



2024 Midyear Convention Canyonville, Oregon

RESOLUTION #2024 – 24

“IMMEDIATE ACTION TO EXTEND COMMENT PERIOD TIMELINES FROM 30-DAYS TO 90-DAYS”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, the federal government has moral and legal trust and treaty obligations to meaningfully consult with tribal nations, appropriately seek prior and informed consent, and protect tribal nations’ natural, environmental, and cultural resources; and

WHEREAS, ATNI member Tribes have demonstrated leadership in clean energy developments and understand the importance of renewable energy and the preservation and restoration of our climate, and the importance of completing the necessary due diligence to

ensure preventable harm is avoided; and

WHEREAS, the federal government must provide the necessary funds and technical assistance required for Tribal Nations to meaningfully participate in reviews of infrastructure projects subject to Section 106 of the National Historic Preservation Act and the National Environmental Policy Act, which includes offshore wind projects; and

WHEREAS, President Biden’s executive actions to address climate change have accelerated efforts to develop and produce offshore wind projects off the coast(s) of the Gulf of Maine, the Atlantic, Gulf of Mexico, and the Pacific regions of the United States; and

WHEREAS, the persistent, aggressive permitting schedules for offshore wind projects have placed overwhelming administrative and financial burdens on our member Tribal Nations, causing undue stress, hardship, and use of vital Tribal personnel time and resources; and

WHEREAS, ATNI member Tribes are increasingly concerned about the impacts of offshore wind projects on Tribal communities, culture, heritage, sovereignty, sacred sites, and submerged cultural resources; and on our natural resources, including active seismic area impacts and environmental impacts to our water, fish, lands, and any and all species, in particular, migratory species; and

WHEREAS, non-Tribal entities have not provided clear and transparent communications regarding the data they have gathered as it relates to long-time standing offshore wind projects and have not shared that data, if it exists; and

WHEREAS, offshore wind project developments will impact all ATNI member Tribes, and the issue is of utmost importance to all ATNI member Tribes; and

WHEREAS, Tribal governments, including Tribal Historic Preservation Offices, continue to be understaffed, underserved, and have extremely limited resources, making them unable to meet the growing Tribal consultation demands and unreasonable deadlines; and

WHEREAS, Tribes have experienced challenges in getting proper independent analyses required to understand potential impacts of these wind energy projects; and

WHEREAS, non-Tribal entities claiming to assuage Tribes’ lack of capacity and provide access to analyses have suggested third parties that are not impartial, not vetted by Tribal entities, not Tribally-led or staffed, and not contracted with as a result of a thorough and shared decision-making process with Tribes; and

WHEREAS, Tribal Nations continue to express concerns regarding unreasonable timelines, capacity limitations, and lack of resources, which will potentially be exacerbated by additional entities required to meaningfully consult with tribes, such as industry contractors and subcontractors; and

WHEREAS, meaningful government-to-government consultation with Tribes is required and should not be replaced, relinquished, and/or superseded by requirements for additional consultations, such as may be the case with industry contractors and subcontractors; and

WHEREAS, attempts at partnership and consultation by Tribes have lacked transparency and clear answers to Tribal concerns and questions; and

WHEREAS, tribal nations and ATNI have repeatedly requested meaningful government-to-government consultations in accordance with Tribal sovereignty and the Federal Trust Responsibility, and have continued to experience challenges in this regard; and

WHEREAS, Tribal governments have a unique governance structure and rely on Tribal Council meetings that must consider all issues impacting Tribal members and that which may occur monthly or less frequently; and

WHEREAS, non-Tribal entities often have competing, conflicting, and/or duplicative deadlines for Tribes to act on and have often not proactively coordinated their deadlines with one another or even within one department; and

WHEREAS, tribal nations and ATNI have repeatedly requested extensions for public comment period deadlines, and governmental entities have been non-responsive to our requests; and

WHEREAS, meaningful engagement in this area stands to benefit all ATNI member Tribes and all non-Tribal entities in an effort toward protecting and restoring our environment and reducing the impact of our actions on our climate, creating a better climate and environment for future generations; now

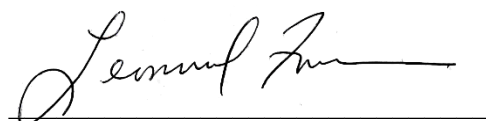
THEREFORE, BE IT RESOLVED, that non-Tribal entities consider the totality of circumstances that impact Tribes when enacting deadlines and make a plan alongside Tribes that will result in consistent, meaningful two-way, government-to-government engagement and consultation with Tribes; and

BE IT FURTHER RESOLVED, that public comment periods on issues pertaining to Tribes be extended to no less than 90 days from 30 days at present; and

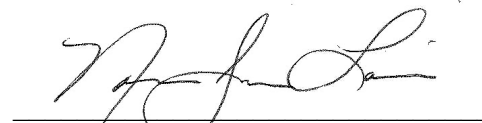
BE IT FINALLY RESOLVED, that this resolution shall be the policy of ATNI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted at the 2024 Midyear Convention of the Affiliated Tribes of Northwest Indians, held at the Seven Feathers Casino in Canyonville, OR, May 19 – May 23, with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary