



# Canopy Offshore Wind Farm

## Native American Tribes Communications Plan

**Document Date:** June 28, 2024

**Document Number:** 005027653-0

**Revision Number:** 02

**Classification:** Public

Lease OCS-P 0561

California



---

<b>Company</b>	RWE Offshore Wind Holdings, LLC
<b>Project</b>	Canopy Offshore Wind Farm
<b>Package</b>	N/A
<b>Asset</b>	Lease No. OCS-P 0561 (Lessee Company No. 15061)
<b>Document Title</b>	Native American Tribes Communications Plan
<b>Ecodoc Number</b>	005027653-02
<b>Revision Number</b>	02

---

This document and any information therein are confidential property of RWE Renewables and without infringement, neither the whole nor any extract may be disclosed, loaned, copied or used for manufacturing, provision of services or other purposes whatsoever without prior written consent of RWE Renewables, and no liability is accepted for loss or damage from any cause whatsoever from the use of the document. RWE Renewables retains the right to alter the document at any time unless a written statement to the contrary has been appended.

---

<b>Date</b>	<b>Revision</b>	<b>Status / Reason for Issue</b>
12/8/23	01	No revisions present in original document
5/13/24	02	Updates made based on BOEM comments and additional Tribe/Tribal Nation feedback

---

## Table of Contents

1.0	RWE Commitment to Tribes/Tribal Nations.....	1
2.0	Terms Used and Historical Context.....	1
3.0	Introduction.....	4
3.1	Company Background .....	4
3.2	Project Background and Setting .....	5
3.3	Participating Tribes/Tribal Nations .....	7
3.4	Tribal Fisheries .....	9
4.0	Shared Communication Approach and Strategy .....	9
4.1	RWE Contacts for Tribal Communications .....	10
4.2	Coordination with Humboldt and Morro Bay Leaseholders.....	10
4.3	Project Phases and Engagement Activities .....	14
5.0	Process for Revising the NATCP.....	16
6.0	Conflict Prevention and Resolution.....	17
7.0	508 Compliance.....	17
8.0	References .....	18

## List of Tables

Table 1.	Definitions .....	3
Table 2.	Tribe/Tribal Nation Key Points of Contact for NATCP .....	8
Table 3.	RWE Key Points of Contact for Tribal Engagement .....	10
Table 4.	NATCP Core Values .....	11
Table 5.	NATCP Engagement Activities .....	13
Table 6.	Project Updates on Possible Topics of Tribal Interest .....	13

## List of Figures

Figure 1.	Location of RWE’s Offshore Wind Lease OCS-P 0561 .....	6
-----------	--	---

## List of Appendices

Appendix A Site Assessment and Characterization

Appendix B Project Design and Development of Construction and Operations Plans (COP)

Appendix C Environmental Assessments and Technical Reports

Appendix D Construction

Appendix E Operations and Maintenance (O&M)

Appendix F Decommissioning

Appendix G Consultation Policies of Participating Tribes/Tribal Nations

# 1.0 RWE Commitment to Tribes/Tribal Nations

RWE is committed to:

- Working with Tribes/Tribal Nations in a manner that recognizes and respects legal, constitutional and regulatory rights, as well as the lands and resources to which they apply,
- Recognizing and respecting Tribes'/Tribal Nations' rights, cultures, and values, and engaging in meaningful and mutually beneficial relationships,
- Promoting the inclusion of Tribal members and Tribal communities in our workforce and procurement practices,
- Partnering with Tribes/Tribal Nations on sustainability initiatives and economic development opportunities that are aligned with shared values and priorities,
- Actively listening to Tribes/Tribal Nations when they chose to share information, knowledge, perspectives, and concerns, and
- Early, often, and meaningful engagement with Tribes/Tribal Nations related to lease requirements and in ways that may be unrelated to lease or permitting requirements, as mutually agreed between RWE and the Tribes/Tribal Nations.
- Many of these commitments align with NATCP feedback from Tribal Nations. RWE will adapt our engagement based on feedback from Tribes/Tribal Nations and update the NATCP accordingly.

## 2.0 Terms Used and Historical Context

RWE recognizes that appropriate terminology to use when referring to Native American people and groups can vary from region to region. This Native American Tribes Communications Plan (NATCP) will use the guidance provided by the National Museum of the American Indian (2023) to determine the appropriate terminology: “Native Peoples often have individual preferences on how they would like to be addressed. *To find out which term is best, ask the person or group which term they prefer* [emphasis added] (National Museum of the American Indian 2023). In this document, the terms “Tribe/Tribal Nation” are used to refer to governmental entities, and the term “Tribal member” to refer to individuals until and unless RWE is asked to adopt alternative terms that reflect the preferences of participating Tribes/Tribal Nations (as defined for this project in Table 1). Note that when referring to Tribes that are based in California, the term California Native American Tribe may

be used to ensure consistency with the terminology of the California Native American Heritage Commission (NAHC) and state agencies.

There are numerous legal distinctions between Tribes that are “federally recognized” relative to those that are not. Federally recognized Tribes are defined as sovereign nations that possess powers of self-governance (with certain exceptions) including the right to form their own governments, make and enforce laws, and to license and regulate activities within their jurisdictions (Inter-tribal Council of California [ITCC] 2024). This federal-tribal trust forms a government-to-government relationship that creates certain legally enforceable obligations and responsibilities on the part of the United States to persons who are enrolled members of such tribes (ITCC 2024).

“Non-federally recognized” refers to those Tribes whose status have not been officially acknowledged by the United States government. There are more non-federally recognized Tribes in California than in any other state (The Advisory Council on California Indian Policy 1997).

For purposes of this NATCP, we will engage with participating Tribes/Tribal Nations that have been identified as having ancestral ties to the geographical area of the Project or that have expressed interest in migratory species with cultural, economic, and spiritual importance that may spend a part of their lifecycle in the Project Area or that may otherwise be affected by the Project, regardless of whether they are federally recognized or not, and consistent with BOEM’s requirements.

Table 1 provides definitions of the terms that are used in this document, which have been adopted from federal and state and other sources. We note that some of these terms may not reflect tribal preferences.

Table 1. Definitions

Term	Definition
Participating Tribes/Tribal Nations	The 22 Tribes/Tribal Nations identified as having ancestral ties to the geographical area of the Project or that have expressed interest in migratory species with cultural, economic, and spiritual importance that may spend a part of their lifecycle in the Project Area or otherwise be affected by the Project. This includes some federally recognized Tribal governments, non-federally recognized California Tribes identified by the California NAHC, and four Tribes in Washington identified by BOEM for Project engagement.
Federally recognized	A tribal entity that has a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation, and that is listed in the most recent notice of the Federal Register.
Native American Tribe	A tribe, band, pueblo, nation, or other organized group or community of Indians, including an Alaska Native village that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians (34 U.S. Code § 12133).
Non-federally recognized	Tribal Governments exercising and claiming inherent sovereignty but that are not currently recognized as Tribal sovereign nations by the United States.
Project Area	Geographic area consisting of the RWE offshore lease site (designated as OCS-P 0561), the export cable to shore (location to be determined), and the onshore point of interconnection (location to be determined).
Tribal member	An individual enrolled in a Tribe/Tribal Nation.
Tribe/Tribal Nation	For purposes of this Plan, a Tribe/Tribal Nation refers to a politically organized entity made of up Native Americans recognized as having a government-to-government relationship with the United States or that appears on the California Native American Heritage Commission list of California Tribes.
Traditional Ecological Knowledge	Knowledge about the complex relationships between people and the natural environment learned through direct experiences that have been accumulated and passed down through countless generations.
Tribal Trust Resources	Natural and other resources specified and implicit in treaties, statutes, and agreements, or lands or other resources held in trust by the United States for the benefit of Tribes or individual Tribal members, including land, water, timber, fish, plants, animals, and minerals.
Tribal Representative	Refers to Tribe/Tribal Nations designee to serve as a point of contact for RWE. This may be an elected official, staff, Tribal member, or other.

## 3.0 Introduction

RWE Offshore Wind Holdings, LLC (RWE) holds the lease, Outer Continental Shelf-Pacific 0561. Addendum “C” of the lease contains the specific terms, conditions, and stipulations that RWE must follow as leaseholder. Lease Addendum “C”, 3 details the specific requirements for engagement and communication throughout all stages of RWE’s Project.

The lease terms require RWE to develop three specific plans to facilitate this engagement effort over the lifetime of the Project. The three plans are the Native American Tribes Communications Plan (NATCP) (refer to Addendum “C”, 3.1.2), the Agency Communications Plan (ACP) (Addendum “C”, 3.1.3), and the Fisheries Communications Plan (FCP) (Addendum “C”, 6.2).

The NATCP is written to fulfil lease Addendum “C”, 3.1.2, which includes the requirement to develop a publicly available NATCP that outlines the process that RWE will use to formally communicate with and receive feedback from participating Tribes/Tribal Nations. RWE is developing the NATCP in collaboration with participating Tribes/Tribal Nations and the plan will be updated, as necessary, to reflect changes that occur over the life of the Project or based on feedback received. Ongoing communications with Tribes/Tribal Nations will ensure that lessons learned and best practices are incorporated into the NATCP on a regular basis.

RWE’s three communications plans were developed simultaneously by a coordinated RWE team as they will necessarily involve overlapping engagements. The communications plans will also be consistent with any Survey Plan(s) that RWE develops, which is another type of plan described in lease Addendum “C”, 2.

Updated versions can be provided to interested parties in electronic form and will also be posted by BOEM and on the RWE website. The process for updating the plan is presented in Section 6.

A “Revision Summary” table is included in the Table of Contents to track changes of the NATCP over time. The Revision Summary table provides a brief description of the changes that were made to the document and the dates of each revision.

### 3.1 Company Background

RWE is one of the world’s leading renewable energy companies, driving the expansion of green energy in more than 20 countries on five continents. RWE has a goal of installing 65 gigawatts (GW) of clean energy capacity by 2030. The United States (U.S.) is a key market for RWE’s renewable energy growth and the company already has a current clean energy capacity of approximately 9 GW, which includes onshore and offshore wind farms, solar, and battery storage facilities.

RWE is also the second largest offshore wind developer in the world with 19 offshore wind projects in operation. It is becoming the fastest-growing offshore wind company



in the U.S. after recent acquisitions of approximately 6 GW of seabed capacity in the Pacific, Atlantic, Gulf coasts.

### 3.2 Project Background and Setting

In December 2022, RWE successfully secured the lease rights to an area off the coast of Humboldt County (Figure 1) as part of the California offshore wind lease auction. Designated as Outer Continental Shelf (OCS)-Pacific 0561 (OCS-P 0561), the *Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf* (lease) was executed by the U.S. Department of the Interior, Bureau of Ocean Energy Management (BOEM) and RWE on June 1<sup>st</sup>, 2023<sup>1</sup>.

On January 9, 2024, RWE announced the project's name as Canopy Offshore Wind Farm (Canopy). The eastern boundary of the Canopy site is approximately 21 miles (mi; 33 kilometers [km]; 18 nautical miles [nm]) from its closest point to shore near Eureka, California. The lease site encompasses 63,338 acres of seabed in water depths ranging from 1,762 to 3,337 feet (ft; 537 to 1,017 meters [m]). If fully developed, the renewable energy capacity of this area is estimated at 1.6 GW, which could power more than 600,000 homes annually. The Project Area is defined as the lease site, the export cable corridor, and the onshore interconnection to the electric grid, which, except for the lease site, have not been determined.

---

<sup>1</sup> The executed lease can be found here: [https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/2023-05-16\\_BOEM\\_RWE\\_POCSR\\_Lease-0561.pdf](https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/2023-05-16_BOEM_RWE_POCSR_Lease-0561.pdf)

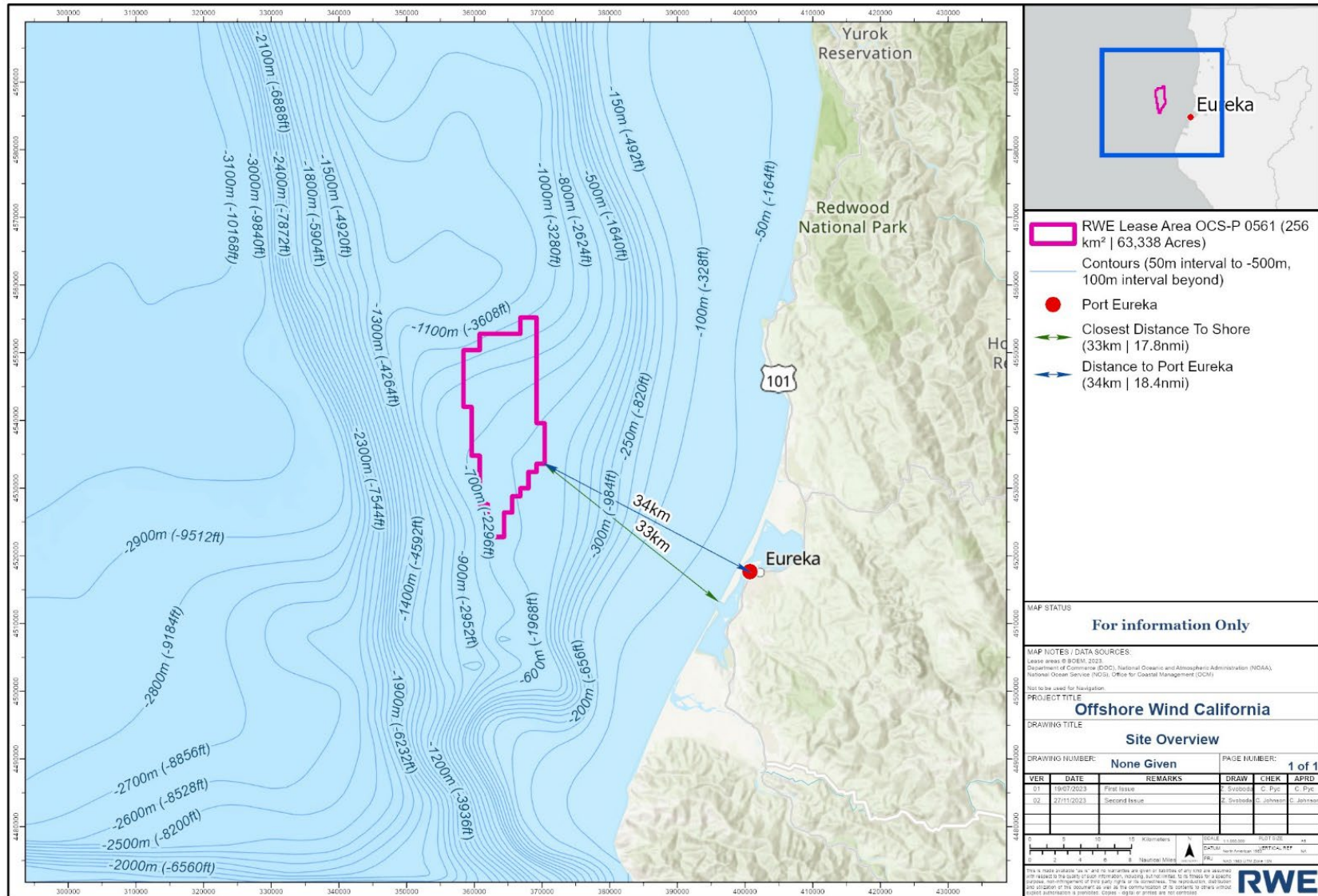


Figure 1. Location of RWE's Offshore Wind Lease OCS-P 0561

The Project Area lies within the California Current marine ecosystem, a vast and highly productive coastal ecosystem located along the northeastern Pacific Ocean that provides seasonal upwelling of cold, nutrient-rich water. This upwelling supports a dynamic food web that sustains populations of krill, squid, sardines, and other species that are fed upon by larger fish, seabirds, and marine mammals. The California Current ecosystem supports important commercial and recreational fisheries as well as other activities and ecosystem services throughout the region (National Oceanic and Atmospheric Administration [NOAA] Fisheries 2023). Potential Project impacts to this marine environment are of particular concern to participating Tribes/Tribal Nations.

### 3.3 Participating Tribes/Tribal Nations

RWE's identification of participating Tribes/Tribal Nations, listed in Table 2, was informed by BOEM and the California NAHC. RWE will include any additional federally recognized Tribes, or Tribes from the NAHC list, upon request by the Tribe to RWE's Tribal Relations Manager.

There are 18 Tribes/Tribal Nations, both federally recognized and non-federally recognized, that have been identified as having ancestral ties to the Project Area, which encompasses the RWE wind lease site and possible cable corridors and interconnections to shore.

Beyond the immediate Project Area, an additional four Tribes/Tribal Nations located in Washington State (the Hoh, Makah, Quileute Tribes, and the Quinault Nation) asked to be included in the NATCP as migratory species with cultural, economic, and spiritual importance to these Tribes may spend a part of their lifecycle in the Project Area and other parts of their lifecycle in waters farther to the south or north of the Project Area.

We refer to these 22 Tribes/Tribal Nations collectively as 'participating Tribes/Tribal Nations.'

RWE has shared communications with the 22 Tribes/Tribal Nations listed in Table 2, which were identified by both federal (BOEM) and state agencies (CA NACH) as directed by BOEM. Table 2 includes the points of contacts for each of the 22 Tribes/Tribal Nations following RWE engagements and feedback provided to RWE. The consultation policies of participating Tribes/Tribal Nations will be provided in Appendix G, where applicable to RWE engagement.

Table 2. Tribe/Tribal Nation Key Points of Contact for NATCP

Tribe/Tribal Nation	Chair/President/Chief	State	Additional Point of Contact
Bear River Band of the Rohnerville Rancheria	Chairwoman Josefina Cortez	California	Derek Bowman, Councilmember
Big Lagoon Rancheria	Chairman Virgil Moorehead, Jr.	California	
Blue Lake Rancheria	Chairperson Claudia Brundin	California	Jason Ramos, Council member and Tribal Administrator Heidi Moore-Guynup, Director Tribal and Government Affairs
Elk Valley Rancheria	Chairman Dale Miller	California	Rob Jacob, THRP, Tribal Administrator
Hoh Tribe	Chairwoman Dawn Gomez	Washington	
Hoopla Valley Tribe	Chairman Joe Davis	California	
Karuk Tribe	Chairman Russell Attebery	California	Neva Gibbons, Deputy Director, Department of Natural Resources
Makah Tribe	Chairman Timothy Greene, Sr.	Washington	Glenn Ellis, Councilmember
Nor-Rel-Muk Wintu Nation	Chairman John Hayward	California	Lonyx Landry, NRMWN OSW Consultant Cyndie Childress, Tribal Secretary and Administrative Manager
Quartz Valley Indian Community	Chairman Harold Bennet	California	
Quileute Tribe	Chairman Doug Woodruff	Washington	
Quinault Indian Nation	President Guy Capoeman	Washington	
Redding Rancheria	Chairman Jack Potter	California	
Resighini Rancheria	Chairwoman Fawn Murphy	California	Megan Rocha, Executive Director
Round Valley Indian Tribe	President Lewis Whipple	California	James Russ, Tribal Business Administrator
Shasta Indian Nation	Chairwoman Janice Crowe	California/ Oregon	
Shasta Nation Tribe	Chief Roy Hall	California	
Tolowa Dee-ni' Nation	Chairperson Jeri Lynn Thompson	California	Darrel Aubrey, Self-Governance Officer
Trinidad Rancheria	Chairman Garth Sundberg	California	Jacque Hostler-Carmesin, Chief Executive Officer Robert Hemsted, Vice-Chair
Tsnungwe Council	Chairman Paul Ammon	California	
Wiyot Tribe	Chairman Ted Hernandez	California	Marnie Atkins, Secretary
Yurok Tribe	Chairman Joe James	California	Michael Gerace, Director, Department of Planning and Community Development

### 3.4 Tribal Fisheries

For many of the participating Tribes/Tribal Nations, fisheries are an integral part of their cultural identity and traditions. Salmon is particularly important to many, if not all, participating Tribes/Tribal Nations as a primary subsistence food. Other migratory marine species such as sturgeon, steelhead trout, Pacific lamprey, candlefish, and whales, are regarded similarly to salmon by some or all of the participating Tribes/Tribal Nations, as are non-migratory species such as halibut, cod, abalone, mussels, and more.

For some participating Tribes/Tribal Nations, fishing can be a recreational, subsistence, ceremonial, and, in some cases, commercial enterprise. Tribal fisheries may be ocean based and/or river based depending on the participating Tribe/Tribal Nation. Several participating Tribes/Tribal Nations have commercial fisheries that provide important economic opportunities for Tribal members. In addition, Tribal members from some participating Tribes/Tribal Nations may be employed in the non-tribal commercial fishing industry or in the recreational fishing industry. We propose to address issues related directly to Tribal fishing rights, commercial and otherwise, in the NATCP; all issues related to non-Tribal fisheries are addressed by the Fisheries Communications Plan.

Engagement with Tribal fisheries representatives will be at the direction of Tribes/Tribal Nations. RWE will work with Tribes/Tribal Nations to determine the most appropriate means of formal engagement to solicit feedback related to Tribal fisheries' concerns and to answer any questions Tribal members have related to potential interactions between the proposed Project and Tribal fisheries. RWE will also ensure that engagement with fisheries' interests, more broadly, is inclusive of Tribal fisheries.

## 4.0 Shared Communication Approach and Strategy

RWE is committed to early, often, and meaningful engagement with Tribes/Tribal Nations as outlined in the NATCP, but also in ways that are unrelated to lease or permitting requirements, as preferred and agreed to by the Tribes/Tribal Nations. RWE recognizes that values, cultures, and processes are unique for each Tribe. Tribal engagements offer an opportunity for RWE to learn about these unique differences and to approach discussions in culturally appropriate and respectful ways to build lasting relationships with Tribes/Tribal Nations and inform Project development. RWE believes that these working relationships will strengthen as trust and mutual understanding are built between RWE and the participating Tribes/Tribal Nations.

The NATCP details the procedures and protocols that RWE will use to formally engage with Tribes/Tribal Nations, share Project information, and solicit feedback from Tribes/Tribal Nations to develop a Project that avoids, minimizes, and/or mitigates impacts to environmental, social, and cultural resources. Through

appropriate communication, coordination, and collaboration efforts, as described in Table 5, RWE endeavors to avoid or minimize conflicts.

### 4.1 RWE Contacts for Tribal Communications

RWE has designated the following individuals as points of contact (POC) for questions or comments on this document and for general inquiries related to tribal engagement.

Table 3. RWE Key Points of Contact for Tribal Engagement

Title	Name	Email	Phone
Tribal Relations Manager	Andrea Hansen	<a href="mailto:andrea.hansen@rwe.com">andrea.hansen@rwe.com</a>	707-267-8470
Local Government & Stakeholder Engagement Manager	Ciara Emery	<a href="mailto:ciara.emery@rwe.com">ciara.emery@rwe.com</a>	707-981-6579
Director of Permitting & Environment	Cynthia Pyc	<a href="mailto:cynthia.pyc@rwe.com">cynthia.pyc@rwe.com</a>	512-500-1933
California Permitting Manager	Carlaine Johnson	<a href="mailto:carliane.johnson@rwe.com">carliane.johnson@rwe.com</a>	312-241-8052

RWE’s Tribal Relations Manager will serve as the primary POC responsible for communicating a wide range of information to the Tribes/Tribal Nations from the various RWE teams and providing feedback from the Tribes/Tribal Nations to RWE to inform Project decision-making. The purpose of designating a primary POC is to better facilitate communication between RWE and Tribes/Tribal Nations. Alternative POCs are provided in the event the Tribal Relations Manager is not available.

The Tribal Relations Manager is responsible for implementation of all aspects of the NATCP including, but not limited to, the following:

- Facilitating communication between participating Tribes/Tribal Nations and RWE;
- Preparing meeting materials (agendas, presentations, meeting summaries, etc.);
- Coordinating and leading in-person and virtual engagement meetings;
- Tracking action items and follow-up engagements and activities;
- Providing regular updates to Tribes/Tribal Nations; and
- Answering questions from Tribes/Tribal Nations regarding the Project and its activities, and conversely providing insight into Tribal concerns, recommendations, and perspectives to RWE.

### 4.2 Coordination with Humboldt and Morro Bay Leaseholders

RWE is also coordinating with, to the extent practicable, the other California leaseholders on engagement activities. This may include coordination with the three central California leaseholders for areas offshore Morro Bay, which are located about 500 miles south of the RWE lease site, as well as with Vineyard

Offshore (California North Floating, LLC; lease number OCS-P 0562), which holds the offshore wind lease adjacent to the RWE lease area in northern California. RWE anticipates that ongoing coordination efforts with the leaseholders will potentially include joint meetings as well as other methods of coordination to minimize duplication of activities and reduce the burden of participation on Tribes/Tribal Nations. In response to Tribal Nation feedback on the NATCP requesting specific examples of coordinated activities, these may include California-led question and answer sessions, participation in Tribal conferences, and potential meetings with specific Tribes at the Offshore Wind California’s annual Pacific Offshore Wind Conference or other relevant gatherings.

As noted in lease Addendum “C”, 3, it is expected there will be Tribes/Tribal Nation agencies or agency staff listed in this NATCP that will also be identified within RWE’s FCP and ACP. Agencies or agency staff may be involved in the review of one or more of the other plans for the Project (e.g., survey plans, monitoring plans, contingency plans, etc.). RWE recognizes that the development of an offshore wind project requires input from many stakeholders with various interests. Any input provided on the Project by the Tribes/Tribal Nations, including any inconsistencies across Project plans, will be noted by RWE and addressed across the full Project spectrum. Likewise, RWE expects that any input by individuals who are members in the 22 listed Tribes/Tribal Nations, will maintain close coordination and communication with the contacts listed in Table 2 to ensure consistency throughout the Project lifecycle.

Table 4. NATCP Core Values

Core Value	Description
<b>Communication</b>	Throughout the Project lifecycle, the NATCP will provide RWE and Tribes/Tribal Nations with opportunities to achieve the mutual goals of early and active exchange of information, opinions, and recommendations to create an open and honest dialogue. RWE will share information about Project development, activities, and invite discussion on how these activities might affect Tribes/Tribal Nations, both positively and negatively.  Tribes/Tribal Nations will have an opportunity to share their opinions, perspectives, beliefs, Traditional Ecological Knowledge, scientific research, and concerns about Project development and make recommendations on how to avoid, minimize, and/or mitigate impacts to important environmental and cultural resources, as well as to discuss potential partnering, economic development, and/or investment opportunities between RWE and Tribes/Tribal Nations.
<b>Coordination</b>	The NATCP will provide RWE and the Tribes/Tribal Nations with opportunities to coordinate their activities to reduce potential ocean user conflicts and share the benefits of offshore wind development. Coordination could include working discussions between RWE and Tribes/Tribal Nations to schedule geophysical and geotechnical surveys or construction activities around periods when Tribes/Tribal Nations may use the Project Area for traditional activities or providing opportunities for Tribal participation in pre-survey, survey, and post-survey activities.
<b>Collaboration</b>	The NATCP will provide opportunities for RWE and Tribes/Tribal Nations to evaluate and discuss potential Project impacts and work together to develop measures, plans, and procedures to avoid, minimize, and/or mitigate Project impacts on environmental and cultural resources. In addition, the NATCP will provide opportunities for Tribes/Tribal Nations and RWE to identify and collaborate on economic, social, and environmental projects and investments to improve the local environment and provide educational and economic opportunities for Tribe/Tribal Nation members.
<b>Respect</b>	The NATCP acknowledges that participating Tribes/Tribal Nations have long-served as stewards of the Project Area and the species that use the Project Area and continue to do so today.

Core Value	Description
	<p>Participating Tribes/Tribal Nations have historical knowledge of the complex relationships between people and the natural environment learned through direct experience and passed down through generations which should be taken into consideration. RWE respects and acknowledges the importance of this Traditional Ecological Knowledge and how it can be used to improve Project development and avoid or minimize adverse impacts to Tribal Trust Resources. Participating Tribes/Tribal Nations have also collected data and information derived through Western scientific methods that should also be used to inform Project development.</p> <p>RWE endeavors to have respectful, open, and transparent communication with Tribes/Tribal Nations, to receive input and feedback from Tribes/Tribal Nations, and to use that input/feedback to avoid or minimize adverse impacts to the extent practicable.</p>

RWE has incorporated these core principles in the development of the NATCP and through direct communication and feedback from Tribes/Tribal Nations that provided feedback on the NATCP. RWE has met with, and will continue to meet with through the Project lifecycle, Tribes/Tribal Nations identified in the NATCP to better understand their preferred types of engagements, the frequency of activities/meetings, and preferred meeting formats (i.e., in-person, virtual, email, etc.). Engagement protocols outlined in the following sections are preliminary and will be further refined as additional feedback is received. The NATCP document itself will be maintained in an “evergreen” state meaning that it will be revised periodically to incorporate any requested changes or updates made by Tribes/Tribal Nations, BOEM, and others, as appropriate.

As required by BOEM, the NATCP document must be made publicly available, but any sensitive communications or documentation shared by Tribes/Tribal Nations during engagement activities will remain confidential in a protected access SharePoint folder in password-protected computers; meetings with Tribes/Tribal Nations are not recorded. Likewise, RWE does not share confidential business information or proprietary data; however, RWE will consider sharing certain information with a requester, provided it is appropriate and relevant, it does not create a competitive disadvantage, and each party has signed a Non-Disclosure Agreement (NDA). Information shared verbally (during meetings) is not recorded and any documentation provided in writing is stored in PIN-protected, password-protected computers and in a secure SharePoint folder.

RWE will continue to work with Tribes/Tribal Nations to develop appropriate engagement approaches that ensure Tribes/Tribal Nations remain informed of and have meaningful opportunities to provide input into the Project through each of its proposed development cycles, which are further described in Appendices A through F. Table 5 provides a summary of the types of engagement activities that RWE envisions might be the most useful in its strategy to communicate, collaborate, and coordinate with Tribes/Tribal Nations. Meeting frequency and meeting type will be tailored to the needs of each Tribe/Tribal Nation.



Table 5. NATCP Engagement Activities

Engagement Activity	Description
<b>Virtual Meetings</b>	<p>RWE will host virtual meetings for the participating Tribes/Tribal Nations. These meetings will be open to all Tribal Representatives (TRs) and Tribe/Tribal Nation members as directed by Tribal governments. The meetings may include the following components:</p> <ul style="list-style-type: none"> <li>• An opening statement by TRs and RWE;</li> <li>• Knowledge/information sharing sessions between TRs and RWE;</li> <li>• A question-and-answer session; and</li> <li>• A listening session where RWE will listen to concerns, recommendations, and feedback from TRs.</li> </ul> <p>Final agendas for individual meetings will be developed, with input from Tribes/Tribal Nations, in advance of the meeting.</p>
<b>Face-to-Face Meetings</b>	<p>Representatives from RWE will attend face-to-face meetings with TRs, Tribal governments, and Tribe/Tribal Nation members. RWE will collaborate with the Tribes/Tribal Nations regarding the format and content of these meetings. Final agendas for individual meetings will be developed, with input from Tribes/Tribal Nations, in advance of the meeting.</p>
<b>Electronic Newsletter/Email Update</b>	<p>RWE will periodically prepare and send a Project newsletter or email update to the TRs to provide them with updates on the status of the Project, major developments, regulatory activities, and information/updates on topics important to the Tribe/Tribal Nations. The newsletter will be delivered to TRs via email.</p>
<b>Website Updates</b>	<p>RWE will create and regularly update the Project website with information and news about the Project.</p>

During the engagement activities listed in Table 5, RWE will share information on the methods, objectives, and results of cultural and biological studies and/or studies done in support of the Construction and Operations Plan (COP) on topics that the Tribes/Tribal Nations deem important. Some possible topics are listed in Table 6 and will be further developed as the Project progresses. Tribes/Tribal Nations may also reference Traditional Ecological Knowledge (TEK) to inform adaptive management approaches, but TEK should not be solely utilized as supplemental information to corroborate “Western science.” RWE recognizes that the only way to effectively incorporate TEK into decision-making is through discussions and consultation with Tribes/Tribal Nations (West Coast Ocean Tribal Caucus 2020).

Table 6. Project Updates on Possible Topics of Tribal Interest

Topics	
<b>Environmental Justice</b>	Marine and Terrestrial Archaeological Resources
<b>Physical Oceanographic/Meteorological Conditions</b>	Visual Effects on Above Ground Historic and Traditional Cultural Properties
<b>Water Quality</b>	Recreation and Tourism
<b>Coastal and Terrestrial Habitats</b>	Geological Resources
<b>Benthic and Shellfish Resources</b>	Commercial and Recreational Fishing
<b>Fish and Essential Fish Habitat</b>	Marine and Coastal Land Uses

<b>Topics</b>	
<b>Marine Mammals</b>	Marine Transportation and Navigation
<b>Sea Turtles</b>	Land Transportation and Navigation
<b>Avian and Bat Species</b>	Project Siting and Design Development
<b>Visual Resources</b>	Offshore and onshore site investigations
<b>Site Characterization and Assessment Studies</b>	State and local government consultations
<b>Compliance Activities/ Permits</b>	Federal government consultation
<b>Aquaculture</b>	Spill Prevention and Response Plan
<b>Workforce Development</b>	

### 4.3 Project Phases and Engagement Activities

Attached to this NATCP are six appendices representing each stage, in the order they occur, of an offshore wind project. Stage-specific appendices provide a breakdown listing the discrete actions that RWE will take to coordinate and engage with participating Tribes/Tribal Nations. The six stage-specific appendices are:

- Site Assessment and Characterization (Appendix A),
- Project Design and Development of Construction and Operations Plans (COP) (Appendix B),
- Environmental Assessments and Technical Reports (Appendix C),
- Construction (Appendix D),
- Operations and Maintenance (O&M) (Appendix E), and
- Decommissioning (Appendix F).

The communication activities described in the appendices are intended reach a wider group (if that is the Tribe/Tribal Nation’s desire) while still maintaining a single POC within each Tribe/Tribal Nation. It is anticipated that the primary contacts listed in Table 2 will be responsible for wider distribution of formal communications received from RWE as deemed appropriate by the Tribe/Tribal Nation.

The intent of this approach is to maintain an organized structure for transparency and awareness, while reducing bottlenecks for the distribution of Project updates or progress reports or to timely address pertinent issues.

RWE will continue to invite the participating Tribes/Tribal Nations for meaningful engagement activities even when RWE has not received responses back, unless otherwise communicated by each participating Tribe/Tribal Nation.

The NATCP is meant to be a guide for RWE and the participating Tribes/Tribal Nations to foster effective communications. If the NATCP is hindering engagements or the structure requires modification to better accommodate a participating Tribe's/Tribal Nation's needs, then that feedback should be communicated to the RWE Tribal Relations Manager.

RWE is committed to an adaptive NATCP that is responsive to changing conditions of Project activities, as well as to an individual Tribe's/Tribal Nation's needs and resources. There will be stages of this Project that will require various levels of engagement and possibly different Tribal staff to be notified depending on the issues. The result may be fewer engagement activities during periods of low activity and more engagement activities during periods of increased activity. As a result, RWE will endeavor to tailor the types and frequency of engagement activities to each Tribe's/Tribal Nation's specific needs, their feedback to the flow of information, and to the issues requiring attention during the different Project stages and as the Project matures. This is intended to create a transparent process for interested parties and to allow for meaningful engagement.

## 5.0 Process for Revising the NATCP

RWE views the NATCP as a “living document” that will be modified throughout Project implementation to achieve the goal of effective communication, collaboration, and coordination between RWE and participating Tribes/Tribal Nations. The process for modifying the NATCP will embody the core principles of respect, communication, coordination, and collaboration between participants. The following process will be used to modify the NATCP.

1. RWE will amend the NATCP to include any federally recognized Tribe/Tribal Nation or Tribe/Tribal Nation that requests to be included in the NATCP.
2. RWE will request confirmation of, and make any changes requested by, participating Tribes/Tribal Nations as to their primary and secondary points of contact for communications through the NATCP (refer to Table 2 in Section 3.4).
3. At any time, a participating Tribe/Tribal Nation or RWE can propose modifications or amendments to the NATCP by submitting the proposed change(s) to the RWE Tribal Relations Manager.
4. The RWE Tribal Relations Manager will submit the proposed modification/amendment to Tribes/Tribal Nations for review and comment if the changes are material and substantive. If multiple modifications or amendments to the NATCP are submitted [during a reasonable time period], the RWE Tribal Relations Manager will consolidate the proposed changes for participating Tribes/Tribal Nations to review and comment altogether.
5. Tribes/Tribal Nations will have 30 days to review and comment on the proposed modification/amendment, depending on the Tribe's/Tribal Nation's capacity.
6. After the close of the 30-day review and comment period RWE will share with participating Tribes/Tribal Nations all comments received on the proposed modification/amendment, RWE's responses to those comments, and an updated NATCP, if necessary.
7. Tribes/Tribal Nations will have another 30 days for any final comments. If there are no additional comments the revised NATCP is considered ready for posting and will be sent to BOEM for publication. If there are additional comments from BOEM, RWE will consider these comments, make every reasonable effort to address concerns, finalize the revised NATCP, and submit it to BOEM for publication. Alternatively, RWE may request additional comments before finalizing the revised NATCP.
8. Once participating parties have received the revised NATCP document, RWE and participating parties will be responsible for implementing the revised NATCP.
9. An updated copy of the NATCP will be made public on the Canopy website.

10. If any participating party decides to object to a modification/amendment accepted under the process outlined above, RWE will meet with the objecting party in hopes of developing a mutually agreeable solution to the objection.

## 6.0 Conflict Prevention and Resolution

Throughout the Project lifecycle, RWE will proactively seek input from Tribes/Tribal Nations on project plans and potential project impacts, which will include discussions of measures to avoid, minimize, or mitigate for such impacts where practicable and appropriate.

In recognition that it may not be possible to avoid all conflicts, the NATCP also describes a process that Tribes/Tribal Nations and RWE can work through to resolve conflicts. A mutually respectful conflict resolution approach is one in which each party will: fully engage in identifying conflicts early in the process, work cooperatively toward understanding and addressing concerns, and create meaningful suggestions to allow the group to reach consensus on resolving the conflict(s).

A possible collaborative problem-solving approach can be found in Burton and Sandole (1986), which outlines the following six-step process:

1. Define the primary needs surrounding the conflict.
2. Brainstorm possible solutions.
3. Choose solutions that meet the needs of both parties.
4. Create an agenda delineating who will assume each task.
5. Implement the plan.
6. Evaluate the solutions, and reevaluate, if necessary.
7. The outline above is a simplified approach to problem solving; therefore, refinement of these procedures will be made if they are needed to address a conflict that cannot be easily resolved.

## 7.0 508 Compliance

All documents prepared by RWE will be compliant with Section 508 of the Rehabilitation Act of 1973, codified at section 29 United State Code section 794d, as amended. This ensures that anyone with a disability has equal access to government information on their communications devices. Section 508 compliance allows BOEM to easily post documents on its website for accessibility. Information on accessible digital products can be found at [www.section508.gov/create](http://www.section508.gov/create).

## 8.0 References

- Burton, John W. and Sandole, Dennis J.D., 1986. Generic Theory: The Basis of Conflict Resolution. *Negotiation Journal*, October 1986 (<https://doi.org/10.1111/j.1571-9979.1986.tb00373>).
- California Coastal Commission (CCC) 2018. Adopted Tribal Consultation Policy. Adopted August 8, 2018 (<https://documents.coastal.ca.gov/assets/env-justice/tribal-consultation/Adopted-Tribal-Consultation-Policy.pdf>).
- California Office of the Tribal Advisor. 2023. Cultural Humility: Basics for Working with California Native Americans. Presentation accessed July 18, 2023 ([https://tribalaffairs.ca.gov/wp-content/uploads/sites/10/2020/11/OTA\\_Cultural-Humility-1.pdf](https://tribalaffairs.ca.gov/wp-content/uploads/sites/10/2020/11/OTA_Cultural-Humility-1.pdf)).
- Castillo, Edward D. 2023. Short Overview of California Indian History. California Native American Heritage Commission article accessed on July 18, 2023 (<https://nahc.ca.gov/resources/california-indian-history/>).
- Intertribal Council of California, Inc., 2023. Frequently Asked Questions. Website accessed April 26, 2024 (<https://itccinc.org/faq/>).
- National Museum of the American Indian. 2023. The Impact of Words and Tips for Using Appropriate Terminology: Am I using the Right Word? Smithsonian Institution. Website accessed October 17, 2023 (<https://americanindian.si.edu/nk360/informational/impact-words-tips>).
- National Oceanic and Atmospheric Administration (NOAA) Fisheries Service. 2023. California Current Integrated Ecosystem Assessment. Website accessed July 21, 2023 (<https://www.integratedecosystemassessment.noaa.gov/regions/california-current>).
- The Advisory Council on California Indian Policy (ACCIP). 1997. The ACCIP Recognition Report: Equal Justice for California. A report by the ACCIP issued September 1997 ([https://2075a3e3-b3ae-464a-a7a6-9fbb9755721a.filesusr.com/ugd/089640\\_52cf2057fb7b43d29e24ededfc58fd57.pdf](https://2075a3e3-b3ae-464a-a7a6-9fbb9755721a.filesusr.com/ugd/089640_52cf2057fb7b43d29e24ededfc58fd57.pdf)).
- West Coast Ocean Tribal Caucus. 2020. Guidance and Responsibilities for Effective Tribal Consultation, Communication, and Engagement: A Guide for Agencies Working with West Coast Tribes on Ocean & Coastal Issues. Developed by Members of the West Coast Tribal Caucus of the West Coast Ocean Alliance, July 2020 ([https://static1.squarespace.com/static/5bc79df3a9ab953d587032ca/t/5f0cdc876f40e375a32305af/1594678422449/WestCoastTribalEngagementGuidance\\_July2020.pdf](https://static1.squarespace.com/static/5bc79df3a9ab953d587032ca/t/5f0cdc876f40e375a32305af/1594678422449/WestCoastTribalEngagementGuidance_July2020.pdf)).

# **Appendix A**

## **Site Assessment and Characterization**

The Site Assessment/Characterization phase, which is anticipated to occur over three to five years, includes the following:

- Distribute a draft survey plan(s) via email for review and feedback; the survey plan will describe data collection efforts to inform Project engineering and archaeological investigations of the Project Area.
- Submit final survey plan(s) to BOEM.
- Analyze archaeological survey data and prepare archaeological reports by a Qualified Marine Archaeologist (specific protocols that RWE and its contractors will follow are listed later in this section).
- Perform initial studies and collect data on marine mammals, birds, benthic habitat, fish, and other marine resources in the Project Area.
- Prepare a site assessment plan (SAP) for buoy installation (if necessary) within the Lease Area to collect meteorological and/or oceanic information.
- The principal engagement goals during this phase are expected to include, but are not limited to:
  - RWE to provide the Tribes/Tribal Nations with opportunities to review and comment on proposed site characterization surveys.
  - Tribes/Tribal Nations to inform RWE of their consultation policies.
  - RWE will coordinate a Tribal pre-survey meeting by sending a letter through certified mail to participating Tribes/Tribal Nations, and by sending subsequent emails or making phone calls, as necessary.
  - RWE to send notification of the Tribal pre-survey meeting to BOEM at least 15 calendar days prior to the date of the proposed Tribal pre-survey meeting.
  - RWE and RWE's Qualified Marine Archaeologist will discuss the survey plan with interested participating Tribes/Tribal Nations and consider requests to monitor portions of the archaeological survey and the geotechnical exploration activities, including the virtual visual logging and analysis of geotechnical samples (e.g., cores, etc.).
  - Tribes/Tribal Nations will communicate their concerns, information requests, and recommendations to RWE to inform methods and objectives of site characterization surveys and studies.
  - RWE and their site characterization survey and study contractors will coordinate with Tribes/Tribal Nations to identify and resolve potential conflict with Tribe/Tribal Nation members' use of ocean resources.
  - RWE and Tribes/Tribal Nations will discuss opportunities for collaboration during site characterization studies and surveys such as sharing knowledge or discussing potential opportunities for Tribe/Tribal Nation members to participate in activities.



- RWE to communicate the cultural findings of the various site characterization surveys and studies to the Tribes/Tribal Nations.
- If a shipwreck or archaeological resource is found during data collection, RWE and its contractor will comply with RWE's Incident Notification Reporting Procedures and relevant archaeological documentation and reporting requirements, including making appropriate notifications to Federal and State agencies, as necessary. Avoidance or further investigation is required if a potential shipwreck or archaeological resource is identified as evidenced by the discovery of shipwreck remains (*i.e.*, wooden, iron or steel hull, timbers, anchors, piles of ballast rock, or a debris pile), or of Pre-Contact Indigenous materials (*i.e.*, stone tools, pottery, or other Pre-Contact Indigenous artifacts). RWE will comply with the following protocols in the event of an unanticipated discovery as per Lease OCS-P 0561 and BOEM's renewable regulations at 30 Code of Federal Regulations (CFR) Section 585.702:
  - RWE and its contractor(s) will halt any seafloor/bottom disturbing activities within the area of potential archaeological discovery by a minimum of 50 m (164 ft) as calculated from the maximum edge of the potential archaeological resource.
  - RWE or its contractor shall notify BOEM within 24 hours of the unanticipated discovery.
  - If the potential archaeological resource is believed to represent Pre-Contact Indigenous resources, RWE will also communicate with Tribes/Tribal Nations as spelled out in the NATCP and as required regarding the discovery.
  - RWE or its QMA contractor (GEMS) will provide BOEM with a notification report within 72 hours of discovery.
  - The location shall be kept confidential and no action that may adversely impact the resource will be undertaken without BOEM's assessment and approval.
  - With BOEM approval or direction, RWE and its contractor may undertake additional investigations as needed to determine nomination of the finding on the National Register of Historic Places (30 CFR Section 585.702(b)).

The table below summarizes the types of engagement activities expected to take place during this phase depending on participating Tribes'/Tribal Nations' preferences.

*Site Assessment/Characterization Engagement Activities*

<b>Engagement Activity</b>	<b>Engagement Type</b>	<b>Description/Topics Discussed</b>
<b>Geophysical and Geotechnical Pre-Survey Meetings</b>	Virtual Meeting	RWE to present and request feedback on its site assessment and survey plans. RWE will provide Tribes/Tribal Nations with various ways to access site assessment/characterization information (e.g., group meetings, virtual open-houses, meetings specific to Tribes/Tribal Nations) and we have started the process of evaluating how best to provide capacity support to facilitate engagement in the review process.
<b>Project Update Meeting</b>	Virtual Meeting	RWE will host a regular virtual meeting open to Tribes/Tribal Nations to share Project development updates such as Project design and share and request feedback on site characterization study plans and results and answer questions.
<b>Project Update</b>	Email Newsletter and Website Updates	RWE to provide the Tribes/Tribal Nations with regular Project updates.
<b>Progress Reports</b>	Email	RWE will provide the Tribes/Tribal Nations with the semi-annual progress reports, which are required by BOEM, that summarize RWE's activities conducted between April 1 through September 31 for submittal on December 1; and October 1 through March 31 for submittal on June 1. <sup>2</sup> As requested for inclusion in progress reports during NATCP feedback, RWE will include information on Project milestones, including agency permit issuance, and provide a high-level forecast of upcoming Project activities.
<b>Meetings with Tribal/Tribal Nations</b>	In-person meeting	RWE's Tribal Relations Manager will meet in-person with Tribes/Tribal Nations, as requested, to share Project updates, discuss Project development, identify ways to collaborate, answer questions, and receive Tribal government feedback.

<sup>2</sup> The first two Progress Reports were different timeframes due to the need to build in sufficient time to draft and review these documents prior to the submittal deadlines specified in the lease. RWE's Progress Reports will also be publicly posted at: <https://www.boem.gov/renewable-energy/state-activities/rwe-offshore-wind-holdings-llc-ocs-p-0561>.

# **Appendix B**

## **Project Design and Development of Construction and Operations Plans (COP)**

During this phase, RWE will analyze and review information collected during the Site Assessment phase to develop the Project’s COP, which describes how RWE will construct and operate a commercial offshore wind project in Lease Area OCS-P 0561. The COP includes a description of all planned facilities, as well as a description of proposed construction activities, commercial operations, and conceptual decommissioning plans. The COP summarizes results of the site assessment phase biological, environmental, geophysical, geotechnical, socioeconomic, and cultural resources studies; provides an assessment of the Project’s potential impacts; and includes RWE’s proposed measures for avoiding, minimizing, reducing, eliminating, mitigating, and monitoring impacts. RWE anticipates the COP Development phase will last one to two years.

The principal engagement goals during the COP Development phase are expected to include, but are not limited to:

- RWE will collaborate with the Tribes/Tribal Nations during studies conducted in support of the COP by providing opportunities to review and comment on study plans, such as the marine archaeological resources assessment (MARA), terrestrial archaeological resources assessment (TARA), historic resources visual effects assessment (HRVEA), and studies to evaluate potential impacts to marine species and the environment and terrestrial vegetation and wildlife species.
- RWE and Tribes/Tribal Nations will discuss opportunities for collaboration during studies conducted in support of the COP. This may include but not be limited to sharing data, sharing Traditional Ecological Knowledge, and discussing opportunities for Tribes/Tribal Nations or their members to participate in studies.
- RWE will communicate results of the COP studies and the Project’s potential impacts on environmental, social, economic, and cultural resources and will collaborate with Tribes/Tribal Nations to incorporate their perspectives, opinions, concerns, and recommendations into proposed measures to avoid, minimize, mitigate, and/or monitor Project impacts.

The table below summarizes the types of engagement activities expected to take place during this phase depending on participating Tribes’/Tribal Nations’ preferences.

*COP Development Phase Engagement Activities*

Engagement Activity	Engagement Type	Description/Topics Discussed
<b>COP Survey/Studies Kick Off Meeting</b>	Virtual meeting	RWE will host a virtual meeting with Tribes/Tribal Nations to solicit feedback and recommendations on the studies and surveys RWE will conduct to support the COP.
<b>Project Update Meeting</b>	Virtual Meeting	RWE will host a regular virtual meeting open to Tribes/Tribal Nations to share Project updates including 1) Project development and results of COP surveys/studies on topics important to the Tribes/Tribal Nations; 2) request for feedback on COP study/survey results; and 3) address any questions or concerns.
<b>Project Update</b>	Email/ Newsletter/ Website Update	RWE to provide Tribes/Tribal Nations with regular Project updates.

<b>Engagement Activity</b>	<b>Engagement Type</b>	<b>Description/Topics Discussed</b>
<b>Progress Reports</b>	Email	RWE will provide the Tribes/Tribal Nations with the semi-annual progress reports (as specified in the BOEM Lease), which summarize RWE's activities conducted during the reporting period.
<b>Meetings with Tribes/Tribal Nations</b>	In-person meeting	RWE's Tribal Relations Manager will meet with Tribes/Tribal Nations to attend face-to-face meetings, as requested, to share Project updates, discuss Project development, identify ways to collaborate, answer questions, and receive Tribal feedback.

# **Appendix C**

## **Environmental Assessments and Technical Reports**

The Environmental and Technical Review phase begins when RWE submits the COP to BOEM. Once the COP is deemed sufficient and complete, BOEM will issue a Notice of Intent (NOI) under the National Environmental Policy Act (NEPA) to prepare an Environmental Impact Statement (EIS), which is the official notice that BOEM (as the lead agency) will conduct its environmental and technical reviews of the Project. Any interested party (e.g., federal, state, and local agencies; Tribes/Tribal Nations; affected users; and members of the public) will have the opportunity to participate in a public scoping meeting(s) and provide feedback to BOEM on the issues and impacts to address in the EIS. BOEM (and cooperating agencies) will focus the analysis on significant issues and reasonable alternatives. Once the draft EIS is complete, interested parties will have at least 45 days to respond. BOEM will host at least one public hearing, in which to review and provide comments on the document. BOEM will then publish a final EIS. At the conclusion of the NEPA review period, anticipated to occur over two years, BOEM will decide whether to approve, approve with modifications, or disapprove the COP. BOEM's decision will be formalized in a Record of Decision (ROD), which completes the NEPA review process. The completion of BOEM's National Historic Preservation Act (NHPA) Section 106 review will either be incorporated into the ROD or conclude with a standalone Memorandum of Agreement (MOA) detailing how any adverse effects to historic properties will be resolved. The ROD will be followed by publishing the formal COP approval that contains the requirements RWE must abide by when constructing, operating, and decommissioning the Project.

About the same time as BOEM is preparing its NOI under NEPA, it is anticipated that the State of California will also issue a Notice of Preparation (NOP) on a somewhat similar analysis and mitigation of the Project's environmental effects under the California Environmental Quality Act (CEQA). The California State Lands Commission (CSLC) will be the lead agency for CEQA and will prepare the Environmental Impact Report (EIR). Before the EIR, CSLC staff will develop an early consultation and scoping document that will include a preliminary environmental assessment of affected resources. Staff will route a notice through the State Clearinghouse and interested parties will have 30 days to provide public comment on the document. CSLC will then prepare a staff report and the Commission will consider, at a public meeting, whether to approve the preparation of an EIR. If the Commission approves, SLC staff will then prepare the NOP to solicit further public input on the information gathered during the previous scoping and consultation process. Staff will route the NOP through the State Clearinghouse, provide a minimum 30-day public comment period, and convene a public meeting to gather comments for the EIR. Public Resources Code sections 21080.3.1 and 21084.3© require CEQA lead agencies to consult with California Native American Tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which an NOP has been filed. Within 14 days of determining that RWE's application for a project is complete, the CSLC will provide formal notification to the designated contact of, or a Tribal Representative of, traditionally and culturally affiliated California Native American Tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed

project and its location, the CSLC contact information, and a notification that the California Native American Tribe has 30 days to request consultation pursuant to this section.

Once the draft EIR is completed, interested parties will have a minimum 60-day comment period and a public meeting will be held. The final step involves holding a public meeting to consider whether to certify the final EIR. If the lead federal and state agencies agree on the processes, the NEPA and CEQA documents can be coordinated and streamlined to the extent feasible.

The principal engagement goals during this phase are expected to include, but are not limited to:

- RWE will communicate with the Tribes/Tribal Nations listed in Table 3 to provide updates on proposed activities to support the environmental and technical reviews required by BOEM and CSLC.
- RWE will respond to questions or information requests from Tribes/Tribal Nations and communicate responses and/or the requested information in a timely manner.
- RWE will coordinate with the Tribes/Tribal Nations and with BOEM/State of California to provide any information requested in support of government-to-government consultations.
- RWE will communicate and coordinate with BOEM, and other consulting parties, as requested, throughout the NHPA Section 106 review, providing relevant studies and reports, attending NHPA Section 106 meetings, answering questions, and responding to information requests.
- The table below summarizes the types of engagement activities expected to take place during this phase depending on participating Tribes'/Tribal Nations' preferences. In response to feedback on the NATCP from Tribal Nations, RWE will use reasonable efforts to provide information to Tribes/Tribal Nations on upcoming agency meetings and available agency capacity funding to facilitate participation in public meetings.

*BOEM Environmental and Technical Review Phase Engagement Activities*

Engagement Activity	Engagement Type	Description/Topics Discussed
<b>Project Update Meeting</b>	Virtual Meeting	RWE will host a regular virtual meeting open to Tribes/Tribal Nations to share Project updates such as the status of BOEM's NEPA and NHPA reviews; updates to relevant reports and studies based on NEPA/NHPA Section 106 review feedback; and, if necessary, the development of treatment plans to avoid, minimize, and/or mitigate adverse effects to historic properties.
<b>Project Update</b>	Email/ Newsletter/Website Update	RWE to provide Tribes/Tribal Nations with regular Project updates.
<b>Progress Reports</b>	Email	RWE will provide the Tribes/Tribal Nations with the semi-annual progress reports specified in the BOEM lease, which summarize RWE's activities conducted during the reporting period.
<b>NEPA Public Meetings</b>	Virtual and/or In-person meetings	RWE will attend and participate in the BOEM scoping phase, draft and final EIS public meetings. These



Engagement Activity	Engagement Type	Description/Topics Discussed
		meetings will be open to state and federally recognized Tribes/Tribal Nations and RWE understands some of these meetings will also serve as NHPA Section 106 consultation meetings per BOEM's regular use of the NEPA process for Section 106 purposes (36 CFR 800.8 ©). RWE will use reasonable efforts to provide Tribes/Tribal Nations with information on the timing of these meetings and availability of agency capacity support to facilitate engagement in the NEPA process.
<b>CEQA Public Meeting</b>	Virtual and/or In-person meetings	RWE will attend and participate in California's Scoping Phase, draft and final EIR public meetings. These meetings are open to state and federally recognized Tribes/Tribal Nations. RWE will use reasonable efforts to provide Tribes/Tribal Nations with information on the timing of these meetings and availability of agency capacity support to facilitate engagement in the CEQA process.
<b>NHPA Section 106 Consultation Meetings</b>	Virtual and/or In-person meetings	RWE will attend and participate in NHPA Section 106 consultation meetings organized by BOEM. Meetings will share and review findings of RWE's marine archaeological resources assessment (MARA), terrestrial archaeological resources assessment (TARA), historic resources visual effects assessment (HRVEA); presentation and discussion of BOEM's Finding of Effect; and discussion of proposed measures to resolve adverse effects (if necessary). RWE will use reasonable efforts to provide Tribes/Tribal Nations with information on the timing of these meetings and availability of agency capacity support to facilitate engagement in the NHPA process.

## **Appendix D Construction**

During this phase, RWE will construct the proposed Project within the Project Area. Construction activities will be aligned with the requirements and conditions of the COP approval, including NHPA Section 106, and CEQA Mitigation Monitoring, Compliance, and Reporting Plan (MMCRP) that detail the compliance requirements for monitoring and reporting during Project construction. RWE anticipates it will take two to three years to construct the proposed Project.

The principal engagement goals during this phase are expected to include, but are not limited to:

- RWE will provide Project construction updates and the status of the various avoidance, minimize, and mitigation efforts/commitments to Tribes/Tribal Nations through construction.
- RWE will coordinate with Tribes/Tribal Nations to schedule construction vessel movements and construction activities to avoid or minimize impacts to the Tribe’s/Tribal Nation’s uses of the ocean, coast, and lands near or adjacent to the Project Area, to the extent practicable.
- RWE will discuss with Tribes/Tribal Nations the potential for participation in environmental, social, and/or cultural resource mitigation and monitoring programs as defined in the Project COP Approval, MOA, MMCRP, or any other agreements between RWE and Tribes/Tribal Nations. This includes the potential for Tribally-identified observers and marine species monitors, among other methods.
- Communicate the results of construction phase environmental, social, and cultural resource monitoring reports.

The table below summarizes the types of engagement activities expected to take place during this phase depending on participating Tribes’/Tribal Nations’ preferences.

*Construction Phase Engagement Activities*

<b>Engagement Activity</b>	<b>Engagement Type</b>	<b>Description/Topics Discussed</b>
<b>Project Update Meeting</b>	Virtual Meeting	RWE will host a regular virtual meeting open to Tribes/Tribal Nations to share Project construction updates.
<b>Project Update</b>	Email/ Newsletter/ Website Update	RWE will provide TRs with regular Project updates.

# **Appendix E**

## **Operations and Maintenance (O&M)**

During this stage, RWE will operate, and perform routine maintenance on its offshore wind farm within the lease area. The initial operations term for the lease area is 33 years.

### Actions During O&M

- RWE will comply with approved operational mitigation requirements and permit conditions.
- RWE will communicate regular updates to the Tribes/Tribal Nations on construction, operations, and maintenance activities on the lease site.
- RWE will communicate the findings of ongoing environmental, socio-economic, and cultural resources monitoring reports, as required.
- RWE will summarize meetings and other actions in its semi-annual progress reports.
- RWE will maintain its website with current Project information including the current version of this NATCP.

The table below summarizes the types of engagement activities expected to take place during this phase depending on participating Tribes'/Tribal Nations' preferences.

#### *O&M Phase Engagement Activities*

Engagement Activity	Engagement Type	Description/Topics Discussed
<b>Communicate regular updates on construction, operations, and maintenance activities on the lease site.</b>	Email/ Newsletter/ Website Update	RWE to provide TRs with regular Project updates.
<b>Provide Progress Reports</b>	Email	RWE will provide the TRs with the semi-annual progress reports specified in the BOEM lease, which summarize RWE's activities conducted during the reporting period.
<b>Communicate the findings of ongoing environmental, socio-economic, and cultural resources monitoring reports, as required.</b>	Virtual and/or In-person meetings	RWE to provide TRs with latest reports and findings.

# **Appendix F**

## **Decommissioning**

Toward the end of the Project’s life, RWE will submit a decommissioning plan to BOEM. BOEM will review and determine whether to approve, disapprove, or approve with modifications the decommissioning plan. Once approved, RWE will decommission and remove its Project components per the approved decommissioning plan. RWE anticipates this process will take two to four years to complete.

The principal engagement goals during this phase are expected to include, but are not limited to:

- RWE will share the proposed decommissioning plan with Tribes/Tribal Nations to receive input on Tribal concerns relating to environmental, social, and cultural resources impacts from Project decommissioning;
- RWE will communicate decommissioning planning updates to Tribes/Tribal Nations and, during decommissioning activities, provide updates on the status/progress of decommissioning works and any required environmental, social, and/or cultural resources monitoring programs.
- RWE will coordinate with Tribes/Tribal Nations to schedule decommissioning activities and associated vessel activities to avoid or minimize impacting or interfering with Tribes’/Tribal Nations’ uses of the ocean, coast, and lands near or adjacent to the Project Area, to the extent practicable.

The table below summarizes the types of engagement activities expected to take place during this phase depending on participating Tribes’/Tribal Nations’ preferences.

*Decommissioning Phase Engagement Activities*

<b>Engagement Activity</b>	<b>Engagement Type</b>	<b>Description/Topics Discussed</b>
<b>Decommissioning Plan Review meeting</b>	Virtual Meeting	RWE will host a meeting to review the Project decommissioning plan and solicit feedback from Tribes/Tribal Nations on their concerns and recommendations.
<b>Project Update Meeting</b>	Virtual Meeting	RWE will host a virtual meeting open to Tribes/Tribal Nations to share Project decommissioning updates.
<b>Project Update</b>	Email/ Newsletter/ Website Update	RWE to provide Tribes/Tribal Nations with regular Project updates.

# **Appendix G**

## **Consultation Policies of Participating Tribes/Tribal Nations**