



Friends of Casco Bay

Casco BAYKEEPER

May 4, 2021

Senator Anne Carney
Representative Thom Harnett
Committee on Judiciary
% Legislative Information Office
100 State House Station
Augusta, ME 04333
JUD@legislature.maine.gov

Re: Friends of Casco Bay Testimony in Support of LD 1626: An Act
Implementing the Recommendations of the Task Force on Changes to the Maine
Indian Claims Settlement Implementing Act

Dear Senator Carney, Representative Harnett, and Esteemed Members of the
Committee on Judiciary,

Please accept this letter as Friends of Casco Bay's testimony in support of LD
1626: An Act Implementing the Recommendations of the Task Force on Changes
to the Maine Indian Claims Settlement Implementing Act.

Friends of Casco Bay is a marine stewardship organization formed in 1989 to
improve and protect the environmental health of Casco Bay. We monitor the Bay,
and use that data to inform our advocacy and engage our communities in efforts to
improve and protect the health of our coastal waters for the use of all people.

We acknowledge that long before we cared for Casco Bay, indigenous peoples
populated its shores and lived in relationship with the Bay. Prior to European
colonization, robust indigenous communities lived by and depended on the Bay for
sustenance. Many of Casco Bay's coves and islands bear names that reflect the
region's rich indigenous history.

For example, the Abenaki called the Bay Aucocisco, or "the place of the herons."
They named Chebeague, which means "isle of many springs," for its many
freshwater springs. Maquoit Bay, which means "bear place" or "bear bay," was
named for the bears drawn to its shores by former runs of Atlantic Salmon. On
some of Casco Bay's islands, you can find spear and harpoon points, fish bones,
and shell heaps indicative of indigenous peoples' late winter, spring, and summer
camps.

Since the arrival of European settlers and the founding of the State of Maine, much
has changed for the indigenous people who live here. Today, Wabanaki tribes have
lost 98 percent of their people, access to most land and waters, and their ability to
sustain themselves in traditional ways. For the past 40 years the tribes' inherent
sovereignty has been restricted by the State of Maine, more than in any other state
and despite the federal government's recognition of indigenous sovereignty.

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As recently as the 1970s, Wabanaki tribes held legal claim to more than one million acres of land “owned” by private landowners and the State of Maine. To avoid hostilities and legal disputes, the federal government brokered a settlement between the State of Maine and the tribes – the Maine Indian Claims Settlement Act of 1980. This act was intended to provide funding and facilitate a process for the tribes to replace the land unjustly taken from them. Due to many factors, the tribes have not been able to purchase the amount of the land that was intended by the Act. Moreover, the State of Maine and tribes have different interpretations of the Act, which has led to costly, legal conflicts.

Last year, a bipartisan task force recommended 22 changes to Maine law to recognize the sovereignty of Wabanaki tribes. There are many reasons Maine should recognize the sovereignty of the Wabanaki people, but principally because this right is inherent and its recognition represents one step toward healing the centuries of harm European settlers and the State of Maine have inflicted upon the tribes.

Included in the 22 recommendations are the tribes’ rights to regulate hunting, fishing, natural resources, and land use on tribal lands, as allowed by federal law. As environmental degradation in Maine persists and the current impacts and looming threats of climate change continue to mount, restoring the Wabanaki tribes’ ability to manage tribal lands, water, and natural resources is not only just, but also will help improve and protect the environmental health of Maine for generations to come.

Out of respect for tribal sovereignty, the deep connection of the Wabanaki tribes to the natural world, and recognition of the shameful history of colonization that continues to impact us all, Friends of Casco Bay respectfully requests that this committee recommend that LD 1626 OUGHT TO PASS.

Thank you for considering our testimony.

Respectfully submitted,



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