

Ecotrust

Pushing Back: Pebble Mine & the Arctic National Wildlife Refuge

Speakers: Alannah Hurley (Yup'ik), Charlene Stern (Gwich'in Athabaskan) and Matthew N. Newman

Held on Thursday, February 16, 2023, at 11 am PST

Presented by the Ecotrust Indigenous Leadership Program

This is the first of four briefings that address the theme, *Fighting for Our Home: Indigenous Communities & Environmental Threats*.

Here is the recording:

ecotrust.org/indigenous-leadership-briefing-series/#pushing-back-video

Below is the transcript. The citation is at the end.

00:08

Lisa Watt:

Good morning and welcome to the first of four virtual briefings of the 2023 Ecotrust Indigenous Leadership Briefing Series. We are delighted to welcome Florence Newman this morning, who is a Gwich'in elder from Arctic Village, Alaska, to get us started in a good way and offer a blessing. Welcome, Ms. Newman.

[Blessing delayed but occurred at 7:20 below.]

00:40

Lisa Watt:

My name is Lisa Watt, and I am a citizen of the Seneca Nation, Six Nations from the Allegany Reservation in western New York. I am also the director of the Indigenous Leadership Program here at Ecotrust. We are delighted to have you with us today and grateful we are on this learning journey together. Like you, we are eager to hear from our three speakers today and would like to provide as much time as possible for Q&A.

So to move us along, we're going to begin by placing several links in the chat to web pages you can explore on your own. We hope you'll access them. Be curious and learn more.

In place of a land acknowledgment at Ecotrust, we have instead a [Call to Action for Indigenous Communities](#) which identifies eight ways you can become a true ally to tribal

communities. Please take time to read it, feel free to share it, and use it as inspiration for your own statements. The link is in the chat.

Lisa Watt:

About Ecotrust: Ecotrust is a 32-year-old nonprofit organization located here in Portland, Oregon, that works at the intersection of social equity, economic opportunity, and environmental well-being for all. To learn more about our organization, please visit [ecotrust.org](#). The link is in the chat.

If you would like to learn more about our founding and the way we work, I encourage you to watch Ecotrust founder [Spencer Beebe's 2011 TEDxPortland video on Youtube](#). The link is in the chat.

02:20

Lisa Watt:

This briefing or webinar series provides valuable context and is the run up to the annual [Ecotrust Indigenous Leadership Awards](#) or, as we call them, the ILAs. The ILAs is a celebration of the determination, wisdom, and continuum of Indigenous leadership across our region. At its heart, the ILAs is about Indigenous survival.

Today, 60 Indigenous leaders have been recognized for their unwavering dedication to uplifting the environmental, cultural, economic, and social conditions of their communities and homelands. If you'd like to learn more about the ILAs, the link is in the chat.

The [ILA call for nominations is now open](#). If you would like to nominate an Indigenous leader who is making a difference in your community and beyond, please do. There is a direct link to the nomination form in the chat which can also be found on our web page.

The awardees will be announced later this spring, so please stay tuned for that announcement.

3:16

About this series. This briefing series' overall goal is to elevate Indigenous voices and perspectives and to demonstrate the power, influence, and impact of Indigenous leadership. We believe Indigenous leadership and knowledge are around all of us every day, we only need to look.

The series's theme last year was *Indigenous Leadership: Negotiating a Future for Indigenous Peoples, Cultures & Homelands* where we examined four moments in American history, from 1855 to the present, and the ways tribal leaders responded, and

continue to respond. [The four-part series link is in the chat](#). We hope you will spend some time watching the videos and reviewing the resources we've added.

This year's theme, *Fighting For Our Home: Indigenous Communities & Environmental Threats*, is where we will pose a series of questions: What happens to Indigenous communities when external environmental threats land on their doorsteps? What are the cultural, economic, political, and social impacts? In other words, as a community, what do they experience? Who shows up to help, who doesn't show up, and what are the legal mechanisms tribes can use to push for protection and justice?

4:29

Lisa Watt:

Today, we are delighted to have 3 esteemed leaders joining us. All of them are from Alaska.

Our first guest, Alannah Hurley, will speak about the United Tribes of Bristol Bay's efforts to push back the proposed Pebble Mine to protect the largest salmon fishery in the world and Indigenous ways of life.

Alannah has worked extensively in community development and is deeply committed to environmental justice. As the executive director of the United Tribes of Bristol Bay, she leads the tribally-chartered coalition of 15 federally recognized tribes working to protect the Yup'ik, Dena'ina, and Alutiiq ways of life and the pristine Bristol Bay watershed and the life it sustains.

Our second speaker is Dr. Charlene Stern. For over two decades, Dr. Stern has been involved in the Gwich'in people's efforts to protect the birthplace and calving grounds of the Porcupine Caribou Herd from the threat of oil and gas development in the coastal plain of the Arctic National Wildlife Refuge.

Previously, Dr. Stern served as an appointee to the International Porcupine Caribou Management Board and currently serves as a technical advisor to the three federally recognized Gwich'in tribes.

Lisa Watt (contd.):

And then we are delighted to have with us Native American Rights Fund senior attorney Matthew Newman, who will talk about the tribes' efforts and the legal mechanisms that have brought success. Originally from Alaska, and based in NARF's Anchorage office, he has worked closely with both the United Tribes of Bristol Bay and the Gwich'in communities in their campaigns to protect their homelands.

Mr. Newman's areas of expertise include Indigenous land rights, land use, and natural resources with a focus on environmental permitting.

Each guest will speak for 15 to 20 minutes. A Q&A will follow. Please be sure to drop your questions in the Q&A section and we'll answer as many questions as we can.

As a heads up, we will go for at least 90 minutes. We will share this recording session next week and we hope you will share it widely.

[To the speakers] Welcome everyone. We're delighted to have you with us.

Tech Support:

I see that Florence is able to be off mute. I wonder if we might invite the blessing. There you are! I hear you.

7:20

Florence Newman:

Good morning. This is Florence Newman. I'll say the prayer in my language and you could record it and use it any time you want to, so my voice would be on that. And so, let us pray:

(Florence Newman offers a blessing in Athabaskan.)

Lisa Watt:

Thank you very much, Mrs. Newman. We greatly appreciate it, and appreciate you taking the time to be with us this morning.

10:30

Charlene Stern:

(Introduces herself in Athabaskan). Good morning, in my language. I'm really thrilled to be here, and really happy that we were able to get a blessing from our region, here up north, from one of our elders.

As was mentioned, my name is Charlene Stern. I grew up in Arctic Village, Alaska, which is a very small community of about 150 people located in the northeastern interior of Alaska. I am an enrolled tribal member of the Native Village of Venetie Tribal Government and serve as an advisor to our three federally recognized tribes. I'm really thankful for the opportunity to join today.

[Slide] The slide here shows a map of Alaska. According to some of the diverse Indigenous peoples that we have here in the state, we have 229 federally recognized tribes in the state of Alaska, which is roughly 40% of all federally recognized tribes in

the U.S. The region that I'm going to be talking about today and where I come from is demarcated here in kind of the muted purple. The Gwich'in.

You can see where our traditional home generally is. Our homeland extends from the northeastern interior of Alaska to the Yukon and Northwest Territories of Canada. The Gwich'in have lived in this area since time immemorial, stewarding the lands, the waters, and the resources that were gifted to us by the Creator from one generation to the next.

For thousands of years our people actually lived in small camps, moving between our traditional use areas. At any given time of the year, our people knew the best places for fishing, the best places for hunting, the best places for trapping, and other means of subsistence, and that was really kind of how our life was defined for a very long time, including in my mother's own generation.

Over the past 100 years or so, due to the forces of colonization, in Alaska and in Canada, the Gwich'in have settled into more permanent, year-round communities, most of which are really only accessible by air, by snow machine in the winter and by river boats in the summer. So we definitely still are relatively isolated in terms of access.

Charlene Stern (contd.):

One of the most primary resources that the Gwich'in people have, and continue to depend on is the Porcupine Caribou Herd which migrate through our villages at specific times of the year.

[Slide] In the 1980s, the Gwich'in began to mobilize in protection of the Porcupine Caribou Herd as the threat of oil and gas exploration and development in the coastal plain of the Arctic National Wildlife Refuge really grew.

The coastal plain is significant for many reasons but it's especially significant to the Gwich'in because it is the calving and post-calving grounds for the Porcupine Caribou Herd. In the late spring and the early summer every year, the caribou birth their calves in this area, and they do so specifically because of numerous reasons, including the abundance of nutrients in the lichen [which is] the food that the caribou eat, the offer of protection that the area has in terms of predators like wolves and bears, and then the general kind of lower density of mosquitoes which can be a threat to the young caribou.

To the Gwich'in, we regard this place as a sacred place. We always have and we always will.

For the past 35 years, since 1988, our tribes have been very active in the efforts to protect this really important place from extractive development. More recently, the

passage of the Tax Act in 2017 mandated an oil and gas leasing program in the coastal plain of the Arctic National Wildlife Refuge.

Since then, our tribes have really been engaging in the federal environmental impact processes which are essentially designed to gather information to inform decision-making regarding future development. Our tribes have been very active for over 35 years but especially within the last couple years. The renewed effort to have leases that are specific to oil and gas development has really put a lot of stress and strain on our communities. So, we're here [today] to share a little bit about what that effort has been like and some of the impacts that it's had on our communities which I'll speak to more later. Thank you.

15:56

Lisa Watt:

It looks we're not able to connect with Alannah yet so, Charlene, do you just want to go ahead with your presentation?

Charlene Stern:

Sure. The Gwich'in have really strong ties - socially, culturally, linguistically - across our wide traditional homeland. But for many years, with the establishment of the Alaska and Canadian border, our people had really been sort of separated by that. And when this threat started, happening more seriously in the eighties, to try to open up this area to oil and gas development, our people came together in Arctic Village, my home. I was actually eight years old at that time.

It was the first time in over a century that the Gwich'in came together to re-evaluate where we were at with that threat. It was really an impactful time because at that time we had a lot of our elders, our traditional elders, that were still with us who really could see that long-term potential negative impact from development if the door were to open, to have it in this area.

And so our people met together for a number of days in a very traditional setting and talked about, "What does this threat mean to our people, and what could be the long-term impact?" And as a result, the elders basically gave the tribal leadership a charge at that time and said, "We have to go out and educate the world about this issue and about why it's so incredibly important not just to us but to people everywhere, to really preserve these kinds of last, very special places in the world." And so, our people have done that for three decades.

Charlene Stern (contd.)

I can remember getting engaged in the work when I was a teenager, when I was in college, going and doing advocacy trips. Over that time, we have had an incredible

amount of allies that have really come to the table to help us in this effort. We've had numerous tribes from Alaska and across the Lower 48 that passed tribal resolutions supporting our efforts. We have many faith-based organizations throughout the country that stand by the Gwich'in in this effort, and of course we have partnered a lot with the various conservation groups, both in Alaska and nationally.

We also have international partners that have really come to our aid at different times. And I will say, over that 30-year period, we have seen various threats to this area kind of ebb and flow. At times, it was very stressful as legislation was moving forward, or different threats, whether it was seismic activity or whatever it was being proposed, that really would stress our people, "Okay this is what's really going to happen," and then prepare for that fight.

And then there were times where, depending on who was in the administration, it wouldn't be as much of an issue. But because Alaska in general is very dependent on oil and gas revenue to fund our state, and we produce a lot of that for the rest of the country and beyond, it continues to be an issue that's kind of a hot button, I would say, in our state. And where we have a very difficult time is convincing sometimes even our local and statewide leadership about the importance of preserving this place.

I think one of the things that's really important to communicate from the Gwich'in perspective is, we are not anti-development. We are not against all oil and gas development but we feel very strongly that there is a reason why this place needs protection as a sacred place. We have other areas in the state like the National Petroleum Reserve that have really been set aside for oil and gas development.

Charlene Stern (contd.):

For us, it's protecting this relatively small area that gives so much ecologically, culturally to not only our tribe but to people that visit the Arctic Refuge and appreciate its beauty.

For us, though, in this effort, while we have a lot of allies in other types of groups, some who really want to embrace the conservation aspect of the Arctic Refuge, this is not a conservation issue to the tribes. This is a human rights issue. It's a subsistence issue. It's a way of life issue. It's a cultural issue.

For us, this is who we are and it's a resource that we have always depended on and we will forevermore. And so we have a different stake in this campaign than many other groups do. I think that's really important. As federally recognized tribes, we have a responsibility to uphold this stewardship relationship that we have with the caribou, and with the resources of this area. We take that very seriously.

I come from a family of caribou hunters. My grandfather was a caribou hunter. My uncles, my brother, were caribou hunters. My son has been on his first caribou hunting trip. So these are traditions that really shape us as a people, and that we want to see continue to future generations. And that's why I'm here, that's why I do the work that I do on behalf of our communities.

Lisa Watt:

{Thank you very much. That's a long 30 years, to be involved in an issue. And it sounds like you were prepared for the long haul. Is that correct, and does the issue still exist?]

22:48

Charlene Stern:

Yeah, until this place achieves permanent protection, the Gwich'in are going to be at the helm of this struggle. It's not an option for us. It is part of our relational responsibility to our people, those that came before us and those that come after us. So we are in this for as long as it takes.

Lisa Watt:

Thank you very much. We'll come back for some Q&A.

It looks like Matt and Alannah are together someplace in the world. They will come on camera together or one of them will come on? They must not be there yet?

Tech Support:

They might still be getting set up.

Lisa Watt:

[In the meantime, Charlene, you were aware of what was happening as a child. What were you thinking at that time when you first heard about it as a kid? Were you fearful of it? How did you process it over the years?]

24:15

Charlene Stern:

I can remember being 8 years old at that first gathering and being in our community hall with all of our leadership and the elders. A lot of the meeting dialogue happened in our language. Being so young, and not necessarily being fluent, I didn't understand a lot of what was being said.

But what I did observe and learn is how our people advocate really hard for our way of life. And that's what I took away, and that's what our people were training us as the younger generation to do, and that mentorship just continued. And so, as I got older and started to learn the complexities of this issue, you just become more and more prepared

and to advocate in the spaces that you need to to really ensure that this issue stays front and center, not just for us, but for the rest of the nation.

I can tell you, I have a 10-year old son and he's very aware of this issue as well. He understands the importance of this resource to us, and even at the age that he is, he understands some of the fight already. He was asking me recently, "Why would anyone want to open up this place? Why would anyone want to destroy this area?" So there's this awareness that starts very young, and that'll just continue to grow as his involvement grows.

25:42

Lisa Watt:

Wow. Even as children. Thank you so much, Charlene.

Alannah, welcome. It's great to see you. You just need to come off mute and get on the big screen. That's all you need.

Alannah Hurley:

Hello! Thank you for bearing with me, with the tech issues.

Lisa Watt:

Welcome! We're thrilled you're here and you guys are together. Where are you?

Matthew Newman:

We're actually in Portland. We had Pebble Mine meetings this week in Portland, so we're actually just down the street from you.

Lisa Watt:

Well, welcome and thank you very much for joining us today. Alannah, do you want to talk a little bit about Pebble Mine and what your community has faced?

26:29

Alannah Hurley:

Sure, and I'm sorry I missed a bunch of what was said earlier. I glitched out, and I'm so thankful to you guys for bearing with me.

For those that I have not had the pleasure of meeting, my Yup'ik name is Acaq and my Irish name is Alannah Hurley. I'm the executive director for the United Tribes of Bristol Bay, a tribal consortium that represents over 80% of the population of our region, the people who have the most to lose when it comes to unsustainable development as many of our people, all of our people, still live a subsistence way of life.

Our tribes have been working to protect our home for generations, and with this issue for about the last 20 years. After years of our concerns falling on deaf ears at the state level, they petitioned the Environmental Protection Agency to use their authority under the Clean Water Act in 2010 to stop the development of the proposed Pebble Mine, as well as other mines in the area. After a very long, drawn-out history that was quite a roller coaster between presidential administrations, we actually saw the EPA finalize those long-sought after protections just last month, on January 31st.

This was such a big moment for our people and our tribes and our communities who have been working so long to protect our Dena'ina, Alutiiq, and Yup'ik way of life. It was an amazing step forward but our tribes actually had talked about a dual strategy to accomplish watershed-wide protections because that was actually what they petitioned the EPA to do in 2010 because there are over 20 active mining claims throughout the region.

And so the work is definitely continuing to secure those watershed-wide, permanent protections for our region.

I will stop there because I know Matt probably has some things to add as well. But that's just kind of the big picture, 20 years in 2 minutes. We're still very much celebrating this very welcomed news but are really preparing to defend it and [preparing for] the next phase of advocating for broad protections for the watershed.

Lisa Watt:

Thank you, Alannah, and welcome, Matt.

29:13

Matthew Newman:

Thank you so much. I have a unique role, or somewhat odd role in this. I work for the tribal governments in Alaska [that] are trying to push back or to defend, simply put, their way of life. It's one of the things that when we talk about issues of natural resource development, the classic narrative is that it is always the industry on one side and the conservation community on the other. But that neat, little narrative is often not the case in Alaska.

The reason for that is, there are the 229 federally recognized tribes, most of whom live in their original homelands. They live in the small, isolated communities Charlene mentioned at the beginning that are often only accessible via small airplanes or via boats in the winter, or boats in the summer and snow machines in the winter.

So, when you have communities like that that are on the literal frontline - whether we're talking about oil and gas development in the Arctic or you're talking about large-scale

industrial mining in the Bristol Bay watershed - these are not projects that are remote or off course. They are often - I'll use Pebble Mine as an example - the closest tribal community to the mine site is only 9 miles away, the Village of Nondalton and the tribal members who live there.

Now, the Pebble Mine site is a historic area of hunting, harvesting, and subsistence activity [going back countless generations]. And so, the threat is not this intangible, "My goodness, this will be terrible for the global environment." The threat is very personal. It's very intimate and for tribal governments (because they are governments, they are not civic organizations, they're not just collections of people who are like-minded. They are governments that serve a citizenry.) the burden that is placed on [them] is immense, not only from the cultural preservation point of view or protecting a way of life but also just the cost on the humans. The people who work at these small tribes have a 5- or 6-member governing council and they might have 2 or 3 full-time staff.

In addition to doing all of the things that are required to run a government and provide services to their people, add on top of that, you also have to face the crisis of a resource development project happening in your backyard and threatening the very resources that have made your way of life possible on the land going back millennium, and the toll that that takes. You heard Charlene mentioned earlier, she started this journey when she was 8 years old, and now her son might likely inherit it.

Matthew Newman (contd.):

Alannah is sitting next to me. We have similar instances in Bristol Bay as well. Generations of [Native] people have had to sacrifice their personal goals, their personal journeys in order to protect a way of life that they and their grandparents and their ancestors enjoyed.

When you boil it down to its essential elements, tribes throughout Alaska are having to sacrifice everything solely for the ability to be left alone. And, it truly is not just in Alaska but, I think, it's across the United States.

We talk so much about the struggle of Indigenous peoples as something that happened in the past but that could not be further from the case. It is something that is happening on a daily basis, every single day, in a small tribal council office somewhere in rural Alaska. These struggles are happening now and continue to.

I'll stop there but very much I look forward to additional discussion and some question and answer, and anything that I can add to the far more esteemed panelists here of Alannah and Charlene.

Lisa Watt:

Thank you all. Thank you, Matt, and thank you, Alannah. Thank you, Charlene, for your words. We greatly appreciate your time and your expertise and sharing your experience with us.

[This is hard to imagine, sitting down here in Portland, Oregon, and thinking about the threats that Native Alaska communities have to deal with. I'm intrigued, Matt, when you said that generations have had to make sacrifices. Charlene mentioned that [their issue] is not over. Pebble Mine, that's not over. There's more work that needs to be done. How do you gear up? Do you wait until the oncoming threat is again on your doorstep, or are you always prepared for the threat? Are you always on alert?]

36:03

Charlene Stern:

Yes, I would say, for us, we never can put our guard down, depending on who's in the administration federally. Sometimes we get sort of a little bit of a reprieve. Other times we know that the fight is going to escalate but we never get a break from this work. I mean, even in times where we don't have an imminent threat of legislation or something, or federal action, we are educating [people]. We are building those alliances. We are doing a lot of things while in it, in addition to actually living our way of life.

I think one of the things that's very challenging about doing this work consistently is that our people are very much still tied to the land. Every spring and every fall, our people are harvesting caribou. [Those are] huge times of year for us. Our young guys are out there. They get so excited when the caribou are spotted and they go out. They are harvesting not just for their own families but for the entire community, for the widows, for the elders. So much knowledge and cultural transmission happens during those times, too.

Oftentimes, they're doing that and then the next week they're participating in a government-to-government meeting with the Federal Government or some kind of consultation, or they're flying to Washington, DC, to give testimony. I mean, this is just our lives. This is a reality that we're facing. It does take its toll.

I think any one of us would rather not have to do those things and just continue to live the way we have for thousands of generations, but it's just part of our reality until we get permanent protection of this place.

Lisa Watt:

Thank you. Alannah?

38:05

Alannah Hurley:

I couldn't agree more with everything Charlene said. I feel like the only thing I have to add is, until these systems that got us here to begin with remain, regardless of the decision that happened with EPA, the fact that the management plans for the state and Federal Government do not reflect our values or our people's actual input and how we foresee our priorities and values being reflected in land management and resource management, we're always going to be, in one way or another, dealing with these systems that do not understand our people and do not respect our way of life.

So, I couldn't agree more with Charlene that while there may not be an imminent threat, there's always this pendulum that is swinging that we have to watch out for. I feel, personally, for myself, I really just hope my daughter and my kids don't have to carry the burden in the same way I did.

Their stewardship, their ancestral responsibilities as young "Yuks" in Bristol Bay are going to be more about building and being proactive instead of having to use their energy in defense and reaction.

And I feel like, if we can get to a place where we have some base levels of protections, that is really going to let them carry this responsibility and this obligation as ancestral stewards, and hopefully in a different way with a lighter load. But it's definitely still going to be something that they will have to carry forth.

39:50

Lisa Watt:

Thank you both. We have some questions coming in. I'm curious about Matt. How does the Native American Rights Fund or NARF support these efforts, these communities?

40:12

Matthew Newman:

Well, I'll be careful what I say here because both Charlene and Alannah might have different opinions about my work. (*laughter*)

As an organization, the Native American Rights Fund (NARF) is a nonprofit law firm whose sole mission is to provide legal assistance to federally recognized tribes and tribal organizations. [Specifically,] the kind of the work that I do in Alaska - I've had the great honor and privilege of working with Alannah and Charlene, and everyone back home for many years now - is trying to find ways - both Charlene and Alannah just highlighted for everyone this cost of essentially eternal vigilance - to protect and defend the Alaska Native way of life in their communities.

Part of that effort, or at least the small part that I and NARF contribute, is trying to find avenues or legal methods to lighten that load that Alannah just mentioned. The notion of “we always have to be on guard” but ensuring we’re finding a way to at least be successful now, or to make strides now, so that, for future generations, the burden they carry is not so heavy. That is something that we worked on quite a bit for both of these big resource development projects (Pebble Mine and the Arctic Refuge).

There are mechanisms under federal law, sometimes under state law, that assign a unique set of abilities to governmental entities, in which tribes are the original governments of North America. We have things like government-to-government consultation, though that [consultation] word is problematic. Government-to-government can be problematic, but really what it is, at its core, is a recognition of the sovereign status of tribal communities and leveraging that sovereign power to do things like, for example, both in the Arctic Refuge and in Bristol Bay, the tribes have had to participate in multiple environmental impact statement processes. Those processes are western. They are not designed to incorporate or facilitate Indigenous knowledge and the standard kind of method for engaging in those processes for the last 50 years has been to participate in public comments or periods. Go to hearings, wait for a final decision, and then, if you’re not satisfied with the final decision, maybe you employ litigation.

That is a [process] that has been employed very successfully for decades.

Matthew Newman (contd.):

However, for tribes and their unique sovereign status, tribes have more ability to participate and influence those kinds of regulatory processes because of their sovereign status. So in both instances, in Bristol Bay and the Arctic Refuge, the tribes have stepped up in a much more proactive way to be at the table and more direct.

Using the Arctic Refuge [as an example], the last EIS [environmental impact statement] we did was during the Trump Administration. I think it would come as no surprise to anyone on this call that the tribes were not treated terribly well by the Trump Administration during that process, but because of the tribes participating, not as concerned citizens or stakeholders, but as sovereign governments, they were able to lay the foundation stones within that EIS record that ultimately led now into a future administration.

They had built the foundation that has now led to where we are today, which is that the leases that were issued in 2021 had been suspended, and a new environmental impact statement is underway. We’re gathering much more information, not only about the land and its resources, but also Indigenous knowledge.

So, it's slow work. It's slow progress but building a house is not something you do in a day. When it comes to these technical regulatory processes, tribal governments participating and being part of [those processes] builds that solid foundation upon which the house - maybe it's 20 years from now - can be finished.

Matthew Newman (contd.):

Certainly, the work is not over. I don't think the work will ever be over because we're talking about preserving a way of life, and that's not a tangible deliverable that you can just say, "Okay, 5 years and I got it, we'll get it," because you're talking about future generations down the road, protecting a place or protecting a resource for people you've never met and you will never meet but it's so important to do. Whether you're the attorney for the tribe or you're a tribal leader yourself, that's the motivation for the work.

And that's why we engage and do the things that we do, even if at times they are beyond frustrating, or they're very defeating in a lot of ways. We see things happen or at least experience a setback and it's terrible, but we keep going because that's what is required of all of us, whether you're working for the tribe or you're a leader of the tribe. That's what's required of you, to defend these special places and these special resources.

47:20

Lisa Watt:

[In the decades that you all have been involved in these processes, has it gotten easier? Is there more recognition of tribes as governments and the sovereignty that tribes hold? And, do you see it getting better for the future now that, hopefully, people have a better understanding.]

47:51

Charlene Stern:

I think yes and no on many of those fronts. Here in Alaska, we mentioned just the sheer number of federally recognized tribes. Our tribes, first of all, have an inherent sovereignty. We've had governments that extend back thousands of generations but it wasn't until the nineties that they became federally recognized, and it wasn't until just recently that the state of Alaska actually acknowledged the federal recognition of Alaska tribes. So, we're still in that space.

I think the other thing that's interesting is just about the historical timelines as compared to some of our relatives in the Lower 48, colonization and some of those treaties, that history happened further back than what's happened here in Alaska. We're still very much within the past 100 to 150 years of a lot of these changes that have really impacted our ways of life and the understanding of what our people have been through.

Our unique sovereign status is something that's still very much in motion, so I wouldn't say we're quite there yet.

Has it gotten easier or more difficult? Like I said, it's kind of an ebb and flow. I liked what Alannah said about the pendulum. For us, that's a very real thing. Who's going to be in office? And, are we going to have to be more reactive in these next 4 years than maybe we were in the last? I mean, those are all very situational, depending on the politics, both nationally and statewide.

49:42

Alannah Hurley:

I couldn't agree more. The only thing I'll add is, when it does get better, it's only because our tribes are demanding that it get better. They demand accountability and they demand that the trust responsibility be upheld. It's only in those instances where we have to assert that and advocate for that in many, many different ways, that it does get better. But it is definitely exhausting to be at the mercy of the American political system because it doesn't matter which party is in power.

Different people have different beliefs about sovereignty or even an understanding. The lack of education in this country about Indigenous people and their history really perpetuates these really harmful policies and understandings about Indigenous people.

So, I guess I would just say that, Alaska Native people [specifically], I feel like are some of the most politically astute people you will ever meet in rural America because we absolutely have no choice but to engage in these systems and this political system to try and elect folks who we think are going to uphold these obligations of the government and respect our tribes' right to self-determination. It's all so exhausting.

51:35

Lisa Watt:

We have some questions coming up, people are wondering how you take care of yourselves. But there are others. One is, how do you pay for these campaigns?

51:53

Charlene Stern:

Villages in Alaska and tribal governments themselves typically are mostly funded through the federal programs that we operate so we don't have unrestricted funds to be able to leverage towards these [defense efforts]. A lot of our villages don't have running water. It's hard to believe, I know, for those of us living in this century. My village does not have running water. We have to apply for competitive grants for a lot of our infrastructure, like washeterias, like clinics, and things like that.

These campaigns are very costly. The ability for us to send our tribal leaders to Washington, DC, or to other places to engage, all comes at a high cost, not just financially, but emotionally, spiritually, and all those other things. So we very much depend on our partners, like the Native American Rights Fund, who are in this work with us. If we had to hire a private firm, there's just no way our tribes would be able to cover probably even a week's worth of that work.

And so, to those that donate to this effort, we are eternally grateful. We have a lot of supporters out there that we very much appreciate any amount that they give, whether it's a dollar or \$100,000. Any [amount] helps in the campaign.

53:32

Alannah Hurley:

I'll just add one thing to that as well. I'll echo the appreciation because, especially for Alaska tribes, we face a level of challenges that our cousins in the Lower 48 don't because of the Alaska Native Claims Settlement Act. Our tribal governments are expected to provide tribal services to our citizens but don't have jurisdiction or the ability to levy taxes on our land base because Native corporations actually hold title to that land, in most cases in Alaska.

So, our tribal leaders are expected to provide and advocate in all of these different ways with the least amount of resources than, I would say, other groups doing this type of work. And the fact that less than 1% of [all philanthropic dollars] goes to Indigenous communities and tribes throughout America is a statistic that is staggering.

When we do get those resources to help move these things forward, like Charlene, we just cannot express the amount of gratitude we have because it really does help. It makes this advocacy and this work even possible at times because our tribes just do not have the resources, and with colonization being so fresh, the ability to earn our own revenue or build our own revenue bases faces a lot of different challenges that just don't exist elsewhere because of our history.

55:11

Lisa Watt:

Matt, do you have anything to add?

55:15

Matthew Newman:

Well, I would add, it's a catch-22, if you want to call it that. For a lot of the villages, a lot of tribes that are located in these rural communities (and rural is an understatement. When you have to get on a small, 4-seat airplane just to get to the community. We need a different word than rural, because it does not do it justice.) But the catch-22 is this: that

for so many tribes, so many Alaska Native villages that are out on the land, the one economic opportunity that has been offered to them, or put on the table by the western governments of the state of Alaska or the Federal Government is, "Well, you got all this nice land and it's full of resources. You should extract them."

[In other words,] the one economic opportunity that the system has provided to these villages is to cut, to dig, to drill and that leaves them in this illogical corner of, "How can I protect my way of life but then also provide for my family and my village?"

Needless to say, a lot of other kinds of economic opportunities you see quite often in some of the Lower 48 tribal communities are not available in Alaskan Native villages. This difficulty or this conflict of wanting to live a traditional Alaska Native way of life in your village with your family but then, at the same time, the one economic incentive that is dangled in front of you by a state government or by the Federal Government is "extract the resources that make that way of life possible."

Matthew Newman (contd.):

We've talked a lot about struggles here, but that, too, is just a daily generational struggle of "how do we balance?" How does a tribal community, a small village on the edge of the world, balance these values?

Certainly, philanthropy has been a major source of helping, assisting, and creating the financial resources necessary to do this advocacy but we are talking about long-term futures and recognizing the economic injustice that is also at play here, not just the legal or civil liberties or civil rights that have been violated, but the economic injustice that has been imposed upon these tribal communities. The recognition of that is also needed in addition to so many of the other things that Charlene and Alannah have identified today as part of the fight.

58:51

Lisa Watt:

Thank you very much, Matt. When we were talking about this theme and when we had our pre-briefing organizing meeting, we touched on the fact that it's not just an environmental threat. It's so deep and multi-layered and it's all so interconnected. It's just never one thing. To introduce the economic injustice here is a really invaluable part of the conversation.

Alannah, I'm really grateful that you raised philanthropy here. I think the most recent statistic that came out not too long ago is that Native Americans receive .4% of all philanthropic dollars in the United States. .4%! And yet Native Americans make up 3% of the entire population. There's some righting of the ship that needs to be done.

1:00:00

Alannah Hurley:

And while we make up 3%, if we look at the negative statistics, our people are at the top of all those socio economic issues, and racial and environmental injustice, all these different things. [Native Americans] are hit hardest.

1:00:21

Lisa Watt:

[Yes, that's all true.]

A question: "Given how fickle U.S. politics are, what does permanent protection look like? Legally, politically, morally."

1:00:38

Charlene Stern

I'll just say, there are different legal strategies when it comes to the Arctic Refuge that have been proposed over time, whether it's wilderness designation or national monuments. Everybody sort of has their idea of what that ideal permanent protection would be for us.

For us as tribes, we have to look at those proposals very carefully because we don't want to have our ability to interact with that land base and the resources impacted. That is a very real thing with some of these more permanent designations. We've seen that where tribes within certain areas of designations, uses or things that they've done for thousands of years get curtailed because of that designation. So, that's something that we're very careful about. As they get proposed, we evaluate the merits of them.

I'll let Matt comment further on that one.

1:01:42

Matthew Newman:

Charlene, you nailed it. I was going to say the same thing. Being a non-Native attorney, you work in these spaces where you talk about permanent protections. The classical model is always, "Well, let's get a designation of some kind, whether it's wilderness, national monuments, whether it's a park or a preserve, we'll find a way to lock this up and therefore, problem solved. Extractive development is not going to happen."

That's a perfectly fine playbook if your only lens is protection of the environment from people. But when you are working in tribal communities, you are working for tribal governments, land and people cannot be separated from one another. They are intimately, spiritually, culturally connected. The notion of land without people is horrifying.

And so things like, let's say, putting the wilderness designation on a piece of land, well, that's going to mean that in the winter time, winter subsistence hunting that utilizes snow machines or other modes of transportation, that's not going to be allowed anymore. And all of a sudden your wilderness designation that was so celebrated for protecting the land was done at the expense of the people who have stewarded and taken care of that land and are connected to that land going back to creation.

Matthew Newman (contd.):

So, then the question of, "how do we achieve permanent protections?" is that it necessitates a much greater deal of thought and approach because many of the classic tools that have been utilized so successfully to protect public lands in America - again, these laws were not written with tribes in mind and they were not written in a way that appreciated or even recognized the role of Indigenous people for keeping that land in the state that we find it today

So permanent protections, whether it's Bristol Bay, whether it's the Arctic Refuge, or countless other resource campaigns that are happening in Alaska, the tribes, I think, are constantly working to find methods that not only will protect the land but also protect their identity and their role as Native people.

1:04:57

Alannah Hurley:

I'll just add, in Bristol Bay, about similar strategies for designation or legislation. If there's anything that's clear it's that the United States Government will change laws and change designations to fit the current administration's priorities. Native people are no stranger to, unfortunately, that fact. Once people learn how to play the game, the rules of the game change. So I think long-term societal and systemic change is so necessary for an actual level of permanent protections.

The disconnection that Matt is talking about, I think, has to be addressed and healed in this country. This idea of environment and land and resources as being separate from us when in reality we cannot survive without them. Until that healing takes place, for most Americans to recognize the connection between people and place and environment, we're just going to be doing this for eternity until it's not even an option anymore because we've devastated so much.

But I feel like Indigenous people around the world are the people reminding society that at the base we have to heal this connection and this understanding to move forward as the human race.

That got kind of way out there (*laughter*) but beyond those things, that level of foundational change and transformational change needs to happen. And for us, it's just remembering and continuing because we are so blessed and lucky to have still come from people who recognize that sacred connection.

1:07:11

Lisa Watt:

I'm very grateful that you went way out there, it really isn't way out there, because those are the messages that everybody needs to hear right now. It's just so incredibly, incredibly important.

Thank you all for those answers.

Here is another question. "I've been learning and reading more about Indigenous co-management. What would be the most ideal co-management arrangement from your perspective in your homelands?"

That's a good question.

1:07:46

Charlene Stern:

This is a really important concept that I think tribes have been asking for a very long time. We do have some successful models of where co-management is actually happening in my region. We have an agreement with moose management for one of the other refuges that borders some of our traditional territory.

I think Alaska, in particular, is pretty well positioned to be able to show everyone what this could look like if the tribes were really given the opportunity to enforce their rights to these resources. We've been stewarding them far longer. If you look at a timeline of stewardship, tribes [have been doing it for] thousands of years and BLM and some of these federal entities are [doing it for] just a fraction of time.

So, it's not a radical concept for us to be co-managers but I think for different communities, I think it's easier said than done because of some of the capacity issues that we've talked about. Our tribes have limited resources in terms of people but also in terms of funding. So, when we talk about "What does true co-management look like, and what is the opportunity but also the capacity?", those are very serious conversations between a tribal nation and the state or Federal Government.

1:09:18

Matthew Newman:

I would just add to what Charlene said is that I think some of the problems or the struggles we've encountered when we've engaged, particularly from some of the federal resource agencies - BLM, Fish & Wildlife Service, Forest Service - the struggle has been that true co-management must be built upon a cornerstone of respect for tribal sovereignty and true government-to-government as peers, sovereign peers managing a resource together.

In Alaska, co-management as an idea or a system has evolved particularly over the last 20 years, so I think we're starting to see that cornerstone be laid. But there is still much growth that needs to [happen] because far too often a lot of federal managers and a lot of state managers have difficulty getting past viewing tribes as stakeholders. "Oh, these are stakeholders. They love to hunt, they love to fish, just like any other interested party. We, the federal agency, interact with them as a stakeholder."

Tribes are not stakeholders. They are governments, governments that predate the United States of America. They are governments that predate the state of Alaska. I like what Charlene mentioned - the fraction of time that these federal and state agencies have managed resources pales in comparison to tribal governments. Co-management is, I think, maybe 20 years from now, going to be the model. It's going to be the path forward.

But we are still very much, I'd say, in our adolescent years when it comes to co-management of the resources, at least within Alaska. Part of it is that true recognition of government-to-government and not viewing tribes merely as interested parties or stakeholders. I think we're making progress on that but there is still a lot of trail to break ahead of us.

Alannah Hurley:

I don't have anything to add. I agree.

1:12:10

Lisa Watt:

It seems like co-management right now is the buzzword in a lot of different places. And there's also kind of a sense that yeah, you can co-manage this if the tribe pays for it. That is not co-management any longer, I don't think.

We have another question here that asks, "At what governmental level do you have to approach to be heard?"

You laugh, Matt. Would you like to start?

1:12:55

Matthew Newman:

(laughter) Yeah, I'll share a story. I promise I won't get too long-winded. In 2018, the U.S. Army Corps of Engineers was starting to develop an environmental impact statement for the Pebble Mine. A small tribal community of about 200 people, the Native Village of Nondalton, which was the closest tribal community to the mine site, put in a request at the local Alaska office of Army Corps of Engineers to serve as a cooperating agency. This is a status that is reserved only to governments - federal, state, local, and tribal. [A cooperating agency] is basically a participant, not just a commenter on an already-completed draft, but a participant in the actual drafting of the analysis and the facts and information that are included in that analysis.

Tribes participating in this realm go back decades. It's not a new thing. It was originally included in NEPA implementing regulations in the seventies (National Environmental Policy Act).

So, the Native Village of Nondalton puts in their letter. The local commander of the U.S. District of Army Corps of Engineers wrote them back a very short letter that said, "No. No, you cannot be a cooperating agency. We don't need you."

We had to go with the tribal council president from the Native Village of Nondalton back to Washington, DC. We had to get on a security waitlist to go to the Pentagon where we had to meet with the assistant secretary of the United States Army in the Pentagon to personally request that he reverse the local commander's decision denying the tribe the ability to participate in the EIS [environmental impact statement] process. We were successful. The tribe served for 3 years.

Matthew Newman (contd.):

But, you asked, what does it take? What levels of government do we have to talk to? The highest, whether it's meeting with Cabinet-level secretaries to try to highlight issues that are happening in Arctic Village or out in Bristol Bay. Everyone from the career civil servants staff at the local offices in Alaska, all the way up to presidential appointees to get tribal issues on the table.

To get tribal governments at the table requires an almost comical amount of advocacy and outreach to the highest levels of the Federal Government because - and maybe boil it right back down to it - this is that view of tribes as stakeholders. "Oh, well, you know the neighborhood association doesn't get to be a cooperating agency. Why do these tribes want to do it? Just write a public comment when we put out a draft for public comment. You don't need to be at the table."

It's that stakeholder perception that it really is kind of a root cause that really continues to be an obstacle for tribes to represent themselves, speak for themselves, and participate in these regulatory processes that are not even of their own making.

So, it's a lot. It's a struggle

1:17:29

Lisa Watt:

[That's a lot to put on tribal leaders and tribal communities. Charlene and Alannah, do either of you have anything to add right now?]

Next question: "How do we effectively educate non-Indigenous people about the fact that people are not separate from lands and waters?"

1:18:10

Charlene Stern:

I think it's important for allies to really educate themselves. There are a lot of resources out there in the age that we live in with the internet, and good resources. I think one of the challenges as an Indigenous person is, we are happy to continue educating others about who we are and what's important to us but some of the fundamentals, I think, are important and people [should just] take the time, if they want to be true allies, to really get that education themselves. I often see that as an additional burden that's put on, whether it's Indigenous people or people of color to educate others. And, while there's definitely a time and a place for that, we also feel like, if you really want to step into this work, that's part of the work that you have to do. There are lots of organizations out there like Ecotrust, I'm sure, that are willing to help provide some guidance as far as organizations, trainings, written materials that can help you to do some of that self-education and awareness.

1:19:22

Alannah Hurley:

I couldn't agree more. I don't have much to add because I agree 100%. It is exhausting at times to have to do the work and start on basic levels of education on some of these things. I think systemic change in our education system is critical because the lack of education contributes to all of these misunderstandings about Indigenous people.

I couldn't agree more that reaching out to do some levels of self-education to get the basics is so much appreciated, I think, to remove that burden off of people who are doing so much of the work already. To alleviate any type of burden is always very much appreciated.

1:20:34

Lisa Watt:

We have a couple of related questions here. "I am so grateful for your leadership and determination. I'm reflecting on the injustice of how hard you are fighting, especially when I consider that many of the protections, ways of being, ways of working, and the agreements you are seeking are ones that the U.S. and Canadian governments have made via treaties or otherwise, and are not being honored in good faith. I'm wondering where or if there are creative or imaginative spaces for you so that rather than fighting, are you building, imagining, creating, recreating?" This goes for you personally, as well as your communities.

1:21:29

Alannah Hurley:

I'm happy to go first to give Charlene a break (*laughter*). I will say 100%, our people know what we want for our futures. We know that we want to be able to continue being who we are as Native people and to thrive in the ways that our ancestors have, and to preserve that connection and what that looks like moving into the future. Culture evolves over time but our values and our beliefs and our ancient teachings about how we operate in this world and relate to each other and relate to the environment don't change over time. Those [values, beliefs, and ancient teachings] are the instructions on how to be a good person and live a good life.

What I will say is, it is extremely frustrating at times when our people are asked or pushed to build the second story of a house when the first story is so engulfed in flames, that the support - and I've just experienced this in my work, and I'm not saying it's a reflection of the question but I've just experienced this in my work - where people will come in and say, "We don't really want to work on the defense stuff. Can we do this or that instead?"

Alanna Hurley (contd.):

And while we are always so thankful for every, any level of support, just a recognition that when you have an existential crisis - in our case, the Pebble Mine - all of our energy has to go to address that very real imminent threat. That really robs us. I've literally spent my entire adult life doing this. It robs us of our ability to build strong Native nations. It robs that energy and that focus that could have been placed in helping with language revitalization, which was actually my real passion coming out of college.

And so, when we need our strong warriors to be focused on the threat at hand, that energy is [consumed] elsewhere. Any help we can get from those threats, in addition to that building is just something that I like to talk about a little bit as well because it's just such a challenge for us.

1:24:14

Charlene Stern:

I don't have anything to add, either. I think that was very beautifully stated, and it's very much our reality.

1:24:33

Lisa Watt:

Thank you. Thank you all for that beautiful answer.

This is our final question: "What do you do to take a step back and take care of your health and mental health? What do you do personally to take care of yourselves?"

1:24:57

Matthew Newman:

(laughter) I don't have a good answer. I envy the people who are able to clock out at the end of the day and go home and maybe watch a basketball game and just not think about work. Yeah, I envy those people.

And I would say this work - and again, my position is, these are not my villages, these are not my communities, these are not my families - but I have my reasons for doing what I do and working where I work - it's something that's with you 24 hours a day, 7 days a week, every day of the year.

I'll give you an example. My first child was born in the summer of 2019. Four days after her birth, I was in Venetie attending a government-to-government consultation with the Native Village of Venetie Tribal Government about the Arctic Refuge because the tribe asked me to be there. They said, "We need you to be here," and I had to take time away from my newborn daughter to do that. I don't regret that and I don't have any hang ups about it. This is not work that you can just say, "Boy. I'm really tired today, guys. I'm gonna check out or I'm gonna take a mental health day." That is not a privilege that is afforded to anyone who does this kind of work.

Matthew Newman (contd.):

My views on this are honestly childish compared to when we hear from Alannah, when you hear from Charlene, who have been doing this their entire lives. It's daunting. I don't have a good answer. I've been searching for one for many years now but I don't have a good answer of how do you take care of yourself or take a break and find some zen. I'm still on that journey myself.

1:27:30

Alannah Hurley:

I'll just very briefly add that it's something I very much struggle with as well, finding some type of balance. But one thing that has helped me, or really 2 things. First, it took me a long time, as a very Type A person, to accept that I can literally only get so much done in any given day and to make peace with a to-do list that literally never ends. It's just constantly being piled up on. That was a real, real struggle for me, it still is. To make peace with that, just knowing that you're doing your best, that's all you can do on any given day is your best, and you have to make peace with you're not going to be able to get it all done and things are going to fall through the cracks in small organizations that don't have a lot of resources that are doing so much. That's just the reality of the situation.

The second part is my grandma who had been through so much - she died when she was 99 in 2019 - always reminded me that we're actually supposed to enjoy life, that we're supposed to find joy even when things are hard and tough, that life is not meant to be miserable, that no matter what we're going through, we have to find joy.

So, I find a lot of joy cracking jokes with Matt (*laughter*), sending each other inappropriate gifts. I mean, you've got to find joy where you can. I try to return to our cultural practices and activities because that is what keeps me grounded.

1:29:27

Lisa Watt:

Thank you. Charlene?

1:29:30

Charlene Stern:

I would echo a lot of the same sentiment. I try to get home as regularly as I can. I don't live in my community right now but I do go home very often, especially during times of caribou hunting. To be able to see the young men, especially, and the pride as Indigenous men that this lifestyle gives them is incredible.

During one of our scoping meetings that we had a couple of years ago, one of our young men said, "I could go to our store and buy bullets for \$35 and feed the entire community, or I could buy a \$35 steak and just feed myself." I mean, that's the cost of importing goods that our people are faced with. To me, that was really profound.

That's why we do this work. As hard as it is, I know a lot of people out there are probably like, "Oh, my gosh, that seems so burdensome." The reality is, this is an honor to be able to do this work and each one of us is in this for a reason and not just our own personal reasons. But literally, we have been placed here at this particular time to make the most impact that we can. The work will continue but it's good to be a part of it, too, as hard as it is. That would be my response.

1:30:54

Lisa Watt:

Thank you, thank you all. Thank you very much for that, Alannah, Charlene, and Matt, and to everyone who participated in this session.

Before we close, we'd like to offer a few more remarks.

In addition to thanking our guests, we'd like to encourage you to generously - very generously - support the organizations that are represented here today, the United Tribes of Bristol Bay and the Native American Rights Fund. I have always admired the Native American Rights Fund and the great work that they do all over the country for tribal communities. NARF also holds a fund for the work that Charlene is doing for the Gwich'in communities and so you can support their work through NARF as well. We've put the links in the chat. <https://www.utbb.org/> and <https://narf.org/>

Audience survey. Would you please take a moment to provide feedback about this briefing? We'll drop a link in the chat in a few seconds. The survey will also be sent to you immediately following this gathering, so please take a moment to complete it.

We greatly value your opinions. In fact, your opinions and the feedback we received last year helped us shape this year's series. So, we value every word that you share with us.

1:32:35

Lisa Watt (contd.):

We'd also like to talk about the next briefings.

Our next briefing will be on Thursday, March 16th, at 11 am. Again, that's Thursday, March 16th, at 11 am so please be sure to mark your calendars. You'll be receiving an eventbrite link early next week.

In "Before Jordan Cove, q'alya, kuunatich, kukwis schichdii me", we will examine the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians' response to a proposed 230-mile liquefied natural gas pipeline, that would have been situated in the tribe's traditional homelands around the Coos Bay estuary. We'll learn about the tribe's struggles and successes to assert their rights and hold government accountable.

Lisa Watt (contd.):

And then on Thursday, April 20th at 11 am - mark your calendars - Thursday, April 20th at 11 am, we will feature "An Uneasy Conundrum, Green Energy & Tribes." While tribes have embraced the need for alternative energies to diminish dependence on fossil fuels

and combat climate change, green energy can come at a high cost for Indigenous communities.

In this webinar, we're going to look at the Yakama Nation's response to the proposed green Goldendale Water Pump Storage Project. We'll also consider consultation processes and the role NGOs can play in support of tribes.

This concludes the first of our 4 virtual briefings in 2023. We thank each of you for sharing your time with us, and for the valuable feedback you will be providing. We hope we've deepened your understanding or created a new appreciation for Indigenous leadership, communities, determination, and knowledge.

1:34:27

We'll see you again on March 16th. Thank you all.

Citation:

Ecotrust Indigenous Leadership Program. "Pushing Back: Pebble Mine & the Arctic Wildlife Refuge." Ecotrust, February 16, 2023. Webinar series: "Fighting for our Home: Indigenous Communities & Environmental Threats."

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