



2017 Winter Convention Grand Mound, WA

RESOLUTION #17 - 10

“OPPOSE WASHINGTON STATE SENATE BILL 5171 TO REVERSE THE CHERRY POINT AQUATIC RESERVE DESIGNATION”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, since time immemorial, our economy, culture, religions and way of life has been centered around our fishing, hunting, and gathering resources, and the lands and waters upon which they depend, and we have been and remain careful and conscientious stewards over them to ensure their continued health and well-being; and

WHEREAS, the ATNI member Tribes depend on the natural resources of this region to sustain our way of life, rights to fish, hunt and gather, our economies, human health and fulfill our sacred obligation to protect our First Foods and our most precious natural resources, water; and

WHEREAS, the ATNI member Tribes work tirelessly to protect tribal members health, safety, welfare, and futures both within and outside tribal reservations; and

WHEREAS, since time immemorial, the waters and shorelines of the Salish Sea and other waterways in Washington, Oregon, Montana, Alaska, Northern California, and Idaho have been the lifeblood of the tribes of ATNI, the center of our cultures, and ever will be; and

WHEREAS, for almost half a century, federally recognized treaty tribes and Executive Order Tribes along these waters have served as co-managers of the natural resources in those waters, based on our treaties with the United States government that reserved pre-existing rights never ceded by tribes and that are the supreme law of the land under Article VI of the U.S. Constitution; and

WHEREAS, planned increases in large-scale maritime transportation in these marine waters are of grave concern to the tribes of ATNI due to physical interference with treaty-reserved rights and significant risks to reserved fishing grounds and natural resources posed by increased commercial transport of bulk energy materials such as liquid natural gas, methane, oil, coal and other bulk materials; hazardous materials and other waste materials; and the construction of their support facilities in these waters; and

WHEREAS, proposed increases in large-scale maritime transportation and support traffic, as well as construction of support facilities, can increase existing direct physical interference with treaty fishing rights through permanent dock construction, use and expansion of vessel traffic lanes, increases in traffic outside those lanes, anchoring, refueling (bunkering), discharge of ballast water, small and large spills of fuel and hazardous cargo, and increasing movements at night or during high winds, strong tides, or periods of limited visibility; and

WHEREAS, the ATNI member Tribes recognize that federal, state and local agencies play a central role in regulating large-scale maritime traffic in Washington, Oregon, and Idaho; however, ATNI tribes cannot accept that tribes and tribal lands and fishing grounds are bearing a disproportionate share of the significant risks from the hazards of large-scale maritime transportation, including direct threats to access vital tribal fisheries; and

WHEREAS, the Lummi Nation and surrounding ATNI members have successfully advocated to prevent the construction and operation of the Gateway Pacific Terminal, a major coal export terminal to be located within its traditional territory located at Xwe'chieXen (Cherry Point); and

WHEREAS, on January 3, 2017, the Washington State Public Lands Commissioner Peter Goldmark designated additional lands at Cherry Point as State aquatic reserve lands closed to development; and

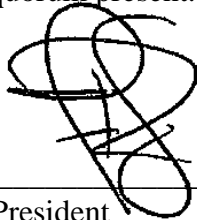
WHEREAS, the Washington State Legislature is considering Senate Bill 5171 that would direct the reversal of Commissioner Goldmark’s decision and require legislative approval for future aquatic reserve designations; and

WHEREAS, the ATNI member Tribes have strong concerns that Senate Bill 5171 will increase the risk that proponents of the Gateway Pacific Terminal will resume actions to construct the terminal, thus increasing the cumulative adverse impacts on treaty reserved fishing rights and resources, the risk of a catastrophic oil spill, and the increase of the cumulative impacts to the marine environment from ongoing small oil spills; now

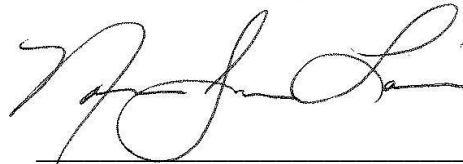
THEREFORE BE IT RESOLVED, that the ATNI member Tribes are opposed to Senate Bill 5171 and urge the Washington State Legislature, Governor, and Public Lands Commissioner to oppose said legislation.

CERTIFICATION

The foregoing resolution was adopted at the 2017 Winter Convention of the Affiliated Tribes of Northwest Indians, held at Great Wolf Lodge, Grand Mound, Washington, on January 23 – 26, 2017, with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary