

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE  
BEFORE THE JOINT STANDING COMMITTEE ON INLAND  
FISHERIES AND WILDLIFE**

**In Opposition To LD 967**

**“An Act to Reduce the Spread of Invasive Aquatic Plants by Prohibiting Seine  
Fishing in Great Ponds”**

**SPONSORED BY: Representative ACKLEY of Monmouth**

**DATE OF HEARING: Monday, March 11, 2019**

Good morning Senator Dill, Representative Nadeau and members of the Inland Fisheries and Wildlife Committee. I am Francis Brautigam, Fisheries Director at the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in opposition to **L.D. 967**. This bill prohibits the use of seines in great ponds where invasive plants occur.

Under Title 12 - Section 12656, seines may not be used by the public to harvest fish from inland waters (including great ponds), except for the commercial harvest of baitfish or yellow perch. Both activities require either a license or permit issued by the MDIFW.

Baitfish are typically commercially harvested with a seine or bait traps set along the shoreline where aquatic plants that serve as cover for baitfish are more abundant. Baitfish may be harvested from most inland waters of the state; however, gear type is restricted or precluded on select waters infested with invasive organisms; this is done through permit restrictions and educating the permittee. For example, the use of seines is prohibited on waters infested with invasive plants as a precaution to reduce the risk of transporting plant fragments between waters that are commercially fished. Only bait traps may be fished on infested waters, because they pose a lower risk for plant transport. A list of those waters where only bait traps may be fished is included with each commercial license issued by the MDIFW. This list is updated annually with input from MDEP regarding new infestations,

progress with ongoing eradication efforts, and changes in status of existing infestations. The MDIFW, in consultation with MDEP considers the scope, distribution, and plant species in considering transport risks, including the importance of the commercial bait fishery. In some instances, gear restrictions are systematically phased in by closing infested portions of lakes, with additional restrictions imposed when new occurrences are found. This approach has been applied to Annabessacook and Cobbosseecontee lakes (attached restrictions).

Yellow perch may only be commercially harvested from a select list of waters. Waters containing invasive plant infestations are not added or retained on this list as a precaution to reduce transport risks between waters fished. A list of waters that may be commercially harvested is provided with each commercial permit issued by the MDIFW.

The MDIFW also deploys seines to assess and monitor fish populations in Great Ponds and other waters statewide. Furthermore, the Department also issues scientific collector permits, to support research projects, allowing the use of seines. Both the Department and those sampling under a scientific collection permit are required to adhere to disinfection and biosecurity provisions to prevent the spread of invasive aquatic organisms, including plants. The Department seeks to maintain this viable nonlethal sampling option for its own work program needs, as well as supporting beneficial research conducted under our scientific collection permit. Furthermore, as discussed, the commercial harvest of baitfish and yellow perch using seines is already prohibited on infested waters, except for two new infestations where prohibitions are being phased in commensurate with transport risk.

Should this bill be enacted, LD 967 incorrectly references Title 38. Title 12 actually provides the authority for the MDIFW to regulate gear type, including seines.

I would be glad to answer any questions at this time or during the work session.

## **Attachments**

**The area of Annabessacook Lake (Monmouth, Maine) closed to bait dealers using seines is expanded for 2019. Use of bait traps is not affected by this closure.**

The invasive aquatic plant variable leaf water milfoil (VLM, *Myriophyllum heterophyllum*) was confirmed in Annabessacook Lake in September 2014. Several native species of milfoil also grow in Annabessacook.

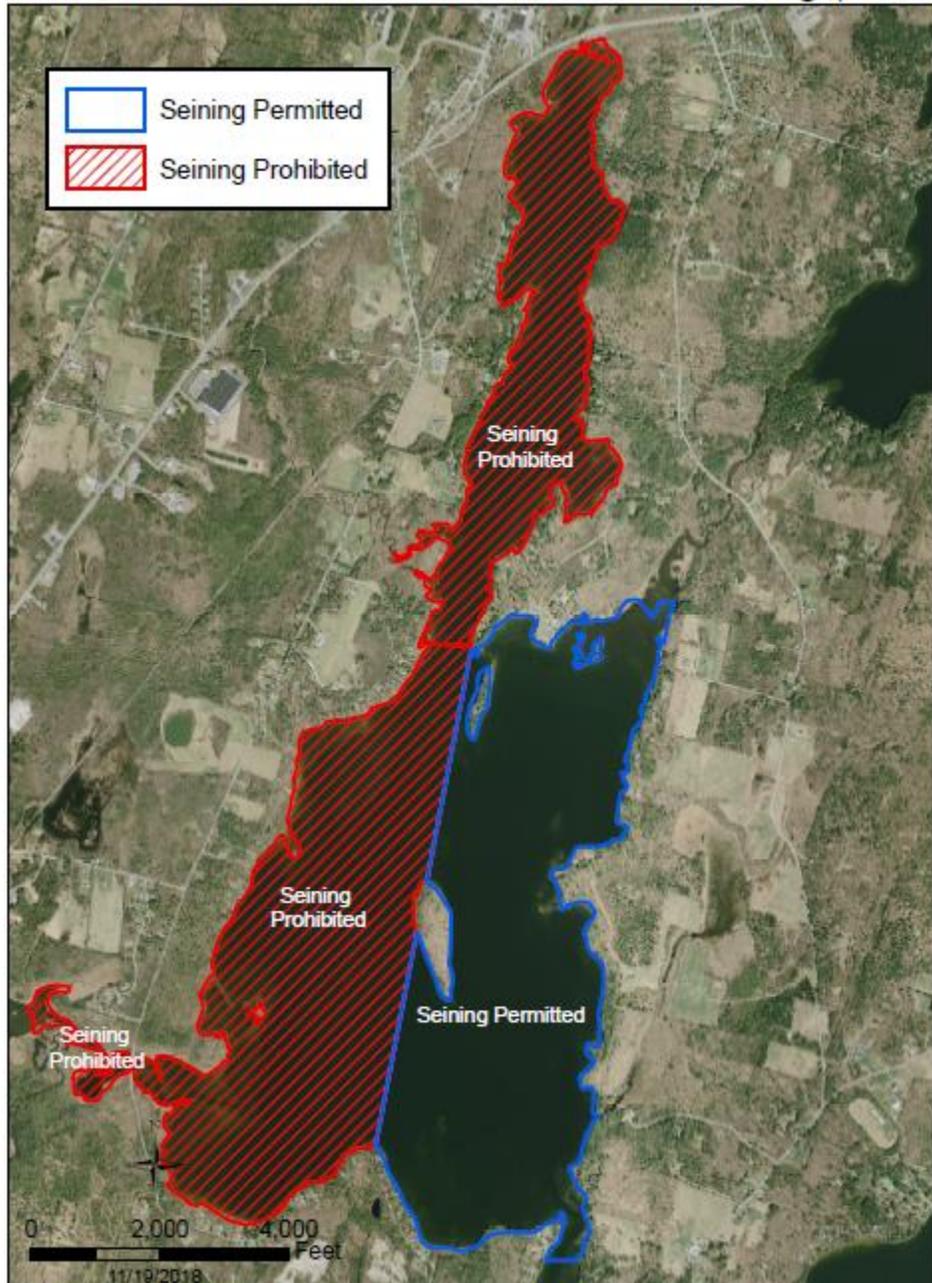
Plant surveys conducted by the Maine Department of Environmental Protection indicated VLM was initially located in the relatively shallow water just east of the channel leading from the Waugan Road boat ramp. Additional recent surveys indicated the infestation expanded to other areas of the lake. The Maine Department of Inland Fisheries and Wildlife is therefore expanding the closed portion of Annabessacook Lake to bait dealers using seines (excluding use of bait/minnow traps) for 2019. The lake will be closed to seining, except for the eastern portion of the lake described below. This restriction reduces the likelihood of spreading this invasive aquatic plant within Annabessacook Lake and to other waters.

The closed area, depicted in the cross-hatched area on the attached image, extends from the Waugan Road boat access, to the point located about  $\frac{3}{4}$  of a mile east, then extending north through Big Island to the southern end of the Narrows (see attached map).

This infestation will continue to be closely monitored, but is expected to expand in distribution, in the future will likely result in a complete prohibition from using seines in Annabessacook Lake.

Please contact Francis Brautigam, Fisheries Division Director (287-5263) with questions.

### Annabessacook Lake-Area Closed to Seining (2019)



**An area of Cobbosseecontee Lake (Winthrop, Maine) is closed to bait dealers using seines in 2019. Use of bait traps is not affected by this closure.**

The invasive aquatic plant Eurasian water-milfoil (*Myriophyllum spicatum*, hereafter EWM) was confirmed in Cobbosseecontee (Cobbossee) Lake in July 2018.

The Maine Department of Environmental Protection (DEP), Friends of the Cobbossee Watershed (FOCW), and Cobbossee Watershed District coordinated a rapid response to this infestation which included 13 diver surveys to remove EWM between July and late October 2018. A survey of the entire lake by FOCW in 2018 indicated that EWM is confined to a relatively small portion of the north end of Cobbossee Lake, shown in red hatching on the attached map.

To reduce the risk of spreading EWM within Cobbossee and to other waters, the Maine Department of Inland Fisheries and Wildlife will close the red-hatched portion of the attached map to bait dealers using seines (bait/minnow traps allowed). The area extends from the Island Park bridge on the east in a west/southwestward direction to a west/east line running from the point of land south of the Lakeside Village condominiums to Island Park.

Because the EWM appears to be confined to a small area of Cobbossee, DEP thinks the infestation can be successfully managed with continued surveying and plant removal.

Please contact Francis Brautigam, Fisheries Division Director (287-5263) with questions.

Cobbosseecontee Lake-Area Closed to Seining (2019)

