

CHAPTER 10.0

PUBLIC INVOLVEMENT

*Individually, each of us can do only a little.
Together, we can save the world.*

Denis Hayes

10.1 HISTORIC AND ONGOING PUBLIC INVOLVEMENT IN MAINE

In previous Chapters (8 and 9), we described Maine's long history of successful collaboration among federal, state, and local agencies and the tribes, as well as with many non-governmental organizations, to manage and conserve the state's wildlife resources and the lands and waters that provide their habitats. These collaborative efforts, and their accomplishments, provide the foundation on which Maine's CWCS was built and will be implemented, reviewed, and revised.

Similarly, Maine has an equally successful and lengthy history of public involvement in the conservation and management of its fish and wildlife resources.¹ The most notable example is a 20-year history of public involvement as part of our comprehensive species planning process previously detailed in Chapters 6.2.1 and 8.1, and Table 46. The composition of public working groups varies with the species or species group under consideration, but is structured to ensure representation of a variety of interests (sportsmen's groups, non-governmental organizations, landowners, tourism groups, public members, concerned citizens, outspoken critics, etc.) as well as a geographical mix. Every effort is made to keep the group balanced. Members of working groups give freely of their time and advice and provide an essential element to the development of species management plans.

In addition, Maine's legislative and rulemaking processes are proxies for the people. A prominent example is our Listing Process and Essential Habitat provisions under the Maine Endangered Species Act (MESA). In response to growing public concerns about species declines, the Legislature enacted the Maine Endangered Species Act in 1975, one of the first states to do so. The wording of this landmark state legislation borrowed heavily from the federal Endangered Species Act (ESA) thus creating parallel policies to protect endangered species.

Maine's first endangered species list contained only those federally listed species that occurred in the state, but the MESA gave the Commissioner of MDIFW the authority to list other species and provided a way for the public to petition for the listing of new species.

¹ For the purpose of this discussion, we consider our "public" to include all natural resource state and federal agencies that do not have jurisdictional responsibilities in Maine, nongovernmental organizations, user groups, private landowners, and the general public.

One of Maine's first tasks under the MESA was to coordinate a review of the status of all vertebrate species. MDIFW Wildlife Division staff held a public workshop, reviewed the status of birds, mammals, reptiles, and amphibians, and recommended additions to the MESA list. As a result, in 1986, six Endangered and four Threatened vertebrates were added to Maine's list (McCollough et al. 2003). In 1994, MDIFW began a second species listing initiative and conducted a comprehensive, public review (via public hearings and informational meetings) of the status of all Maine species, including groups of invertebrates for which there was adequate information. MDIFW proposed that 20 new species, including 12 species of invertebrates, be added to the list (McCollough et al. 2003). In 1997, the Legislature approved all 20 species, increasing the state list to what it is today – 18 Endangered and 16 Threatened species.

The *Maine Endangered and Threatened Species Handbook* (MDIFW 1993, Appendix 4) documents and defines the procedures, guidelines, and information used in developing and maintaining the categories and lists of species relative to Maine's Endangered Species Act, and provides guidelines for assigning species to the categories established to fulfill the charges of MESA. It also specifically sets forth provisions for public involvement in the review and revision of the list, including requests to add or remove species.

In 1988, the Maine Legislature amended the Maine Endangered Species Act by adding habitat protection provisions in recognition of two issues: 1) the effect habitat loss has on Endangered and Threatened species in Maine, and 2) the confusion and sometimes costly problems that can arise in the absence of consistent, predictable land use decision-making processes for Endangered and Threatened species.

As a result, the Maine Department of Inland Fisheries and Wildlife may designate areas as "Essential Habitat" for species listed as Endangered or Threatened, and develop protection guidelines for these Essential Habitats. Essential Habitats are defined as areas currently or historically providing physical or biological features essential to the conservation of an Endangered or Threatened species in Maine, and which may require special management considerations. Examples of areas that could qualify for designation are nest sites or important feeding areas. For some species, protection of these kinds of habitats is vital to preventing further decline or achieving recovery goals.

Before an area can become designated as Essential Habitat, it must be identified and mapped by MDIFW and adopted through public rulemaking procedures, following Maine's Administrative Procedures Act. Essential Habitats were first taken through rulemaking by MDIFW in 1989, when designation criteria and protection guidelines were developed for Bald Eagle nest sites. Since then, Essential Habitat has also been implemented for three more listed species: the Roseate Tern, Least Tern, and Piping Plover. Additions of newly qualified areas, as well as deletions of sites no longer eligible, are ongoing for these four species. In the future, additional listed species may receive attention under the Essential Habitat rule. In all cases, MDIFW provides opportunities for public input and comment, and conducts public hearings and informational meetings if warranted or requested.

10.2 PUBLIC INVOLVEMENT IN CWCS DEVELOPMENT

In Chapter 8.1, we described the process by which Maine's CWCS was developed and the role the public played in CWCS development, from the species level (Table 46) to the Strategy level. In this section we describe additional efforts to keep the public informed and engaged in the development of the CWCS.

Since 1990, MDIFW has convened 34 meetings with 9 public working groups to develop management goals and objectives for 217 species, 77 of which are SGCN (Chapter 8.1, Table 46). In fact, many of the species' needs and conservation actions identified in this Strategy (Chapter 5, Tables 30-35) are a direct result of this ongoing planning effort. In addition, we held three, six-hour CWCS Coalition meetings on March 28, April 27, and June 3, 2005. The composition of the Coalition was structured to ensure representation of a variety of interests as well as a geographical mix. Representatives from other state and federal agencies, various sportsmen groups (e.g. Sportsman's Alliance of Maine, Trout Unlimited, Maine Trappers Association, Maine Professional Guide's Association, etc.), wildlife conservation groups (e.g. Maine Audubon, The Nature Conservancy, Isaac Walton League, National Wildlife Federation, Defenders of Wildlife, etc.), landowner groups (e.g. Small Woodlot Owners Association of Maine, Maine Forest Products Council, etc.), Native American Tribes, and other nongovernmental organizations and interested individuals were invited to participate. Members of the Coalition gave freely of their time and expertise, often commuting hundreds of miles and using vacation time or losing wages to participate. Chapter 8.1 provides a detailed list of invitees and active participants.

MDIFW hired a facilitator from outside the agency to conduct each Coalition meeting. Subsequent to each meeting, and prior to the next meeting, MDIFW distributed a meeting summary and related materials to all Coalition members, regardless of whether or not they actively participated in the process. Copies of meeting agendas are found in Appendix 14.

In addition to the involvement of agencies, conservation partners, and public members noted earlier, we conducted a number of additional outreach and public involvement efforts in order to keep all interested parties informed about the State Wildlife Grant Program and Maine's Comprehensive Wildlife Conservation Strategy. These efforts include:

Outreach Materials and Media

- Since July 2004, we provided at least bi-monthly SWG and CWCS updates in MDIFW's newsletter *Directions*.
- Articles were written for the Wildlife Division's annual *Research and Management Report*, which is widely distributed across the state.
- A CWCS Fact Sheet <http://www.state.me.us/ifw/wildlife/compwildlifestrategy/factsheet.htm> and a publication highlighting projects in Maine funded by the State Wildlife Grant Program <http://www.state.me.us/ifw/wildlife/compwildlifestrategy/pdfs/grantprogram.pdf> was prepared and distributed to internal constituencies, conservation partners, user groups, and upon request.

- Two press advisories were released during the life of the project and stories ran in several of the state's major newspapers and in an unknown number of local papers.

Website

- In June 2005, a website dedicated to Maine's CWCS and the State Wildlife Grant Program was unveiled <http://www.state.me.us/ifw/wildlife/compwildlifestrategy/index.htm>. This site contains background materials, links to conservation partners, and drafts of the CWCS. We eventually hope to develop an interactive site with links to species assessments, management systems, and public working groups, etc. to serve as a clearinghouse for information exchange.
- On July 27, 2005 we posted a draft of our CWCS on MDIFW's website for a 3 ½ -week public review and comment period.

Additional Opportunities for Updates

- Periodic updates were provided to the Fish and Wildlife Advisory Council throughout the life of the project. The Fish and Wildlife Advisory Council is a citizen's advisory council responsible for providing input and guidance to the Commissioner of MDIFW concerning the administration of the department, including fish and wildlife rulemaking. The Council consists of 10 members representing Maine's 16 counties. Members are appointed by the Governor, subject to review by the Joint Standing Committee on Inland Fisheries and Wildlife, and confirmation by the Legislature. A member of the Fish and Wildlife Advisory Council serves on Maine's CWCS Coalition.
- Staff of the Wildlife and Fisheries Divisions of the Maine Department of Inland Fisheries and Wildlife received periodic updates and briefings on SWG and CWCS status through section and division meetings, postings to the website, and internal communications.
- As the opportunity arose, and where appropriate, periodic updates were provided to conservation partners, user groups, and public members at meetings, sportsmen's forums, and other events where MDIFW was present.

10.3 CONTINUED PUBLIC INVOLVEMENT IN CWCS REVIEW AND REVISION

In the preceding sections (10.1 and 10.2), we provided a brief historical perspective of how we have involved the public to help set management direction in Maine. We illustrated in detail (Chapter 6.2.1 and Table 46) our comprehensive species planning process and the role that public working groups play in developing management goals and objectives for species or groups of species, and how comprehensive species planning is integral to the structure of Maine's CWCS (Figure 20).

We described the process by which Maine's CWCS was developed (Chapter 8.1), and later discussed opportunities for regular input, evaluation, and revision of Maine's CWCS by state and federal agencies, nongovernmental organizations, and other interested conservation

partners via six Taxa Committees, a CWCS Implementation Team, and our CWCS Coalition (Chapter 8.2). In short, development of Maine's CWCS was merely an extension and refinement of public involvement processes already in place within the State, and we will continue to engage those who were part of our Strategy development directly in its implementation, review, and revision.

In addition, the CWCS will be a permanent feature of MDIFW's website to allow interested parties to review the plan at their leisure. MDIFW will also continue to feature the State Wildlife Grant program and Maine's Comprehensive Wildlife Conservation Strategy in its outreach materials, and will encourage conservation partners to do so as well.

As Mr. Hutchinson so eloquently stated in the opening forward of this document: "Land trusts and other private conservation groups, local communities, private landowners, and other interested stakeholders throughout Maine are willing and ready to step forward and help.... The combined commitment, capacity, wisdom, and resources of such a coalition will deliver unparalleled conservation successes."

*Coming together is a beginning.
Keeping together is progress.
Working together is success.*

Henry Ford