

Bangor Area, Maine: Technical Assistance and Coordination between a Tribe and MPO

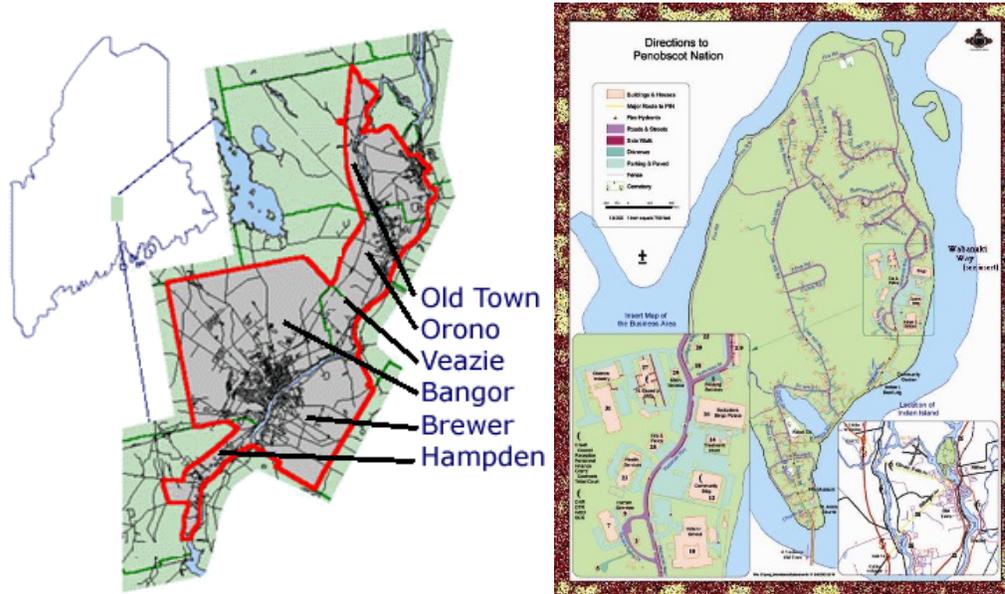
Overview

In Maine, monthly meetings and regular communication have formed the basis for a growing partnership between the Penobscot Indian Nation, Bangor Area Comprehensive Transportation System (BACTS), and the Federal Highway Administration (FHWA). FHWA and BACTS provide services, training, and information to the Penobscot Indian Nation. In addition, tribal participation on the BACTS policy and planning committees has contributed to improved regional planning and coordination in the Bangor area.

Background

The Penobscot Nation (population 2,129) largely resides on Indian Island on the Penobscot River in Eastern Maine. Their homeland covers approximately one-third of the area that is now the State of Maine.¹ Today, the Penobscot Nation's landholdings consist of approximately 150,000 acres in numerous parcels throughout the State. The Penobscot Nation Council is composed of 12 elected members, led by a chief and vice chief.

Bangor Area Comprehensive Transportation System (BACTS) Coverage Map and Indian Island



Indian Island is Near Old Town

The Bangor Area Comprehensive Transportation System (BACTS) is the metropolitan planning organization (MPO) for the Bangor metropolitan area. Housed within the Eastern Maine Development Corporation (EMDC), BACTS is governed by a policy committee and a technical committee. Members of the committees are drawn from municipal officials (both elected and appointed) of the member cities and towns, and a representative of the Penobscot Nation. In addition, representatives from several

¹ Penobscot Indian Nation FY03 Fact Sheet, from John Perry (FHWA)

government agencies, including FHWA, the Federal Transit Administration, Maine Department of Transportation, and EMDC, serve on the committees. BACTS is staffed by a director, two transportation planners, a technician, and an administrative assistant.

Tribal Involvement in the MPO

The policy and technical committees organized by BACTS meet separately every other month, in addition to more issue-specific meetings held at other times. Since 2000, David Pardilla, facility manager for the Penobscot Nation, has regularly participated in these meetings. The Penobscot Nation began participating in BACTS meetings due to a personal connection between FHWA Division Planner John Perry and Mr. Pardilla.

The primary goal of the BACTS policy and technical committees is to provide for the safe, economical, efficient, effective, and convenient movement of people and goods over a multimodal transportation system compatible with the socioeconomic and environmental characteristics of the region. The policy and technical committees develop the draft Transportation Improvement Plan (TIP). Mr. Pardilla participates as a full voting member representing the Penobscot Nation.

Since no roads on Penobscot Nation land are classified above a local road, few opportunities have arisen for BACTS to become directly engaged in projects on tribal lands. Instead, BACTS primarily assists the Penobscot Nation by providing technical assistance through activities such as traffic counting. BACTS also operates a bus system that runs in the proximity of Indian Island.

In 1999, EMDC worked with the Penobscot Nation to examine the Tribe's road and transportation systems. At that time, EMDC inventoried the roads and condition of roads, and made suggestions for the development of bicycle and pedestrian facilities.

Prior to working as facility manager for the Penobscot Nation, David Pardilla spent 16 years working at the Bangor Public Works Department, during which time he became familiar with BACTS staff. Through Mr. Pardilla's relationship with BACTS staff, the Tribe's prior experience with EMDC, and with FHWA's encouragement, members of the Penobscot Nation became involved with BACTS on policy and planning issues and joined its policy and technical committees.

The Tribe corresponds regularly with FHWA and BACTS regarding ongoing training and workshop opportunities, and has found it helpful to know who to contact when issues arise. Maine DOT's Local Technical Assistance Program assists the Tribe by providing information on issues such as snow and ice training for roads. This training has improved the Tribe's technical capacity to control snow and ice on roads and prepare for winter storms.

Results

The coordination effort between the Penobscot Nation and the government agencies and organizations has been considered a success for

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several reasons. The coordination efforts have helped increase MPO staff understanding of tribal transportation needs and improved the relationship between BACTS and the Penobscot Nation. In addition, members of the Penobscot Nation have found it valuable to be involved with the BACTS policy and technical committees and to have a vote on issues that affect the entire region. While the projects discussed at the BACTS meetings generally are not located directly on the Penobscot reservation, the Tribe has a vote on projects involving the surrounding community, which also affect the Tribe. In addition, members of the Tribe can easily obtain information and share concerns by participating in these meetings and using the resources provided at the meetings. Knowledge sharing and technical capacity building occurs formally through the policy and technical committee meetings and informally through project tours and discussions.

As a result of these interactions, BACTS has coordinated with the Penobscot Nation to conduct traffic counts on reservation roads to fulfill requirements enacted by the Bureau of Indian Affairs (BIA). In addition, FHWA and BACTS staff are available to provide technical assistance to the Penobscot Nation, which lacks a transportation planner.

The Penobscot Nation has taken advantage of negotiated bulk purchasing for road maintenance through their participation in the MPO.

Another benefit of participating in the MPO is increased coordination that allows the Penobscot Nation to take advantage of negotiated bulk purchasing for road maintenance. All of the large cities and small towns that comprise Penobscot County come together to purchase bulk items such as salt and sand. The Penobscot Nation participates in this program, which saves the Tribe \$20 to \$30 per ton of salt. Although tribes are often hesitant to

work with local governments out of concerns about sovereignty and compromising their status as nations, the Tribe's partnership with neighboring localities has benefited all participants and is a direct result of participation in regional transportation planning activities.

Challenges and Opportunities

BACTS and the Penobscot Nation are both in the process of learning more about how the Tribe receives its transportation dollars and how to fund projects. The Tribe currently requests funding through BIA and informs BACTS of projects that the Tribe plans to pursue. According to BACTS, further discussions among the Tribe, BACTS, and FHWA to evaluate the state of coordination efforts would be beneficial.

Several potential opportunities exist for future transit and enhancement projects with the Penobscot Nation. The Tribe, for example, has a bingo hall on the island. When bingo is held on the weekends, traffic dramatically increases as buses travel on and off the island's sole bridge. To travel on the island, many of the coaches must ride through residential areas. The turning radii in these areas, however, can be tight. More funding is required to widen the lanes, and the island is already significantly developed. Future opportunities for coordination may be possible with funding under the recently passed transportation reauthorization law, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users, or SAFETEA-LU.

Lessons Learned

Several lessons can be gleaned from the coordination experience between FHWA, BACTS, and the Penobscot Nation:

- Personal relationships can help initiate and contribute to coordination processes. The role of individuals is often critical in building relationships between tribes, states, and other governmental organizations.
- Tribes are often hesitant to participate in an MPO due to concerns about tribal sovereignty. However, a tribe does not diminish its sovereignty by participating in an MPO, and can benefit from the relationship. These benefits can include cost savings to the tribe through coordinated purchasing agreements, a role in shaping plans and projects that can improve tribal mobility and access, and technical or financial support for planning studies addressing tribal areas.
- Knowledge sharing and technical capacity building can occur formally through planning and policy meetings, and informally through project tours and discussions.

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Other Resources

BACTS policy committee: <http://www.bactsmmpo.org/bactspolicy.htm>

BACTS technical committee: <http://www.bactsmmpo.org/bactstechnical.htm>

Penobscot Indian Nation Web site: <http://www.penobscotnation.org>