



Protecting Treaty Rights, Sacred Places, and Lifeways:

COAL VS. COMMUNITIES

PRESENTED BY **Jewell James**, Lummi Tribal Member and Head Carver, Lummi Tribe's House of Tears Carvers

PHOTO: PAUL ANDERSON



“We have a responsibility to protect the land and water for the generations to come. Together, we can build a sustainable economy without sacrificing our environment.”

FAWN SHARP, PRESIDENT, QUINALT INDIAN NATION

PHOTO: PAUL ANDERSON

Climate change is the great moral and spiritual concern of our time, caused by the reckless expansion of fossil fuels that destroy our atmosphere and oceans. It is a religious imperative to learn how we can live in balance and share the good gifts of clean air and water with all God’s people. Communities of faith, tribes and all Northwest inhabitants share responsibility for protecting our region from the cultural, environmental and economic impacts of coal export proposals. At the request of Native American leaders and through the work of Earth Ministry, regional faith leaders have given this letter of support to the Native peoples of the Northwest, so that we may all stand together in protection of Creation.

A PUBLIC DECLARATION TO THE TRIBAL COUNCILS AND TRADITIONAL SPIRITUAL LEADERS OF THE NATIVE PEOPLES OF THE NORTHWEST

AUGUST 2014

c/o Jewell Praying Wolf James, Lummi

In 1987 and again in 1997, bishops and denominational executives of churches in the Northwest offered letters of apology to the indigenous peoples of our region. These letters acknowledged the historical disrespect of traditional Native American spiritual practices and traditions. In those letters, the leaders of our denominations promised “to honor and defend the rights of Native Peoples...[including] access and protection of sacred sites...[and to] end political and economic injustice against tribal communities.”

In this decade a new threat has arisen against Native Peoples: the mining, transport, burning, and disposal of fossil fuels. Proposed coal export terminals would damage native fisheries protected by long-standing treaties and poison our shared air and water. Coal trains servicing these terminals would cut across lands sacred to indigenous peoples, and impact the health of those communities. In this generation we also acknowledge that the mining and burning of fossil fuels creates the terrible threats of climate disruption, ocean acidification, and pollution to the harm of all God's children, especially the poorest.

Tribal leaders have asked us to keep our past promises, and to stand with them in defense of their sacred lands and fishing rights. And so we call upon the Northwest Congressional delegation and other elected officials, the U.S. Army Corps of Engineers, the U.S. Department of the Interior, and all people of goodwill to uphold the treaty rights of Native communities of the Northwest. We ask that all environmental and cultural harm to Native lands and peoples be considered in making public policy decisions about the mining, transport, and export of coal and other fossil fuels.

As religious leaders we call for the protection of the life we have been given and the Earth we all call home. Our greatest commandment is to love our neighbor as ourselves (Mark 12:30-31). Putting this ethic into action, we stand in solidarity with our Native neighbors to safeguard the traditional lands, waters, and sacred sites of their peoples from destruction.

Rev. Michael Denton
CONFERENCE MINISTER, PACIFIC
NORTHWEST CONFERENCE, UNITED
CHURCH OF CHRIST

**Judith Desmarais, SP, and
Leadership Team**
SISTERS OF PROVIDENCE, MOTHER
JOSEPH PROVINCE

Rev. Grant Hagiya
BISHOP, PACIFIC NORTHWEST &
ALASKA CONFERENCES OF THE
UNITED METHODIST CHURCH

The Rev. Richard E. Jaech
BISHOP, SOUTHWESTERN
WASHINGTON SYNOD, EVANGELICAL
LUTHERAN CHURCH IN AMERICA

Rev. Sandy Messick
REGIONAL MINISTER AND PRESIDENT,
NORTHWEST REGIONAL CHRISTIAN
CHURCH (DISCIPLES OF CHRIST)

Rev. Marcia J. Patton
EXECUTIVE MINISTER, EVERGREEN
ASSOCIATION OF AMERICAN BAPTIST
CHURCHES

The Rt. Rev. Greg Rickel
BISHOP, THE EPISCOPAL DIOCESE OF
OLYMPIA

The Rev. Brian Kirby Unti
BISHOP, NORTHWEST WASHINGTON
SYNOD, EVANGELICAL LUTHERAN
CHURCH IN AMERICA

**The Rt. Rev. James E.
Waggoner, Jr.**
BISHOP, THE EPISCOPAL DIOCESE
OF SPOKANE

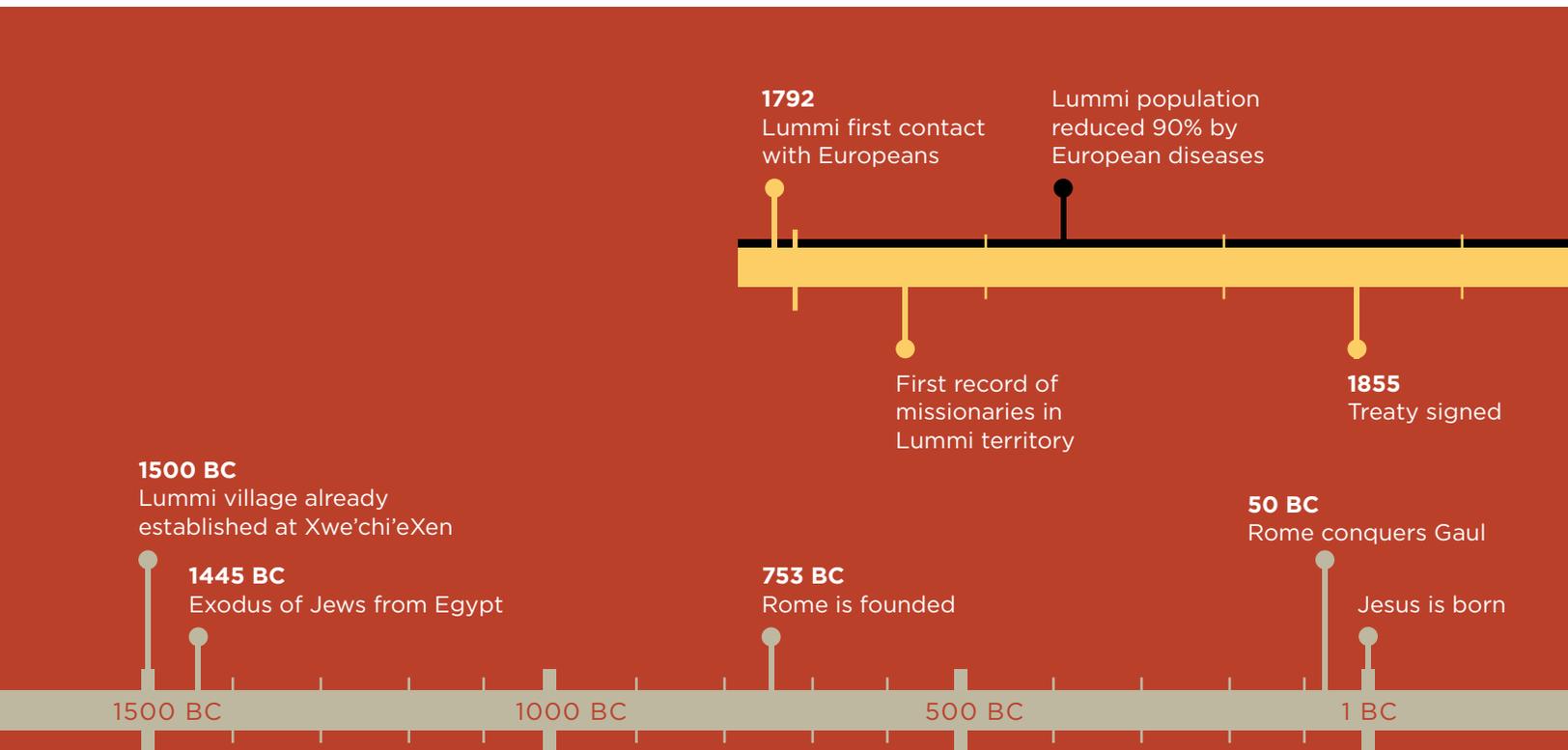
The Rev. Martin Wells
BISHOP, EASTERN WASHINGTON-
IDAHO SYNOD, EVANGELICAL
LUTHERAN CHURCH IN AMERICA



PHOTO: PAUL ANDERSON

OUR SHARED RESPONSIBILITY: THE LAND, THE WATERS AND THE PEOPLES

For at least 13,000 years, the indigenous people of the Pacific Northwest have worked together in the spirit of our ancestors. We manage our respective homeland territories that span east from the whitecaps of our mountaintops, west to the whitecaps of the Salish Sea and Pacific Ocean.



Our ancestors were here in this place to witness the landscape transform as an Ice Age came and went, rivers and streams began to flow, salmon arrived and forests grew to provide shelter for all our relations. Today we remain a place-based people who cherish our homeland, our lands and waters, and the final resting places of our ancestors.

Throughout these millennia, we understood that the creation is a precious gift with a life of its own. As late-elder and leader, Billy Frank, Jr., reminded us, we are stewards who are placed here to live with respect for our shared, sacred obligation to the land, the waters, the plants and animals, the peoples and all our relations. Our commitment to place and to each other unites us as one people and one voice inviting others who call this place home to honor our shared responsibility: to leave a better, more bountiful world for those who will follow us.

The Lummi and other members of the Affiliated Tribes of Northwest Indians and the Coast Salish Gathering now face the battle of our lives: devastating proposals that would bring coal by rail from Montana and Wyoming to the West Coast for export overseas.

This proposed projects are not justified by any fair analysis of who will pay the costs and who will benefit. The defeat of this madness is our aboriginal duty as the First Americans, but it also speaks to the collective interest of all citizens who believe themselves to be part of, not rulers over, the creation.

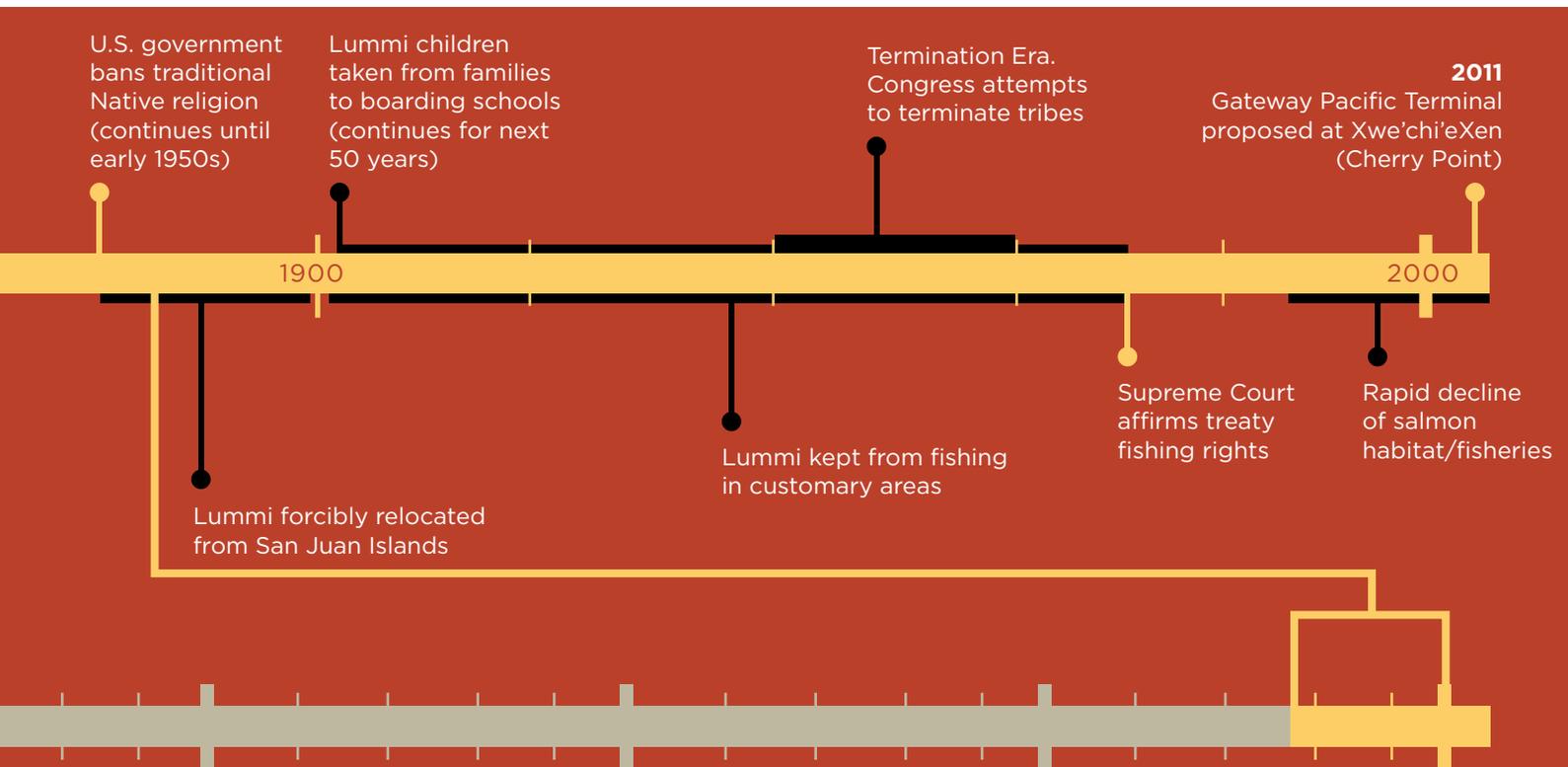
THE FIRST CALL TO ACTION: PROTECTING XWE'CHI'EXEN

The Coast Salish Gathering has come together to stop coal export proposals, including the largest proposed coal export facility, to be built on historical, sacred ground of the Lummi people in Washington State at Cherry Point (in the Lummi language: Xwe'chi'eXen).

This proposal will have a profound impact on the wellbeing of our Tribes and local communities. It is an unprecedented ecological, cultural and socio-economic threat to Pacific Northwest Tribes.

Out of this crisis, we are forming new, enduring intertribal and cross-cultural relationships to create a clean, renewable energy future that respects the lands, the waters and all the people in the Pacific Northwest and beyond. Through this approach, we will keep our promise to future generations: We are the ones called to do this, together. In the future, after we win the battle, you will be able to tell your children and grandchildren where you were when a generation raised their collective voices to protect treaty rights, sacred places and lifeways.

The Coast Salish people possess the sacred inherent right endowed by our Creator to restore, preserve and protect our shared environmental and natural resources in our ancestral homeland.





*"The loss of the Coast Salish way of
life cannot be mitigated."*

PHOTO: PAUL ANDERSON

JAY JULIUS, SECRETARY, LUMMI NATION COUNCIL



PHOTO: PAUL ANDERSON

TIME TO UNITE

Coal exports and tar sands crude oil will degrade and denature the natural environment of the Pacific Northwest. Our first order of business—our sacred duty and shared obligation—is to steward and conserve the place we call home.

For generations, tribal peoples have witnessed the impact of faceless ‘persons’—corporations—on the lands, water, air, and human and environmental health. Though at times consulted, we have not been heard as a real voice in defending our traditional homeland territories. Instead, we have seen the gradual, now accelerating, degradation of our land and water, our traditional foods and medicines, and the health of our people.

But this is a new day. To those who would sacrifice the way and quality of life of all peoples of the Pacific Northwest, we say: Take notice. Enough is enough! The game has changed.

We come united to protect the sustainability of our communities and environment. We the People stand united to protect, and pass on as our legacy, our bountiful natural heritage. Coal and oil exports will not be allowed to threaten our future.

The path of destruction by coal exports will begin on uncovered rail cars spewing coal dust across Montana, Idaho, Washington and Oregon before it is “stored” on the shorelines of the Salish Sea in places such as Xwe’chi’eXen (Cherry Point). Massive ships will carry the coal through tribal and non-Indian fishing areas of the Salish Sea, all the way across the fragile salmon runs of the North Pacific Ocean.

These proposals trample the treaty rights of the Tribes. They break the social compact between the government of the United States and its people to secure the general welfare of its residents. And they threaten a way of life, a rich and varied ecological, social and cultural landscape.

The proposed terminal at Xwe’chi’eXen will dishonor thousands of years of our history. It is not only a matter of environmental justice, but of social justice and civil rights.

XWE’CHI’EXEN COAL PROPOSAL BY THE NUMBERS

Gateway Pacific Terminals wants to export 54 million tons of coal annually from Cherry Point. What’s the real cost to our communities?

- Ongoing safety and congestion problems along rail-line communities by transporting coal to the proposed terminal using 18 coal trains per day. Each coal train is 1.5 miles long.
- New health and safety risks from coal dust: In a 150-car train, each open-top car will lose up to 500 pounds of coal dust on its journey from the Powder River Basin.
- Degradation of water quality, fisheries and aquatic habitat from a 100-acre coal stockpile next to the Salish Sea.
- Increased risk of vessel collisions and oil spills on the Salish Sea from hundreds of additional capesize ships carrying millions of gallons of fuel.
- Lasting harm to our region’s reputation as a clean energy and climate change leader as the coal burned overseas comes home in the form of mercury pollution in fish and carbon pollution in our skies.



PHOTO: PAUL ANDERSON

A SACRED PLACE, VIOLATED

Xwe’chi’eXen (“the place of the mink”) is a village complex that dates back at least 3,500 years. It is where our inland relations came to visit relatives by canoe on Vancouver Island and mainland British Columbia.

It was one of the first places to be listed on the Washington State Historic Register and is one of the largest sites of its kind in Washington State. Across 175 generations, at least 35,000 of our ancestors lived at Cherry Point. Nine Lummi kinship groups are affiliated with Xwe’chi’eXen: 60 percent of modern-day Lummis have direct ancestral ties to this site.

Time and again, non-Indian archaeologists have performed intrusive studies at Xwe’chi’eXen, digging up the remains of our ancestors to store in boxes at their university. This disgraceful activity is part of a shameful legacy that permeates our relationship with portions of the non-Indian community and breaks faith with promises made to our ancestors. As is well known, promises made to us are often made only to be broken.

Already, coal export CEOs seem intent on treating us in the same manner. Pacific International Terminals (PIT) authorized its contractors to bulldoze what it knew to be a highly significant registered archaeological site. Instead of applying for the required permits, PIT bulldozed four miles of road and drilled deep boreholes into our ancestral land. They also drained the wetlands without a permit, preferring to save time and risk a slap on the wrist.

In both cases, the excuse was the same: the activity was simply an oversight, a communications breakdown. But one of the nation’s leading experts on large-scale construction projects disagreed, concluding: “PIT intentionally chose to proceed...without necessary permits to obtain the expected economic benefit” that came with saving time rather than respecting treaty rights.¹

Export companies view our rights, our culture, our shared environment and way of life as little more than a nuisance to be overcome with lawyers, lobbyists, and public relations firms. They seem to play by their own rules.

“It is an old, old story of coercion, with new players, big money, and co-option of a lead agency. The Indians are in the way of ‘progress’: Indians and their sacred grounds, their burial grounds, their customary way of life, and Indians who value family and future generations above short-term profit. The naked truth is, the proposal by PIT/SSA, Carrix, Berkshire Hathaway, and Peabody Coal for coal shipment, storage, and transport would cost us all—Indian and non-Indian—dearly here, and across the Pacific Northwest, but handsomely profit a handful of shareholders far from here.”

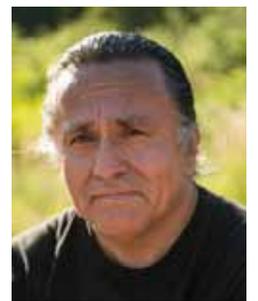


PHOTO: PAUL ANDERSON

**JEWELL JAMES, LUMMI TRIBAL MEMBER
AND THE LUMMI TRIBE’S HOUSE OF TEARS CARVERS**

¹RE Sources for Sustainable Communities v. Pacific International Terminals, Inc. Report of Philip S. Lanterman (2013). W.D. Wash. No. 2:11-cv-02076-JCC.”

"I am a fisherman and crabber. I recently lost 30 crab pots from Sandy Point to Cherry Point due to tanker traffic. This is a financial loss to me. No one is paying for my lost pots dragging behind the tankers. We hear in Gateway Pacific's Terminal's public relations campaign about the promise of jobs. We are no strangers to promises. What we know is true is that the fishing industry supports many families at Lummi and throughout Whatcom County. This is my life they are destroying. What is worse, they are destroying the future of my children's children."

JAY JULIUS



PHOTO: PAUL ANDERSON

PROTECTING SALMON AND JOBS

For thousands of years before European settlement, Lummi people fished at Xwe'chi'eXen. It is an important shellfish, herring and salmon fishery area.

The Lummi developed a unique and sustainable fish trap and reefnet technology to harvest salmon and limit bycatch. The traditional sites (Sxwo'le) are protected by treaty and are both critical economic resources and historically significant areas.

The marine waters near Xwe'chi'eXen belong to one of the largest and most bountiful estuaries on the west coast of North America. This rich place already is under pressure. Since 1970, Cherry Point herring have declined from 17,000 tons of spawning biomass to less than 1,000 tons. These small fish play a crucial role in Puget Sound: they are a linchpin in the food web that includes endangered Chinook salmon, migratory seabirds, and Southern Resident orcas. In this ecosystem, herring are the canary in the coal mine.

The Cherry Point proposal would deal a fatal blow to the delicate Puget Sound ecosystem and to our traditional fisheries, which are a cornerstone of our cultural economy. The facility's Gateway Pacific pier would be 3,000 feet long and 100 feet wide, dwarfing the site's existing piers.

An increase in large vessel traffic means that we anticipate an increase in the frequency and severity of accidents and stress to our fishing fleet. And the almost inevitable threat of a disastrous fuel or coal spill raises more questions, as does the presence of insidious chronic pollution from coal dust and small oil and coal spills. We know from the Deepwater Horizon disaster that spill response is not the same as restoration. Salish Sea damage to would take decades, or longer, to repair.

Our voices were silenced politically and legally when earlier docks were built at Xwe'chi'eXen. We will not be silenced now.

THE LUMMI NATION HAS THE LARGEST NATIVE FISHING FLEET IN PUGET SOUND. MORE THAN 450 BOATS EMPLOY AT LEAST 1,000 TRIBAL MEMBERS AND CONTRIBUTE MILLIONS OF DOLLARS TO THE LOCAL ECONOMY.



Dedicated to the life and vision of Billy Frank, Jr.

THE 2014 TOTEM POLE JOURNEY

2014 is a fateful year for proposed fossil fuel exports across western Canada and the United States. President Obama anticipates making a decision on the Keystone XL pipeline, and Canadian officials will reach a decision point on the planned expansion of Kinder-Morgan pipelines that would bring highly toxic tar sands from Alberta to ports in the United States.

Key federal agencies and officials are also taking the pulse of public opinion on coal exports in Washington State.

The totem pole journey will help to unite and raise the voices of diverse communities that have been steadfast in

their opposition to these coal and oil export proposals. As we travel, we will also increase public awareness and build alliances across the western United States and Canada.



PHOTO: PAUL ANDERSON

ART INSPIRES ACTION INSPIRES ART

The totem pole is one of North America's oldest storytelling forms. Today it still reminds us of our place within nature, our responsibility to future generations and our connections to each other.

To spread the message of shared responsibility with indigenous and non-indigenous peoples, Lummi Nation elder and Master Carver Jewell James carries on the tradition of raising totem poles.

The 2014 totem pole helps honor, unite and empower communities in the destructive path of coal and oil exports, from the American heartland to the Pacific Coast and from Alberta, Canada, to British Columbia. Beginning in late August, the 20-foot-long totem, made from western red cedar, will travel 6,000 miles along proposed export routes, from the Powder River Basin west to the Salish Sea and back east to the Alberta tar sands. At community events in locations including South Dakota, Montana, Washington, British Columbia, and Alberta, Canada, all will be invited to experience and help carry the message by seeing and touching this indigenous, activist art form. The totem speaks to the heart of the matter and the moral conscience of culturally diverse communities.

ALONG WITH THE TOTEM POLE, THE LUMMI TRAVEL WITH A MURAL THAT GIVES EXPRESSION TO OUR TRIP'S INTENTIONS. ACCLAIMED MURALIST MELANIE SCHAMBACH GUIDED THE MURAL'S CREATION, WORKING WITH COAST SALISH ARTISTS IN PARTNERSHIP WITH YOUTH AND ELDERS FROM POTENTIALLY IMPACTED COMMUNITIES. THE MURAL LITERALLY PAINTS THE PICTURE OF OUR JOURNEY'S MESSAGE AND INTENTIONS. IT TRAVELS ALONGSIDE THE TOTEM POLE AND EXPRESSES OUR SHARED RESPONSIBILITY TO STEWARD THE LAND AND WATERS FOR FUTURE GENERATIONS.



PHOTO: PAUL ANDERSON

LUMMI COMMUNITY CONCERNS

The Lummi community has made clear its concerns about the proposed Cherry Point terminal. These include but are not limited to:

- The desecration of one of our oldest village sites and the first archaeological site to be placed on the Washington State Register of Historic Places.
- Up to 1.5 billion gallons of water per year needed to water down the coal piles.
- Millions of gallons of toxic runoff inevitably finding its way to Puget Sound from the proposed terminal.
- More than 400 cape-sized ships, each 1,000 feet long, departing the Cherry Point terminal each year bearing individual loads of 287,000 tons of coal. When fully loaded, each ship takes up to six miles to stop.
- Eighteen coal trains, each 1.5 miles long, traveling to and from the terminal every day.
- Toxic coal dust deposited along the rail line between the Powder River Basin and Cherry Point.
- Threats to a way of life: the endangerment of a Lummi fishing fleet that includes 450 vessels and 1,000 tribal members. In the Salish Sea, 3,000 people are directly employed by the fishing industry.
- Blocked access to tribal fishing grounds protected by treaty.
- Increased risk of vessel/tanker collision, resulting in potential oil spills.
- Global climate change, mercury pollution in salmon and other fishes, and impacts to air and water quality that are associated with burning coal for energy.

“We call upon the tribes, the non-Indian community, civic organizations, professional organizations, the business community, the faith-based communities, nongovernmental organizations, and elected officials to put aside any differences for the sake of the Creation. Most importantly, we are asking that the general public take the time to become informed on the magnitude and madness of this proposal. Let our voices be heard for the benefit of our children and our children’s children – and to honor the Creation.”

JEWELL JAMES, LUMMI TRIBAL MEMBER
AND THE LUMMI TRIBE’S HOUSE OF TEARS CARVERS

Our Lummi ancestors had a chain of occupation areas at Xwe’chi’eXen that trace back to our Creation Story. It is inconceivable that our community and the community of neighbors around us will accept erasing our history, defiling our ancestors, devastating our climate, and denaturing our land and waters for the highly questionable economic benefits promised to a few by the coal industry.

Mitigation is not acceptable. We will stop the development of the export terminal and put in its place a plan that honors our shared responsibility to the land and waters of Xwe’chi’eXen and all our relations. And there, we will begin the true recovery and restoration, not only of the landscape, but also of our connections through the land and waters to each other.



PHOTO: PAUL ANDERSON

“THE LUMMI NATION COMMITS TO COLLABORATING WITH THE AFFILIATED TRIBES OF NORTHWEST INDIANS AND THE NATIONAL CONGRESS OF AMERICAN INDIANS TO DEVELOP AN ACTION PLAN WHICH LAYS GUIDING PRINCIPLES AND ACTION STEPS TO ADDRESS THE IMPACTS OF CLIMATE CHANGE UPON TRIBAL GOVERNMENTS, CULTURES, AND LIFEWAYS; THAT WILL PROTECT AND ADVANCE OUR TREATY, INHERENT AND INDIGENOUS RIGHTS, TRIBAL LIFEWAYS AND ECOLOGICAL KNOWLEDGE...”

GUIDING PRINCIPLES TO ADDRESS CLIMATE CHANGE:
RESOLUTION 2014-084 OF THE LUMMI INDIAN
BUSINESS COUNCIL



PHOTO: PAUL ANDERSON

October 11, 2012

TRIBES ADD POTENT VOICE AGAINST PLAN FOR NORTHWEST COAL TERMINALS

BY KIRK JOHNSON

FERNDALE, Wash. — At age 94, Mary Helen Cagey, an elder of the Lummi Indian tribe, has seen a lot of yesterdays. Some are ripe for fond reminiscence, like the herring that used to run rich in the waters here in the nation's upper-left margin, near the border with Canada. Others are best left in the past, she said, like coal.

"I used to travel into Bellingham and buy my sack of coal," she said, standing in sensible shoes on a pebbled beach at a recent tribal news conference, talking about her girlhood of rural subsistence

and occasional trips to the nearby market town. The idea that coal producers would make a comeback bid, with a huge export shipping terminal proposed at a site where she once fished, called Cherry Point, is simply wrong, she said. "It's something that should not come about," Ms. Cagey said.

Many environmental groups and green-minded politicians in the Pacific Northwest are already on record as opposing a wave of export terminals proposed from here to the south-central coast of Oregon, aiming to ship coal to

Asia. But in recent weeks, Indian tribes have been linking arms as well, citing possible injury to fishing rights and religious and sacred sites if the coal should spill or the dust from its trains and barges should waft too thick.

And as history has demonstrated over and over, especially in this part of the nation, from protecting fish habitats to removing dams, a tribal-environmental alliance goes far beyond good public relations. The cultural claims and treaty rights that tribes can wield — older and materially different, Indian law experts

say, than any argument that the Sierra Club or its allies might muster about federal air quality rules or environmental review — add a complicated plank of discussion that courts and regulators have found hard to ignore.

Lummi tribal leaders recently burned a mock million-dollar check in a ceremonial statement that money could never buy their cooperation. Last month, the Affiliated Tribes of Northwest Indians, a regional congress of more than 50 tribes in seven states, passed a resolution demanding a collective environmental impact statement for the proposed ports, rather than project-by-project statements, which federal regulators have suggested.

Leaders of the Columbia River Inter-Tribal Fish Commission, which focuses on fishing rights, said in a statement in support of the resolution that moving millions of tons of coal through the region could affect a range of issues, like road traffic and economic life on the reservations, not to mention the environment.

“It brings another set of issues to the table,” said Gov. John Kitzhaber of Oregon, a Democrat who earlier this year asked for a broad federal environmental review that would examine implications of the coal plan from transit through the region by train or barge to the burning of the coal in China. The tribes, Mr. Kitzhaber said, have now added a voice that even a governor cannot match. “It definitely increases the pressure,” he said.

Coal producers across the nation have been wounded by a sharp drop in demand in the United States — down 16.3 percent in the period from April through June, compared with the same period in 2011, to the lowest quarterly level since 2005, according to the most recent federal figures. With prices falling

and abundant supplies of natural gas flowing because of new fields and drilling technologies, especially hydraulic fracturing, or fracking, many electricity producers that can switch are doing so.

That has made coal exports, which have increased this year in every region of the country except the West, according to federal figures, even more crucial to the industry than they were when the six terminals on the Pacific Coast were first proposed. Jason Hayes, a spokesman for the American Coal Council, said that with coal-producing nations like Australia and Indonesia competing for Asian markets, a roadblock on the West Coast is an issue for the entire American economy.

The first public hearings for the terminal projects, conducted by the Army Corps of Engineers, are set to begin this month in Bellingham, near the Lummi reservation.

“The people that can produce efficiently and can ship quickly and reliably — those are the big things — they are going to be the ones that are chosen for being reliable business partners,” Mr. Hayes said. “If we can build the ports on the West Coast, then it just becomes that much more reliable.”

But by coincidence of history, geography, culture and law, the West Coast, especially Washington and Oregon, is also a center for Indian tribe muscle, legal scholars said.

Although many tribes around the nation received rights to hunt and fish in the treaty language of the 1800s that consigned them to reservations, few places had a focus on a single resource — fish, especially from the Columbia River and its tributaries — that tribes here did. They also, crucially, persisted in using the resources that the treaties had granted them; fishing did not become a hobby or a cultural artifact.

Then, in the 1970s, when the Indian rights and environmental movements were both surging, tribal timing was fortuitous in pushing court cases that reinforced their claims.

“They made really good use of those rights, and have become major players,” said Sarah Krakoff, a law professor at the University of Colorado who teaches Indian law and natural resources law. Tribal rights have been a cornerstone in the long battle over restoring salmon stocks in the Columbia River. This year, one of the biggest dam removal projects in the nation’s history reached a milestone when a section of the Elwha River near Olympic National Park in Washington was restored to wild flow, with fishing rights an important driver in the process.

Coal has also become an element in the presidential race, as energy executives have poured tens of millions of dollars into campaigns backing Mitt Romney, the Republican candidate, and accusing the Obama administration of harboring hostility to coal through tightened air pollution rules.

An executive order dating from the administration of Bill Clinton could give further ammunition to Northwest tribes in their coal fight, Professor Krakoff and other experts said. The order directs federal agencies to allow tribal access to sacred sites and to take into account religious practices in federal decision making.

Lummi leaders, in the protest this week where Ms. Cagey spoke, said the Cherry Point site in particular — though partly developed years ago by industry, with a major oil refinery nearby — is full of sacred sites and burial grounds. The tribe’s hereditary chairman, Bill James, said in an interview, however, that the tribe would not reveal the locations of the graves for fear of looting. ■



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