



USET

SOVEREIGNTY PROTECTION FUND

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USET SPF Resolution No. 2023 SPF:004

REQUESTING A MORATORIUM ON OFFSHORE WIND PROJECTS WITHOUT POWER PURCHASE AGREEMENTS

- WHEREAS,** United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) is an intertribal organization comprised of thirty-three (33) federally recognized Tribal Nations; and
- WHEREAS,** the actions taken by the USET SPF Board of Directors officially represent the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from the member Tribal Nations' leadership; and
- WHEREAS,** USET SPF is dedicated to preserving the culture, heritage, and sovereignty as well as the protection of sacred sites of its member Tribal Nations, and offshore wind projects are of increasing concern to USET SPF member Tribal Nations due to the potential impacts to Tribal Lands, waters, aquatic wildlife, and submerged cultural resources; 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, protect Tribal Nation natural, environmental, and cultural resources, and 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 include offshore wind projects; and
- WHEREAS,** the current Administration is working to implement a renewable energy development agenda, and while Tribal Nations support sustainable energy development, we urge responsible and thorough evaluation of projects in a manner that respects Tribal sovereignty, our cultural heritage, and provides the necessary resources and technical assistance for Tribal Nations to meaningfully participate in the appropriate environmental and cultural reviews of these projects; 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,** on March 2, 2023, USET SPF adopted USET SPF Resolution No. 2023 SPF:013, "Urging a Moratorium on the Bureau of Ocean Energy Management's Offshore Wind Scoping and Permitting", which urged the Secretary of the Interior to issue a temporary pause (moratorium) on the current Bureau of Ocean Energy Management scoping and permitting process and allow time to enact a new Nationwide Programmatic Agreement for all currently proposed and future offshore wind projects and guide a new scoping and permitting process under the Bureau of Ocean Energy Management; and

- WHEREAS,** the requested Nationwide Programmatic Agreement must include avoidance measures, minimization of impacts, integration of Indigenous Knowledge, and provide full mitigation through completion of comprehensive and transparent procedures to appropriately protect Tribal environmental, cultural, and sovereign interests; and
- WHEREAS,** a power purchase agreement is an arrangement between an energy developer and affected customers, governments, or communities in which the developer agrees to provide stable and often low-cost electricity in exchange for the ability to construct and operate facilities within a given area; and
- WHEREAS,** the Department of the Interior has not consulted with Tribal Nations to develop the requested Nationwide Programmatic Agreement and many offshore wind projects continue to proceed without having power purchase agreements in place, creating uncertainty about the need for these developments; and
- WHEREAS,** in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it
- RESOLVED** that USET SPF reaffirms and expands upon USET SPF Resolution No. 2023 SPF:013 by requesting a moratorium on offshore wind permitting for any projects that do not have power purchase agreements in place; and be it further
- RESOLVED** this moratorium is essential to ease the administrative burdens on our Tribal Nations and ensures the preservation of our cultural and environmental resources through due diligence commensurate of the size and scale of these undertakings; and be it further
- RESOLVED** that USET SPF urges the federal government to fulfill its trust and treaty obligations to Tribal Nations by consulting with us to develop a Nationwide Programmatic Agreement for offshore wind projects and provide the necessary resources and technical assistance to enable Tribal Nations to meaningfully participate in environmental and cultural reviews of offshore wind projects, while respecting our specialized expertise, cultural associations, and Indigenous Knowledge; and be it finally
- RESOLVED** that USET SPF urges all relevant federal agencies and entities, as well as the United States Congress, to recognize the urgent necessity for a moratorium on offshore wind permitting and development of a Nationwide Programmatic Agreement for offshore wind development to protect our culture, lifeways, sacred sites, and sovereignty.

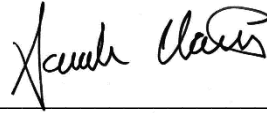
CERTIFICATION

This resolution was duly passed at the USET SPF Annual Meeting held on the Sovereign Territory of the Oneida Indian Nation at which a quorum was present on October 25, 2023.

Because there is Strength in Unity



Chief Kirk E. Francis, Sr., President
United South and Eastern Tribes
Sovereignty Protection Fund



Vice Chairwoman Sarah Harris, Secretary
United South and Eastern Tribes
Sovereignty Protection Fund

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