



MAKING WAVES

SUMMER
2013

THE NEWSLETTER OF MAINE RIVERS

“WHAT A RELIEF!” At Last Alewives Return to the St. Croix River

On Monday April 23, 2013 LD 72 “An Act To Open the St. Croix River to River Herring,” became law. A mistake that decimated what should be the largest run of alewives on the east coast took nearly two decades to correct.

The last action in Maine’s House of Representatives took place on April 10 when 123 legislators voted in favor of the bill, facing 24 nays and with four absences. After the last vote two weeks passed before the bill became law without Governor LePage’s signature. River enthusiasts, lobstermen, tribal members, fishermen, scientists and those who favor sane natural resource management in Maine all sighed in relief.

Over the years several issues of this newsletter have detailed Maine Rivers’ efforts over to restore native alewives to the St. Croix River. These efforts have included the creation and coordination of a scientific advisory committee to oversee research and obtain funding for a study of genetics and bass-alewife interactions. That effort resulted in the 2006 Maine Rivers Study. When previous legislative attempts failed to reopen the river Maine Rivers remained engaged, working with the Atlantic Salmon Federation (ASF) and the Natural Resources Council of Maine (NRCM) to petition the International Joint Commission for alewife passage. In addition to the three lead organizations, 24 non-governmental



Passamaquoddy Tribal Representative Madonna Soctomah speaks at the event celebrating the restoration of alewife passage at the Grand Falls Dam

organizations from the United States and 24 from Canada signed on to the petition. While it would take more than three years and another legislative push before real success would come, the science and its significance was clear; this river should not be forgotten.

In the seasons that followed the IJC petition, the

importance of restoring this river became even more pointed; NOAA began stock assessment to consider listing alewives and blueback herring as endangered species while the collapse of New England’s groundfisheries made international news, raising the flag for fisheries restoration initiatives in the Gulf of Maine. Our small group of core partners continued to analyze and assess legal and other options to find a path forward.

Ever interested in keeping the issue alive, we provided information to Passamaquoddy tribal members and Connell Smith, a reporter for the CBC, a Canadian news service. It made an amazing and tragic story—the natural migration of a keystone native species had been virtually halted on an international waterway by Maine’s unilateral and likely illegal actions, based on anecdotal information that had been proven wrong. A CBC documentary “Alewives: A Border Dispute” resulted. The Schoodic Riverkeepers formed, joining tribal members from both sides of the U.S.-

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Celebrating a restoration success, Dwayne Shaw, Ed Walsh and Chubba Kane of the Downeast Salmon Federation hold a wooden board from the Grand Falls Dam fishway.

Canadian border to advocate for restoring their ancestral river. Ed Bassett, a Schoodic Riverkeeper, worked with Lee Sochasky, by then retired from her position at the St Croix International Waterway Commission, to understand the story behind the tribes position against alewife restoration. Ed created a film to show what he had found and to educate other tribal members. After long discussions, the Joint Tribal Council of the Passamaquoddy Tribe voted unanimously to support reopening the river for alewives, and directed Tribal Representative Madonna Soctomah to submit legislation to the Maine Legislature. The bill was LD 72, “An Act To Open the St. Croix River to River Herring.” It became one of four top priorities for the Environmental Priority Coalition, a partnership of 26 organizations. Maine Rivers and partners spread the news about the upcoming bill and prepared. The public hearing for LD 72 in front of the Marine Resources Committee was long, but strong on science and short on the dramatic misinformation that derailed previous attempts. When the Marine Resources Committee met a week later for the work session to discuss what they had heard, their decision was swift and resulted in a unanimous Committee vote supporting LD 72. Voting in the House and Senate showed strong support for the bill. With an emergency preamble, the bill became law on April 23, in time to keep a wooden board from being placed in the fishway at the Grand Falls Dam as it has for so many years. This year the fish will return, and celebrating their return will be

tribal members, federal agencies and the engines that kept this issue alive, the NGOs.

It took a sustained effort over many years to achieve the success that we celebrated at the Grand Falls Dam in June. John Burrows, Director of New England Programs at ASF, and Nick Bennett, staff scientist at NRCM, both serve on the board of Maine Rivers with Clinton “Bill” Townsend. Together with Landis Hudson, Maine Rivers executive director, John, Nick and Bill maintained focus on restoring the St. Croix. Other strong supporters of alewife restoration included the Conservation Law Foundation, which sued the Federal Environmental Protection Administration and then the State of Maine under the Clean Water Act.

We have many friends to thank for an effort that looked difficult at first, then as momentum gathered, was ultimately successful. Paul Bisulca brought tremendous energy and insight to working with the Passamaquoddy Indians and the federal agencies, Theo Willis did the science that was the foundation for success, Charles O. Verrill shotgunned the four IJC proceedings, Naomi Schalit got the funding for Theo Willis’ work, Ted Ames emphasized the importance of alewives as the forage base in the Gulf of Maine, Sean Mahoney spearheaded the litigation, Doug Watts wrote movingly of the alewife’s plight. We also want to thank Dwayne Shaw and Ed Walsh from the Downeast Salmon Federation, and Beth Ahearn and our friends at MCV.



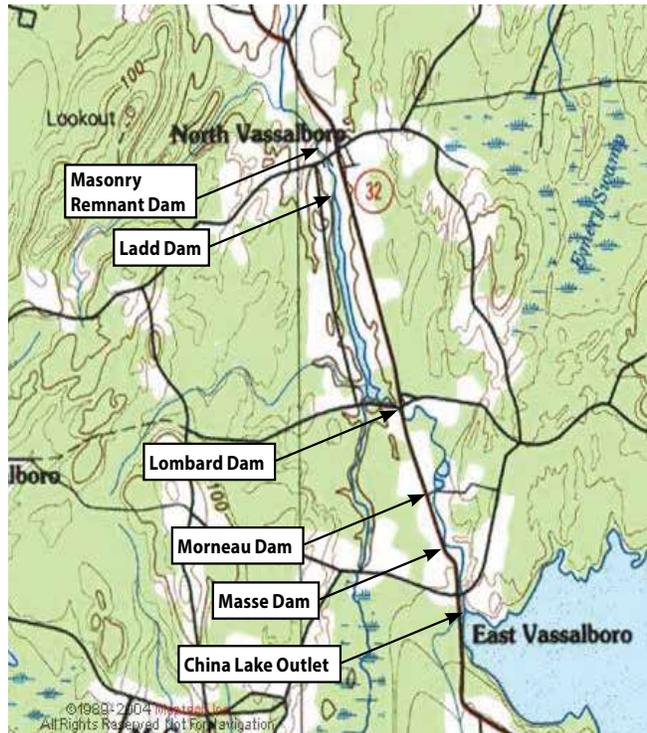
Federal agencies backed by Schoodic Riverkeepers sign a document stating their intent to cooperate on efforts to restore migratory fish to the St. Croix

China Lake Outlet Stream Six Dams Block River Herring Passage

In February **Maine Rivers** joined the towns of Vassalboro and China, and local groups such as the China Lake Association and Kennebec Water District, supporting the **Sebasticook Regional Land Trust's** grant proposal to NOAA (FY2013 Coastal and Marine Habitat Restoration Project) for feasibility and design of fish passage from the Sebasticook River in Winslow to the Vassalboro outlet of China Lake. If successful, the grant would initiate a ten year project to study and remove or pass the barriers in Vassalboro, over 5 miles and a drop of nearly 60 feet to Winslow.

The dams include Massey Mill, where granite barriers date from early settlers in 1780, Lombard Dam that once generated power for the electric street cars serving Vassalboro to Waterville - and where A.O. Lombard designed his log hauler. The first dam controls water levels in China Lake, a public drinking water supply. The grant application has unanimous support among the dams' owners.

China Lake could support four million spawning alewives and blueback herring, helping the Sebasticook watershed reach its full potential as a spawning ground and natural food 'factory' for the Gulf of Maine. The Lake might benefit from the reduction in phosphorus from the over-burdened fresh waters as young alewives leave in late summer to take their chances in the Atlantic.



Map and photos, clockwise from top left:
Outlet Stream Dam Site Locations
Masonry Remnant Dam
Ladd Dam
Masonry Remnant Dam Looking Downstream



A Vision for the Future Inspired from the Past

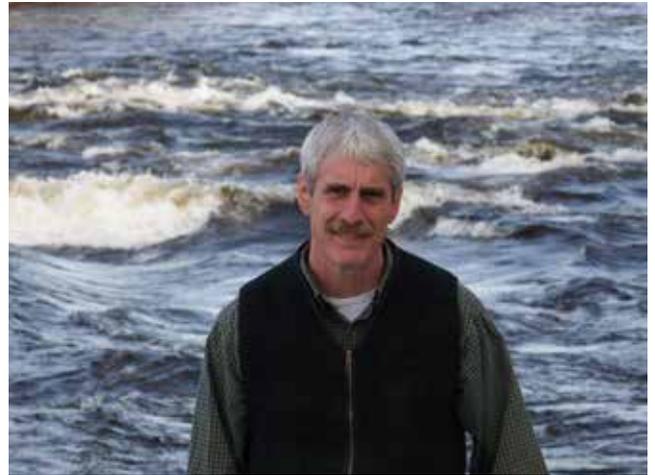
John Banks and the Penobscot River Restoration Project

John Banks has been central to efforts to restore the Penobscot River. He is the Director of the Department of Natural Resources for the Penobscot Indian Nation and a tribal member. As Natural Resources Director, John has developed and administers a comprehensive Natural Resources management program for his tribe which advances an integrated management approach, in recognition of the interconnectedness of all things in the natural world. John is also member of the Maine Rivers Board of Directors. We asked him to reflect on his work and its importance.

When did this project start for you?

For the tribe I guess you could say it began with the industrial revolution and the ecological destruction that began at that time. Early records show tribal officials traveling to Boston and later, Augusta to complain about the "loss of fisheries at Old Town" and the condition of the river when the dams were first built. Those complaints fell on deaf ears and the tribe had no real voice on these matters until the 1980s. The Penobscot River Restoration Project has its roots in the Basin Mills days in the 1990s. The Basin Mills project was a proposal by Bangor Hydro-Electric

The Penobscot River basin covers one-third of the state of Maine and is the second largest river system in New England. The Penobscot River Restoration Project is a remarkable collaboration between the Penobscot Indian Nation, seven conservation groups, hydropower companies PPL Corporation and Black Bear Hydro, LLC, and state and federal agencies, to restore 11 species of sea-run fish to the Penobscot River, while maintaining energy production. After blocking the river for almost two centuries, the Great Works Dam was demolished and removed last year. This summer the Veazie Dam is scheduled for removal, with plans for a fish lift at Milford and the construction of a bypass at Howland.



John Banks

Company to build a new Dam between Veazie and Great Works Dams, just below the confluence of the Stillwater branch and the main stem. If constructed this dam would have inundated the last section of free-flowing river between Indian Island and the ocean. We worked closely with many others to successfully defeat this project. During the Basin Mills proceedings some of the options explored included the removal of one or two of the mainstem dams, if Basin Mills were to be built. Those discussions carried forward and in 1999, after Bangor Hydro sold its dams to PP&L, negotiations began in earnest leading to the current project.

Can you describe the importance of this project to Penobscot people?

As a riverine based tribe, the relationship between the Penobscot people and the river has evolved over 10,000 years in a way that makes the two inseparable. We often say we are river and it is us. It flows through our veins and makes us who we are as a native tribe indigenous to this watershed.

Our history and cultural traditions are filled with stories and teachings about the river. As an example our creation story is all about the river and the many life forms it supports, at many different levels. These teachings take many forms. Oral traditions around the river have been handed down for thousands of years.



What are your greatest pleasures when you observe the river now?

I think the significance of this project really hit home for me one morning while we were helping with a clean-up effort shortly after the Great Works Dam was removed. The City of Old Town and the Penobscot River Restoration Trust, along with some USFWS folks and other volunteers, had organized a clean up day to pick up debris along the newly exposed shoreline. When I went to the area to which I was assigned, I noticed an adult Bald Eagle flying low over the newly (re)exposed ledges and shallow water riffles looking for some dinner. Recognizing that my ancestors had once tanned hides on these very ledges I wondered if this eagle was a descendant of the eagles back then. It was a special moment for me. I think that eagle was saying “thanks” while checking out the new grocery store in town!

What kind of challenges did you expect at the beginning of the project?

Certainly the ability to come up with the required funds to make it happen was a primary concern at the start, and into the first few years of the campaign. Also, formally partnering with six different NGOs, each with its own mission and priorities, was sure to pose some challenges for the tribe as a governmental agency.

Were those actually similar to what you see now as being the biggest challenges you’ve faced?

Thankfully, it turned out that my initial assessment of the ability of the coalition to raise the necessary funds was off base! In many aspects it was a learning experience for me. As a multi-year multi-dam project a big challenge is to keep the multitude of interests all pulling in the same direction.

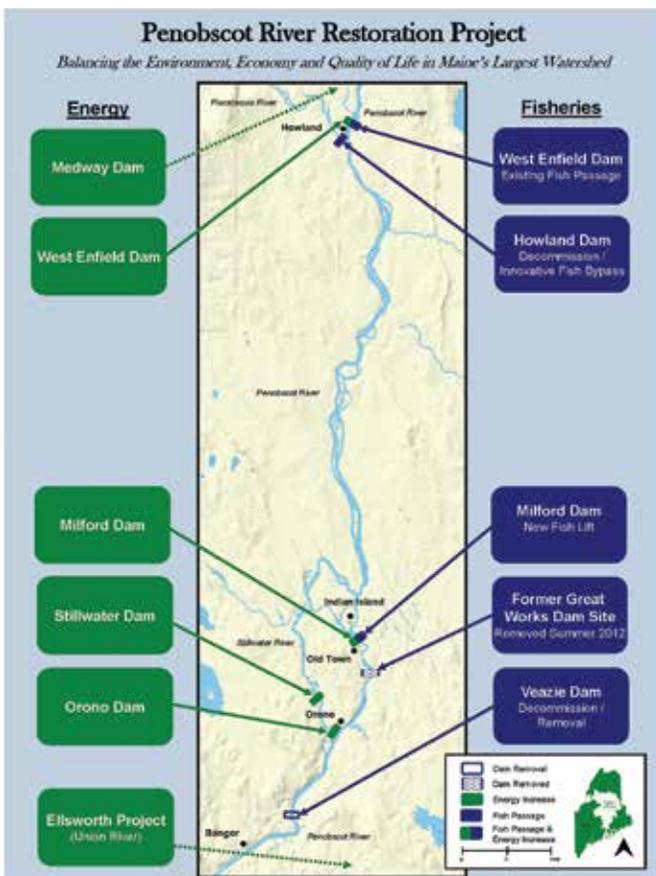
What would you envision 30 or 50 years from now?

The watershed has seen many improvements over the past 40-50 years. Many of the water quality problems are being addressed, over 400 miles of tributary streams have been upgraded, and the most significant barriers are now being removed. Barring any backsliding of these ecological improvements of the past few decades, I would envision a more natural river with a higher abundance of flora and fauna native to the system. More people are starting to understand the importance of connectivity in our river systems. I think the PRRP has helped to jumpstart a number of efforts to improve ecological conditions in the upper watershed by installing more flow-friendly culverts, improving fish passage at lake and pond outlets, removing older deteriorating smaller dams left over from the log drives, and other things.

What have been sources of inspiration for you throughout these years of meetings, discussions, planning and hard work?

I think mostly it’s that a lot of non-tribal people are starting to understand the importance of holistic ecosystem management, recognizing the

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interconnectedness of things in nature. I am inspired by the dedication and level of commitment I see in many of our project partners.

Restoring a river is a huge undertaking, what skills do you think the next generations will need to continue this work?

I think one of the most important skills that come into play in a project like this is communications. The ability to effectively communicate with the multitude of players with varied backgrounds is very necessary. Also, patience is key, recognizing that not everyone has the same vision, priorities, and objectives as the tribe.

The project inspires a lot of interest, what is it like to work with reporters, filmmakers and to read about this project in papers like the *New York Times* and *The Economist*?

It's great to see the recognition and attention that this incredible watershed deserves. The Penobscot River has been a source of inspiration and spiritual sustenance for our tribe for eons and it's really gratifying to see that others are also becoming more aware of the gifts of this awesome resource.



Just add alewives! Jack Nye releases a netful of alewives into Kennebunk's Alewife Pond as part of a project to improve the health of the Mousam and Kennebunk watersheds. Many thanks to Maine Department of Marine Resources for their assistance.



As part of the Royal River Restoration Project, Landis Hudson, Maine Rivers executive director, visited Yarmouth's River School where the children created a river mural with Kat Gillies of the Bread and Roses Collaborative.

CURRENTS



We salute Nick Bennett, recipient of the 2013 Bates-Morse Mountain Award for Environmental Stewardship.

The award is given by the Harward Center for Community Partnerships at Bates College. Nick, a founding member and past president of Maine Rivers, has worked tirelessly on efforts to restore free flowing rivers and protect water quality throughout Maine.



Maine Rivers has been active in the Legislature during the 126th session.

In addition to our efforts to restore St. Croix alewife passage, we testified regarding the ecological impacts that the E/W highway would have on rivers and tributaries. We supported a bill to protect Maine's loons from lead and supported amending Maine's metallic mining act to improve water quality protections. We joined with the Alewife Harvesters of Maine to speak against a bill to alter alewife harvesting practices and look forward to supporting the Clean Water and Safe Communities Act, a bond proposed to fund culvert upgrades and small dam removals.



Royal River Restoration Project

Working with the Town of Yarmouth and a group of partners, Maine Rivers is coordinating work to analyze the impacts that removing the East Elm Street Dam would have on sediment transport and recreation in the Royal River. Public engagement to discuss the findings will start this fall.



Maine Rivers thanks Patagonia for their support of our advocacy efforts!

We recently received a grant from Patagonia's World Trout Initiative to support our Mousam River work. Shad and alewives are unable to make it above Kesselen Dam, just above the head of tide, leaving 99% of this watershed inaccessible to native sea-run fish.



Alewives - John R. J. Burrows



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Maine Rivers

Maine Rivers is an advocacy organization led by directors with broad and deep knowledge of the wide range of issues which impact the rivers and watersheds of Maine, including water policy and science.

We work with individuals, communities, agencies and organizations to foster river restoration. We review permits, support and communicate scientific research, testify before the legislature, and facilitate opportunities for public education and decision-making.

