



**2024 Annual Convention
Ridgefield, Washington**

RESOLUTION #2024 – 46

**“ADVOCATING FOR TRIBAL NATION RIGHTS TO BE FULLY
INCORPORATED IN THE OFFSHORE WIND DEVELOPMENT
PROCESS”**

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 natural, 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, under Section 106 of the National Historic Preservation Act and other statutes, the United States Government has a legal obligation to consult with Tribal Nations on any activities that may affect their sacred sites lands, waters, Indigenous and Treaty Rights including sustenance, subsistence, commercial and traditional resources or other areas to which Tribes may attach cultural significance; and

WHEREAS, the federal commitment to Tribal consultation is rooted in a series of legislative mandates and executive orders that acknowledge the sovereign status of Tribal Nations and the necessity of Tribal input in projects affecting their lands, waters, and resources by the Biden administration through Memoranda and Executive Orders that direct and set out standards for Tribal Consultation in January 26, 2021, (“Tribal Consultation and Strengthening Nation-to Nation Relationships”) in order to implement Executive Order 13175, (Consultation and Coordination with Indian Tribal Governments) and November 30, 2022, (“Uniform Standards for Tribal Consultation”) and Secretarial Order 3403, (“Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters”); and

WHEREAS, the federal commitments by the Biden administration requires federal agencies to engage in meaningful and ongoing dialogue which includes but is not limited to multiple consultations with Tribal governments, ensuring that Tribal voices are heard and respected in decision-making processes; and

WHEREAS, on December 1, 2022, President Biden issued a Memorandum entitled “Implementation of Guidance for Federal Departments and Agencies on Indigenous Knowledge,” requiring all agencies to integrate Indigenous Knowledge as evidence in federal decision making; and

WHEREAS, if federal and state decision making processes such as the “Endangered Species Act” (ESA), and the “Magnuson-Stevens Act” (FCMA) require policy decisions to use best available science as a core tenant, then offshore wind development process should utilize this standard as well; and

WHEREAS, the wind turbine structures are novel to this marine environment including wind energy areas with depths that have never been constructed in before which will require anchorage and engineering that have not been designed yet and we cannot understand the unknown environmental impacts of these novel wind turbine structures to the marine areas that ATNI member Tribes have stewarded since time immemorial; and

WHEREAS, because of the potential unknown environmental impacts, ATNI Member Tribes advocate or effects of the proposed offshore wind projects, there is a strong possibility of cumulative impacts to already known negative impacts to marine environment, natural and cultural resources; and

WHEREAS, the potential unknown environmental impacts that may result from each of the proposed offshore wind sites and resource extraction projects in traditional, cultural, and/or ceremonial areas may result in cumulative impacts to our marine environment, natural and cultural resources; and

WHEREAS, the Biden administration has acknowledged the essential importance of co-stewardship of traditional tribal lands, waters and resources, as acknowledged before the NCAI General Assembly in a February, 2023, speech by Brian Newland, Assistant Secretary for Indian Affairs; and

WHEREAS, Tribal Consultation must incorporate the Biden Administration's own guidance, governing full and informed consultation, including facilitating Tribal co-stewardship of traditional lands, waters, Indigenous and Treaty Rights including sustenance, subsistence, commercial and traditional resources and incorporating Traditional Indigenous Knowledge in Agency decision-making; and

WHEREAS, the risk of significant harm to Tribal Nations, their people, their cultural and sacred sites, and their lands increase when the United States fails to conduct the required full and informed Tribal consultation that incorporates the Administration's own policies when making decisions impacting Tribal Nations and their land; and

WHEREAS, the United States, through its agencies including but not limited to the Department of the Interior, Bureau of Ocean Energy Management, Department of Commerce and Department of Energy, in pursuit of expedited development of Offshore Wind Projects, has, in violation of its own policies, directives and guidance, disregarded all such consultation policies, their intent and directives intended to protect Tribal interests in their Sacred Sites, Ceremonial Sites, lands, waters and resources, and has implemented policies that accelerate the development of projects, over numerous and repeated Tribal objections, threatening Sacred Sites, Ceremonial Sites, traditional lands, waters, resources, and the wildlife essential to the continued relationship of Tribal Communities with their lands, waters, Indigenous and Treaty Rights including sustenance, subsistence, commercial and traditional resources, and environment; and

WHEREAS, the Affiliated Tribes of Northwest Indians, in Resolution #2022-39, urged the Department of the Interior and its Bureau of Ocean Energy Management to halt all scoping and permitting of offshore wind projects until a procedure to protect Tribal spiritual, traditional, cultural, environmental, and sovereign interests could be developed and implemented; and

WHEREAS, the Affiliated Tribes of Northwest Indians, in Resolution #2022-39, and the National Congress of American Indians, in Resolution #ECWS-23-005, also urged the Department of the Interior and its Bureau of Ocean Energy Management to halt all scoping and permitting of offshore wind projects until a procedure to protect Tribal spiritual, traditional, cultural, environmental, and sovereign interests could be developed and implemented; and

WHEREAS, despite repeated requests from NCAI Member Tribal Nations, the Department of the Interior has not formally responded to the requests of the affected Tribal Nations, the ATNI Resolution #2022-39, or the NCAI Resolution #ECWS-23-005; and

WHEREAS, the Department of the Interior failed to adopt a moratorium, declined to halt scoping and permitting, failed to develop or implement a process to protect Tribal environmental and sovereign interests; and

WHEREAS, the permitting of offshore wind projects has accelerated in recent months and through the Fast 41 process, over Tribal objections; and

WHEREAS, the United States Government is further expanding its proposals for offshore wind development throughout the waters of the United States, without regard to Tribal objections, concerns, interests, or input; and

WHEREAS, in response to Tribal objections, the Government Accountability Office (“GAO”) is conducting an Inquiry into the Tribal consultation process associated with offshore wind development; and

WHEREAS, protecting Tribal interests from harms posed by offshore wind projects may require extraordinary relief through Congress or the courts; now

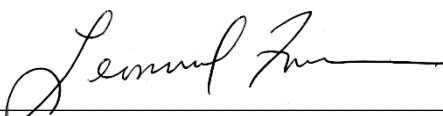
THEREFORE, BE IT RESOLVED, that ATNI supports the efforts of Tribal Nations seeking to protect their citizens, Sacred Sites, Ceremonial Sites, lands, waters, and Indigenous and Treaty Rights including sustenance, subsistence, commercial and traditional resources from the devastating harms caused by the United States’ unilateral imposition of the siting of offshore wind and resource extraction projects in traditional, cultural, and/or ceremonial areas; and

BE IT FURTHER RESOLVED, that ATNI acknowledges the need for legislative and or litigation efforts to require that all impacted Tribal interests be fully incorporated in the decision-making governing development of offshore wind projects and resource extraction projects and their associated components consistent with the U.S. Government to Government Trust obligations and policies; and

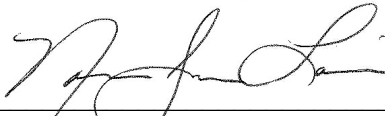
BE IT FINALLY RESOLVED, that this resolution shall be the policy of ATNI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted at the 2024 Annual Convention of the Affiliated Tribes of the Northwest Indians, held at ilani Casino Resort, Ridgefield, Washington on September 29 – October 3, 2024 with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary