

MPBN 5-16-12

Maine Group Threatens Suit Over Alewives on St. Croix

05/16/2012 Reported By: [Jay Field](#)

Text Summary below-Interviews are on the audio link.

<http://www.mpbn.net/DesktopModules/PDGNews/MediaPlayer.aspx?PDGNewsStoryID=21856&PDGNewsMediaID=5286&TabID=36&ModuleID=3478>



Alewives spawned in large numbers in the St. Croix River, before blockades in the 1990s all but eliminated the species. In 2008 Maine lawmakers blocked passage of the fish above Great Falls Dam, in a nod to sport fisherman and others who maintain large numbers of spawning alewives would hurt the lucrative small-mouth bass fishery. Now, a southern Maine environmental group and two individuals are seeking to overturn this law by threatening to sue the U.S. Environmental Protection Agency.

Related Media

Maine Group Threatens Suit Over Alewives on St. Cr



Duration:
2:39



Part of the federal Clean Water Act requires the U.S. EPA to evaluate water quality on rivers when dams are put up. In an earlier lawsuit in U.S. District Court, the group Friends of Merrymeeting Bay, in partnership with two individual citizens, argued that that Maine law blockading the St. Croix above Great Falls Dam should be tossed out, that it was superseded by the Clean Water Act.

A federal judge dismissed that argument, but not without giving the parties another path to consider in their bid to restore the alewives to the St. Croix. Alewives are a member of the herring family and play a key role in the food chain that's vital to the health of river and marine ecosystems in Maine.

The U.S. EPA, the judge contended, does have some responsibility for resolving conflicts between federal laws like the Clean Water Act and state statutes.

"The EPA had already told us they were not especially interested in looking at the law," says Kathleen McGee, of the group Friends of Merrymeeting Bay, where she's the so-called healthy rivers, healthy Gulf of Maine coordinator. "We believe that it is in direct contradiction to what the Clean Water Act requires, which requires bioersity throughout our rivers. And that it was a downgrade of the water quality in Maine."

So now, McGee, her group and others are threatening to sue the EPA, unless the agency agrees to look at how the alewife blockades are affecting water quality on the St. Croix. Doug Watts is another member of the group. "Because the St. Croix has so many lakes in it, it had probably the largest alewife run on earth," he says.

Watts, a wildlife photographer, used to go fishing up on the St. Croix with his dad and is writing a book about alewives. "It has an enormous biological significance to the Gulf of Maine," he says.

Research shows alewives are a key forager or indicator species for cod and other fish in the Gulf. So restricting their movement, the theory goes, contributed to the collapse of the cod fishery.

A spokesman for the U.S. EPA in New England did not return a call for comment by airtime. And Patrick Keliher, the Commissioner of the Maine Department of Marine Resources, declined to comment on the possible lawsuit.

In the meantime, the National Marine Fisheries Service is evaluating whether to list the alewives as "threatened" under the Endangered Species Act.

And the state is still waiting for the International Joint Commission to complete an alewife restoration proposal.