



InterTribal Sinkyone Wilderness Council

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InterTribal Cultural Conservation for Sinkyone Indian Lands



April 13, 2009

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Naval Facilities Engineering Command Northwest
1101 Tautog Circle, Suite 203
Silverdale, WA 98315-1101
Attn: Mrs. Kimberly Kler – NWTRC EIS

Re: Proposed Expansion of the Northwest Training Range Complex

Sent via email

Dear Mrs. Kler:

The InterTribal Sinkyone Wilderness Council (Council) is an incorporated 501(c)(3) Tribal conservation organization comprised of ten Federally Recognized, Sovereign California Indian Tribes that retain and maintain important cultural ties to the coastlines of, and the ocean waters adjacent to, Mendocino and Humboldt Counties.

The Council was founded in 1986 by, and for the benefit of, its member Tribes and is charged with protecting the cultural-ecological resources that constitute the heritage of the indigenous Tribal Peoples of the historic Sinkyone Tribal territory, which is located within southern Humboldt and northern Mendocino Counties, from the coastline to the ridges parallel to and immediately east of the S. Fork and mainstem of the Eel River.

The Council's constituent Tribes are: Cahto Tribe of Laytonville Rancheria; Coyote Valley Band of Pomo Indians; Hopland Band of Pomo Indians; Pinoleville Pomo Nation; Potter Valley Tribe; Redwood Valley Band of Pomo Indians; Robinson Rancheria; Round Valley Indian Tribes (a Sovereign Nation of 7 Confederated Tribes); Scotts Valley Band of Pomo Indians; and Sherwood Valley Band of Pomo Indians. Each of these Tribes is a Sovereign Nation that maintains its own government-to-government relations with the United States of America.

The Tribes' connections to the marine resources and waters of this region are ancient and well documented, and these connections are indisputably vital to the culture, sustenance, health, and continued wellbeing of the Tribal members of this region.

The U.S. Navy's Northwest Training Range Complex contains numerous marine species, as well as anadromous species, that are culturally important to Tribal Peoples of both the coastal and the inland regions of Mendocino and Humboldt Counties. The species that would be affected by the proposed expansion of the U.S. Navy's Northwest Training Range Complex include species that are Endangered and Vulnerable.

The U.S. Navy's draft Environmental Impact Statement (EIS) for the proposed expansion of the Northwest Training Range Complex and the U.S. Navy's August 2008 Request to the National Marine Fisheries Service (NMFS) for Authorization for the Incidental Harassment of Marine Mammals, specifically include the ability to "take" 37 species of marine mammals (i.e., whales, dolphins, and seals) that could be impacted by the expansion beginning in 2010.

InterTribal Sinkyone Wilderness Council is a Nonprofit Consortium of California Indian Tribes

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This authorization includes the "...authorization to take, by injury or mortality, up to 10 individual beaked whales..."¹ The U.S. Navy's request to NMFS for Authorization for the Incidental Harassment of Marine Mammals may in fact result in the "take" of more than 2 million individual sea mammals as a result of the proposed expansion.

The term "take" suggests a high probability of death for sea mammals exposed to the Naval exercises scheduled under the proposed expansion, and should be considered as nothing less than a euphemism for the U.S. Navy's authorization to KILL these sea mammals.

The Council holds fee title to and manages the 3,845-acre InterTribal Sinkyone Wilderness property, which is located adjacent to the coastal Sinkyone Wilderness State Park. The Sinkyone Wilderness area is in the extreme northern part of Mendocino County, within the portion of the Northwest Training Range Complex that apparently extends approximately 2 to 3 miles into Mendocino County. Our InterTribal Wilderness land is located at the very southernmost extent of the Complex. However, our area of geographic concern extends much farther north than the property to which we hold title. Aboriginal Sinkyone territory extends along the coastline from approximately 3 miles south of the mouth of Usal Creek in Mendocino County, thence northward to the mouth of Four Mile Creek in Humboldt County, which is located just south of the mouth of the Mattole River.

The U.S. Navy's proposed expansion would result in irreversible impacts to the many sensitive coastal resources along the entire coastline of the historic Sinkyone territory, including seaweeds, shellfish, rockfish, and a host of other animal and plant species that would be negatively affected by the proposed increase in training activities.

These coastal resources, along with the marine resources and waters, constitute a critical part of the cultural heritage and aboriginal rights of the Tribes of this region who continue to rely upon them for sustenance and ceremonial usage.

The Tribes of this region never ceded their aboriginal rights, including their rights to steward, protect, harvest, and utilize marine and coastal resources that are necessary for the preservation and the continuation of our way of life.

The U.S. Navy's proposed expansion of the Northwest Training Range Complex would infringe upon and threaten marine and coastal resources important to the Tribes and to the general population of this region. In addition, we believe the Navy has failed to adequately consult with the Tribes of Northern California, as required by law, regarding its proposed expansion.

In our opinion, the draft EIS is replete with inadequacies, contradictions, lack of reliable data, and insufficient mitigations, which together are too numerous to catalogue.

Due to the shortfalls of the Navy's proposal, the expansion is certain to cause irreparable harm to the ecological, cultural, economic, recreational, and scenic values of Mendocino and Humboldt Counties' marine and coastal areas.

The InterTribal Sinkyone Wilderness Council is adamantly opposed to the U.S. Navy's expansion of the Northwest Training Range Complex and is advocating for the No Action Alternative as outlined in the EIS.

The Navy should entirely withdraw its plans for the proposed expansion of the Northwest Training Range Complex now and henceforth. Instead, it should instead develop plans for reducing its training and testing activities within the Northwest Training Range Complex, thus contributing to the healing and revitalization of our ocean waters and all the life that they contain.

Sincerely,



Priscilla Hunter
Chairperson

cc: President Barack Obama
Tribes of Mendocino, Humboldt, and Del Norte Counties
Representative Mike Thompson
Senator Diane Feinstein
Senator Barbara Boxer
California Department of Parks & Recreation
National Marine Fisheries Service
California Coastal Commission
State Senator Pat Wiggins
State Assemblyman Wes Chesbro
Mendocino County Board of Supervisors
Humboldt County Board of Supervisors
Del Norte County Board of Supervisors
Humboldt Baykeeper
Environmental Protection Information Center
Northcoast Environmental Center

¹ FR Doc E9-3436, DOCID: fr18fe09-34, Department of Commerce, National Oceanic and Atmospheric Administration. Federal Register: February 18, 2009 (Volume 74, Number 31).
From: www.thefederalregister.com