



2016 Winter Convention Suquamish, Washington

RESOLUTION #16 - 05

"REQUEST FOR TRIBAL REPRESENTATION OF THE WASHINGTON STATE ENERGY FACILITY SITE EVALUATION COUNCIL"

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 to 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 the ATNI; and

WHEREAS, the Energy Facility Site Evaluation Council (EFSEC) for Washington State is the oversight regulatory authority for the siting, construction, operation, and decommissioning of certain large-scale energy projects; and

WHEREAS, the types of energy facilities under EFSEC authority include Thermal Electrical Generation, Alternative Energy Electrical Generation, Pipelines, Electrical Transmission Lines, Petroleum Refineries, Petroleum Storage; and

WHEREAS, EFSEC also conducts adjudicative proceedings to allow applicants and opponents to present information to support their case concerning proposed large-scale energy projects; and

WHEREAS, EFSEC is a Washington State Board comprised of a Chairman appointed by the Governor and representatives from five State Agencies; and

WHEREAS, the Council is augmented by representatives from the particular counties, cities, or port districts where potential projects may be located, as well as additional state agencies that can opt-in to the review of a new proposal; and

WHEREAS, tribes should also be listed as an eligible entity to serve on EFSEC, when there is expanded representation of other governing authorities; and

WHEREAS, the health and welfare of our people and the water, air, land and sacred first foods we rely upon continue to be at risk due to proposed new developments that are subject to processes and eventual recommendations from EFSEC; and

WHEREAS, through the Centennial Accord, treaties, statutes, executive orders, judicial decisions, and other means, Washington State has a unique legal and political obligation with tribes that calls for meaningful consultation and collaboration concerning proposals and processes brought forward to EFSEC that are of concern to tribes; and

WHEREAS, there is significant overlap in jurisdictions and potential impacts between states and tribes when it comes to natural resources management concerns; and

WHEREAS, it is not uncommon to have tribal representation on Washington State Governed Boards and Committees (i.e. WA State Salmon Recovery Funding Board); and

WHEREAS, progress in that area is countermanded by continuing co-management disparity between tribes and state's other areas; and

WHEREAS, appropriate representation of tribes on the EFSEC board during project review continues to fall short; now

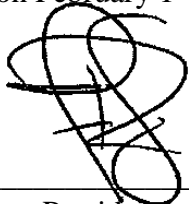
THEREFORE BE IT RESOLVED, that ATNI does hereby call upon the State of Washington and the Governor to take immediate action to address this shortfall, including to: (a) review with tribes the adequacy of tribal representation on all State Boards and Committees; (b) request a review by the Washington State Attorney General of legal authorities that mandate or would encourage the expansion of tribal representation on state boards and committees; and (c) ensure immediate outreach by the Governor's office to tribes with treaty or aboriginal rights that

may be affected by projects requiring the Governor’s review, prior to closing the public record of decision on project applications, to ensure appropriate consultation; and

BE IT FINALLY RESOLVED, that ATNI does hereby call upon the State of Washington and its Governor to immediately work with tribes on rectifying concerns by including appropriate tribal representation on the Energy Facility Site Evaluation Council.

CERTIFICATION

The foregoing resolution was adopted at the 2016 Winter Convention of the Affiliated Tribes of Northwest Indians, held at the Suquamish Clearwater Casino Resort in Suquamish, Washington February 1-4, 2016, with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary