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Northern Chumash Tribal Council Comments to AB 525 Strategic Plan

Please see attached PDF for our comments.

Additional submitted attachment is included below.



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April 22, 2024

AB525 Draft Strategic Plan

Comments by Northern Chumash Tribal Council

Please accept these comments regarding the California Energy Commission's Draft AB 525 Strategic Plan for Offshore Wind (OSW) on behalf of the Northern Chumash Tribal Council (NCTC).

Thank you to the California Energy Commission for the time and work on this report. We appreciate the efforts to outline needs and plan for the future as offshore wind development progresses.

Thank you to the State of California for encouraging the use of and referencing work and recommendations from Tribes, environmental NGOs, and local communities. Though the Draft Strategic Plan takes an important first step in addressing the needs and concerns that have been presented, the document and project-specific planning has many areas where further detailed information and improvement are needed. We appreciate the efforts, time, and resources that have been put into the Draft Strategic Plan and we will continue to encourage similar and enhanced planning and investments throughout the entirety of offshore wind's development. We encourage the continued and further incorporation and prioritization of the comments, outreach efforts, and expertise from Tribes, environmental NGOs, and local communities, accompanied by investments in these communities and organizations to ensure they have the capacity to continue to participate and provide expertise.

Renewable energy development is a crucial step towards a sustainable future, but we must ensure that its impact is considered on all communities, including Tribes and historically excluded and under-resourced ones, and the environment. As responsible inhabitants of this planet, we need to make sure that our ocean relatives can live and travel safely through our waters as they migrate through Grandmother Ocean. This is a shared responsibility that we must take seriously. For renewable energy development to be successful and sustainable, we need to work together to design, plan, and implement infrastructure that avoids, minimizes, and mitigates all impacts, while providing sustainable jobs for local workers. We must also protect cultural and environmental resources, establish baseline monitoring, and ensure meaningful Tribal inclusion and consultation at every stage of offshore wind development. Let us embrace offshore wind development as an opportunity to uplift Tribal communities and create a collaborative effort that benefits all.

We join many voices in saying that success for offshore wind development must include the health and wellbeing of all wildlife, ecosystems, and communities in directly and indirectly impacted areas (waters, coastal lands, ports, etc.). This means implementing meaningful Tribal inclusion and consultation at every local, state, and federal level; designing, planning and siting infrastructure that avoids, minimizes, and mitigates all impacts; providing union jobs that are sustainable for local workers; continuous, long-lasting, and adaptive protection for cultural and environmental resources; establishing baseline monitoring to collect data on current ecosystem conditions before any development begins; and much more.

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We support investments to ensure meaningful Tribal inclusion

We ask that the State of California continue to adopt the policies of the [United Nations Declaration on the Rights of Indigenous Peoples \(UNDRIP\)](#) (See Attachment #1), which “establishes a universal framework of minimum standards for the survival, dignity, and well-being of the Indigenous Peoples of the world and it elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous Peoples” ([UNDRIP](#)). San Luis Obispo was the first county in the United States to [adopt UNDRIP](#) (See attachment #2). It would be appropriate to see the State of California’s pursuit of renewable energy resources in our waters follow the same guidelines and standards.

We explicitly ask that Tribes be meaningfully included throughout every stage of offshore wind development. Tribes will require significant support to ensure they have the capacity to participate, including technical support, compensation for involvement, training for staff and Tribal community members, and dedicated Tribal liaisons for all programs and departments working in offshore wind. Collaboration between local, state, and federal entities responsible for facilitating, planning, and implementing offshore wind projects is necessary to reduce the burden of participation on Tribes. Tribes must also be included early and often, *before* key decisions have been made, so that their input can be adequately incorporated into all stages of offshore wind development, including but not limited to planning, siting, surveying, implementing, and decommissioning.

We support offshore wind development as an opportunity to uplift Tribal communities

NCTC has been consulting with BOEM and other agencies about offshore wind for a decade. We have an inherited responsibility to protect our ocean relatives and homes from harm while knowing that renewable energy and ocean conservation are equally important to this protection. Our communities depend on exceptional commercial fishing, phenomenal whale migrations, crucial endangered species, and the viewsheds that represent our collective quality of life. Offshore wind must coexist and cooperate with our local needs, with continuous inclusion of local Tribes in the planning to ensure marine conservation, equity in mitigation measures, and fair community benefits are secured. We see this as an opportunity for a collaborative effort, not a combative one, and believe that by working together both can succeed.

The fall 2023 public comment period for the proposed Chumash Heritage National Marine Sanctuary was the time to tell NOAA exactly what we want and [tens of thousands of people](#) (See Attachment #3) joined us in saying, “Protect the entire Central Coast” and “Offshore wind development must collaborate with ocean protection efforts.” In the face of climate change, it will take creativity to solve the challenge of arising problems, and we know that compromising the health of our ocean—the number one global carbon sink—is not the answer. Responsible renewable energy and ocean conservation are essential in our collective effort to mitigate the climate crisis. The Northern Chumash Tribal Council will remain a steadfast voice advocating for Grandmother Ocean throughout the entirety of this process.

If we work collaboratively, in the true spirit of cooperation and conservation, we believe wind and water will benefit. To quote my father, Fred Collins, “Indigenous peoples have a unique perspective. When incorporated with science, our perspectives highlight Grandmother Ocean’s life and connectivity in a living matrix of thriving.” Let’s make the right choices now so in the future we, and the generations to come, can thrive and prosper together.

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We support the robust and long-term collection of baseline data to understand the impacts on marine ecosystems

Across the board, more planning and preparation is needed before offshore wind development begins. There is a significant need to obtain baseline data about the ecosystems and resident and migratory species in and around the lease areas and transmission corridors. Monitoring should collect long-term, robust data sets that will be publicly accessible. All ecosystems and species are interconnected in a complex relationship that will require intersectional and collaborative work by scientists to even begin to quantify what is in our ocean and how life will be impacted by offshore wind development. Therefore, data sharing is essential to ensure that all research is based on the most current information and considers the intersecting elements that will influence these waters, coasts, wildlife and ecosystems.

The Central Coast is our homeland, home to us and our ocean relatives. Our intrinsic connection to Grandmother Ocean and all her creatures means we have the responsibility to advocate for her because her health is ultimately our health.

I. Background on the Northern Chumash Tribal Council

History of the Chumash People

Our histories begin and end on this coastline. The Central Coast has been home to our Chumash communities since time immemorial. Chumash oral traditions including stories (saq'saqutina'ni) and context with archeological discoveries suggest occupation of the Central Coast area for more than 15,000 years, with an older recorded date at Point Conception, an extremely important Chumash Sacred Place known to Native Americans as the Western Gate, Humqaq.

The Chumash people have been known as the 'Keepers' of the Souls, of the place where all people exit this life into the next on the journey from any other place on the 'turtle island' to the afterlife. Humqaq is an intact natural and cultural landscape and nationally significant archaeological district, widely accepted to be the furthestmost western point in Chumash Heritage homelands jutting out into the Pacific Ocean and towards the setting sun. The spiritual significance of Humqaq is affirmed in contemporary marine science observations of this ecosystem. Located in a dynamic setting where two oceanographic regimes transition, these waters are critical to the sustenance of ecologically and commercially important species and support critical habitat that connects biogeographical species assemblages. This abundance of resources accounts for the richness and cultural complexity of the Chumash Heritage.

Significance of the Ocean to the Chumash People

These ocean waters protect the ancient Chumash villages that lie under the ocean on the submerged lands of San Luis Obispo and Santa Barbara Counties. Our Chumash ancestors were living in villages some three to six miles to the west of current tidal lines and on Point Conception until the ocean submerged the homes of our ancestors. These waters have swelled with the rise and fall of the timeless tides from the last ice age, the age of the mastodon, mammoth, saber tooth tiger, giant sloths, gargantuan grizzly bears, the mega-animal time, the time of the First Peoples. Protecting these submerged ancient Chumash villages is



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necessary to ensure the peaceful resting places of the First Peoples of the Central Coast, our Chumash ancestors.

Dolphins and whales feed throughout the area and in large numbers during the autumn at the Santa Lucia Bank, part of the oceanographic features forming the only year-round Pacific Coast upwelling. White sea bass eat massive schools of squid at the Santa Maria River outlet, and the giant elephant seals bask on the northern beaches. Birds and fish feast on larger bait balls of sardines and mackerel, while peregrine falcons nest on sacred Lisamu (Morro Rock.) Migrating birds from all over the world rest in our waters, incredible kelp forests teeming with life line the spectacular coastline, and nudibranchia sway in the tidal flow. The great white shark and killer whales are on the hunt, salmon, and albacore are swimming deep, and the incredible view is the same as it has been since the First Peoples of the Chumash looked upon its sacred waters over 15,000 years ago.

Chumash Values and Beliefs

We believe that the ocean is Grandmother Ocean, the earth is Mother Earth, and all inhabitants are our Relatives. We are guided by a deep obligation to take care of all Relatives. Natural resource protection is in harmony with our Chumash history of nurturing health and balance with all things. As stewards of the ocean and land, Chumash have been guardians of this region for many thousands of years. It is our legacy to protect coastal resources through our concept of connectivity with all things. We do not want to see offshore wind development repeat the damaging extractive practices of offshore oil and gas development.

A central value of Chumash heritage is “Thrivability,” a balanced and connected understanding of the natural world being practiced by many Indigenous communities worldwide. It is observing, learning and adapting to the interconnections of habitat with the Chumash value of caring for the ecosystems of both ocean and land. To cultivate a prospering and flourishing planet, we must continue to navigate towards a future where people, communities, and ecosystems prosper and are resilient in the face of stresses of coastal urbanization, exploitation of ocean and coastal resources, and the pervasive effects of climate change. Thrivability extends and enhances ecosystem-based management and natural resource protection while celebrating the importance of core Indigenous values. It is a cycle that reinvests energy for future use and stretches resources further. It transcends sustainability by creating an upward spiral of greater possibilities and increasing energy. Each action builds the foundation for new things to be accomplished. Thrivability emerges from the persistent intention to create more value than one consumes. When practiced over time, this builds a world of ever-increasing possibilities.

We are not simply asking for sustainability, where we sustain what we already have; we want Thrivability, a future where we all thrive and flourish.

The Northern Chumash Tribal Council (NCTC)

The Northern Chumash Tribal Council (NCTC) is a California Native American Tribe and non-profit organization in San Luis Obispo County and northern Santa Barbara County. As a leader in local to global advocacy for Indigenous Peoples and environmental justice, we champion opportunities to protect our planet and our communities with Indigenous leadership at the helm. We are champions of environmental justice throughout our work, including cultural heritage protection, Indigenous leadership advocacy,

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incorporating Traditional Ecological Knowledge with Western science, ecological stewardship and restoration, community development, sustainable farming and ranching, and more. NCTC is committed to carrying on this ancestral legacy of stewardship and relational connections with Mother Earth and Grandmother Ocean.

NCTC is the nominator of the first Tribally nominated national marine sanctuary in the United States, the proposed Chumash Heritage National Marine Sanctuary. We collaborate with and mobilize a large network of diverse partners and communities, including Tribes, Indigenous organizations, local community members, scientists, environmental organizations, youth leaders, faith communities, zoos and aquariums, federal, state, and local elected representatives, and more. The Chumash Sanctuary is in the final stretch towards designation, with a mid-2024 estimated designation timeline. The sanctuary's final public comment period concluded in October 2023 with over 100,000 comments and 99% supporting sanctuary designation. Securing sanctuary protection will be an important win in the advancement of environmental justice in the United States' marine protection.

Northern Chumash Tribal Council's History with Offshore Wind

NCTC has consulted with various entities about offshore wind since the preliminary planning and siting phases began around 2014. Late Chief Fred Collins, began consultation early in the process with BOEM and other agencies that had set their sights early on the area around the proposed CHNMS.

Picking up the torch, Chair Violet Sage Walker continued actively advocating for equitable and sustainable offshore wind development throughout NCTC's work. Being a part of the more nuanced conversations and maintaining relationships with the offshore wind sector has proven to be increasingly important as we navigate the intersection of the Chumash Heritage National Marine Sanctuary designation and offshore wind development on the Central Coast of California.

On June 5, 2022, [Chair Violet Sage Walker's op-ed was featured in the LA Times](#) (See Attachment #4) and clarified the opinions of the Northern Chumash Tribal Council on certain offshore wind projects on the Central Coast of California. In early September of 2022, Chair Violet Sage Walker was invited to testify before Congress to share NCTC's perspectives on offshore wind proposals in Morro Bay at the House Committee on Natural Resources, Energy and Mineral Resources Subcommittee Oversight Field Hearing: [Power in the Pacific: Unlocking Offshore Wind Energy for the American West](#) (See Attachment #5). [Chair Walker's testimony](#) (See Attachment #6) emphasized that conservation and renewable energy must be concurrent efforts, because both are essential for our goal of a thriving future. She highlighted that those leading the development of offshore wind must demonstrate a commitment to investing in local communities and uplifting Indigenous voices that are already at the forefront of efforts to protect the ocean. Renewable energy is a necessary step forward, but we must strive for equitable implementation that we will remain proud of for many generations to come.

In September 2022, Chair Walker took part in a State of California High-Level Offshore Wind Study Tour in Scotland and Denmark. The California Energy Commission invited her to join this fact-finding mission designed to educate key California leadership on current offshore wind projects in Europe. This entailed facility tours and discussions with offshore wind stakeholders, developers, and operators on the various components of sustainable, environmental, and equitable offshore wind energy development, including

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manufacturing, infrastructure and workforce development, maintenance, and operation. As NCTC continues consultation on offshore wind proposals off the Central Coast, Chair Walker is grateful to have had this opportunity to learn about the impacts of offshore wind projects in Europe. We continue to encourage offshore wind that is sustainable and equitable as plans move forward. In her November 2022 featured editorial in the San Luis Obispo Tribune, [Chief Walker's op-ed](#) (See Attachment #7) emphasized that offshore wind must be collaborative with ocean and wildlife protection efforts.

Chair Violet Sage Walker attended another offshore wind fact-finding trip on the U.S. East Coast in March of 2023, hosted by [Renewables100 Policy Institute](#) (See Attachment #8) and the California Energy Commission. Chair Walker accompanied other key players in the progression of California offshore wind development, many of whom were also on the European offshore wind tours we embarked on in September 2022. The connections made with the other attendees have remained imperative to NCTC's ongoing work in collaboration between conservation and offshore wind. We met with various entities involved in offshore wind development on the U.S. East Coast and their insight helped us look further into what the future holds for offshore wind development on the U.S. West Coast.

On May 11, 2023, Chair Violet Sage Walker was a featured speaker at the California Coastal Commission's [Informational Briefing On Offshore Wind](#) (See Attachment #9) for their Tribal Perspective and Environmental Justice Perspective session. Chair Walker was invited to be a [keynote](#) (See Attachment #10) speaker at Offshore Wind California's 2023 [Pacific Offshore Wind Summit](#) (See Attachment #11) in Sacramento. This invitation came as a result of her dedication to advocating for equitable and sustainable offshore wind development. Chair Walker delivered her keynote address following Tommy Beaudreau, Deputy Secretary of U.S. Department of the Interior; Liz Klein, Director Bureau of Ocean Energy Management; David Hochschild, Chair of California Energy Commission; and California State Senator John Laird. As development moves forward equitable implementation must be prioritized from the start. This must include meaningful and long-lasting community benefits, mitigation measures, and baseline monitoring of local ecosystems. Tribal consultation and leadership must be prioritized, even in the initial stages, as lease sales move forward.

In the same week as the Pacific Offshore Wind Summit in May 2023, Chair Walker was asked to testify at the California Coastal Commission meeting regarding offshore wind development and meaningful Tribal involvement.

Following the 2023 Pacific Offshore Wind Summit, the Northern Chumash Tribal Council co-hosted with [Brightline Defense](#) (See Attachment #12) a Central Coast Offshore Wind Site Tour for California State agency staff and other California Stakeholders. Chair Walker's travels prior to this event allowed NCTC to share what she had learned about the reality of offshore wind development. Bringing our colleagues to the Central Coast, Chair Walker's homelands and waters, was particularly important to tell the story of our place and its intersectional community. During the tour, NCTC facilitated meetings with local labor, members of the fishing community, environmental organizations, elected officials, businesses, universities, researchers, and Tribes. In order to have a chance at equitable implementation of offshore wind, local stakeholder knowledge must be prioritized. This means putting conservation and marine protections first since they are critically essential to renewable energy development and climate change mitigation.

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This busy process wrapped up with [Chair Walker's op-ed featured in the Capitol Weekly](#) (See Attachment #13), reflecting on her involvement with offshore wind and what the future holds. We know that we, the Northern Chumash Tribal Council, have a responsibility to advocate for all ocean users, including marine wildlife.

II. Background on Chumash Relationship with Central Coast

Chumash Sacred Sites

The Northern Chumash have occupied the Central Coast area for over 15,000 years with recorded dates of 18,000 years at Humqaq (Point Conception) and 14,500 years on the Channel Islands. These waters and lands have been home to us since time immemorial. Chumash Sacred Sites include Humqaq (Point Conception), Lisamu' (Morro Rock), and Tsipxatu (Avila), among others. The significance of these sites are detailed in the sections below.

Humqaq (Point Conception)

The offshore area has a prime, deepwater upwelling that can provide data on unique flora, fauna, fish and migration patterns, as well as an area with historical shipwrecks and ancient offshore cultural sites. Humqaq (Point Conception), Western Gate to our Chumash Peoples, is the area where the coast orientation changes from north-south to east-west. It is the spot where souls leave this world and travel to the afterlife.

At this most sacred of places, in the 1970s and 1980s Chumash and many local Santa Barbara organizations successfully fought and won a battle to stop the development of a proposed liquefied natural gas (LNG) terminal. The plan called for the unloading of one hundred and twenty seven ocean tankers annually from Indonesia and Alaska on this sacred site. The Chumash community was joined by local community members and traditional Indigenous people from across the USA to stop the proposed LNG plant by occupying Humqaq with a peaceful encampment led by spiritual leaders. We are still fighting to protect this site from various new threats and partnering to steward this land.

Lisamu' (Morro Rock)

Lisamu' (Morro Rock) is an International Sacred Site where the Chumash serve as the guardians and caretakers. In 1865, the State of California issued a bounty on Chumash and California Tribes. One hundred thousand Indigenous people were killed over the next fifty years. At the same time, Tribes could not protect their Sacred Sites. In 1889, Lisamu' was mined as a rock quarry to make the breakwater in Chicqawt' (Morro Bay) and Port San Luis, amongst other projects.

The 1960s marked a time of resurgence for people trying to make the world a better place. In 1968, Lisamu' (Morro Rock) was formally classified as California Registered Historical Landmark #821. Native California Tribes brought back lost ceremonies and dances. They taught about balance and the significance of being able to practice our spiritual ceremonies and once again serve as caretakers of Lisamu'.



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The Morro Rock Reunification project started with a consultation from the U.S. Army Corp of Engineers and NCTC on what to do with the rocks originally taken from Lisamu' but now being replaced during the Port San Luis breakwater repair project. "Bring them back" was the late Chief Fred Collins' response. In the summer of 2022, the U.S. Army Corps of Engineers began reclaiming the breakwater stones from Point San Luis to return them to Lisamu'. The following autumn, the stolen stones of Lisamu' were laid to rest just west of Lisamu' in a structure akin to a reef, creating habitat for marine ecosystems.

Tsipxatu (Avila)

Tsipxatu is the traditional Chumash Capital in the area of Avila Beach, now partially covered by sea level rise. Historically, this village was one of the largest in the area, a hub of trade, arts, community, and more. Tsipxatu includes the Sacred Site known as "the cave of the whales." This area is home to various Chumash sacred sites and burials, many of which have been decimated or are under threat from development.

Other sites adjacent to the ocean or submerged sites include but are not limited to: Jalama; two 10,000-year-old sites within Vandenberg Space Force Base, including the "Swordfish Cave," featuring an ancient painting of **Elye'wun**; villages and foraging sites are found near 'Ataxīš (Point Sal); four major Chumash Sacred sites onshore San Luis Bay, of which three are known to have been continuously occupied for at least 9,000 years; Pismu', the site for which the City of Pismo Beach is named; the Chumash Sacred site at Diablo Cove along the coastline of the Pecho Coast dated over 9,000 years; the Chumash Village Sacred site in Los Osos; hundreds of Chumash Sacred sites ringing Chicqawt' (Morro Bay); the Chumash village Sacred site of Tsitxala (Cayucos), continuously occupied for 8,000 years; other large sites found in the area to a mile north of Pt. Estero; two Chumash village Sacred sites in tsitkawayu (Cambria) continuously occupied for 10,000 years; Chumash coastal and submerged sacred site area continues northward to Ragged Point in the Monterey Bay National Marine Sanctuary. These Sacred Sites all require environmental and community protections.

Protection of Sacred Sites Must be a Top Priority

We ask that environmental and community protections be a top priority on land and in the water throughout all stages of planning, surveying, development, implementation, operations, maintenance, and decommissioning of offshore wind activities. The success of offshore wind development is dependent on the success of our ecosystems and communities. We do not want to see our ecosystems and communities put in jeopardy and sacrificed, as we have seen with the vast majority of past energy developments.

Successfully protecting our ecosystems will require a multipronged and consistent approach throughout all stages. It requires an understanding of the preexisting vulnerable, vital, and sacred features and ecosystems in each impacted area, to truly understand the species, ecosystems, and oceanography of each region before large-scale impacts have been introduced. Robust and long-term baseline monitoring measures are needed, prior to any offshore wind development activities begin to truly understand the species, ecosystems, and oceanography of each region before offshore wind activities impact these areas.

This baseline data must be used to provide a deep understanding of the ecosystems and ocean habitats during the planning, siting, and implementation of all infrastructure. This process should include

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avoidance, minimization, and mitigation measures, avoidance of particularly sensitive habitats, on-site and in-water monitoring technologies, schedules that honor the rhythms of the ocean, and more. We want funding for adaptive management plans that can quickly respond to maintenance needs, malfunctioning technology, and unanticipated ecological impacts, among other issues. Every step of the way, we want decision-makers, engineers, leaseholders, agency staff, and everyone involved in every aspect of offshore wind development to be asking: “Is this the best way to do it?”

The Central Coast’s Marine & Coastal Significance

The importance of the Central Coast’s coastal and marine ecosystems is far-reaching. The marine environment provides spirituality, culture, economic benefits, a special sense of place, and so much more to our local coastal communities and visitors. It brings essential direct and indirect economic contributions to the local communities, including fisheries, aquaculture, tourism, recreation, education, and science, as well as being the driving force in dictating our local climate that is essential to our agricultural industries. The Central Coast is celebrated for superb recreational boating, surfing, scuba, snorkeling, kayaking, and fishing. Our ocean and coasts are a classroom for education, outreach, science research, and Indigenous and maritime heritage histories. Recreational fishing is very important to local communities in the area, providing opportunities for small businesses, subsistence harvest of seafood, and related uses. Conservation measures are vital to maintaining thriving recreational and commercial fisheries for generations to come. Central Coast residents deeply value the coastline and ocean for all they contribute to our area. The unsurpassed natural beauty of the Central Coast and its abundant and diverse marine life sets our region apart and contributes to our communities’ quality of life.

Cultural Significance of the Central Coast to Chumash Communities

The cultural value of these waters to the many Chumash communities is also far reaching, including providing sustenance, spirituality, cultural gatherings, recreation, and economic value. Some examples of our Native communities’ activities connected to the ocean include but are not limited to: Cultural ceremonies, community gatherings; spiritual practices; Tomol (traditional canoe) paddling, gatherings and practices; hosting maritime events, such as scuba classes, traditional fishing demonstrations and days, surfing schools, contests, beach clean-ups, prayer circles, long walks; student-led field trips to study intertidal resources; and collection of cultural materials for ceremonies such as feathers, shells, bones, and traditional foods.

Significant Features of the Central Coast

The area encompasses submerged sacred Chumash sites, historic major shipwrecks, a permanent upwelling, Arguello Canyon, seasonal upwellings, the Santa Lucia Bank upthrust block, the Rodriguez Seamount, the Kashtayit State Marine Conservation Area, several California Department of Fish and Wildlife Marine Protected Areas, southernmost sea otter cluster, marine mammals and haul outs, wetlands, rookeries, kelp forests, and other significant nationally and internationally important marine life and marine ecosystems. The unique oceanographic combination of the mile-deep canyon, through which California's and the West Coast's only persistent upwelling flows, the Santa Lucia Bank upthrust block, and the Rodriguez Seamount create the ideal conditions for an internationally and nationally significant diverse density of marine life attracting whales and birds throughout the Pacific Ocean to feed at the Santa

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Lucia Bank. Along the coast are California's largest coastal dunes complex, Gaviota State Park, Jalama Beach County Park, Pismo State Beach, Point Sal State Beach, Oceano Dunes State Beach, Morro Bay National Estuary, Morro Rock State Landmark and Bird Sanctuary, the historic Point San Luis Lighthouse, and Cayucos State Beach. The California Coastal National Monument includes rocks, islands, exposed reefs, and pinnacles along the coastline.

Importance of Central Coast Marine Ecosystems and Species

The importance of these waters in the local, West Coast, and Pacific Ocean ecosystems is cascading. It is an essential habitat for many resident and migratory wildlife species, including a wide range of migratory and local species like seabirds, marine mammals, sea turtles, fishes, and plankton; and contains ecosystems that are vulnerable to climate change, ocean acidification, and current and future extractive/degrading practices. It has deep ecological importance as the zone of headwaters for upwelling that nourishes ecosystems down current and across the Pacific Ocean. The Central Coast is home to a global biodiversity hotspot, a key migration pathway, and a unique ocean current transition zone, so what happens here impacts the entire Pacific Ocean.

The waters and coastline of the Central Coast are home to threatened, endangered, and keystone species as well as rare and vital ecosystems. This stretch of ocean includes Biologically Important Areas for blue whales and humpback whales. It also contains critical rocky intertidal and subtidal habitats for the endangered Black Abalone. The Morro Bay area contains notable concentrations of birds such as Brandt's cormorants, sooty shearwaters, ash-storm petrels and pink-footed shearwaters, and as part of the Pacific Flyway migration route. The current southern sea otter range is from just south of Humqaq (Point Conception) to slightly north of Santa Cruz. A sea otter survey conducted by the California Department of Fish and Game, the U.S. Geological Service, and the Monterey Bay Aquarium places some of the highest counts of otters between Point Sur and Morro Bay. During spawning events, the coastal pelagic species of Pacific sardine, Pacific mackerel, northern anchovy and market squid can be concentrated 10-150 km offshore to the north of Humqaq (Point Conception), leaving it vulnerable to global climate change, changes in upwelling, disruption in food chains, toxic discharge, and other impacts.

The geological shelf break in the Estero Bay area, off of Cayucos, California, is essential for the biodiversity and climate change resilience of the California Current. This unique feature is found in only 7.6% of the world's oceans and yet generates about 15-30% of oceanic primary production. These shelf break waters must be protected from direct and indirect impacts for propagation as climate change drives species range shifts. The seabed floor of much of the Santa Lucia Bank is composed of soft sediments and isolated areas of rocky habitats that are ideal for kelp forest growth nearshore and rocky reefs in deeper waters. The diverse habitats allow for this region to be considered the "Serengeti of the Sea."

The Northern Chumash Tribal Council Supports Strong Protections for Central Coast Ecosystems

The Central Coast's waters hold deep importance to the Northern Chumash Tribal Council. Chumash ancestors have historically been the stewards and guardians of this special area containing historic resources and the cultural heritage of our elders for preservation for our children and grandchildren. Given the critical importance of this area, any future development of these waters must include the highest

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possible level of protection to the broadest range of wildlife, habitats, communities, and cultural resources.

All of us who have influence over the health of our ocean have an obligation to the rest of the world to provide safe passage for all wildlife that travels through our waters, from sea birds and fishes to invertebrates. Protecting our Tribal communities, ecosystems, and local communities must be a requirement and top priority for all entities involved throughout this process.

III. Comments on AB 525 Draft Strategic Plan

Extensive Baseline and Ongoing Monitoring

We greatly appreciate the Draft Strategic Plan's discussion of baseline and monitoring ecosystem surveys in marine and terrestrial ecosystems that will be impacted by offshore wind development. This is an area of significant concern for us, because offshore wind turbines have never been constructed off the U.S. West Coast and data from the U.S. East Coast is not comparable due to significant differences in bathymetry, current, and ecosystem conditions. Therefore, BOEM and California state agencies must coordinate to ensure comprehensive baseline and continuous monitoring, proper siting, and robust environmental review to protect ocean, coastal, Tribal, and community resources.

Traditional Ecological Knowledge

All monitoring should incorporate Traditional Ecological Knowledge (TEK) to inform science and research in the development of the monitoring design and the database implementation. Workforce training and hiring of tribal and underserved community members in these roles must be a priority.

Baseline Monitoring

There is a need for significant baseline monitoring to establish the current state of ecosystems in both the transit corridors and around lease sites. A clear understanding of baseline conditions is required to understand how offshore wind development will affect these ecosystems. To ensure equitable access throughout this process, all data must be made publicly available and collaboratively shared. The free exchange of baseline monitoring data can help ensure that the data is appropriately analyzed. All data should be used to inform management and policy decisions.

Continuous Monitoring

Additionally, continuous monitoring is needed during the construction phase and post-implementation, with mitigation testing prior to implementation. As stated in the Draft Strategic Plan, "more work is necessary to identify the geographically specific impacts and develop strategies to address them as specific plans for the project include effects on upwelling, marine biological resources, coastal resources, Native American people, fisheries, national defense, vessel safety, as well as impacts to underserved communities."



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Avoidance, Minimization, and Mitigation Measures

The construction, operations, and maintenance of offshore wind infrastructure in the lease areas, transmission corridors, and ports are expected to significantly impact the surrounding environments. We are concerned about the direct and indirect impacts on people and ecosystems, the extent of which can be determined by robust baseline and continuous monitoring.

We support doing everything possible to avoid impacting the surrounding environment, however, if impacts are unavoidable, we support minimizing them to the greatest degree possible. If avoiding and minimizing impacts is not possible, we support robust mitigation measures that will ensure the protection of sensitive areas and ecosystems surrounding offshore and onshore infrastructures. Given the many unknowns about the impacts of offshore wind development, we support avoidance, minimization, and mitigation measures that plan for the worst possible impacts.

For example, one minimization measure that we support is vessel speed restrictions, which can reduce the likelihood of wildlife collisions and will reduce greenhouse gas emissions (see the next section for details). We also support the use of novel technology to avoid and minimize impacts on wildlife, such as installing tethered cabling with sensory technology (which must be installed during the initial construction phase) that can alert operators to the presence of entangled marine mammals, and sensors to prevent bird and bat strikes. Additionally, we support the establishment of plans to update and maintain monitoring, avoidance, minimization, and mitigation technologies throughout the working life and decommissioning of all offshore wind infrastructure.

Regulation of vessel activities

Offshore wind development will significantly increase vessel traffic in and around the lease areas, transmission corridors, and associated ports. This increased vessel traffic will result in a commensurate increase in vessel/marine wildlife collisions and air and noise pollution on the Central Coast and throughout California. We support several measures intended to reduce the risk of wildlife collisions and reduce air and noise pollution.

Vessel Speed Reductions

We appreciate the inclusion of a ten-knot speed restriction in the Draft Strategic Plan. We support and recommend vessel speed restrictions for all large ships associated with offshore wind development, including but not limited to, surveying, construction, operations, maintenance, and decommissioning activities. This ten-knot speed limit should be mandatory, which will help protect marine mammals, sea turtles and other marine species. Additionally, a speed limit would also greatly reduce noise and air pollution, and reduce the risk of collisions, protecting human lives.

Clean-Burning Fuels

We suggest that all commercial vessels associated with offshore wind development be required (or incentivized) to use cleaner-burning fuels, similar to the requirements within twenty-four nautical miles off the coast of California. Cleaner-burning fuels will reduce both air and water pollution.



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Restrictions During Migration and Pupping Seasons

We support restricting construction and vessel traffic in sensitive areas during migration and pupping seasons to reduce the likelihood of adverse impacts to species and ecosystems at vulnerable times.

On-Vessel Observers

We support and commend the discussion of on-vessel observers in the Draft Strategic Plan. We ask that on-vessel observers be required on commercial vessels engaging in every step of offshore wind development and decommissioning. Most importantly, we support the inclusion of Tribal monitors as part of Tribal consultation and cultural resource management.

Use of Antifouling Agents

We do not support the use of antifouling agents that are known to cause harm to the marine environment. Antifouling agents used to hinder marine growth on mooring structures contain biocides designed to prevent marine growth. They have documented negative effects on non-target species. Corrosion protection measures are a direct source of chemical emissions, and they release large amounts of bisphenol A, which also affects the marine environment, including species behavior, toxicity, and biological impacts. Higher levels of zinc and cadmium in the tissues of mussels sampled near offshore gas platforms suggest that galvanic anode corrosion might be the source of metal accumulation in mussels.

Ocean Debris and Derelict Gear Retrieval and Prevention

We appreciate the inclusion of incentives for derelict gear retrieval and potential funding to support the future prevention of lost gear. It is important to take advantage of new technologies that can reduce gear loss, such as the commercial crab fisheries' adoption of ropeless gear. In addition to taking steps to prevent gear loss, we also recommend the implementation of mitigation measures for potential marine debris falling off ships and to support local marine mammal rescue organizations, training and expansion during the community benefits process.

Prevention and Response to Introduced/Invasive Species

Increased ship traffic and environmental stressors brought by offshore wind development have the potential to bring new introduced/invasive species and/or create conditions where preexisting introduced/invasive species expand their range and impact. For example, introduced species have been discovered in Central Coast waters, including two kelp species, *Undaria pinnatifida* and *Sargassum horneri*. Funding for local programs and training community members can help with the early detection of invasive species and the restoration of native ones, and can boost the ability to respond to costly negative impacts of invasive species on the health of our ecosystems.

As offshore wind development progresses, there should be an action plan in response to new sightings of introduced species caused by offshore wind vessels, including measures to contain and limit the spread of introduced species. The action plan should include identified resources to implement the plan. Additionally, baseline monitoring should be used to further identify ranges of pre-existing introduced species and to continue to monitor the spread and potential introduction of new species.

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Prohibit/Disincentivise Seismic testing

We do not support the use of seismic surveys during any phase of offshore wind development. Marine anthropogenic noise can impact an animal's ability to utilize its full acoustic range, decreasing its fitness and chances for survival. The effects of anthropogenic noise range from disturbance that leads to displacement from feeding or mating areas, tissue trauma, auditory damage, and mortality. The lease areas and transmission corridors are home to marine mammals, cetaceans, and invertebrates that are known to be affected by seismic testing.

Community Benefits and Workforce Engagement

Responsible offshore wind development can provide tangible benefits to local communities by improving public health, community services, and economic resiliency. Additionally, it can benefit those most impacted by the historical inequities of extractive industries (such as oil and gas) by providing employment opportunities, as well as those most affected by climate change impacts by providing opportunities to engage in the renewable energy industry. Offshore wind development must ensure that local communities reap the benefits of this new industry, and that historically disadvantaged communities do not bear a disproportionate burden of the environmental impacts. However, this provides an opportunity to prioritize environmental justice issues, and early and consistent engagement with impacted Tribal and local communities will allow for meaningful collaboration throughout the planning, development, and implementation process.

Workforce Agreements

Community Benefit Agreements (CBAs), Tribal Community Benefit Agreements (TCBAs), Project Labor Agreements (PLAs), and Memoranda of Understanding can ensure that the economic and environmental benefits of offshore wind remain in the projects' host communities and provide opportunities for substantive environmental justice. These agreements can be used to establish community development funds, promote training and/or hiring of local residents, establish percentage goals to use local suppliers, encourage the construction of new facilities, stimulate the use of green building techniques, and establish job training centers.

We support the establishment of CBAs that prioritize the health, safety, and well-being of local Tribal and frontline communities, and which are binding and enforceable. These communities cannot rely on voluntary promises.

Prioritize workforce development in local and historically marginalized communities

The direct, indirect, and induced benefits of offshore wind development should go to local communities that are the first impacted, especially those that have been historically marginalized. There are several ways to build capacity in these communities, including increasing community education and outreach programs, holding public and accessible workshops, and offering technical assistance and training for displaced fishing industry workers, students, and local, small businesses.



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Workforce development should include culturally sensitive training for staff working on offshore wind. Training through local colleges and union training programs are important to help uplift local schools and economies while training local people to help fill these jobs. Investing in local training, workforce and hiring opportunities with schools and universities and prioritizing the local marginalized communities as well as targeting recruitment and hiring of tribal, disadvantaged, and local workers will sustain and grow the local economy.

Prioritize housing security, socio-economic health, and public health in frontline communities

Not only does the extraction and combustion of fossil fuels cause significant ecological damage to land, water, and air but they also create health and safety hazards in Black, Brown, Indigenous, and low-income communities in areas with dangerous levels of industrial pollution, including the workers employed in these industries.

Underserved frontline communities contend with air and water pollution, low wages, and a lack of job opportunities and affordable housing. Therefore, it is important to ensure affordable housing for frontline communities, especially those working to support offshore wind development. Contracting with local Tribes for cultural and environmental monitoring before, during, and after the construction of offshore wind projects, ports, and coastal infrastructure development will enhance the socio-economic health and stability of our Tribal and underserved communities and help build capacity for resilience as offshore wind progresses.

IV. NCTC Opposes the CADEMO Offshore Wind Project

We support responsibly sited, constructed, and operated floating offshore wind power, and part of ensuring that offshore wind energy is developed responsibly is stopping poorly sited and dangerous offshore wind projects from moving forward. Not all offshore wind proposals are created equally, and projects that do not pass stringent requirements for proper siting, ecosystem and community protections, and viability for long-term use should not be permitted. Allowing only offshore wind projects with a clear plan for responsible development will help establish trust with local communities, and will send a clear message that offshore wind development is moving forward with high standards and the wellbeing of people and ecosystems in mind.

The proposed CADEMO project off of Vandenberg Space Force Base raises many environmental and permitting-process concerns. The project is irresponsibly sited in an extremely biodiverse location and would have significant negative impacts on the surrounding environment. This project currently does not reflect leasing, siting, and permitting decisions that are guided by robust planning, Traditional Ecological Knowledge, and comprehensive scientific research on the potential impacts to sensitive marine ecosystems and resources. This project is sited in nearshore waters of known significant ecological importance, which practically guarantees the likelihood of significant ecosystem harm to a biodiverse and vulnerable stretch of water that is an essential transition zone of the Pacific Ocean. These waters are significant to migration pathways, feeding grounds, important ecosystems and fisheries. Its nearshore placement will increase the likelihood and frequency of bird strikes and will not provide adequate testing of offshore conditions.

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The proposed CADEMO project is also right off Humqaq, Point Conception, the Western Gate where souls travel from this life to the afterlife. Humqaq is an extremely important sacred Chumash site that our ancestors have fought to protect for centuries. The wildlife, the ecosystems, the viewshed, and this stretch of water hold deep significance spanning tens of thousands of years. It is essential to protect this site from harm.

The Northern Chumash Tribal Council opposes the implementation of the CADEMO Vandenberg OSW project. We ask that the State of California not permit this project and set a precedent for higher quality requirements for offshore wind projects.

Sincerely,

Violet Sage Walker

Chairwoman, Northern Chumash Tribal Council

Attachments

Attachment #1 - The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly in September 2007. This established a universal framework for minimum standards in regard to survival, dignity and well-being for all Indigenous peoples. The Declaration remains the most comprehensive international tool for maintaining the rights of Indigenous peoples today.

Attachment #2 - SLO Coast Journal entry by the late Chief Fred Collins. The Northern Chumash Tribal Council was involved in the implementation of UNDRIP in 2007. NCTC provided San Luis Obispo County with an UNDRIP resolution that was passed by the county. This made SLO the first ever county in the US to officially endorse the UNDRIP, marking the beginning of Indigenous peoples of the World standing in unity for equal rights.

Attachment #3 - Over 100,000 comments were submitted in support of the proposed Chumash Heritage National Marine Sanctuary (CHNMS) during the 60-day comment period. This final public comment period began in late August with the release of the Chumash Sanctuary's Draft Management Plan, Draft Environmental Impact Statement, and Draft Proposed Rule, and closed on October 25th 2023.

Attachment #4 - Chair Violet Sage Walker's op-ed featured in the LA Times. *Letters to the Editor: Let Indigenous people speak for ourselves on climate change.* Indigenous people must speak for themselves on matters concerning management of land and waters.

Attachment #5 - US House of Representatives Committee Repository. Field Hearing: Power in the Pacific: Unlocking Offshore Wind Energy for the American West. Witness list and hearing record.

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Attachment #6 - Youtube video attachment of Chair Violet Sage Walker's testimony at Power in the Pacific: Unlocking Offshore Wind Energy for the American West.

https://www.youtube.com/watch?v=mJwWAj22_eI&t=5127s

Attachment #7 - Chair Violet Sage Walker's op-ed featured in The SLO Tribune. *Offshore wind development should be collaborative - not combative*. NCTC advocates for marine conservation, equitable mitigation measures and fair community benefits.

Attachment #8 - Renewables100 Policy Institute webpage. <https://renewables100.org/>

Attachment #9 - Informational Briefing on Offshore Wind Agenda from State of California Natural Resource Agency, California Coastal Commission hearing on May 11th, 2023.

Attachment #10 - Video attachment of Chief Violet Sage Walker's keynote address from the 2023 Pacific Offshore Wind Summit. https://drive.google.com/file/d/1h_OAMFGCiWxnIQMGzmAPY5_PZisetrGQ/view

Attachment #11 - 2023 Pacific Offshore Wind Summit highlights from Offshore Wind California. Including highlights of keynote addresses, panel discussions, and summit news.

Attachment #12 - Brightline Defense webpage. <https://www.brightlinedefense.org/>

Attachment #13 - Chair Violet Sage Walker's op-ed featured on Capitol Weekly. *Thanks to Tribal partnerships, California can lead the world on offshore wind*. California is preparing to have offshore wind power at an unprecedented scale.