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WE ARE OCEAN PEOPLE: INDIGENOUS LEADERSHIP IN MARINE CONSERVATION
CINDY BOYKO & 'AULANI WILHELM, GUEST EDITORS

Mamalilikulla IPCA: From vision to validation

Chief Councillor John Powell
Mamalilikulla First Nation

Gilakas'la.... My English name is John Powell. My traditional name in the Kwakwaka'wakw language is Winidi, which means "fights wars for his people." Currently, I serve my people, the Mamalilikulla First Nation, as elected Chief Councillor. My story is about our recently declared Indigenous Protected and Conserved Area, or IPCA, as a logical outcome of cultural traditions and resilience, personal upbringing and political opportunities, and as a reflection of our commitment to uphold the ancient law of Aweenak'ola, which acknowledges our ongoing connection to the land, sea, sky and supernatural ones and our responsibility for their protection.

Although I now live on the K'omoks First Nation reserve, I was born in Alert Bay, British Columbia, and spent my formative years in the Mamalilikulla Territory. My mother was Mamalilikulla and Kwakiutl from Village Island and Fort Rupert, and my father was Welsh/Irish and English. My grandfather was a hereditary chief (Oo Dzee Stah Lees) from Village Island and my grandmother (eWAH Dzee DAH LAH GAH) was from Fort Rupert. I was fortunate to have grown up within my Kwak'wakw'wakw culture and gained much knowledge from our Elders and old ones, including being trained as an oral genealogist from a very young age. My roots have informed, nurtured, and allowed me to stand connected to the land and people of Village Island and the adjacent territory, where my people have lived for thousands of years. I come from a strongly ranked position within the Nation and hold up my ancestors with great

esteem and pride. They are my tie, my connection to the land, sea, and sky.

My present work is mostly in the political realm, working with First Nations in governance, health, homelessness, and social justice. But my passion outside of politics is to create visual art and designs to speak to the real lived experience of the Kwak'wakw'wakw people and our culture. These experiences include degrading and denying of our peoples' Right to celebrate life's passages, and attempts to remove our identity and to practice the ways of our ancestors. But our people persevered and our culture lives on; perhaps evolving and changing, but still here. What hurt us has built up our resilience. We were here first and we are still here, and we have no plans to abandon our commitments to the land, sea, air, or the supernatural ones. We are

all connected to each other by our cultural practices, language, ancestral knowledge and teachings, ceremony, and diversity. Our Kwakwaka'wakw phrase for this is “Nump Ma Nach Gyai Yoo Lahss” or “We all come from one root.”

My art practice also carries with it a responsibility to educate the larger world about my culture and the belief systems associated with the Mamalilikulla and the Kwakwaka'wakw people.

So, my cultural upbringing, training, work experiences, and artistic practices all seemed to naturally converge when I became Mamalilikulla's elected Chief Councillor and was made aware of the Indigenous Protected and Conserved Area concept. This was a powerful, political opportunity to publicly express our cultural resiliency; our determination to reconnect with the land, sea, and skies we once occupied; and to show our determination to restore our governance role in the Territory, where our Rights and Title have never been ceded and where we have the continued responsibility to uphold the ancient law of Aweenak'ola.

And politically, I saw IPCAs as a clear challenge to the Crown governments to “walk the talk” on their commitments to reconciliation and implementation of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). What an incredible opportunity for the non-Indigenous population and Crown governments to learn from and understand who we are as Mamalilikulla within the larger Kwakwaka'wakw Nation, whose people have dwelled in the south-central coast of British Columbia for thousands of years.

Over the past 10 years our Nation made the transition from hereditary leadership to an elected leadership

system. In 2016, we elected our first Chief Councillor. I came into that position in May 2021. One of my first actions was to bring together the new council and staff to review all the work facing us, and set priorities. We all agreed that declaration of an IPCA was one of our top three.

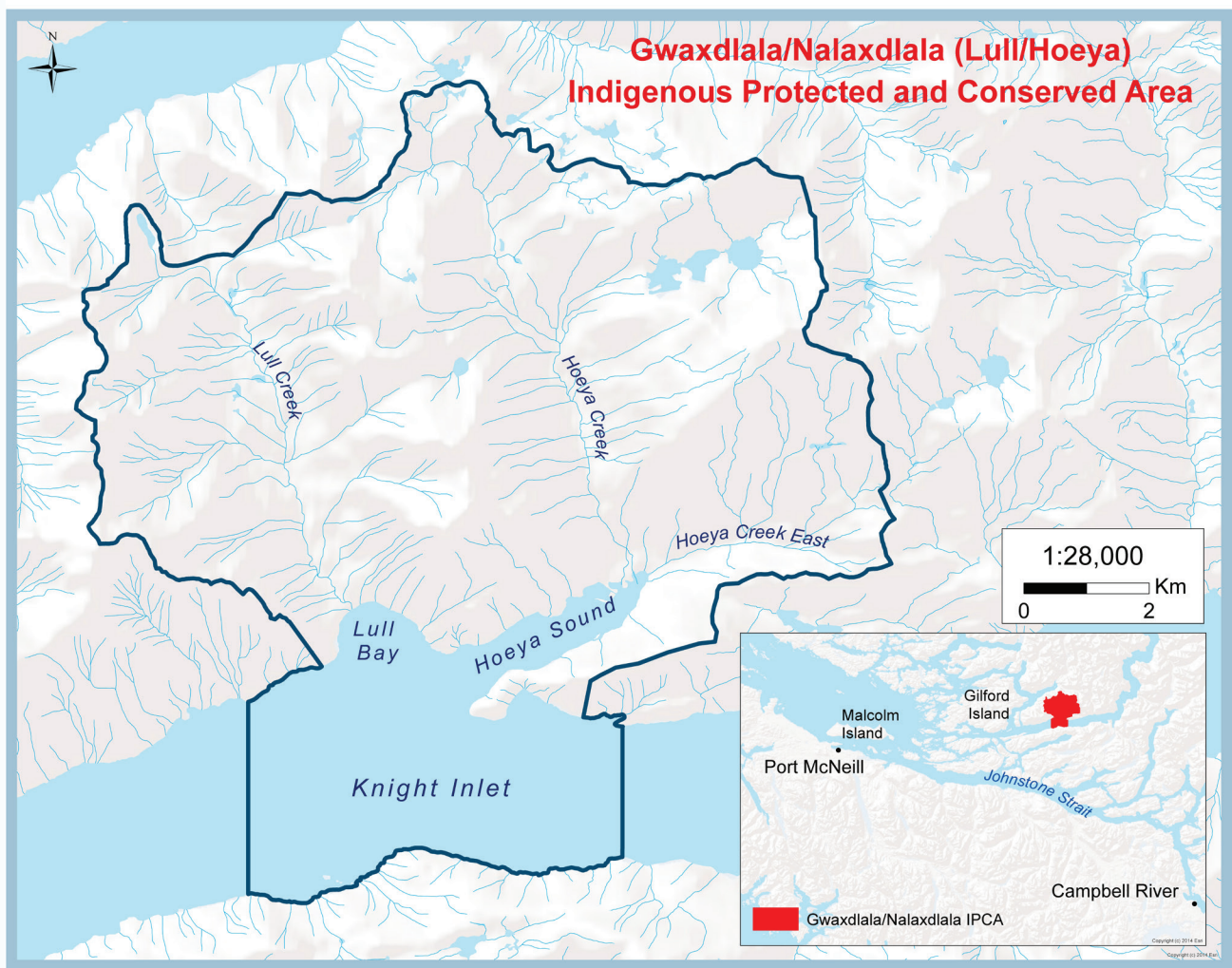
How did we come to choose this area, called Gwaxdlala (Lull Bay) / Nalaxdlala (Hoeya Sound), for our IPCA declaration out of the larger Mamalilikulla territory, which is situated in the area of lower Knight Inlet and the western section of the Broughton Archipelago (Figure 1)?

It probably started with the identification of a unique marine sill in Knight Inlet, opposite the Gwaxdlala (Lull Bay) area, called the Hoeya Sill. Shallow-growing, rare corals and sponges were found, and seen only in two other places along the Pacific Coast. This feature had been recognized by a previous Mamalilikulla administration through marine planning done with the British Columbia government back in 2012. Then, when work began in 2016 with the Canadian federal government (through Fisheries and Oceans Canada) on a Marine Protected Area Network for the Pacific North Coast, the sill area was identified as a potential new protected site.

Our first elected Chief Councillor, Richard Sumner, supported the idea of establishing a marine protected area over Hoeya Sill, but after reading the 2018 report from the Indigenous Circle of Experts, called “We Rise Together,” began to see other logical connections to our history, our cultural practices, our present interests in the area, and our desires to re-establish Mamalilikulla governance over the Territory. So we started thinking bigger than just the Hoeya Sill (Figure 2).

I saw IPCAs as a clear challenge to the Crown governments to “walk the talk” on their commitments to reconciliation and implementation of the UN Declaration on the Rights of Indigenous Peoples.





▲ FIGURE 1. Location of Mamalilikulla Gwaxdlala / Nalaxdlala IPCA (Nanwakolas Council map).

As we developed this new approach, we realized the importance of interconnectedness. We decided we needed to manage the marine areas and the watersheds together, because their ecosystems are interdependent. We realized that our extensive history of use and settlement needed to be reinforced. We realized that we needed our own management plans, based on our traditional law. We realized that we needed more than just protection of the Hoeya Sill, but a larger marine area that included the two estuaries in Lull and Hoeya, the streams that flow into them, and the watersheds that feed these streams. We realized that we needed to plan and manage this interconnected area for the protection, conservation, and restoration of the fish, plants, animals, birds, cultural features, and history within it.

On November 29, 2021, we formally declared an IPCA over 10,416ha that include the marine areas and watersheds of Lull Bay and Hoeya Sound. The IPCA areas are called, in our language, Gwaxdlala and Nalaxdlala. In our declaration document, we outlined

our intent to govern this area in accordance with our own management plans that are based on the ancient law given to us by the Creator, the concept of Aweenak’ola, which translates to “I am one with the land, the sea and the sky and the supernatural ones.”

Our origin stories reference Knight Inlet and are confirmed in written records, such as Robert Galois’ 1994 book *Kwakwaka’wakw Settlements, 1775–1920: A Geographical Analysis and Gazetteer*. The IPCA includes all three original Mamalilikulla sites recorded in Galois’ book. These are Lull Bay or Gwaxdlala, used as a fishing, trapping, and timber site, with one house in 1914; Hoeya Head or Igisbalis, used as an old village and halibut station; and Hoeya Sound or Nalaxdlala, used for fishing, hunting, and timber activities. Indian reserves that were allotted to us in 1879 did not include these particular areas. This area has middens, an ancient village site, other archaeological sites, and, in one bay, a huge rock fish trap that would easily have captured hundreds, if not thousands of fish on the outgoing tide. That tells us this was once





▲ FIGURE 2. Hoeya Head separates Hoeya Sound (left) from Knight Inlet and Hoeya Sill. ENVIRONMENT & CLIMATE CHANGE CANADA

a thriving, abundant place that our ancestors lived in, gathering resources sustainably and protecting the environment and the other creatures within it.

In the early 1900s the federal McKenna-McBride Commission called our chiefs to Alert Bay, without due notice, to hear of any requests for additional reserves in the territory. Our chiefs requested the Gwaxdlala and Nalaxdlala areas. They were rejected by the commission on the basis that the area had been allocated for forestry. Our appeal of this decision in Lull Bay and Knight Inlet was rejected in 1995 by the Indian Specific Claims Commission, but then overturned in 2020. We're expecting that eventually both Gwaxdlala and Nalaxdlala reserve areas will be returned to us.

The Mamalilikulla experienced massive land displacement as a result of colonization and industrial

activity, and now, not one citizen lives in the area. We are now located in places like Campbell River, Nanaimo, Vancouver, Victoria, Port McNeill, and Alert Bay. It's really important that we reconnect our people with the ancestral places and ancient laws like Aweenak'ola, and that is one of the objectives of our IPCA. In our Kwakwaka'wakw language, we talk about galgapoła, standing together or lifting each other up; maya'xala, respect for all living things including yourself; and k'wala'yu, an expression that literally means "my reason for living," used as a term of endearment for children. These are our laws and our responsibilities, to take care of each other and ensure that we provide a good, healthy future for our children.

The Hoeya Sill itself is a sensitive area that requires protection from detrimental commercial activities. The Sill features shallow-growing sponges, Townsend



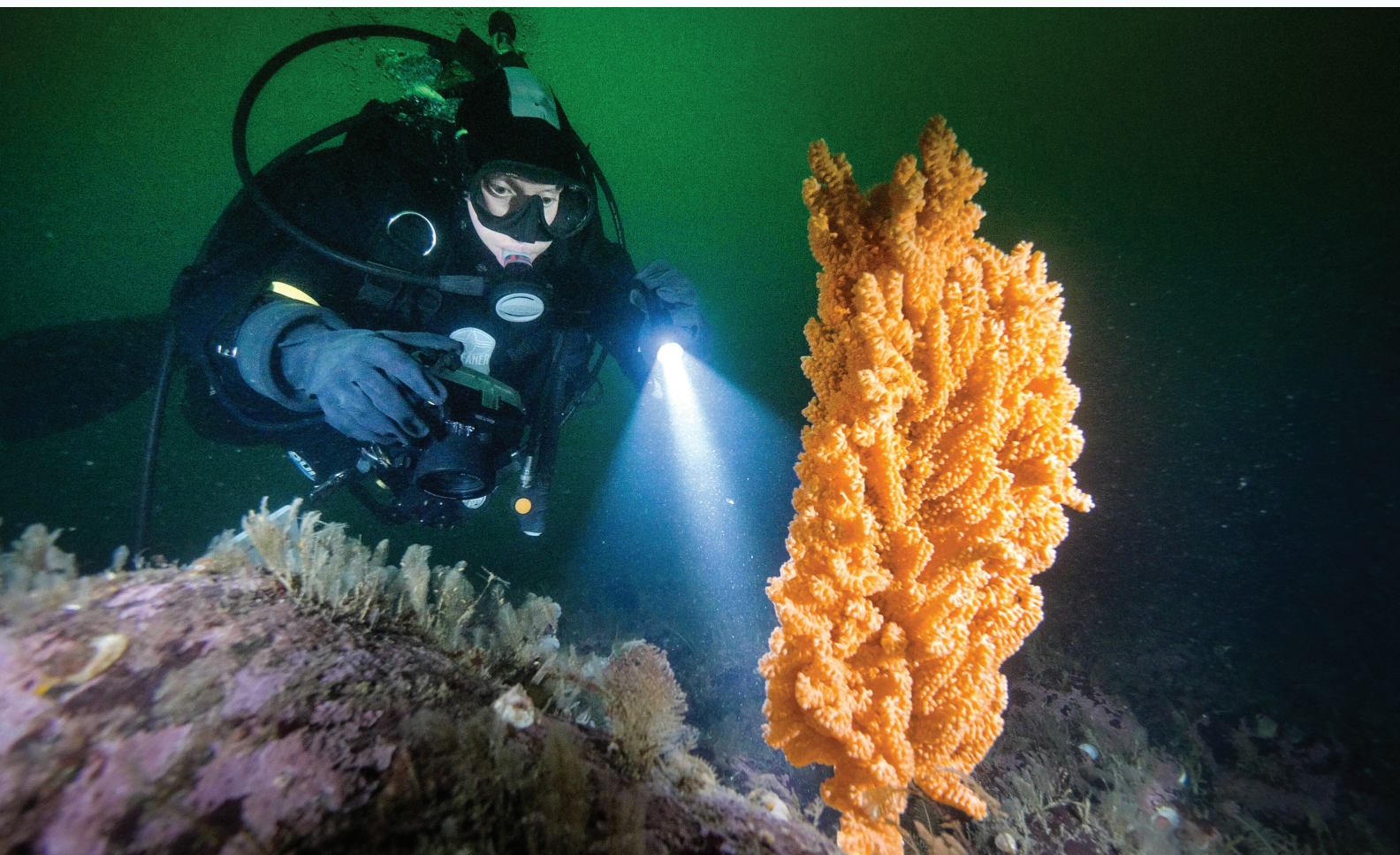
shrimp, bigmouth sculpin, nudibranchs, and dwarf white gorgonian coral (Figure 3). Also present are large, healthy sunflower stars, which are rare in the Pacific Northwest and recently declared a rare and endangered species by the International Union for Conservation of Nature. The broader marine area we have included in the IPCA area is also utilized for commercial and recreation fishing activities, as well as for traditional food production through social and ceremonial harvesting.

The Lull Creek and Hoeya Creek estuaries within our IPCA both have salmon runs of coho, pink and chum, and are used for salmon rearing and holding areas. They are significantly used by grizzly bears and the sedges represent key foraging habitat, much needed in the now-frequent years of increasingly low salmon returns. The estuaries are ranked high as biodiversity hotspots and for ecological conservation.

The adjacent watersheds have seen logging for over a century. There are over twenty landslides in the watersheds. The area is now managed through the Great Bear Rainforest Land Use Order, which requires considerable set-asides for conservation purposes. At this time, 88% of the forest land base is unavailable for commercial forestry in the watersheds (Figure 4).

Even though Mamalilikulla holds Aboriginal Rights and Title over the lands and waters (including the seabed) of the marine component of the IPCA, this area continues to be administered through laws, regulations, policies, and practices established by Crown governments and industry. The federal and provincial authorities have shut First Nations out from our ancestral role in taking care of our Territory for more than one hundred years. Our goal is to change that governance model in the IPCA to one of collaborative governance in which Mamalilikulla

▼ FIGURE 3. Diver shines light on shallow *Primnoa pacifica* coral growing on the Hoeya Sill. HAKAI INSTITUTE





▲ FIGURE 4. View northward from Lull Bay showing estuary and watershed. ENVIRONMENT & CLIMATE CHANGE CANADA

jointly plans, manages, monitors, and enforces activities in the area, and ensures that its own law of Aweenak’ola is reflected in governance.

All of our Kwakwaka speaking peoples have this ancient law, which makes it our responsibility to steward the land, sea, and sky, and all beings that exist in them, and to treat them as our family, our brothers and sisters who we must protect, defend, nourish, and house. We must do nothing that will affect their safety and do everything in our power to enable these beings to exist for generations to come. These responsibilities bind us to their well-being in perpetuity, and supersede all colonial laws and any interests of stakeholders. Part of the responsibility in following this law means that our practices—whether harvesting cedar, berries, eelgrass, seaweed, fish, and other resources from land, sea, or air—require that we harvest in a sustainable way, taking only what we need and using everything that we take.

Aweenak’ola embraces far more than a narrow Western concept of conservation, protection, and stewardship. It is defined by an Indigenous world view in which all things are interconnected. If one form of life is affected by an action, all others will likewise be affected in some way. That world view means that the declaration of the IPCA is based as much on the restoration of human well-being and cultural continuity as it is about protecting the environment. Aweenak’ola extends this further to include rivers, mountains, forests, etc., which we also consider to be live beings with the same rights afforded creatures in and on them.

Our November 29, 2021, IPCA declaration was our victory celebration (Figure 5). It was symbolic expression of the collective will of the Mamalilikulla people. It was done through an extensive consultation process that led to the full support of our elected councillors, hereditary chiefs, and our members;





▲ FIGURE 5. Chief Robert Joseph makes introductory remarks at the Declaration ceremony. J. MACDONALD

the chiefs of neighboring First Nations; and even industry sectors. We did significant preparatory work, including marine and watershed management plans. We identified existing provincial and federal tools that could be applied to advance co-governance. The declaration laid down a constructive challenge to the provincial and federal governments to come to the table and work collaboratively. The event moderator, Chief Robert Joseph, spoke of the power of the declaration in “leveling the playing field,” finding new ways forward, moving away from the “status quo,” and having the vision and courage to “do the right thing.”

Our declaration is reinforced in the inherent Rights of Aboriginal Peoples in Section 35 of *Canada’s Constitution Act*, and grounded in UNDRIP. It challenges the intent of the British Columbia government’s 2019 Declaration on the Rights of Indigenous Peoples Act (Declaration Act) and

Canada’s 2021 United Nations Declaration on the Rights of Indigenous Peoples Act.

The IPCA declaration sets the tone for how we desire to move forward. We want to be collaborative with Crown governments and existing stakeholders. We want to work together with the Crown governments to help achieve their conservation targets, to help them begin to implement UNDRIP articles in a meaningful way, and to advance our collective interest in reconciliation. As Bob Joseph stated, our declaration gathering is an intended beginning of a dialogue that will transform relationships so that we all work together for the benefit of all of our children.

How is the dialogue and transformation going so far? We have begun positive conversations with British Columbia, leading (cautiously on their part) towards co-governance of the intertidal and marine areas and adjacent watersheds. Both British Columbia and



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marine philanthropic organizations have offered limited financial support for the foundational work we need to do. We have not experienced any success in dealing with Canada at this point, despite several overtures to the federal minister and the regional director general of Fisheries and Oceans Canada. Fisheries and Oceans remains silent on whether it will honor our request for immediate protection of the Hoeya Sill area from harmful fishery practices, so we have begun to appeal to the commercial fishery sector for a voluntary avoidance of that area. It is ironic that the commercial fishery interests may be more instrumental in protecting this unique marine ecosystem than the Canadian government department mandated with that responsibility. In the meantime, we will continue to take every opportunity to remind the Crown governments of their commitments to articles of UNDRIP that speak to Indigenous Nations' Rights to control, protect, manage and plan for activities and uses of their traditional Territories and resources. We will continue to point out that marine conservation and protection is not the sole mandate or responsibility of a federal Crown agency, but of all of us.

In formally declaring the Gwaxdlala/Nalaxdlala area of our traditional Territory as an IPCA, we have taken a significant, and perhaps risky, step towards realizing our vision of reclaiming and restoring not only the well-being of our territory, but of our people. Realizing our vision means acknowledging the co-existence of our cultures, respecting our traditional law, restoring balance to our natural ecosystems, and restoring human well-being. Our IPCA is just the beginning within a larger movement by Indigenous Peoples in British Columbia and across Canada for greater governance roles in marine and watershed protection.

Gilakas'la

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To learn more, see <https://www.timescolonist.com/local-news/first-nation-declares-land-in-knight-inlet-an-indigenous-protected-area-4811885> and <https://mamalilikulla.ca/latest-news/>





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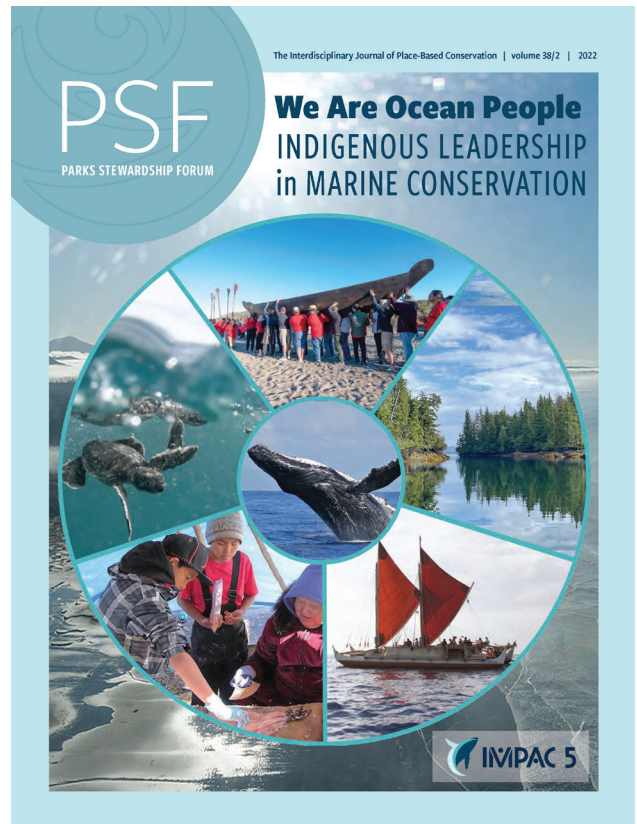
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On the cover of this issue

- CIRCLE DESIGN, clockwise from top:
• Northern Chumash ceremony | ROBERT SCHWEMMER
• Haida Gwaii | CINDY BOYKO
• The Polynesian Voyaging Society's voyaging canoe Hōkūle'a | NOAA
• Elder teaching youths, northern Alaska | US FISH AND WILDLIFE SERVICE
• Baby Honu (sea turtles), Papahānaumokuākea Marine National Monument | NOAA
• Center: Humpback whale, Papahānaumokuākea Marine National Monument | NOAA

Background: Pacific Rim National Park Reserve | PARKS CANADA