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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Salish Sea Ecosystem Conference, April 2022
Makah Indian Tribe

- Qʷidiccaʔaʔtx = “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 & its 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

Benefits

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

Artist: Corrina Keeling
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
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Get in touch!
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