave many economic footprints. They buy gear, licenses, supplies, gasoline, food, and memberships. They pay for accommodations, rent equipment, hire auto, boat and float plane transportation and pay for professional guide services. According to a 1996 study by the University of Maine, direct wildlife-related expenditures totaled \$923.9 million. Fishing, hunting, and wildlife-watching produced \$1.1 billion in total economic output, supported 17,680 jobs and generated \$67.7 million in state income and sales taxes – in addition to the revenue from hunting and fishing licenses.

The \$1.1 billion in economic output from upland hunting, fishing and wildlife sightseeing combined with the economic contribution from salt-water recreational fishing, totals \$1.4 billion, representing 4.9% of Maine's economy. That 4.9% makes Maine's wildlife-related economic contribution fifth in the U.S. in terms of the percentage of the state's gross state product. Wildlife-related recreation brings more money (\$1.4 billion) into Maine's economy than do other recreation industries such as downhill skiing (\$250 million) or snowmobiling (\$225 million).

In 1999, responding to concerns about the long term survival of Maine's fish and wildlife heritage, the Maine Legislature established the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish, a 24 member broadly representative group, including public members, state agency representatives and legislators. The advisory committee began work in the fall of that year. Its charge by the Legislature was to:

- Determine the economic benefit derived by the State from recreational activities associated with fish and wildlife resources
- Identify the biological needs of fish and wildlife resources, whether those needs are being met currently and the risks of failing to meet those needs
- Consider the public need for preservation of Maine's fish and wildlife heritage and the public threat if that heritage is lost

- Recommend strategies necessary to secure the future of Maine's fish and wildlife resources at an appropriate level

Threats to Fish and Wildlife

Following over a year of study, research and discussion, the committee finds that today Maine's tradition of outdoor recreation is at risk. It is at risk because of threats to the fish and wildlife resources of the State from a variety of sources. Those threats include the loss of habitat, competition from exotic and invasive species, the presence of pollution and toxins in the environment, pressure from intense outdoor recreation activities, and lack of public awareness of wildlife management needs. The committee met extensively with representatives of state agencies responsible for fish and wildlife management programs. Resource needs, gaps in program attainments and prioritization of needs were discussed at length. The committee has identified a series of strategies to address high priority fish and wildlife needs across the state. A broad range of specific programmatic outcomes and cost projections are contained in the main report. Together these actions are meant to ensure the long-term survival of Maine's valuable fish and wildlife resources.

In addition to the threats discussed above, the committee finds that there is another pervasive, overarching threat to our fish and wildlife resources. It is one that influences the ability to address all the other threats and also one that is less clearly recognized by the public and policy makers and, therefore, more difficult to address. That threat is lack of funding to manage fish and wildlife resources adequately, and it puts the continued existence of the State's outdoor recreation heritage in jeopardy for future generations of Mainers. This threat is an outgrowth of and is exacerbated by the traditional functions and funding mechanisms for wildlife conservation activities in the State. It will require a significant effort on the part of State Government to address.

Historically, fish and wildlife management consisted mostly of studying game species, setting bag limits and enforcing those limits. Today it consists of a much broader range of important activities, including collecting biological information and developing management strategies for game and non-game species, identifying and protecting key habitat areas, providing public education and outreach services on a wide range of activities, acquiring and managing land and facilities and enforcement of wildlife and other laws. The responsibility for those activities rests largely with the Department of Inland Fisheries and Wildlife (DIFW), although the Department of Environmental Protection (DEP) and Department of Conservation (DOC) also play an important role in areas such as habitat protection. Today DIFW funding for management activities comes largely from fees imposed on hunters and fishermen just as it did when game management and enforcement of hunting and fishing laws were the primary function of the DIFW. In addition to activities related to game and non-game species management, DIFW, through the Warden Service, currently performs numerous other public safety functions such as enforcement of recreational boating, snowmobile and ATV laws and other environmental laws, animal damage control, disposal of dead animals and search and rescue operations. By and large, the costs of providing those services are expected to be absorbed within the department's budget. The result spreads resources too thin to be effective.

Conclusions About Fish and Wildlife Needs

Lack of sufficient financial resources is a problem that cuts across the spectrum of our fish and wildlife needs and affects all agencies that provide fish and wildlife management and protection activities. At DIFW and DOC resources are inadequate to collect biological information and develop and implement strategies for habitat protection and species management, especially for non-game species. Few resources are available to assist private landowners (who own 94% of wildlife habitat in Maine) in managing fish and wildlife resources or to protect habitat or to enable DIFW to negotiate and monitor land use agreements with large landowners.

Additional duties imposed on wardens such as search and rescue operations, animal damage control and patrolling related to enforcement of boating, snowmobile and ATV laws have limited the ability of the Warden Service to enforce wildlife management laws to the detriment of fish and wildlife. The General Fund and Highway Fund only partially reimburse the department for personnel costs related to these additional duties. Further, the ability of the department to provide statewide warden coverage to carry out its various enforcement responsibilities is limited by federal law that governs work hours and compensation for public employees (as is the ability of other public employers to provide full time coverage).

DEP, which is funded partly by permit fees, needs additional resources to protect water quality through better enforcement of and education about environmental compliance laws, non-point source pollution and exotic and invasive species all of which have direct impacts on wildlife habitat quality.

A greater commitment is needed to adequately fund fish and wildlife conservation programs across all involved state agencies or the State of Maine is in grave danger of losing its valued outdoor recreation tradition—a heritage that provides great economic benefits to the State as well as other benefits to its citizens.

Recommendations

The Citizens' Advisory Committee makes the following recommendations:

- That the Constitution of Maine be amended to require that at least 1/8 of one percent of the state sales tax revenues be dedicated to fish and wildlife conservation programs to be distributed to the various state agencies that administer those programs.
- That the share of state gas tax revenues distributed to state agencies for operation of boating, ATV and snowmobile and related programs should be at least equal to the portion of the gas tax revenues generated by watercraft and recreational vehicle gas sales. DEP should receive an appropriate share of those revenues to address water quality issues related to watercraft and recreational vehicle usage under the Lakes Restoration and Protection Fund.

- That, in addition to the funds received pursuant to Article IX, section 22 of the Maine Constitution, DIFW continue to receive a General Fund appropriation at least sufficient to cover the department's costs for search and rescue operations required by law and also receive the full costs of collective bargaining agreements covering department employees.
- That beginning with the 2004-2005 fiscal year biennium and every 4 years thereafter, hunting and fishing license fees should be reviewed by the Legislature and adjusted as appropriate to reflect the cost of providing hunting and fishing-related services.
- That issuance of complimentary licenses for seniors citizens be phased out and replaced with lifetime licenses that may be purchased by seniors .
- That a trust fund for the management of state-owned property be established in each agency owning property. The fund would be financed by setting aside 20% of the value of all future property acquired by the State for stewardship of publicly-owned property.
- A portion of the funds generated by the disposal fee on durable consumer goods should be set aside to assist landowners to clean up goods illegally dumped on their property when the person disposing of the property cannot be determined.
- That an on-going working group on terrestrial and aquatic invasive species be established in statute consisting of representatives from appropriate governmental agencies, non-governmental organizations and other affected parties. The working group would be responsible for coordinating agency programs relating to invasive species, surveying the current status of invasive species in the State and making recommendations to the Legislature on the need for an invasive species control program.
- That the Maine Income Tax return be revised to restore the "Chickadee Check-off" to the main part of the tax form.

1. Introduction

This document is the report of the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish to the Joint Standing Committee on Fish and Wildlife required by Resolve 1999, chapter 86.

In 1999, close observers of the status of fish and wildlife in Maine raised questions to the Legislature as to whether inadequate resources and unmet fish and wildlife needs were placing Maine's wildlife heritage at risk. Finding that those questions required addressing, the First Session of the 119th Legislature passed Resolve chapter 86 creating the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish (copy of the Resolve attached as Appendix A). The advisory committee consisted of 24 members representing various wildlife-related interests, agency representatives and legislators (copy of the membership list attached as Appendix B).

The charge to the committee was to:

- Calculate the economic benefit derived by the State from recreational activities associated with fish and wildlife resources
- Assess the biological needs of fish and wildlife resources, whether those needs are being met currently and the risks of failing to meet those needs
- Determine the public need for preservation of Maine's fish and wildlife heritage and the threat if that heritage is lost
- Recommend strategies to secure the future of Maine's fish and wildlife resources at an appropriate level

The committee understood its charge as relating to inland fish and wildlife resources, not marine resources. The committee began working in October 1999 and concluded its meetings December 15, 2000. During the spring and summer, the committee divided into subcommittees to examine specific components of its legislative charge—the economic value of wildlife, wildlife needs and gaps in existing programs, costs of addressing unmet needs and alternative funding sources for any costs identified. During that time, the committee met extensively with members of the staff of the Department of Inland Fisheries and Wildlife (DIFW), Department of Conservation (DOC) and Department of Environmental Protection (DEP) to identify needs, determine unmet needs and estimate costs of adequately filling those needs. The committee used a series of matrixes, tables and charts to relate identified unmet needs with a list of threats to fish and wildlife that it developed during its discussions. The results of the committee's deliberations are summarized in sections 2 and 3 of the report. Funding and other implementing recommendations are found in section 4.

2. Human and Economic Valuation of Wildlife

Maine's fisheries and wildlife are unique resources in the eastern U.S. No other eastern state has such vast tracts of forest land; large moose, bear and eagle populations; or water resources comparable to the lakes, coastline, and rivers of Maine. Appreciation of wildlife is central to our residents' love of Maine, and to tourists' desire to visit here.

People value and use wildlife in many ways – they hunt and fish, bird-watch, observe and photograph moose and other wildlife, share wildlife experiences with their children, learn about it through the media or in classes, and enjoy having access to the waters and lands where fish and wildlife live. They are willing to pay for these experiences. Mainers also believe state and federal governments should fund fish and wildlife protection and management through taxes, hunting and fishing licenses and fines.¹

One of the charges of this committee was to quantify the economic benefits derived by the people of the State from fish and wildlife resources.

53% of Maine Residents Actively Participate in Fish & Wildlife-Related Activities

One measure of people's interest in wildlife recreation is the percentage of residents who participate in fish and wildlife-related activities. According to the United States Department of the Interior, Maine ranks among the states with the highest rates of participation in the country – only three states have higher rates.

Participation in Hunting, Fishing, and Wildlife-Watching²

| STATE RANK | PERCENTAGE PARTICIPATING |
|-----------------|--------------------------|
| 1. Alaska | 65% |
| 2. Montana | 59% |
| 3. Idaho | 55% |
| 4. Maine | 53% |
| 5. Vermont | 53% |
| 6. Wyoming | 53% |

In 1996, 53% of Maine residents over age 16 took part in some kind of wildlife-associated recreation (hunting, fishing, or wildlife watching). This figure does not include "incidental" wildlife watching – such as happening to see a moose while driving to work

¹ Boyle, Kevin, Brian Roach and Henry Hilton. Maine Residents Opinions on Wildlife Management, Funding, and Policy Issues. Staff paper REP 484. Department of Resource Economics and Policy, University of Maine. 1999.

² 1996 National Survey of Hunting, Fishing and Wildlife-Associated Recreation. U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of Commerce, Bureau of the Census. November, 1997.

or a bald eagle while canoeing – it only includes people who intentionally seek out wildlife to watch.

Hunters and Anglers Pay for Fish and Wildlife Management for Everyone

Although a majority of Maine residents participate in fish and wildlife-related activities, the financial burden of funding Maine's wildlife agency is borne almost entirely by those who hunt and fish. Hunting and fishing licenses represent \$12.0 million³ of the Department of Inland Fisheries & Wildlife's revenues. Hunting and fishing licenses also secure \$3.2 million of the department's \$4.8 million in federal monies. This means hunters and anglers contribute 67% of DIFW's \$22.7 million budget. Other sources of revenue are ATVs, boats, and snowmobiles (\$2.1 million), as well as a mix of smaller revenue sources – fines (\$650,000), loon plate revenues (\$620,000), Outdoor Heritage lottery funds (\$460,000), and Chickadee Check-off voluntary contributions (\$47,000), to name a few.

Hunting and fishing license sales are on the decline nationally, while interest in wildlife watching is increasing. In Maine, the result is that the Department of Inland Fisheries and Wildlife's revenue from hunting and fishing license sales do not keep pace with the increasing cost of operating the department and are inadequate to support public demands for services or the conservation needs of Maine's diverse array of fish and wildlife. In fact, as a result of generally stable license sales in Maine and increasing operating costs, the department's revenue will be inadequate to continue existing programs at their current level. The department has presented a balanced budget for FY 2002 and FY 2003 by using \$36 million from its reserve account. Considering inflation and cost-of-living adjustments to salaries, the department budget has been decreasing.

Over the past 25 years, wildlife management has changed from the management of game species to include management of habitats (for both game and non-game species) and has broadened to include a need to protect and manage rare and endangered species. While many threats to fish and wildlife have been identified and addressed with positive results, other threats have emerged that require attention today. Among the new threats are habitat loss from a variety of sources, exotic and invasive species, pollution and toxics and intensive recreation.

Maine Fish & Wildlife Is a \$1.4 Billion Industry

Not only do people enjoy Maine's wildlife, but they are also willing to pay for it. Fish and wildlife associated recreation is a significant contributor to the state's economy. In search of wildlife experiences, residents and visitors to Maine leave many economic footprints. They buy gear, licenses, supplies, gasoline, food and memberships. They also pay for accommodations, equipment rentals, car services, boat rides, float plane flights, and professional guide services.

³ All figures from Financial Report, State of Maine Department of Inland Fisheries & Wildlife. Fiscal Year 1999.

In 1996, direct wildlife-related expenditures totaled \$923.9 million.⁴ Fishing, hunting, and wildlife-watching produced \$1.1 billion in total economic output,⁵ supported 17,680 jobs and generated \$67.7 million in state income and sales taxes – in addition to the revenue from hunting and fishing licenses.⁶ When this \$1.1 billion is combined with the economic contribution from salt-water recreational fishing, the total is \$1.4 billion, representing 4.9% of Maine's economy.

Contributions of Wildlife to Gross State Products (GSP)⁷

| State | Economic Output | Percentage of GSP |
|--------------|---------------------------|-------------------|
| Alaska | \$ 2,302.2 million | 9.5 % |
| Montana | \$1,185.4 million | 6.4 % |
| Wyoming | \$ 875.4 million | 5.2 % |
| Vermont | \$ 723.8 million | 5.0 % |
| Maine | \$ 1,403.9 million | 4.9 % |
| Wisconsin | \$ 6,381.6 million | 4.6 % |
| Mississippi | \$ 3,684.8 million | 4.6 % |

At 4.9%, Maine's wildlife-related economic contribution is fifth in the U.S. in terms of the percentage of the state's gross state product. Wildlife-related recreation (\$1.4 billion) brings more money into Maine's economy than do other recreation industries such as downhill skiing (\$250 million) or snowmobiling (\$225 million).

Mainers Are Willing to Pay for Wildlife

While the Department of Inland Fish and Wildlife, Maine's chief wildlife agency, is supported largely through hunting and fishing licenses, Maine residents believe that the department should receive some funding from state income and sales taxes. According to a 1999 survey, 64% of Maine residents believe DIFW should receive "a lot" or "some" revenue from state income tax, and 58% believe DIFW should receive revenue from the state sales tax.⁸

When considering increasing license fees as a source of revenue for DIFW, experience indicates that such increases may have limited success in increasing revenue

⁴ *Expenditures, or direct impacts*: The economic impact of a consumer purchase, such as a retail sale. For example, if a person buys binoculars from a Maine retailer for \$150, this is a direct impact.

⁵ *Economic output*: The total contribution to the economy resulting not only from the expenditure, but also from the *indirect impact* to the industries that supply the first industry (such as glass and metal manufacturers in the case of the binoculars), as well as the *induced impact* from the wages and salaries paid by the directly and indirectly impacted industries. The total of these impacts is economic output.

⁶ Teisl, Mario F. and Kevin J. Boyle. *The Economic Impacts of Hunting, Inland Fishing and Wildlife-Associated Recreation in Maine*. University of Maine Department of Resource Economics & Policy Staff Paper No. 479. November 1998.

⁷ *Passing the Buck: A Comparison of State Fish and Wildlife Agency Funding and the Economic Value of Wildlife-Associated Recreation*. Izaak Walton League of America. 1999.

⁸ Boyle, Kevin, Brian Roach and Henry Hilton. *Maine Residents Opinions on Wildlife Management, Funding, and Policy Issues*. Staff paper REP 484. Department of Resource Economics and Policy, University of Maine. 1999, p. 21.

and may have other adverse impacts. The problem with across-the-board increases is that, although revenue may increase slightly, hunters and anglers at the margins may be driven out of their sport. That is not a result that the committee wishes to encourage. If there are to be hunting and fishing license fee increases they must be approached carefully and tailored so that licensees are paying their fair share, but not more. The committee believes that wildlife management that benefits all Mainers should be supported through general revenue sources, such as sales taxes or income taxes.

Supporting Maine's Wildlife Needs into the Future

In response to the strong demand for wildlife-related activities and particularly because of the significant economic contribution of those activities to the state's economy, Maine needs to provide greater financial support for wildlife programs. We need a commitment to an investment from a broad-based revenue source in our fish and wildlife industry, to keep it strong and competitive with other states through marketing and exemplary programs, and to provide continued public understanding, appreciation, and access to fish and wildlife for future generations. Maine really does have a resource that is unique in the eastern United States.

3. Threats to Fish and Wildlife and Strategies to Address Them

The committee was also charged with the tasks of determining the needs of Maine's fish and wildlife resources, the fish and wildlife-related needs of Maine citizens, gaps in meeting those needs, and solutions, strategies and actions necessary to secure Maine's fish and wildlife heritage for the foreseeable future.

In light of the economic value of fish and wildlife resources and the resultant need to manage those resources effectively, the committee met regularly over the last year and worked closely with representatives of the Department of Inland Fisheries and Wildlife, Department of Environmental Protection and Department of Conservation. From those in-depth discussions, the committee developed a comprehensive list of fish and wildlife needs across the state, identified management programs necessary to address those needs, assessed the current level of attainment of those programs, and identified priority areas where needs are not being met and where current investment is needed to maintain the future economic value of the resources to the state.

At the same time, the committee, drawing on its diverse membership and broad range of experiences, developed a list of threats to fish and wildlife resources, identified programmatic strategies to address those threats and developed specific actions proposed to address unmet needs. Finally, the committee estimated the cost of raising the level of attainment in priority program areas that are necessary to meet the needs of the fish and wildlife resources and to maintain our outdoor heritage. The results of the committee's

deliberations are described below, organized around the list of threats to fish and wildlife developed by the committee.

Habitat Alteration Leading to Cumulative Habitat Loss

Habitat alteration leading to cumulative habitat loss or conversion of favorable habitat to unsuitable habitat for a wide variety of species is detrimental to the fish and wildlife resources of the State. Generally, habitat alteration or conversion results from habitat fragmentation or other intensive land use activities that result in large-scale conversion of natural communities to commercial, industrial, residential, agricultural or other uses, liquidation logging that leads to other land uses or any other large-scale vegetative conversion. Significant withdrawal of water from natural water bodies for activities such as commercial crop irrigation and lake draw downs may have serious habitat consequences for aquatic species. Also, important or unique habitat for rare species may need special attention.

Habitat fragmentation is the division of land into smaller and smaller blocks--sometimes too small to effectively serve as habitat for many fish and wildlife species. Habitat fragmentation is caused by development and the associated infrastructure necessary to support that development. It is a threat throughout Maine, although the degree of the threat varies by region. The cumulative, fragmentary impact of development that often consists of small-scale, scattered activities lead to fish and wildlife habitat loss that is incremental and, therefore, almost impossible to regulate or manage.

A number of factors make it difficult to predict the impact of habitat loss. It is sometimes difficult to assess the overall impact of habitat alteration because an activity that results in habitat loss for one species may actually benefit another species. Since land use activities are regulated largely at the local level it is difficult to manage habitat loss or conversion regionally or statewide, and local controls are often spotty or inconsistent. Additionally, the unintended consequences of large-scale development on habitat may escape even state-level scrutiny. Finally, some habitat loss or conversion occurs naturally. Improved and more comprehensive land use planning for fish and wildlife habitat is needed so that the critical mass of existing habitat is not lost or at least that any loss is recognized and planned for; and the most significant habitats and open spaces are identified and afforded long-term protection.

Strategies to address the threat:

- Fully implement the DIFW's Landscape Planning program, including recognition that appropriate conservation mechanisms may differ from region to region.

- Implementation of the Landscape Planning program should include conducting extensive species inventories and mapping and analysis and identification of habitat areas that need to be conserved in order to protect the distribution of all fish and wildlife species.
- Where appropriate implementation of the Landscape Planning program should also include intensive outreach efforts at the town and landowner level and landowner stewardship programs and financial incentives such a property tax incentive program for habitat preservation similar to the Tree Growth Tax Law for the preservation of forestland and open space.
- Address water withdrawal issues through a comprehensive program that includes improved storage options, flow standards, water conservation and use efficiency goals, monitoring and research, public education and elimination of regulation discrepancies.

Agency contributions to solutions addressing the threat from habitat loss and projected costs:

Outcome - Maintain comprehensive fish and wildlife programs by restoring lost planning and coordinating positions.

Cost - \$150,000 DIFW

Outcome - Conduct necessary research on priority species and habitat types, more effectively incorporate information into landscape models, and meet with towns and private landowners to coordinate landscape planning. Conduct statewide ecoregional surveys and expand monitoring of threatened and endangered, neglected, and special concern fish and wildlife species and natural communities, provide better coordination of information for environmental permitting, incorporate information about these species and natural communities into landscape planning models when working with towns and landowners to protect habitat values.

Cost - \$3,088,000 DIFW
\$1,403,000 DOC

Outcome - Enhance the state's capability to provide input into environmental/permit review and FERC relicensing.

Cost - \$150,000 DIFW
\$108,000 DOC

Outcome - Survey the public waters in the State for aquatic habitat with help from experienced hydro-acoustic, trawling, and electro-fishing crews. Assemble a core research/assessment group to assess, map, and analyze aquatic habitat information.

Better evaluate management programs and strategies and conduct aquatic habitat enhancement projects.

Cost - \$3,000,000 DIFW
 \$180,000 DOC

Outcome - Strengthen field services and enforcement staffing for Natural Resources Protection Act, Wetland and Site Law permit compliance activities.

Cost - \$200,000 DEP
- \$542,000 DIFW

Outcome - Establish and monitor special habitats as scientific benchmarks for the overall health of Maine's fish and wildlife habitat.

Cost - \$242,000 DOC

Outcome – Establish a water policy work group to develop a sustainable water use policy for the state that (1) allows for sustainable human uses, (2) protects water quality and aquatic resources, (3) Resolve conflicts between human uses and water resource needs, and (4) provides funding for creative solutions to conflicts

Cost – For the time being, to be performed within existing resources.

Exotic and Invasive Species

There is currently no comprehensive state program for monitoring the introduction of exotics and invasive species and little attention to potential introduction at border locations. Invasive species that threaten fish and wildlife, their habitats and Maine's horticultural, agricultural and forestry industries are easily transported across state lines. Non-native pests such as the hemlock wooly adelgid have the potential to wipe out an entire tree species from the Maine landscape, similar to the loss of the American chestnut in the early 1900's. Introduced fish like northern pike can destroy native fish populations and highly invasive plants which have no wildlife food value like purple loosestrife crowd out native plants leading to loss of habitat and economic damage. Once introduction has occurred and become established, solutions are costly, economic loss is high and recovery of the ecosystem, if it occurs at all, is slow.

Strategies to address the threat:

- Prevent or forestall infestation through an aggressive educational and monitoring campaign targeting the general public and retailers selling invasive species and, where appropriate, a control program.

- Create and implement a comprehensive State policy regarding fish stocking and introduction of non-native plant species.
- Establish an on-going working group of agency and non governmental officials to review needs, coordinate activities and recommend actions.
- Maximize use of existing state invasive species programs and encourage cooperation of state agencies and non-governmental organizations.

Agency contributions to solutions addressing the threat from invasive and exotic species competition and projected costs:

Outcome - Establish the Maine Invasive Species Council in statute charged with coordinating the various outreach and regulatory activities necessary, related to invasive in this area, including making a recommendation on the need for a regulatory program to control introduction of exotic and invasive terrestrial and aquatic species.

Outcome - Coordinate law enforcement of importation/transport regulations and provide public educational efforts.

Outcome - Conduct a statewide inventory of aquatic and terrestrial exotic and invasive species incorporating the work of other state agencies and working in coordination with bordering states and provinces.

| | | |
|---------------|-----------|------|
| <u>Cost</u> - | \$100,000 | DIFW |
| | \$100,000 | DEP |
| | \$108,000 | DOC |

Pollution and Toxics

In general, more research is needed to determine the direct impact on fish and wildlife by the broad range of chemicals used by private landowners, farmers and industry. However, high levels of mercury in the environment are known to have a detrimental effect on fish and their aquatic and mammalian predators; an advisory has been issued limiting consumption of Maine fish due to high levels of mercury. Also DDT and PCBs continue to negatively affect the reproductive success of fish and wildlife. Acidification of lakes and streams resulting in the mobilization of aluminum compounds can lower the survival rate of fish species such as Atlantic Salmon. In addition, lead from sinkers and shot can have a locally significant negative effect on fish eating birds. Non-point source pollution from a variety of sources is a cumulative threat to water quality and wetland habitat because of documented impacts from sediments, nutrients, toxics, and even pathogens. Sediments can cover spawning beds, block migration and passage ways, and increase turbidity which reduces light available to bottom-dwelling plants. Nutrients can accelerate eutrophication of lakes, rivers and streams. Algae blooms cause lower dissolved oxygen, which can make a water body uninhabitable for certain fish and wildlife species.

Strategies to address the threat:

- More research is needed to determine the direct impacts of pollution and toxins to fish and wildlife.
- Environmental permitting for industrial discharges should rest on discharge standards that reflect known effects on fish and wildlife species and their habitats.
- The State needs to make a greater effort to ensure that towns are enforcing the Shoreland Zoning Law throughout the state.
- Increase enforcement of the new erosion and sedimentation law to protect the water quality of headwater streams and wetlands.
- Better public disclosure and warnings of presence of toxic pollutants would make dealing with their threat to fish and wildlife easier.

Agency contributions to solutions addressing pollution and toxics and projected costs:

Outcome - Continue research and assessment of threats and impacts to fish and wildlife species by environmental toxins.

Cost - Accomplished within the funding levels described above for fish and wildlife survey/assessment programs within DIFW

Outcome - Expand funding for local non point source and watershed management projects

Cost - \$2.1 million DEP

Outcome - Improve watershed assessments and planning and non-point source project management, administration and enforcement

Cost - \$1.1 million DEP

Intensive Recreation

Recreational activities such as fishing, hunting, boating, and snowmobile and ATV use, practiced at high levels or in an illegal manner, often have detrimental impacts on fish and wildlife in the form of excessive take, excessive wildlife disturbance while nesting, breeding, feeding or resting and water quality degradation. Traditional activities such as hunting and fishing have a long history of regulation to preserve the resource. Other activities that lack that degree of control increasingly present serious problems. The impacts of such activities may occur in the form of direct threats, such as disturbance of nesting wildlife, habitat degradation or soil erosion, or indirect threats, such as

inadequate time for enforcement of fish and wildlife conservation laws due to diversion of warden time to enforce recreational boating, ATV and snowmobile laws. Impacts may be cumulative in areas where numerous recreational user groups compete for the same resource.

One way to deal with the problems caused by intensive recreation is through increased education of users to reduce the impact of their actions. A better-informed sporting public should lessen the need for law enforcement in some areas which would allow wardens to concentrate on more thorny enforcement activities. In some cases, use of auxiliary personnel may free up warden time for more substantive work enforcing fish and wildlife conservation laws. Dealing with nuisance, injured and dead wildlife, crop damage by wildlife and predator control could be performed by non-enforcement personnel freeing up warden time.

Consideration of the threat posed by intensive recreational use to fish and wildlife raises the corresponding issue of the public's increasing desire for use of and access to those resources. While there is need for balancing the availability of public access to the resources with the need for protection of the resource from overuse, that balance cannot move too far away from conservation of the resource for two reasons. First, access to a natural resource that has been destroyed by intensive recreational use is no longer a sought-after recreational commodity and eliminates the need for public access to that resource. Second, experience indicates that some private landowners limit or prohibit access to their land because they have direct experience with recreational misuse or they fear the impact of overly intensive recreational use.

Strategies to address the threat

- Increased education and awareness efforts to enhance legal and appropriate recreational use.
- Improved trail design that withstands heavy use while protecting the resource.
- Establishment of designated use areas dedicated to specific recreational activities to minimize user conflicts.
- Increased regulation to prevent over use, if necessary.
- Additional financial resources for enforcement of existing laws.

Agency contributions to solutions addressing the threat from habitat loss and projected costs:

Outcome - Reduce time Game Wardens expend on nuisance wildlife, dead and injured wildlife, and crop damage (approximately 6000 hrs/ year) by employing auxiliary personnel.

Cost - \$105,000 DIFW

Outcome - Provide resources to employ special enforcement details to target priority enforcement needs throughout the entire year. Prioritize enforcement effort to focus on key species, issues, and management needs (8000 hours of specialized enforcement).

Cost - \$250,000 DIFW

Outcome - A more informed sporting public could lessen the need for law enforcement increasing the time game wardens are able to spend on enforcement activities.

Cost - \$560,000 DIFW

(Note: \$223,950 of this amount is for hunter and trapper education; the remainder is for boating, snowmobile and ATV education and will be addressed through the Gas Tax Equity Study.)⁹

Outcome - Reduce time Game Wardens expend on recreational vehicle enforcement and accident investigation to enhance conservation law enforcement.

Cost \$880,000

(Note: Funding options for this amount will be addressed through the Gas Tax Equity Study)

Outcome - Enhanced recreational vehicle enforcement and accident investigation, provide more enforcement personnel in the field allowing for additional resource related enforcement.

Cost \$880,000)

(Note: This amount will be addressed through the Gas Tax Equity Study)

Outcome - Fully meet public demand for landowner assistance with recreational management on their lands.

Cost - \$30,000 DIFW

Outcome - Increased compliance with conservation laws and reduced impacts of intensive recreation by providing additional part time Deputy Wardens in the field.

Cost - \$525,000 DIFW

⁹ The Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft was established by Resolve of 1999, chapter 131.

Outcome - Increased compliance with conservation laws and reduced impacts of intensive recreation by providing additional wardens in the field.

Cost - \$5,770,000 DIFW

Lack of Public Awareness of Wildlife Management Needs

- **Need for Wildlife Management**

The general public does not fully acknowledge the need for wildlife management, or appreciate the science behind it. As a result, changes to wildlife management laws or policies initiated or supported by the public sometimes lead to negative results for both the public and the resource. Additionally, because public understanding of the importance of fish and wildlife management activities is often lacking, public support for its funding is also soft, especially if the competition is for General Fund dollars that could also be used to fund education, public safety or other essential state services.

- **Need for Access To and Over Private Land**

Traditionally Maine landowners have been generous in allowing public use of privately owned land for recreation. Recently, however, there is a trend in some areas of the state for land to be posted against public access. Access may be denied by landowners in part due to lack of understanding of the benefits of wildlife management. When public access for hunting or fishing or other types of outdoor recreation is denied, the public's knowledge and enjoyment of Maine's natural environment is diminished. The State's ability to manage certain fish and wildlife populations is diminished as well. In the long run, that diminution negatively impacts our ability and willingness as a society to understand and appreciate our fish and wildlife resources and to properly steward those resources.

- **Impact of Societal Changes**

As settled areas expand and other forms of entertainment replace traditional fish- and wildlife-based recreation, the general public becomes less aware of the existence and benefits derived from our fish and wildlife resources. That lack of awareness may translate into lack of support for the policies and resources necessary to properly manage fish and wildlife resources.

At the same time, trends indicate that there is increasing interest in non-consumptive outdoor recreational activities and a heightened desire among a significant portion of the public for experiences in natural settings. The existence of diverse and healthy fish and wildlife resources and their habitat contributes significantly to the satisfactory enjoyment of this interest. The overall result of these trends is that there is an increase in the number of people who care about and utilize the natural environment,

including fish and wildlife resources, but not an increase in the number who are directly contributing toward the cost of FW management activities.

The challenge that the committee sees is to counter or redirect the impact of the first trend and accentuate and build on the second to create a strong voice for the support of adequate funding for necessary fish and wildlife management activities. Support that retains its traditional areas of strength and is also capable of adapting to changing needs. This most probably will entail development of alternative and additional funding mechanisms that go beyond consumptive users to support those programs, possibly reprioritizing or restructuring how those programs operate and increasing efforts to encourage private and non-governmental organization conservation activities in partnership with the state to build the capacity to protect the fish and wildlife resources of Maine.

There is also continued need for research like that recently done by the University of Maine and DIFW showing that there is a significant, quantifiable economic benefit to State revenues from participation in fish- and wildlife-related recreation. The results of such research should be widely disseminated to the policy makers and the public.

Strategies to address the threat:

- Establish new programs, and increase the support of existing ones, that educate the public about the importance and needs of wildlife and their habitats; and ensure residents and visitors get clear, consistent, comprehensive, and ongoing messages about the need for wildlife conservation. Place a greater priority on natural resource education in the State's public school curriculum.
- Encourage greater collaboration between government and non-governmental organizations (e.g. Scarborough Marsh, which is DIFW owned/Maine Audubon Society operated) to educate the public about wildlife and their habitats.
- Increase public information efforts that help residents and visitors become aware of wildlife and their needs, so that conflicts between wildlife and people can be minimized.
- Bolster efforts to educate the public about the role of wildlife management in maintaining and/or enhancing wildlife populations and wildlife habitats, and in preventing an overpopulation of a species.
- Provide and maintain opportunities for people to continue to access land to enjoy wildlife. This can be accomplished by increasing State efforts to work with private landowners to better address their concerns regarding public access.

Agency contributions to solutions addressing the threat from lack of public awareness of fish and wildlife needs and projected costs:

Outcome - Provide additional staff and resources so that the Department can increase greater public awareness and appreciation of wildlife and wildlife management, and increase the public's opportunity to enjoy the State's wildlife resources.

Cost - \$1,000,000 DIFW
 100,000 DOC

Inadequate Resources for Management of State-owned Land and Facilities

The State sets aside inadequate financial resources to manage and maintain public lands and facilities once they are acquired. Due to lack of maintenance funding, the State is currently unable to manage its lands and facilities to best advantage, including for fish and wildlife management purposes. If the public's properties are poorly managed or maintained, the public is less likely to support future acquisitions.

Strategies to address the threat:

- Better coordination between agencies to meet fish and wildlife needs that cut across programs;
- More financial resources for management and enforcement activities (addressed in earlier threat discussions) and to adequately repair and maintain all DIFW buildings, dams, camps, fish ways and other operational facilities; alternative funding mechanisms; expanded constituencies.
- Set aside a portion of the value of future land acquisitions to be used to provide stewardship for that land.

Agency contribution to solution addressing the threat from inadequate facilities management and projected costs:

Outcome - Maintain safe and functional facilities including over 70 dams, 113 fishways, and 270 buildings operated by DIFW.

(Note: This recommendation does not address maintenance and management costs at state-owned fish hatcheries which will be addressed by the Fish Hatcheries Study.)¹⁰

Cost - \$542,000 DIFW

Outcome - Manage DIFW-owned land for wildlife habitat, including management of gates, access and garbage issues.

¹⁰ The Commission to Study the Needs and Opportunities Associated with Production of Salmonid Fish in Maine was created by Resolve of 1999, chapter 82.

Cost – \$500,000 DIFW

Outcome - Establish trust funds within relevant agencies to be used for stewardship of state-owned land and facilities.

Cost - To be funded by requiring agencies to set aside a percentage of the purchase price of each property acquired by the agency.

Conclusions about Fish and Wildlife Needs

Lack of funding is a problem that cuts across the spectrum of our fish and wildlife resource needs analysis and affects DIFW, DOC and DEP, agencies that provide primary fish and wildlife management and protection programs. At DIFW and DOC resources are inadequate to collect biological information and develop and implement strategies for habitat protection and species management, especially non-game species. Few resources are available to assist private landowners (who own 94% of wildlife habitat in Maine) in managing fish and wildlife resources or to protect habitat or to negotiate and monitor land use agreements with large landowners.

Additional duties imposed on wardens such as search and rescue operations, animal damage control and patrolling related to enforcement of boating, snowmobile and ATV laws have limited the ability of the Warden Service to enforce fish and wildlife management laws. The General Fund and Highway Fund only partially reimburse the department for personnel costs related to these additional duties. Further, the ability of the department to provide statewide warden coverage to carry out its various enforcement responsibilities is limited by federal law that governs work hours and compensation for public employees (as is the ability of other public employers to provide full time coverage).

DEP, which is funded partly by permit fees, needs additional resources to protect water quality through better enforcement of and education about environmental compliance laws, non-point source pollution and exotic and invasive species.

4. Implementation and Funding Recommendations

The problem of funding fish and wildlife resource needs with funds raised primarily from hunting and fishing license fees while the needs expand and the income remains essentially static is not a problem unique to Maine. Nationally, many states face similar needs; and several states have addressed the problem. In 1976, Missouri amended its state constitution to dedicate 1/8 of 1 percent of the state sales tax to conservation of fish and wildlife resources. In 1990 Arkansas did the same. Today those amendments raise approximately \$75 million a year in Missouri and \$38 a year million in Arkansas. Arizona (in 1990) and Colorado (in 1992) amended their state constitutions to dedicate a share of state lottery funds for fish and wildlife conservation. In Arizona the amount

committed is \$20 million; and in Colorado it is \$35 million per year. Other states achieved similar results through enactment of law. Illinois in 1996 passed a 6-year \$100 million conservation plan paid for with general funds. Just last year, Virginia passed a law that sets aside 2% of the state sales tax on hunting, fishing and wild life observation gear for fish and wildlife management programs. That law is expected to raise an additional \$12 million a year for those programs.

Maine has taken steps to increase the level of funding for fish and wildlife conservation programs. Together enactment of the voluntary taxpayer contribution through the Chickadee Check-off, the Outdoor Heritage Fund financed by sale of certain lottery tickets and the sale of the special loon motor vehicle license plate raise a total of slightly over a million dollars per year. Yet, there are still large funding gaps identified in our report. Additionally, efforts to increase the license base and, therefore, the level of funding, through special licenses and license promotions have been tried. At best, efforts such as the Super Sport and lifetime license programs have helped maintain the current level of income from license sales. They have not provided anywhere near the funding necessary to address the unmet needs we have identified. In the end, hunting and fishing license holders are being asked to fund a disproportionate share of the broad public benefits flowing from the existence of our fish and wildlife resources. While the promotional efforts should continue and new efforts be considered, a broader significant source of revenue is justified given the important economic benefits those resources provide throughout the State.

From the committee's analysis, it is clear that significant economic and other benefits are derived by all the citizens of the state from its fish and wildlife resources. It is also obvious that managing those resources at a level adequate to sustain the value of those resources for future generations will cost a good deal of money. The current estimated cost of the committee's recommended actions to address priority unmet needs in fish and wildlife management activities described above is approximately \$21,617,000 in additional funds to be allocated among DIFW, DOC and DEP. In addition, the committee supports several programmatic and administrative changes that will cost little or nothing to implement. The advisory committee believes that given the economic and other values of Maine's outdoor heritage that the funds identified are a necessary and sound investment. The committee proposes that the money come from several sources and that the non-monetary recommendations be accomplished in a variety of ways as described below.

Dedication of a Percentage of the Sales Tax

Lack of recognition of the economic benefit to the state of fish and wildlife resources and failure to commit funds from a broad-based revenue source to conserve those resources has serious consequences for the State. As the DIFW's mission has expanded from the original direct enforcement of limited hunting and fishing regulations to its much broader modern-day tasks, its costs have outstripped its traditional primary funding source—hunting and fishing license fees. It would not be fair, given the breadth

of its modern mission and the broad economic and social benefits derived from its programs, that those traditional sources be asked to bear all of the additional costs.

Other agencies performing priority fish and wildlife programs have similar needs for more consistent state funding. For example, the Maine Natural Areas Program in the Department of Conservation is currently funded largely by grants or other "soft" money which makes its valuable programs vulnerable.

Because of the broad impact of fish and wildlife management activities and the widespread economic benefit within the state, the committee believes that a broader source of funding needs to be sought to secure the long term future of Maine's fish and wildlife resources.

Recommendation: That the Constitution of Maine be amended to require that at least 1/8 of one percent of the state sales tax be dedicated to fish and wildlife conservation programs and distributed to revenues the various state agencies that administer those programs.

Based on December 2000 Revenue Forecasting Committee projections, this recommendation would set aside about \$20.8 million for fish and wildlife programs. That amount represents 2.5% of anticipated sales tax revenue for the current year. At the same time that level of state support would amount to less than 1/3 of the combined state sales and income tax revenue generated by hunting, fishing and wildlife-associated recreation based on the University of Maine study cited earlier.

Share of Gas Tax Revenues

The DIFW shares responsibility for enforcement of boating laws with the Department of Marine Resources and is primarily responsible for enforcement of ATV and snowmobile laws in the State of Maine. In addition to enforcement, responsibility for numerous other activities related to administration of boating, ATV and snowmobile programs are borne by DIFW, DMR and DOC. Currently the level of enforcement and other activities is limited by funds available. At the same time, the committee believes there is a recognized need for an increased level of boating law enforcement and a developing need for similar efforts for ATV law enforcement. With respect to snowmobile law enforcement, the committee is not aware of additional patrolling needs. However, the intensity of enforcement activities required during the 3-month season, may detract from the performance of other necessary warden activities during that time. The funds to address this problem could come from several sources. One source that it should not come from is hunting and fishing license fees. The Gas Tax Equity Study is looking at the distribution of Gas Tax funds for various activities and will be issuing a final report next year.

Recommendation: That the share of the state gas tax revenues distributed to state agencies for operation of boating, ATV and snowmobile programs and related programs should be at least equal to the portion of gas tax revenues generated by watercraft and recreational vehicle gas sales. DEP should receive an appropriate share of those revenues to address water quality issues related to watercraft and recreational vehicle usage under the Lakes Restoration and Protection Fund.

Standardize the General Fund Portion of DIFW's Budget

The Maine Constitution, Article IX, section 22, guarantees that DIFW will receive in General Fund appropriations at least the amount that the department takes in for license fees and fines. The problem is that even with the federal funds that license sales leverage, the total is inadequate to pay for the full range of fish and wildlife conservation activities required of the department. Although increasing in recent years, the share of the General Fund appropriation to DIFW above the level of income derived from hunting and fishing license fees remains small. Given the broad nature of its mission and the widespread public benefit derived from the fish and wildlife resources that it manages, the committee believes that the department should receive more than an appropriation equivalent to value of fishing and hunting license fees that is guaranteed by the Constitution.

The issue of collective bargaining wage increases, perhaps, deserves special mention. The benefits of DIFW employees are bargained collectively as are benefits of other employees across state government. For other agencies, the costs of the each new bargaining agreement are covered by an additional appropriation from the General Fund; but for DIFW employees, the costs have largely been absorbed by the ongoing appropriation that is tied to number of fishing and hunting licenses sold. Periodically, negotiation of a new collective bargaining agreement sets off a funding crisis within the department. The number of licenses sold is essentially static and does not generate sufficient revenue to pay for collective bargaining increases and the other programmatic needs of the department.

Recommendation: That annually DIFW continue to receive from the General Fund an appropriation in addition to that required by the Constitution at least sufficient to cover the department's costs for search and rescue operations required by law and also receive the full costs of collective bargaining agreements increases covering department employees.

Future Hunting and Fishing License Fees Tied to Increased Costs

While, as discussed above, it would be unjust to ask hunters and fishers to pay the full cost of DIFW programs that have been expanded well beyond traditional game management and enforcement responsibilities, they should continue to pay a fair share for services of the department related those services. The current hunting and fishing fee

schedule that was overhauled by a series of increases in the mid-1990's, should remain in place for the short term. As part of an overall strategy to fully meet the needs of fish and wildlife resources in the future, license fees should be adjusted periodically to cover the cost of providing game management and enforcement of hunting and fishing laws.

Recommendation: Beginning with the FY 2004-2005 biennium and every 4 years thereafter, hunting and fishing license fees should be reviewed by the Legislature and adjusted as appropriate to reflect the cost of providing hunting and fishing-related services.

Fully Implement Lifetime Licenses for Senior Residents

The historical concept of issuing complimentary licenses for residents over the age of 70 conflicts with the more recent lifetime license law and in the process reduces the amount of aid the State qualifies for under federal law. To maximize the State's eligibility for federal funds, the committee believes that the laws should be made more consistent. The lifetime license law should continue in existence, and the complimentary license for seniors phased out over time so that no senior currently holding a complimentary license would lose that right. The relatively modest fee to purchase a lifetime license not only provides direct income to the department, but also qualifies the department for additional funds under the federal reimbursement formula during each year the license is in effect.

Recommendation: That issuance of complimentary licenses for senior citizens be phased out and replaced with lifetime licenses that may be purchased by seniors.

Management Trust Funds for State Owned Property

The ability of the State to manage land and facilities it owns is impaired by limited resources. As a result, state-owned properties are not managed as efficiently as they should be for fish and wildlife conservation purposes or for other public usage. Individuals or organizations who are thinking of transferring property to the State may be hesitant to do so if money is not available for ongoing management.

Recommendation: That a trust fund for the management of state-owned property be established in each agency owning property. The fund would be financed by setting aside 20% of the value of all future property acquired by the State for stewardship of publicly-owned property when the person disposing of the waste cannot be determined.

Landowner Responsibility for Illegally Dumped Waste

One of the most common causes of landowners posting their property is the dumping of illegal goods on that property by the public. Current law makes the

landowner liable for the cost of properly disposing of the goods and cleaning up the area. Although the dumping is frequently not done by outdoor enthusiasts, the first response of landowners is often to close the land for all uses. The result is denial of access to many areas that would otherwise be open for hunting, fishing and other outdoor recreational activities.

Recommendation: A portion of the funds generated by the disposal fee on durable consumer goods should be set aside to assist landowners to clean up illegally dumped goods on their property when the person disposing of the waste cannot be determined.

Invasive Species Working Group

The committee considers the threat posed by exotic and invasive species one of the most serious long term problems threatening Maine's fish and wildlife resources. Currently efforts to address the threat are in their infancy. What is needed is a central entity to coordinate efforts and identify the diverse and increasing sources of threats.

Recommendation: That an on-going working group on terrestrial and aquatic invasive species be established in statute consisting of representatives from appropriate governmental agencies, non-governmental organizations and other affected parties. The working group would be responsible for coordinating agency programs relating to invasive species, surveying the current status of invasive species in the State and making recommendations to the Legislature on the need for an invasive species control program.

Restore Prominence to Chickadee Check-off Fund

The Endangered and Non-Game Wildlife Fund was created in 1983 to be funded by taxpayer donations through the Chickadee Check-off on the State income tax return. The check-off which raised a high of \$115,000 in 1984 declined slowly each year thereafter until 1998. In that year, the state tax return form was changed making the check-off less prominent; and donations declined significantly. Currently the check-off raises only \$47,000 a year.

Recommendation: That the Maine Income Tax return be revised to restore the Chickadee Check-off to the main part of the tax form.