

Ecotrust

TRANSCRIPT

Before Jordan Cove, q'alya, kuunatich, kukwis shichdii me

Panelists: Margaret Corvi (hanis coos), Courtney Krossman (miluk coos), Patricia
"Patty" Whereat-Phillips (miluk coos)

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

Presented by the Ecotrust Indigenous Leadership Program

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

Watch a recording of the briefing here: <https://vimeo.com/809828694>

The transcript below has been lightly edited for clarity. The citation is at the end.

00:03:13

Lisa Watt:

Good morning, everyone, and welcome to the second of our four virtual briefings of the 2023 Ecotrust Indigenous Leadership Briefing Series, *Before Jordan Cove, q'alya, kuunatich, kukwis shichdii me.*

We are delighted to welcome Patty Whereat-Phillips who will offer a blessing to get us started in a good way. Patty is a citizen of the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians. Good morning and welcome, Patty.

00:03:43

Patty Whereat-Phillips:

Thank you. [*Patty gives the blessing in miluk coos.*]

Here is what I was saying was, *Hello, friends. Today we are all gathered with a good heart to speak of our relatives - all of the water beings, the salmon, the herring, the orcas, the seals, the whales. Our ancestors, the people of long ago, gave us their strength and knowledge so that we are here today. Thank you.*

00:04:48

Lisa Watt:

Thank you for bringing those beautiful words into this room, Patty. We're very lucky in that Patty will be joining us as a panelist during the Q&A. Thanks again.

My name is Lisa Watt and I am a citizen of the Seneca Nation, Six Nations, from the Allegheny Reservation in western New York State. I am also the director of the Indigenous Leadership Program here at Ecotrust.

We are delighted to have you with us today and grateful to be on this learning journey together. Like you, we are eager to learn from our speakers 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 be curious and take time with this information.

00:05:31

Lisa Watt cont'd.:

In place of a land acknowledgement at Ecotrust, we have instead a [Call to Action for Indigenous Communities](#), which identifies eight ways you can be a true ally to tribal communities. Please take time to read it, feel free to share it, and/or use it as inspiration for your own statement. The link is in the chat.

About Ecotrust: We are 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 our new website at ecotrust.org. The [link](#) is in the chat.

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

00:06:22

Lisa Watt:

This briefing or webinar series provides valuable context and serves as the run-up to the annual [Ecotrust Indigenous Leadership Awards](#), or as we call them, the ILAs. The ILAs are 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 now in the chat.

The 2023 call for nominations will be closing tomorrow at 5 pm. Shortly thereafter, a selection panel of past ILA recipients will be choosing our next awardees. The awardees will be announced later this spring, so please stay tuned for that announcement.

00:07:19

Lisa Watt:

About this series: The goal of the Indigenous Leadership Briefing Series is to elevate Indigenous voices and perspectives and to demonstrate the power, influence, and impact of Indigenous leadership. We do this by talking directly with some truly exceptional tribal leaders and friends who have worked with them on the frontlines on topics and issues that are of great importance to Indigenous communities.

Last year's inaugural series was *Indigenous Leadership: Negotiating a Future for Indigenous Peoples, Cultures, and 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 now in the chat. We hope you'll spend some time watching the videos, reading the transcripts, and reviewing the resources that we've added.

This year's theme is *Fighting for Our Home: Indigenous Communities & Environmental Threats*, where we will ask these questions: What happens to Indigenous communities when environmental threats land in their backyard? What are the cultural, economic, political, and social impacts? And what were, or are, the legal mechanisms tribes can use to push for protection and justice?

00:08:32

Lisa Watt cont'd.:

In last month's briefing, *Pushing Back: Pebble Mine and the Arctic National Wildlife Refuge*, we heard from three powerful leaders and learned that, for tribes in Alaska and across the US, tribal people have a different stake in the game when environmental threats loom. These threats are not just conservation issues. For tribes, they are fights to protect Indigenous ways of life, our connections to our homelands, and our cultures.

We were also eloquently reminded that tribes are not stakeholders. Tribes are sovereign governments, and as such, have a deeper responsibility to uphold their traditional stewardship relationship to their home and to future generations. It's a responsibility all

tribes take very seriously. We also learned that the human cost to push back against these [environmental] threats on their communities often spans decades and generations.

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

00:09:51

For the purposes of this webinar, we will use the shorthand of CTCLUSI to represent the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Again, that will be CTCLUSI (pronounced cee-tee-cloosy).

Today, we're delighted to have with us three esteemed leaders. Our first guest, Margaret Corvi, is a consultant working to support and advocate for Indigenous rights, improved consultation, and protection of lifeways. She is based in Florence and Corvallis, Oregon. She was the director of Natural Resources and Culture at CTCLUSI from 2014 to 2019 and, with her staff, led the review of the Jordan Cove Energy Project and LNG on behalf of the Tribes.

Our second speaker will be Courtney Krossman. Ms. Krossman is the current CTCLUSI Tribal Historic Preservation Officer, responsible for enforcing tribal and Federal preservation laws, preserving traditional cultural areas, providing cultural education, and asserting tribal sovereignty. She has worked for more than seven years to protect the tribal cultural resources and promote traditional practices.

00:11:02

Lisa Watt cont'd.:

And then, as I mentioned at the beginning of this briefing, Patty Whereat-Phillips, who provided the blessing, will be joining the Q&A panel. She is a storyteller, linguist, knowledge holder, and a citizen of CTCLUSI. As a miluk coos person, she holds a deep connection to Coos Bay. Her father, Don Whereat, was a culture and history expert as well as an important person who played a significant role in the Restoration of the Tribes' Federal recognition after Termination. If you'd like to learn more about the Termination and Restoration eras, please visit [our Briefings web page](#) for a session we conducted with the Confederated Tribes of Siletz Indians last year, during that briefing series.

Margaret and Courtney will speak for 15 to 20 minutes each. A Q&A will follow. Please be sure to drop your questions into the Q&A section and we'll answer as many as we can. As a head's up, we'll go for at least 90 minutes, and we'll share the recording of this session and the transcript next week. We hope you'll share them widely.

And now, I'd like to welcome Margaret Corvi. Margaret, the mic is yours. Welcome!

00:12:13

Margaret Corvi:

[greeting]. I am Margaret Corvi. I'm here to talk about *Before Jordan Cove, q'alya, kuunatich, kukwis shichdii me*. We'll talk a little bit about a place and learn about one project and the history of the place where it was proposed. I wanted to share with all of you that we'll be talking about a fossil fuel project. I think energy projects tend to be large in scale and scope, and these projects, which I'll refer to as megaprojects throughout my presentation, really change places in big ways.

Almost always, these projects shift focus in rural communities to [projected] economic gains that could occur and away from the resources and places and harm to Indigenous lifeways, sacred sites, and histories. This is nothing new. This is a pattern of extraction [that] has been repeated and threatens the core of cultural identities to tribal nations.

Today, I'm going to be talking about the Jordan Cove Energy Project and share the many ways that the proposed project would have impacted the Tribes and their culture.

00:13:35

[Next slide] Before I dive into the project, I wanted to situate everybody in place and do a high-level overview of the Tribes' history.

Tribal people in Oregon were removed [from their traditional homelands] and consolidated onto reservations in the mid-1850s, which is not that long ago. Really, we're talking about 170 years ago. That's a very short period for tribes since tribes have been on this landscape for thousands of years.

When the Federal government removed the tribes, they justified their actions by putting themselves and their needs above tribes. The government did recognize that the land belonged to [the tribes] and they also recognized that they needed to compensate the tribes for that land, but they did it by force. They did not [compensate the tribes] from the goodness of their hearts. It wasn't something tribes wanted.

00:14:44

In the Indigenous homelands of the coos, many miluk and hanis peoples were moved to Fort Umpqua and eventually to the Great Coast Reservation. They signed a treaty, and then they were removed from their lands. This treaty, the Coast Treaty of 1855, included many tribal people up and down the coast and was never ratified by Congress.

The Coast Reservation was reduced several times and later became what is now known as the Siletz Reservation. However, not all the coos people ended up enrolled in this confederation because there were families that stayed in Coos Bay and there were also families that fled the reservation or left when the reservation was closed.

So, you will find that the Coos people are members - or citizens - of the Confederated Tribes of Siletz Indians, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians as well as the Coquille Indian Tribe. For the tribal people that were able to stay, some of them married white settlers plus there were people that escaped and found refuge on their homeland but had to remain hidden.

00:15:56

Margaret Corvi cont'd.:

The treaty signing came as settlement approached [but, before settlement, explorers came, like fur traders. Because of smallpox, populations of tribal people were reduced as settlement continued.]

So, the map that you see today was created using the natural features of our watersheds and that was highlighted in the testimony provided by our ancestors— the Coos, quuiich, Siuslaw—who all sought compensation for their stolen lands via a Federal court in the 1930s.

Their voices were dismissed and told their stake in the case was too direct. To come from the land, to know the land, was to mean that their testimony could not be used. Tribal people weren't allowed to be experts. You'll find I will mention that again throughout my talk, how tribes are dismissed as experts.

00:17:10

[Next slide] This is an aerial photo of Coos Bay taken by Alex Derr, a photographer who does aerial shots of the coast.

I'm here today to talk about the impacts of a megaproject. I'm sharing this map to highlight the fact that new industry is constantly being proposed for this area. You can see that this is a large estuary. It is one of the deepest estuaries between San Francisco

and Portland Harbor. So there are a lot of resources, t's a good place to live, and people want to use this area.

[Next slide] It's a very water-dependent location. (Actually, can you go back one slide? I think I want to talk a little bit more about this.)

00:18:12

The Jordan Cove Energy Project was one project that was proposed for Coos Bay. This project was proposed over 17 years. The Tribes spent a lot of time reviewing the impacts of this project. Over that time, the scale of the project really changed.

[There was also] a paired project with Jordan Cove, which was the Channel Modification Project. This was a project intended to deepen and widen the channel in Coos Bay. When there's one project, it seems there's opportunity to develop more projects because there's now a need.

We also have a proposed floating offshore wind farm off the coast of Coos Bay. This would consist of 800-foot tall turbines and thousands of miles of chain and anchors, floating substations, as well as land-based substations, expanded transmission lines, and a lot of underground drilling.

00:19:17

Margaret Corvi cont'd.:

All of these projects are large in scale. There's also been a hydro plant that's been rumored for this area. I say all this to share with you that development in these places is a constant threat.

I know we'll be talking mostly about the impacts of the fossil fuel industry but [we'll touch on] renewable and green energy as well. It's very important to know [what the trade-offs are]. It's hard for local people to understand the trade-offs because of what they're losing.

But what was at stake for the Tribes was very big. We would have lost access. We would have lost cultural resources, which would have been destroyed. Some of those are non-renewable, so we would never be able to get them back again, not to mention the generations of tribal members growing up today who would not be able to do the same practices in the same locations where they were once allowed.

[Next slide] So what does a review of a megaproject look like? Some tribes are notified of megaprojects; other tribes are not. Oftentimes you can find out about a megaproject

[by reading about it in] your local newspaper. I suspect you might hear about people who didn't know anything about a project before it happened.

The beginning of the Jordan Cove project was in 2004. I was not working with the Tribes at the time. We found out about the project early but that did not mean we were prepared or had the capacity to manage that project throughout the course of its 17 years.

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The assessment, or the review, of a megaproject like this requires a lot of money. This is money that could otherwise go into cultural programming or enhancement of tribal cultural sites and buildings. For us, it was hundreds of thousands of dollars over several years. We have a lot more to take care of than just the environmental review of a single project. The Tribes are working on education, educational programming, health programming, planning, youth activities, and so forth. [Environmental reviews like] this is an expense that takes away from all that.

We also have to access different pots of money potentially, since we cannot access our grant funding. In some cases, depending on what it is, we might not be able to use our self-governance funding or we might have to dip into sources like casino revenue.

00:22:13

Margaret Corvi cont'd.:

During the review process, we have to figure out quickly, and as well as we can, where the bottlenecks are and where to spend our resources. If we don't, it can be detrimental to the Tribes. We could miss opportunities to put [concerns] in the record. If they are not in the record, then we have no legal recourse later. So we have to situate ourselves and figure out where we want to spend our money and what we think the threats are and how to articulate those threats to people, but mostly to the Federal government.

So the actions we take are to try to create accountability for those Federal agencies. They're supposed to be accountable anyway; they have a Federal trust responsibility to tribes when it comes to the tribes' Federal recognition. However, to require Federal agencies to do that work, you have to highlight it and put it in the record. Otherwise, many times, those protections will be ignored and nothing will happen.

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I want to make sure people understand what's at stake for us because there's so much that could happen. Sometimes these processes move very quickly or they change in

scope and scale frequently. There are Federal permits as well as state permits as well as local permits, so we have to be watching all of those at the same time.

In the background to all of the technical work that a tribe is doing to review a project is the local reaction piece. Local communities may be sold a bill of economic prosperity. When tribes come forward and share concerns or want to have a seat at the table, many times they encounter racism, bigotry, and negative attitudes, including heckling by local community members at public meetings directed right at tribes. That can make the work obviously emotionally taxing and even harder than just the technical review that tribes have to do.

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Depending on where the tribe is located and what resources exist in that place, a project might not go away. Another project may be proposed. In the case of Jordan Cove, as I'm about to discuss, you'll see that the project was denied at one point in time and then the project application was resubmitted by the applicant. This particular project may not go away even now and, additionally, new projects could be proposed.

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[Next slide] Many of you on the call today may think of the pipeline when you think of Jordan Cove. That was one of the projects and the Tribes was concerned about its impacts. However, there was a lot more to the project than the pipeline.

The pipeline itself was a 36-inch pipe that was going to be buried. It was supposed to be 230 miles long and required a 100-foot easement. It would have gone through [Endangered Species Act] habitat for spotted owl and murrelet and the ancestral homelands of seven different tribes and many different stream crossings.

The proposed pipeline project included an LNG facility and an export terminal, which would have made it one of the largest infrastructure projects in Oregon. It was very large in scale and would have taken landowners' property by eminent domain. It would have had to use hydrostatic testing, which is a process by which they fill a pipe with water to test its stability and then they flush the water. All of that water has to come from somewhere. Well, it comes from the different basins along the pipeline route and that gets flushed out into those basins. The pipes are lined with contaminants from the manufacturing process. There is a lot at stake just with the pipeline alone.

00:27:19

Margaret Corvi cont'd.:

[Next slide] Then, when you combine the pipeline with the terminal, you start to understand the scale of the project, especially for the Coos Tribe because of where the terminal was to be situated, [which would have been at] the center of the estuary.

The name of the project, Jordan Cove, actually came from the Jordan Family that once owned the area. [You can go to different places in the area and see the Jordan name.] There's Jordan Cove, Jordan Point and Jordan Lake in Coos Bay. All of those places were named after that family. (James Jordan was married to Jane Jordan, who was a hannis person from Coos Bay.)

Jordan Cove was likely selected because of its features, such as access to water and good views. You could get resources there. Our tribal chief likes to say, "A good place to live is a good place to live." You can see that Jordan Cove would have had access to a lot of resources and would have been a great place to raise a family, and provide for that family on the local resources that were there.

The Jordan name for the Tribes really represents the survival of the Coos in Coos Bay and the ongoing use of "kukwis", which is the name of the bay.

00:28:49

[Next slide] This is the export terminal. These are the renditions of it when it was originally proposed 17 years ago. At different points in time, it was denied by the Federal Energy Regulatory Commission (FERC), as recently as 2016, but a new application was submitted when a new White House administration came in and there was a new notice of intent.

It wasn't until 2021 when the applicant [withdrew] their application due, I think, to costs and court proceedings. Plus, a lot of permits were still missing. It would have taken a lot to overcome that.

The pipeline and this terminal combined was going to be a \$10 billion dollar project.

The more technical components of the Jordan Cove site included, as I mentioned previously, was a new export facility that would have required the dredging of a big trench. In the lower left corner, a ship docking location was going to be dug from a marsh so it was going to have to be converted. Plus, they were going to have to put in a liquefaction train which takes natural gas and then compresses it to 1/600th of its size. Then that is what they would ship on a vessel so that they could export more energy to other countries.

[Next slide] If you think about it, when you compress gas, if anything happens, it can explode. You have this natural gas being compressed down to 1/600th of its size in an area that's at risk for tsunamis and earthquakes. They would have had to stabilize the soils at Coos Bay to elevate that site to protect it.

Of course, that would have changed, for example, how a tsunami would flow through the bay. It could have negatively impacted places across the bay such as the airport and numerous schools.

The map on the left shows the circle of incineration zone. Should anything have happened and one of those tanks exploded, or had there been an accident, people, buildings, and everything in that circle would have been incinerated.

[Next slide] So, there were a lot of risks that were compounded with this project. As I mentioned, 'like attracts like' with some of these projects. If you get one project, then other developers are interested in taking advantage of the work that's being done.

00:32:17

Margaret Corvi cont'd.:

One of those projects that the port has been proposing for years is a channel deepening and widening which would increase the depth and width of the channel. The width of the channel would be expanded by 150 feet and the depth by 10 feet.

These types of changes would mean the entire flow of [water in] the channel would change. So clamming and eelgrass beds for eight miles up the bay would be changed.

The project would allow for larger vessels to come in and out of the bay, which means, of course, like I said, that other projects could take advantage of that. Right now, there's a proposed container project with Jordan Cove. The tanks and vessels that carry liquified natural gas would have to be larger[, for example]. And then, along with the container project, they can enhance container travel or export through the bay.

In this slide, I wanted to show some of the equipment. This is one of the posters that was up at some scoping meetings that were happening at the time. This equipment is very large in scale and very disruptive. It takes a long time to stabilize a channel; they say it takes 10 years of constant dredging, until it's more or less stable. You still have to do maintenance dredging after that so there are many years of disturbance. That's going to impact all the fish and shellfish in the bay and people's level of comfort with using those resources and accessing them.

00:34:00

[Next slide] This is another picture of it. I've already mentioned that the size of the LNG vessels will be larger. A small note of scale here, and a point of access for the Tribes as we canoe in the bay, when there are vessels that carry LNG or some other vessel, they require safety buffers around them a lot of the time. Those safety buffers prevent or limit access to safe locations in the bay, depending on how ships might be using the channel.

The ships' safety and access come first. So, when they need to get out of the bay because it's high tide—which is a requirement, even if they deepen and widen the channel—they still have requirements to get in and out of the bay at high tide because the channel depth still isn't enough. They'll be blocking people from coming in and out of the jetty. That can be a safety risk for other people, not just the safety risk for the company.

00:35:14

Margaret Corvi cont'd.:

[Next slide] This is just one example of a lack of Federal accountability that we experienced during the Jordan Cove Energy Project. The Federal Energy Regulatory Commission is responsible for permitting this project. A lot of you are familiar with the National Environmental Policy Act (NEPA) which requires you to complete an environmental assessment or an environmental impact statement. For the Jordan Cove and Pacific Connector pipeline, they had really thick books of these environmental impact statements.

Along with the environmental impact statement and the NEPA review, there is [Section 106 of the National Historic Preservation Act](#). The Act is intended to fold into NEPA. It's a cultural resource review that examines the cultural significance of places and they review National Register of Historic Places listings. The National Register is a listing that identifies historic properties. They're either eligible or listed on the National Register. They require a more extensive review for potentially avoidance or minimization of impact, similar to what you have with NEPA. So, you avoid or you minimize or you mitigate impacts. The same goes for Section 106

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When you can't assess all the impacts for a project through Section 106, oftentimes there are agreements that are signed. A memorandum of agreement or a programmatic agreement for Section 106 is not uncommon for a large megaproject because they won't know all the impacts that might occur.

The regulation, which is 36 CFR Part 800, states that, if you're going through tribal lands, you have to invite them to be signatories. So the signatory parties are the permitter, the State Historic Preservation Office, and potentially the Advisory Council on Historic Preservation (ACHP), and any other Federal landholders. Tribes are only invited when it crosses tribal lands.

[Regulation] does state that Federal agencies may invite tribes should they provide evidence of cultural or religious significance to sites within off-tribal lands. It's a discretionary piece of the regulation, though. It does not require a Federal agency to invite tribes.

00:38:10

I wanted to point out that, although tribes have the expertise on this and they have tribal historic preservation officers (THPO) and they have all the records of use and ongoing uses of the bay, oftentimes they're not allowed to be signatories to these types of documents.

In this case, the Federal Energy Regulatory Commission (FERC) denied the opportunity for the Tribes to become a signatory, and that was in the face of the state [of Oregon] and the Advisory Council for Historic Preservation which supported the Tribes being signatories.

And so, although we had gone through a process of documenting our concerns, there still really wasn't any accountability on the Federal side.

00:39:00

Margaret Corvi cont'd.:

[Next slide] I wanted to point out one piece of research. There are tools and strategies tribes use. Only some of them stick, so I wanted to share a reference. This is a [2018] paper by the University of Oregon Law School, entitled "Tribal Tools and Legal Levers for Fossil Fuel Transport and Exports through the Pacific Northwest." I believe it's relevant for other types of projects, not just fossil fuels. What you'll find in the analysis is that different tribes have different means available to them, and depending on when they might have found out about the project, they may or may not be able to use some of those tools. They also have to diversify their approaches in order to sit at the table.

I mentioned that FERC would not allow the Tribes to be a signatory to that document. However, because we moved forward with the nomination of a Traditional Cultural Property or TCP—which Courtney is about to discuss—they did include it in their environmental impact statement, so it was a resource that they had identified and they

would have had to assess to avoid, minimize, or mitigate the impacts of that project to the [Traditional Cultural Property or TCP]. But it doesn't necessarily mean that we automatically get a seat at the table. We have to try to diversify all of our approaches in order to have a seat at the table to protect our resources.

With that, I'll pass the mic. That was my last slide, so I'll pass the mic to Courtney, who will talk more about that strategy and ways to protect our resources and lifeways.

00:40:54

Courtney Krossman:

Thank you, Margaret. I'll introduce myself again. [*greeting in miluk coos*] Hello and good day, everyone. My name is Courtney. I live here in Coos Bay and I'm a miluk coos person. I'm also an enrolled citizen of the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians.

As Margaret mentioned in the last slide, tribes have to adapt in order to find a seat at the table for these megaprojects. We did through the *q'alya, kuunatich, kukwis shichdii me* Traditional Cultural Property. This nomination directly translates to "Jordan Cove in the Bay of the Coos People," because Jordan Cove and the place itself is the heart of the bay and central to Coos culture. [The location] is integral for travel and gathering and all of those [cultural activities].

As Margaret mentioned earlier, the Jordan Cove Energy Project was first introduced in about 2004. In July 2006, CTCLUSI passed a resolution that recognized Jordan Cove in the North Spit as having cultural and religious significance and recognizing that those resources are there as a way to combat what those impacts might be. As many of you know, this project continued on and on [for many years].

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In 2015, CTCLUSI passed a resolution that recognized the North Spit, the Jordan Cove in the bay, as having cultural and religious significance, and stated that it should be on the National Register list, to which it is eligible, which is really what sparked staff to move forward with an official nomination for the National Register of Historic Places.

This response is a response to upholding CTCLUSI's constitution. As a sovereign government, we do have our own constitution and bylaws that direct how we should move forward as a government. Within that document, it states that the tribal government is established to perpetuate our unique identity and to promote and protect that identity.

Through this nomination is how we've felt that we were able to move forward in a way that we could protect and promote and enhance those resources in the best way that we could.

00:43:40

Courtney Krossman cont'd.:

[Next slide] Here is a good visual representation of our nomination. It is quite large, which is something we really struggled with because our ancestral territory encompasses over a million acres—1.6 million acres [to be exact]. How do you condense all that into just one place in one bay? So we used the Jordan Cove site as the central focal point to try to protect as many resources as we can.

As background, to define what a Traditional Cultural Property (TCP) is, a TCP can be defined as an area that is eligible for inclusion on the National Register of Historic Places because of its association with cultural practices or beliefs.

The resources that are identified within this nomination exist whether or not the Jordan Cove project or other projects exist. We had to find a way to work with the system in order to protect these resources.

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By having this nomination on the National Register, it would then spark the Section 106 process that Margaret had mentioned earlier and put the Tribes at the table to protect these resources. Federal agencies would have to ensure that their projects are not going to be impacting or be contributing features to our nomination. If too many of these resources are desecrated, then you don't really have any basis to your nomination any longer.

This nomination really encompasses a collection of places, lifeways, and ceremonies. It includes gathering locations, traditional stories, our traditional stories of the origins of life and creation in this place. It encompasses our regular and accustomed canoeing areas, fishing areas, hunting, cultural gathering, ceremony.

00:46:12

[Next slide] This nomination also encompasses over 70 named places around the Coos Bay area. Thirty of those are village sites, which contain burials of our ancestors and the locations of where our ancestors lived for thousands of years. Many of those places also include place names, which I'll get into in the next slide.

The nomination also encompasses archaeological sites and features, like shell middens, isolates of arrowheads or fire-cracked rock, fishing camps, processing and cooking areas. It also includes our cultural use buildings, our tribal hall and reservation. And it includes fish weir systems. Some of you may know, the Coos estuary has the largest assemblage of fish weirs on the entire west coast. Many of those weirs are still there today.

00:47:16

With that proposal to widen and deepen the channel, a lot of those weirs would be removed. They've been there for hundreds of years, and that's just one of the many reasons why it's so important for us to protect these locations.

Within the nomination, we also have our treaty testimony location. We have the locations where many ceremonies have taken place for thousands of years and continue to take place. our traditional story locations, so many things that it's hard to list them all. It's really a compilation of our history in the Coos Bay area.

00:48:12

Courtney Krossman cont'd.:

[Next slide] Some of those places are village sites but other names recognize things that are there and things that are culturally significant or events that have taken place.

And some of those locations are:

- Ch'oshiimohliich, which is the name of "large spruce tree by the water"
- Dugwahaich, which is the name for a small reed that was gathered to weave flexible baskets with
- Hiwahich, which is named for the cattail
- Q'allaxaich, which is the name for the white clay deposits nearby to make tobacco pipes and sacred effigies

The fact is, we have names for these places that are not only for villages but for the resource that grows there, which really speaks to the importance of that resource.

00:49:13

In the top corner of the slide, you can see a [seasonal round] wheel that encompasses our gathering practices throughout the year and again shows the importance of those resources for our sustenance and survival and how we lived with these resources and that they're so integral to our culture.

Part of the process for this nomination included gathering [and organizing] all the information we already had. Because again, in 2006, Tribal Council passed the

resolution recognizing that area, the North Spit in Jordan Cove, as having religious and cultural significance. We have known that fact due to our continued connection to this place and through the stories of our elders and ancestors.

00:50:17

In this first image is Annie Meyer Peterson, who is being interviewed for ethnography work. She was interviewed for countless hours, [with the interviewer] collecting language information and traditional stories, and as much cultural information that one could really share. So, in compiling the information for this nomination, we looked through a lot of her transcripts, as well as those of Lottie Evanoff who gave oral testimony for land claims in the 1950s. Frank Drew was another tribal member [interviewed].

And then, [in addition to] looking at those past interviews and transcripts, we also interviewed current tribal members and tribal elders. You can see on the right there, I am interviewing a tribal member, who actually just recently passed, Danny Dollins. We were gathering information about gathering areas, recollections from their elders, hunting locations, any information, really, that they could share in relation to this place.

We interviewed over 30 tribal members and elders. That was a really big part of this nomination, in showing that continued connections in this place.

00:51:56

Courtney Krossman cont'd.:

[Next slide] This image shows a traditional fish trap. On the left side is a modern one that was created by a tribal member and on the right side is a rendering of a fish trap. One of the things that is identified within the nomination, and that we continue to practice, is the observation of cultural practices and how they yield stewardship strategies.

I'm going to share a short story. This is a quuiich or Lower Umpqua story but it was told in the Coos Bay area as well. It speaks to some of those traditional stewardship strategies and how our stories tell the way in which we are able to sustain these resources over time. This story is about salmon.

00:53:03

“There was always salmon in the river. There was a man who built a fish weir with a kamatlats or a fish trap basket. After the trap was there, he couldn't catch any fish. Almost no salmon went in that basket, so he got tired of this. He resolved to try another way.

He talked to his fish basket, "I'm going to go home to go to bed. I don't want to keep coming down here to check on you for nothing. So holler if you catch any fish inside of you. Holler "kamatlats!, kamatlas!," and then I'll know there are salmon in you. So now I'll go to sleep."

He went home to bed. He lay there quite a while and then heard, "kamatlats!" He walked down to the creek to the fish basket. There were several salmon in it. At last, he was having some luck. He took the salmon out of the trap, gutted and sliced them, and laid them on drying racks.

00:53:48

Then he went to bed. The basket hollered. He went back down to the creek, and there were even more salmon in it this time.

He kept working. After a while, the basket called before he could even return to bed. He was just running back and forth, back and forth. Now, he complained, "I am being called too often."

He yelled at the fish basket, "Kamatlats, you yell much too often. Just shut up. I can't get any sleep."

The basket was empty now. Then all of the strips of fish on the drying rack began to move. They curled up, rolled into the water, and turned into whole salmon again, and swam down the river. The salmon bones and salmon hearts also rolled down into the creek and swam away as fish downriver. That man caught no more salmon for a long time.

Now the different kinds of salmon return to the rivers just once a year, instead of remaining all year long."

00:54:32

Courtney Krossman cont'd.:

I like that story because we have a reason as to why the salmon only come back once a year, and why they're not in the rivers all year long anymore. We also have the story of respect and how if you disrespect the resource, it's not going to be there to sustain you anymore.

In modern society, we don't respect these resources, and they're not coming back. In the past couple of years, coho fishing in the Coos Bay estuary has been closed. Just

yesterday they announced that Chinook spring salmon fishing is closed for the ocean because the population just isn't there. We're not respecting that resource anymore.

00:55:22

That's why this nomination is so important to us culturally, because we see this disrespect happening. [The TCP] is a way in which to work with the system to try to enforce [and renew] that respect for these resources.

[Next slide] As I mentioned, within this nomination, there are many, many traditional stories that are listed that have connection to certain places. One of them is the orca story. I'll give you a SparksNotes version of that story.

00:56:11

Courtney Krossman cont'd.:

"A long time ago, there were five brothers and a sister who lived in a village—I won't mention the specific place to protect its location—but it's at the start of the Coos River. As the sister grew older, she had no husband and she became lonely. Day after day, she would go down to the river to her place to bathe.

One day, which was just like any other day, she was bathing and felt a bump. She thought, "Well, that's kind of weird," but didn't really think anything of it, and continued bathing. A few months go by and her stomach had begun to grow. Her brothers look at her and said, "What is going on? You're obviously pregnant, right? How did this happen?"

She said, "I swear I've taken no husband. I haven't done anything. I don't know how this could've happened." Eventually she gives birth to a baby boy, who cries and cries and cries.

00:57:14

The brothers said, "That baby is too loud. Get it out of our house. We don't want it in here anymore. It's too loud. We can't sleep, we can't stand it."

And so she sets up the baby's little pack basket outside the house. The baby's crying and crying, and then all of a sudden the baby stops. She goes and checks on him. He has seal oil around his mouth. She says, "Hmm, that's kind of weird."

Then a man appears, she asks, "Who are you?"

He replies, "I'm your husband and that's my baby. I'm the Orca Chief and he's crying because he needs to be with his people in the ocean."

And so she was, "Okay, I guess you're my husband," and went with him. He took her to their village in the ocean where they lived. Eventually the sister wanted to come back to visit her brothers. So she comes back up the river. She has an otter pelt covering her and they start shooting at it because they see an otter and they want the pelt.

She says, "No brothers, don't shoot! Don't shoot! No more arrows, brothers! I'm your sister."

00:58:28

Then she explains what happened, and that she has a husband. She said, "My husband [the Orca King] is going to gift you and our family for our marriage and for taking me away from you. When you see whales or anything washing up on the beach, that's a gift from my husband and our family."

That's just another story that connects to a specific place within the bay which shows our connection to the ocean beings. And it recognizes there are villages that are now drowned and in the ocean but they're still there. We have all these stories about underwater villages. Just because we can't see them anymore doesn't mean that resource isn't there.

And so it's just another integral piece to protecting and respecting the limits of the resource. If a whale washes ashore anymore, we're not allowed to harvest that whale. There are stories of blowing up whales and disrespect shown to that animal.

Again, this is just another way that speaks to our connection to this place.

00:59:58

Courtney Krossman cont'd.:

[Next slide] Both of those stories show a great observation of cultural practice and how that yields stewardship strategies. Respecting the salmon, respecting our ancestors in the ocean, and how they can yield gifts onto us. When you're no longer respecting that resource, the gifts won't be there anymore.

In the [slide] image, you see regalia with dentalium. I'm wearing dentalia, these large shells. You can't get them anymore because of the environmental degradation that's happening [in coastal waters]. This species no longer grows the large populations that

can sustain us. This is our traditional money, used for trade and to look good. [Without that resource, you can't have or do those traditional things.]

01:01:01

It's unfortunate Traditional Ecological Knowledge is not being taken into consideration by these large Federal and state entities when they're conducting their projects. This is why it was so important for us to have the TCP nomination on the National Register so that we can have that seat at the table for consultation and for the protection of these resources to sustain our traditional stewardship strategies.

Another thing that continues to happen in all the Pacific Northwest now are forest fires. There is traditional stewardship knowledge that we have, knowing how to maintain forests so that these large fires don't happen [by using] cultural burning, utilizing downed trees in riparian areas and other practices for cultural reasons. [Using this knowledge is valuable.] Without these resources, we can't continue to practice our culture.

Hopefully, this is something we can turn around and continue these practices that we've had for thousands of years.

01:02:48

[Next slide] These images are from the hearing that took place after we submitted the q'alya, kuunatich, kukwis shichdii me Traditional Cultural Property. On the left is the Advisory Council for Historic Preservation for the state of Oregon. Then on the right is our chief at the time, Chief Warren Brainard, as well as other tribal members who were present for this hearing.

It took years of compiling information and multiple drafts and using a couple of different consultants to help us with the nomination. Eventually we realized that this is something that has to be written by us. CTCLUSI needed to have our own staff and our own tribal members write this nomination. That made it possible for us to create the final draft that was submitted to the State Historic Preservation Office for review.

01:04:06

Courtney Krossman cont'd.:

The State Historic Preservation Council voted unanimously to approve the q'alya, kuunatich, kukwis shichdii me, which made it eligible for listing on the National Register of Historic Places. This is a resource that now has to be considered for projects.

It's important to mention the experience of being in [the hearing] room. There were many tribal members who were hopeful for the nomination but there were also members of the public that were not. There was a lot of people who had a hand in big industry that attended, and there were just outright racist community members who were in the room who heckled very loudly.

It was a joyous but yet unfortunate experience for a lot of the tribal members that were there. When I was in the room and listening to all that heckling, it just kind of made me think of the court of claims testimony that took place in the 1950s, where tribal members were testifying in a similar way about our resources and the heckling and the feeling that they must have had in the room, and then to be denied and told, "I'm sorry your testimony doesn't matter. We're not giving you this claim."

01:05:46

We were able to switch the narrative in this experience. By having that unanimous vote, we were able to finally have something, outside of our Federal recognition, be recognized. Recognizing our work and the resources was a joyous experience.

[Next slide] As I said, the public was not excited about this nomination. There was an official group that was organized to try and stop the TCP. Signs like this one were placed all over the bay. Pretty much everywhere you went you could find one of these signs. They were using social media and they were even knocking door-to-door to try to stop this nomination.

Their main narrative was, "your house is going to be in a historic district, you're no longer going to be able to paint your house any color you want, you can't change your windows"—all of these things that simply were not true. I'm sorry, but your house is not listed as a contributing feature. You can paint it whatever color you want; we don't care.

01:07:12

Courtney Krossman cont'd.:

[I wanted to include this image to show] the negative response that the public had for this nomination. This group had actually a lot of staff who, not surprisingly, were trying to stop the TCP and were directly connected to the Jordan Cove Project. [Here is] one post that had quite a few shares that went around on social media. I'll read it quickly to give you a sense of the narrative:

"If the TCP passes, it will have a negative impact on over 1,500 families that live or have business properties close to the Coos Bay estuary. The Confederated Tribes will be in a position to allow or not allow the affected people to build, remodel, landscape or do

anything with their private property. I urge anyone who lives close to any part of the Coos Bay estuary, whether up a slough or river, to contact the people who are working hard to obtain signed notary documents to take a stand against this. Their office is located here. The concern I have is that it will not only affect our land use, but it will have a negative impact on the relationship with the tribal community. I grew up with many of the tribal members; we surf together, play together, and party together. Most of all, we're easygoing and fun to be around. My concern is that they have been approached by very aggressive lawyers and sold the bill of goods, and they're getting rich off of it."

It goes on. That's a glimpse into some of the narrative that was being shared. They were very heavily funded and, like I said, going door-to-door. It was that energy that was brought into the hearing. I think you can imagine what it was like.

But thankfully, it was considered eligible by the state, and many Federal entities recognize it as eligible as well. So now we do get contacted to ensure that projects are not going to impact our TCP

[Next slide] This is the general theme that has been going on throughout this presentation, that our culture has been under threat for over two centuries. We are working really hard to change that. This image is a good analogy into that.

You have a modern bucket being used to hold the clams which represents the reactive, always on the defense when it comes to these projects versus our nomination [which is represented on the right], which is now now a proactive document that ensures we're able to work within our own community to continue to perpetuate, promote, and protect our resources and our unique identity as Indian people.

I think it's a great analogy.

Some of those survival strategies that we've had to embark on is learning the modern government system and finding the most effective places to bring our position and voice. One of the ways we do that is, we hold an annual conference where we invite state agencies. This last year, our conference invited a lot of the local watershed groups and nonprofits so they can learn about our culture and how to be better allies.

Courtney Krossman cont'd.:

In this image, we actually have a tribal youth who was able to take the day off school so that he could teach his own culture to this room full of state representatives. I think it's pretty awesome that our youth are able to do that because because, of all of the hard

work since Restoration, our youth are able to be brought up in a restored tribe. Rather than focus on how to get Restored, they're able to focus on learning and practicing their culture and learning our stories so that they can teach them to the community.

The Tribes work really hard to educate the community-at-large about our culture and the fact that we are still here and that our culture is very important to us. It's who we are, and we're going to continue to push back on these industries to protect these resources.

1:11:55

Margaret Corvi:

I can jump in, Courtney, if you'd like.

There is so much to say, as you can tell. We did a lot of work on the Jordan Cove project and we're going to continue doing that work. One of the things that we were asked to think about when we were on a call [with the Ecotrust staff] was to think about [the messages we'd like to share]. Obviously, I want you all to take with you that tribes are experts. You can help share that perspective with everybody.

We know a lot. Our practices might not be science-based in the western science way of thinking of it but it is science-based in an observation and stewardship practice over thousands of years that did yield abundance in our area. We did that. So when people came here and saw how wonderful things were, and what abundance we had here, we created that. I think it's important to remember that expertise and to use it and [acknowledge] the Tribes.

Go seek input from the tribes as well as share with tribes. If you're going [after] a grant or whatever, share those resources and include tribes, because capacity is limited for all agencies. But if you're asking something from the tribes, you should be compensating them for what you're asking for.

It's important for people to learn the place where they are. If you don't know the tribes that live in your area, I hope you learn them as soon as possible. Don't glamorize [the past] and don't think [that tribes only live in the past.] Think about how they're surviving today, and don't just think of their suffering and kind of glamorize or exploit that history. Really, share what they're doing today. That can take some resetting of expectations.

As I mentioned, there's a lot of work that tribes do. You can't think that the tribe is going to pay attention to the one thing you have an issue with, whether it's conservation or health[-related], or whatever. We have a lot going on. We have citizens that we're

responsible for caring for, and land that we're responsible for caring for. We have a lot of work to do, so just reset your expectations when you think about engaging the tribes.

Obviously, we heard a little about tribes being sovereign nations. I want everybody to understand what that means. If you don't know what it means, research it and understand that we are our own [nation]. We're equal to the state and we are able to practice our own culture on our tribal lands. We have jurisdiction on our lands. And there are processes and relationships that we have with Federal partners, including trust responsibilities, consultation, and capabilities that are set forth in executive orders [and policies]. Obviously, provide feedback to people that you work with about that.

And recognize any biases you might have about science or casinos or tribes [or related topics]. Reframe the way you're thinking about it.

I think the science community is only 170 years old here in the CTCLUSI region. So, consider if you have an attachment to Western science and think about what some of the tribes, stories, or other practices might bring to science that would be a benefit to stewardship practices.

I want you to leave knowing that tribes are experts in that, and you need to bring that forward to other people.

01:16:30

Margaret Corvi cont'd.:

[Next slide] I just wanted to share that tribal people have come through a lot, what Courtney talked about with the Traditional Cultural Property, having that experience in a modern-day setting where you're experiencing some of the trauma that our ancestors experienced. It's not equal by any measure but there is trauma there and that trauma keeps occurring. We still haven't stopped mourning the loss of our ancestors, our relations, our lands, and our ability to practice. We do the work we do because we're trying to heal from that loss. We still dance, pray, and create, using what we have. It's important to us that we can transfer knowledge, and not only retain the cultural components of our knowledge but now fight for our rights.

When Courtney just shared that slide with our tribal youth teaching the state [representatives] about traditional tools, that's us having our youth do the work of not just practicing and knowing what all those things are and getting to use and be with their tools. but it's also about them fighting and then bringing to the table the ideas that "these are important to me and I'm sharing their importance with people."

Our survival really depends on both of those two things.

1:17:58

We were asked by Ecotrust, what kept us up at night? I think of all that work. It kept us up at night just thinking about the cultural work we had to do and then at the same time, all the defensive work we've had to do. We have to teach our families and our children how to make baskets and how to gather. We also have to teach them how to navigate a system that is not culturally relevant, one that we did not create but we still have to use to protect everything we have - all of our lifeways and the way we want to live.

1:18:40

Margaret Corvi cont'd.:

[Next slide] I think we'll end with that, understanding that these issues have now spanned a lot of decades – and centuries, really – so we're hoping that some of us here today can think about ways that we can change that. Thank you.

01:19:05

Lisa Watt:

Thank you all so much. It was such an honor to listen to you and learn about the journey and incredible challenge that you've faced for 17 years. I think, when people think about environmental threats, they appear suddenly. But for tribes, and for many communities, actually, these are long-term issues. As we heard from our panelists in the first briefing. They've been in [their fights] for 30, 40 years. It does take a toll on tribes.

Thank you very much.

Let's move into the Q&A quickly, and also invite Patty into the room.

Welcome Patty. She will answer some questions as well. And just a quick reminder to everybody with us right now to add your questions to the Q&A function.

I'd like to start by going back to Courtney very quickly and clarify something. You said that the state approved the Traditional Cultural Property. Do the feds have to approve it as well?

01:20:23

Courtney Krossman:

Yes they do. After the state approves the nomination, then it moves on to the Federal side of the approval process, which we did not receive. The Federal listing for the nomination is something that potentially we could move forward with.

Margaret, go ahead and fill in.

1:20:43

Margaret Corvi:

In the formal Federal listing process, property rights are supreme in this country. So in a historic district, people living in the district are allowed to opt in or out of a historic district nomination. The percentage of people who opt in or out depends on whether or not that district gets listed.

In this case, the district is a Traditional Cultural Property. Most of the traditional cultural property was in estuary but there were some shorelands, viewsheds, and access to the water that would have been included in the TCP.

When Courtney mentioned property owners objecting, they had to go through a formal process of notarized opposition. If they overcome a certain threshold, then that property cannot be listed anyway. In this case, its eligibility was determined by the state of Oregon.

There really wasn't a need to go forward with a Federal listing because it was never going to be fully listed. As long as it is acknowledged in a Section 106 process, the Tribes want to be sitting at the table to review [projects] for avoidance, minimization, and mitigation of impacts to our resource. Some of those, like avoidance, are going to be at the very, very top [of the Tribes' list of concerns], to protect those fish weirs and other things. In other cases, there might be minimization measures that could occur like they do with ESA (Endangered Species Act) or other types of mitigation, such as planting new plants inside of the TCP itself.

We didn't need to go through the Federal listing because it wasn't ever going to pass since we had received so many objections because of that organized concerned citizens group.

01:23:19

Lisa Watt:

Got it. But the fact that the state approved it and acknowledged it, still does give you standing.

01:23:24

Courtney Krossman:

Yes.

01:23:25

Lisa Watt:

And just to note here, Oregon was the first state in the entire country to have a government-to-government executive order that mandates state agencies to consult with tribes on issues of importance. It was a big deal when it was [issued] under Governor John Kitzaber and now there are other states in the country that have one as well.

So the state approved it which automatically brings you to the table then, yeah? (*Margaret nodding*). So then, how does that work in the future? Margaret, you mentioned earlier that there are multiple projects that are coming along that could impact this site. The question is, how do you prioritize those different projects? Every threat that comes along doesn't share equal priority. So how do you weigh those [issues or threats]? How do you decide where to dedicate your resources?

01:24:32

Courtney Krossman:

A lot of that has to do with projects that Tribal Council prioritizes. A lot of times that government-to-government relationship does get prioritized by Tribal Council. They see a project come in and will say "you need to focus your energy on this." The amount of impact is what we weigh for each project. With these large projects like Jordan Cove, they come with dozens of permit applications and things that you have to stay on top of in order to have that standing.

That's another reason why this [TCP] foundation is important, so we can protect those resources. For me, I'm the tribal historic preservation officer for the Tribes and Margaret is a consultant right now, but it's just me and this department that's reviewing these permits. It can be difficult to stay on top of it and to know what to prioritize. So we rely on Tribal Council, and sometimes other agencies really finding things for us too [and saying], "hey, you need to be on the lookout for this coming in" and asking how they can help advocate for us, too, to protect our resource.

01:25:56

Lisa Watt:

Thank you. Margaret?

01:25:59

Margaret Corvi:

I can add that yes, all those projects will have different impacts but it's very likely because they'll be water-adjacent, a lot of it will be water-dependent development. So, it'll directly impact those shellfish fishing resources and fish weir sites. The adversity of the effects will be different [for each project]. There might be more or less, depending on if the channel gets widened or deepened.

We've been reviewing some wind projects [proposed for the Coos Bay area]. Because it has to come onto the land somewhere and because it's going to come through our ancestral territories, if the transmission of energy has to come through, there's going to be onshore as well as offshore impacts. Those offshore impacts are going to affect things like orca and fish and viewsheds and [how we tell our] creation story and other stories. I think we've done a lot of the work already.

Definitely, the priority comes from Tribal Council but we share with Tribal Council what we think the impacts will be of a project, and we won't know the scale until we know details of a project.

1:27:37

Lisa Watt:

Before we dive into some questions, I wanted to ask one final question about the TCP. Do tribes normally use the TCP as a mechanism to address these threats? Is it common? Or is [use of a TCP in a situation like this] unusual?

01:28

Courtney Krossman:

I know of other tribes that have resolutions because, like I had said in my presentation, we had actually first recognized this area as a TCP in 2006 without actually moving forward with any official nomination through the state. So, tribes in their own right do recognize these areas as TCP but I believe, in Oregon, we are the first and only tribe that has gone through this process.

Margaret, you might be able to speak to tribes in other places but it is quite unique. It does require a lot of resources. It required a lot of time and money to move forward with this nomination.

01:28:44

Margaret Corvi:

Yes, we're unique. I'll just say that.

01:28:51

Lisa Watt:

We have a question. “The fight against the pipeline took a long time and involved a lot of different environmental, climate, and other local groups in opposition. Do you feel like those folks understood the cultural importance of the site in working with you all? If not, do you feel like it improved over time? And what would you want activists or organizing groups opposing megaprojects to know moving forward?” That’s a great question.

1:29:40

Margaret Corvi:

I think the second question kind of answered itself, in that people became more aware of the cultural significance over time. There was an understanding but I don’t think there was a lot of depth to that understanding. When you start talking about the stories and what the places are, a lot of that [understanding is helped by] being on the landscape.

We’re here on Zoom but I would love to be talking about this while onsite, and I often do. It makes a big difference. You really get a feeling for a place when you’re there. When you build relationships, it’s important to be out in those locations and feeling what’s happening to the history of a place, and what’s happening for that connection to that place for tribal people.

Courtney, do you have anything you’d like to add to that?

01:30:54

Courtney Krossman:

You answered it really well. Working with a lot of these groups, I think there is a semblance of understanding of the cultural resource. But I feel like it’s a lived experience to fully understand that cultural resource and its importance to us.

I do think local groups have been great allies, especially in reaching out and asking how they can help assist in elevating our voice, because it’s not necessarily those groups’ place to speak for those resources specifically, but of be allies in amplifying our voice at the table.

01:31:52

Lisa Watt:

Question: What would you want activists and organizing groups opposing megaprojects to know moving forward? How can they be good allies to tribes facing megaprojects?

01:32:04

Courtney Krossman:

There are many instances where there are public meetings or meetings with agencies in general. If you notice there's not a representative from a tribe or tribes there, speak up and ask why they're not there and [if the tribes even] know about it. "Did you send a notification to the tribe? Have you had communication with the tribe? This is something that should require consultation, why are you not doing that?"

Asking those questions and putting those agencies on the spot is a good opportunity to be a good ally. For me, personally, it's always helpful when other groups reach out to me and make sure that I've seen [something]. [Having] that one-on-one conversation and just creating those relationships with the local groups is really important for us.

Go ahead, Margaret.

01:32:51

Margaret Corvi:

Yes, you're right. Information sharing is one opportunity to be a good ally. I also think that you need to ask the questions, "Can your organization support tribes without [placing conditions on that support]? Is there an opportunity for you to accept the full sovereignty of the tribe and embrace it without thinking, "Well, the tribe needs to speak out about this or the tribe needs to frame it in this way"? Think about all the things the tribe is working on and how you can be supportive of the tribe as a whole, as an entity and not just in one [dimension].

Creating a relationship isn't about having one shared view on something or one shared fight. It's about creating something that's lasting. It's about really knowing the other entity and understanding all of it. I don't know if I said that right.

Patty, you should feel free to add anything.

01:34:22

Lisa Watt:

Yes, jump in, Patty. *(laughter)*

01:34:24

Patty Whereat-Phillips:

I don't know if I have anything extra to add at the moment.

01:34:30

Lisa Watt:

(Reading question) “Coos County is currently working to update the Coos Bay Estuary Management Plan. Is CTCLUSI involved in this effort?”

01:34:55

Courtney Krossman:

I would say that we are involved to an extent. We have been contacted about it. We are hoping to still get a government-to-government consultation on the proposed changes and [understand] what those will look like. But we are involved in the review.

01:35:20

Patty Whereat-Phillips:

Which is good, because I have looked at past management plans and for a long time they ignored tribes and absolutely nothing ever happened, except a little bit of geology before, about 1855 or so. At least that is finally beginning to change a little. Sometimes it's kind of a glacial pace of change but at least it is happening.

01:35:50

Lisa Watt:

Question: “Are there systemic changes to how the bay is managed, and who manages it, that could be put in place to prevent or decrease the need to play defense on future megaprojects?”

01:36:08

Margaret Corvi:

That's a big question and it's a good question. I think there are opportunities, and I don't have the answers to all of them. I think there are a few coastal tribes that probably would like to share some changes that they would like to see.

Lisa, you mentioned the [government-to-government] executive order in Oregon. That executive order is very old. The state implements a lot of their environmental protection through statewide land use planning goals, which can be very beneficial in some ways because local communities can kind of determine ways to make their estuaries work for them.

In California, there's CEQA (the California Environmental Quality Act) and in Washington, there's the State Environmental Policy Act (SEPA). We don't have a policy like that in Oregon. The state's processes for reviewing these are local processes a lot of the time, or at least come down to local processes. That can be hard for not only local governments but especially for tribes.

Local governments struggle a little bit because they have to review these mega-permits, which is kind of crazy. They review really technical and large permits, like for the Jordan Cove Energy Project, and then we respond to those local permits as well. Again, that's us reacting to state, local, and Federal level actions, which is capacity draining. So maybe there are opportunities to change the way that those comments are shared or how they're folded into all of those processes at the same time, instead of us having to track multiple things all the time.

01:38:09

Margaret Corvi (cont'd.):

I don't know what the silver bullet would be for changing the system enough to include tribes and get us to the table. I think there are multiple ways. Consultation could be improved in the state. I think that the processes could be more robust in the state, and I think the history needs to be acknowledged more. I know we're educating our youth now, and beyond.

Senate Bill 13 (passed in 2017) requires all youth in the state to learn about the tribes' histories in Oregon schools. How much of our working population now knows that history? How many people on this call can name all nine Federally recognized tribes in Oregon at this moment? I don't know, but those are the things that will make a difference some day. Some of those problems are things that you change at the individual level. I don't know if that's the full answer but it's part of an answer

01:39:26

Patty Whereat-Phillips:

One thing I've noticed, Coos County is a small county. It's less than 70,000 people. And there are two incorporated cities on the bay – North Bend and Coos Bay – and they just don't really have the resources, the institutional knowledge, the staff, the expertise to tackle some of these things quickly and well, especially with these megaprojects. And there's also the Port of Coos Bay Commissioners.

Of course, all these different groups at different times speak with different voices. At certain times, some of them might be much more pro-development and then everything else is kind of lower down on the hierarchy of importance.

But then there are constituencies within, for example, fishing groups or others that may speak with a different voice, especially on the whole Jordan Cove process dragging out over all these years. It was very interesting, just a lot of different voices. I don't think all agencies necessarily were well equipped to deal with what they had to deal with with these megaprojects.

01:40:48

Lisa Watt:

Thank you. *(Reads question)* “Did you get support from other tribes in the Northwest?”
Was that important to your tribe when you were in the throes of the fight?”

01:41:10

Margaret Corvi:

We did not get a lot of support from other tribes. I'm not going to put any judgment on that. Like I said, we all have our own initiatives and our own capacities. So I don't know what motivated them not to participate in the process or alongside us. Some of the THPOs (tribal historic preservation officers) got together for Jordan Cove and thought about reviewing things like Section 106 agreements or talking about the review of the document. But I think other than that, tribal leaders-to-leaders solidarity didn't occur. No judgment there. There's a lot of different things going on with different tribes.

01:42:10

Patty Whereat-Phillips:

I know the Klamath Tribes was very outspoken against the pipeline because, of course, the beginning of the pipeline would have been in their territory. And I believe Tolowa-Smith River Rancheria was very concerned about the pipeline as well because it would have gone under important salmon-bearing rivers, like the Rogue River. And in Northern California, the Lower Klamath River people were also very outspoken about the pipeline. So those are the ones that come to mind as tribal communities that definitely were very outspoken publicly.

01:42:52

Margaret Corvi:

Yes, right, but not unified. For whatever reason, it just didn't work, I think, for unification at least not on our end of the pipeline.

01:43:07

Lisa Watt:

That's really interesting. Something that big and that long ... I was struck by looking at your slides yesterday that the pipeline impacted six Oregon tribes and so I was kind of curious about that.

01:43:26

Courtney Krossman:

I think that has a lot to do with the capacity issues that the tribes have. These megaprojects require so much review. Like I had mentioned, in my own office, I'm really the only one within our cultural resource protection program, outside of hiring consultants, to help us. Some of these tribes don't have tribal historic preservation officers and they don't have the funding to hire consultants. So, for whatever reason, they're not able to participate.

Like Margaret said, at a staff level, the tribes work really well together in talking about these projects and our concerns. That higher government level is definitely a very different perspective.

01:44:13

Lisa Watt:

Here's another question: "Can you speak to the status of efforts to co-manage fish and wildlife resources with state agencies?"

01:44:33

Margaret Corvi:

I don't know if I want to talk out of line about that. I know that there are a number of tribal leaders in Oregon that are working on agreements for co-management around fish and wildlife. I think it's long overdue.

I hope there can be some recognition of sovereignty. Of course, there are barriers at the state level because of the way statutes were written for certain areas or resources in the state that might make co-management possible but maybe not completely across the board apply. There are going to be nuances to it and, hopefully, there can be a point where that co-management responsibility really is shared and it's not just for the resources that generally tribes use but for all the resources in our area that are important to us, everything from eagles to salmon all the way down.

01:45:51

Lisa Watt:

There's a related question here: "Last fall, the Department of Interior issued guidance for Federal agencies to collaborate in the co-stewardship of Federal lands and resources. Have you seen any opportunities for collaborations to arise since then?" We're talking about Federal lands. Have you seen any?

01:46:17

Margaret Corvi:

We've had some positive experiences in the Oregon Dunes National Recreation Area of the Siuslaw National Forest, if you'd like to talk about that, Courtney. But that kind of predates this new initiative. But I don't know if it's all Federal lands, Lisa, or if it's mostly parks or anything like that, so it depends.

01:46:45

Courtney Krossman:

I would say that we have a really good relationship with the Siuslaw National Forest and the relationship continues to progress in the way that we are able to really have a lot of input in some of the projects that take place on Siuslaw National Forest lands. We do have annual meetings that take place. I'm not sure for how many years [we've done it but it's been] quite a while, where they review all their upcoming large projects with us.

Also, I have a really great relationship with their coastal archaeologists and am able to contact them with any concerns. They definitely provide a lot more opportunity for that co-management.

I would say, for other Federal land managers, there hasn't been as much of a change. We work really well with the local Bureau of Land Management (BLM) office here in Coos Bay but there hasn't been a huge shift that I've noticed in the last year.

01:47:47

Patty Whereat-Phillips:

And there's something new coming up. Because it's pretty new, it will be interesting to see where it goes in the upcoming years, but the Elliott State Forest, for various and sundry reasons, is now going to be managed primarily by Oregon State University as a research forest. They have begun reaching out a bit to the tribes so it will be interesting to see how and where this particular working relationship goes.

01:48:24

Courtney Krossman:

Yes. Our tribal forester is working very closely with the Elliott State Forest Committee that they've created and is [involved] in that project.

Some of the changes could be going on with our forester or other members within our department that maybe I, as the THPO, don't have as much communication with so I can't speak fully to what those changes look like.

01:48:54

Lisa Watt:

Thank you. Here's another question. Courtney, you mentioned a couple of times that you are a one-person office, so that when these permitting documents come across your desk, you're on top of it. The question is, "What are some of the technical capacities do tribes have to have to review a permitting process?"

I guess the question is, if you had a staff devoted to just examining and reviewing permitting processes, what other types of staff positions would those be? What do you need? Because it sounds like you also contract with folks.

01:49:39

Courtney Krossman:

Yes, we contract with Margaret and we also contract with a legal counsel that helps with a lot of these reviews because, with mega-projects, we don't have the capacity to even fully understand some of what's within the document and the legalities of it. So, legal counsel is definitely something that we have to have.

And, ideally, we just need more staff that are devoted to reviewing these permits because, especially in the last year, there's been a huge increase in projects because of a lot of the Federal funding that went out through the CARES Act. With the uptick of projects, staying on top of [every single permit that comes through] has been really, really difficult to review. It's not happening. I can't get to every single permit as one person. I just have to prioritize and ask for help from Margaret and Rick, wherever I can. Having at least 2 more staff that are dedicated to reviewing permits [would be ideal].

And it's not just reviewing permits. In some of those review responses, we request monitoring for the work that's going to potentially impact an archaeological site but sometimes [developers] go ahead and do it without even contacting us. How would we ever know? So someone dedicated to following up on that work [is needed]. Margaret, I think you have more to add to that.

01:51:20

Margaret Corvi:

I wish we could be apples-to-apples here, Lisa. We're talking about \$10 billion dollar projects. They have PR people, they have technical reviewers. They have archaeologists, too. They have their person who's writing the documents.

We need our experts to match their experts. If we don't, then Courtney and I have to learn about what vibro-densification is and how it works in order to understand what the impacts might be to our cultural resources. It's kind of draining. We have to research this whole new thing to understand it. Whereas if we had more staff that were like those

more technical geo-technical engineers, then they could be telling Courtney, “This is how it's going to impact the project.” That would be less on Courtney to do all that work. When you think about the scale of what the project is, I wish we could always be meeting or close to meeting that scale [and level of expertise]..

That alone would really help us engage in more meaningful ways. Without it, we're losing out on some of the other work that we could be doing, such as other cultural building and healing work that needs to happen every day.

01:52:52

Lisa Watt:

Here's the final question. You might have answered this, but I just want to make sure it's brought into the room here specifically: “Why, would offshore wind turbines be a negative impact?” That's something you mentioned at the top of your talk, Margaret. (Returns to reading question) “Wind turbines are considered clean and renewable energy and would help combat our climate crisis.” What's the negative impact with wind turbines?

I see a look there that's like, “don't get me started.” *(laughter)*

01:53:31

Margaret Corvi:

The environmental impacts are numerous, and then the cultural impacts are a lot, too. So if we're just talking [about it from a cultural standpoint], we have viewshed impacts. There are going to be impacts to species and stories and so on. Our creation literally comes from the ocean, so the viewshed that our kids grow up with is going to change. When we take our kids to the ocean to tell them their creation story, now there will be wind turbines out there that they're looking at. How does that change their cultural connection to place? That's maybe something people don't think about very often.

The infrastructure for wind turbines is huge for floating offshore wind. It's absolutely enormous. Like I mentioned, the turbines are 800 feet tall. They have to be placed at large distances apart. They are connected and anchored to the bottom of the ocean floor. Then they have to be tethered together to send the energy that they create. We're talking about probably 200 of them tethered together over a large area in the ocean.

Those connections have to go to an electric substation, or many electric substations that are floating to convert and consolidate the energy, and then bring it....

I'm not an electrician. I don't know how it all works. I just know that you need some basic things [to make it all happen].

Then that energy has to be transported all the way to the shore. As it gets closer to shore, it's going to have to be underground for reasons of potentially interfering with vessels that are moving around out on the water. And then, wherever transmission takes place, they have to build and clear areas.

Clean energy has been rumored to be a motivator for building a hydrogen plant in Coos Bay. They want to use this clean energy because hydrogen is dirty to make, it consumes a lot of energy. So, they want to use this other "cleaner" energy to build this in Coos Bay.

01:56:07

Margaret Corvi cont'd.:

So it's not one project now, it's many. And then, maybe [there would have to be] channel modification on top of that. So there are lots of ways the environment is going to be impacted in the bay and the ocean.

I'm talking about a place where we don't live, too. The ocean is a place that we don't look at everyday and we don't see. We don't see how animals and species of whales are using that space, and how that space is going to change over time.

01:56:35

Climate change is happening already. That's one stressor on species that live out there. They are going to have to change their behaviors based on events that happen as a result of climate change. And those changes in behavior could then coincide or end up right up against something like a big wind energy area out in the ocean. These areas are really large in scale and they're going to use a lot of resources.

Plus, a lot of this is going to have to be [shipped or moved] in the ocean, [which means more vessel traffic]. You're not going to be able to move 800 foot pieces of anything, or even smaller than that, under these tiny rail bridges that you go through when you're going out to the Oregon coast. There's these small winding roads to get to Coos Bay and Florence and Reedsport, Oregon. These are not large enough roads [or have the] capacity to bring this material there to build them.

So, they're going to have to come via vessel and then they're going to have to be staged at multiple locations up and down the coast. [When erected,] they're going to change upwelling of currents through the wind pattern changes. That's how [turbines]

move, they use the air. That [changed upwelling and airflows] could change where fisheries end up because a lot of those underwater species need to take advantage of the upwelling that occurs. I could probably keep going.

Courtney, I don't know if there's a big one that I might have missed. There's a lot.

01:58:25

Courtney Krossman:

Yes, you covered a lot of it.

When I think of those impacts, one of the biggest ones is the visual impact. I think one of the ways to put it in perspective is that we have a location that the Tribe owns called Baldija or Chief's Island. You can stand on that island and look back at the landscape and see how it's changed over centuries of people living here. Then you can turn around and look at the ocean, that view is still the same. It's the same view that our ancestors had living in that village and conducting the ceremonies. It's a place where we still conduct ceremonies annually today.

So, imagine looking from that place and no longer having that same view, and how the feeling will change. You're going to be looking at turbines that are over 800 feet tall. From that location you definitely will be able to see them.

The visual impact map that had been shared with us, the heat map of where viewshed would be impacted, is mind boggling. Associating that feeling with that place and how that will change it, it's a really, really large cultural impact.

01:59:45

In my opinion, there's no such thing as clean energy. As long as we are going to continue to be a capitalistic society, I don't see an avenue where we can turn it around. Wind energy will have a lot of impacts. I think the Federal Government lists these priorities and then moves forward without fully considering the impacts to the communities that live near these projects.

02:00:23

Patty Whereat-Phillips:

From what I've read, and I don't really fully understand what's going on, but at least in studies of offshore wind turbines on the east coast, there have been some strange negative impacts, at least strange to me, on crab and lobster. Plus, I think there's been an increase in some places in problems with whales coming ashore.

I'm not sure what the mechanism or mechanisms are that's coming from something associated with these wind farms that's having these negative impacts on marine wildlife. So, for me, that's something I would like to know more about. It's like, "okay, well, why is that happening?" That's a puzzle to me.

02:01:09

Courtney Krossman:

Yes. Again, respect for ocean beings is so integral to our culture. Ocean wind energy is such a new mechanism for gathering energy that, really, we have no idea of the long term effects. Protecting the ocean beings and our resources in the ocean and air are integral to who we are as people. Without fully knowing those impacts and accounting for them, I don't support offshore wind energy, which is just my personal opinion.

02:01:51

Lisa Watt:

Well, thank you all. Thank you very, very much, for your time and sharing your expertise.

I just wanted to mention very quickly, we have a message here from Kelly that we will be forwarding to Margaret. I only say that to let Kelly know we received the message and we'll be happy to pass it onto the three of you.

Margaret referenced a few resources during her presentation that we will be sure to include when we send all of the participants here today the recording and transcript next week.

02:02:27

Lisa Watt cont'd.:

For each of our briefings, we've invited all our speakers to draw attention to the work of nonprofits that they support and work with. We'd like to encourage you to generously contribute to each of these organizations so that the work can continue and the relationships can continue to grow. All of the links to the organizations that I'm about to mention will be dropped in the chat.

(Again, thank you, ladies. That was such a privilege to hear and thank you for being here.)

Would you please consider supporting:

- the [National Association of Tribal Historic Preservation Officers \(NATHPO\)](#)
- the [Oregon Land Justice Project](#), and

- the [Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians](#). (Yes, they are a tribe and yes, they are eligible to receive charitable contributions.)

Also, please consider supporting:

- the [National Congress of American Indians \(NCAI\)](#)
- [Native American Rights Fund \(NARF\)](#)
- [Tribal Climate Change Project, University of Oregon](#)
- the [Association of American Indian Affairs](#), and
- the [Elakha Alliance](#).

Again, all of those links will be found in the chat. [To our speakers,] thank you all for sharing this information with us.

Audience survey. Would you please take a few moments to provide feedback about this briefing? A 5-minute survey will be placed in the chat, and will be sent to you immediately following this gathering. We greatly value every piece of feedback that we receive.

02:04:34

Lisa Watt cont'd.:

Drawing on the last question about wind energy and green energy, it leads right into our next briefing which will be held on Thursday, April 20th at 11 am, when we feature *An Uneasy Conundrum: Green Energy and Tribes*. While tribes have embraced the need for alternative energies to diminish our 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 Goldendale Water Pump Storage Project, and why it's a threat to their community and their culture. We will also consider consultation processes and the role NGOs can play in support of tribes,

And then our final briefing in this year's series will be *Ha'Na'Met' (Ours to Protect): The Salmon Crisis in the Salish Sea*, which will be held on Thursday, May 18th at 11 am. Again, that's Thursday, May 18th at 11 am.

We will learn about the Lummi Nation's decades-long and sustained efforts to protect and restore salmon, the cultural mainstay of Indigenous lives in our region, with Lisa Wilson and Althea Wilson, both of whom are citizens of the Lummi Nation. We'll also learn about the current and uphill challenges Northwest tribes are facing in this crisis.

Lisa Watt cont'd.:

I'd like to close by saying that this concludes the second of our 4 virtual briefings in 2023. We thank each of you for sharing your time with us, and for the valuable feedback you'll be providing. We hope we've deepened your understanding or created a new appreciation for Indigenous leadership, communities, determination and knowledge.

We'll see you again on April 20th.

Thank you all.

Suggested citations

Corvi, Margaret, *Before Jordan Cove, q'alya, kuunatich, kukwis shichdii me* for the *Fighting for our Home: Indigenous Communities & Environmental Threats* webinar series. Ecotrust Indigenous Leadership Program, Thursday, March 16, 2023.

<https://vimeo.com/809828694>

Krossman, Courtney, *Before Jordan Cove, q'alya, kuunatich, kukwis shichdii me* for the *Fighting for our Home: Indigenous Communities & Environmental Threats* webinar series. Ecotrust Indigenous Leadership Program, Thursday, March 16, 2023.

<https://vimeo.com/809828694>

Whereat-Phillips, Patricia, *Before Jordan Cove, q'alya, kuunatich, kukwis shichdii me* for the *Fighting for our Home: Indigenous Communities & Environmental Threats* webinar series. Ecotrust Indigenous Leadership Program, Thursday, March 16, 2023.

<https://vimeo.com/809828694>