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**April 26, 2011**

ST. STEPHEN – American conservationist are taking aim at the Statehouse over a law that blocks alewives in the St. Croix River.

Friends of Merrymeeting Bay are challenging a 2008 Maine Law that they claim unconstitutionally blocks alewives from 98 per cent of their native habitat in the St. Croix River Basin.

The group focuses on the health of the Kennebec, Muddy, Androscoggin, Eastern, Cathance and Abagadasset rivers, all of which flow into the Bay of Fundy. The health of one river can affect the others, and this includes the St. Croix River.

“They are the foundation and building blocks for all bigger fish in the Gulf of Maine, so when those fish can’t get to their spawning grounds and get back out, it decreases the Gulf of Maine fish,” said Ed Friedman, Chairman of Friends of Merrymeeting Bay of the alewives.

Friedman goes on to list a number of species such as cod, and halibut who feed on the alewives, and how a decrease in the number of alewives returning to the bay, and result in a decrease to the ground fishery, including lobster.

The migration is controlled through the use of physical barriers called “stop logs” at the Grand Falls Dam.

The migration of the alewives was first restricted in 1995, and was enacted into law in 2008. The challenge names defendants Norman H. Olsen, Commissioner of the Maine Department of Marine Resources, and Chandler E. Woodcock, Commissioner of the Maine Department of Inland Fisheries and Wildlife. It was the responsibility of these two men to put in place the stop logs to eradicate alewives and blueback herring from their historic spawning and nursery habitat in the St. Croix River basin.

“What the Maine legislature did in response to a few shrill voices is absolutely unconscionable as well as in total violation of the Clean Water Act,” said Friedman. “Neither other fish species dependant on river herring nor the endangered Gulf of Maine ground fishing industry can afford the continued collapse of St. Croix alewives. We need healthy rivers to maintain a healthy Gulf and alewives make that connection.”

The shrill voices Friedman refers to were the bass fishing guides – no more than 30, the organization says - who work the St. Croix River system.

“That is not to say that people don’t come here from all over to stay at these lodges to fish for bass, because they do, but when you compare the economic impact of 30 guides making a fuss about this for a resource that probably coexists quite well with migratory alewives. Compared to alewife harvesters, lobster fisherman, and ground fishermen, this is not even a difference in terms of economic impact.”

Friedman goes on to say that for alewife harvesters, the lobster fishery can be a huge market for them.

“We have to ensure that enough are getting out to sustain the ground fish industry.”

Attorney Roger Fleming with the public interest law firm Earthjustice and Attorney David Nicholas are representing Friends of Merrymeeting Bay, Douglas H. Watts, Captain Edward “Ted” Ames, and Kathleen McGee.

“Alewives and river herring are vital cogs in the wheel of the Atlantic Ocean ecosystem,” said Ted Ames, recently awarded a Macarthur Fellowship for his groundbreaking research on

near-shore fisheries ecology. “My research shows that these fish played a critical role as forage for near shore populations of cod and other commercially valuable groundfish population. We must find ways to restore and protect them.”

“We have seen alewives in bass, but never bass in alewives,” said Friedman.

“This law is like ordering that cardinals, bluebirds and chickadees be eradicated from Maine,” said Watts, a wildlife photographer who has captured images of alewives for years.

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