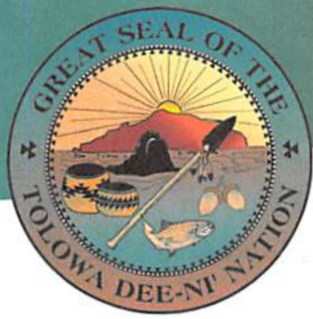


DOCKETED	
Docket Stamp Updated:	3/15/2024 2:21:40 PM
Docket Number:	17-MISC-01
Project Title:	California Offshore Renewable Energy
TN #:	255083
Document Title:	Tolowa Dee-ni' Nation Offshore Wind Energy Opposition Resolution
Description:	<p>***This document went out earlier today Friday, 3/15/24, with the wrong document title on the docket details. The title has been corrected. Apologies for the inconvenience.***</p> <p>Tolowa Dee-ni' Nation Offshore Wind Energy Opposition Resolution</p>
Filer:	susan fleming
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	3/15/2024 10:28:36 AM
Docketed Date:	3/15/2024

DOCKETED	
Docket Number:	17-MISC-01
Project Title:	California Offshore Renewable Energy
TN #:	255083
Document Title:	Presentation - Distributed Electricity Backup Assets (DEBA) Program March 5, 2024, Workshop
Description:	Tolowa Dee-ni' Nation Offshore Wind Energy Opposition Resolution
Filer:	susan fleming
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	3/15/2024 8:32:18 AM
Docketed Date:	3/15/2024



Tolowa Dee-ni' Nation

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RESOLUTION 2023-47

OFFSHORE WIND ENERGY OPPOSITION

ADOPTED: November 9th, 2023

RESOLUTION SUMMARY: A resolution of the Tolowa Dee-ni' Nation Tribal Council, Smith River, California opposing offshore wind, expressing support for the National Congress of American Indian's (NCAI) resolution requesting a moratorium on offshore wind energy development, and urging the Department of the Interior and the Bureau of Ocean Energy Management to halt all scoping and permitting for offshore wind projects.

Whereas, The Tolowa Dee-ni' Nation is a federally recognized Indian Nation located in the Pacific Northwest and organized pursuant to the Constitution of the Tolowa Dee-ni' Nation that was duly adopted by the citizens of the Nation; and

Whereas, The Tolowa Dee-ni' Nation's ancestral territory, as defined in our Constitution, encompasses the lands and watersheds of Daa-ghesth-ts'a' (Wilson Creek) to the south, the Ts'aa-xwii-chit (Sixes) River to the north, east to the Applegate watershed in the Coastal Range, and west to the Pacific Ocean horizon, all sea stacks including Point St. George Lighthouse and all usual and accustomed places. The Tolowa Dee-ni' Nation tribal office is headquartered in Smith River, CA, and over 80% of our ancestral territory is in the State of Oregon; and

Whereas, The Tolowa Dee-ni' Nation Tribal Council is the duly elected governing body of the Nation with the Constitutional duties and responsibilities to preserve, protect, and promote the best interests of the Nation; and

Whereas, On August 15th, 2023, the Bureau of Ocean Energy Management (BOEM) announced that it identified two Draft Wind Energy Areas (WEAs) Offshore of Oregon for Public Review; and

Whereas, On September 18th, 2023, during the BOEM Oregon Intergovernmental Renewable Energy Task Force discussion, many potentially impacted stakeholders, ocean users, Tribes, and public attendees asked about environmental impacts and the impacts on different species. The responses varied but pointed to ongoing studies and plans to follow up; and

Whereas, The studies and assessment of such impacts should be done prior to the leases to properly address environmental concerns and should be completed in conjunction with tribal involvement and/or out of the local tribal research; and

Whereas, Offshore wind projects lack centralized oversight from a single governmental agency throughout the entirety of the project lifespan; and

Whereas, The federal government has a legal obligation to consult with Tribal Nations on any activities that may affect their lands or resources; and

Whereas, The Biden administration has embraced the need to expand tribal consultation to incorporate the essential importance of tribal co-stewardship and co-management of traditional tribal lands and waters, as recently as Assistant Secretary for Indian Affairs Bryan Newland's statement before the General Assembly of the National Congress of American Indians on February 22, 2023; and

Jeri Lynn
Thompson
Chairperson

Scott D.
Sullivan
*Vice -
Chairperson*

Debbie
Boardman
*Council
Secretary*

Jaytuk
Steinruck
*Council
Treasurer*

Dr. Joseph
Giovannetti
*Council
Member*

Amanda
O'Connell
*Council
Member*

Dorothy
Wait
*Council
Member*

Whereas, President Biden issued a Memorandum on December 1, 2022, titled, "Implementation of Guidance for Federal Departments and Agencies on Indigenous Knowledge," requiring federal agencies to integrate Indigenous Knowledge as a line of evidence in federal decision-making; and

Whereas, Tribal engagement requires tribal staff time and resources that often exceed a Tribe's capacity to properly engage, assess, comment, and respond; and

Whereas, Incorporating Tolowa Dee-ni' Nation Indigenous Traditional Ecological Knowledge, through co-management of traditional lands and the associated life forms is critical to protecting Tolowa Dee-ni' Nation environment and is essential to Biden Administration's stated goal of respecting and including Indigenous Traditional Ecological Knowledge in decision-making; and

Whereas, These policies of tribal consultation and inclusion must apply to energy development projects that may impact Tolowa Dee-ni' Nation ancestral territories, cultural resources, or sacred sites; and

Whereas, Tolowa Dee-ni' Nation must be included in the management, permitting, and development of power purchase agreements and both consulted and included in determining the terms and conditions of the agreements; and


Whereas, Any agreement must include negotiating fair compensation for the use of Tolowa Dee-ni' Nation lands, time, and resources, inclusion in any revenues associated with such development of Tolowa Dee-ni' Nation traditional resources as well as ensuring that the development does not harm Tolowa Dee-ni' Nation environment or cultural heritage; now, therefore, be it

Resolved, That the Tolowa Dee-ni' Nation Tribal Council opposes offshore wind projects until there is shared tribal jurisdictional authority over, and tribal management of, offshore renewable energy activities aimed at empowering Native communities through socio-economic benefits such as job opportunities, revenue sharing, and support for tribal energy development projects; and be it further

Resolved, That the Tolowa Dee-ni' Nation Tribal Council strongly urges the Department of Interior and the Bureau of Ocean Energy Management halt all scoping and permitting for offshore wind projects until completion of a comprehensive and transparent procedure adequately protecting Tolowa Dee-ni' Nation environmental and sovereign interests is developed and implemented; and be it further


Resolved, That NCAI's moratorium and tribal management resolution shall be the policy of Tolowa Dee-ni' Nation until it is withdrawn or modified by subsequent resolution; and be it finally

Resolved, That the Tribal Council of the Tolowa Dee-ni' Nation does hereby adopt this resolution, and that the Chairperson and Secretary of the Tolowa Dee-ni' Nation Tribal Council are hereby authorized to sign this resolution and any and all other documents which are necessary to effectuate the intents and purposes of this resolution.



Jeri Lynn Thompson
Council Chairperson

11-9-23
Date



Debbie Boardman
Council Secretary

11/9/23
Date

CERTIFICATION

I hereby certify that the foregoing resolution was adopted at a duly called and noticed meeting of the Tolowa Dee-ni' Nation Tribal Council held on the 9th day of November 2023 in Smith River, California, at which 7 Tribal Council members were present to constitute a quorum, by a vote of 6 **For**, 0 **Opposed**, 1 **Abstentions** and 0 **Absent**, and shall remain in full force and effect until rescinded.



Debbie Boardman, Council Secretary

11/9/23
Date