



A Report to
The Joint Standing Committee on
Transportation

AS REQUIRED UNDER
Title 5, Chapter 376, Section 11055

Beginning January 10, 2023 and biennially by January 10th thereafter, an agency shall file a report with the joint standing committee or committees of the Legislature having jurisdiction over the agency and with the Maine Indian Tribal-State Commission on the activities of the agency pursuant to this Act.

Background:

In 2022, representatives of the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, the Penobscot Nation, and the Governor's Office negotiated the terms of legislation intended to expand economic opportunities for, and improve the welfare of, the Wabanaki Nations and their citizens, and to make structural changes in certain state agency decision-making to promote government-to-government dialogue with the Wabanaki Nations. That legislation, enacted as Public Law 2021, c. 681, contains three parts. First, it amends Maine's tax laws both to provide financial benefits to Tribal citizens residing on Tribal lands, and to encourage economic development on Tribal lands. Second, it provides each of the four Wabanaki Nations located in Maine the exclusive opportunity to conduct mobile sports wagering operations within the state. Third, it establishes in law a Tribal-State collaboration process designed to promote meaningful communication on issues of particular significance to the Tribes and their citizens.

The Tribal-State Collaboration Act:

The Tribal-State Collaboration Act, 5 MRSA § 11051 *et seq.*, requires fifteen agencies identified in the statute to engage in a Tribal collaboration process regarding contemplated programs, rules, or services that substantially and uniquely affect Maine's four federally recognized Tribes or their citizens. It is intended to be a user-friendly process free from unnecessary bureaucracy that will be implemented within existing resources.

5 MRSA § 11053 (1) requires each agency covered by the statute to adopt a collaboration policy. The Department of Transportation adopted its collaboration policy on December 13th 2022. The Department's Tribal liaison, as required by 5 MRSA §11053(3), is Jarod Farn-Guillette, who can be reached at jarod.farn-guillette@maine.gov, or 207-215-9558. On December 6, 2022, the Governor's Office provided training on how to implement the statute in a manner that promotes effective communication and positive government-to-government relations with the Tribes. The Governor's Office has also requested that the Maine Indian Tribal State Commission (MITSC) help to facilitate training of state agency Tribal liaisons on issues of cultural competency, and MITSC has agreed to do so. We look forward to that training as soon as it can be arranged in 2023.

The Tribal-State Collaboration Act became law on August 8, 2022. The Department of Transportation has since engaged in Tribal collaboration with all four of the Tribes and Nations. The following is a summary of the engagement and collaborations:

Houlton Band of Maliseet

January 24th, 2023

MaineDOT staff presented the Family of Plans Update to Houlton Band of Maliseet (HBoM) and all nations. Additional feedback was provided to Sharri Venno at HBoM on the Portland-Bangor Transit Study.

February 4th, 2023

MaineDOT tribal liaison met with Patrick Adams, FHWA regarding contacts at the four tribes and nations to support Safe Streets and Roads for All (SS4A) and Federal Highway Administration (FHWA) Tribal specific program outreach.

March 14th, 2023

MaineDOT tribal liaison attended Wolostoquey Steering Committee meeting for the National Fish and Wildlife Foundation Application, with additional representatives from Department of Agriculture and Forestry (DACF), The Nature Conservancy and additional MaineDOT Staff – on-line meeting

May 24th, 2023

MaineDOT tribal liaison attended provided NACTO micromobility/ bicycle design guidelines to HBoM

June 13th, 2023

MaineDOT tribal liaison supported Deputy Commissioner Fisher regarding LRAP funding.

July 17th, 2023

MaineDOT tribal liaison supported MaineDOT staff on National Electric Vehicle Infrastructure (NEVI) coordination and tribal nation outreach to include Houlton Band of Maliseet. This outreach was to assess the EV charging needs of tribal communities and governments and possible benefits to economic outcomes.

July 13th, 2023

MaineDOT tribal liaison attended Wolostoquey Steering Committee meeting for the National Fish and Wildlife Foundation Application, with additional representatives from DACF, The Nature Conservancy and additional MaineDOT Staff – on-line meeting

June 22nd, 2023

MaineDOT tribal liaison disseminated on behalf of USDOT Tribal & Rural Transportation Grant Information related to NOFOs, Webinars and Contacts at USDOT to Aroostook Mi'kmaq Nation via email.

September 13th, 2023

MaineDOT tribal liaison provided support for MaineDOT Environment and Consultants on contacts pertaining to engagement and outreach, and coordination on Offshore Wind Port Facility.

January 17th, 2024

MaineDOT tribal liaison supported OSWP Houlton Band of Maliseet Coordination Letter.

April 18th, 2024

MaineDOT tribal liaison provided SS4A Rural and Tribal Applicant notifications to all Tribes and Nations per the Request of Patrick Adams, FHWA. Mi'kmaq Nation expressed interest in pursuing an SS4A grant.

January 19th, 2024

MaineDOT tribal liaison provided Houlton Band of Maliseet registration information for USDOT Webinar – How to Compete for RAISE Grants: Rural and Tribal Applicants.

March 18th, 2024

MaineDOT tribal liaison disseminated the Draft Complete Streets Policy for review to the Houlton Band of Maliseet.

June 24th, 2024

MaineDOT Bridge coordinated with Brian Stewart regarding Foxcroft Road and Cooks Brook Bridge #22240 and required highway alignment and coordination for MaineDOT's project, and HBoM's project on Foxcroft Road.

July 1st, 2024

MaineDOT tribal liaison coordinated with Armanda Davis of Four Directions Maine to connect with Aaron Haney at Houlton Band of Maliseet Tourism.

July 11th, 2024:

MaineDOT and NMDC met with the Houlton Band of Maliseet Tourism and Economic Coordinator regarding EV charging stations, tribal needs and vision along with investments in transportation infrastructure for economic development

July 24th, 2024:

MaineDOT tribal liaison disseminated FHWA Tribal Transportation Bridge Facility program information via email to Houlton Band of Maliseet staff.

September 16th & 24th, 27th 2024:

MaineDOT tribal liaison coordinated with Brian Stewart, engineer for Houlton Band of Maliseet on status of design for Smith Brook Culvert on Foxcroft Road. Brian Stewart indicated that additional staff were hired to begin drafting the plans.

September 24th, 2024:

MaineDOT tribal liaison extended Local Project Administrator (LPA) training invitations to Houlton Band of Maliseet.

October 16th, 2024:

MaineDOT tribal liaison extended an invitation to Chief and Council for a site visit to the potential Offshore Wind Energy Port Facility on Sears Island.

Mi'kmaq Nation

June 22nd, 2023

MaineDOT tribal liaison provided USDOT's Tribal & Rural Transportation Grants weblink to Aroostook Mi'kmaq Nation with offer to provide assistance as needed.

July 13th, 2023

MaineDOT tribal liaison assisted Deputy Commissioner Fisher with regards to LRAP funding and Aroostook Mi'kmaq Nation.

July 21st, 2023

MaineDOT tribal liaison along with FHWA Community Planner for Maine met with Nichole Francis, Aroostook Mi'kmaq Nation at Connor Township Housing to discuss options to address safety and speeding issues along US 1. A concept plan was requested for possible alternatives and demonstration projects.

July 31st, 2023

MaineDOT tribal liaison provided contacts to MaineDOT environment, Taylor LeBrecque, for tribal contacts for a transportation working group.

August 7th, 2023

MaineDOT tribal liaison & Region 4 & 5 planner provided a draft demonstration project to Mi'kmaq Nation for US 1 at Connor Township to mitigate non-compliance with the posted speed limit. Attached in Appendix

August 14th – 21st, 2023

MaineDOT tribal liaison coordinated with Nichole Francis, Aroostook Mi'kmaq Nation on the Tribal Strategic Plan and paths to implement additional safety improvements at Connor Township Tribal Housing. See Appendix.

September 19th, 2023

David Silver, Aroostook Mi'kmaq Nation, Transportation, Realty and Assets Manager, provided Emergency Road Closure notification on tribal roadways. Coordination for an October meeting.

October 12th, 2023

MaineDOT tribal liaison met with David Silver, Aroostook Mi'kmaq Nation, regarding Doyle Road/US 1 and Micmac Farms.

December 12th, 2023

MaineDOT tribal liaison met with David Silver, Aroostook Mi'kmaq Nation, via TEAMS

regarding an OTT grant application. Further correspondence with MaineDOT and FHWA, detailed Mi'kmaq Nation's moving forward as a DOT and council's resolution. Attached in Appendix.

January 8th, 2023

MaineDOT tribal liaison, FHWA Community Planner Maine and David Silver, met at Spruce Haven to discuss the following topics and conduct site scoping for mutually beneficial projects.

- Connor TWP housing
- Tribal Housing adjacent NMCC
- Coordination with Mi'kmaq Nation and Presque Isle VPI – Plan Phase
- Mi'kmaq Farms and US1 access
- Doyle Road and Pow-wow Lands access and safety

January 19th, 2024

MaineDOT tribal liaison provided Aroostook Mi'kmaq Nation registration information for USDOT Webinar – How to Compete for RAISE Grants: Rural and Tribal Applicants.

January 22nd, 2024

MaineDOT tribal liaison provided Aroostook Mi'kmaq Nation Tribal Development of Trails and Other Dedicated Pedestrian and Bicycle Infrastructure guide from FHWA. David Silver requested a Letter of Support for a proposed trail at Micmac Farms and Spruce Haven. Attached in Appendix.

January 31st, 2024

Adam Larsen, FHWA, Office of Tribal Transportation, requested a letter or email from MaineDOT acknowledging Mi'kmaq Nation DOT Safety Planning Project a Doyle Road / US Route 1 in Caribou. Attached in Appendix.

January 31st, 2024

MaineDOT tribal liaison provided FHWA a letter of awareness of the Mi'kmaq Nation's intended safety study at Doyle Road / US – 1 in Caribou. Attached in Appendix.

January 31st, 2024

Adam Larsen, FHWA, Office of Tribal Transportation, acknowledged receipt of letter from MaineDOT as satisfying the requirement from the Road Owner.

February 2nd, 2024

MaineDOT tribal liaison shared high crash location information with David Silver.

March 18th, 2024

MaineDOT tribal liaison disseminated the Draft Complete Streets Policy for review to the Aroostook Mi'kmaq Nation.

March 27th, 2024

MaineDOT tribal liaison met with Adam Larsen, FHWA OTT, David Silver, Roger Markos (grant consultant) and Paige Meilius, FHWA Maine regarding the Doyle Road / US 1 Grant Application and SS4A grant applications. Via TEAMS.

May 31st, 2024

MaineDOT tribal liaison met with David Silver, Roger Markos, Paige Melius, FHWA regarding the Doyle Road / US 1 study via TEAMS.

May 31st, 2024

MaineDOT tribal liaison received FHWA OTT award letter of \$145,000.00 to Mi'kmaq Nation from David Silver along with grant application form. Attached in Appendix.

August 5th, 2024

MaineDOT tribal extended invitation to the ribbon cutting at the Madawaska International Port of Entry to Chief Peter-Paul and Nichole Francis and other members of council.

August 21st, 2024

MaineDOT tribal liaison met with David Silver and additional Mi'kmaq DOT Staff, along with Jay Kamm regarding the Doyle Road / US 1 Feasibility Study and provided guidance on project delivery approaches.

August 27th, 2024

MaineDOT tribal liaison provided correspondence to David Silver, Shane Hill and Nichole Francis, Mi'kmaq Nation regarding process and suggestions for the Doyle Road – US 1 Feasibility Study. Attached in Appendix.

October 1st, 2024

MaineDOT tribal liaison and additional MaineDOT staff attended a seminar by Darcel Collins of the Office of Tribal Transportation (OTT) explaining the role of OTT and contacts for MaineDOT at OTT in working collaboratively with Tribal DOTs, FHWA and StateDOTs.

October 23rd, 2024

MaineDOT tribal liaison coordinated with MaineDOT Safety to conduct a MioVision count for traffic volumes and turning movements at Doyle Road – US 1 in Caribou.

November 13th, 2024

MaineDOT tribal liaison met with David Silver, Mi'kmaq Nation DOT, Darcel Collins, FHWA

OTT, regarding the Doyle Road – US 1 study and next steps. Jay Kamm, NMDC provided a draft RFP for Mi'kmaq Nation to use for the consultant procurement for the Doyle Road – US 1 Caribou Feasibility Study. Attached in Appendix.

November 27th, 2024

MaineDOT tribal liaison received MioVision Counts for Caribou – Presque Isle Town Line at Doyle Road from MaineDOT safety staff.

January 3rd, 2025

MaineDOT tribal liaison provided traffic counts from MioVision to Mi'kmaq Nation.

January 17th, 2024

MaineDOT tribal liaison supported OSWP Mi'kmaq Nation Coordination Letter.

Passamaquoddy (Sipayik and Motahkomikuk)

January 9th, 2023 – Sipayik

MaineDOT tribal liaison met with Vice Chief Bassett regarding safety improvements and pedestrian safety at Sipayik. Additional meetings with tribal staff were requested by the TO.

January 13th, 2023 – Sipayik

MaineDOT tribal liaison followed up with Chief and Council and William Altaveter regarding potential pedestrian safety improvements at SR 190 to connect the tribal offices, youth center, health center and school.

January 24th, 2023 – Motahkomikuk

MaineDOT tribal liaison and staff met with tribal representatives regarding stormwater management.

May 16th, 2023 – Motahkomikuk & Sipayik

MaineDOT coordinated with representative from Passamaquoddy Nation on Offshore Wind Energy Port Facility.

September 26th, 2023 – Motahkomikuk & Sipayik

Coordination with MaineDOT Bridge and Passamaquoddy Environmental Department on Chase Mill Road and Bridge #5465. Tribal Liaison provided a copy of the MaineDOT Tribal Liaison Policy to Bridge.

January 3rd, 2024 –Sipayik

Coordination with MaineDOT, US Army Corps of Engineers (USACE) on Half-Moon Cove Study.

January 12th, 2024 –Sipayik

TEAMS meeting with MaineDOT tribal liaison and USACE, Keith Hannon, re: Half-Move Cove.

January 12th, 2024 –Sipayik

MaineDOT tribal liaison provided Ralph Dana, Passamaquoddy Env. Dept and all tribes registration link to USDOT Webinar.

January 17th, 2024

MaineDOT tribal liaison supported OSWP Passamaquoddy Nation Coordination Letters.

August 19th, 2024 –Sipayik

MaineDOT tribal attended reoccurring monthly meetings with USACE, Passamoquoddy Environment on Half-Moon Cove. Ongoing.

September 19th, 2024 –Sipayik

Meeting with MaineDOT, Governors Office of Energy and Tribal Staff and representatives from all both tribes regarding Offshore Wind.

Penobscot Nation

June 1st, 2023

MaineDOT tribal liaison coordinated outreach to James Francis, Tribal Historic Preservation Officer (THPO), regarding contacting Charles Norman Shay, with MaineDOT Maine State Ferry Services, MaineDOT COO and Creative Services for the naming of the MSFS Charles Norman Shay and ceremony at Rockland Ferry Terminal.

January 17th, 2024

MaineDOT tribal liaison supported MaineDOT staff with Penobscot Nation Coordination Letter.

March 18th, 2024

MaineDOT tribal liaison coordinated a meeting with Chris Sockalexis, THPO, Penobscot Nation, on interpretive panels and Llewellyn Estes Bridge concepts.

March 18th, 2024

MaineDOT tribal liaison coordinated a meeting with Chris Sockalexis, THPO, Penobscot Nation, on interpretive panels and Llewellyn Estes Bridge concepts.

August 21st, 2024

MaineDOT tribal liaison coordinated a meeting with Bridge and Penobscot Nation (THPO) on Llewellyn Estes bridge concepts and interpretive panels. At the meeting the Penobscot THPO expressed interest in coordination on Penobscot history on interpretative panels at scenic overlook planned to be included on the bridge.

August 27th, 2024

MaineDOT tribal liaison coordinated a meeting with Maine DMR, MaineDOT Environment and Penobscot Nation Environment regarding infrastructure and sea run fish. MaineDOT tribal liaison coordinated a meeting with Chris Sockalexis, Tribal Historic Preservation Office (THPO), and MaineDOT Creative Services, regarding Blue Hill Falls bridge.

September 12th, 2024

MaineDOT tribal liaison attended naming ceremony for the MSFS Charles Norman Shay in Rockland for service to Matinicus Island.

September 19th, 2024

MaineDOT tribal liaison attended tribal coordination TEAMS meeting with representatives of Penobscot Nation regarding Offshore Wind Energy – Chris Sockalexis, THPO, Allison Binney (attorney) Charles Loring (environmental department) and Maulian Bryant were in attendance.

October 29th, 2024

MaineDOT tribal liaison attended with Matt Burns, Kristen Chamberlian, and Commissioner Van Note of MaineDOT a site visit with Chris Sockalexis, THPO, Penobscot Nation at Sears Island.

Trainings, Memberships & Conferences

October 21st 2024

MaineDOT staff Ian Gorecki and Deputy Commission Dale Doughty attended the cultural history and competency training at Fort Chamberlain provided by Wabanaki Public Health & Wellness. The training covered History and Culture Sharing Training at Camp Chamberlain on October 21st. Additional staff from the BACTS MPO attended, Jack Boises.

September 11th to 13th, 2024

MaineDOT landscape architect, Larry Johanesman attended the Four Directions Wabanaki Cultural Tourism Conference at Sunday River.

On-going

MaineDOT tribal liaison is a member of the Tribal and Indigenous Planning Division of the American Planning Association.

For additional information please contact the Maine Department of Transportation Tribal Liaison Jarod Farn-Guillette at jarod.farn-guillette@maine.gov or 207-215-9558.