



Cultural & Heritage Committee Report Summary

This committee report is a record of what transpired and was accomplished during your time together at the USET meetings.

- Impact Week Meeting
- Joint Collaboration
- Mid-Year Meeting
- Annual Meeting

This Report is due Tuesday, 1:00 pm in the USET office, unless otherwise specified.

Tribal Nations represented: Mashpee Wampanoag, Wampanoag Tribe of Gay Head (Aquinnah) Mohegan Tribe, Poarch Band of Creek Indians, Seminole Tribe, Mashantucket (Western) Pequot

Committee Members in attendance: Seven

<i>Topics Discussed Highlights from Meetings</i>	<i>Outcomes / Any Decisions Made* see directions below</i>	<i>Next Steps / Action Items / Responsible Party* see directions below</i>
<p>DAY 1</p> <p>C&H meeting Called to Order at 1:40 pm.</p> <p>Sign in Sheet was distributed</p> <p>Contact Sheet was distributed to update the master C&H contact list.</p> <p>IW agenda was approved.</p> <p>Discussions:</p> <p>* Confusion of the annual 2022 meeting. C&H agenda submitted late resulting in cancellation of C&H committee annual meeting. low attendance attributed to not knowing if C&H was meeting and no visible agenda.</p>	<p>C&H participation needs to increase.</p> <p>Agenda will need to be distributed much earlier so tribes can decide on whether to attend or not.</p>	<p>Members will advocate in their local regions to get existing committee members to engage and new members to consider serving.</p> <p>Existing committee members committed to also trying to get more participation by members to contribute ideas towards the next agenda earlier. The will of the committee and the various issues which need to be addressed need to make it into all agendas. Suggestion to hold periodic zoom calls with committee to engage with each other and elevate items to be addressed through future agendas.</p>

*** Committee briefly reviewed a USET draft resolution seeking USET board support for a Moratorium on the Agency's Offshore Wind Scoping and Permitting process.**

Suggested recommendation from the committee to add additional language reflective of President Biden's direction to federal agency leadership to *"recognize Indigenous Traditional Ecological Knowledge (ITEK) scientific, technical, social, and economic advancements of the United States and to our collective understanding of the natural world."* This direction to federal agency leadership is to implement ITEK with equal weight to that of science.

References to all of President Biden's memorandum and direction shall be included in a revised draft, and will be circulated among the committee members for any additional comments or language suggestions. The draft will be submitted for consideration by the full USET BOD at the November meeting.

*** Carly Griffith Hotvedt, associate director of the Indigenous Food and Agriculture initiative addressed the committee with methods tribes can consider for implementing Tribal Food Codes on and off tribal trust lands.**

The information provided informed the committee how tribes may develop their own food codes and food handling on their tribal lands, and develop strategies for working with tribal members and the surrounding communities. This was an informational meeting for committee members to take back to their tribes.

Contact information was provided so that committee members and their tribes can follow up with Carly's organization. Copies of her slide presentation will be distributed to C&H committee members.

Christine Harada, the executive director of the Federal Permitting Improvement Steering Council.

Topics of discussion included:

a.) The Agencies Permitting Dashboard.

b.) challenges with timing and permitting review process for tribes with the Offshore Wind (OSW)

c.) cooperating federal agencies vs. implementing a "Tribal Participation Agreement."

d.) Section 106 reviews & NEPA reviews, and the newly implemented "Combined" NEPA/106 streamlined process.

e.) Opportunities and qualifications for tribes to access the Environmental Review Improvement Fund (ERIF)

f.) Definition of FAST-41, and the federal sectors it covers.

This was an informational presentation for committee members to introduce them to the Permitting agency, and what infrastructure project funding opportunities there are for tribes.

Individual Committee members will continue dialog with Christine Harada and the FPISC agency. The slides presentation will be distributed to all committee members.

<p>Closed Discussion Topic: Attendance to Tuesday Morning BOD & Should Committee Vote be tabled?</p> <p>Please Note:</p> <p>Committee members noted that during the Monday night Gala, Alcohol was being served next to the host drum group.</p> <p>Please Note:</p> <p>Supplemental Notes are attached</p>	<p>Cultural and Heritage committee was provided an opportunity to attend the morning BOD session on Offshore wind. These were supplemental speakers to the Bureau of Ocean Energy Management's planned presentation to the Cultural and Heritage committee at 1:30 pm Tuesday session.</p> <p>It is the desire of the Cultural and Heritage committee to ensure that there is respect to refrain from a layout which puts alcohol in close proximity to cultural practices.</p>	<p>The Cultural and Heritage Committee has decided to postpone its regular election which was originally scheduled for 8:30 am Tuesday, February 7th. The committee will need to convene at the November Annual meeting to hold its vote. There was also the discussion surrounding possibly convening at the mid-meeting conference under a special request.</p> <p>Cultural and Heritage committee members are open to consulting with USET leaders in planning future events. Cultural and Heritage seeks to influence planning to include and respect cultural practices at future USET events</p>
<p>DAY 2 - AM</p>		
<p>DAY 2 - PM</p>		

DAY 3 - AM		

***Next Steps / Action Items / Responsible Party** (ie: Resolution for submission to Board [Draft resolutions submitted after the deadline are only eligible for consideration at the authorization of the USET SPF Executive Officers Committee (EOC) if: (1) the resolution addresses an emergency, an issue that was not known before the deadline, or for other good cause; and (2) the EOC, at its discretion, agrees to consider the resolution. Whenever possible, late resolutions will be directed to Committee(s) of Jurisdiction prior to USET SPF BOD consideration.]; consultation session scheduled; listening session in works; future/upcoming meetings to be aware of; comments / testimony required – SPF involvement; add to best practices, request special meeting; any motions carried, are there policy implications for USET SPF involvement, etc.)

Impact Week – Did you visit the HILL? Yes No

Annual Meeting – Did you Tour the Host Tribal Nation? Yes No

OTHER Business

At A Glance Agenda Items
for Next Meeting

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Were Elections Held? YES NO

Chair

Vice Chair

Secretary

Date: _____

Prepared by: _____

Committee met under the direction of Chairperson: _____

WELCOME AND INTRODUCTIONS

Chair had an issue with frozen pipe so vice-chair ran the meeting

Discussion regarding the possibility of attending tomorrow's meeting with the Board

Attendees

SEMINOLE

PORCH CREEK

SENECA

MOHEGAN

WAMOANOAG Mashpee

MASHANTUCKET PEQUOT

WAMPANOAG Aquinnah

Discussion about the confusion of the annual 2022 meeting.

C&H was not listed so tribes did not think the committee was meeting

Agenda needs to be distributed earlier so tribes can make a decision on whether to attend or not.

Attendance sheet and contact list passed around

Prepared resolution: David Weeden motioned to accept the resolution and seconded by Bettina Washington. Discussion ensued

Tina Osceola suggested adding the presidential memorandums to the body of the resolution.

Implementation of Guidance for Federal Departments and agencies on Indigenous Knowledge nov 2022 – memorandum was read to committee

ViceChair asked how tribes feel federal agencies receive indigenous knowledge

T.O. gave instances of working with ACOE and NP getting incremental increases

Michael read the statement from BOEM about "scientific data" – given th results we have experienced, our knowledge is listened to but not applied because it's not scientific

Michael plans to resend the resolution so committee members can comment or make revisions

First presenter – Indigenous Food and Agriculture Initiative (IFAI)
collaboration with University of Arkansas

to help tribes develop their own codes regarding foods and food handling on their tribal lands, working with tribal members and the surrounding communities

Enhance Health and wellness tribal community

www.tribalfoodcode.com

www.indigenousfoodandag.com to find all of IFAI's resources online

IFAI is a founding member of the Native Farm Bill Coalition

Farm Bill provides the largest amount of money to Indian country. Our voices need to be heard

Carly Griffith
Hotvedt (J.D.,M.P.A.) hodvedt@uark.edu director

Steph Courtney – Climate Resilience look for upcoming emails

Understanding the Federal Permitting Dashboard and Intro to FAST-41
(FPISC)

Christine Harada – Ex. Dir.
Poqueen Rivera, Ex. Assistant

Made up of federal personnel 16 agencies – usually deputy level sr. level making decisions on environmental quality

Issue? – because BOEM is the lead agency, all the other agencies decisions fall under BOEM rather than consultation with the tribes directly.

(Why are the tribes listed after everyone else when it comes to money on one of the slides?
If this is the slide they use for teaching, it would show the tribes come last.)

Discussion on many issues

– the capacity issue, survey, time tables, lack of PROG AGREE, etc., etc.

Christine is willing to meet with tribes individually and it would be beneficial if not each tribe individually, tribes within the same area (NE, SE, mid-Atlantic) meet with her.

Environmental review improvement fund (ERIF) (feds, tribal, state and local gov's eligible)

www.permitting.gov

FAST.Fortyzone@fpisc.gov

It is the consensus of the committee to push back the elections of officers until the annual meeting. We encouraged the other tribes to attend and reach out and learn from us about the industrial wind program.

C&H will meet with the board on Tuesday morning to listen to the sessions with Culture Heritage Partners and FPSIC and BOEM, then return to the breakout session room.

Motion to adjourn Ms. Marie
Seconded by Bettina

USET Impact Week: Day 1 – 2/6/23

USET Culture and Heritage Committee Meeting Notes:

- In reference to the updates desired by the committee for the reviewed draft resolution on off-shore wind, I recorded the following notes regarding proposed updates:
 - ADD: Where as
 - Cite the executive order on including indigenous knowledge in federal processes for agencies.
 - ADD: Where as
 - Cite the first memo on including indigenous knowledge
 - ADD: Where as
 - Cite the second memo on including indigenous knowledge
- In reference to the food code presentation by Carly Griffith Hotvedt with the Indigenous Food & Agriculture Initiative.
 - Michael Johnson shared with the presenter some on-going efforts in the agriculture space for the Mashantucket Pequot Tribal Nation.
 - This included a recently formed agricultural department and a maple sugaring program.
 - There was also some discussion of Tribal enterprises throughout the USET region having established business off the reservation. Those who brought this forward were not sure on how the ag. Code was developed. Carly shared that often Tribal enterprises use and operate under state code and she shared her perspective, and the committee agreed, that this is not a strong statement for Tribal Sovereignty.
 - I asked about what legislation allowed Tribal Nations to form these codes. No legislation allows this, it is the inherent sovereign authority of Tribal Nations to develop these laws. However it is another question as to whether they are followed by others.
- Regarding the Presentation on FAST-41 by Christine Harada the executive director, Federal Permitting, Improvement Steering Council
 - Early on questions from David Weeden asked about whether the proposal to decommission nuclear power plants was eligible to be a FAST-41 project.
 - Other Tribal delegates shared similar projects regarding Nuclear power plants in their regions.
 - Concerns were raised about the procedural approach of FAST-41. The section 106 consultation occurs too late in the process. The damage is already done or has contractors signed on to do the work of which will cause the damage. It would make more sense to be involved earlier in say the when Wind Development Areas are proposed.
 - Another concern raised was that project names can refer to multiple lease areas of which can have differing LLC attached. This is confusing and problematic but with time can be understood although it is not ideal, what really gets confusing is when the LLC is swapped out for various leases under a project name. The ability to willy nilly switch out LLC's is not favorable.
 - The Committee discussed the research vessels that collect data on these sites cause significant damage to the ocean floor. When BOEM does the data collection, the project

coordinators send in their crew later on to collect data at a higher resolutions, as well as additional data point directly pertinent to their project. This high traffic is problematic especially when later NEPA and sect 106 consultation is yet to occur, the damage has been done.

- The committee proposed having BOEM do all of the data collection, and getting financial support to do so from project coordinators.
- Another concern raised was in regard to cultural resource of which may be impacted by the project. The project coordinators do an initial assessment without the tribe to ID these. The Tribe may have gone about ID'ing them differently and ID far more than the project coordinator. This highlights another procedural issue with having sect. 106 consultation so late in the process.
- The committee asked for clarification about section 106 and NEPA. Are they combined, are they separate, or are they supposed to be concurrent processes?
- FPISC – referred to as “FIPSY”