



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

March 22, 2023

RE: LD 693, *An Act to Protect Inland Water Quality, Shorelines, Wildlife and Public Safety by Prohibiting Operation of a Wake Boat to Create an Enhanced Wake Close to Shore or in Shallow Water*

Dear Chair LaFountain, Chair Landry, and Members of the Inland Fisheries and Wildlife Committee:

My name is Francesca 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 and supporters, thank you for the opportunity to submit testimony in support of LD 693, *An Act to Protect Inland Water Quality, Shorelines, Wildlife and Public Safety by Prohibiting Operation of a Wake Boat to Create an Enhanced Wake Close to Shore or in Shallow Water*.

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 nearly 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 (see attached photos). As a result, big boat wakes can wash eggs out of a nest, cause eggs to

become inviable, wash over young chicks, or cause adult loons to abandon the nest altogether. Every year, people in Maine report eggs off the nest and floating in the water and/or large boat wakes easily overwhelming small chicks.

To protect shorelines from erosion, all boaters in Maine are required to travel at headway speeds (non-wake-producing speeds) within 200 feet of shore or islands. This law helps protect wildlife from disturbance and loon nests from boat wakes. However, to protect water quality and the fragile shoreline habitat that Common Loons depend on, it is imperative that we address the impacts of wake boats and boats with wake-enhancing equipment on shorefront property and wildlife.

There are several unintended consequences of boats with enhanced wake-generating equipment operating too close to shore and in shallow water, including diminished water quality by stirring up sediment, disruption of underwater plant habitat, erosion of shorelines, amongst others. Prohibiting boats purposefully generating enhanced wakes for wake sport activities within 500 feet of shore and in waters less than 20 feet deep is a sensible measure – *based on scientific data* – to assure that wake surfers and other wake sport enthusiasts can enjoy their activities in areas of our lakes where there are far fewer risks to lake health, shoreline erosion, wildlife habitat, and loon nesting success. 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 nest washouts from boat wakes – particularly enhanced wakes produced by wake boats – is a preventable 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 safe recreational opportunities for everyone. 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

PHOTOS OF NEST FLOODING FROM LARGE WAKES – The following photos captured by Kezar Lake Watershed Association in June of 2020 illustrate the impact of large wakes on an artificial nest (“raft”) deployed to enhance Common Loon nesting success.



