



# MARCH POINT

By Tracy Rector and Annie Silverstein

## DISCUSSION GUIDE

Cody, Nick and Travis, three teens from the Swinomish Indian Tribe, wanted to make a gangster movie or a rap video. But instead they became intrigued by two large oil refineries on their tribal land. With cameras in hand, what they discover is shocking—a toxic legacy of dangerous pollutants contaminating their own backyard. In a quest for answers, the boys travel to Washington, D.C. to meet with federal officials and politicians, while discovering the power of their determination.

## FROM THE FILMMAKER

Before we begin discussing MARCH POINT, it is important to offer some background about our organization so the context for this meaningful collaboration can be established.

In 2005, media advocacy groups, including Native Americans in Television and Film, announced their annual evaluations of indigenous presence in American media. Native Americans were almost invisible yet again, with the exception of a few limited stereotypes. Native actor Michael Horse elucidates:

“Native Americans are usually portrayed as violent, drunk or the all-knowing sage. We are not seen as doctors, lawyers or businessmen. The message this sends to Native American children is that there is no place for us in modern society, that we are an antiquated culture.”

The problems that Native communities face today are directly linked to a history of forced isolation, oppression and genocide. This inheritance and its impact on Native culture have contributed to violence, hopelessness, addiction and low self-esteem among Native youth. The suicide rate among Indians aged 15 to 24 is triple that of the same age group in the general population. Native students are twice as likely to be threatened with school violence compared with students of any other racial/ethnic group. Throughout tribal communities in the Pacific Northwest, drug abuse, illiteracy, child abuse, poor health and nutrition, and post-traumatic stress disorder are all well documented.

We founded Longhouse Media in January 2005 to address this critical problem. We wanted to help catalyze indigenous people and communities to use media as a tool for self-expression, cultural preservation and social change. Our primary program, Native Lens, brings digital media training to Native youth in rural and urban settings. We believe youth can use this technology to explore personal and community issues, such as education, environmental degradation, traditional health care and cultural pride. In the last four years, the Native Lens program has grown and flourished due to an outpouring of support and interest from Native youth, community members and tribal leaders. Native Lens's youth-produced films have yielded strong and positive new media, increased participants' self-esteem, worked as a catalyst for community interaction and dialogue, and supported youth in the development of life skills and academic success in school.

The seeds for MARCH POINT were planted as we developed Native Lens with the Swinomish Indian tribe. In 2005, the tribe received a sizable grant from the Environmental Protection Agency. The Swinomish asked us to work with their youth on a project looking at the incidence of biotoxins in local shellfish and the impact on Swinomish health. At the time, Nick and Travis had already participated in the Native Lens program, and we had recently met Cody at a Swinomish youth group meeting. He had approached Annie and said, “I want to do filmmaking too,” then proceeded to spell his name in capital letters on her notebook to make sure she wouldn't forget.

Addressing the topic of biotoxins is not a particularly thrilling project for 15-year-old boys, but Nick, Cody and Travis were interested in learning how to make films as a substitute for their mandated drug treatment program. They thought working on a Native Lens project would help them stay out of trouble and stick together. We decided to

film a piece about the two oil refineries located on March Point.

Knowing very little about the history of March Point, the impact of the oil refineries and the land ownership dispute, we set off to answer the question: “How has the Swinomish community been changed by the oil refineries' presence?” Nick, Cody and Travis began by interviewing people around them—Cody's grandfather Chet, who could recall clam digging by March Point in the early days, and tribal chairman Brian Cladoosby, who first alerted us to the March Point land ownership dispute, which dates back to the 1855 Treaty of Point Elliott.

We noticed that the more we filmed, the more invested the boys became. It was increasingly apparent that the very process that Nick, Cody and Travis were going through to make the film was an essential part of the story itself—the story of March Point would be better told if they inserted themselves into the movie, offering their personal interpretations (sometimes grave, sometimes humorous) throughout their investigation.

MARCH POINT weaves the boys' stories together with the documentary they are making, resulting in a parallel awakening. As the boys uncover the detrimental impact of the refineries on the health of their tribe and discover the land dispute issue, they begin to see themselves as storytellers and leaders in their community.

What happened exceeded anything we could have imagined. Cody, Nick and Travis gained media attention; they interviewed famous activists like Billy Frank Junior and John Trudell; and they eventually traveled—for the first time—to Washington, D.C., to speak with U.S. senators. Although they were unable to resolve the environmental and land issues they uncovered, the process of filmmaking, inquiring and defending their tribe had a life-changing effect on them. Ultimately, it is their unique voice that separates this film from others that have dealt with similar issues.

It was an honor to work on this collaborative and community-based project. We believe in the power of MARCH POINT, as told by its young storytellers, to educate, inspire and transform.

—Tracy Rector, Filmmaker



Left to right: Cody Cayou, Tracy Rector, Travis Tom, Annie Silverstein, Nick Clark  
Photo: Longhouse Media / ITVS



## THE FILM

MARCH POINT follows three young filmmakers as they produce a documentary about the environmental impact of the Shell and Tesoro oil refineries on land adjacent to the Swinomish Indian tribal community, which is located on an island in Puget Sound, in the state of Washington. Nick, Travis and Cody are teenagers who have grown up together on the reservation; all three have been in trouble for using drugs and alcohol and have had other brushes with the law. Through their drug treatment program, they were given the opportunity to participate in Native Lens, a project that teaches filmmaking to Native youth.

The teenage trio finds that making a film is hard work, but as close friends, they are happy to work together and maintain a harmonious relationship throughout the process. As they conduct interviews of family members, tribal elders, activists and government representatives, the story of March Point unfolds. The refineries are located on land that once belonged to the Swinomish, land that was granted to the tribe in the Treaty of Point Elliott in 1855. But through a subsequent—and questionable—redrawing of the reservation boundaries, the March Point area was removed from reservation's holdings. The tribe maintains that this land is still theirs, and they have been working to regain it.

Besides the legal question regarding ownership of the land, the Swinomish are worried about environmental degradation caused by the refineries. There is great uncertainty about the effects of air and

water pollution on the health of the people and of the fish and other seafood that are the mainstay of the Swinomish diet and livelihood. And fishing is not just the main source of income and sustenance for the people, it is a way of life, albeit one that has undergone radical change because of the depletion of salmon populations. Many Swinomish have switched to catching and eating crab and other shellfish, which tests have shown to contain toxins.

Weaved into the story of March Point and the oil refineries are brief biographies of the three filmmakers. Their lives, and those of their families, mirror the social conditions surrounding them, which are marked by the decline of the fishing industry and resulting unemployment and the presence of drugs, alcohol, poverty and discrimination. Becoming filmmakers has opened up a new world for the young men. It has brought them into contact with their history. Their search for answers has taken them to the governor's office in Olympia and to the halls of Congress in Washington, D.C. They have met with individuals who encourage them to carry on the fight for Native American rights. Making a film has given them a broader view of the world and their place in it. How the story ends remains to be seen.



Left to right: Nick Clark, Travis Tom and Cody Cayou, Washington D.C.  
*Photo: Tracy Rector / ITVS*



March Point Refinery  
*Photo: Jack Storms / ITVS*



## SELECTED INDIVIDUALS FEATURED IN MARCH POINT

*The three filmmakers – Travis Tom (age 16), Nick Clark (age 17) and Cody Cayou (age 16)*

*Craig Bill – Director, Office of Indian Affairs, Washington state*

*Larry Campbell – Swinomish tribal elder*

*Chet Cayou Sr. – Cody's grandfather and Swinomish tribal elder*

*Vernon Cayou – Cody's dad*

*Brian Cladoosby – Swinomish tribal chairman*

*Tony Cladoosby – Swinomish tribal member*

*Nadine Clark – Nick's mom*

*Barbara Clure, M.D. – Swinomish tribal health clinic doctor*

*Billy Frank Jr. – Esteemed tribal leader and fishing rights activist*

*Mark Koslicki – Shell Oil Refinery representative*

*Rick Larsen – House of Representatives, District 2, Washington state*

*Abe and Joe McDonald – Swinomish fishermen*

*Todd Mitchell – Water Resources coordinator, Swinomish tribe*

*Patricia Murray – U.S. Senator, Washington state*

*Allen Olson – General manager, Swinomish tribe*

*Francis Peters – Swinomish tribal fish cook*

*John Trudell – Native American rights activist and artist*

## BACKGROUND INFORMATION

### Who Are the Swinomish?

The Swinomish Indian tribe is a confederation of several northwest coastal tribes and one of 29 federally recognized tribes in the state of Washington. The Swinomish reservation, comprising about 8,000 acres, is located on a small peninsula of Fidalgo Island in Puget Sound. Traditionally, the Swinomish were a fishing people who lived off the plentiful salmon of the region while preserving the salmon's abundance. Like many Northwestern tribes, the Swinomish built canoes and drafted longhouses of cedar. The longhouse occupied a central role in their culture, and it was here that spiritual ceremonies and rites of passage took place. Usually occurring after the fishing season, ceremonies could be lengthy affairs. During ceremonies, carvers who had created story poles from cedar logs would convey the stories through dancing and other longhouse rituals.

Although European explorers discovered the Puget Sound area as early as 1500, settlers did not arrive in significant numbers until the 1800s. When 19th-century white settlement threatened to overwhelm the Northwestern tribes, the Swinomish and others signed the 1855 Point Elliott Treaty, which created their reservation. In 1887, Congress passed the Dawes Act, dividing the reservation into allotments of land that were provided to individual members of the tribe for farming and grazing of animals. Any unclaimed allotments were designated "surplus" and made available to non-Indian buyers. The main goal of this legislation was to replace communal tribal holdings and assimilate Native Americans into the dominant white society. During the following decades, much of what was once tribal land ended up in the hands of white settlers.

In the 1960s, the Swinomish tribe unsuccessfully petitioned the Indian Claims Commission to return their reservation to the pre-allotment state of the Point Elliott Treaty. They began to buy back their lands in the 1990s, and as of 2004, the tribe had regained more than 1,000 acres of their original reservation.

### The Treaty of Point Elliott

The Point Elliott Treaty transferred most of the territory around Puget Sound from the local Indian tribes to the United States. The treaty was signed on January 22, 1855, by Isaac Stevens, Territorial Governor of Washington, Duwamish Chief Seattle, and 81 other tribal leaders and delegates representing 22 Native American tribes in the territory. Congress ratified the treaty four years later, in 1859.

The treaty incorporated policies, promoted by Governor Stevens, to encourage the Indians to cultivate the soil and adopt settled and civilized habits, to refrain from warfare with each other and with white settlers, and to acquire allotments of land on the reservation at some future time.

### Main provisions

1. All Indian lands west of the summit of the Cascades from the Canadian border to a point north of present-day Tacoma were ceded to the United States.
2. Specific boundaries were established for Indian reservations.
3. In addition to land for reservations, land was set aside for schools.
4. Indians would retain their right to fish at the "usual and accustomed grounds."
5. The United States agreed to pay a total of \$150,000 for the ceded lands, beginning the first year after ratification of the treaty and extending for a period of 20 years.
6. The president had the right to move Indians to another reservation, to consolidate tribes and to have the land surveyed into lots.
7. Tribes acknowledged their dependence on the U.S. government and agreed to friendly relations with all citizens.
8. Tribes were prohibited from drinking liquor on reservations.
9. Tribes agreed to free all slaves and not acquire others.
10. Tribes were not to trade outside the United States.
11. The United States would establish an agricultural and industrial school for the tribes and employ a physician for them.



Travis Tom

Photo: Jack Storms / ITVS



### American Indian Movement

In the summer of 1968, a group of Native American activists led by George Mitchell, Dennis Banks and Clyde Bellecourt called a meeting in Minneapolis. Frustrated by discrimination against Native Americans, they spoke out against the living conditions of Indians in the United States, including slum housing, high unemployment and racist treatment. They were determined to change federal Indian policy and to reduce or eliminate conditions that bred illness and poverty among Native Americans. That meeting led to the creation of the American Indian Movement (AIM).

Beginning in November 1969, a loose confederation of Indian groups staged an 18-month occupation of Alcatraz Island. Although this was not an official AIM action, it helped to boost AIM's rapid growth. In 1972, AIM conducted the Trail of Broken Treaties march on Washington, D.C., taking over the Bureau of Indian Affairs and demanding reform of its policies. The following year, AIM leader Russell Means and his followers took over the small Indian community of Wounded Knee, South Dakota, site of the 1890 massacre of 300 Lakota Sioux and the last major battle of the late 19th-century Indian wars. AIM's revolutionary tactics had drawn the attention of both the FBI and the CIA, who set out to crush the movement. FBI agents came to Wounded Knee, resulting in a standoff and siege that lasted for 71 days and bringing world attention to the plight of Native Americans. AIM's work continues today and includes opposition to the use of indigenous caricatures as mascots for sports teams and a commitment to improving conditions that face Native peoples.

### Controversies Over Fishing Rights

Treaties made between the U.S. government and Native American tribes often guaranteed the Indians' right to fish and hunt in their traditional areas. This was the case with tribes in Puget Sound, but with increased settlement and the imposition of state regulation, Native Americans gradually were pushed out of their traditional fishing grounds.

In 1964, activists Billy Frank and Robert Satiacum led a campaign to reassert Native American fishing rights. They held "fish-ins" on the Puyallup River and were arrested, along with others, for defying state regulations and orders to disperse, leading to a federal trial presided over by Judge George Boldt. On February 12, 1974, after a six-month trial, Judge Boldt handed down a decision in favor of the Native Americans. He ruled that the right to fish had always belonged to Natives and that they had extended that right to white settlers. Boldt ordered the state to limit fishing by non-Indians. His decision resulted in violent clashes between tribal and nontribal fishermen and regulators. Nonetheless, the Boldt Decision, as it came to be known, along with other rulings enforcing treaty-based fishing rights, has been upheld by the Supreme Court on the principle that unless the treaty specifically removes it, the right to fish is retained by the tribe.

### What Kinds of Pollution Can Be Expected From Oil Refineries?

Emissions and by-products of the oil-refining process can have detrimental effects on the air as well as on adjacent land and bodies of water.

### Sources of Air Pollution

Gases such as sulfur dioxide, nitrogen oxide, carbon dioxide, carbon monoxide, hydrogen fluoride and chlorine  
Smoke containing particulates from the burning of waste hydrocarbons  
Volatile organic compounds (VOCs) such as methane and benzene

### Sources of Water Pollution

Water used for cooling  
Water used as part of the refinery processes  
Rain mixing with gaseous discharges (acid rain)  
Liquid discharges containing dioxins, heavy metals—such as lead—and hydrocarbons

### Sources of Land/soil Pollution

Solid wastes that are chemically treated and disposed of in landfills; may include heavy metals, such as lead.



Cody Cayou with sea urchin

Photo: Cayou Family / ITVS



## THINKING MORE DEEPLY

1. What is the main story in this film? What other stories are told in this film?
2. Why do you suppose the governor of Washington has not met with the young men who made this film?
3. Are you surprised that the filmmakers were unable to film their meetings with lawmakers? Why do you think such filming is not allowed?
4. The young men in the film profess their love of cars. What do you think accounts for their strong attraction to cars? Do you think they are making a connection between the pollution caused by the refinery and the need that cars create for those products? How do you think living in a rural area influences their dependence on and attraction to cars?
5. When Nick makes the statement, "We've been dealing with consequences and repercussions for a long time," what does he mean?
6. In pointing out the locations of petrochemical facilities in the state of Washington and the locations of toxic landfills on Native lands, Cody speculates, "Maybe they don't like Natives." Why are such facilities often placed in minority or low-income communities?
7. After their meetings in Washington, D.C., Cody, Nick and Travis discuss the differences between themselves and the people working in the congressional offices. What do you see as the differences between them and the people working in the congressional offices? What do you think the young men could have done differently to try to "fit in"? What might they have done differently in order to receive more definitive answers to their questions?
8. Billy Frank, the fishing rights activist, says that the Swinomish will get their land back from the refineries, but that they have to "wait for the right time to bring that issue forward." What will make the time right for the tribe to press its case?
9. The filmmakers claim they do not have a Hollywood ending for their film. If you could give them one, what would it be?



Interview with John Trudell. From l to r: John Trudell, Cody Cayou, Travis Tom, Nick Clark, Annie Silverstein and Tracy Rector

*Photo: Longhouse Media/ ITVS*



Francis Peters preparing salmon

*Photo: Jack Storms / ITVS*





Brian Cladoosby - The Swinomish Indian Community Tribal Chair in a traditional woven cedar hat.

*Photo: Tracy Rector / ITVS*



Nick Clark filming at the clambake

*Photo: Todd Mitchell / ITVS*

## SUGGESTIONS FOR ACTION

Together with other audience members, brainstorm actions that you might take as individuals and as a group. Here are some ideas to get you started:

1. Invite a speaker to address your community or local schools about issues affecting Native Americans. AIM maintains a Speakers' Bureau whose members can address specific topics. For more information, visit [www.aimovement.org/iitc/index.html](http://www.aimovement.org/iitc/index.html).
2. Contact one or more of your representatives or senators to find out about their stand on issues such as jobs and educational opportunities for Native Americans and drug and alcohol abuse on reservations.
3. Encourage young people you know to become involved in the Tribal Campus Climate Challenge (TCCC), an initiative of the Indigenous Environmental Network. Working with the Energy Action Coalition, the TCCC helps organize on college campuses and high schools to win 100 percent clean energy policies at their schools.
4. If you are a member of a social or sports club, arrange for an event to support the work of Survival International, an organization that works to protect the rights of native peoples around the world.
5. Check into the environmental regulations governing industry in your area. Organize a community meeting to discuss environmental and health concerns related to a local industry.
6. Work with young people you know to research how industrial development impacts communities of color in your town. Talk to organizations serving these communities about the impact their support of the green movement would have on the people they serve and connect them to local green movement organizers.

For additional outreach ideas, visit:

[pbs.org/independentlens/communitycinema](http://pbs.org/independentlens/communitycinema).

For local information, check the website of your PBS station.



## RESOURCES

[www.goia.wa.gov/Treaties/Treaties/pointelliott.htm](http://www.goia.wa.gov/Treaties/Treaties/pointelliott.htm) – This site contains the complete text of the 1855 Treaty of Point Elliott, which delineated the tribal lands of the Swinomish, along with a list of all the signers.

[www.en.wikipedia.org/wiki/Oil\\_refinery](http://www.en.wikipedia.org/wiki/Oil_refinery) – This site explains the workings of an oil refinery and the environmental issues associated with refineries.

[www.ncai.org](http://www.ncai.org) – The website of the National Congress of American Indians offers numerous suggestions for ways to become involved in protecting the rights of Native people.

[www.aimovement.org](http://www.aimovement.org) – AIM's website provides information on a variety of advocacy initiatives to support Native Americans, including an Opportunities Industrialization Center.

[www.einearth.org](http://www.einearth.org) – The Indigenous Environmental Network supports a variety of projects aimed at improving environmental conditions within and outside tribal areas.

[www.survival-international.org](http://www.survival-international.org) – This organization publishes "Walk Your Talk," a guide that contains ideas on how individuals and groups can support the rights of tribal peoples.

[www.epa.gov/tribal](http://www.epa.gov/tribal) – This section of the Environmental Protection Agency's website is devoted to information—including information on funding and regulations—on issues affecting Native American communities.

[www.rwjf.org/pr/product.jsp?id=17394](http://www.rwjf.org/pr/product.jsp?id=17394) – The Healthy Nations report describes a national program funded by the Robert Wood Johnson Foundation to reduce substance abuse among Native Americans.

[www.hhs.gov/asl/testify/t050413.html](http://www.hhs.gov/asl/testify/t050413.html) – Testimony by Kathryn Power of the Substance Abuse and Mental Health Services Administration describes behavioral problems among Native youth and how such problems are being addressed.

[www.climatesolutions.org/](http://www.climatesolutions.org/) – Climate Solutions works at the regional level to build long-term relationships across the partisan divide to transform the global warming debate and lay the groundwork for a multistakeholder climate action agenda.

[www.ecotrust.org/](http://www.ecotrust.org/) – Ecotrust, an environmental conservation organization based in Portland, Oregon, has five integrated program areas, including Native Programs, Fisheries, Forestry, Food and Farms, and Citizenship.

[www.epa.gov/greenvehicles/Index.do](http://www.epa.gov/greenvehicles/Index.do) – This website, maintained by the EPA's Office of Transportation and Air Quality (OTAQ), provides consumers with a guide to choosing the cleanest and most fuel-efficient vehicle that meets their needs.

[www.psp.wa.gov/](http://www.psp.wa.gov/) – The Puget Sound Partnership mobilizes communities, agencies and organizations to work together to create a comprehensive action agenda to restore Puget Sound.

[www.ntec.org/index.htm](http://www.ntec.org/index.htm) – The National Tribal Environmental Council was formed in 1991 with seven tribes and input from several inter-tribal organizations as a membership organization dedicated to working with and assisting tribes in the protection and preservation of tribal environments.

[www.naturalstep.org/com/nyStart/](http://www.naturalstep.org/com/nyStart/) – The Natural Step is an international nonprofit organization dedicated to education, advisory work and research in sustainable development.

[www.nwifc.wa.gov/](http://www.nwifc.wa.gov/) – The Northwest Indian Fisheries Commission is primarily a support and service organization that provides direct services to its member tribes to assist them in their natural resource management efforts.

[www.wri.org/](http://www.wri.org/) – The World Resources Institute provides—and helps other institutions provide—objective information and practical proposals for policy and institutional change that will foster environmentally sound, socially equitable development.

MARCH POINT WILL AIR NATIONALLY ON THE EMMY® AWARD-WINNING PBS SERIES INDEPENDENT LENS IN NOVEMBER 2008. CHECK LOCAL LISTINGS.

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ITVS COMMUNITY is the national community engagement program of ITVS. ITVS COMMUNITY works to leverage the unique and timely content of the Emmy® Award-winning PBS series *Independent Lens* to build stronger connections among leading organizations, local communities and public television stations around key social issues and to create more opportunities for civic engagement and positive social change. To find out more about ITVS COMMUNITY, visit: [www.pbs.org/independentlens/communitycinema](http://www.pbs.org/independentlens/communitycinema).



Travis Tom, Cody Cayou and Nick Clark on the rocky shores of March Point

Photo: Longhouse Media / ITVS

