

HENRY M. JACKSON SCHOOL OF INTERNATIONAL STUDIES

UNIVERSITY *of* WASHINGTON

SAVING THE SALISH SEA: A FIGHT FOR TRIBAL SOVEREIGNTY AND CLIMATE ACTION



THE DONALD C. HELLMANN TASK FORCE PROGRAM



Saving the Salish Sea: A Fight for Tribal Sovereignty and Climate Action

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1. Introduction

The Indigenous Peoples of the United States and Canada have been protesting the loss of their lands and sovereignty for decades but have become much more effective in the last few years. The assertion of Indigenous sovereignty is expanding into areas of land use, fishing rights, environmental impact, economic impact, and even climate change. As non-native people become more aware of these issues, it also becomes clear that Indigenous history and priorities have been neglected in the educational system. This paper will use the Trans Mountain Expansion (TMX) Pipeline as a case study to show how relevant these issues are and use it as a framework to make recommendations for changes to the University of Washington Henry M. Jackson School of International Studies curriculum.

2. Social and Ecological Effects of Trans Mountain Extension

“We have a concept that we all share - it’s called working for the seven generations; what can we do to make a better world for them?”¹ Canada, which is warming twice the rate of the rest

¹ Sheldon, Melvin. Interview with Secretary of the Tulalip Tribe’s Board of Directors. February 12, 2021.

of the world, desires to position itself as a “climate champion.”² However, the diligence in Canada’s climate-conscious proposals, such as reducing carbon emissions by 30 percent by 2030 and reaching net-zero emissions by 2050, carries an essence of hypocrisy exemplified by the push for pipeline construction.³ In addition to heavily contributing towards irreversible climate change, the Trans Mountain Pipeline Expansion (TMX) project also violates First Nation sovereignty. It poses several threats to the well-being of the Salish Sea ecosystem and nearby communities.⁴ The degradation of salmon fisheries, the astronomical increase in the likelihood of a catastrophic oil spill, and the heightened vulnerability of orca and their habitats are among the key issues that the Pacific Northwest could encounter if the Canadian government completes the TMX project. Washington State Governor Jay Inslee and Attorney General Bob Ferguson both firmly oppose the pipeline extension. They argue that the project “runs counter to everything Washington state is doing to fight climate change, protect [the] endangered southern resident killer whales, and protect communities on both sides of the [U.S.-Canada] border.”⁵ For example, Gov. Inslee signed the Clean Energy Transformation Act (CETA) in May 2019. This bill requires all electric utilities to transition to carbon-neutral by 2030 and become carbon-free by 2045.⁶ The

² Leahy, Stephen. “Alberta, Canada’s Tar Sands Are Growing but Indigenous People Fight Back.” *National Geographic*, April 11, 2019. <https://www.nationalgeographic.com/environment/2019/04/ alberta-canadas-tar-sands-is-growing-but-indigenous-people-fight-back/>.

³ Tasker, John Paul. “Trudeau Unveils New Net-Zero Emissions Plan to Meet Climate Change Targets.” CBC, November 20, 2020. <https://www.cbc.ca/news/politics/net-zero-emissions-1.5807877>.

⁴ 350 Seattle. “Resistance: Trans Mountain,” April 19, 2020. <https://350seattle.org/resistance-trans-mountain/>.

⁵ Governor Jay Inslee. “Statement from Inslee and Attorney General Bob Ferguson on Assessment of Trans Mountain Pipeline Expansion.” Accessed February 10, 2021. <https://www.governor.wa.gov/news-media/ statement-inslee-and-attorney-general-bob-ferguson-assessment-trans-mountain-pipeline>.

⁶ Washington State Department of Ecology. “Reducing Greenhouse Gases.” Accessed March 3, 2021. <https://ecology.wa.gov/Air-Climate/Climate-change/Greenhouse-gases/Reducing-greenhouse-gases>.

Gov. also signed bills that focused on limiting vessel noise and “improve habitat and forage fish population,” based on recommendations from the Southern Resident Orca Task Force.⁷

2.1. Alberta Tar Sands

The Athabasca oil sands are located in northeastern Alberta, Canada. Historically, the Indigenous Cree and Dene peoples utilized bitumen to create a waterproof shield for their canoes. The oil sands rest within several First Nations’ boundaries, including Squamish, Tsleil-Waututh, Coldwater, and a collective of bands within the Sto:lo Nation.⁸ In 1958, Project Oilsand proposed extracting the oil sands; by April 1959, the Federal Mines Department had approved the project. This marked the beginning of a disastrous nightmare for the local ecology and communities.⁹

The ecological impact due to the Alberta Tar Sand extraction degrades the local environment and intensifies climate change. Greenhouse gas emissions are one of the major causes of global warming; these excessive carbon emissions from extractions sites intensify the temperature increase. “Oil from tar sands is one of the most destructive, carbon-intensive and toxic fuels on the planet.”¹⁰ Compounding the problem, the extraction machinery releases three times more greenhouse gas pollution than conventional crude oil extraction equipment.

⁷ WA Governor’s Office. “Inslee Signs Bill Package To Protect, Aid, Grow Orca And Salmon Population In Salish Sea.” Medium, May 15, 2019. <https://medium.com/wagovernor/inslee-signs-bill-package-to-protect-aid-grow-orca-and-salmon-population-in-salish-sea-721b2d4758c9>.

⁸ WEC. “Stop TransMountain: The First Nations’ Movement against the Trans Mountain Expansion Project,” August 26, 2020. <https://wecprotects.org/stop-transmountain-the-first-nations-movement-against-the-trans-mountain-expansion-project/>.

⁹ “Newsletter of the Petroleum History Society.” *The Petroleum History Society*, June 2005. Petroleum History Society. <http://www.petroleumhistory.ca/archivesnews/2005/06-jun/phs05-06.pdf>.

¹⁰ “No Tar Sands.” Center for Biological Diversity. Accessed February 28, 2021. https://www.biologicaldiversity.org/campaigns/no_tar_sands/index.html.

Additionally, the impacts on the local environment are integral to Indigenous protests. First, the tar sands degraded the local forest ecosystem. The report by Woynillowicz clearly states the potential damage it poses to the local forest:

Approximately 3,000 square kilometers of boreal forest could be cleared, drained, and strip-mined to access tar sands deposits close to the surface, while the remaining 137,000 square kilometers could be fragmented into a spider's web of seismic lines, roads, pipelines and well pads from in situ drilling projects. Studies suggest that this scale of industrial development could push the boreal ecosystem over its ecological tipping point, leading to irreversible ecological damage and loss of biodiversity.¹¹

Second, the extraction of tar sands poses threats to water resources. The tar sands operation requires as much water as a city of two million people.¹² The water used for tar sands operations is not reusable due to extreme pollution. Further, if the pipelines leak, which is a sadly common occurrence, the pollution to the local water supply is irreversible. Third, the operation of tar sands creates vast waste. "Both tar sands mining and in situ operations produce large volumes of waste as a result of their water use. For in situ operations, the primary waste stream, a result of treating saltwater and the water that is pumped up with the bitumen, is disposed of in landfills or injected underground."¹³ Lastly, air pollution poses the most prominent and dangerous consequence of tar sands extractions if excessive emission of nitrogen oxides and sulfur dioxides not only threatens climate change but more health threats to the local environment.

¹¹ Woynillowicz, Dan. "The Harm the Tar Sands Will Do." The Tyee, September 20, 2007. <http://thetyee.ca/Views/2007/09/20/TarSands/>.

¹² Woynillowicz, 2007.

¹³ Woynillowicz, 2007.

2.2. The Coast Salish Peoples

Since time immemorial, the Coast Salish peoples have inhabited present-day western Washington and southwestern British Columbia.¹⁴ Geographically, their territory includes northern Oregon, the Pacific coast of Washington, and the lands surrounding the Salish Sea; these include the San Juan Islands, Puget Sound, Gulf Islands, the Strait of Juan de Fuca, and the Strait of Georgia.¹⁵ The following map depicts the Coast Salish region and identifies the Indigenous cultural groups within them.

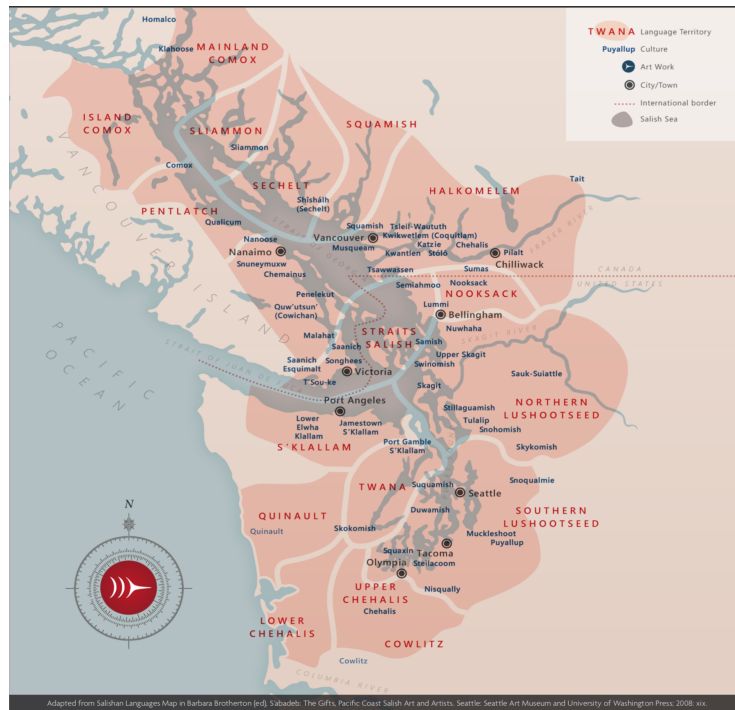


Figure 1. Map of Indigenous territories separated by their distinctive Salishan languages.¹⁶

¹⁴ Burke Museum. “Coast Salish People & Languages,” 2008. <https://www.burkemuseum.org/collections-and-research/culture/contemporary-culture/coast-salish-art/coast-salish-people>.

¹⁵ Burke Museum, 2008.

¹⁶ Burke Museum, 2008.

2.3. Trans Mountain Expansion Project

The TMX expansion project proposes to build a parallel pipeline to the existing Trans Mountain pipeline constructed in 1953, “before environmental regulations existed and before Indigenous Peoples could vote.”¹⁷ It transports both crude oil and refined petroleum products from Alberta to British Columbia (B.C.), Canada. The pipeline splits in two different directions near the end of the pipeline, one extension traveling south into Washington State, while the other runs towards Burnaby in British Columbia, Canada. The expansion project would parallel roughly 90% of the original route and requires additional pumps, tanks, and loading berths.¹⁸

Kinder Morgan, a Texas-based energy infrastructure company, originally proposed the project in 2013.¹⁹ However, in 2018, the company decided to abandon the project due to intense public opposition. The expansion was picked up again shortly after by the Trudeau Administration when they purchased the project for \$4.5 billion (CAD).²⁰ Despite the Canadian federal government’s approval, fervent efforts opposing the construction of the extension have arisen, prominently led by Indigenous communities, Vancouver residents, and local politicians. As construction plans for the expansion proceed, several distinguished members from Indigenous communities have testified against the pipeline, stating that it ultimately violates Indigenous sovereignty.²¹ Brian Cladoosby, a member of the Swinomish Tribe and former President of the National Congress of American Indians, noted the extreme disappointment among Indigenous

¹⁷ Stand.earth. “Trans Mountain Pipeline.” Accessed February 27, 2021. <https://www.stand.earth/people-vs-big-oil/trans-mountain-pipeline>.

¹⁸ *Canada’s Kinder Morgan Pipeline Explained*. Youtube. CBC News, 2017. https://www.youtube.com/watch?v=BsBYEH_AHA.

¹⁹ Stand.earth. “Trans Mountain Pipeline.”

²⁰ Stand.earth. “Trans Mountain Pipeline.”

²¹ Stand.earth. “Trans Mountain Pipeline.”

communities when the Trudeau Administration announced its plan to continue the TMX expansion: “When Kinder Morgan announced that they were dropping the project, you can imagine how happy we were. And then to find out that Prime Minister Trudeau stepped in and had Canada buy it up...it took the wind right out of our sails. But our fight did not stop. We went up to Victoria again in 2018 to testify against it again [the pipeline].”²²

One of the critical faults in the National Energy Board’s (NEB) initial assessment of the TMX expansion project is the absence of the pipeline’s overall impact on global climate change, specifically the long-term effects of the assumed emissions of greenhouse gases.²³ The initial evaluation considered emissions only using the zero-sum economics model, which presumes that the product will reach the market in other manners if not shipped easily via the pipeline expansion.²⁴ Essentially, this means that the NEB did not conduct actual evaluations regarding pipeline gas emissions despite the pipeline serving as the likely means of transporting crude oil and petroleum products; the analysis based on the zero-sum economics model is not a likely scenario.

²² Cladoosby, Brian. Interview with Former President of National Congress of American Indians, January 25, 2021.

²³ Takaro, Tim K., and Jennifer Miller. “Trans Mountain Pipeline Review Must Look at Impact on Global Health Emergency of Climate Change.” CBC, October 21, 2018. <https://www.cbc.ca/news/canada/manitoba/opinion-climate-change-health-emergency-1.4871327>.

²⁴ Takaro and Miller, 2018.

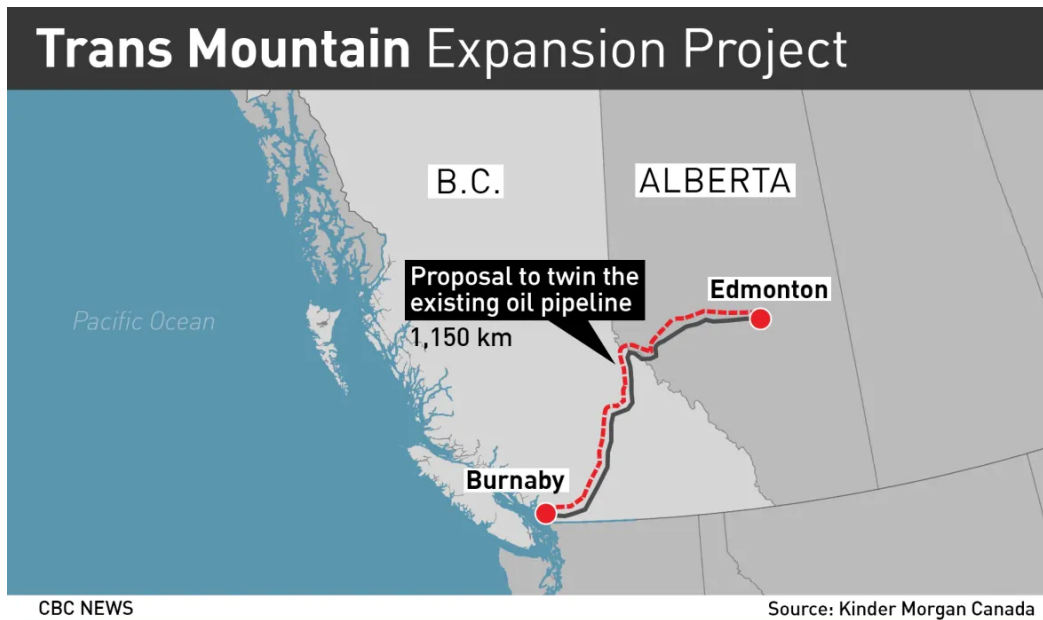


Figure 2. The 1,150 km parallel extension would travel from Edmonton, Alberta to Burnaby, B.C.²⁵

Despite several appeals filed by numerous First Nations and the limitations imposed by the COVID-19 pandemic, the construction of the expansion has persisted.²⁶ If completed, the expansion would triple the amount of diluted bitumen carried from Alberta, Canada, to the Vancouver Harbor, drastically increasing the presence of tar sands oil tankers in the Salish Sea.²⁷ Precisely, the TMX project would bring an additional 350 tankers per year to the Salish Sea, and the number of barrels carrying crude and refined oil would increase from 300,000 barrels per day to 890,000 barrels.²⁸ These numbers ultimately translate into a ninefold increase in the probability of a 2500-cubic meter or larger oil spill in the Haro strait over the next ten years.²⁹

²⁵ Thurton, David. "‘Risks and Uncertainties’ Could Make Trans Mountain Unprofitable, Says Budget Watchdog." CBC, December 16, 2020. <https://www.cbc.ca/news/politics/trans-mountain-pbo-pipeline-1.5832398>.

²⁶ WEC. "Stop TransMountain," 2020.

²⁷ WEC, 2020.

²⁸ Trans Mountain. "Expansion Project," June 21, 2017. <https://www.transmountain.com/project-overview/>

²⁹ "Trans Mountain Pipeline." In *Wikipedia*, February 9, 2021. https://en.wikipedia.org/w/index.php?title=Trans_Mountain_pipeline&oldid=1005813733.

This area is inhabited by orca whales, and a spill of such size could decimate the endangered species.³⁰

The Canada Energy Regulator (CER) is responsible for overseeing oil and gas pipelines that cross national borders.³¹ This includes regulatory responsibilities that ensure that “people, property, and the environment are protected.”³² In the event of an oil spill, the CER established the following protocol:

The incident is discovered and reported by the CER-regulated company to the appropriate 24-hour incident line:

- The Transportation Safety Board (TSB) incident line for onshore pipelines
- The Spill Report Line for spills from Canada Oil and Gas Operations Act or CER Act exploration or production facility (including a pipeline facility) in the Northwest Territories, Nunavut, or in Canadian Arctic waters (out to the Exclusive Economic Zone)
- The Canada Energy Regulator incident line and online event reporting system

The CER is notified by the TSB or the Spill Report Line. The company assesses the severity of the incident and the potential hazards to the public and the environment and determines appropriate initial actions. The CER will determine if the incident is an emergency and decide on an appropriate response based on whether:

- An ongoing threat to people or the environment is present.
- There has been an uncontrolled source of release.

³⁰ “Trans Mountain Pipeline.” *Wikipedia*, 2021.

³¹ Canada Energy Regulator. “Responding to Emergencies,” January 5, 2021. <https://www.cer-rec.gc.ca/en/safety-environment/emergency-management/responding-emergencies/responding-emergencies.html>.

³² Canada Energy Regulator. “Responding to Emergencies,” 2021.

- It is possible that the effects may escalate further³³

The CER's process to address oil spills is lengthy and overly bureaucratic. While this procedure is designed to ensure that the CER accurately assesses the magnitude of an oil spill, it focuses too heavily on determining preliminary steps, causing significant delays in solving a time-sensitive issue. In general, the CER should *assume* in any oil spill that "an ongoing threat to people or the environment is present, [that] there has been an uncontrolled source of release, [and] it is possible that the effects [of the oil spill] may escalate further."³⁴

If any oil spill larger than 1.5 m³ occurs in a body of water, Trans Mountain Corporation is required to report it to the CER. Since 1961, the company has reported 84 spills to the CER, 70% of which have been at pump stations or terminals. Trans Mountain has also noted that there have not been any tanker spills in the area from Westridge Marine Terminal through the Port of Vancouver since 1956.³⁵ However, these statistics are deceptively reassuring. To elaborate, if the TMX expansion is completed, the probability of a tanker oil spill increases by 168%.³⁶ This astronomical increase ultimately suggests a multitude of future oil spills. Moreover, any significant oil spill, whether it occurs along the current Trans Mountain Pipeline or its paralleled expansion, will carry widespread impacts to surrounding communities and ecosystems. Melvin Sheldon, Secretary of the Tulalip Tribe's Board of Directors, stated, "Whether [an oil spill]

³³ Canada Energy Regulator. "Responding to Emergencies," 2021.

³⁴ Canada Energy Regulator. "Responding to Emergencies," 2021.

³⁵ Trans Mountain. "Spill History," June 27, 2017. <https://www.transmountain.com/spill-history?>

³⁶ Larson, Samantha. "Are We Ready for Oil Spills in the Salish Sea?" Crosscut. Accessed February 10, 2021. <https://crosscut.com/2017/01/trans-mountain-pipeline-oil-spills-salish-sea>.

happens in the U.S. or Canadian waters, you're probably going to have a tide bringing that oil back and forth to everybody's shores."³⁷

2.3.1. *Ecological Impacts Of Trans Mountain Expansion Project*

The Bali Principles of Climate Change states, "whereas if consumption of fossil fuels, deforestation, and other ecological devastation continues at current rates, it is certain that climate change will result in increased temperatures, sea-level rise, changes in agricultural patterns, increased frequency and magnitude of 'natural' disasters such as floods, droughts, loss of biodiversity, intense storms and epidemics."³⁸ If the Canadian federal government continues to expand the Trans Mountain pipeline, the ecological repercussions will be catastrophic. The expansion will produce 400,000 tons of greenhouse gas emissions annually, not including the additional emissions generated from shipping expeditions.³⁹ Despite Trudeau's adherence to the Paris Climate Agreement and his self-declared goal to reduce global carbon emissions, the TMX expansion will conclusively affirm Canada's role as the largest producer of greenhouse gas emissions in North America.⁴⁰

Orca whales are an endangered species in the Salish Sea. The active orca populations are heavily monitored, and collected data reveal alarmingly declining birth rates.⁴¹ The increased

³⁷ Sheldon, Melvin. Interview, 2021.

³⁸ Bali Principles of Climate Justice (2002). <https://www.ejnet.org/ej/bali.pdf>.

³⁹ Environment and Climate Change Canada. "Greenhouse Gas Emissions from the Trans Mountain Project," June 18, 2019. <https://www.canada.ca/en/environment-climate-change/news/2019/06/greenhouse-gas-emissions-from-the-trans-mountain-project.html>.

⁴⁰ Environment and Climate Change Canada, 2019.

⁴¹ Wasser, Samuel K., Jessica I. Lundin, Katherine Ayres, Elizabeth Seely, Deborah Giles, Kenneth Balcomb, Jennifer Hempelmann, Kim Parsons, and Rebecca Booth. "Population Growth Is Limited by Nutritional Impacts on Pregnancy Success in Endangered Southern Resident Killer Whales (*Orcinus Orca*)." *PLOS ONE* 12, no. 6 (June 29, 2017): e0179824. <https://doi.org/10.1371/journal.pone.0179824>.

pipeline capacity--from 300,000 barrels per day to 890,000 barrels per day⁴²--would dramatically escalate inbound and outbound transits from existing tanker trips. The significantly heightened tanker traffic and the corresponding increase in tanker noise would profoundly affect this endangered species' ability to capture prey and reproduce healthy offspring.⁴³ Studies examine the effects of commercial and recreational vessels on orcas present evidence that noises generated from these ships disturb the frequencies that orcas use to catch salmon and communicate with their pods.⁴⁴ Moreover, the chance of a 20,000-barrel-or-larger spill over the next ten years is approximately 800% more likely.⁴⁵ Given these statistics, a significant oil spill resulting from increased tanker traffic is nearly inevitable, making the decimation of the endangered orca population in the Pacific Northwest highly plausible.

If any spill were to occur in the Fraser River Watershed, which the existing Trans Mountain pipeline currently runs through, dozens of unique populations of pacific salmon would also be severely impacted.⁴⁶ Salmon in the Salish Sea are a critical food source for orcas and are deeply embedded in the culture and economies of local First Nations.⁴⁷ Between 2008 and 2014, roughly 69% of orca pregnancies failed, likely due to nutritional distress caused by fewer salmon

⁴² Thurton, David. ““Risks and Uncertainties,”” 2020.

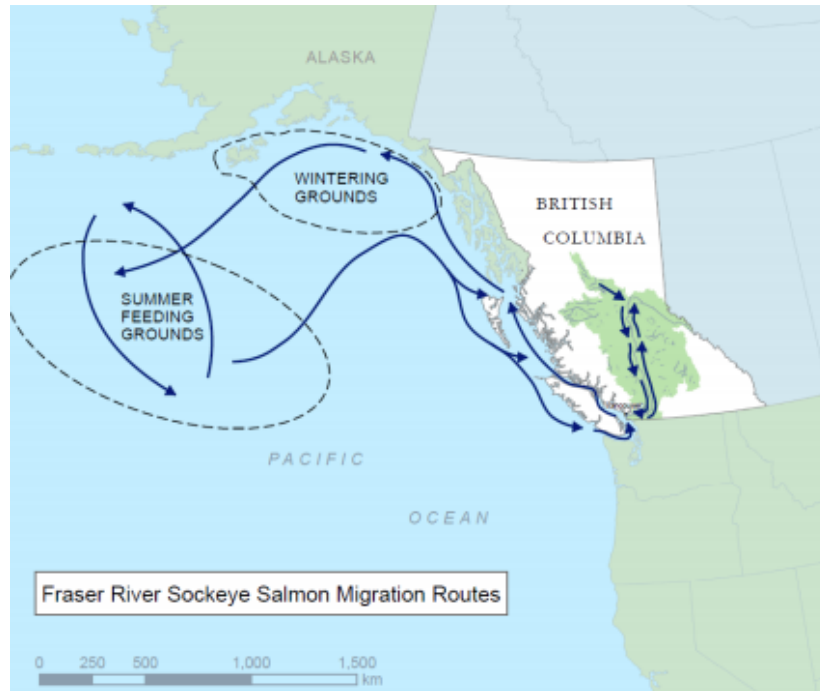
⁴³ Holt, Marla M., Jennifer B. Tennessen, Eric J. Ward, M. Bradley Hanson, Candice K. Emmons, Deborah A. Giles, and Jeffrey T. Hogan. “Effects of Vessel Distance and Sex on the Behavior of Endangered Killer Whales.” *Frontiers in Marine Science* 7 (2021). <https://doi.org/10.3389/fmars.2020.582182>.

⁴⁴ Lacy, Robert C., Rob Williams, Erin Ashe, Kenneth C. Balcomb Iii, Lauren J. N. Brent, Christopher W. Clark, Darren P. Croft, Deborah A. Giles, Misty MacDuffee, and Paul C. Paquet. “Evaluating Anthropogenic Threats to Endangered Killer Whales to Inform Effective Recovery Plans.” *Scientific Reports* 7, no. 1 (October 26, 2017): 14119. <https://doi.org/10.1038/s41598-017-14471-0>.

⁴⁵ Felleman, Fred, and Jamie Stephens. “Canadian Pipeline Poses Major Threat to Salish Sea.” *Whatcom Watch Online*(blog). Accessed February 10, 2021. <http://whatcomwatch.org/index.php/article/canadian-pipeline-poses-major-threat-to-salish-sea/>.

⁴⁶ Logan, Kate, Dave Scott, and Misty MacDuffee. “Trans Mountain Expansion.” Raincoast Conservation Foundation, July 2018. <https://www.raincoast.org/reports/salmon-oil-pipeline/>.

⁴⁷ Norman, Emma S. “Standing Up for Inherent Rights: The Role of Indigenous-Led Activism in Protecting Sacred Waters and Ways of Life.” *Society & Natural Resources* 30, no. 4 (April 3, 2017): 537–53. <https://doi.org/10.1080/08941920.2016.1274459>.



and the orca’s reduced ability to hunt them.⁴⁸ Female orcas require lots of salmon to sustain themselves during their gestation periods and the year after to feed their young adequately. However, effectively hunting for salmon through echolocation is negatively impacted by excessive noise from tankers and other boat traffic. Reduced feeding for orcas ultimately diminishes birth and survival rates. Overall, orca populations in the Salish Sea and North Pacific Ocean have been declining for decades. Considering this, coupled with the potential sevenfold increase in tanker traffic from the TMX expansion, extinction becomes increasingly likely. “The noise [tankers] create, the congestion it creates, it forces the salmon to go deeper [in the waters] and forces the whales to come up more north and impacts them.”⁴⁹ The mere noise from the added tanker traffic will ultimately diminish efforts made by various groups to combat the Salish Sea’s dwindling orca population.

⁴⁸ Wasser et. al.. “Population Growth Is Limited by Nutritional Impacts...” 2017.

⁴⁹ Sheldon, Melvin. Interview. 2021.

Figure 3. Presumed Fraser River Sockeye Salmon migration routes⁵⁰

The salmon species of the Pacific Northwest are also witnessing significant and distressing decreases in their populations. As of 2018, roughly 33% of the Fraser River Watershed’s unique salmon and steelhead populations were considered at risk for elimination.⁵¹ The Fraser River Watershed flows into the Salish Sea and as far as the Pacific Ocean. The journey of salmon starts in the Fraser River, where they are hatched. They then travel through the Salish Sea and out to the Pacific Ocean and eventually return to where they were hatched to breed. After salmon eggs are fertilized, “...embryonic exposure to very low, environmentally relevant levels of crude oil causes permanent structural and functional changes to the fish heart” and increases the mortality rates of salmon embryos.⁵² Those who survive oil exposure can suffer from heart failure, stunted growth, other physical deformities, and infertility.⁵³ One study done on the effects of the Exxon Valdez oil spill in the Prince William Sound, Alaska, found that “tidal

⁵⁰ Grant, S.C.H., C. Holt, J. Wade, C. Mimeault, I.J. Burgetz, S. Johnson, and M. Trudel. “Summary of Fraser River Sockeye Salmon (*Oncorhynchus Nerka*) Ecology to Inform Pathogen Transfer Risk Assessments in the Discovery Islands, BC.” Canada: Fisheries and Oceans Canada, March 2018. <https://waves-vagues.dfo-mpo.gc.ca/Library/40681920.pdf>. (see citation in report bibliography: Cohen, 2012.)

⁵¹ Logan et. al. “Trans Mountain Expansion.” 2018.

⁵² Incardona, John P., Mark G. Carls, Larry Holland, Tiffany L. Linbo, David H. Baldwin, Mark S. Myers, Karen A. Peck, Mark Tagal, Stanley D. Rice, and Nathaniel L. Scholz. “Very Low Embryonic Crude Oil Exposures Cause Lasting Cardiac Defects in Salmon and Herring.” *Scientific Reports* 5, no. 1 (September 8, 2015): 13499. <https://doi.org/10.1038/srep13499>.

⁵³ Ruggerone, Gregory T., and Donald E. Rogers. “Multi-Year Effects of High Densities of Sockeye Salmon Spawners on Juvenile Salmon Growth and Survival: A Case Study from the Exxon Valdez Oil Spill.” *Fisheries Research* 63, no. 3 (September 1, 2003): 379–92. [https://doi.org/10.1016/S0165-7836\(03\)00099-7](https://doi.org/10.1016/S0165-7836(03)00099-7).

leaching of residual oil in stream deltas impaired embryo survival in pink salmon through 1993, 4 years after the Exxon Valdez oil spill.”⁵⁴ Ultimately, the effects of oil exposure on salmon embryos have long-term effects on the adult salmon health and ability to reproduce, leading to lower populations.⁵⁵ The Strait of Georgia is one of 190 estuaries considered the most critical area for young salmon’s growth in the Salish Sea and the Fraser River watershed. These estuaries are vulnerable to oil spills from the present Trans Mountain Pipeline and face extreme consequences if the pipeline is expanded successfully. The project will further push these populations into danger and ruin the Fraser River’s ecological prosperity and the Salish Sea, which have been the source of thousands of years of prosperity for local communities.

2.3.2. Social Impacts Of Trans Mountain Expansion Project

“For 140 years, the Tribes never really had a voice. The environment never really had a voice. For the majority of those years, we weren’t even at the table; we were on the menu.”

-- Brian Cladoosby, member of the Swinomish Tribe and former President of National Congress of American Indians.⁵⁶

Indigenous communities are at the forefront of pipeline opposition as the TMX expansion project directly impacts them. Discussions with Native Americans about “future ownership or some other form of economic participation” regarding TMX do not diminish the potential social

⁵⁴ Murphy, Michael L., Ronald A. Heintz, Jeffrey W. Short, Marie L. Larsen, and Stanley D. Rice. “Recovery of Pink Salmon Spawning Areas after the Exxon Valdez Oil Spill.” *Transactions of the American Fisheries Society* 128, no. 5 (1999): 909–18. [https://doi.org/https://doi.org/10.1577/1548-8659\(1999\)128<0909:ROPSSA>2.0.CO;2](https://doi.org/https://doi.org/10.1577/1548-8659(1999)128<0909:ROPSSA>2.0.CO;2).

⁵⁵ “Assessment of the Genetic Toxicological Impacts of the Exxon Valdez Oil Spill on Pink Salmon (*Oncorhynchus Gorbuscha*) May Be Confounded by the Influence of Hatchery Fish.” *Ecotoxicology* 13, no. 6 (August 1, 2004): 495–501. <https://doi.org/10.1023/B:ECTX.0000037202.33461.d0>.

⁵⁶ Cladoosby, Brian. Interview. 2021.

threats the pipeline poses to the Salish Sea and the surrounding communities.⁵⁷ Specifically, the TMX expansion project directly impacts members of the Squamish, Tsleil-Waututh, Coldwater, and Sto:lo First Nations, none of whom provide consent to the expansion.⁵⁸ All these Tribes express deep concern for the potential impacts on their health, livelihoods, and culture. For example, Indigenous groups rely on traditional means--fishing, foraging, and hunting-- to gather food to sustain a regular diet.⁵⁹ Since access to such food resources directly impacts the health and well-being of First Nations, many communities have raised concerns regarding the preservation of these natural resources and traditional practices during construction.⁶⁰ Specifically, construction activities could initiate the clearing and potential contamination of vegetation in areas traditionally utilized for agricultural practices.⁶¹ They also threaten the hunting and trapping activities of Indigenous communities, which serve as another necessary means of sustenance. Moreover, the TMX expansion project risks further eradication of Indigenous territories previously fragmented by current pipeline developments, ultimately limiting First Nation hunting grounds while enabling recreational hunting of the non-indigenous communities.⁶² The invasive ramifications of retrieving oil from the tar sands in Alberta have already profoundly impacted these communities. "It's had a huge impact on caribou, bison, moose, birds, fish, the water, the forest. It's affected our ability to travel, to gather food from the

⁵⁷ Thurton, David. "The Trans Mountain Project Faces a Year of Challenges and Opportunity | CBC News." CBC, January 4, 2021. <https://www.cbc.ca/news/politics/trans-mountain-pipeline-covid-pandemic-indigenous-1.5859045>.

⁵⁸ WEC. "Stop TransMountain." 2020.

⁵⁹ "Joint Federal/Provincial Consultation and Accommodation Report for the Trans Mountain Expansion Project." Natural Resources Canada, November 2016. www.nrcan.gc.ca/files/energy/pdf/TMX_Final_report_en.pdf.

⁶⁰ "Joint Federal/Provincial Consultation and Accommodation Report" National Resources Canada, 2016.

⁶¹ "Joint Federal/Provincial Consultation and Accommodation Report" National Resources Canada, 2016.

⁶² "Joint Federal/Provincial Consultation and Accommodation Report." National Resources Canada, 2016.

land—it’s really overwhelming,”⁶³ says Deranger, a member of the Athabasca Chipewyan First Nation located near Fort Chipewyan, north of Fort McMurray.

While the Canadian federal government approved the TMX expansion project after completing the necessary health and ecological risk assessments, Tim Takaro, Professor of Health Sciences at Simon Fraser University, notes that the risk assessments are inadequate and flawed.⁶⁴ In an open letter signed by over 200 health professionals worldwide, critics argue that the National Energy Board (NEB) conducted a flawed risk assessment process that ultimately resulted in a deficient health impact assessment.⁶⁵ Reports in the original NEB assessment found possibilities of oil spills to be low; however, this assessment’s primary downfall is the lack of diversity in potential oil-spill scenarios.⁶⁶ As Takaro notes, a truly accurate assessment would have included instances in which a large tanker spill occurs near the shore or metropolitan areas and should have considered external factors such as high temperatures and poor air quality.⁶⁷ Moreover, the reports mostly evaluated the possibility of *major* oil spills. A spill considered “major” would be roughly 3,000 times larger in size than a 2015 incident in which a cargo ship discharged over 2,800 liters of oil in the English Bay.⁶⁸ With oil recovery rates being roughly 20 percent at their best, one spill could impose devastating effects on the currently struggling orca

⁶³ Leahy, Stephen. “Alberta, Canada’s Tar Sands” 2019.

⁶⁴ Takaro, Tim K., and Jennifer Miller. “Trans Mountain Pipeline Review Must Look at Impact on Global Health Emergency of Climate Change.” CBC, October 21, 2018. <https://www.cbc.ca/news/canada/manitoba/opinion-climate-change-health-emergency-1.4871327>.

⁶⁵ Takaro et. al. 2018.

⁶⁶ Takaro et. al. 2018.

⁶⁷ Takaro et. al. 2018.

⁶⁸ Hunter, Justine, and Mychaylo Prystupa. “What the Trans Mountain Pipeline Will Mean for B.C.’s Coast.” *The Globe and Mail*. Accessed February 26, 2021. <https://www.theglobeandmail.com/news/british-columbia/kinder-morgan-trans-mountain-pipeline-bc-coast/article35043172/?fbclid=IwAR0ecbcW309X1gSyPIQulZxdk36pJIO0SPu69iORUGdnFU4R7z8YvibaY-Q>.

whale population in the Pacific Northwest.⁶⁹ Assessing pipeline construction in such a contextually-neglectful manner will not accomplish the CER's goal of ensuring that their "facilities and activities are safe and secure and that the environment is protected throughout [its] lifecycles."⁷⁰

Communities who reside near the Alberta tar sands today are disproportionately affected by their extraction operations. The establishment and operation of tar sands fracture or take away Indigenous Peoples' territories and threaten their health. Brian Cladoosby has noted, "[In the last 100 years] the economy was driven by profits, it was driven by stocks, and it was driven by dividends on the backs of the environment. Just about every single pollution now that has been introduced into the Salish Sea has come from corporations who made a profit from doing that."⁷¹

Another primary concern of the project is the health impacts of benzene, which is naturally found in crude oil. Exposure to this chemical "increases the risk of developing leukemia and other blood disorders."⁷² The detrimental health impacts of this chemical depend on how long people are exposed to it, their age, and their pre-existing medical conditions.⁷³ Since benzene evaporates quickly into the air, it makes occupations and residential exposure nearly unavoidable.⁷⁴ Particularly, benzene is a known cause of acute myeloid leukemia. It can also

⁶⁹ Alderton, Janet, and Michael Riordan. "Canada's Pipe Dream Would Be a Nightmare for Salish Sea and Our Orcas." *The Seattle Times*, n.d., Mar 8 2019 edition. <https://www.seattletimes.com/opinion/canadas-pipe-dream-would-be-a-nightmare-for-salish-sea-and-our-orcas/>.

⁷⁰ Canada Energy Regulator. "Responding to Emergencies," 2021.

⁷¹ Cladoosby, Brian. Interview, 2021.

⁷² National Cancer Institute. "Benzene - Cancer-Causing Substances," March 20, 2015. <https://www.cancer.gov/about-cancer/causes-prevention/risk/substances/benzene>.

⁷³ Takaro, Tim. "Major Human Health Impacts of the Increase in Tanker Traffic Due to the Trans Mountain Pipeline Expansion," December 2018, 10. <https://drive.google.com/file/d/19j6zz-joYdXYR1xA3QrcMsee6Riyx9tp/view?usp=sharing>.

⁷⁴ CDC. "Facts About Benzene," May 15, 2019. <https://emergency.cdc.gov/agent/benzene/basics/facts.asp>.

“keep bone marrow from producing enough red blood cells and can damage the immune system.”⁷⁵ Reports have noted that Vancouver’s population could experience a scenario where they are exposed to more than 200ppm of benzene for eight hours. Because of this, tribes encourage a comprehensive health impact assessment being done on the project.⁷⁶

Mr. Cladoosby pointed out that the concerns over this pipeline are not only for the residents along the Salish Sea, at this point, but “...it is for our children and our great-grandchildren, and the 7th generation.”⁷⁷ The pipeline expansion would profoundly impact the long-standing history of Indigenous Peoples. Archaeological surveys demonstrate at least a 14,000-year-long connection between Indigenous communities and the lands surrounding the Salish Sea.⁷⁸ First Nations find, “...no fundamental distinction between humans and other species, all are related and have a shared history.”⁷⁹ Given this foundational belief, the destructive implications from the TMX expansion are astounding. The full extent of impacts from the Salish Sea degradation lie beyond solely environmentalist concerns; they violate the boundaries and inherent rights of Indigenous culture. During a panel discussing the TMX project and its impacts, Patti Gobin, a member of the Tulalip Tribe and the Special Projects Manager of the Tulalip Tribe’s Natural Resources Department, articulated this deeply-rooted relationship with the

⁷⁵ Holden, Emily. “10 US Oil Refineries Exceeding Limits for Cancer-Causing Benzene, Report Finds.” *The Guardian*, February 6, 2020, sec. Business. <https://www.theguardian.com/business/2020/feb/06/us-oil-refineries-exceeding-limits-for-cancer-causing-benzene-report-finds>.

⁷⁶ Takaro, Tim. “Major Human Health Impacts of the Increase in Tanker Traffic,” 2018.

⁷⁷ Cladoosby, Brian. Interview, 2021.

⁷⁸ Artelle, Kyle A., Janet Stephenson, Corey Bragg, Jessie A. Housty, William G. Housty, Merata Kawharu, and Nancy J. Turner. “Values-Led Management: The Guidance of Place-Based Values in Environmental Relationships of the Past, Present, and Future.” *Ecology and Society* 23, no. 3 (2018). <https://www.jstor.org/stable/26799164>.

⁷⁹ Artelle et. al. 2018.

environment by stating that her “grandmother is the Orca,” and her “ancestors are the King Salmon.”⁸⁰ This connection is not only compelling but foundational to Indigenous livelihood.

It is important to note that not all Indigenous Peoples opposed the Trans Mountain Pipeline expansion. Some of these communities are impoverished and have benefited economically from working with the oil industry. At times, the industry was only one help with social development projects, like implementing an off-the-grid solar electricity system and building a community center.⁸¹ At the same time, these decisions to cooperate with the oil industry are made on a case-by-case scenario. We can see this with Fort McKay, a First Nations Peoples surrounded by oil sands, and sued the Alberta government to stop a project that would consume their traditional hunting lands. They also earned millions of dollars between 2012-2016 by providing services to the oil sands industry.⁸²

Amongst other opponents to the pipeline, we also found city officials, like Burnaby mayor Mike Hurley, who has called the pipeline project a “risk to local residents.” The city contains the Westridge Marine Terminal, where the oil tankers will be loaded and shipped.⁸³ Since 1982, the Terminal has had four oil spills. In 2007, the Trans Mountain pipeline ruptured and spilled 224,000 liters of crude oil bitumen.⁸⁴ This led to 225 people being evacuated from their homes, as the area was covered with oil, and around 89,600 liters of it made it into the

⁸⁰ Gobin, Patti. Interview with Special Projects Manager of the Tulalip Tribe’s Natural Resources Department, January 25, 2021.

⁸¹ Leahy, Stephen. “Alberta, Canada’s Tar Sands Are Growing,” 2019.

⁸² Leahy, 2019.

⁸³ Scott, Sheila. “Burnaby Politicians React to Trans Mountain Expansion Plans.” British Columbia, June 19, 2019. <https://bc.ctvnews.ca/burnaby-politicians-react-to-trans-mountain-expansion-plans-1.4473233>.

⁸⁴ “Trans Mountain Pipeline: The Truth about Construction.” Vancouver, British Columbia, Canada: Stand.Earth, September 2019. <https://www.stand.earth/sites/stand/files/Standearth-TransMountainPipelineConstructionReport-September2019-Final.pdf>.

Burrard Inlet. If the TMX project were to continue being built, the chance of another spill, either due to human error or infrastructure failure, would significantly increase, and so would the consequences.

The city of Vancouver also opposes the pipeline expansion. Its current mayor, Kennedy Stewart, was arrested in 2018 for violating an injunction at the pipeline expansion worksite.⁸⁵ The city presented a report to the NEB about the economic impacts of the TMX, especially on their ocean-dependent activities. The Burrard Inlet employs 8% of the city's population when considering direct and indirect value. Economic activities like commercial fishing, shipping and cruising, inner harbor transportation, tourism, and recreation are deeply connected to the marine ecosystem's health.⁸⁶ The report notes that these activities contribute around CAD 6,500 million in output value, 36,000 PYs of employment, and \$3,200 million in GDP to the Vancouver economy every year.⁸⁷

Any damages to the Burrard Inlet would not only affect people in Vancouver. A report from the Conservation for Responsible Economic Development (CRED) noted that a large spill could impact British Columbia's economy to the extent of \$1.2 billion.⁸⁸ Over 250,000 jobs, such as tourism, agriculture, seafood, and real estate, depend on the Burrard Inlet's health.⁸⁹ Due to

⁸⁵ Scott, Sheila. "Burnaby Politicians React," 2019.

⁸⁶ Bjarnason, Harmony, Ngaio Hotte, and U. Rashid Sumalia. "Potential Economic Impact of a Tanker Spill on Ocean-Dependent Activities in Vancouver, British Columbia." Vancouver, British Columbia, Canada: Fisheries Economics Research Unit, UBC Fisheries Centre, May 20, 2015. <https://vancouver.ca/images/web/pipeline/Bjarnason-et-al-oil-spill-economic-impact-report.pdf>.

⁸⁷ Bjarnason et. al., 2015.

⁸⁸ "Trans Mountain Pipeline: The Truth about Construction." Stand.Earth, 2019.

⁸⁹ "Trans Mountain Pipeline: The Truth about Construction." Stand.Earth, 2019.

the high risks of this project, the government of British Columbia has appealed to the Court of Appeals on their decision that B.C. “does not have the right to regulate heavy oil or diluted bitumen flowing through a federal pipeline.”⁹⁰

2.4. Policy Recommendations

After interviewing with Melvin Sheldon, Secretary of the Tulalip Tribe’s Board of Directors, he recommended that a joint Task Force be created by Governor Inslee (with the support of the US federal government) with the intent of working alongside the Canadian government in order to protect and preserve the ecological health of the Salish Sea. This Task Force would be a coalition between the Canadian government, focused in British Columbia, Washington State legislators, Tribes in Washington State, and First Nations communities in British Columbia. Mr. Sheldon stated that he,

would hope Governor [Inslee] would create a task force that would include Tribes to go up to British Columbia and work at how can we arrive upon common solutions how to protect our environment, to protect the Salish Sea, for not only both of us but for the seven generations.⁹¹

A noted element to a successful coalition between two governing bodies is a mutual incentive.⁹²

On the one hand, the Canadian government’s incentive is to protect the Fraser River Watershed, which flows into the Salish Sea and contributes to the local economy of British Columbia. On the other hand, the protection of ancestral Indigenous land is a mutual incentive

⁹⁰ Woodward, Jon. “‘We Have the Jurisdiction’: B.C. Vows to Appeal Pipeline Decision to Supreme Court.” British Columbia, May 24, 2019. <https://bc.ctvnews.ca/mobile/we-have-the-jurisdiction-b-c-vows-to-appeal-pipeline-decision-to-supreme-court-1.4435679?cache=yes?ot=AjaxLayout>.

⁹¹ Sheldon, Melvin. Interview, 2021.

⁹² Lessmann, Kai, Ulrike Kornek, Valentina Bosetti, Rob Dellink, Johannes Emmerling, Johan Eyckmans, Miyuki Nagashima, Hans-Peter Weikard, and Zili Yang. “The Stability and Effectiveness of Climate Coalitions.” *Environmental and Resource Economics* 62, no. 4 (December 1, 2015): 811–36. <https://doi.org/10.1007/s10640-015-9886-0>.

for British Columbia and Washington State. In the US, federally recognized Tribes have sovereignty from the federal government and allow them protections of their treaty-decreed land. The protection of ancestral land that preceded the borders being drawn between Canada and the US should be a motivating factor for each entity.

In Washington state, the Salish Sea provides tourism in the form of whale watching or vacation destinations and a unique blend of saltwater and freshwater fishing. The Salish Sea is a vital element to Washington State's economy and ecology. It provides the sustenance and livelihood of many in Washington state. The incentive for Washington state to create and adhere to a coalition with Canada is to protect Washington's diverse ecology and preserve the economy.

In 2000 the Environmental Protection Agency (EPA) and Canada signed a Joint Statement of Cooperation.⁹³ This agreement has stated that both agencies will work together to create actionable plans to protect the Salish Sea; however, this cooperation's actual outcome seems only to be information sharing. The proposal of a joint Task Force between Washington State and Canada would be to create direct, actionable change within the Salish Sea and Fraser River Watershed, not only for the ecological preservation of the two states but for the ecological, social, and economic benefits of the Salish Sea that are in jeopardy.

The ecological and social costs of the TMX expansion project are too high. The risk assessments that the NEB provided are ineffective. They do not offer a broad enough scope for the pipeline's consequences, as noted by Indigenous Peoples, health care professionals, and other experts in the field. The inevitable risks of a major oil spill have been minimized, analyzing scenarios that only look at sparsely populated areas. They have not accurately looked at cases

⁹³ US EPA. "U.S.-Canada Cooperation in the Salish Sea." Collections and Lists, June 26, 2015. <https://www.epa.gov/puget-sound/us-canada-cooperation-salish-sea>.

like the 2007 crude oil spill in Burnaby, B.C, where the 89,000 liters of oil made its way to the Burrard Inlet.⁹⁴ On top of the health impact to the air and water, the NEB did not accurately consider the unintended consequences of oil spills, such as the health impacts of benzene, a known carcinogen, which would impact surrounding populations.⁹⁵ Thus, we recommend an independent risk assessment of both ecological AND social impacts (with a focus on population health). As noted, The Canadian government has vested interests in completing this project, seeing as they own it. Having a more extensive and utterly independent assessment of the project's costs would provide the project more legitimacy if it is re-approved.

After completing the new independent risk assessments, we would advise having further public input involvement in the project, especially regarding Indigenous Peoples. The population has not been able to be adequately involved in the discussions for approval of this project. In 2016, the NEB held two weeks of hearings for the proposed pipeline expansion and barred the public from attending.⁹⁶ The NEB conducted their first approval of the TMX project just months later. After two years of legal battles, the Canadian government, based on the Court of Appeals' decision, asked the NEB to re-review their recommendations.⁹⁷ Indigenous Peoples challenged their decision, and so, a consultation team talked with them and took notes to pass on to the Cabinet. However, this never turned into a dialogue, which was the engagement that was previously promised and was required.⁹⁸ Having open hearings, where active participation from

⁹⁴ "Trans Mountain Pipeline: The Truth about Construction." Vancouver, British Columbia, Canada: Stand.Earth, September 2019. <https://www.stand.earth/sites/stand/files/Standearth-TransMountainPipelineConstructionReport-September2019-Final.pdf>.

⁹⁵ Holden, Emily. "10 US Oil Refineries Exceeding Limits," 2020.

⁹⁶ Stand.earth. "Trans Mountain Pipeline."

⁹⁷ Stand.earth. "Trans Mountain Pipeline."

⁹⁸ "Trans Mountain Pipeline: The Truth about Construction." Canada: Stand.Earth, 2019.

the general public is encouraged, is crucial to developing public projects. The Canadian government must engage in dialogue with its residents and Indigenous Peoples to understand this new pipeline's impacts.

2.5. Conclusion

It is vital for the communities around the Salish Sea and the global atmosphere that the Trans Mountain Pipeline expansion is not constructed as the irreversible consequences will leave lasting damages. A 168% increase in the probability of spillage from a tanker based on higher traffic and an 800% increase in the chance of a 20,000 barrel or larger spill over the next ten years will devastate the Fraser River Watershed where the Trans Mountain Pipeline runs through and her surrounding areas.^{99,100} Those impacted by the Trans Mountain Pipeline expansion are the Indigenous communities in the United States and Canada who rely on the Salish Sea, the ecology of the Salish Sea and Fraser River, the inhabitants of British Columbia, the tourists who travel to the Salish Sea, and the global atmosphere. In light of this research into the Trans Mountain Pipeline Expansion, we propose a new risk assessment on the effects of the Trans Mountain Pipeline expansion, emphasizing the social and ecological stakes. We also suggest Governor Inslee create a Task Force in the hopes that a coalition between Indigenous communities, Washington State legislators, and the government of British Columbia can find ways to preserve and protect the Salish Sea and her surrounding lands. Patti Gobin is a member of the Tulalip Tribe in Washington state; she articulated the urgency of protecting this land, our land, when she states, "Rise up! Be the voice of where we came from, which is I am king

⁹⁹ Larson, Samantha. "Are We Ready for Oil Spills in the Salish Sea?" Crosscut.

¹⁰⁰ Felleman and Stephens. "Canadian Pipeline Poses Major Threat to Salish Sea." *Whatcom Watch Online*(blog).

salmon, and I am the cedar tree that is all-encompassing... The cedar tree is crying out; the killer whales are crying out for us to say that.”¹⁰¹

3. Social Movements and Allyship Best Practices

Faced again with the threat of losing their land, waters, lifestyle, and culture, Indigenous communities have launched social movements and galvanized support from non-indigenous allies and environmental activists to oppose the Trans Mountain Expansion Project. We will examine the history of Indigenous-led social movements against infringements upon their land, water, lifestyle, and treaty rights, evaluate the efficacy of various present resistance tactics against TMX, including direct, legal, and legislative action, discuss allyship and allyship best practices, and consider future strategies for fighting against the fossil fuel industry while supporting environmental justice.

3.1. Tactics from Past Social Movements for TMX Resistance

For hundreds of years, American Indigenous people have been fighting for tribal rights, Indigenous sovereignty, and spiritual orientations, but now they face environmental injustice due to increasing carbon emissions. In the 1950s and 60s, more than half of the United States’ pipelines were developed. During this time, the pipeline network formation worked under enormous demand for energy in the flourishing post-World War II economy.¹⁰² Since then, pipelines near Indigenous territories have caused environmental issues, contaminating land and water through oil spills. To develop better social movements strategies resisting the Trans

¹⁰¹ Gobin, Patti. Interview, 2021.

¹⁰² “Pipeline Risks.” Tip of the Mitt Watershed Council. Accessed February 21, 2021. <https://www.watershedcouncil.org/pipeline-risks.html>.

Mountain Pipeline expansion, allies in the Coast Salish region should investigate which tactics Indigenous People used during the Fish Wars and other pipeline resistances - Keystone XL and Dakota Access pipelines.

3.1.1. *The Fish Wars*

One of the notable movements in the Coast Salish region was the Fish Wars, social movements led by Indigenous Tribes in the Puget Sound region in the 1960s and 70s to emphasize the fishing rights granted by the Point No Point Treaty, 1855. After signing this treaty, Indigenous Tribes ceded their land to the United States but retained rights to fish in their fishing areas. Although Indigenous People had their rights to fish in their traditional areas, Indigenous fishers were arrested, and some of them refused to get fishing licenses and accept restrictions.¹⁰³

The tactic that they used was unlicensed “fish-ins” at Frank’s Landing in 1963. It was mobilized by Billy Frank Jr., a member of the Nisqually tribe who was a treaty rights activist. To participate in fish-ins, fishers kept returning to their fishing areas after several arrests and convictions and let police officers arrest them for asserting treaty rights.¹⁰⁴ By 1964, after one year of repetitive arrests and convictions of fishers, the protests finally gained the media’s attention, and many tribal groups joined their fish-in as well as celebrities, including Marlon Brando.¹⁰⁵ After all these social movements, the U.S. federal government interfered, suing Washington state for failing to maintain its treaty agreement.

¹⁰³ Washington Governor’s Office of Indian Affairs. “Treaty of Point No Point,” April 29, 1859. <https://goia.wa.gov/tribal-government/treaty-point-no-point-1855>.

¹⁰⁴ Chrisman, Gabriel. “The Fish-in Protests at Franks Landing.” Seattle Civil Rights and Labor History Project, 2008. <https://depts.washington.edu/civilr/fish-ins.htm>.

¹⁰⁵ Kamb, Lewis. “Indians Fondly Recall 'Caring,' Loyal Brando.” [seattlepi.com](http://www.seattlepi.com). Seattle Post-Intelligencer, March 16, 2011. <http://www.seattlepi.com/local/article/Indians-fondly-recall-caring-loyal-Brando-1148613.php>.

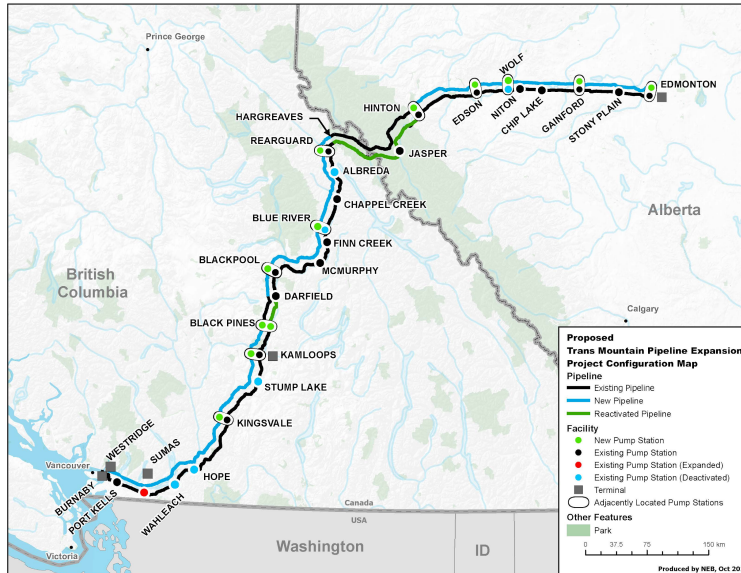
In 1974, U.S. District Court Judge, George Hugo Boldt stated in *United States v. Washington (Boldt Decision)*¹⁰⁶ that Indigenous fishers must be allowed to take up to 50% of harvestable fish and required that they have the equal right to manage the fishery, resulting in protecting the fish rights of Indigenous fishers.¹⁰⁷ Fishing rights they earned from the Boldt Decision helped Indigenous People in the Coast Salish region maintain their lifestyles and keep their cultural and spiritual values. Furthermore, this allowed Tribe members to maintain an adequate diet to sustain themselves. In an interview with Patti Gobin, a member of the Tulalip Tribes who works with the Natural Resource Treaty Rights Office asks, “How do we feed our people? And feeding to us isn’t just what we take into our body; it’s all that it takes. How do we come together and do the traditional things we do to catch that salmon, eat that salmon, and then take its remains to the place where we know where they go and not in the trash?”¹⁰⁸

The Boldt Decision is important for Indigenous communities in the Coast Salish region because it rewards Tribes with their sovereignty and expands their powers in future court cases. According to Robert Anderson, a tribe member of Minnesota Chippewa and director of the University of Washington's Native American Law Center, “The Boldt Decision became a precedent for Indigenous Tribes in other states: Michigan, Minnesota, and Wisconsin to win legal decisions - rights to shared fisheries assets to state governments. Also, Alaskan Indigenous

¹⁰⁶ Boldt, Hon. George H. *The Boldt Decision*, No. Civ. No. 9213 (United States District Court for the Western District of Washington, Tacoma Division February 12, 1974).

¹⁰⁷ Crowley, Walt, and David Wilma. “Federal Judge George Boldt Issues Historic Ruling Affirming Native American Treaty Fishing Rights on February 12, 1974.” *History Link*, February 23, 2003. <https://www.historylink.org/File/5282>.

¹⁰⁸ Gobin, Patti. Interview, 2021.



People consistently allude to the case as a framework for securing treaty rights in Alaska.”¹⁰⁹

While the Boldt Decision may have ended the Fish Wars, the fight to maintain tribal sovereignty and fight against impending climate disasters persists.

3.1.2. *A Rise of a New Priority*

After American Indigenous Tribes gained tribal and fishing rights from the Fish Wars, their priority was to maintain environmental stability due to contamination caused by pipeline infrastructures ruining their territories. As mentioned on page 10, The Trans Mountain Pipeline has been operating since 1953 and transporting raw petroleum and refined oil-based commodities from Edmonton, Alberta to refineries and terminals in British Columbia and Washington State.¹¹⁰

In 2012, Kinder Morgan, the owner of the Trans Mountain Pipeline, decided to expand the pipeline after accepting help from oil shippers. Following year, Kinder Morgan applied to the

¹⁰⁹ Kamb, Lewis. “Indians Fondly Recall ‘caring,’ Loyal Brando.” Seattle PI, July 3, 2004. <https://www.seattlepi.com/seattlenews/article/Indians-fondly-recall-caring-loyal-Brando-1148613.php>.

¹¹⁰ The Canadian Press. “Timeline: Key Dates in the History of the Trans Mountain Pipeline.” CBC, October 3, 2018. <https://www.cbc.ca/news/canada/calgary/timeline-key-dates-history-trans-mountain-pipeline-1.4849370>.

National Energy Board (NEB) to expand the pipeline.¹¹¹ However, due to administrative delays and court issues, Prime Minister of Canada Justin Trudeau and his administration purchased the Trans Mountain Pipeline from Kinder Morgan for \$4.5 billion.¹¹²

Figure 4. Map of the proposed Trans Mountain Expansion Project¹¹³

“The Suquamish people have shared the waters of the Salish Sea for thousands of years,” said Suquamish Chairman Leonard Forsman. “We have an obligation to protect our people from increasing threats of vessel traffic and oil spills that may irreparably damage orcas, salmon, shellfish, and our cultural lifeways. It is our duty as stewards to maintain clean water and a healthy ecosystem by opposing the Trans Mountain pipeline.”¹¹⁴ As people who believe in the spirit and rely on nature, stopping expansion is as important as fighting for tribal rights and sovereignty.

3.1.3 Social Movements and Opposition Tactics

3.1.3.1. Keystone XL

Keystone XL pipeline was commissioned in 2010 and owned by TC Energy. This pipeline runs from Hardisty, Alberta, to refineries in Illinois and Texas.¹¹⁵ Due to environmental

¹¹¹ The Canadian Press. “Timeline,” 2018.

¹¹² Bennett, Nelson. “Trans Mountain Pipeline Is Full and Making Money.” Business News. Business in Vancouver, December 8, 2020. <https://biv.com/article/2020/12/trans-mountain-pipeline-full-and-making-money>.

¹¹³ The Maritime Executive. “Canada Purchases Trans Mountain Pipeline from Kinder Morgan,” May 29, 2018. <https://www.maritime-executive.com/article/canada-purchases-trans-mountain-pipeline-from-kinder-morgan>.

¹¹⁴ “Northwest Tribal Leaders Testify in Opposition to Canadian Pipeline Expansion.” Earthjustice, November 28, 2018. <https://earthjustice.org/news/press/2018/northwest-tribal-leaders-testify-in-opposition-to-canadian-pipeline-expansion>.

¹¹⁵ Denchak, Melissa. “What Is the Keystone XL Pipeline?” NRDC, January 20, 2021. <https://www.nrdc.org/stories/what-keystone-pipeline>.

harm and definite climate change factors, many Indigenous communities, environmental activists, and religious leaders have initiated social movements. During the Keystone XL social movement, the activist group Tar Sands Blockade played a key role. Tar Sands Blockade is an activist group in North America that participates in a peaceful direct action campaign to resist the Keystone XL pipeline. Their goal is to stand with volunteers with various backgrounds who want to stop the extraction of tar sand in Canada and save our planet from climate change. Members of the Tar Sands Blockade are motivated to build a movement to stop tar sands extraction, shipping, and refining.

Tar Sands Blockade used direct-action tactics. In the middle of the Keystone XL Pipeline's southern leg construction, the Tar Sands Blockade members began their resistance. The resistance group partook in an 86-day tree blockade in Winnsboro, Texas; while blocking, they documented the tar sands expansion pipeline's risk. They then created a documentary named *Blockadia Rising: Voice from the Tar Sands Blockade*, directed by Garrett Graham in 2013¹¹⁶ featuring details using interviews with the blockaders who put their lives at risk to stop Keystone XL. Throughout the Keystone XL pipeline movements, the documentary that displayed the seriousness of stopping the pipeline and how activists took a risk by using direct tactics led to success in getting attention to online media and gaining more support for social movements.

The social movements against Keystone XL have become a pioneer of climate change activism because they led several demonstrations outside the White House for years. In 2011, 1,253 activists were arrested following two weeks of civil disobedience demonstrations, which turned into the most significant demonstrations of civil disobedience in the North American

¹¹⁶ Bradshaw, Elizabeth A. "Blockadia Rising: Rowdy Greens, Direct Action and the Keystone XL Pipeline." *Critical Criminology* 23, no. 4 (2015): 433–48. <https://doi.org/10.1007/s10612-015-9289-0>.

climate movements. President Barack Obama rejected the Keystone XL pipeline project due to the impact on climate change and the adamant opposition by the public. Although it was revived by President Donald Trump, the pipeline rejected by President Obama after social movements was a massive outcome for the climate change movement.¹¹⁷

3.1.3.2. Dakota Access Pipeline

Dakota Access Pipeline (DAPL) was commissioned in 2017 and owned by Energy Transfer Partners, MarEn Bakken Company LLC, Phillips 66, and Enbridge. This pipeline runs from Stanley, North Dakota, to Patoka, Illinois¹¹⁸. Throughout the social movement to oppose DAPL, the conflict between the police officers and activists, also known as ‘water protectors,’ had reached its peak because the police officers forcefully controlled Indigenous People by using rubber bullets, police dogs, water hoses, and tear gas.¹¹⁹ While some activists were taking direct actions, blocking further construction, facing rubber bullets and security dogs, others made complementary actions – praying, bringing assets (food and water), cooking, and giving medical care to the frontline protesters.¹²⁰ La Donna Brave Bull Allard, a member of the Dakota tribe, assisted with setting up the camp and named it ‘Inyaŋ Wakháŋagapi Othí,’ meaning ‘Sacred Stone.’ Many Indigenous activists from across the world filled the Sacred Stone Camp to help.

¹¹⁷ Beauchesne, Calvin. “Analyzing the Effectiveness of Social Movements Opposing Fossil Fuel Infrastructure: A Case Study of the Trans Mountain Pipeline Expansion.” Dissertation, Trent University, 2019. ProQuest (2317708559).

¹¹⁸ “Dakota Access Pipeline Facts.” Home. Accessed February 21, 2021. <https://www.daplpipelinefacts.com/>.

¹¹⁹ Penn-Roco, Amber. “Standing Rock And The Erosion Of Tribal Rights.” *National Lawyer’s Guild Review* 73, no. 3 (2016): 176–79.

¹²⁰ Steinman, Erich. “Why Was Standing Rock and the #NoDAPL Campaign so Historic? Factors Affecting American Indian Participation in Social Movement Collaborations and Coalitions.” *Ethnic and Racial Studies* 42, no. 7 (May 19, 2019): 1070–90. <https://doi.org/10.1080/01419870.2018.1471215>.

At its peak, the number of activists had reached 17,000.¹²¹ The movement led by Sacred Stone Camp focused on peaceful and spiritual resistance. La Donna Brave Bull Allard said, “Every morning warriors would go to the frontline to pray. All day people were praying and singing. We had trainings in non-violent resistance: classes on security, classes on how not to react. What I saw on the frontline were amazing warriors able to stand there in prayer.”¹²²

With increased activists and the severity of protests, the social movement against DAPL got international media attention due to trending hashtags like #NoDAPL. This increased campaign resources and numbers of participants showing up to Standing Rock after seeing the situation online.¹²³ It is evident with the examples of Keystone XL and DAPL that the involvement of the media is crucial to inform the public and gain the masses to protest these projects.

3.1.4. *Steps To Stronger Allyship*

According to Calvin Beauchesne, a graduate student of Trent University and participant in the protests against various pipelines, in his dissertation research, “Effectiveness of social movements opposing fossil fuel infrastructure: a case study of TMX,” the primary goal of alliances -- including activists, campaigners, Indigenous leaders, and politicians -- was to put pressure on politicians who support the Trans Mountain Pipeline Expansion project to change

¹²¹ Kelly, Alyssa. ““Water Is the First Medicine of This World.”” *Char-Koosta News*. November 30, 2017. http://www.charkoosta.com/news/water-is-the-first-medicine-of-this-world/article_97d5f7b3-e9e5-5109-9088-0b904d5b90d6.html.

¹²² Kelly, 2017.

¹²³ Beauchesne, Calvin. “Analyzing the Effectiveness of Social Movements Opposing Fossil Fuel Infrastructure: A Case Study of the Trans Mountain Pipeline Expansion.” PhD diss. Trent University, 2019.

their standpoint through conventional (letter writing and phone calling) and non-conventional (civil disobedience) lobbying tactics.

In terms of relationships between alliances, their biggest challenge was having different perspectives among people, causing tensions between activists. During social movements, there were various groups of activists: Indigenous leaders, non-indigenous allies from environmental organizations, and media coverage. There were knowledge gaps between the groups about TMX, varying cultural practices, and treatment, as well as differing opinions on how their social movements should have been done, causing emotional conflict with one another.¹²⁴ During any social movements, it is vital that allies and non-indigenous leaders understand, respect, and get to know each other through conversations, asking questions to see if there are any significant cultural differences to ease tension.

In the dissertation summary, Beauchesne stated that activists who participate in social movements for opposing pipelines need to find effective ways to educate and motivate non-activists on the risk of pipeline projects. There are several ways activists can educate the public. If you look at the Fish Wars, American Indigenous People repeatedly did fish-ins and got arrested to get attention so that many people, including celebrities, learned what happened to Indigenous People in the Coast Salish region. The activist group, Tar Sand Blockade, used a confrontational tactic to block the Keystone XL pipeline for 86 days and documented the pipeline's reality, resulting in the public becoming more familiar with the pipeline. Referencing how Indigenous People and the Tar Sand Blockade influenced and educated the public in the

¹²⁴ Beauchesne, Calvin. "Analyzing the Effectiveness of Social Movements Opposing Fossil Fuel Infrastructure," 2019.

past, activists who resist the Trans Mountain Pipeline Expansion should use others' past experiences to plan their own social movement.

3.1.5. Resistance Is Not Futile; It Is To Make Changes

Ever since settler colonialism emerged in the United States, there have been many battles, resistances, and treaty agreements between white and non-indigenous settlers and American Indigenous People. American Indigenous people have led social movements, including the Fish Wars that influenced many allies to resist pipeline infrastructures. Many allies in the past social movements against the Keystone XL and Dakota Access Pipelines used various tactics to lead to success. Based on what happened in the past, allies who want to resist the Trans Mountain Pipeline and its expansion (TMX) need to start thinking about the best tactic they can use for their movements and find effective ways to educate the public and build a stronger allyship.

3.2. Present Social Movements in Regards to TMX

Since its conception in 2013, the Trans Mountain Expansion Project (TMX) has faced extensive resistance from Indigenous communities as its existence would threaten their lifestyle, culture, sovereignty, and water. Before the acquisition of the project by the Canadian government, First Nations members and non-indigenous allies have marched, camped, canoed, testified, and allowed themselves to be arrested to protest the expansion of the pipeline. Protests continued to take place with mounting urgency following the Kinder Morgan buyout in 2018. In the following sections, we introduce two First Nations groups — the Secwepemc and Tsleil-Waututh — whose actions taken to halt the Trans Mountain Expansion project are examples of effective and productive ways of pushing back against TMX and asserting Indigenous sovereignty. These pipeline protestors operate under the framework of what Dr. Theo LeQuesne

refers to as the “carbon rebellion” and “dual power,” where social groups simultaneously engage with existing regimes of governance while establishing alternative institutions that will ultimately replace those dominant institutions in order to disrupt favorable narratives and public discourses established by the fossil fuel industry.

3.2.1. *Secwepemc Land Defenders Direct Action*

3.2.1.1. *Tiny House Warriors*

TMX has faced immense pushback from Secwépemc community members who argue that the expansion was approved without enough consultation, that it violated the Declaration on the Rights of Indigenous peoples, and that it would disrupt their way of life.¹²⁵ A coalition of Secwepemc Land Defenders called Tiny House Warriors emerged in September 2017. They began operating under Secwepemc law to assert Secwepemc collective jurisdiction and title over their unceded territory upon which TMX would cross.¹²⁶ In July 2018, The Tiny House Warriors began re-establishing an ancestral village by constructing tiny houses that block the pipeline’s proposed path near a planned “work camp” (referred to by Indigenous dissenters as a "man camp" because of the predominance of men in the demographics of pipeline workers)¹²⁷ in Clearwater, British Columbia. According to the Tiny House Warriors, despite the Canadian government’s claims that the pipeline is in the country’s best interest, the pipeline violates Secwepemc rights and endangers their lands and waters. Kanahus Manuel, a leader with the Tiny House Warriors and a member of the Secwepemc Women Warriors, maintain that if the pipeline

¹²⁵ Secwepemcul’ecw Assembly. “Secwepemc Declaration Against Kinder Morgan,” June 4, 2017. <https://www.secwepemculecw.org>.

¹²⁶ Secwepemcul’ecw Assembly. “Secwepemc Declaration Against Kinder Morgan,” 2017.

¹²⁷ Brake, Justin. “Tiny House Warriors Establish New Village to Resist Pipeline, Assert Secwepemc Sovereignty.” *APTN News* (blog), July 19, 2018. <https://www.aptnnews.ca/national-news/tiny-house-warriors-establish-new-village-to-resist-pipeline-assert-secwepemc-sovereignty/>.

were to be built, the government would need to empty their reclaimed ancestral village a second time and “make continued colonization and cultural genocide part of his legacy of so-called reconciliation.”¹²⁸

Kanahaus Manuel, along with Tiny House Warriors Mayk Manuel, Isha Jules, and Snutetkwe Manuel, has been arrested numerous times and will be going to court facing a range of charges for their opposition tactics regarding TMX. Kanahaus Manuel was slammed to the ground by RCMP, and her arm was seriously injured. She was not taken to the hospital for 10 hours and was restricted from communicating with her family from the hospital.¹²⁹ In addition to the brutalization by police and government institutions, on the night of April 19th, 2020, three white men and one white woman drove two all-terrain vehicles into the encampment, shouting profane slurs, knocking down signs and memorial structures to missing and murdered Indigenous women. They stole a truck and rammed it into a house before physically harassing an Indigenous man --- and still, these perpetrators have not been located or arrested.¹³⁰

3.2.1.2. *Blockades and Arrests by the Royal Canadian Mounted Police*

In addition to the resistance movements against TMX launched by the Tiny House Warriors, the Secwepemc Land Defenders have set up camps and used their bodies as barriers to prevent and delay the pipeline’s construction. In September 2020, protester Loralie Dick chained herself to the TMX worksite in Kamloops before being arrested by the Royal Canadian Mounted Police (RCMP) for violating a B.C. Supreme Court injunction in 2018 that barred land defenders

¹²⁸ Secwepemcul’ecw Assembly. “Risk Assessment.” Accessed February 26, 2021. <https://www.secwepemculecw.org/risk-assessment>.

¹²⁹ Martens, Kathleen. “Kanahaus Manuel Arrested, Injured during Pipeline Protest Say Tiny House Warriors.” *APTN News*(blog), October 21, 2019. <https://www.aptnnews.ca/national-news/arrest/>.

¹³⁰ Turner, Jerome. “Land Defenders Describe a Violent Night Attack on Their Camp.” *The Tyee*, May 4, 2020. <https://thetyee.ca/News/2020/05/04/Land-Defenders-Describe-A-Violent-Night-On-Their-Camp/>.

from blocking work.¹³¹ Following her arrest in October 2020, a protest camp was set up by Secwepemc community members near the proposed site of expansion, along the Thompson River. In response to TMX workers being seen surveying in preparation to drill under the river, the camp was soon moved directly in the way of the expansion, blocking construction. By October 15, the RCMP had begun arresting people connected to the camp and charging them with impeding construction, including Hereditary Chief Segwses, Loralie Dick, April Thomas, Billie Pierre, and Romilly Cavanaugh.¹³² On October 17, 2020, Secwépemc matriarch Miranda Dick cut her hair in a ceremony symbolic of the loss of her land before the expansion project's gates. Soon after the ceremony, she and four other women were arrested by RCMP officers.¹³³ One was arrested without charges, while the other four are set to appear in court in January 2021.¹³⁴ In February 2020, Segwses and his daughter gave themselves up for arrest for participating in the 2020 Canadian pipeline and railway protests in order to prevent the RCMP from snuffing a sacred fire as well as to prevent the escalation of a confrontation.

3.2.2. *Legal and Legislative Action by the Tsleil-Waututh Nation*

3.2.2.1. *Assessment of Trans Mountain Pipeline and Tanker Expansion Proposal*

Among the many First Nations in Canada and Indigenous Tribes in the US fighting against TMX, the Tsleil-Waututh Nation have analyzed and deemed the construction of TMX unacceptable under Tsleil-Waututh law brought their case to court. The Westridge Marine

¹³¹ Laferté, Boston. "Secwepemc Set up New Camp in Hopes of Halting TMX Construction, Leads to Five Arrests." *Marlet*(blog), October 23, 2020. <https://www.martlet.ca/news-secwepemc-new-camp-halts-tmx/>.

¹³² Laferté, 2020.

¹³³ Kilawna, Kelsie. "Secwépemc Matriarch Miranda Dick Cuts Hair in Ceremony for Land Defence." *APTN News* (blog), October 24, 2020. <https://www.aptnnews.ca/national-news/secwepemc-matriarch-cuts-off-her-hair-in-defense-of-her-lands-and-waters/>.

¹³⁴ Laferté, Boston. "Secwepemc Set up New Camp," 2020.

Terminal, one of the main docks of the pipeline, is just two kilometers away from the Tsleil-Waututh Main Reserve. Any ecological or social impact will affect their tribe profoundly.¹³⁵ The National Energy Board (NEB) released a report in May 2016 stating that the economic benefits of TMX outweigh the risks and that Canada should move forward with construction, as building TMX will ultimately be in the best interest of the nation.¹³⁶ In response to NEB's report, the Tsleil-Waututh conducted their own environmental and economic assessment under their Stewardship Policy— an expression of their inherent jurisdiction and law within their governance system. The Stewardship Policy mandates a review of all proposed water, land, and resource policies, plans, and developments inside Tsleil-Waututh's Consultation Area — a space within the Tsleil-Waututh territory that requires consultation from the Tsleil-Waututh nation before any proposed land and resource developments to ensure that all construction will be in the interests of the Tsleil-Waututh. Assessments carried out under the Stewardship Policy provide the Tsleil-Waututh with the information they require to make informed decisions about their land usage and whether to consent to a proposal or withhold support.¹³⁷ The Tsleil-Waututh Sacred Trust's Trans Mountain Assessment Report takes into consideration aspects of their title, rights, and interests ranging from their rights to preserve archaeological and cultural sites, to practice and engage in culturally and spiritually significant activities, to their rights to harvest and manage the ecology and wildlife around them. They concluded that TMX does not represent the

¹³⁵ "Assessment of the Trans Mountain Pipeline and Tanker Expansion Proposal." Treaty, Lands & Resources Department Tsleil Waututh Nation, n.d. https://twnsacredtrust.ca/wp-content/uploads/TWN_assessment_final_med-res_v2.pdf.

¹³⁶ Sacred Trust. "Why Did the NEB Approve the Kinder Morgan Pipeline If Its Economic Impact Is Negative?," May 28, 2017. <https://twnsacredtrust.ca/concerns/neb-approval/>.

¹³⁷ "Assessment of the Trans Mountain Pipeline and Tanker Expansion Proposal." Treaty, Lands & Resources Department Tsleil Waututh Nation, n.d.

Tsleil-Waututh territory's best use and opposes the Expansion project because it does not use the water, land, air, and resources of the Tsleil-Waututh territory to satisfy the needs of their ancestors, present and future generations.¹³⁸ In addition to their assessment, Tsleil-Waututh has also conducted multiple economic studies, including oil spill, clean water, and air quality analyses.

In August 2018, the Federal Court of Appeal overturned the NEB's approval of the pipeline expansion, agreeing that the government did not sufficiently consult First Nations groups or assess its environmental impact.¹³⁹ In the summer that followed, however, the Governor in Council (GIC) directed the NEB to issue the certificate allowing for the construction of TMX. The Canadian Supreme Court ultimately dismissed the appeal of a prior decision by the Federal Court of Appeal regarding the Tsleil-Waututh resistance against TMX in July of 2020, ending any potential for further legal challenges of the expansion.^{140, 141} Reuben George, Manager of Sacred Trust Tsleil Waututh Nation, explains that the Court "ended up siding with Canada because it was in the [Federal] government's best interest to build TMX."

3.2.3. *Social Movements on an International Scale*

Mr. George (a member of the Tsleil Waututh Nation and manager of Sacred Trust) expects to bring their assessments and analyses to the international stage and make a case to the

¹³⁸ Treaty, Lands & Resources Department Tsleil Waututh Nation, n.d.

¹³⁹ Dawson, J.A. *Tsleil-Waututh Nation v. Canada*, No. A-78-17 (lead file); A-217-16; A-218-16; A-223-16; A-224-16; A-225-16; A-232-16; A-68-17; A-74-17; A-75-17; A-76-17; A-77-17; A-84-17; A-86-17 (Canadian Federal Court of Appeals August 30, 2018).

¹⁴⁰ Canada Energy Regulator Government of Canada. "Canada Energy Regulator / Régie De L'énergie Du Canada," September 29, 2020. <https://www.cer-rec.gc.ca/en/applications-hearings/view-applications-projects/trans-mountain-expansion/the-government-canada-has-approved-trans-mountain-expansion-project.html>.

¹⁴¹ CBC. "Supreme Court Dismisses First Nations' Challenge against Trans Mountain Pipeline," July 2, 2020. <https://www.cbc.ca/news/canada/british-columbia/trans-mountain-pipeline-challenge-bc-first-nations-supreme-court-of-canada-1.5634232>.

United Nations (UN). In fact, the UN has shown signs supporting resistance against TMX and could be a powerful ally in their fight against TMX. The UN Committee on the Elimination of Racial Discrimination (CERD) has issued a statement calling for Canada to “immediately cease construction” of the Trans Mountain and Coastal Gaslink pipelines and the Site C hydro dam until the consent of Indigenous Peoples is secured, and cites Canada’s failure to implement the United Nations Declaration on the Rights of Indigenous Peoples in their decision.¹⁴² Mr. George believes that the Tsleil-Waututh and other First Nations Tribes “have not played their strongest hand yet” and believes that seeking international support and believes that international recognition ranging from asking European banks to stop investing in TMX to legal action from the UN can be useful. "Divestment in banks, going after investment companies... My son went to international banks and got European banks to divest hundreds of thousands of dollars. They listened," he suggested. "We will bring [our economic and environmental analyses] to the United Nations to explain our case and do filing through their court system." Expanding protests outside of Canada and the U.S. is a plausible way of action and going to the UN is an avenue that can be explored. The Tsleil-Waututh Nation is treating the dismissal of their court case as a “rallying cry to renew resistance to this project and to continue supporting Indigenous Nations asserting their rights” and that the “battle has only started.”¹⁴³

Winona LaDuke (a member of the Ojibwe Tribe and Indigenous environmentalist leader) believes that the "Wiindigoo" (a malevolent spirit that devours human beings in

¹⁴² Committee on the Elimination of Racial Discrimination. “Prevention of Racial Discrimination, Including Early Warning and Urgent Action Procedure.” Geneva, 2019. https://a08637c9-0413-4126-9c38-2f405deceb45.filesusr.com/ugd/934d11_8076fc418393440f9ab1393386d46467.pdf?index=true.

¹⁴³ Union of British Columbia Indian Chiefs. “Supreme Court of Canada’s Dismissal of Leave to Appeal Coldwater Decision Fails to Uphold Indigenous Title and Rights,” July 2, 2020. https://www.ubcic.bc.ca/_supreme_court_of_canada_s_dismissal_of_leave_to_appeal_coldwater_decision_fails_to_uphold_indigenous_title_and_rights.

Indigenous folklore) is embodied in the recklessness of late-stage capitalism, and the dangers of the fossil fuel industry have already been recognized by the UN.¹⁴⁴ Before the Wiindigoo "starts eating all of your relatives and your mother," social movements must "starve" the Wiindigoo through divestment. Due to the rise in tech companies' prominence and their commitment to clean energy, oil companies like Exxon/Mobil are no longer as valuable as decades ago. Their newfound commitment to clean energy can be attributed to the work of Indigenous people who have mobilized to transform investments worldwide, forcing companies like Amazon and banks like Goldman Sachs to reject financing oil drilling. Goldman Sachs' move to divest in oil drilling resulted from "tireless Indigenous-led resistance, including crucial advocacy by the Gwich'in Steering Committee," who worked to explain to central banks why drilling in the Arctic refuge was a significant threat. Seeking to force international banks and tech conglomerates to divest in TMX and to pursue clean energy alternatives through continued pressure is a method that can be pursued.

Although the Secwepemc community is used as a case study for direct action taken against TMX and the Tsleil-Waututh used as a case study for legal and legislative action taken against TMX, both First Nations have participated in all forms of resistance against TMX. For instance, the Secwepemc has joined the Tsleil-Waututh in going to the Federal Court of Appeals in Canada and has also conducted their own environmental assessment of TMX.¹⁴⁵ Likewise, the Tsleil-Waututh Nation has engaged many activists, and members have thrown themselves in the way of the expansion project in direct action.

¹⁴⁴LaDuke, Winona. *To Be a Water Protector: The Rise of the Wiindigo Slayers*. Fernwood Publishing, 2020.

¹⁴⁵ "Standing Rock of the North: The Kinder Morgan Trans Mountain Pipeline Expansion Secwepemc Risk Assessment." The Indigenous Network on Economics and Trade, October 2017. https://a08637c9-0413-4126-9c38-2f405deeb45.filesusr.com/ugd/934d11_6d9408803da54d24a2d6b650f14e6125.pdf.

3.2.4. Federal Trust Responsibility

Leveraging the United States' federal Indian trust responsibility to increase political pressure on government legislators is another potential tactic that can be employed to stop or delay TMX. The federal Indian trust responsibility is a legal obligation under which the United States “has charged itself with moral obligations of the highest responsibility and trust” toward Indian Tribes (*Seminole Nation v. United States*, 1942). Since 1831, the trust doctrine has been at the center of numerous other Supreme Court cases, making it one of the most critical principles in federal Indian law. More importantly, the trust responsibility is a legally enforceable fiduciary obligation on the part of the United States to protect tribal treaty rights, lands, assets, and resources and a duty to carry out the mandates of federal law concerning American Indian and Alaska Native Tribes and villages.¹⁴⁶

Despite being a pipeline owned entirely by the Canadian government, the construction of TMX will hurt all the Coast Salish area— including U.S. Tribes south of the Canadian border. American tribal lands, assets, and resources will become jeopardized as a result of TMX. Among the guiding principles of the trust responsibility, one of them promises to “ensure to the maximum extent possible that trust and restricted fee lands, trust resources, and treaty and similarly recognized rights are protected.”¹⁴⁷ Therefore, the United States is legally responsible for protecting their Tribes from the potential consequences of TMX. The Department of the Interior, Bureau of Indian Affairs, Congress, and the President all recognize their obligations as a

¹⁴⁶ Bureau of Indian Affairs. “Frequently Asked Questions.” Accessed March 2, 2021. <https://www.bia.gov/frequently-asked-questions>.

¹⁴⁷ Jewell, Sally. Reaffirmation of the Federal Trust Responsibility to Federally Recognized Indian Tribes and Individual Indian Beneficiaries, U.S. Department of the Interior § (2014). <https://www.doi.gov/sites/doi.gov/files/migrated/news/pressreleases/upload/Signed-SO-3335.pdf>.

trustee toward Indigenous communities around the United States. They can and should be held accountable if they fail to uphold these values.¹⁴⁸ By citing the federal Indian trust responsibility, social movements can put political pressure on the Biden administration and EPA to consider their legal responsibility to US Tribes in the context of TMX.

3.2.5. Indigenous-led pipeline resistance movements under a framework of carbon democracy vs. carbon rebellion & dual power

Theodore LeQuesne’s essay about fighting fossil fuel power relations, “From Carbon Democracy to Carbon Rebellion: Countering Petro-Hegemony on the Frontlines of Climate Justice,” draws upon several examples of climate justice activism centered in pipeline resistance movements and discusses their efficacy under a framework of what he refers to as the carbon rebellion and dual power.¹⁴⁹ Through “petro-hegemony,” the fossil fuel industry produces conditions of consent to its operations by disseminating and reinforcing favorable narratives and public discourses that shape the *status quo*. When these favorable narratives are questioned or threatened, the fossil fuel industry represses dissent through its access to the state’s coercive resources, such as legislation, regulatory agencies, or militarized police forces (i.e., dependency on the RCMP). To reverse the industry’s coercive capabilities and ultimately break the hegemonic cycle of economic dependency, the climate justice movement can work through implementing dual power in direct action, legal action, or electoral and legislative action. The “dual power” that LeQuesne refers to is a strategy for radical social change where groups

¹⁴⁸ Jewell, 2014.

¹⁴⁹ LeQuesne, Theo. “From Carbon Democracy to Carbon Rebellion: Countering Petro-Hegemony on the Frontlines of Climate Justice.” *Journal of World-Systems Research* 25, no. 1 (March 25, 2019): 15–27. <https://doi.org/10.5195/jwsr.2019.905>.

simultaneously engage in pre-established institutions while creating alternative systems that will ultimately replace those dominant institutions. In this portion of our analysis, we will apply the theory of the carbon rebellion and dual power to discuss why the actions were taken against TMX by the Secwepemc and the Tsleil-Waututh can be useful in increasing awareness, social cohesion, and changing legislation and can be implemented to increase resistance against not only TMX but engage more people in future pipeline resistance movements.

In their assertions of sovereignty and centering the resurgence of Indigenous governance and culture, the interventions of the Secwepemc community helped delegitimize dominant institutions (RCMP, the Canadian government, TMX) while establishing alternative, decolonized institutions (re-establishing ancestral villages, upholding and conducting traditional ceremonies) at the proposed TMX site. For instance, when Miranda Dick crossed into the TMX construction area and was subsequently arrested, she was arrested under Canadian law, not Secwepemc law. This illustrates an instance where Indigenous activists refused to affirm or reinforce colonialist legal systems while simultaneously upholding their governance. Furthermore, images of Secwepemc Land Defenders' commitment to protecting their ancestral land and water for future generations juxtaposed with images of the intense policing, violence, and harassment aided in wresting the narrative away from TMX.¹⁵⁰ Explicit dissent in the form of their direct action and protests interrupt the cycle of consent established by the fossil fuel industry.

Regarding legal and legislative action, the Tsleil-Waututh Nation's Environmental Impact Report is an example of dual power in action— they are strategizing outside the colonial environmental impact review institutions imposed by the Canadian government while

¹⁵⁰ LeQuesne, 2019.

simultaneously delegitimizing those colonial institutions. Through using their systems of governance and Stewardship protocols to analyze the effects of TMX on their land, the Tsleil-Waututh Nation inherently asserted jurisdiction over their territory and rejected those of the oppressor. This approach intends to heighten awareness, increase support, and highlight the fossil fuel industry's hegemonic nature by integrating Indigenous legal, governmental, and cultural institutions while disregarding those of the colonial oppressor. Because the Canadian government's values are aligned with the fossil fuel industry, Indigenous communities are simultaneously drawing legitimacy away from the fossil fuel industry and drawing legitimacy to their cause. In addition to these battles in elections, courts, and the form of mass protest and civil disobedience, the setting up of camps and Tiny Houses by the Tiny House Warriors and a traditional Watch House by the Tsleil-Waututh are efforts to reclaim and assert sovereignty over ancestral land and prefigure Indigenous resurgence while also defending it from corporate-colonial intrusion.

The impact of the First Nations-led resistance to TMX has influenced the Canadian elections. As both Indigenous and non-Indigenous activists organized their communities across British Columbia, the TMX project and its implications became a vital election issue in 2017¹⁵¹. The opposition parties' (New Democrats, Green Party) commitments to blocking the pipeline played a significant role in defeating the Liberal Party in that year's provincial elections. The New Democrats now govern the province together with the Green Party, and Premier John Horgan has vowed to "use every tool in the toolbox" to oppose the pipeline.¹⁵² This, along with

¹⁵¹ LeQuesne, 2019..

¹⁵² Kane, Laura. "B.C. NDP Vows to Fight Trans Mountain Pipeline, but Won't Say How." Vancouver Sun, May 4, 2017. <https://financialpost.com/business/bc-ndp-vows-to-fight-pipeline-but-wont-say-how>.

the direct, legal, and legislative action taken by the Secwepemc and Tsleil-Waututh, are examples of Indigenous-led social movements that successfully engage with dominant institutions and create more favorable political conditions to intervene in the power dynamics of consent and coercion of petro-hegemony. While the fight against TMX is still an ongoing struggle, these tactics are being enacted to raise awareness of potential allies and call those allies into action. Together, Indigenous and non-Indigenous activists' coalitions can increase grassroots pressure on government legislators and turn TMX and other pipeline resistance movements into more outstanding national issues. Their methods have demonstrated the potential to be effective in delaying the expansion of Trans Mountain --- however, it is difficult to quantify whether or not their practices have been affecting allyship and public opinion south of the Canadian border and need to be studied. This is an area of inquiry that can be explored that is important to consider in creating a strategy of whether or not practices can be implemented in future actions taken against not only TMX but in other movements to resist the fossil fuel industry.

3.3. Allyship in TMX Opposition

3.3.1. *Defining Allyship in the Context of Indigenous Rights*

Allyship extends beyond simply expressing little prejudice towards Indigenous peoples— one needs to actively challenge settler colonialism, institutionalized racism, and change inequitable historical and contemporary colonial systems. Not only do allies have a desire to promote the rights of non-dominant groups actively and to eliminate social inequalities that the oppressor group benefits from, but allies also offer support by establishing meaningful relationships with minorities and hold themselves accountable to those people and

communities.¹⁵³

Allies must continue to engage in self-reflexivity and must work at being an ally by casting a critical eye on themselves, reevaluating how they choose to live and carry themselves, and thinking about how their lifestyle and choices impact Indigenous Peoples.¹⁵⁴ Furthermore, “non-indigenous ally” is not a label prescribed by non-indigenous people to themselves — it is only possible for Indigenous Peoples to truly evaluate and ascertain the degree to which they think a non-indigenous person is their ally.¹⁵⁵ By being critical of any motivations, continuing to educate oneself, acknowledging the fact that one is a guest on the land, recognizing the persistence and existence of Indigenous Peoples, respecting cultural protocols and traditions, and taking action to support Indigenous-led movements and policies, one may start to become a better Indigenous ally.

3.3.2. *Allyship best practices and bigger themes*

3.3.2.1. *Place Membership*

Even amid conflicts between cultural groups at a national level, specific local communities can emerge as pockets of cooperation and are healthy grassroots action sources. Like working together to restore fish to a watershed, local environmental projects can draw people closer to their land and create stronger connections with each other. In this case, instead of working together to restore fish to a watershed, Indigenous and non-indigenous community

¹⁵³ Brown, Kendrick T., and Joan M. Ostrove. “What Does It Mean to Be an Ally?: The Perception of Allies from the Perspective of People of Color.” *Journal of Applied Social Psychology* 43, no. 11 (2013): 2211–22. <https://doi.org/https://doi.org/10.1111/jasp.12172>.

¹⁵⁴Smith, Jackson, Cassandra Puckett, and Wendy Simon. “Indigenous Allyship: An Overview.” Waterloo, Ontario: Wilfrid Laurier University, 2016. https://www.fpic.info/media/library/resources/indigenous-allyship-overview/Indigenous_Allyship_Toolkit.pdf.

¹⁵⁵ Lombard-Henley, Devon, India Dove, and Jessica Rose. “Indigenous Allyship.” *Digital Story*, Autumn 2020. <https://sway.office.com/Dx7iTj3ZAw02N872>.

members in and around the Coast Salish area are working to protect the place they know and love against the potential ecological and social consequences of TMX. Working together on the same environmental project allows community members to not only develop personal, genuine relationships with nonhumans, but also lets them expand and adapt their worldview to others and act together as members of a shared "place".¹⁵⁶ By building stronger community relations, Indigenous and non-indigenous groups can galvanize grassroots action and support for the climate justice movement, and increase pressure for cooperation between political leaders.¹⁵⁷ Allowing people to define themselves as members of a place, instead of being divided by political boundaries, gives them the freedom to construct a territorial identity.¹⁵⁸ In this, they can also counteract social exclusion and increase social cohesion to resist hegemonic systems together.

Zoltan Grossman, professor of Indigenous studies and environmental justice, refers to this strategy as “place membership” because it attaches people to the place in which they reside versus dividing them with a political boundary.¹⁵⁹ The aforementioned environmental alliance (albeit on a smaller, local scale) is an example of this place membership strategy in action — it is stressing a common bond of residents to a natural ecosystem. Although “place members” can and will have a varying depth of membership in a place (the cultural significance of land and water to Indigenous people is generally far deeper than non-indigenous residents’ support for environmental quality), what is significant about place membership is that both groups are

¹⁵⁶ Grossman, Zoltán. *Unlikely Alliances: Native Nations and White Communities Join to Defend Rural Lands*. 1st edition. Seattle ; London: University of Washington Press, 2017.

¹⁵⁷ Grossman, 2017.

¹⁵⁸ Grossman, 2017.

¹⁵⁹ Grossman, 2017.

putting a strong emphasis on their local identities and include the other group within the place to create an environment of mutual understanding and cohesion in reaching a shared goal.¹⁶⁰

3.3.2.2. *Educating and Relationship-Building*

An underlying theme that prefigures place membership and environmental alliances is the building and maintaining of human relationships. Bill Moyer, founder, and CEO of the Backbone Campaign, a progressive activist non-profit organization focused on social and environmental justice, believes that the “connection with water and love of place is the foundation of relationship”¹⁶¹ and that building a mutual understanding of care and concern for the land and sea is crucial. Because alliance building and social movements “transcend campaigns... social movements are built on relationships and are relational,”¹⁶² non-indigenous organizations’ campaigns should extend beyond the political fight. Underpinning any pipeline resistance movement are human beings with “ebbs and flows of energy,”¹⁶³ and Moyer believes that forming relationships with these individuals is at the core of allyship. “The thread that runs through various campaigns are relationships, and the thread of that relationship and being available is part of allyship,” he says. “It’s important we show up whenever we can in an authentic way that listens to the leadership of Indigenous People, and that our underlying values affirm relationships.”¹⁶⁴

While listening is essential in allyship, Moyer does not consider the act of listening or his relationships as allyship tactics. Instead, “it’s strategic to build relationships, and [one] can use

¹⁶⁰ Grossman, 2017.

¹⁶¹ Moyer, Bill. Interview with Head of Backbone Campaign, February 15, 2021.

¹⁶² Moyer, 2021.

¹⁶³ Moyer, 2021.

¹⁶⁴ Moyer, 2021.

tactics like gathering, events, action, phone calls, sign-on letters to strengthen relationships.”¹⁶⁵ One such tactic to build stronger relationships is implementing cultural and political education programs and improving tribal public relations, especially when Indigenous or non-indigenous residents do not fully trust their government leaders. According to Grossman, people-to-people contact can form a base of support for better relations between tribal and non-tribal political leaders and help construct a “sense of understanding” that defends both communities and nations’ interests against poor policy decisions.¹⁶⁶ The strongest alliances are set apart from, or even set in opposition to, established governments because Tribes and local non-indigenous interests can work together to reform state or federal policy.¹⁶⁷

This tactic, however, is more complicated than it seems. Instead of calling leadership summits with general, invariant techniques to create unity or increasing state and federal consultation with Tribes, building cooperation from the bottom up necessitates a comparative investigation of each unique conflict. Building and maintaining person-to-person relationships include “respecting grassroots leaders who may not have academic degrees but have an intimate knowledge of a place and its history, working with elders who may not have official government titles but possess the respect of their communities, opening dialogues with people often left out of formal decision making, especially women and youth.”¹⁶⁸ Creating interpersonal relationships builds social cohesion and, subsequently, the power to push social movements towards their intended goal.

¹⁶⁵ Moyer, 2021.

¹⁶⁶ Grossman, Zoltàn. *Unlikely Alliances*, 2017.

¹⁶⁷ Grossman, 2017.

¹⁶⁸ Grossman, 2017.

The purpose of allyship in social movements is about more than just increasing engagement or furthering the campaign. We must strive to “[extend] people to people ties beyond a response to short term threats, into longer-term visions of a mutually respectful future, a sense of common understanding that can be adopted into government policy.”¹⁶⁹ “What we’re building is power,” Moyer says— and the source of that power “is not just the media hits; the source of power is the relationships, the cohesion of those people.”¹⁷⁰ When allies work with Indigenous groups in mutual understanding and agreement of their goal to protect the Salish Sea, everyone becomes better prepared to face challenges to their communities and natural resources. “After all,” writes Zoltan, “...it is the Native and non-Native residents who will have to live together long after the professional negotiators go home.”¹⁷¹

3.4. Future Plans

Among the many First Nations in Canada and Indigenous Tribes in the US fighting against TMX, strong ally ships will be necessary to carry over these strong relations into the future, which leads to the concept of monitoring how resistance movements will continue to be implemented in the future considering the new Biden administration. With a complete turn of political party agendas being implemented into the administration, it is without a doubt that the future of the Indigenous population will be altered. Keeping this in mind can help increase knowledge, solidarity, and implementing legislation to increase resistance against the TMX project and engage more people in future pipeline resistance movements.

¹⁶⁹ Moyer, Bill. Interview, 2021.

¹⁷⁰ Moyer, 2021.

¹⁷¹ Grossman, Zoltán. *Unlikely Alliances*, 2017.

To better the environment and produce a more sustainable future, we must learn from the Native Americans and understand their belief system. It is important to remember that Native Americans practice their own culture and view the world differently from Western perspectives. An article by the Environmental Protection Agency discusses Former Interior Secretary Sally Jewell and what she has deemed necessary for a brighter future. The article states that:

“Research focused on the Salish Sea is essential, but the effort must include respect for Native Americans who inherited a traditional knowledge and a unique perspective on the environment. Similarly, the views of long-time and even recent residents must be acknowledged, she continued, understanding that people have been making their living from natural resources for a very long time.”¹⁷²

Indigenous culture has existed for thousands of years; these traditions are sacred and crucial to the Salish Sea people. “We must bring people along,” Jewell said, “We cannot leave the problems we have created to the next generation.”¹⁷³ It is imperative now more than ever for everyone to learn and understand the customs of the Indigenous Tribes along the Salish Sea so that more efforts can be made for the future before climate change produces more irreversible damages affecting everybody.

This project will threaten Indigenous sovereignty, endanger the Salish Sea, and lead us to face natural disasters caused by irreversible climate change. Canada's Federal Court of Appeal has cleared the way for a significant expansion to the Trans Mountain Pipeline by ruling against four different First Nations groups' challenges concerned about the project's environmental impacts.¹⁷⁴ Allowing this project to continue will increase the already catastrophic effects that

¹⁷² Dunagan, Christopher. “Future of Orcas Takes Center Stage at Salish Sea Conference | Encyclopedia of Puget Sound.” Encyclopedia of Puget Sound, April 4, 2018. <https://www.eopugetsound.org/magazine/ssec2018/opening>.

¹⁷³ Dunagan, 2018.

¹⁷⁴ Snyder, Jesse. “Victory for Trans Mountain Pipeline as Appeals Court Rejects Challenges.” The Financial Post, February 5, 2020. <https://financialpost.com/commodities/trans-mountain-pipeline-challenge-dismissed-federal-court-of-appeal>.

Trans Mountain has on endangered ecosystems vital to Indigenous life and culture, and many Indigenous groups have increased their resistance. The First Nations that sued are disappointed by the court's judgment. "This project will harm our communities, our people, and the jobs our people rely upon in the Vancouver area,"¹⁷⁵ Khelsilem, a spokesperson for the Squamish Nation, said in a statement. The Nation said it plans to look into options for appealing the decision and says it is concerned about future pipeline leaks.¹⁷⁶ The end of the pipelines will also become a significant victory for the many Native American Tribes who have consistently been at the forefront of battles against fossil fuel infrastructure.

It was a truly historical moment when President-elect Joe Biden selected Rep. Deb Haaland (D-N.M.), a Pueblo Indian, to be nominated Interior Secretary for the United States. If approved by the US Senate, Haaland would be the first Native American Cabinet secretary. Native Americans have long been inadequately represented in the United States government. Having a strong leader such as Haaland would be monumental for Native American women and left many feeling emotional. Lots of progress for Indigenous communities and rights will happen in the future with Haaland's leadership regarding climate change, pipeline issues, and the rights of the Indigenous population within the United States of America. As an Indigenous woman, Haaland has the proper resources and knowledge to better the Indigenous community within the United States. With Haaland voicing concerns for the Indigenous population, the future is looking much brighter. Washington Post writer Darryl Fears states on the topic, "Native Americans see her nomination as the best chance to move from *consultation* on tribal issues to

¹⁷⁵ Kennedy, Merrit. "Canadian Court Clears The Way For Trans Mountain Pipeline Expansion." NPR, February 5, 2020. <https://www.npr.org/2020/02/05/803002446/canadian-court-clears-the-way-for-trans-mountain-pipeline-expansion>.

¹⁷⁶ Kennedy, 2020.

consent and to put more land into the hands of tribal nations either outright or through stewardship agreements.”¹⁷⁷ This brings hope and new promises to Native Americans, who have long faced underrepresentation. Haaland said the U.S. “will continue to rely on fossil fuels such as oil and natural gas even as it moves toward Biden’s goal of net-zero carbon emissions by mid-century. The transition to clean energy ‘is not going to happen overnight.’”¹⁷⁸ Instead, steps must be taken immediately in order to create clean energy for future generations.

Joe Biden and Kamala Harris are ‘committed to upholding the U.S.’s trust responsibility to tribal nations, strengthening the Nation-to-Nation relationship between the United States and Indian Tribes, and working to empower tribal nations to govern their communities and make their own decisions’ are just a few of the objectives included in the *Biden-Harris Plan For Tribal Nations*.¹⁷⁹ It is essential to understand the concept of trust responsibility which entails:

The federal Indian trust responsibility is a legal obligation under which the United States ‘has charged itself with moral obligations of the highest responsibility and trust’ toward Indian Tribes. The federal Indian trust responsibility is also a legally enforceable obligation on the part of the United States to protect tribal treaty rights, lands, assets, and resources, as well as a duty to carry out the mandates of federal law with respect to American Indian and Alaska Native Tribes and villages. In several cases discussing the trust responsibility, the Supreme Court has used language suggesting that it entails legal duties, moral obligations, and the fulfillment of understandings and expectations that have arisen over the entire course of the relationship between the United States and the federally recognized Tribes.¹⁸⁰

¹⁷⁷ Fears, Darryl. “Deb Haaland’s Nomination to Lead Interior Is a Historic First for Native Americans. The GOP Wants Biden to Cancel It.” *Washington Post*, February 19, 2021. <https://www.washingtonpost.com/climate-environment/2021/02/19/haaland-interior-native-american/>.

¹⁷⁸ Fears, *Washington Post*, 2021.

¹⁷⁹ Joe Biden for President: Official Campaign Website. “Biden-Harris Plan for Tribal Nations.” Accessed February 28, 2021. <https://joebiden.com/tribalnations/>.

¹⁸⁰ *Seminole Nation v. United States*, No. 348 (United States Supreme Court, May 11, 1942).

Joe Biden understands that tribal sovereignty and self-governance, as well as honoring the federal trust responsibility to Tribal Nations should be the cornerstones of federal Indian policy.

His campaign website states:

Biden will immediately reinstate the Executive Departments and Agencies Consultation mandate that was in place throughout the Obama-Biden Administration and hold agencies accountable for meeting consultation obligations. Biden will ensure that tribal consultations adopt best practices consistent with principles reflected in the RESPECT Act, including requiring substantive engagement with Tribes, ensuring that consultation policies are consistent across federal agencies and encouraging independent agencies to establish them as well.¹⁸¹

The reinstatement of these acts will allow for proper communication and the regrowth of strong relationships built upon trust. The promotion of full and meaningful consultation with Tribal Nations will undoubtedly allow for the growth of better allyships and more proper future projects. Therefore, the voices of the Indigenous communities will be much louder and more robust for the implementation of decisions and policies. The future is looking much brighter for the Tribes of the Salish Sea with the change of administration.

The salmon population is dwindling in Washington state and throughout the Pacific Northwest. Fortunately, people are beginning to realize the importance of climate change and are making more efforts to alter the future. The recovery of Pacific salmon is a focus of ecosystem management in the Salish Sea. Washington will mark the 22nd anniversary of the Salmon Recovery Act in 2021;¹⁸² this Act helps plan what is necessary to solve the ecosystem deterioration and provide fishing regulations to the public. This is an excellent example of allyship as many non-indigenous people enjoy and can volunteer at salmon hatcheries. The non-

¹⁸¹ Joe Biden for President: Official Campaign Website. "Biden-Harris Plan for Tribal Nations," 2021.

¹⁸² Salmon Recovery, 77.85 RCW § (2019). <https://app.leg.wa.gov/RCW/default.aspx?cite=77.85>.

indigenous allies also show their allegiance by respecting the law of the land and not fishing. To save this Pacific Northwest icon will require more from its inhabitants. The consistent damage to their habitat hindered their migration and polluted their waters. As a result, salmon numbers have plummeted along with the local orcas and the fishing opportunities vital to so many. To stop investing in salmon is not an option. As we look to the future, there must be big solutions to these big problems of human population growth, climate change, and lack of funding for recovery projects. What is good for salmon ultimately will benefit every living thing in this ecosystem.

Winona LaDuke is an American environmentalist, economist, and writer known for her work on tribal land claims, preservation, and sustainable development. In LaDuke's book *To Be a Water Protector*, the first sentence is, "Water is Life."¹⁸³ This initial sentence is simple yet such an important message. The key message behind this text is the premises of the TMX pipeline issue; water, life, and vitals must be prioritized and protected. Projects such as the TMX pipeline contribute to the degradation of our environments that we must nourish. Our descendants are entirely dependent on us, and how we treat our water sources will significantly affect them as well. The Native American ancestors are firm believers that the world is connected. Reuben George, the Tseil-Waututh Sacred Trust Program Manager, discusses how the water element is essential to Native American beliefs, a reiteration that water is, in fact, life.¹⁸⁴ Now is the time for the world to come together and embody the importance of this message which is essential to preserve our earth and realize the depth of its importance. It is essential to be considerate of the

¹⁸³ LaDuke, Winona. *To Be a Water Protector: The Rise of the Wiindigo Slayers*. Fernwood Publishing, 2020.

¹⁸⁴ George, Rueben. Interview with Tseil-Waututh Nation Sacred Trust Program Manager, February 16, 2021.

future when analyzing social movements within Native people. Phillip Deere, the great Creek leader, warned readers of *To Be a Water Protector* that we must treat water as a sacred right as water is truly essential to human beings and the rest of life on earth.¹⁸⁵ “He said to me, ‘One day water will be more expensive than oil. And I didn’t really understand. The world needs water, not oil; that’s the basic need. What that’s really about is that Water is Life, and oil is not.’”¹⁸⁶ This text is a wake-up call in the sense that the future will be distorted and tainted if changes are not made. Human beings must focus on water and what efforts can be made to restore that; oil should not be a priority as it is not a basis for life. It is important to remember at the day which sources are vital to human beings. Water is not worth as much money as oil is; however, it is the basis of human life. By applying this statement to the Salish Sea and the Indigenous population, allows the audience to see that this movement regards the basis of life. Non-indigenous allies will be much more significant and influential when they understand what is vital to the Indigenous. Understanding the world’s spirits and interconnectedness is the first step to being a good ally, shares Patti Gobin, a member of the Tulalip Tribe. Patti Gobin has stated that “I am the salmon, I am the water, I am the Salish Sea,”¹⁸⁷ a Native American belief that the entire universe is interconnected and all spirits rely on each other. To be a productive ally, one must realize that they too are the water and must do all they can to protect that.

In order to foresee a successful future, it is of utmost importance to ensure strong allyships. Successful and robust allyships are crucial in order to foresee a successful future. The non-indigenous community must learn from the Indigenous how to be an effective ally and

¹⁸⁵ LaDuke, Winona. *To Be a Water Protector*, 2020. (review blurb)

¹⁸⁶ LaDuke, p. 3.

¹⁸⁷ Gobin, Patti. Interview, 2021.

contributor to the Salish Sea or Indigenous community as the real beginning to a successful allyship starts with respect and building an understanding of the Native culture and beliefs. The National Congress of American Indians, founded in 1944 and the oldest, largest, and most representative American Indian and Alaska Native organization serving the broad interests of tribal governments and communities, states that:

NCAI encourages our friends, relatives, and neighbors, whether Native or not, to learn about the often shameful history of the United States' dealings with tribal nations and the issues that are important to contemporary Native peoples. We also urge anyone who wants to be an ally to Native peoples to refrain from disparaging Native identity, weaponizing tribal citizenship, mocking Native cultures and religious traditions, or invoking painful aspects of our shared history for partisan gain.¹⁸⁸

It is vital to be cognisant of the darker American past and respectful when learning to understand and appreciate a culture different from one's own. When asked for the most effective way to ensure a lucrative future, Moyer commented that there is something much bigger than merely showing up to a political fight or campaign. "To me, it's more about the relationship than the campaign." Bill Moyer explains that relationships "is the thread that runs through all of the campaigns. Somehow the thread of the relationship and being available is important to and a part of allyship." However, "tactics tend to be specific to each campaign, and then Grand Strategy is about the larger paradigm battle. I would say the social movement transcends campaigns which are completely relational; it's built on relationships."¹⁸⁹ By listening to the Indigenous leaders and being fully present, we can build this relationship to strengthen our allyships further. Moyer made it clear that relationships are the key as successful relationships will help stem strong

¹⁸⁸ National Congress of American Indians. "Allies for Indian Country," n.d. <https://www.ncai.org/initiatives/partnerships-initiatives/allies-for-indian-country>.

¹⁸⁹ Moyer, Bill. Interview, 2021.

allyships.

3.5. Conclusion

Indigenous communities in the United States have been fighting for their treaty rights and sovereignty, but as environmental issues due to pipelines, fossil fuels, and anything causing carbon emission grew larger, stopping environmental injustice became a new priority along with tribal rights. Many allies have used various tactics to resist pipelines. Analyzing these past social movements and tactics that Indigenous leaders and groups use provides valuable insight into best practices today, in the struggle against TMX. Many First Nation bands have launched direct, legal, and legislative action to resist TMX. Among them, we examine the Secwepemc and Tsleil-Waututh's efforts to stop the pipeline. Not only are their assertions of sovereignty effective in delegitimizing the fossil fuel industry, but they have also been effective in drawing awareness to and increasing grassroots pressure on legislators to heighten consideration of issues of climate justice. Additionally, we must consider allyship best practices and allies' role in the environmental justice movement to maintain momentum for any potential future action that must be taken. Education institutions create the norms by which people learn about environmental justice and Indigenous rights. As such, it is imperative to examine how educational institutions and educational processes are structured.

4. Indigenizing the Jackson School of International Studies

For decades, Indigenous scholars have advocated for the indigenization of higher education institutions; the integration of Indigenous epistemologies. The primacy of Western knowledge and the silencing and devaluing of Indigenous knowledge within universities

reproduce colonialism of both land and people through epistemic violence within educational discourses and practices. This hegemonic reality has resulted in knowledge gaps of Indigenous rights and related issues such as climate justice, activism, and allyship. Because of this, we believe in the urgent importance of mobilizing students through education reform that addresses these knowledge gaps and the imperialism that continues to frame the Indigenous experience within the academy and beyond.

Our goal is to recommend education reform that indigenizes the Jackson School, and hopefully, the University of Washington over time. We will argue the necessity of these education reforms through the case study of the TMX pipeline, but informed by additional research and personal experience. Our reason for choosing TMX as a case study is that it addresses Indigenous rights, human rights, international policy, and climate justice. It is an issue that connects the Indigenous sovereign nations which surround our campus and the fossil fuel industry that spans the globe. As such, it is disconcerting that the Jackson School students know almost nothing about it. In considering the mobilization of students through education reform, the TMX pipeline and the associated responses act as an introductory case study in determining whether or not the Jackson School has adequately prepared its students to understand, address, and engage as activists and allies within Indigenous-led social movements seeking to respond to the climate change crisis which will, and already has begun to, have a global impact. This directly relates to the knowledge gaps we have previously identified. We argue that Jackson School students are not adequately prepared. This lack of preparedness is essential and related to the issues discussed throughout the rest of the report, such as the ecological impacts of the TMX pipeline and best practices within activism and allyship, because we believe students should

graduate from the University of Washington prepared to apply their education in ways that positively change the world. Specifically, students of the Jackson School should graduate prepared to apply their knowledge of international issues in ways that cause positive change both across borders and within their local communities. This preparedness is possible through indigenization, and this section will address why and how.

While the Jackson School's decolonization is an important step that needs to be taken, this report is not focused on that. Instead, we are pushing for the indigenization of the Jackson school. As said by American Indian Studies student Owen Oliver, Co-Lead of the largest UW Indigenous student organization FirstNations@UW, "It's indigenizing, not decolonizing...That's really a step we need to take. . . I am asserting myself into that Space [The Burke Museum], and it's not a decolonized space . . . but it's more Indigenous."¹⁹⁰ We interpret the meaning of indigenization to be the addition of Indigenous knowledge and culture into a system that is currently lacking those qualities. Therefore indigenization is not removing European knowledge or culture but enriching it with outside perspectives. The Jackson School's indigenization will foster a partnership with the Indigenous communities and broaden opportunities for students.

4.1. Historical Context and Issues

4.1.1. *History of the Jackson School of International Studies*

The Henry M. Jackson School of International Studies began as the Department of Oriental Subjects. For decades, the primary field of study was China and Japan, with a smaller focus on other nations within the southern half of the Asian continent.¹⁹¹ As Professor Tony

¹⁹⁰ *EarthLab Salon: How We Present Native Knowledge Is Environmental Justice*. UW EarthLab, 2020. <https://www.youtube.com/watch?v=cORFdLkqtxI>.

¹⁹¹ The Henry M. Jackson School of International Studies. "History." Accessed February 27, 2021. <https://jsis.washington.edu/about/history/>.

Lucero of the Jackson School points out, “There is a history which I think is important to think about,...the Jackson School, like many departments,...begins very much as an extension of colonial and imperial understanding of knowledge production.”¹⁹² Lucero then notes that the founder of the Department of Oriental Studies, Herbert H. Gowen, came from Hawaii as a missionary to ‘save’ (convert to Christianity) the native peoples in the area. Detailed in the Jackson School’s history on the School’s webpages is how knowledgeable Gowen is in Chinese and Japanese Studies. He had established himself “as a noted authority on the Eastern world,”¹⁹³ which is a hegemonic view of studying and being well-versed in Asian culture. Furthermore, using the term “oriental” is now seen as imperialistic and a racial slur, which at the time was acceptable to those who were raised on imperialist thought. For the last fifty years, the now-named Jackson School began incorporating African, South Asian, Southeast Asian, Canadian, Arctic, Russian, European, and Latin American Studies. Although the School has expanded to include several regions and topics, including religious studies programs, the Jackson School has yet to include a program on Indigenous Studies, as Tribes in the United States are sovereign nations and should be seen as a cultural region that we treat as a global actor. Thus, the Jackson School has a responsibility to foster diversity in international studies education by including sovereign Indigenous nations in regional studies and elevating Indigenous people’s voices in places that do not have treaty rights. However, within regional studies, there are not many courses that include Indigenous voices and education. Currently, in every category of Jackson School courses on the University of Washington course catalog, there are only three courses

¹⁹² Lucero, Tony. Interview with Professor Lucero. February 22, 2021.

¹⁹³ The Henry M. Jackson School of International Studies. “History.”

listed that discuss Indigenous groups, two of which are focused on the Indigenous people of the Pacific Northwest, both being the same class at different levels, while the other is on Indigenous groups in Latin America.¹⁹⁴ The Jackson School's website states on their 'Vision and Mission' page, "The Jackson School understands that the international community includes sovereign American Indian Tribes, Indigenous nations, and peoples across the world."¹⁹⁵ They have not yet made a substantial and visible effort in including Indigenous studies into the program curriculum, therefore as of now, the majority of Jackson School graduates will not encounter Indigenous Studies throughout their education. Warren states that in his years of teaching 'at the Jackson School, post-Cold War and at the height of neoliberalism,' he has begun to see how the Jackson School is looking to change their worldview, but 'not knowing what that transformation would look like.' "There's certainly many things still to be done," he says, "and one is just the broad issue of white supremacy, which hasn't been front and center in terms of thinking how the institutions have been largely a handmaiden of that international and domestic project. And then how to do some self-evaluation."¹⁹⁶ He explains how the Jackson School plays a part in perpetuating those issues within our institution. The Jackson School needs to 'think critically' about how it portrays diversity and equity, especially in its symbols, culture, staffing, and student population. Warren believes there are only a small handful of people of color as faculty in the Jackson School, and none of them he perceives (not to assume how they identify) are Indigenous.

¹⁹⁴ University of Washington. "University of Washington Course Descriptions Seattle." Accessed February 27, 2021. https://www.washington.edu/students/crscat/?utm_source=whitebar&utm_medium=click&utm_campaign=academics&utm_term=coursedescriptions.

¹⁹⁵ The Henry M. Jackson School of International Studies. "Vision & Mission." Accessed February 27, 2021. <https://jsis.washington.edu/about/vision-mission/>.

¹⁹⁶ Warren, Jonathan. Interview, 2021

4.1.2. *History of Activism on Campus*

We are not the first students to push for diversity and inclusion initiatives at the University of Washington Campus. Black and Indigenous activism at the University of Washington has led to diversity centers that students of color benefit from today. On May 6, 1968, a group of BSU students and supporters occupied the office of UW President Charles Odegaard and demanded that there be more resources for non-white students on the University campus. After the sit-in, BSU won the demands, and four years later, in 1972, the Ethnic Cultural Center was created.¹⁹⁷ Today, the Ethnic Cultural Center serves as a center for Black, Indigenous, and people of color at the University campus to find community members of similar backgrounds.

The claiming of Odegaard's office would serve as just one of the occasions in which UW student activists took a political stance and made it known on the university campus. From May 4th through May 18th of 1970, UW students participated in student strikes organized against the Vietnam War. Multiple departments at the University supported this strike, and students even marched on the freeway to Downtown Seattle. UW out of South Africa emerged in 1978 to advocate for the end of the Apartheid regime through Boycott Divestment Sanctions (BDS), a campaign for UW to stop investing in South Africa. After a 7-year battle, the UW agreed to Divest from South Africa until the end of the Apartheid Regime.¹⁹⁸ Following the anti-Apartheid

¹⁹⁷ Hinckley, Charlie, Jamala Henderson, and University of Washington Division of Student Life. *In Pursuit of Social Justice : An Oral History of the Early Years of Diversity Efforts at the University Of Washington*. DVD. Seattle, Washington: UWTV, 2007. https://alliance-primo.hosted.exlibrisgroup.com/primo-explore/fulldisplay?docid=CP71160050570001451&vid=UW&search_scope=all&tab=default_tab&lang=en_US&context=L.

¹⁹⁸ Disorientation UW. "A People's History of the University of Washington." Zine. *University of Washington - Disorientation* (blog), September 12, 2013. <https://disorientationuw.wordpress.com/zine/>.

group's lead, student activists have continued to fight for UW to divest from prison labor and other harmful industries.¹⁹⁹

Indigenous-specific initiatives that came directly from student activism and Indigenous community involvement include the creation of the American Indian Studies Department (AIS) and the **wəłəbʔaltx**^w – Intellectual House. The creation of the AIS department began in the spring of 1970 when Native American student activists had conversations about a program that would promote diversity in the UW curriculum, faculty, and student body. What began as the American Indian Studies Center at the UW has transformed into a department that offers both undergraduate and graduate degrees, contributing to Indigenous knowledge at the university.²⁰⁰ As stated on the diversity page on the UW website, “ A primary purpose of **wəłəbʔaltx**^w – Intellectual House is to increase Native American students’ success at UW by preparing them for leadership roles in their tribal communities and the region.” **wəłəbʔaltx**^w, pronounced “wahsheb-altuh” is the Lushootseed word for Intellectual House.²⁰¹ Although this space’s creation acknowledges Indigenous students’ presence on this campus and the unique struggles they face at a predominantly white University, there need to be more efforts to indigenize curriculum beyond AIS.

Most recently, in the summer of 2020, UW Black Student Union (UW BSU) and UW Black Lives Matter (UW BLM) protested for the reduced presence of police on the UW campus

¹⁹⁹ Denton, Annie. “Student Senate Introduces Prison Divestment Bill, Passes Bill Calling for Censure of McMorris Rodgers.” The Daily of the University of Washington. Accessed February 27, 2021. https://www.dailyuw.com/news/article_35615ad0-6203-11eb-bbbd-eb9896644881.html.

²⁰⁰ University of Washington. “About - American Indian Studies.” Accessed February 27, 2021. <https://ais.washington.edu/about>.

²⁰¹ Diversity at the UW. “Wəłəbʔaltx^w – Intellectual House.” Accessed February 27, 2021. <https://www.washington.edu/diversity/tribal-relations/intellectual-house/>.

as well as the removal of the George Washington Statue. This most recent example of student activism has been aimed at primarily increasing the representation of Black and Indigenous students, faculty, and knowledge systems at UW. According to Professor Tony Lucero, the Jackson School Associate Director, in the 2020-21 academic year, there has been a record number of job offers presented to Black, Indigenous, and people of color in the recruitment for Arts and Sciences faculty. On February 22, 2021, there was an announcement of the Faculty Diversity Initiative, an equity and inclusion initiative which includes \$5 million in funding to hire more diverse faculty.²⁰² Lucero credits student activists for this progressive move towards a more diverse faculty, stating the following, “What students have done continues to light a fire under administrators.”²⁰³

4.1.3. *Issues with the Jackson School*

In considering the mobilization of students through education reform, the social movement against the TMX pipeline acts as an introductory case study in determining whether or not the Jackson School has adequately prepared its students to understand, address, and engage as activists and allies with issues of climate justice and Indigenous rights. When asked whether the Jackson School has adequately addressed Indigenous rights issues, JSIS student Sanjana Potnis stated the following: “In the Jackson School what we learn about is international relations, global politics, and policy. From this perspective, we learn about it that assumes that Indigenous people are not a part of that conversation. That they have no care or stake in

²⁰² Holtz, Jackson. “UW Launches Faculty Diversity Initiative.” *UW News* (blog), February 22, 2021. <https://www.washington.edu/news/2021/02/22/uw-launches-faculty-diversity-initiative/>.

²⁰³ Lucero, Tony. Interview, 2021.

international relations and global policy.”²⁰⁴ According to this student, the Jackson School curriculum promotes institutional points of view and a eurocentric worldview, which does not engage with the local Indigenous community. We argue that Jackson School students are not adequately educated on environmental justice issues that directly impact the Indigenous communities because the curriculum does not include Indigenous rights in its policy analyses or address climate justice issues impacting Indigenous Peoples. This is evident through interviews we conducted with Jackson School professor Jonathan Warren and a focus group conducted with undergraduate Jackson School students. Warren, a professor in the Jackson School for the past 25 years, noted:

To understand why there is little inclusion of Indigenous rights within the Jackson School, it is important to acknowledge the lack of diversity within the department's curriculum. [The Jackson School] really was a Cold War institution. Questions of race, for instance, were not even considered relevant for much of its history. It was about this paradigm of defending U.S. interests, very much in line with the Department of Defense, [which] I would call an imperial U.S. project of managing other countries in the world for U.S. interest and containing communism. That’s really the modern iteration of the Jackson School that dominated its sensibilities, its research, from say the 1950s through the 1980s and early nineties.²⁰⁵

Warren states that this was much of the history from the 1950s to the 1990s. Though there has been a shift within the department in recent years to address these issues, white supremacy manifests within International Studies has not been addressed. In not addressing this white supremacy issue, there is little space to acknowledge the United States’ history, which comes from Indigenous communities.

²⁰⁴ Fairchild, Nina, Chanyuan Yu, and Sanjana. Interview with JSIS Focus Group, February 24, 2021.

²⁰⁵ Warren, Jonathan. Interview with Professor Warren, February 17, 2021.

Concerns over the Jackson School culture were also echoed by Ben Kantner, a former Jackson School graduate student. He described how the Jackson School prepares students to see themselves as “saviors” in their post-graduate work. In our interview, Kanter stated the following, “ When at UW you’re told that you’re at such a great institution, that you’re so smart...but you know you’re telling these things to students who are already privileged to be at a great institution. And it creates this sort of complex of being a savior, and, especially, being an individual savior at that.”²⁰⁶ Kanter concerns of this “white-savior” complex was that Jackson School students are instructed in a way that promotes individualism within community work, a view that as an American individual working abroad, one can “save” a community. Beyond taking issue with promoting individualism within the Jackson School, Kanter also discussed how local community needs are neglected due to this savior complex. While Kanter’s primary work is in Brazil, he stated a desire for the Jackson School to give opportunities for students to participate in community-based work with local communities while at the UW. “ I think that space needs to be created for local involvement as well, and as students, we are often constrained by the requirements of the department.”²⁰⁷ While the Jackson School’s goal to create global leaders should not be compromised, we believe that it is necessary to recognize Indigenous communities as belonging to our global community. To do this, we must increase Indigenous representation within the Jackson School.

²⁰⁶ Kantner, Ben. Interview with Jackson School Masters Program Alumni, February 18, 2021.

²⁰⁷ Kantner, 2021.

4.2. Perspectives on Indigeneity in the Jackson School

4.2.1. *Individual perspectives on JSIS*

Our perspective as Jackson School students is that there is little diversity in faculty and minimal inclusion of Indigenous rights within our curriculum. This perpetuates the issue of invisibility for Indigenous People. In the Salish Sea and around the world, Indigenous Peoples are the leaders of environmental justice and protection. As such, we think it is essential to acknowledge the local Indigenous communities surrounding the University of Washington because the institution has the power to generate substantial support for local activist and Indigenous rights movements. The initiative that we are recommending as Jackson Students in increased investment in Indigenous rights through course offerings on treaty rights and climate justice related to Indigenous communities, funding opportunities related to Indigenous treaty rights, and active steps towards diversifying the Jackson School demographics.

Mariama: As an African student passionate about human rights, I have been disappointed by the limited inclusion of Black and Indigenous struggles within the Jackson School. My concentration at the JSIS department is human rights, and I find it alarming that we do not focus on the Indigenous communities' human rights surrounding this University. In International Studies, there is a tendency to promote a Western-savior complex. We go abroad to solve other nations' human rights concerns while not reflecting on the inequality we witness in America. As we live in a settler-colonial nation, it is crucial to recognize the Indigenous Peoples' rights whose lands we sit on. While learning about the rights of disenfranchised communities abroad, it is essential to center the local disenfranchised people's voices.

Annie: I am double majoring in mathematics and international studies at the Jackson School. For the past several quarters, I have taken classes on immigration, war, whiteness, religion, political economy, and history. I learned the effects of colonialism, the period of colonialism, and the economic consequences of colonialism; however, my courses' background was almost blank on topics that touch upon Indigenous rights or treaty rights. I believe that it is essential to provide educational opportunities related to indigeneity and funding projects on climate justice into undergraduate course lists.

Hannah: As a student of the Jackson School, as well as other departments including Political Science, Gender, Women & Sexuality Studies and Law, Societies, & Justice, I have learned to recognize the importance of diverse representation within academia. However, I believe that this diverse representation does not currently exist within the Jackson School, nor within the University of Washington as an institution of higher education. Largely, academia remains centered around and dominated by white, colonial narratives, perspectives, and experiences that fail to provide students with the necessary knowledge to end all systems of oppression, which I believe to be a critical part of higher education. An example of this knowledge gap regards Indigenous rights relevant to international and domestic issues, as evident in the local Indigenous-led movement against the TMX pipeline. I believe the education I received from the Jackson School should have included Indigenous epistemologies. Other students are prepared to be activists and allies around the world and within our communities. It is not enough to simply recognize that the University of Washington--and within that, the Jackson School--exists on stolen land; higher education should be indigenized to reflect the value of the diverse narratives, perspectives, and experiences around us.

4.2.2. JSIS Focus Group

As evidence of the knowledge gaps of Indigenous rights, climate justice, activism, and allyship within the Jackson School, we reached out to International Studies students. We believe it is essential to include the personal reflections of students who actively experience the education we are seeking to reform. Based on the focus group, it is evident that these knowledge gaps exist and need to be addressed to occur for indigenization. The students we met with were Sanjana [last name redacted], Nina Fairchild, and Chanyuan Yu. We began by discussing whether the Jackson School prepares students to become leaders in the community and social movements as activists and allies. Broadly, the students agreed that this was dependent on the professor and the course; however, they also agreed that this should be a focus in all courses and within the institution's spirit more generally. There was a consensus that while their education at the Jackson School is very informative of international issues, how that knowledge can be applied is often not discussed. Sanjana argued that "there are a lot of classes and a lot of professors that don't provide any teaching of how to implement change, and don't necessarily provide you with theory or...how to be inclusive and intersectional...and learn about other communities and the oppression they experience."²⁰⁸ She continued by explicitly addressing the introductory courses required of the International Studies major, stating that "...the introductory courses aren't critical of history at all...and in order to become an activist and engage in activism, you need to first have an understanding of history with a critical lens."²⁰⁹

²⁰⁸ Fairchild, Nina, Chanyuan Yu, and Sanjana. Interview, 2021.

²⁰⁹ Fairchild, Yu, and Sanjana. 2021.

Next, we discussed whether the Jackson School curriculum adequately addresses Indigenous issues, both locally and globally. Again, the students agreed this was not a focus within the curriculum but that it should be. As further evidence, the students were not familiar with the histories and current realities of local Indigenous communities, the Indigenous-led movement against the TMX pipeline, nor even the complex and urgently important relationship between Indigenous communities and climate justice. Based on this lack of familiarity, Chanyuan suggested that the Jackson School provide resources about global and local social movements and how students can become actively involved. Finally, we discussed how the Jackson School could be reformed to be indigenized to address the identified knowledge gaps experienced by all of the focus group students. An essential theme of this discussion was the perpetuation of a colonial narrative within the Jackson School, or described by Sanjana as “lowkey imperialism.”²¹⁰ Further, Nina addressed hiring practices, which she argued need to be diversified. She stated that “[It’s] important to hire professors that aren’t just white males,” because “they are teaching about other countries and cultures,” and that this “might not be genuine because they might not have the same knowledge on the subjects and are teaching from a position of superiority.”²¹¹ She also said that hiring Indigenous faculty native to the Seattle area is an integral part of indigenizing education. Sanjana continued by arguing that Indigenous People should also be invited as guest lecturers to discuss how course topics are related to their unique experiences. She claims this is important because we often learn about international politics and policy through a perspective that assumes Indigenous People are not and should not

²¹⁰ Fairchild, Yu, and Sanjana. 2021.

²¹¹ Fairchild, Yu, and Sanjana. 2021.

be involved within those conversations and ideas. This acknowledges that all issues taught within the Jackson School apply to indigeneity and that the curriculum is often ignorant to this fact. Other suggestions of reforms included being more intentional with the content of courses--such as readings, which are often written from a white, eurocentric perspective despite discussing issues involving other places and other people. There is much content, not incorporated within academia, created by people with direct experiences; this speaks to the importance of the inclusion of Indigenous epistemologies in understanding Indigenous issues and all international issues. In summary, this focus group highlighted the importance of critical analysis, including being critical of the education we are fortunate to receive, in order to better the University of Washington through indigenization and, in turn, inform the next generation of students who hope to inspire change in their communities and around the world.

4.2.3. *AIS Focus Group*

We also reached out to current American Indian Studies students Jade Dudoward (Tsimshian Band) and Sierra Redbow (Oglala Sioux) to get their perspective on what they believe should be done to indigenize the Jackson School. It is hard to convey information that you have not lived. As such, one of the first things that Sierra brought up, the UW Natives Food Sovereignty Lead, was that “With no Indigenous faculty, it is kinda hard to Indigenize,”²¹² and there is currently no Indigenous staff. As a result, both she and Jade recommend using Indigenous faculty to indigenize the Jackson School.

A common theme across nearly all Indigenous Peoples is that their knowledge is place-based. During the interview, Jade Dudoward said that “If there is a true change to be made, it has

²¹² Redbow, Sierra, and Jade Dudoward. Interview with AIS Focus Group, February 18, 2021.

to be started with being open to accepting other ways of, really, doing everything.”²¹³ This leads to great diversity in beliefs and culture. For example, there are estimated to be over 300 different languages spoken by Tribes in the continental United States.²¹⁴ Some of them are as different as English is to Japanese. While it is impossible to learn the intricacies of how every Indigenous group functions, it is paramount that Jackson School students know how to approach new cultures and practices in order to ensure successful and prosperous relationships with Indigenous Peoples.

Later in the interview, Sierra also brought up a common view that many Indigenous people hold. She said that “[Non-indigenous] people want to simplify Indigenous communities. They have these broad terms like Indigenous, Indian [which is] super vague too. And you know, what we are pushing is for them to acknowledge the diversity of Indian countries.”²¹⁵ As she says, Indian country is highly diverse. For example, both the Tsimshian people of Northern Canada and the Lakota people of the Upper Great Lakes region have stories explaining how there came to be light in this world. In the Tsimshian and Haida story Txamsemm, Raven the Trickster, searches for a way to bring light to the world after witnessing the suffering of those living in the dark. Txamsemm eventually finds the sun, moon, and stars and releases them into the sky.²¹⁶ Whereas in a Lakota story: Inyan, the rock, creates Maka the Earth to contain his powers. Maka becomes cold, so Inyan creates Wi the Sun in order to warm Maka.²¹⁷ While there

²¹³ Redbow and Dudoward, 2021.

²¹⁴ Pariona, Amber. “Endangered Indigenous Languages Of The United States.” WorldAtlas, April 25, 2017. <https://www.worldatlas.com/articles/endangered-languages-of-the-united-states.html>.

²¹⁵ Redbow, Sierra and Jade Dudoward. Interview, 2021.

²¹⁶ First People. “How Raven Brought Light to the World - A Haida Legend.” Accessed February 20, 2021. <https://www.firstpeople.us/FP-HTML-Legends/HowRavenBroughtLighttotheWorld-Haida.html>.

²¹⁷ Melody, Michael Edward. “Maka’s Story: A Study of a Lakota Cosmogony.” *The Journal of American Folklore* 90, no. 356 (1977): 149–67. <https://doi.org/10.2307/539696>.

are some similarities between these stories, there are substantial differences between them that can give rise to different ways of seeing the world and its subsequent creation. To indigenize the Jackson School to the full potential that it could be, teaching students to find these nuanced differences is essential.

4.3. Cross-Analysis of Other Programs

4.3.1. *Comparison to other Departments*

An essential part of indigenizing the Jackson School through education reform is reallocating existing funding and creating new funding opportunities. The University of Washington already has a strong foundation when it comes to both indigeneity and environmentalism. The AIS department at UW has a strong connection to Indigenous ways of living and offers a cultural haven to Native American students. They offer courses that examine every Indigenous living aspect, from powwow traditions to studies on Native Americans in film. The AIS department had a significant milestone with the completion of the Intellectual House in 2015. The building serves as a cultural hub for Indigenous students across campus. They hold monthly powwows and various other celebrations every month.

The University of Washington is also one of the top universities in the world for environmental education. This is due, primarily, to the College of the Environment, founded in 2009 and offers degree programs ranging from minors in Marine Biology to Masters in Marine Affairs in ocean policy to PhDs in Atmospheric Sciences.

4.3.2. *Comparison to other Universities*

By examining other institutions, we can establish a baseline for indigeneity and environmental justice for major universities' international studies programs. We can then use this

baseline to further examine the Jackson School in the context of higher education as a whole. Current leaders in International Studies programs including Columbia University, Stanford University, University of British Columbia, and Harvard University. These schools are also leaders in environmental science and have American Indian studies or equivalent departments.

Columbia University has established an influential culture of integrating environmentalism into its School of International and Public Affairs. They also have a Master's degree program in Environmental Science and Policy.²¹⁸ Columbia University has environmentalism with its core requirements. SIPA U6015 Sustainability Management is a core requirement class, and additionally, they have a concentration of Energy and Environment option.²¹⁹ Additionally, the Urban Policy Focus Area offers an urban sustainability and environmental policy sub-focus.²²⁰ While they have classes focusing on the environment. There are no requirements or classes that focus on Tribes or indigeneity. There is even a Race & American politics course offered in the Regional & Foreign Language specialization, yet it only focuses on "Blacks, whites, Latinos, and Asians" with no mention of Indigenous Peoples.²²¹

Stanford's Freeman Spogli Institute For International Studies Studies program offers both undergraduate and graduate degrees. Their program is rich with environmental education as their facility teaches classes like Introductions to Earth Systems and Climate and Society.²²² Stanford

²¹⁸ Columbia SIPA. "MPA in Environmental Science and Policy." Accessed February 20, 2021. <https://www.sipa.columbia.edu/academics/programs/mpa-environmental-science-and-policy>.

²¹⁹ Columbia University. "Master of International Affairs (MIA) - School of International and Public Affairs." Accessed February 20, 2021. <http://bulletin.columbia.edu/sipa/programs/mia/#requirementstext>.

²²⁰ Columbia University. "USP: Urban Policy Focus Area - School of International and Public Affairs." Accessed February 20, 2021. <http://bulletin.columbia.edu/sipa/concentrations/usp/urban-policy-track/#requirementstext>.

²²¹ "United States Regional Specialization - Orientation Packet and Master Course List." Columbia University, 2019. http://bulletin.columbia.edu/sipa/specializations/regional/US_Specialization_Orientation_Packet_Fall_2019.pdf.

²²² Stanford University. "FSI Courses." Accessed February 20, 2021. <https://fsi.stanford.edu/studentprograms/courses>.

also offers an International Relations course similar to their International Studies program, yet it has no focus on the environment.²²³ And neither program has requirements or offers classes on Indigeneity. However, Stanford has begun to address racial inequalities at the Freeman Spogli Institute For International Studies. Since the Summer of 2020, Stanford has established a task force to analyze systemic racism within the Freeman Spogli Institute For International Studies.²²⁴ Although the African American community inspired Stanford's task force, its purpose mirrors this Task Force. The recommendations that come out of Stanford's Task Force can help survey as a guide for the Jackson School's steps to Indigenizing. As such, The Jackson School and its students should pay close attention to the Freeman Spogli Institute For International Studies over the coming years.

Unlike the other two schools, Harvard University only offers a Master's degree in International relations. In addition, their International Studies program has no requirements for environmental topics nor indigeneity.²²⁵ While Harvard is undoubtedly a great institution, it is clear that its International Relations program is lagging behind similar institutions.

The University of British Columbia, much like the first two universities, has incorporated environmental topics into its International Relations Program curriculum. They offer classes like "Economics of the Environment," "Complex Adaptive Systems, Global Change Science, and Ecology Sustainability," "Environmental Ethics," and "Environment and Society."²²⁶

²²³ Stanford University. "Core Requirements - Program in International Relations." Accessed February 20, 2021. <https://internationalrelations.stanford.edu/degreesabout-major/core-requirements>.

²²⁴ Stanford University. "Task Force at FSI Focuses on Racial Equity." Accessed February 20, 2021. <https://fsi.stanford.edu/news/new-fsi-task-force-focuses-racial-equity>.

²²⁵ Harvard Extension School. "Degree Requirements," April 8, 2015. <https://www.extension.harvard.edu/academics/graduate-degrees/international-relations-degree/degree-requirements>.

²²⁶ UBC International Relations Program. "List B: International Economy and Development." Accessed February 20, 2021. https://ir.arts.ubc.ca/undergraduates/program_requirements/ir_major/international-economy-and-development/.

However, students can choose non-environmental options to fulfill these credit requirements. The University of British Columbia also recommends a First Nations Studies class FNSP 200, an introduction to First Nations Studies, on its list of recommended electives.²²⁷ However, much like the recommended environmental class, it is not required. The University of British Columbia is the only of these universities to come close to including indigeneity into its International Studies curriculum, but it is still overall lacking.

Finally, student activism on campuses has inspired change within the university curriculum; what we intend to accomplish with this report. For example, students at Chapman University petitioned to add an environmental justice course to the curriculum. Fortunately, this activism was successful, and an Indigenous woman will teach the first class this Spring. Clearly, students worldwide understand the importance of intersectional environmentalism, how this relates to Indigenous rights, and the importance of educating people about these topics. We believe this spirit of activism has the power to change the Jackson School's curriculum as well.

While some of these schools have incorporated environmental issues into their curriculum, they still lack American Indian studies or indigeneity. If the University of Washington were to include both indigeneity and environmentalism into the course work, the Jackson School of International Studies would be a national leader in the effort. This would also likely draw in more diversity to the college as well.

4.4. Increasing Indigeneity in the Jackson School

Based on our scholarly research, interviews with informants, and our personal experiences as students at the University of Washington, we have formed tangible

²²⁷ UBC International Relations Program. "Major in International Relations." Accessed February 20, 2021. https://ir.arts.ubc.ca/undergraduates/program_requirements/ir_major/.

recommendations for education reform within the Jackson School of International Studies. These reforms can broadly be described as indigenization, but more specifically include curriculum changes that address knowledge gaps in climate justice, Indigenous rights, activism, and allyship; seminars to educate Jackson School faculty in local Indigenous issues; and inclusion of Indigenous epistemologies within the discourses and practices of the institution more generally, including funding, hiring practices, and student recruitment.

4.4.1. *Recommendations*

We asked our informants, Professor Jonathan Warren and former Master's student of the Jackson School Ben Kantner, what are three things they would recommend to indigenize the Jackson School. Professor Warren first prescribes "a conversation [within the Jackson School] on how we reconceptualize international studies to include Indigenous sovereignty and Indigenous nations."²²⁸ What this means is including Indigenous nations as sovereign actors in the international community. Second, he suggests bringing on board more Indigenous people as faculty and staff, specifically as advisors, consultants, and board members at the University of Washington, but particularly in the international studies program. Third, he advises reformulating the curriculum, major requirements, and the way we teach to include Indigenous studies on an interdisciplinary level and introduce students to the importance of these Indigenous nations. He notes that the Jackson School program will need to support and incentivize this new curriculum and possibly pay for professional development for faculty to learn these new skills and topics, meanwhile hiring one or two new faculty members versed in Indigenous Studies.²²⁹

²²⁸ Warren, Jonathan. Interview, 2021.

²²⁹ Warren, 2021.

Ben Kantner, a graduate of the Master's program at the Jackson School and a doctoral candidate at UCLA, states that the Jackson School needs to hire more Indigenous instructors to indigenize the School. Next, he proposes as a self-proclaimed 'scholar activist' that the Jackson School start decolonizing through opening up the conversation on settler colonialism. Kanter points out land acknowledgments written within email signatures,

And so, if you feel comfortable to say that in an email, then why can't we have a conversation within every class in the Jackson school, about how the topic [of land acknowledgement] should intersect with decolonization. Because, as a settler-colonial country and as a settler-colonial institution, we have to be talking about this if we're serious about indigenizing.²³⁰

Finally, he emphasizes how important it is to offer the technical skills we have access to and learn how to use at the UW and lend these skills to grassroots and community organizations. Many softwares essential for these organizations are hard to access and costly; however, UW students have access to these softwares paid for by the University. We can then form horizontal networks within our community, specifically with Indigenous rights groups, and aid them with our technology and technical skills. The University, in this way, can actively show its support for Indigenous sovereignty and display decolonization efforts.²³¹

4.4.2. *Course Recommendations*

4.4.2.1. *Curriculum*

It would be easy for the Jackson School to include courses from American Indian Studies and the College of Environment departments that focus on themes including Indigeneity, treaty rights, human rights, and geographical resources. The courses can be "jointly offered," which

²³⁰ Kantner, Ben. Interview. 2021.

²³¹ Kantner. 2021.

means one course is offered under two names. When courses are provided as “jointly offered,” students can enroll in a jointly offered course under either title and more easily fulfill their registration restrictions. Besides, courses can be offered as Co-Teaching so that teachers can work together with groups of students, sharing the planning, organization, delivery, and assessment of instruction, as well as the physical space. There are currently already a few examples of this occurring within the Jackson School. There is JSIS/ SMEA/ENVIR 103 (Society and the Oceans)²³² and AIS 103/ JSIS 100 (The Indigenous Pacific Northwest).²³³ Although there are courses such as these that touch upon Indigenous rights and climate change, the school can provide courses with similar themes into the undergraduate education system. Thus, students are more likely to participate in activism on environmental protection or Indigenous rights at an earlier period.

4.4.2.2. *Funding*

Below is a list of classes that we would recommend for linking to the Jackson School curriculum from American Indian Studies, Environmental Science & Terrestrial Resources Management, and the School of Marine and Environmental Affairs. Incorporating Indigenous perspectives in the syllabus or assigned readings would be ideal for optimizing these classes to their full potential.

Recommended courses from the American Indian Studies curriculum include:²³⁴

²³² The Henry M. Jackson School of International Studies. “JSIS B 103 Society and the Oceans.” Accessed February 27, 2021. <https://jsis.washington.edu/course/jsis-b-103-society-and-the-oceans/>.

²³³ University of Washington. “American Indian Studies.” Accessed February 20, 2021. <https://www.washington.edu/students/crscat/ais.html>.

²³⁴ University of Washington, “American Indian Studies.”

AIS 102 (Introduction to American Indian Studies). This class covers a broad range of topics related to Native American Tribes and would serve as an excellent overview of Indigeneity for Jackson School students. Although it is a little surface level, it gives a scope to North American Indigenous People's world.

AIS 170 (American Indian Art and Aesthetics). While this is marketed as an art class, it takes a deep dive into the philosophical nature of everyday life for Indigenous people in North America. It is highly recommended for non-indigenous students as they can begin to engage with the spiritual aspects of indigeneity.

AIS 203 (Introduction to Indigenous Knowledge). This class would be an introductory class for Jackson School students to take to get a sense of the diversity that exists within Indigenous communities in the US. However, the ultimate goal would be to foster respect for Indigenous culture.

AIS 308 (American Indians and the Environment). Indigenous Peoples' lives are indivisible from the land they live on, which this class dives into that relationship. This class would help to bolster Jackson School students' understanding of this vital relationship.

From the Environmental Science and Terrestrial Resource Management curriculum, we recommend:²³⁵

ESRM 100 (Introduction to Environmental Science). Taking this class would be an introduction to environmental science for Jackson School students with little to no

²³⁵ University of Washington. "Environmental Science and Resource Management." Accessed February 20, 2021. <http://www.washington.edu/students/crscat/esrm.html>.

knowledge of environmental issues. At the same time, those with previous knowledge may find it a helpful review.

ESRM 200 (Society and Sustainable Environments). This class is an excellent introduction to the three pillars of sustainability; society, economy, and the environment. Understanding the relationship between these elements is essential for sustaining a healthy planet.

ESRM 210 (Introduction to Soils). Soils are the foundation of life, yet they have historically been overlooked, leading to events like the Dust Bowl. Having Jackson School students take this class will ensure that this critical resource is not overlooked in the future.

ESRM 235 (Introduction to Environmental Economics). For anyone who wishes to go into politics or business, having a firm understanding of economics is paramount. Understanding the relationship between the environment and economics is essential for leaders around the world.

And recommended courses from the School of Marine and Environmental Affairs:²³⁶

SMEA/ENVIR/JSIS 103 (Society and the Oceans). While Seattle is on the ocean and great examples of how that has shaped the cities culture can be seen everywhere from Pike Place Market to the Seahawks. However, many UW students are either not from coastal cities or have had limited ocean life interactions. Therefore this class is an excellent way to introduce students to how people interact with oceans.

²³⁶ University of Washington. "School of Marine and Environmental Affairs." Accessed February 20, 2021. <https://www.washington.edu/students/crscat/smea.html>.

SMEA 430 (Development and the Environment). With the human population expecting to reach 11 Billion in the near future, continued development is necessary. As such, future leaders must be able to create policies that reflect the care of the environment.

SMEA 480 (Human Dimensions of Fishery Management). Fish is one of the most essential resources to Tribes and non-Tribal people in the Salish Sea. However, many people have little to no experience with Fish and or Fisheries. This class will allow students to understand the complicated processes involved with maintaining and restoring fish stocks to maintain a healthy society.

These are examples of classes that could be easily integrated into the JSIS curriculum as jointly offered courses or recommended electives. If students were to take one or two of these courses from each category, JSIS students would be adequately prepared in topics of Indigeneity, Treaty rights, and environmental justice.

4.4.2.3. *Educational Seminars*

We recognize that in order for educational reform to be successful, current Jackson School faculty need to be involved in indigenizing the institution. To do this, we suggest educational seminars about Indigenous rights. Partnership with the UW American Indian Studies department could easily make this a reality. They already have the knowledge and systems required to educate large groups on Indigenous knowledge and perspectives. Similarly, seminars focused on environmentalism can help facilitate the centering of environmental justice into the Jackson School. These seminars could be run in collaboration with the College of the

Environment. The college has the staff and infrastructure to be able to host practical seminars for the Jackson School.

The reason that we suggest educational seminars is that we believe by offering small groups of members with occurring meetings on a particular subject will help students explore the subject in depth. Seminars can also provide students with opportunities to interact and learn from experts in the specific field. Besides educational seminars, community seminars, school-wide seminars, and faculty seminars are also good ways to facilitate education reform.

Considering past experiences, there have been many successful educational seminars at UW broadly. For example, for Autumn 2020, there are seminars like EDUC401 that 20 students explore on Riverways. There are also educational seminars at computer science and engineering programs at UW. For example, CSE 590E is the computer science education seminar that Professor Anderson has offered every quarter since Autumn 2018. With these strong examples, we believe that educational seminars on Indigenous rights offered by either the AIS department or Jackson school will also become an excellent pathway for students to gain knowledge in depth.

4.5. Moving Forward

Although we have been focusing on where the Jackson School is currently lacking, we would like to recognize that the Jackson School has begun to take steps towards a more diverse curriculum. This has included actions such as co-offering AIS, SMEA, and ENVIR classes, as well as hiring a more diverse staff. The hiring of Leela Fernandes, who has extensive experience with diversity and inclusion efforts on a university level, as the Director of the Jackson School is a significant step in shifting the culture within the department. Fernandes states, “The [Jackson]

school is ripe for change...the [Jackson] school wouldn't have hired me if they were not ready,"²³⁷ she recognizes that hiring someone from outside of the department to be the director shows that the Jackson School is ready for a new way of moving forward. While these hiring decisions reflect the Jackson School's positive steps, Fernandes highlights the importance of student activism in creating structural change solutions. "Why do you think a professor should tell you how to be an activist? You should be telling me. Activism shouldn't come from above."²³⁸ As identified above, there are still many steps that need to be taken to get the Jackson School to a place where it can be considered indigenized and conducive to environmental justice. In creating these new solutions, one thing is clear- the reflections of students such as those highlighted within our report are useful guides for shifting the culture.

²³⁷ Fernandes, Leela. Interview with Director of the Jackson School, February 23, 2021.

²³⁸ Fernandes, 2021.

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