

# CHAPTER 1.0

## INTRODUCTION AND PURPOSE

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### 1.1 PROBLEM AND NEED

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Ours is a country with a rich tradition of enjoying nature. Whether wetting a fly, photographing a young fawn taking its first awkward steps, or catching a glimpse of a rare butterfly, Americans find wildlife-associated recreation a source of lifelong enjoyment and fulfillment. Maine's citizens share this national passion. 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 resources.

Under Maine Revised Statutes Title 12, the Maine Department of Inland Fisheries and Wildlife (MDIFW) is the agency responsible for the stewardship of the State's inland fisheries and wildlife resources under the guidance of the legislature's Joint Standing Committee on Inland Fisheries and Wildlife and with the advice and consent of the Fish and Wildlife Advisory Council, a ten-member citizen's advisory group whose members are appointed by the governor and subject to legislative confirmation. This mandate is extended to **all** the state's wildlife – moose to mayflies, charismatic and unpopular, predators and pollinators, species at the edge of their range, or species naturally dispersing into the state. The U.S. Fish and Wildlife Service (USFWS) and Maine's four officially recognized Native American tribes have jurisdictional responsibilities on federal and tribal lands respectively - lands comprising less than 3 percent of the total land area in the State. The Department of Defense does not have any significant landholdings in the State.

The Atlantic Salmon Commission (MASC or Commission) is responsible for restoration and management of the Atlantic salmon (*Salmo salar*) and its habitat and works closely with local, state, national and international organizations and agencies to do so. This authority includes securing a sustainable recreational fishery in the State and conducting and coordinating all projects associated with research, planning, management, restoration, or propagation of the species. The Commission is governed by the Atlantic Salmon Board, consisting of three members: the Commissioner of MDIFW, the Commissioner of the Department of Marine Resources (MDMR), and an at-large public member, subject to review by the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife matters and to confirmation by the Senate.

The State of Maine is also responsible for management of its marine resources from the high water mark out to three nautical miles. Management responsibilities are shared between the State legislature, the Department of Marine Resources, and the Department of Marine Resources Advisory Council (15 multi-industry representatives appointed by the Governor and subject to legislative confirmation). The legislature directs development of State policy, and through the Joint Standing Committee on Marine Resources, oversees legislation regarding the conservation and development of marine resources.

Depending on a number of factors associated with marine species (i.e. geographic distribution of the species), primary management responsibility may also fall at the interstate or federal level. The Atlantic States Marine Fisheries Commission (ASMFC), New England Fisheries Management Council (NEFMC), and National Marine Fisheries Service (NMFS), in addition to MDMR, all have management responsibility for marine species in the Gulf of Maine.

The ASMFC was formed in 1942 by fifteen Atlantic coast states from Maine to Florida to assist in managing and conserving shared coastal fishery resources. The Commission was founded on the principle that coastal fishery resources are best managed cooperatively because of their migratory life cycles and the interstate nature of the industries they support.

In 1993, Congress enacted the Atlantic Coastal Fisheries Cooperative Management Act, which directs the Commission to adopt fishery management plans for coastal fisheries and establishes a firm obligation on the part of State's to implement the Commission's plans. The Commission is required to continuously review state implementation and report its results to the Secretaries of Commerce and Interior.

The NEFMC is responsible for the development of federal management plans that address management needs beyond the state's three-mile territorial limit. The Commissioner of Marine Resources and Maine industry representatives participate on the NEFMC. NMFS is responsible for implementing the plans developed by the NEFMC and other regional councils. In addition, the NMFS develops management plans for high seas species such as tuna and protects marine mammals under the federal Marine Mammal Protection Act.

Maine has had laws protecting its fish and wildlife since 1830, when wardens were first appointed by the Governor to enforce the moose and deer law enacted that year. This early enforcement effort was the birth of the Department of Inland Fisheries and Wildlife (then Department of Inland Fisheries and Game). Although MDIFW's mission has always included protection of species not pursued for food or sport, there has been a continual shift in the focus of the department from that of a state agency concerned mostly with the administration of laws dealing with hunting and fishing to a department with considerable responsibility for the conservation and enhancement of all the inland fisheries and wildlife resources of the State.

During the 1970s, the Maine Legislature enacted several laws that clearly broadened the MDIFW's functions. The name of the department was changed from Inland Fisheries and Game to Inland Fisheries and Wildlife. Laws pertaining to endangered species and nongame wildlife were enacted, which clearly established that the agency was expected to protect, maintain, and enhance all fish and wildlife species in the state as well as their habitat. Beginning in the early 1990s, nongame responsibilities were fully mainstreamed throughout MDIFW's Wildlife Division. What began as a one-person responsibility is now widely integrated into the Wildlife Division's work program.

As the responsibilities of MDIFW have evolved over time so has the method of funding fish and wildlife conservation and management activities. Prior to its formal establishment as an agency, fish and wildlife law enforcement was funded with state appropriations and money received from fines. For more than sixty years, MDIFW like other state fish and wildlife agencies, has benefited from funds generated by the Federal Aid in Wildlife Restoration Act (Pittman-Robertson) and the Federal Aid in Sport Fish Restoration Act (Dingell-Johnson) to fund conservation and management of game fish and wildlife species. These funds, collected through federal excise taxes on firearms, ammunition, fishing equipment and tackle have been

critical to conserving game species and their habitat and have provided numerous secondary benefits to nongame species as well.

Unfortunately, stable and secure financial support for nongame and Endangered wildlife has not developed. At the state level, a voluntary income tax donation (Endangered and Nongame Wildlife Fund, a.k.a. Chickadee Checkoff), a conservation registration plate (Loon Plate), and a special lottery ticket (Outdoor Heritage Fund) were enacted to support new programs, yet funding has been inconsistent and in many instances has declined because of placement on tax forms or competing checkoffs, license plates, and lottery tickets.

At the federal level, there has been limited funding for Threatened and Endangered species (Section 6 funds under the Endangered Species Act) and no reliable funding for nongame species. Nonetheless, given our limited resources Maine can be proud of the accomplishments made for nongame and endangered wildlife in the last 25 years. Yet, the need for additional funding to continue conservation efforts far outweighs available funds. With more than 1,000 species listed on the Federal Endangered and Threatened species list, the need has never been greater for a robust, complimentary source of funding to support the conservation, protection, and restoration of the full array of wildlife, especially those not covered by traditional funding strategies.

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## **1.2 CONGRESS ACTS: THE STATE WILDLIFE GRANT PROGRAM**

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As a result of Teaming With Wildlife efforts sustained for more than a decade by fish and wildlife conservation interests across the country, and as a compromise to failed efforts to pass the Conservation and Reinvestment Act, Congress created the Wildlife Conservation and Restoration Program (WCRP) in 2001 and the State Wildlife Grant Program (SWG) in 2002. The purpose of the State Wildlife Grant Program is to help state and tribal fish and wildlife agencies address conservation of fish and wildlife species of greatest conservation need. Funds appropriated under the State Wildlife Grant program are allocated to states according to a formula that takes into account each state's size and population. To date, Maine has received nearly \$2.5 million in SWG funds to support work on many of the state's rare, Threatened, Endangered, and nongame wildlife. Projects funded to date are diverse, covering many species groups, all geographic areas of the state, and ranging in scale from ecosystems to subspecies (Appendix 1). They vary in length from one to five years, and include baseline surveys, research, and habitat conservation. Projects reflect the needs of fish and wildlife and the desires of key constituent groups, partners, and the MDIFW staff.

To be eligible for additional federal grants, and to satisfy requirements for participating in the State Wildlife Grant program (TWW 2003a), Congress has charged each of the 56 States and Territories (hereafter referred to States) with developing a statewide Comprehensive Wildlife Conservation Strategy (CWCS or Strategy). Strategies will provide a foundation for the future of wildlife conservation and a stimulus to engage the States, federal agencies, and other conservation partners to strategically think about their individual and coordinated roles in prioritizing conservation efforts. State fish and wildlife agencies are leading the effort to develop strategies, but the goal is to create a vision for conserving the States' wildlife, not just developing an agency plan. While each strategy will reflect a different set of issues, management needs, and priorities, states are working together to ensure nationwide consistency and a common focus. These efforts are being coordinated through the Teaming

With Wildlife Committee and the International Association of Fish and Wildlife Agencies (IAFWA) at the regional and national level. To remain eligible for State Wildlife Grant funding, State strategies must be submitted to the National Advisory Acceptance Team (NAAT) for review and approval by October 1, 2005.

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### **1.3 EIGHT REQUIRED ELEMENTS OF THE CWCS**

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Congress identified eight required elements to be addresses in each State's CWCS (TWW 2003c). Congress also directed that strategies identify and focus on "species of greatest conservation need", yet address the "full array of wildlife" and wildlife-related issues keeping common species common. Strategies must provide and make use of these 8 elements:

1. Information on the distribution and abundance of species of wildlife, including low and declining populations as the State fish and wildlife agency deems appropriate, that are indicative of the diversity and health of the State's wildlife; and
2. Descriptions of locations and relative condition of key habitats and community types essential to conservation of species identified in (1); and
3. Descriptions of problems that may adversely affect species identified in (1) or their habitats, and priority research and survey efforts needed to identify factors that may assist in restoration and improved conservation of these species and habitats; and
4. Descriptions of conservation actions proposed to conserve the identified species and habitats and priorities for implementing such actions; and
5. Proposed plans for monitoring of species identified in (1) and their habitats, for monitoring the effectiveness of the conservation actions proposed in (4), and for adapting these conservation actions to respond appropriately to new information or changing conditions; and
6. Descriptions of procedures to review of the strategy at intervals not to exceed 10 years; and
7. Plans for coordinating the development, implementation, review, and revision of the plan with Federal, State, and local agencies and Indian tribes that manage significant land and water areas within the State or administer programs that significantly affect the conservation of identified species and habitats.
8. Congress also affirmed through this legislation that broad public participation is an essential element of developing and implementing these plans, the projects that are carried out while these plans are developed, and the Species in Greatest Need of Conservation that Congress has indicated such programs and projects are intended to emphasize.

IAFWA and the U.S. Fish and Wildlife Service established guiding principles (TWW 2003) to supplement the eight required elements (Appendix 2). These guidelines provide recommendations across four topics related to CWCS development: Planning Processes and Partnerships; Focus and Scope; Format and Content; and Completion, Outcomes, and

Availability. States were encouraged to use these guidelines, both in the initial development process and during future revisions, to improve and strengthen their Comprehensive Wildlife Conservation Strategies.

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## 1.4 ROADMAP TO THE EIGHT ELEMENTS

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To facilitate review of Maine's CWCS, each of the eight required elements is addressed in a separate chapter.

Required Element	Chapter	Tables	Figures	Appendices
1 – Distribution and Abundance of Wildlife	3.0	2-24	1	3, 4
2 – Key Habitats and Natural Communities	4.0	25-29	2-15	5,6,7,8,9
3 – Problems, Priority Research, & Survey Efforts	5.0	30-36	16	5, 10
4 – Conservation Actions	6.0	30-35, 37-42	17,18,19	5, 10, 11, 12, 13
5 – Monitoring	7.0	43-45	20	-
6 – Periodic Review	8.0	46	-	-
7 – Coordination with Conservation Partners	9.0	47-53	-	-
8 – Public Involvement	8.1, 10.0	-	-	14

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## 1.5 VALUE OF THE CWCS TO MAINE

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The value of this Strategy extends far beyond the requirements of the State Wildlife Grant program and beyond the missions of MDIFW, MDMR, and MASC. Indeed, this is an historic opportunity and challenge for all three agencies and their conservation partners to provide effective and visionary leadership in conservation of all wildlife occurring in Maine. Never before has such a comprehensive effort been done in our state and every other state in the nation.

Currently, the Maine Department of Inland Fisheries and Wildlife operates under separate strategic plans for its Wildlife, Fisheries, Recreational Vehicle, and Hunter and Trapper Education programs; MDMR operates under a number of management plans for its commercial fisheries; and the Atlantic Salmon Commission operates under a number of restoration, management, and recovery plans for Atlantic salmon. Maine's CWCS is intended to supplement, not duplicate, existing fish and wildlife programs and to target species in greatest need of conservation - species that are indicative of the diversity and health of wildlife in the state - while keeping "common species common."

This Strategy addresses the full array of wildlife and their habitats in Maine including vertebrates and invertebrates in aquatic (freshwater, estuarine, and marine) and terrestrial habitats. **Wildlife is defined as any species of wild, free-ranging fauna including fish.** This plan builds on a species planning effort ongoing in Maine since 1968; a landscape approach to habitat conservation, *Beginning with Habitat* (BwH), initiated in 2000; and a long history of public involvement and collaboration among conservation partners. This Strategy covers the entire

state, from the dramatic coastline to the heights of Mt. Katahdin and is meant to be dynamic, responsive, and adaptive.

Maine's CWCS is not a fixed set of conservation objectives and strategies. Rather, it is a series of processes that can be used to identify priorities from the individual species to the landscape level, and serve as a solid foundation for the future of wildlife conservation that will help guide the collaborative efforts of state and federal agencies, tribes, conservation partners, and individuals to ensure success. It is our goal that Maine's CWCS be elegant in its simplicity and comprehensive in its process.

The ultimate test will be measured through the success of its implementation and the strengthening of collaborative efforts and partnerships. Ensuring longterm, stable, and adequate funding will be critical to CWCS implementation. The State Wildlife Grant Program is an important first step in funding SGCN conservation, but far more is needed. To make the most of SWG funds and to demonstrate success, Maine will need to identify required matching stateside funds, which often challenges the State's lean coffers. Nonetheless, demonstrating success will be key to continued Congressional support.