



USET

SOVEREIGNTY PROTECTION FUND

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USET SPF Resolution No. 2017 SPF:009

SUPPORT OF PASSAMAQUODDY TRIBE CO-MANAGEMENT OF THE ST. CROIX RIVER WATERSHED

- WHEREAS,** United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) is an intertribal organization comprised of twenty-six (26) federally recognized Tribal Nations; and
- WHEREAS,** the actions taken by the USET SPF Board of Directors officially represent the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from the member Tribal Nations' leadership; and
- WHEREAS,** since time immemorial, the Schoodic River (now called St. Croix River) has been the central artery running through the heart of the traditional homeland of the Passamaquoddy People; and
- WHEREAS,** the Passamaquoddy have relied upon the abundance and diversity of the St. Croix River watershed fishery for sustenance and survival; and
- WHEREAS,** prior to European contact, the Passamaquoddy were living in villages strategically located along both sides of the river in what is now called Canada and the United States; and
- WHEREAS,** for over 200 years the St. Croix River has served as the international boundary and border line between the United States and Canada, with this international boundary running through the middle of the Passamaquoddy homeland; and
- WHEREAS,** today the Passamaquoddy still live on both sides of the international boundary; and
- WHEREAS,** the United States has recognized the Passamaquoddy Tribal Nation as a federally-recognized Tribe since 1979; and
- WHEREAS,** as a sovereign and independent Tribal Nation, the Passamaquoddy have retained certain inherent/aboriginal rights which have been recognized and reserved in treaties with the British Crown and the United States government during early contact and confirmed in the 1980 Land Claim Settlement Act; and
- WHEREAS,** as Aboriginal People, the Passamaquoddy have inherited certain inalienable and natural rights which include the right to sustain and strengthen their Tribal cultural connections, as well as the right to access clean water and safe-to-eat traditional wild foods and medicines; and
- WHEREAS,** since the arrival of Europeans to the Passamaquoddy homeland, the Tribal Nation has been witness to and is deeply concerned about the over-exploitation, mismanagement, and destruction of the fishery within the St. Croix River watershed which continues today; and


- WHEREAS,** on June 14, 2012 the Passamaquoddy Chiefs from both sides of the river unanimously issued a Tribal declaration that a “State of Emergency” exists in the St. Croix River, and on September 26, 2012, the Passamaquoddy Joint Tribal Council followed by passing a resolution supporting the Chiefs’ declaration and calling for open fish passage in the entire watershed; and
- WHEREAS,** the river ecosystem continues to suffer from pollution and in 2016, there were at least two major toxic spills in the main stem of the river - one spill at St. Stephen, New Brunswick dumped one million gallons of raw sewage into the river and another in Woodland, Maine that dumped up to 90 thousand gallons of chemical waste into the river from the paper company; and
- WHEREAS,** despite 400 years of damage to the St. Croix River fishery and the environment, the Passamaquoddy connection to the St. Croix River watershed continues and remains a vital part of its collective Tribal identity; and
- WHEREAS,** the food fishery in the St. Croix River watershed is a critical link to the future survival of the Passamaquoddy and as such, is considered a natural resource that should be managed as a trust resource; and
- WHEREAS,** the Tribal Nation is deeply concerned about the negative impact from this pollution on Tribal cultural practices and Tribal sustenance fishing, including negative health effects and the bio-accumulation of the toxins on the fishery and the people; and
- WHEREAS,** the Tribal Nation is also very concerned about the state of the fish passage facilities at the dams in the St. Croix, since these facilities are old and in disrepair and may be contributing to the decline of migrating fishery; and
- WHEREAS,** a robust and meaningful sustenance fishery will only be possible if sources of wild safe-to-eat-fish are able to navigate to their natal spawning grounds in the upper reaches of the watershed and are present in adequate numbers in the river and Tribal citizens can access the fishery; and
- WHEREAS,** because the restoration of the ecosystem and related fishery are the key to providing a robust and meaningful sustenance fishery, pollution and mismanagement must come to an end, and fish must be able to safely, timely, and effectively pass through all man-made obstacles to spawn; and
- WHEREAS,** it is the intent of the Passamaquoddy to improve passage for the migrating fish so that the fishery will be able achieve successful passage around dams and will be restored to adequate levels for Tribal members to harvest the fishery resource as their ancestors did, thereby also preserving the cultural heritage of the Tribal Nation; and
- WHEREAS,** co-management agreements between Tribal, federal, state and provincial governments and related agencies would be a way to help create workable and meaningful solutions to the chronic problems experienced in the St. Croix River watershed; and


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- WHEREAS,** there are several successful models of co-management that exist in other locations such as Washington, Michigan, and Canada where Tribal Nations, states and federal governments have entered into cooperative agreements defining mutual benefits, roles, rights and responsibilities and offering Tribal Nations meaningful participation in shared governance and the management of natural resources; and
- WHEREAS,** these co-management agreements have proven to be effective with building trust and accountability as well as finally regulating fisheries and other natural resources for sustainability, protecting critical habitat, conservation, and meeting the social, economic and cultural needs of Tribal and non-Tribal citizens; and
- WHEREAS,** in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it
- RESOLVED** the USET SPF Board of Directors supports the Passamaquoddy Tribe in its efforts to restore the St. Croix River watershed and its fishery; and, be it further
- RESOLVED** the USET SPF Board of Directors urges the United States and the State of Maine to take meaningful action to honor the commitments made in the treaties with the Passamaquoddy, as well as the 1980 Settlement Act, especially those related to the sustenance fishing rights of the Passamaquoddy People within the St. Croix River watershed; and, be it further
- RESOLVED** the USET SPF Board of Directors supports the Passamaquoddy Tribe's efforts in forming an inclusive and meaningful co-management agreement that will foster cooperation between the United States, Canada, Passamaquoddy, Maine, and New Brunswick governments to jointly manage the St. Croix River watershed fishery in a meaningful way for the future well-being of the fishery, the natural ecosystem and the Passamaquoddy people.

CERTIFICATION

This resolution was duly passed at the USET SPF Impact Week Meeting, at which a quorum was present, in Arlington, VA, February 9, 2017.


Chief Kirk Francis, Sr., President
United South and Eastern Tribes
Sovereignty Protection Fund


Chief Lynn Malerba, Secretary
United South and Eastern Tribes
Sovereignty Protection Fund

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