



## Annual Tribal Consultation Report Fiscal Year 2014

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## Acronyms and References

AKR: Alaska Region  
AKR Director: Dr. James Kendall  
AKR Deputy Director: Sharon Warren  
ANCSA: Alaska Native Claims Settlement Act  
ASLM: Assistant Secretary of Land and Mineral Management  
BLM: Bureau of Land Management  
BOEM: Bureau of Ocean Energy Management  
BOEM Director: Tommy P. Beaudreau until April 2014; currently Abigail R. Hopper.  
BOEM TLO: William Y. Brown  
BSEE: Bureau of Safety and Environmental Enforcement  
DPP: “Draft Proposed” Five Year Program (2017-2022)  
EIS: Environmental Impact Statement  
FRT: Federally Recognized Tribes  
G2G: Government-to-Government  
GOMR: Gulf of Mexico Region (Also manages proposed Atlantic Oil and Gas Activities)  
GOMR Director: John Rodi  
GOMR TLOR: Doug Jones  
HQ: Headquarters  
HQ TLOR(s): Jennifer Ewald and Keely Hite  
NMFS: National Marine Fisheries Service  
NOAA: National Oceanic and Atmospheric Administration  
OCS: Outer Continental Shelf  
OCSLA: Outer Continental Shelf Lands Act  
OREP: Office of Renewable Energy Programs – Manages Atlantic Renewable Energy  
OREP Program Manager: Maureen Bornholdt (Retired 2014); currently James Bennett.  
OREP TLOR: Brandi Carrier, Keely Hite (detailed)  
THPO: Tribal Historic Preservation Officer  
TLO: Tribal Liaison Officer  
TLOR: Tribal Liaison Officer Representatives  
TCL: Tribal and Community Liaison: Michael Haller\*  
PACR: Pacific Region  
PACR Director: Ellen Aronson  
PACR TLOR: David Ball

\* This is the only full-time position working on Tribal affairs

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## 1. Mission and Authority

The Bureau of Ocean Energy Management (BOEM or Bureau) manages the development of the Nation's offshore energy and mineral resources in an environmentally and economically responsible way. BOEM's jurisdiction includes the 1.7 billion acres constituting the outer continental shelf (OCS). The Bureau is organized around three main program areas; oil and gas, renewable energy, and hard minerals such as sand used for beach replenishment and restoration. The Bureau is headquartered in the Washington, D.C. area, with regional offices in the Gulf of Mexico, Alaska, and the Pacific; offices in the Washington area and the Gulf of Mexico manage Atlantic activities.

The Outer Continental Shelf Lands Act (OCSLA) of 1953 and its subsequent amendments require the Secretary of the Interior (Secretary) to monitor and assess the impacts of resource development activities in Federal waters on all relevant human, marine, and coastal environments. BOEM is designated by the Secretary to administer and oversee these activities and ensure that effective environmental safeguards are applied. The OCS is seaward of 3 nautical miles from the coastline, with the exception of areas offshore Texas and the western coast of Florida where state jurisdiction extends to 9 nautical miles. Thus all lands that BOEM manages are submerged and off the coast, yet it is recognized that OCS activities can affect people and ecosystems landward of the OCS, including tribes.

BOEM is committed to maintaining open and transparent communications with Tribal governments, Alaska Native Organizations, Native Hawaiian Organizations and other indigenous communities. Engaging, prior to Federal actions through environmental programs by partnering on environmental studies has been an ongoing effort. The BOEM Ocean Science Journal Special Issue on Traditional Knowledge highlights BOEM research in Alaska and the Pacific Rim, including two studies that won the Secretary's Partners in Conservation Award in 2012 ([link 1](#)). Gaining knowledge of how Bureau activities may affect traditional ways, subsistence use of resources, and indigenous cultural resources is key to the Bureau's decision-making, along with government-to-government (G2G) consultations, community meetings, public hearings, and other special activities.

## 2. Tribal Engagement Strategy

In March 2013, the BOEM Director called for the creation of a Tribal Consultation Policy Working Group (Group) to develop recommendations for a BOEM Tribal Consultation Policy. The Group convened with the assistance of a facilitator for 3 days in December 2013. Representatives from each Region and Program office participated, developing recommendations for the development of BOEM's Tribal Consultation Guidance memo. Drawing from those recommendations and other sources, the Bureau Chief Environmental Officer (CEO), William Y. Brown, issued Bureau Tribal Consultation Guidance on May 5, 2015, in a memorandum through BOEM Acting

Director Walter Cruickshank (Guidance). The Guidance adopts and augments the Department's Tribal Consultation Policy, which calls for regular and meaningful consultation and collaboration with Federally recognized tribes (FRTs).

After approval of the BOEM Guidance, William Y. Brown, BOEM's CEO was appointed the BOEM Tribal Liaison Officer (TLO). He appointed two TLO representatives (TLOR) to support him at the national level and a TLOR in each of the three regions and also for BOEM's Office of Renewable Energy Programs (OREP). TLOR's are continually developing relationships within their perspective regions and at the national level with tribes and other TLO offices. BOEM TLORs attended the First Stewards Symposium, National Congress of American Indian, and the U.S. Fish and Wildlife Tribal Listening Session (Rhode Island), and they participated in the Sacred Sites MOU Confidentiality Standards Group and Inter-Tribal workshops, hosted by the Confederated Tribes of Grand Ronde, Yurok Tribe and Makah Tribe, in support of the BOEM-funded effort, *Characterizing Tribal Cultural Landscapes* (TLC) ([link 2](#)); and, a workshop on the BOEM-funded effort, *Developing Protocols for Reconstructing Submerged Paleocultural Landscapes and Identifying Ancient Native American Archaeological Sites in Submerged Environments* ([link 3](#)).

BOEM is a relatively new and small Bureau supported by 573 employees; Alaska is the only region with a full-time position working on tribal issues as the Tribal and Community Liaison (TCL), while the TLO and TLOR's hold other responsibilities. Much of the Bureaus tribal engagement described in this report is in early stages and expected to greatly increase. Future efforts will be enhanced by recent reinforcement and guidance concerning Federal Government trust responsibilities as reflected in work of the President's Task Force on Climate Change, White House Tribal Conferences, and the "Secretary's commitment to upholding the Federal Governments obligations to Native Americans and to strengthening the G2G relationship with Indian tribes and Alaska Natives" ([link 4](#)).

BOEM is moving forward to engage with Native Americans through an array of staff and programs, while coordinating internally and with other Department bureaus and the Department as a whole to avoid overwhelming tribes with requests and meetings and causing what is commonly referred to as "consultation fatigue." In particular, BOEM has been working to procure cultural awareness training for all tribal G2G representatives in BOEM and plans to hold sessions in 2015. The Bureau hopes to improve efficiency in this effort through Departmental coordination bringing bureaus together in larger forums. OREP plans to host a "Tribal Summit" in 2015, including expense coverage for two tribal representatives from each Atlantic tribe. Because there are limited travel funds to bring Tribal representatives to Washington, coordination with other activities would be beneficial to both the Tribes and Federal Government.

### 3. Major Bureau Actions Initiating Engagement and Consultation

#### 3.1 OCS Oil and Gas Five Year Program for 2017-2022

BOEM's "Five Year Program" consists of a schedule of oil and gas lease sales indicating the size, timing, and location of proposed leasing activity the Secretary determines will best meet national energy needs for the five-year period following its approval. An area must be included in an approved Five Year Program in order to be offered for leasing. BOEM is currently operating under the OCS Oil and Gas Program 2012-2017 ([link 5](#)). Efforts are underway to develop a 2017-2022 Five Year Program, which will include public meetings, formal G2G consultations and a Programmatic Environmental Impact Statement (PEIS) developed in accordance with the National Environmental Policy Act (NEPA). Initial outreach and scheduling of meetings has begun in areas that are expected to be considered.

**Atlantic Outreach:** An outreach letter initiating formal **G2G consultation** was mailed September 19, 2014 to 30 Federally Recognized Tribes with ties to the Atlantic Coast. The letter's purpose was to gauge each tribe's level of interest in BOEM OCS activities on the Atlantic, including the 2017-2022 Five Year Program and proposed Geophysical and Geological (G&G) Surveys. Two tribes are interested in formal consultation, and six have responded as not interested in furthering the consultation process at this time. BOEM is still communicating with the other 22 to determine interest. A follow up letter is prepared to go out once the "Draft Proposed" Five Year Program for 2017-2022 (DPP) is announced in early 2015.

**GOMR Outreach:** An outreach letter initiating formal **G2G consultation** with the 12 FRT's in the Gulf of Mexico region will be sent after the DPP is announced in early 2015.

**AKR Outreach:** Active efforts are underway, which will include a mix of formal **G2G consultations, Government-to-ANCSA consultations,** and public meetings. The majority of the local populations in each of the coastal communities are tribal members. From October through December 2014, the AKR conducted a series of activities relating to the Chukchi Sea (Lease Sale 193 Supplemental EIS) and Cook Inlet (Lease Sale 244) that involved consulting with the tribes and ANCSA corporations, and hosting appropriate public meetings. The region routinely provided a general awareness of the upcoming 2017-2022 Five Year Program. In addition the region's TCL informally initiated coordination with the tribes, ANCSA corporations and communities to assure that a proposed consultation and meeting schedule would take into account upcoming traditional and cultural activities of the tribes along the Alaska OCS. The 2017-2022 Five Year Program AKR outreach letter will be sent to the tribes after the DPP is announced in early 2015.

**PACR:** The Pacific Region is not included in the outreach plan as there will be no proposed oil and gas leasing in this region.

### 3.2 Geophysical and Geological Surveys in the Atlantic

In December 2013, BOEM mailed letters to tribes concerning proposed G&G activities in the Mid-Atlantic and South Atlantic Planning Areas and the programmatic environmental impact statement prepared in respect those activities. G&G activities were also addressed in a letter sent to tribes on September 19, 2014, which initiated **G2G consultation** with FRTs on the 2017-2022 Five Year Program. Communications continue with the Atlantic tribes.

### 3.3 Gulf of Mexico Lease Sales

In April 2014, BOEM mailed letters to the 12 Gulf of Mexico tribes soliciting comments on a notice of intent to prepare a supplemental EIS (SEIS) for the proposed Western Planning Area 246/248 Lease Sale. A letter was received (April 2014) from the Jena Band of Choctaw Indians, Tribal Historic Preservation Officer (THPO), requesting initiation of consultations once the Draft SEIS was released in September 2014. Since publication of the Draft SEIS, additional communications with the TLOR and the THPO, indicated the Tribe does not have interest in **G2G consultations** at this time.

In June 2014, BOEM also mailed letters to the 12 Gulf of Mexico tribes soliciting comments on a notice of intent to prepare a SEIS for the proposed Central Planning Area 241/247 and Eastern Planning Area 226 Lease Sale. The Choctaw Nation of Oklahoma's Historic Preservation Department responded with a request to receive the SEIS in order to review the possible effects of this project on the tribe's cultural or sacred sites. The SEIS was mailed to all 12 Gulf of Mexico tribes for review in January 2015. No additional response has been received at this time.

### 3.4 Alaska Region: G2G Consultations, Government-to-ANCSA Corporation Consultations and public meetings

There were a number of key events that occurred during the 2012 time-frame worth mentioning in this report as they demonstrate Alaska Region's ongoing effort to expand awareness of the missions and activities of BOEM, ensure transparency, and advocate for the use of traditional knowledge and local experience.

April 29 – June 5, 2012: EPA Region 10 Tribal Leaders Summit, Grand Ronde, Oregon. AKR Director presented on the region's increasing use and value of traditional knowledge in scientific research and decision making. More than 250 tribes from the western and northwest states took part.

October 13, 2012: Alaska Eskimo Whaling Commission (AEWC) President George Noongwook accepted BOEM's invitation to meet. AKR Director provided updates on current and ongoing Chukchi and Beaufort Seas activities. In turn, AEWC cited the importance and value of the recent conflict avoidance agreements that industry had

signed with AEWG, and the positive impact it was having with the whalers and villages during hunt season. This particular meeting was something of a milestone in opening both formal and informal communications channels between the Bureau and AEWG.

October 15, 2012: The Bering Sea Alliance (BSA), an amalgam of seven Bering Straits ANCSA Corporations and more than twenty tribes, invited the AKR to begin exploratory discussions on how to create and develop communications and a relationship between the two organizations. BSA President Art Ivanoff came to the BOEM Anchorage offices to meet with AKR Director, TLOR, and other selected staff to develop this idea resulting in positive dialogues with Bering tribes and ANCSA Corporations through the BSA.

October 17–19, 2012: The Alaska Federation of Natives (AFN) Annual Convention, in Anchorage, hosted Alaska's 229 Eskimo and Indian Tribes with some 5,000 attendees. AKR Director, TCL and, and other selected staff took part, informally attending sessions and developing a scheme for future outreach efforts to include exhibiting.

October 24–28, 2012: Arctic Inuit Tribes Bi-Annual Conference, hosted by the Smithsonian Institution in Washington, D.C., provided an international forum for this long-standing series of conferences. Dr. Dee Williams, AKR Environmental Science Representative was among other BOEM attendees. One of the critical aspects of this particular conferences was the timing of the event as increasing focus on the Arctic was about to unfold. There are strong research, science, traditional knowledge, energy exploration, academic and cultural components to this event that provide for significant interaction among representatives of the Arctic nations.

November 13–15, 2012: The Northern Oil & Gas Forum provided another opportunity for AKR Director to speak directly to both tribal and industry stakeholders about BOEM's use of traditional knowledge and its important impacts in the decision making processes.

January 25, 2013: The Alaska Native Science & Engineering Program (ANSEP), of the University of Alaska Anchorage, invited the AKR to join in celebrating progress of recent graduates, current students, and youth in rural Alaska. AKR Director, Deputy Director, TCL and Program Analysis Officer Michael Routhier joined ANSEP Director Dr. Herb Ilisauri Schroeder, special guest Astronaut Buzz Aldrin and more than 1,200 community members at ANSEP's annual dinner. ANSEP is an extraordinarily important organization offering a hand-up for Eskimo and Indian students.

February 4, 2013: **G2G consultation** between BOEM, BSEE, BLM and the Inupiat Community of the Arctic Slope (ICAS). Acting Assistant Secretary (ASLM) and BOEM Director Tommy Beaudreau represented the Federal agencies; ICAS members were invited to provide input after completion of the 2012 Arctic exploration season.

February 4, 2013: The Acting ASLM and BOEM Director met with North Slope Borough Mayor Charlotte Brower and key members of her leadership team. Brower shared her perspective on activities in the Beaufort and Chukchi seas and on the borough's



collaboration with BOEM on scientific studies. Beaudreau expressed his appreciation for the good working relationship between BOEM and the Borough.

February 4, 2013: Former North Slope Borough Mayor Edward Itta shared traditional knowledge with Acting ASLM and BOEM Director at the Alaska Eskimo Whaling Commission meeting. Beaudreau participated in a Federal panel and spoke to more than 400 attendees about the Interior Department review of the 2012 Arctic exploration season.

March. 26-29, 2013: The AKR Director spoke about the influence and impact of traditional knowledge in collaborative approaches to understanding and managing marine resources in the Arctic at the Lowell Wakefield Fisheries Symposium. The symposium serves as a forum for information exchange in biology, management, economics, and processing of various fish species and complexes, as well as an opportunity for scientists from high-latitude countries to meet informally and discuss their work.

April 7-11, 2013: The AKR is a cooperating agency with NOAA's National Marine Fisheries Service (NMFS) in preparation of a supplemental EIS for the Effects of Oil and Gas Activities in the Arctic Ocean. NMFS met with tribal leaders in Barrow; in addition, NMFS held public meetings in Kotzebue, Barrow, and Anchorage. The draft supplemental EIS analyzes how a broad range of potential offshore oil and gas activities in the Arctic could affect marine mammals, other resources, and Alaska Native communities. The new supplemental analysis is in response to comments received from stakeholders after release of the draft EIS in December 2011 ([link 6](#)).

April 15, 2013: Representatives of BOEM and the North Slope Borough held an informal meeting in Anchorage to discuss areas of common interest, including upcoming activities on the OCS. For BOEM, maintaining productive relationships with the people of the North Slope is an important aspect of OCS management.

May 1, 2013: Kotzebue-area tribal members gathered information on OCS activities in the Chukchi Sea, through the Cape Krusenstern Subsistence Resource Commission (SRC). BOEM participated in a briefing via teleconference, lead by Deputy Regional Director, joined by Leasing and Plans Regional Supervisor David Johnston, Oceanographer Dr. Heather Crowley, TCL, BOEM AKR Director and BSEE AKR Director Mark Fesmire. SRC members were gathered at the National Park Service office in Kotzebue. The commission is authorized as part of the Alaska National Interest Lands Conservation Act.

June 6-7, 2013: BOEM took part in **G2G Tribal Consultation** respectively, with the Inupiat Community of the Arctic Slope (ICAS) on June 6, and with the Native Village of Barrow on June 7. BOEM hosted public hearings in Barrow and Anchorage to obtain input for the Department of the Interior's effort to develop new, Alaska-specific standards relating to the regulation of oil and gas exploration. The sessions were led by Acting ASLM and BOEM Director Tommy Beaudreau and Pat Pourchot, the Secretary of the Interior's special assistant for Alaska. In addition, the group met with the Alaska Eskimo

Whaling Commission (AEWC). As a subset of this, time was set aside for Tribal Consultations, ANCSA Consultations and other meetings. The results included:

- June 18, 2013 – Tribal Consultations
- June 19, 2013 – ANCSA Corporations: NANA Regional Corporation and Cully Village Corporation (Point Lay)

June 27, 2013: As a result of the consultation on June 19, an additional **Government-to-ANCSA Corporation consultation** was requested by NANA at which time they provided more formal input.

July 16, 2013: A meeting was held, via teleconference, with the Tanana Chiefs Conference representative Ross Coen to discuss their interest and questions concerning the Alaska OCS.

August 2, 2013: AKR conducted a **G2G consultation** with the Native Village of Nuiqsut, to listen to their concerns about the Cross Island deferral area.

August 23, 2013: Cully Village Corporation (Point Lay) initiated a **Government-to-ANCSA Corporation consultation** with AKR to further discuss Ledyard Bay and request assistance with meeting with other government agencies.

September 16-19, 2013: North Slope Borough Mayor Charlotte Brower introduced AKR Deputy Regional Director, a panelist, during the 2013 Alaska Oil & Gas Congress in Anchorage. She was joined by BLM AKR Director Bud Cribley in discussing current exploration activities and plans for Alaska's OCS.

September 17-19, 2013: AKR Leasing & Plans Regional Supervisor David Johnston spoke to a mix of Tribal members and industry leaders – nearly 250 attendees in all – at Alaska Cold Regions Oil Pipeline Conference. He outlined challenges the energy industry faces in the Chukchi and Beaufort seas.

October 22–26, 2013: AKR partnered with the Alaska Native Science and Engineering Program as exhibitors in a single booth at the annual Alaska Federation of Natives (AFN) Convention in Fairbanks, hosting Alaska's 229 Eskimo and Indian Tribes with some 5,000 attendees.

January 8, 2014: Bering Sea Alliance (BSA) President Art Ivanoff followed up with AKR requesting a partnership with developing a three-day workshop with BOEM and BSEE on sharing information about the activities related to energy exploration, in the Chukchi Sea area. TCL began working with the BSA on the project.

February 1, 2014: A successful **Government-to-ANCSA Corporation consultation** between BOEM and the Arctic Slope Regional Corporation (ASRC) was held with BOEM Director Tommy Beaudreau, AKR Director, AKR Deputy Director, TCL, ASRC President Rex Rock, Sr., ASRC Chairman Crawford Patkotak, ASRC Director of

Resource Development Teresa Imm, ASRC Executive Vice President of Lands and Natural Resources Richard Glenn, and BSEE Field Operations Engineer Jim Lusher.

February 13, 2014: Harry Brower, chairman of the Alaska Eskimo Whaling Commission (AEWC) welcomed BOEM AKR supervisor of the Environmental Sciences Management Section Dr. Dee Williams to address the AEWC's annual Whaling Captains' Mini-Convention in Anchorage. Williams, joined by Dr. Peter Winsor of the University of Alaska Fairbanks, described a new BOEM-funded Arctic Tracer Release Experiment in the Chukchi Sea. The experiments will test technologies and capabilities to map non-toxic dye plumes. The team will coordinate 2013 and 2015 field efforts with NOAA's Environmental Response Management Application and BSEE; project updates will be provided for AEWC leaders.

March 4, 2014: Cully Village Corporation (Point Lay) initiated a **Government-to-ANCSA Corporation consultation** to further discuss Ledyard Bay.

March 5–7, 2014: The Southwest Alaska Municipal Conference (SWAMC), an organization of more than a dozen native villages, ANCSA corporations, and others. The value of the conference for AKR is found in the tribal and ANCSA relationships and much of the focus of this group is on energy.

March 27, 2014: Bering Sea Alliance President Art Ivanoff met with BOEM AKR to prepare for the three-day workshop with BOEM. The focus will be on the emerging surface traffic in the Bering Sea.

April 28–30, 2014: Sivuqaq I, a three-day workshop in the village of Gambell, on Saint Lawrence Island, a successful event for all of the participants. More than 50 people attended. Members of the Alaska Legislature, Congressional staffers, and representatives of more than a dozen Federal and State agencies took part in meeting with representatives of twenty two tribes and seven ANCSA village Corporations.

June 25, 2014: BOEM and Cully Village Corporation conducted another in the series of **Government-to-ANCSA Corporation consultations**. The focus of this consult was to obtain additional up-to-date background information on tribal changes in the village of Point Lay.

August 11–13, 2014: Sivuqaq II, a second three-day workshop in the village of Gambell, on Saint Lawrence Island, a successful event for all of the participants. More than 80 people attended. Members of the Alaska Legislature, Congressional staffers, and representatives of more than a dozen Federal and State agencies took part – the U.S. Coast Guard provided critically important information regarding the proposed sea lanes being established through the Region.

September 30, 2014: BOEM and Cully Village Corporation conducted another in the series of **Government-to-ANCSA Corporation consultations**. The focus of this

consultation was to obtain further information on tribal changes in the village of Point Lay.

November 12–14, 2014: **G2G consultations** were held, respectively, with the Seldovia Tribe and the Nanwalek Tribe during the course of Cook Inlet Lease Sale 244. The reception of the tribes was favorable for the AKR. Important information was exchanged with and among the participants. This was the first time, in more than ten years that BOEM met with tribal members in the Cook Inlet area.

November 17–21, 2014: A **G2G consultation**, regarding the 193 SEIS 2nd Draft, was held between the Region and the Native Village of Wainwright. Separate, albeit abbreviated, meetings were held with Kotzebue IRA and the Native Village of Point Hope. In the case of the latter two, Kotzebue requested a formal **G2G consultation** at a different date. The Native Village of Point Hope declined several offers for follow-on official **G2G consultation**.

November 24, 2014: The Native Village of Port Graham Council took part in a **G2G consultation**, via teleconference, with the AKR. Discussion focused on the proposed Lease Sale 244 in Cook Inlet and provided for ample discussion of possible deferral areas, traditional hunting and fishing areas and related concerns.

December 1, 2014: AKR Director, provided an updated mission and activities briefing for the attendees of the Indigenous Peoples Conference (IPC). The IPC is a group of Alaska Native leaders from across Alaska. Their interests are focused on energy exploration and the Chukchi and Beaufort Seas.

December 1, 2014: Nanwalek Chiefs agreed to AKR invitation for **G2G consultation** in Anchorage. This provided an opportunity for AKR Director to meet with the First and Second Chiefs of Nanwalek Tribe as a follow-on to the first **G2G consultation** held several weeks prior. The Chiefs not only sustained their council's sharing of hunting and fishing information, but also provided insight and background on energy exploration in nearby State of Alaska waters.

December 1–5, 2014: AKR conducted a series of meetings in support of the 193 SEIS 2nd Draft that included Mayor Charlotte Brower's senior staff, the Alaska Eskimo Whaling Commission, and the Native Village of Barrow. One of the key outreach efforts was to hold the public hearing at Ilisagvik College.

December 16, 2014: Kotzebue IRA Council took part in the **G2G consultation** with AKR to discuss the 193 SEIS 2nd Draft. The special noon-meeting was successful in including the majority of the council.

### 3.5 Wind Energy Leasing in the Atlantic

In 2009, President Obama announced the final regulations for the OCS Renewable Energy Program, which was authorized by the Energy Policy Act of 2005. These regulations provide a framework for issuing leases, easements and rights-of-way for OCS activities that support production and transmission of energy from sources other than oil and natural gas. BOEM is responsible for overseeing offshore renewable energy development in Federal waters. To date, seven leases have been issued off the Atlantic coast ([link 7](#)).

In July 2012, the study *Developing Protocols for Reconstructing Submerged Paleocultural Landscapes and Identifying Ancient Native American Archaeological Sites in Submerged Environments* ([link 3](#)) was awarded to the University of Rhode Island (URI) in partnership with the Narragansett Indian Tribe. In April 2013, the Submerged Paleocultural Landscapes Workshop was held at URI with representatives from many tribes along the Atlantic coast, scientists and government representatives. Other completed milestones include a Literature Synthesis and Reference Database (2013); Narragansett Indian Tribal Historic Preservation Office staff trained in scientific diving through URI (2013); Geological and archaeological fieldwork conducted in 2013 and 2014; and an introductory film (2014).

In 2014, **G2G Consultations** occurred with the Shinnecock Indian Nation, Narragansett Indian Tribe, Mashpee Wampanoag, and Wampanoag Tribe of Gayhead (Aquinnah), in their respective tribal lands.

In June 2014, OREP (Program Manager and project staff) met with the Narragansett Indian Tribe THPO to discuss how they will work together in regards to Section 106 consultations (proposed actions or components thereof which may qualify as an undertaking which may affect historic properties). In addition, they discussed a BOEM Research Activities Plan and underwater archaeological surveys conducted for program activity. In early summer of 2015, OREP will be hosting a “Tribal Summit” for the northeastern tribes with whom the program has a relationship (has expressed interest) and break out sessions were discussed for this summit.

In June 2014, OREP (Program Manager and project staff) met with the Mashpee Wampanoag Tribe THPO. The Mashpee are very interested in the protections and mitigation measures for whales, migratory birds, shellfish (artificial habitat from turbines), safety factors, and mitigation measures that would allow for relocation of an established resource as compared to replacement of an eliminated resource. OREP has agreed to look into getting tribal members certified as marine mammal observers, in addition to sharing copies of applicable guidance, standard operating conditions, and lease stipulations detailing how marine mammals will be protected during survey and construction work. OREP will also ensure that the Mashpee tribal council is made aware of consultations with BOEM and subsequent projects (in coordination with the THPO).

In June 2014, OREP (Program Manager and project staff) met with the Wampanoag

Tribe of Gayhead (Aquinnah) (Tribal Chairman and THPO). The Aquinnah were very concerned about consultation information reaching the appropriate authorities within the tribe, post the tribal election cycle and stressed that in the future, the Chairman should receive official notifications and invitations along with the THPO; OREP agreed to this and to follow the election cycle more closely in the future. In addition, the Aquinnah are concerned with issues pertaining to the monarch butterfly, deepwater monitoring (comparing best practices of different wind monitoring projects) and working through recommendations for how the industry can work better with tribes. The Aquinnah wanted to know more about BOEM/OREP's methods concerning archeology and how the tribe might partner with OREP's archaeologists in the future; and expressed concerns that they were not consulted about an archaeological study that BOEM contracted with URI. Tribal charter fishing is also a concern as some of these areas may intersect with Wind Energy Areas. Overall, the Aquinnah are interested in how their young people can become more involved and how partnerships might benefit their community. OREP will look into how tribal members might go about getting dive training for these purposes.

In July 2014, OREP (Program Manager and project staff), met with the Shinnecock Indian Nation (Tribal Chairman and staff). Shinnecock Nation is concerned that offshore activities may potentially have an impact on tribal lands, heritage, and culture. OREP offered the possibility of another in person meeting (if requested by the tribe) in the future, to provide information on training opportunities; to share with the Shinnecock the results of offshore visual impact simulation studies; and to share additional OREP maps.

### **3.6 Renewable Energy Development in the Pacific**

In support of renewable energy development in the Pacific Region (PACR), an inter-agency agreement was awarded to NOAA's Office of National Marine Sanctuaries in August 2012 to develop a working group of tribal partners on the west coast and develop a guidance document of best practices for engaging tribes in consultation on Federal actions and undertakings. The project, *Characterizing Tribal Cultural Landscapes* (TCL), is a collaborative effort with the Makah Tribe of Washington, the Confederated Tribes of Grand Ronde of Oregon, and the Yurok Tribe of California ([link 2](#)). Using a holistic landscape approach that integrates science with historical, archaeological, and traditional knowledge, this project will provide a transferable, transparent, and cost-effective method for tribes to document past and present places and resources significant to their communities and outside agencies, thus enhancing their capability for consultation. Three inter-tribal workshops were held in support of this effort from August through December 2013. A similar effort for working with Native Hawaiian Organizations was launched in 2013.

The main topic of consultation from the PACR is support of the WindFloat project ([link 8](#)) off Coos Bay, Oregon. Letters were also mailed to coastal Oregon tribes inviting consultation for the Pacific Marine Energy Center – South Energy Test Site (PMEC-SETS) ([link 9](#)), but all tribes sent letters declining consultation at this time.

Informational meetings occurred with the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians (CTCLUSI), Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, and the Coquille Indian Tribe. Formal consultation meetings were held with the Coquille and CTCLUSI Tribes. Each of these meetings was held at tribal offices in North Bend and Coos Bay, Oregon, respectively.

October 21, 2013: The Yurok Tribal Chairman and PACR Director sent letters to California tribal representatives with ties to the coast and offshore inviting them to participate in an Inter-Tribal workshop, hosted by the Yurok Tribe, in support of the BOEM-funded effort, *Characterizing Tribal Cultural Landscapes (TCL)* ([link 2](#)). This was the third of three inter-tribal workshops held in support of the TCL project (see TCL discussion above). These meetings did not meet the definition of formal **G2G consultation**, but the information gathered at the workshops will be used to develop best-practices for working with tribal governments.

November 5, 2013: The PACR Director sent letters to Chairs of the CTCLUSI, Confederated Tribes of Siletz Indians, and the Coquille Indian Tribe, inviting each tribe to formally consult on the WindFloat Project. The Siletz Tribe declined to consult at this time through email response, dated December 13, 2013. CTCLUSI and Coquille Tribes expressed interest in consulting on the project: CTCLUSI sent a letter from its THPO, dated January 23, 2014; Coquille provided an email response from the Executive Director, dated February 13, 2014.

December 3-4, 2013: Yurok Inter-Tribal Workshop in support of Tribal Cultural Landscapes Project. Tribal participation included representatives from the following tribes: Graton Rancheria, Trinidad Rancheria, Smith River Rancheria, Santa Ynez Band of Chumash Indians, Amah Mutsun Ohlone Band, Salinan T'rowt'raahl, and Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians. In addition to invited tribal participants, the project team included representation from the following tribes: Yurok Tribe, Makah Tribe, and Confederated Tribes of Grand Ronde.

March 5, 2014: Meeting between PACR and Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians technical staff to provide an update on the following projects: WindFloat, Pacific Regional Ocean Uses Atlas, Pacific Marine Energy Center-South Energy Test Site, other BOEM-funded studies off Oregon.

March 5, 2014: A meeting was held between PACR technical staff and Tribal Council of the Coquille Indian Tribe to provide an update on WindFloat, Pacific Regional Ocean Uses Atlas, Pacific Marine Energy Center-South Energy Test Site, and other BOEM-funded studies off Oregon.

March 6, 2014: A meeting was held between PACR and Confederated Tribes of Siletz Indians technical staff to provide an update on WindFloat, Pacific Regional Ocean Uses Atlas, Pacific Marine Energy Center-South Energy Test Site, and other BOEM-funded studies off Oregon.

April 10, 2014: The PACR Director sent letters to Chairs of the CTCLUSI, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, and the Coquille Indian Tribe, inviting each tribe to formally consult on the PMEC-SETS Project. The Grand Ronde and CTCLUSI tribes informally declined to consult at this time; the Siletz Tribe responded via email on April 23, 2014 declining consultation at this time; the Coquille Tribe provided a written response declining consultation at this time, dated June 5, 2014.

May 12, 2014: Received letter from Coquille Indian Tribe regarding protocols and procedures for Tribal consultation.

June 4, 2014: A initial **G2G consultation** meeting was held between the Coquille Indian Tribal Council and PACR Director and technical staff regarding the WindFloat project. An independent tribal facilitator and note-taker were contracted to facilitate this meeting. Agenda topics included: Introductions, Procedural Overview, Project Overview and Timeline, BOEM NEPA Process and Schedule, Oregon Task Force Involvement, G2G Consultation for NEPA and NHPA, and Next Steps.

June 17, 2014: A second **G2G consultation** meeting was held involving the Coquille Indian Tribal Council and PACR Director and technical staff regarding the WindFloat project. Agenda topics included: Review of notes from last meeting and procedural protocols; BOEM NEPA process and scoping; Review of concerns raised at previous meetings; and a discussion of EMF and fisheries studies.

June 18, 2014: An initial **G2G consultation** meeting was held between CTCLUSI Tribal Council and PACR Director and technical staff regarding the WindFloat project. An independent tribal facilitator and note-taker were contracted to facilitate this meeting. Agenda topics included: Introductions, Procedural Overview, Project Overview and Timeline, BOEM NEPA Process and Schedule, Oregon Task Force Involvement, G2G Consultation for NEPA and NHPA, and Next Steps.

September 2, 2014: A letter was received from the Coquille Indian Tribal Chair providing tribal comments and questions for the WindFloat project.

In addition to the formal contacts identified above, numerous informal phone calls and emails were exchanged between BOEM and technical staff from each of the tribes identified.

#### **4. National Ocean Policy Tribal Engagement**

In 2010, a Presidential Executive Order established a National Ocean Policy (NOP) to guide the protection, maintenance, and restoration of America's oceans and coasts. The NOP requires Federal agencies to work in a more coordinated, goal-oriented framework with states, tribes, and stakeholders. The NOP called for the formation of nine regionally focused Regional Planning Body(s) (RPB) to better manage the nation's oceans and



coasts. The RPB articles provide that a tribal representative will co-lead planning bodies along with a Federal and a State representative.

New England was the first region in the nation to respond to this call, launching the Northeast RPB in November 2012. BOEM participates as the Departmental representative and engages regularly with the 10 member tribes ([link 10](#)). The Mid-Atlantic RPB was established in April 2013. BOEM is the Federal co-lead and works closely with the Shinnecock Indian Nation ([link 11](#)). Although the other regions have not formerly stood up their RPBs, BOEM is on the Executive Committee of the West Coast Governors Alliance, a regional collaboration that partners with sovereign coastal Tribal nations from Washington, Oregon, and California on issues of regional ocean governance, indigenous ecological knowledge, and Coastal Marine Spatial Planning for the West Coast region ([link 12](#)).

## Links

- 1) [http://www.boem.gov/uploadedFiles/BOEM/Newsroom/Publications\\_Library/Ocean\\_Science/OS\\_12\\_apr\\_may\\_jun.pdf](http://www.boem.gov/uploadedFiles/BOEM/Newsroom/Publications_Library/Ocean_Science/OS_12_apr_may_jun.pdf)
- 2) [www.boem.gov/pr-12-tcl/](http://www.boem.gov/pr-12-tcl/)
- 3) <http://www.boem.gov/Developing-Protocols-for-Reconstructing-Submerged-Paleocultural-Landscapes/>
- 4) [http://www.doi.gov/ocl/hearings/113/biadepartmentalpriorities\\_051513.cfm](http://www.doi.gov/ocl/hearings/113/biadepartmentalpriorities_051513.cfm)
- 5) <http://www.boem.gov/Five-Year-Program-2012-2017/>
- 6) <http://www.nmfs.noaa.gov/pr/permits/eis/arctic.htm>
- 7) <http://www.boem.gov/Lease-and-Grant-Information/>
- 8) <http://www.boem.gov/windfloatpacific/>
- 9) <http://www.boem.gov/PMEC-SETS/>
- 10) [http://neoceanplanning.org/wp-content/uploads/2014/07/RPBMembership-Roster\\_July2014.pdf](http://neoceanplanning.org/wp-content/uploads/2014/07/RPBMembership-Roster_July2014.pdf)
- 11) <http://www.boem.gov/Mid-Atlantic-RPB-Roster/>
- 12) <http://www.tolowa-nsn.gov/tcmosp/>