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Transboundary Indigenous Oil Spill Risk and Eco-cultural Resources

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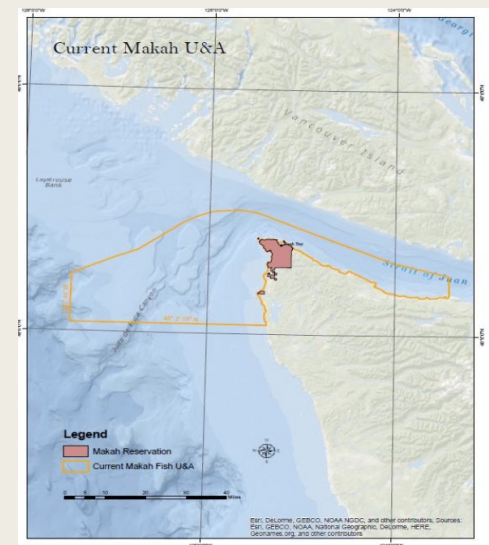
Reflections from the 2021 Transboundary Indigenous Spill Risks Workshop

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&
Dr. Natalie Lowell
Hershman Fellow

Salish Sea Ecosystem Conference, April 2022

Makah Indian Tribe

- Q^Widicca?a'tx = “People of the Cape,” Nuu-Chah-Nulth
- Inextricable dependence on ocean resources for economy, food security, cultural practices and wellbeing
- Cultural protocol ensures access to abundant ocean resources
- 1855 Treaty of Neah Bay Terms and Conditions
 - *Reserved the right to retain our cultural identity based on our spiritual values*
 - *Ceded 300K acres of land for clearer treaty access to the ocean & it's resources*
 - *Hunt, gather, fish, whale, seal within Usual and Accustomed areas*
 - *Established federal trust responsibility, government-to-government relationship*



Timeline of key events



Spills in Makah territory

- 1972 – General Meigs, 2.3M gallons
- 1988 – Nestucca, 231K gallons
- 1991 – Tenyo Maru, 361K

Capacity Building

- 1999 – Emergency Response Towing Vessel in Neah Bay
- 2008 – Office of Marine Affairs, Regional Response Team
- 2013 – US Coast Guard District 13 Memorandum of Agreement
- 2018 – Indigenous Caucus

Need transboundary capacity

The **problem**

- Spills won't respect the US-Canada border
- Insufficient resource protection measures
- Colonial border impedes effective response

The **solution**

- Develop transboundary knowledge & shared approach
- Build capacity for self-determined and sovereign participation
- Advance transboundary consultative model



Gaining momentum for transboundary capacity

- 2018 Strait of Juan de Fuca Indigenous Caucus Meeting (at CANUSPAC)
- 2019 Coordination with US Coast Guard to formalize Caucus
- **2021 Transboundary Indigenous Spill Risks Workshop**



Transboundary Indigenous Spill Risks Workshop Goals

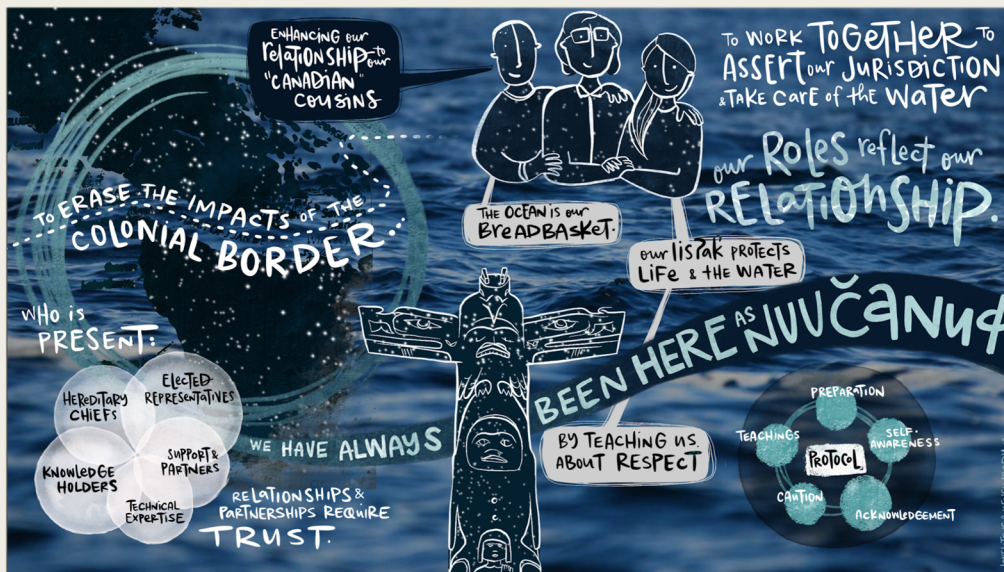
- **Create and maintain connections** between US Treaty Tribes and First Nations of Canada with shared interests related to shipping safety, oil spill risks, and eco-cultural resources.
- **Share information and experience** that could enhance transboundary Indigenous interests in shipping safety, oil spill risks, and eco-cultural resources.
- **Identify opportunities** to leverage past successes and new collaborations to build capacity to protect eco-cultural resources and minimize oil spill risks to Tribes and First Nations.

Insights from workshop

- Build on Nuu-chah-nulth protocol toward self-determination and protecting marine space
- Watershed moments can occur through careful work with partners, not just crises
- Strength in relationships and shared cultural and spiritual values
- Can protect both resources and sensitive information
- Comparing how federal governments do (or do not) accommodate indigenous rights and title leads to forward vision



Graphic recording



Artist: Corrina Keeling

Benefits

- Supports discussions in real-time
- Captures information beyond words
- Can help with language barriers

What's next for transboundary capacity

- **2022 Transboundary Indigenous Workshop**
 - Sharing learning lessons with planning, preparedness, and response and damage compensation
 - Advancing the transboundary consultative model
 - *MV Zim Kingston* case study
- **Formalizing the Indigenous Caucus** through partnership with US Coast Guard District 13

Acknowledgements



- Kristine Gatzke, Pacheedaht First Nation
- Participants of the 2018 Indigenous Caucus meeting
- Participants of the 2021 Transboundary Workshop

Get in touch!

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