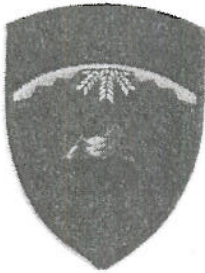


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DATE: March 4, 2008

TO: Roland D. Martin, Commissioner
Inland Fisheries & Wildlife, 284 State Street, 41 State House Station,
Augusta, ME 04333-0041

FROM: William Nicholas, Tribal Governor

SUBJECT: Alewives and Passamaquoddy Reservation Waters

Dear Commissioner Martin:

The Passamaquoddy Tribe at Indian Township would like to submit these comments as related to L.D. 1957 - "An Act To Restore Diadromous Fish in the St. Croix River".

I attended and testified at the public hearing on Monday and I would like to clarify a few points that weren't addressed completely. We already know the potential negative biological and economic impacts that may occur if this bill is signed into law, but we have not addressed the fundamental breakdown in communication that has occurred between the State of Maine and the Passamaquoddy Tribe.

The Dept. of Marine Resources (DMR) and the Dept. of Inland Fisheries and Wildlife (IF&W) have been working together on various aspects of the proposed legislation. This is the proper avenue since these two agencies will be directly affected if this legislation passes. **The question is: Why hasn't the Passamaquoddy Tribe, a sovereign nation with physical, economic and cultural ties to the affected water been notified or contacted?**

As admitted by members of DMR (Pat Keliher), they do not fully know the impacts that alewives will have on Passamaquoddy Reservation waters. To support such legislation would be irresponsible of any state or joint agency with obligations to The Passamaquoddy Tribe.

The Maine Indian Tribal State Commission (MITSC) has testified in favor of LD 1957. There should be no weight given to this testimony because MITSC has no jurisdiction on any of the waters that this legislation would affect. Furthermore, both Passamaquoddy MITSC representatives abstained from this vote.

Passamaquoddy Tribe at Motaikmikuk - Warden Service
Phone: (207) 796-2677/2217 fax: (207) 796-5582

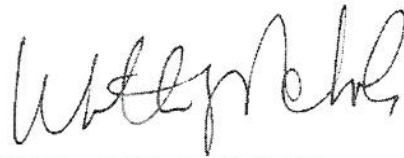
P.O. Box 446 Princeton, Maine 04668
johnsewell@passamaquoddy.com

The Passamaquoddy Joint Tribal Council last addressed this issue in 2001 and a resolution was passed. There have been no resolutions regarding alewives since. Passamaquoddy Tribe Joint Tribal Council Resolution # 3/19/01-4 " Now therefore be it resolved that the Passamaquoddy Joint Tribal Council supports the continued ban on introduction of Alewives into the waters above Grand Falls."

Lastly, it is in the Tribes opinion that IF&W has not followed through with the Maine Indian Land Claims Settlement Act as it pertains to potential negative affects on our reservation waters.

Please call me at (207) 796-2301 if there are any questions or comments.

Sincerely,



William Nicholas, Tribal Governor

Cc: John Baldacci, Governor
#1 State House Station,
Augusta, ME 04333-0001

Cc: George Lapointe, Commissioner
Maine Department of Marine Resources
21 State House Station
Augusta ME 04333-0021