



MAKAH TRIBAL COUNCIL

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Jennifer Quan, Regional Administrator
NOAA Fisheries West Coast Region
via email: Jennifer.quan@noaa.gov

Dr. Kevin Werner, Director
NOAA Northwest Fisheries Science Center
via email: kevin.werner@noaa.gov

Kristen Koch, Director
NOAA Southwest Fisheries Science Center
via email: Kristen.c.koch@noaa.gov

October 31, 2023

Re: Technical Assistance Request for Offshore Wind Science Needs

Dear Regional Administrator Quan, Director Werner, Director Koch:

I am writing on behalf of the Makah Tribal Council to formally request technical assistance from NOAA in supporting Makah treaty interests in the offshore energy process. Over the past several years, the Makah Tribal Council has worked to engage with BOEM's offshore energy development process. We are deeply concerned that the siting and leasing process is proceeding in the absence of clear science-based information on the cumulative impacts of offshore wind at the proposed scale on the resources and ecosystems of the West Coast/California Current. **As the lead federal science agency for the marine environment, we look to NOAA to provide technical assistance in answering these fundamental science questions, as well as to assist the Makah Tribal Council in representing Makah treaty interests on the ocean in meetings with BOEM.**

As you know, the Makah People and culture have been dependent on resources from the ocean since time immemorial. This inextricable relationship with the ocean continues today, in part through our robust and valuable treaty fisheries. Makah treaty fisheries support over 50% of our economy (much higher in season) and the financial and nutritional security of most households within our community. Our treaty fisheries also support cultural practices and way of life that are essential to the wellbeing of the Makah People, and our resilience to climate change. Importantly, the Makah Tribe's exercise of treaty reserved fishing rights is place based and limited to the boundaries of our current Usual and Accustomed Fishing Area (U&A), which covers 1550 square miles of marine territory. The place-based nature of these rights means that Makah fishermen cannot simply move elsewhere as non-tribal fishermen can, if changes to ocean conditions or use (e.g. offshore energy development, changes in shipping lanes, climate change, etc.) disrupt fishing within or change access to the Makah U&A.

The overall health of our treaty resources depends upon the interconnected ecosystems of the California Current, Alaska Current, and the Strait of Juan de Fuca, which come to a confluence in our U&A. Many of our treaty resources migrate within these ecosystems and beyond, meaning that the Makah Tribe has interests which extend both south to California and north to Alaska. As outlined in the Makah Ocean Policy, our area of interest extends across the West Coast and beyond, including *“ocean, marine and coastal actions in the Pacific Rim region as well as inland freshwater areas where Makah governing and treaty interests are present and where treaty resources may migrate or rear.”* To this end, the Makah Tribal Council is actively tracking and concerned with impacts occurring along the full extent of the West Coast, including those resulting from already leased areas in California.

As a community on the frontlines of climate change, the Makah Tribal Council recognizes the need for bold action on climate change, including renewable energy development. **However, Makah will not sacrifice place-based cultural practices, treaty-reserved fishing rights, or community resilience to achieve climate mitigation goals regionally, nationally, or globally.** The Makah Tribal Council does not oppose renewable energy development, but we do oppose energy development that disproportionately and negatively impacts our treaty rights and cultural practices. We oppose decisions regarding offshore energy that have the potential to impact treaty rights and interests that we do not consent to and support. A science-based and precautionary approach to offshore wind energy is needed and we have repeatedly made this request to BOEM. **To this end, the Makah Tribal Council has requested that offshore energy leasing on the West Coast be paused until:**

1. Department of the Interior (DOI) (BOEM’s parent agency) commits to a consent-based process for developing and siting offshore renewable energy development that respects and prioritizes treaty rights impacts.
2. BOEM provides clear and complete information on the cumulative impacts of offshore energy at the scale and scope, and with the technology currently being proposed for the West Coast.
3. DOI identifies long-term capacity funding to support Tribes in engaging with the extensive multi-state BOEM processes.

We are requesting NOAA assistance with point two of this request. We believe NOAA’s unique expertise and knowledge will be crucial in asserting the need for science-based and cumulative assessment of the potential impacts of offshore energy development to the ecosystem and to the treaty resources our ocean supports. Specifically, we request that NOAA:

- Lead the development of information and data needs for potential impacts of offshore energy development for the entire West Coast. We have identified your June 2022 letter to BOEM on Oregon Call Areas as an initial research outline to build on. The questions and research needs posed in that letter (and more) must be answered as a baseline of information.
- Work with us to represent Makah interests and science needs in a meeting with BOEM.

We look forward to meeting with NOAA at your earliest convenience on this urgent topic affecting our oceans and Makah treaty rights, resources, and interests. The Makah Tribal Council deeply values our collaborative working relationship with NOAA and respects your scientific expertise on these topics. Please contact the Makah Tribe’s Deputy General Manager,

Leanne Ellis (Leanne.Ellis@makah.com) to schedule a meeting, and with any questions. We look forward to your response.

Sincerely,

Timothy J. Greene Sr.
Chairman
Makah Tribal Council

Cc.

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