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### **Native peoples and the sea: when access to coastal management *is* heritage preservation**

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#### **Abstract**

Marine resources are critically important to the cultural heritage of many indigenous peoples around the globe, including in the United States, New Zealand, Canada, and Australia, but colonialization displaced many of these peoples from active management of these cultural resources until recently. The paper focuses on the United States and New Zealand, both of which have legal obligations and policies in place to consider the role of native peoples—Native American tribes in the United States and the Māori in New Zealand—as part of their marine spatial planning processes. It examines three recent instances of Māori and tribal involvement in marine spatial planning. First, the State of Washington recently completed its marine spatial plan for its coastal waters, extending three miles out to sea. As part of this planning process, Washington was acutely conscious of its coastal tribes, especially the four coastal tribes with treaty rights to hunt and fish in “usual and accustomed places”—a right that encompasses a very large area of the sea off the Washington coast. Second, in northern California, the Tolowa Dee-ni’ Nation has instituted its own marine spatial planning program in pursuit of co-management of two of California’s marine protected areas. Finally, New Zealand recently completed the marine spatial plan for the Hauraki Gulf east of Auckland, incorporating not only Māori concepts of marine stewardship but also unprecedented levels of marine co-management. These three examples suggest that marine spatial planning provides a viable way to both incorporate and increase the sovereignty of coastal native peoples over marine resources while simultaneously allowing native conceptions of and frameworks for marine management to find legal expression, preserving and revitalizing cultural heritage while simultaneously opening new pathways of climate change adaptation.

#### **Keywords**

indigenous, MSP, culture, management