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**Maine Audubon
Testimony in Support of LD 261,
An Act Concerning Significant Wildlife Habitat and Wetlands of Special Concern
Before the Natural Resources Committee
Tuesday, February 8, 2005**

Good afternoon, Senator Cowger, Representative Koffman, and members of the Natural Resources Committee. My name is Jenn Burns and I represent Maine Audubon and our 11,000 members and supporters. We enthusiastically support LD 261, An Act Concerning Significant Wildlife Habitat and Wetlands of Special Concern.

LD 261 removes the current requirement under the Natural Resources Protection Act (NRPA) that significant vernal pools be mapped. In the alternative, significant vernal pools would be defined and criteria for identification and management would be established through rulemaking.

The mapping requirement for significant wildlife habitat has severely hampered the ability of the DEP to protect significant wildlife habitat due to the high specificity required in the maps in order for them to be officially adopted. The proposal to eliminate this mapping requirement will remove this hurdle while providing the public with sufficient information upon which to make decisions.

Vernal pools, as explained generally in *Maine Citizen's Guide to Locating and Documenting Vernal Pools*, are naturally occurring, seasonal bodies of water, free of predatory fish populations, that provide breeding habitat for one or more of Maine's five vernal pool indicator species: spotted and blue-spotted salamanders, four-toed salamanders, wood frogs, and fairy shrimp. They are characterized by high productivity and a unique assemblage of species adapted to breeding in seasonally flooded wetlands. These fish-free pools provide optimal breeding habitat for a specialized group of amphibians that have evolved to use these wetlands. The lack of predatory fish helps to make vernal pools extremely important for wildlife habitat. Vernal pool amphibian eggs and larvae are extremely vulnerable to fish predation. Even though vernal pool amphibians may breed in wetlands where fish are present, survival of eggs and larvae in such environments is limited. Many vernal pool amphibians return to breed where they developed and show little tendency to relocate if their breeding habitat is disturbed.

Vernal pools, in addition to small wetlands, contribute significantly to local biodiversity by supporting an abundance of plants, invertebrates, and vertebrates that would otherwise not occur in the landscape. Many small mammals, birds, amphibians, and reptiles use these wetlands for resting and feeding. The average travel distance for frogs, salamanders, and small mammals is less than .3 km. The destruction

of small wetlands in the landscape increases the distance between remaining wetlands. Often, these distances are greater than these animals can travel. Large mammals, such as bear and moose, use these small wetlands as a food source.

LD 261 proposed the right solution. Significant vernal pools are too difficult to pre-identify en masse and the mapping requirement takes the teeth out of the protection. DEP and DIFW can help landowners identify significant vernal pools on their property and, subsequently, landowners can plan development appropriately. Also, much information is available to the public to assist them in vernal pools identification and conservation. Maine Audubon has contributed to the publication of at least 3 recent guides: *Forestry Habitat Management Guidelines for Vernal Pool Wildlife*, *Best Development Practices: Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States*, and *Maine Citizen's Guide to Locating and Documenting Vernal Pools*.

Vernal pools, without protection, are at risk. According to the *Citizen's Guide*, vernal pool survey in southern Maine demonstrated that 58% of the vernal pools identified were less than 4300 square feet. In central Maine, 93% of the pools were less than 4300 square feet. Wetlands are protected under NRPA if they are 4300 square feet or larger in size. According to U.S. Fish and Wildlife Service's latest "Status and Trends Report," small, wooded wetlands are the most at-risk systems in the United States.

Significant vernal pools are important to our environment and we need to protect them. Experts have discovered that the number and spatial distribution of wetlands, including vernal pools, is more important than the individual size of the wetland in maintaining ecosystem integrity of both terrestrial and aquatic systems. Energy flow goes from wetland to upland and vice versa. These small, hard to map resources may be a keystone ecosystem by fueling upland processes, maintaining biodiversity. They contribute to upland energy needs, pool-breeding amphibians and improve forest soil nutrient cycling. The number and spatial distribution of wetlands in a landscape may override the pure importance of BIG is better.

We urge the Committee to support LD 261 and protect this keystone ecosystem. Thank you for your consideration.