

April 27, 2015

To: Senator Linda Baker, Representative Walter Kumiega III and Honorable Members of the Joint Standing Committee on Marine Resources

From: Diane Oltarzewski, 21 Bridge Street, Belfast ME 04915  
Member, Friends Committee on Maine Public Policy

Re: LD1262 An Act to Authorize Tribal-State Memoranda in the Eel and Elver Fisheries, sponsored by Representative Matthew Dana

Thank you for this opportunity to offer testimony in support of LD 1262. The Friends Committee for Maine Public Policy believes that proceeding on the basis of a memorandum of agreement would be a welcome and sensible approach to resolving the questions regarding management of the elver fishery.

Rep. Dana's bill opens the way for ongoing, constructive dialogue, and implies the right spirit of cooperation among equals that is so sorely needed in Maine at this time.

While we are not experts in these matters, we deeply appreciate the expertise that both tribal officials and state officials bring to the table. And we feel strongly that it has never been more important that both parties resolve to listen to each other – with respect, as equals – and negotiate in good faith for the larger public good.

So many non-native citizens of Maine long to live in peace and harmony with indigenous people, and to see them prosper as they define the term. We reject the climate of jealous strife that has surrounded the elver fishery for decades, and increasingly constricted the Passamaquoddy Tribes's ability to carry out its traditional harvest of fish.

The tribes have an old approach to the environment, one that reveres the health and balance of the entire ecosystem. Their world-view dovetails beautifully with the new quest for sustainability in the wider culture. In the case of the elver fishery, the MITSC report issued in June 2014 describes the Passamaquoddy Tribe's advocacy of "a management plan that limited the Tribe's overall catch rather than the number of individual fishers, as a more efficient conservation method than the state's plan which limited the number of individuals entering the fishery...without limiting the catch." This makes sense to our ears. It sustains the resource. We want tribal voices to be heard and respected for their wisdom.

We appreciate the patient work required to achieve a durable agreement. Honestly acknowledging the legitimate interest of both tribe and state – in permitting, quotas, exports, and profits – and solving this puzzle holistically represents a big challenge.

But the goal must be a just solution, one that can be respected and adhered to by all participants. One that we can be proud of.

We can make this kind of creative progress in Maine. We believe we must find the courage to do so. It requires a sober, mature decision to honor the inherent rights of the tribes in matters that vitally affect their cultural survival. For what is the alternative? To paraphrase John Ralston Saul in his new book *The Comeback*, do we really want to confirm to Wabanaki young people that their only possible relationship to state government is one of negativity and bitterness?

We rely on our elected officials to safeguard not only our resources but also the dignity and ethical soundness of our collective civic action. Our actions this year will help determine what sort of a society we are creating for all our youngsters.

We ask that the Committee on Marine Resources support the passage of LD 1262.

Thank you.