

Testimony to  
Joint Standing Committee on Marine Resources  
LD 800  
An Act To Prevent Passage of Alewives through the Grand Falls Dam on the St. Croix River  
April 27, 2015

Senator Baker, Representative Kumiega and other members of the Marine Resources Committee, thank you for this opportunity. I am **Lee Sochasky** and I'm here to speak against LD 800.

I am a resident of the St. Croix Valley and have been directly involved in fisheries programs on the St. Croix for over 40 years. For most of that time, as an international resource planner and a biologist, I participated in many research, planning and management initiatives involving agencies and others on both sides of the international St. Croix, for both sea-run and freshwater fisheries. One of my roles has been to carry out the river's annual river herring count for the last 24 years.

I've had the privilege of knowing – and appreciating the views and concerns of – the different interests you will hear from today. It distresses me that, for the fifth time in 20 years, this legislative process is being used to intensify conflict between these interests rather than make any progress.

In 1995, a group of Maine sport fishing guides asked this Legislature to block alewives from two U.S. fishways on the St. Croix River, to prevent the fish from reaching nearly 98% of its potential spawning habitat.

The guides' request was based on two premises. First, their belief that a recently-restored alewife run was responsible for the collapse of the smallmouth bass fishery in Spednic Lake, which threatened the local sport fishing economy. Second, that a perceived lack of research and cooperation among fisheries agencies left the guides, they felt, no alternative but to seek the Legislature's direct intervention.

State legislators agreed and passed LD 520 to immediately close the St. Croix's Woodland and Grand Falls fishways to alewives, under emergency legislation. This decision did not consider Canada's interest and shared jurisdiction over the St. Croix's resources or the policies of the state's own fisheries agencies.

The 1995 legislation was precautionary. At the time, there was little evidence that alewives were, as stated in the bill's preamble, a direct threat to the local sport fishery and the state's economy, but legislators chose not take the chance.

Over the last 20 years, research studies and management discussions at many levels and on both sides of the international border have shed a great deal of light on this issue.

There is now clear, well-supported, evidence that:

- River herring were historically present in the upper St. Croix watershed.
- Their absence from the upper watershed during much of the 20<sup>th</sup> century was due primarily to the lack of a fishway at the Grand Falls dam (1915-1965), which extirpated the river's native run of river herring and Atlantic salmon.
- They were not the primary cause of the Spednic Lake smallmouth bass collapse, the beginnings of which were reported a decade prior to numbers of river herring returning to the upper watershed.
- Native sea-run alewives have a lifecycle and longterm ecological roles very distinct from those of the exotic landlocked alewives that have been illegally introduced into the St. Croix. These fish are not to be confused.
- Smallmouth bass and river herring co-exist, very successfully, in watersheds throughout the Northeast, with no known examples to the contrary. Studies to date on the Woodland and Grand Falls Flowages and Big Lake indicate this to be the case on the St. Croix as well.

There is equally clear evidence that river herring have significant ecological roles as an important and often critical food source for many species at sea, on land and in freshwater (including

for smallmouth bass), in completing nutrient return cycles between fresh and salt waters, and in improving lake water quality.

You will hear about some of these today. A great deal more information is readily available.

What is most important is that this work has been carried out over the last 20 years. And fisheries agencies (state, federal and Canadian) have taken steps to work together toward the management of the St. Croix's river herring and sportfish stocks in a balance that benefits all.

In 2013, after careful consideration of all the evidence, the Marine Resources Committee and ultimately the Legislature voted to reopen the Grand Falls fishway to river herring so that forward-looking management initiatives could begin.

This was a sound and good decision. It has led to new collaboration between agencies on both sides of the St. Croix boundary, a major commitment by the Passamaquoddy tribe and significant new funding to begin the longterm process of rebuilding the river herring population in balance with other fishery resources.

Nevertheless, the issue is brought before you again now by the same guides who are legitimately concerned for their livelihoods but unwilling to accept the evidence and solutions that all other St. Croix's interests now embrace.

St. Croix resources need to be managed by facts, not fears.

Maine employs highly professional fisheries biologists and managers who are able to work with their counterparts to implement scientifically sound, responsible and responsive plans for the St. Croix's boundary fishery resources. They will have ample opportunity to do this while the river herring population slowly rebuilds. Keep in mind the current situation: over the last five years the river herring run has averaged less than 33,000 fish, which now have access to roughly 52,000 acres of St. Croix lakes and ponds. At just over ½ fish per acre, these wouldn't appear to be the imminent threat suggested by LD 800's proponents.

LD 800 would again make state legislators the sole managers and decision-makers for the St. Croix's river herring population, a resource that belongs not just to Maine but to two countries.

I believe that if fisheries agencies are allowed to carry out their management responsibilities, river herring and smallmouth bass will thrive together here as they do elsewhere. This will be a win for our sport fisheries, with the vital jobs and way of life they support. It will be a win for marine fisheries by providing forage for marine species and opportunities to harvest commercial bait. It will be a win for the natural ecosystems that have been diminished by the absence of river herring for many decades. It will be a win for the cultural, spiritual and sustenance principles of the Passamaquoddy people. It will be a win for the future, and the past, of the St. Croix as local residents will again be able to experience the sight and excitement of a river herring run.

I urge you to vote "ought not to pass" on LD 800 principle.