

MEARES ISLAND

January 1985

PEACEFUL PROTEST HALTS LOGGING



All photos provided by the Friends of Clayoquot Sound



RIGHT - Moses Martin, Chief Councillor of the Clayoquot Band, tells MB loggers the Island is his people's garden and not to cut the trees.

TOP - Tree protectors greet loggers' boat as it lands at Tsis A Quis (Heelboom Bay).

LEFT - RCMP officials observe the confrontation.

BOTTOM - Small boat flotilla encounters MB's Kennedy Queen and explain their resolve to protect Meares from logging.



On November 21, 1984, MacMillan Bloedel's crew boat, the Kennedy Queen headed towards Meares Island. On board were a few chain saws, some loggers and a handful of company brass.

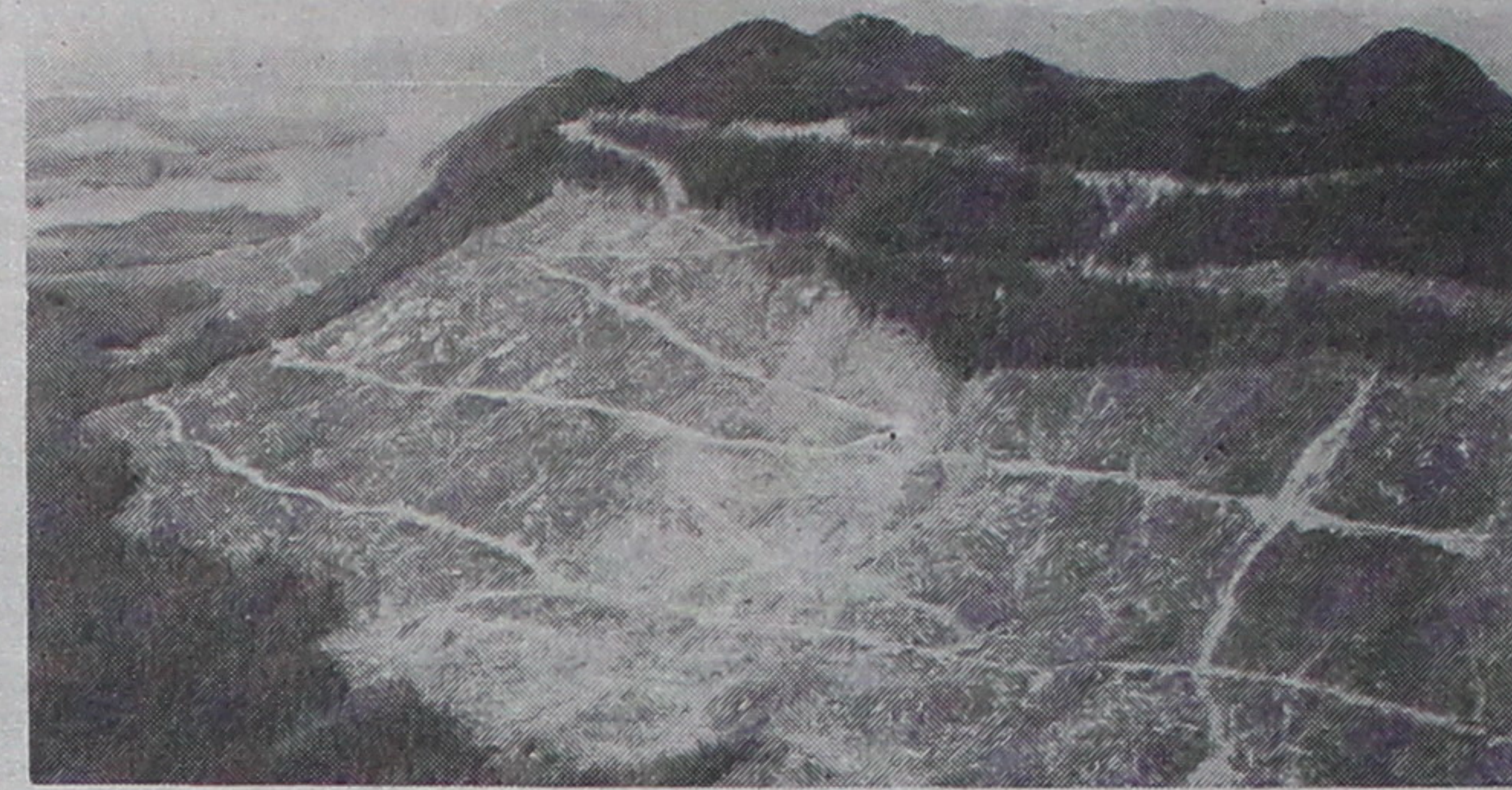
Finally they would be able to work their "claim". Four years of concerted company effort had succeeded in overcoming strong opposition from not only environmentalists and Indians, but also from local non-native residents and thousands of sympathetic tourists.

In less than an hour, screaming saws in the hands of the "disconnect technicians", as fallers are known in logger lingo, would be separating the stumps from the trunks, creating a clearcut landscape on Meares. The forests would be converted to two by fours, newsprint and slash.

But not to be. When the Kennedy rounded the point into Heelboom Bay (Tsis A Quis in Nuu-Chah-Nulth, the native language), the site of the approved cutblocks, it encounter-

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MASSIVE CLEARCUT LOGGING IS RUINING CLAYOQUOT SOUND



TOP: Five photo panorama over-looking Clayoquot Sound just North of Meares Island (square dot on map under photo on the far right) showing massive clearcut openings and extensive erosion in MB's Cypre Valley operations. Flores Island and Catface Mountain are in the background.

BOTTOM - LEFT TO RIGHT: Traditional dugout cedar

canoe carved a year ago by the Martin Family, cruises by Tsis A Quis (Heelboom Bay).

Northeast side of Meares Island - Lone Cone Centre, Lemmens Inlet left and north tip of Mt. Colnett far left.

Tens of thousand of Canada Geese use Meares' mud flats for rest and food on their migrations.

Eel grass upon which they graze flourishes only in clear unsilted water.

"Poster Tree"-local children relax before holding hands around this ancient cedar on Meares in a symbolic gesture to protect the Island's old growth forests. Copies of the poster are available from the Friends of Clayoquot.

ed many small boats. Enough to halt progress.

The RCMP were called in. After extensive negotiations during which the tree protectors "learned the grave consequences of impeding free travel on the seas" the MB crew was allowed to land.

On shore they were met by nearly one hundred people with songs and drumming. The MB officials asked for passage.

Moses Martin, elected Chief Councillor of the Clayoquot Band, read from the original 1905 Timber Licence, the legal cornerstone of MB's claim to rightful ownership of the trees. This agreement exempts all Indian plots, gardens and grounds from logging. Chief Martin told them the Island was a Tribal Park, his peoples' garden; that they were welcome as visitors but that no logging would be allowed.

The loggers left and the tree protectors remained and continued working on a permanent cabin and trails.

Two days later, on November 23, MacMillan Bloedel sought an injunction against Chief Moses Martin, Michael Mullin, one of the spokespersons for the Friends of Clayoquot Sound (the

Tofino based environment group that is fighting to save Meares), 8 other individuals and "anyone else" from obstructing its logging operations on Meares Island.

Shortly thereafter, the Clayoquot and Ahousaht Bands filed proceedings to prevent MB from logging Meares, basing their argument on aboriginal ownership of the Island.

On January 7, after one postponement, the hearing for the temporary injunctions of both MB and the Natives was held in the Supreme Court of B.C. Five days of arguments brought some surprises. The legal validity of MB's License came into question. There appears to be no legislative authority to the backdating of the March 1, 1912 renewal so that it would predate a legislative change which would have prevented the renewal of the license when it expired in 1926. Dick Gathercole of the British Columbia Public Interest Advocacy Centre pointed out that time had run out for renewal when the lease was actually signed and hence it was invalid.

Duncan Shaw, MB counsel argued that the company needed the wood to sustain jobs, and that there was no evidence

that Indians hadn't used the trees for bark or cedar canoes for over 30 years. But Paul Rosenberg, acting for the Indians, countered that MB had held the timber for even longer without cutting it and that an additional delay of a year or two until a full court trial could determine the ownership of the Island would not harm MB.

The trial dates for the hearing in which permanent injunctions will be sought has not yet been set down. A trial of this nature could take months and a trial date might not be possible for a year or more.

Experts in the area of Indian law believe that the Meares case is as important as the Nishga case was a decade ago. The Nishga went all the way to the Supreme Court, losing the case on a technicality, not on its merits.

All the legal wrangling should not obscure why both sides are so determined to win nor the moral arguments that transcend the letter of the law.

According to oral history the bands within the Nuuchah-Nulth Tribal Council have long fought over the valuable resources of Meares--the once abundant salmon runs of the Kennedy watershed,

the wildlife and seafood resources and the forests' wealth of excellent canoe cedar.

The depth of the shell midden at Opitsaht attests to over 5,000 years of continuous occupation. Never, however, was it occupied by "outsiders" and never was its ownership ceded to the Canadian government.

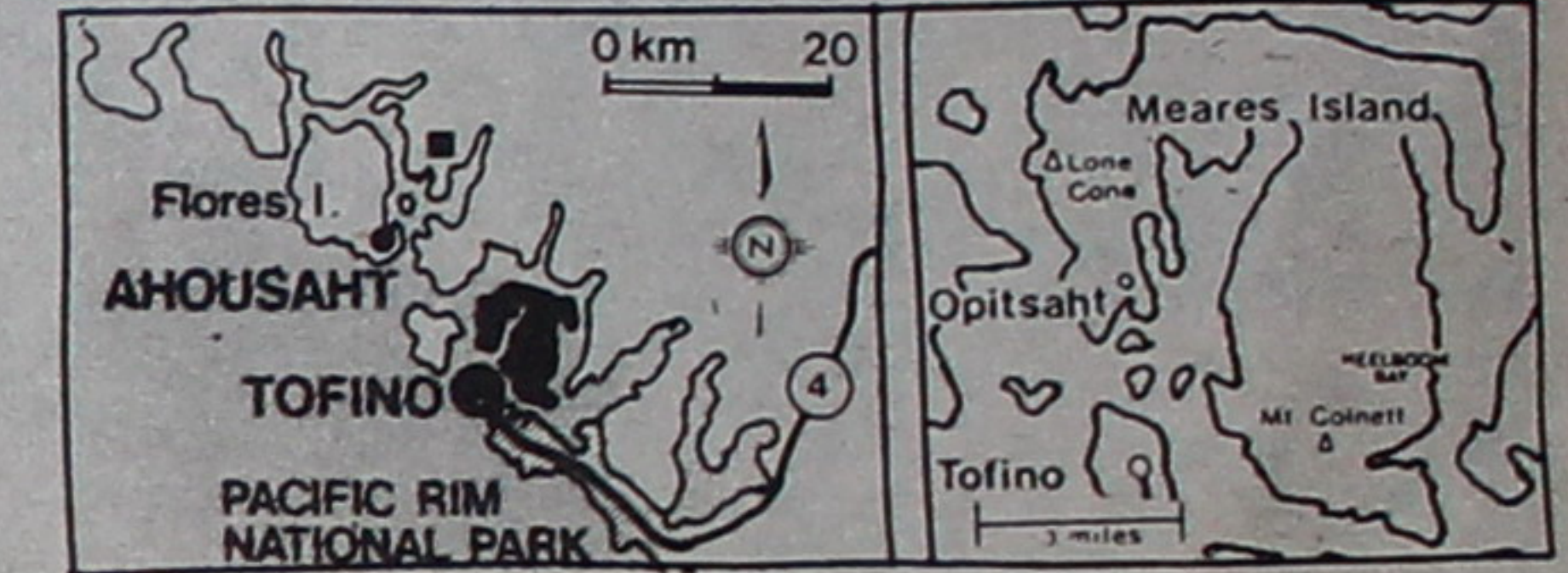
Although Meares is a crucial land claims matter, it is also a stand for the preservation of some of our last--and the best example--of our original coastal rainforest. Its integrity preserves a complex gene pool, unsilted water for the local oyster industry and the water supply for Tofino and Opitsaht in years to come. Its beauty secures the growth of the local tourist industry.

The thousands of hours wasted on a planning process which was disregarded by the government in its Meares decision could much better have been spent in educating people as to the magic of Meares.

The magic is there in Joe David's cedar statue now standing temporarily in front of U.B.C.'s Anthropology Museum in Vancouver. The magic is felt by the dozens of people

working in Vancouver's SPEC office, helping in the effort to save the Island. The magic of Meares sustains the Friends of Clayoquot Sound and all the local residents.

As the Nuuchah-Nulth chiefs say, "It is time to make a stand."

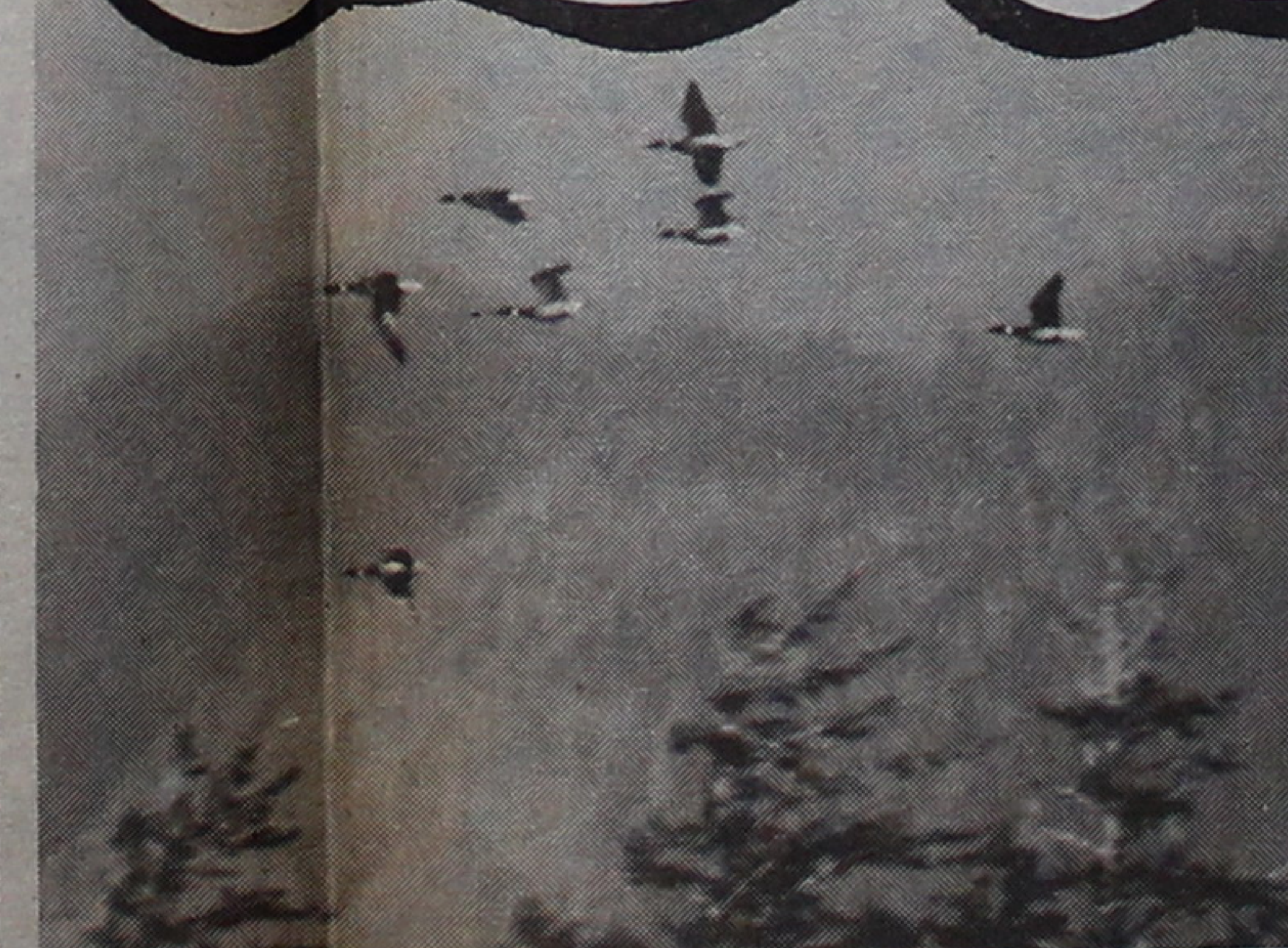


Tree spiking, a practice not advocated by the Clayoquot Band or the Friends of Clayoquot Sound

Everyone must help. You have an obligation to make your opinion known. Your voice does make a difference. Send a letter today to:

Honourable Tony Brummet, MLA
Minister of Lands Parks and Housing
Parliament Bldgs.
Victoria, B.C. V8X 1X4

and to:
Honourable Suzanne Blais-Grenier, MP
Minister of the Environment
House of Commons
Ottawa, Ont. K1A 0H3



SAVE
MEARES ISLAND
FOR
THE CHILDREN

MEARES MUST BE LEFT AS A REFUGE IN THE SEA OF CLEARCUTS



Declaration

Let it be known as of April 21, 1984, we the Clayoquot Band, do declare Meares Island a Tribal Park.

- (1) Total preservation of Meares Island based on TITLE and survival of our Native way of life.
- (2) Preserve Meares Island as the island is an ECONOMIC base of our people to harvest natural unspoiled Native foods — including all:
 - a. sea foods and shellfish
 - b. protect our traditional hunting rights of deer and water fowl, etc. . . .
 - c. protect the right of our elders to continue the gathering of their Indian medicines.
 - d. protect the right of Native artists to continue the gathering of their needs. Cedar bark, cedar for canoes, and paddles, and masks, etc. . . .
- (3) Protection of all salmon streams on the Island.
- (4) Protection of all Herring spawning areas around the Island.
- (5) Protection of all traplines.
- (6) Protection of all sacred burial sites on Meares.

The Native people are prepared to share Meares Island with non-Natives, providing that you adhere to the Laws of our Fore Fathers; which were always there. On these basis — we recognize your needs for:

- (1)
 - a. Watershed, as they already have in place their water system on Meares Island.
 - b. Hunting of water fowl in Lemmens Inlet.
 - c. Existing mariculture leases. We would reserve the right to process any further development, be it watershed or further mariculture leases.
- (2) We would permit access to the Island for Recreational purposes — hiking, camping, fishing, whale watching, gathering restricted amounts of seafoods and shellfish.
- (3) Recognize our Land Claims and that there be no resources removed from Meares Island excluding watershed.

Signed by: George Frank (Hereditary Chief), Alex Frank Sr. (Hereditary Chief) and the CLAYOQUOT BAND COUNCIL

I want to help save **MEARES ISLAND**

Enclosed is my tax deductible donation of \$ _____ to help carry on the committee's educational work.

Name : _____

Address : _____

Prov.: _____ Postal code: _____

All donations from this appeal will be shared with Friends of Clayoquot, Box 489, Tolino, B.C. and spent in a cooperative effort to save **MEARES ISLAND**.

Please return to ; Western Canada Wilderness Comm., 1200 Hornby street, Vanc., BC . V6Z 2E2