

**HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT**

RESOLUTION NO. 2024-04

**A RESOLUTION AFFIRMING THE HUMBOLDT BAY HARBOR, RECREATION, AND
CONSERVATION DISTRICT'S COMMITMENT TO THE PREVENTION OF SEX TRAFFICKING AND
"MISSING AND MURDERED INDIGENOUS PEOPLE" IN ASSOCIATION WITH
THE HUMBOLDT BAY OFFSHORE WIND HEAVY LIFT MARINE TERMINAL PROJECT**

WHEREAS, the Humboldt Bay Harbor, Recreation, and Conservation District sits on Wiyot Tribe Ancestral Land; and

WHEREAS, California's North Coast of Humboldt, Del Norte, and Trinity counties are home to a rich and diverse community of Native American peoples and eleven federally recognized and unrecognized Tribes, Rancherias and Sovereign Tribal Governments including Big Lagoon Rancheria, Blue Lake Rancheria, Elk Valley Rancheria, Hoopa Valley Tribal Council, Karuk Tribe of California, Resighini Rancheria, Bear River Band of the Rohnerville Rancheria, Smith River Rancheria, Tolowa Dee-ni' Nation, Trinidad Rancheria, Wiyot Tribe and the Yurok Tribe; and

WHEREAS there has been a historical crisis of sex trafficking and Missing and Murdered Indigenous People (MMIP) throughout the United States, a crisis that persists today; and

WHEREAS, California has the fifth largest MMIP caseload, and the Northern California Coast is the epicenter for these cases; and

WHEREAS, a 120-year survey of California MMIP cases found that one in five of the State's cases are from Humboldt County; and

WHEREAS, since the Gold Rush, Tribal women, girls, men, and two-spirit individuals have been subject to violence, assault, genocide, killing, and sexual violence; and

WHEREAS, local Tribes indicate that many of these crimes are perpetrated by non-Indians who Tribal law enforcement and courts are often unable to arrest, interrogate, and prosecute, due to Public Law 280 and where such perpetrators take advantage of this gap in Tribal law enforcement jurisdiction; and

WHEREAS, Native communities in Northern California are being hit harder than any other community by the fentanyl crisis, making young women and girls particularly vulnerable; and

WHEREAS, Public Law 280 and complex jurisdictional issues among federal, state, and Tribal governments make policing, prosecution, and the protection of Tribal people more difficult, making Native people, especially those living on reservations, more vulnerable; and

WHEREAS, numerous recently-published Tribally-led and peer-reviewed studies from across the United States and Canada demonstrate that development projects on or near Tribal communities have brought industrial man camps and an increase in MMIP, violent crime, drug abuse, and sex trafficking of Native women and children; and

WHEREAS, studies indicate that these problems are largely preventable, and that the strongest form of prevention is the creation of a Tribal Safety and MMIP Prevention Plan to protect Native people before, during, and after development projects; and

WHEREAS, studies indicate that “Tribal Safety and MMIP Prevention Plans” are more effective when project participants collaborate early and often with Tribal communities in the development and implementation of such plans during the life of the project; and

WHEREAS, solutions to the problems must be multi-faceted, covering prevention, education, and response.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The District stands in solidarity with the Tribes of the region in a desire to end violence against Native peoples, sex trafficking of Native children and people, and the crisis of Missing and Murdered Indigenous Peoples.

SECTION 2. For the Humboldt Bay Offshore Wind Heavy Lift Marine Terminal Project, the District will obligate terminal project developers and direct contractors to, among other things, take the following measures in an effort to prevent sexualized violence, sex trafficking, and MMIP:

- A. Invite the Tribal governments of Humboldt County to participate in Tribal government pre-development meeting(s) with Project leaders (such as Site Managers or Construction Managers) prior to commencement of construction, to:
 - i. Share information with Tribal Nations and Native communities about proposed construction and operations activities, and get feedback from Tribal and Native communities about the social impacts of such activities;
 - ii. Examine the impact of proposed development on the health and safety of the Native community;
 - iii. Identify opportunities and strategies to prevent sex trafficking and MMIP during the development project;
 - iv. In coordination and consultation with the Tribal Governments and the District, co-create and adopt a Tribal Public Safety and MMIP Prevention Plan with

- defined protocols to keep Native peoples safe before, during, and after the development project;
- v. In coordination and consultation with the Tribal Governments and the District, co-create and adopt a MMIP & Tribal Safety Communications Plan, with clear identification as to who is responsible to respond to real-time concerns and issues in the community, as well as contacts for each of the major Tribal Nations and Native communities in the region.
- B. Conduct ongoing meetings (no less frequent than quarterly) with Tribal Governments and Native communities to:
- i. Monitor and assess compliance with the Tribal Public Safety and MMIP Prevention Plan and the MMIP & Tribal Safety Communications Plan;
 - ii. Revisit and rework the Tribal Public Safety and MMIP Prevention Plan and the MMIP & Tribal Safety Communications Plan, as needed;
 - iii. Monitor the impact of the development project and make adjustments, as needed.
- C. Acknowledge and affirm that a comprehensive background check has been completed as to all employees to be hired for the project to the extent allowed by applicable laws.
- D. Pay for and require each worker (construction and operations) at the project site to acquire and maintain a "Transportation Worker Identification Credential" from the Federal Transportation Security Administration (TSA).¹
- E. Provide a regularly-updated list of housing options to employees that are temporarily moving to the area to work on the project to prevent the creation of industrial or makeshift man camps, and to ensure that workers are living in housing that is accessible to emergency services.
- F. Implement the following if temporary makeshift housing sites for industry workers are utilized for and/or required by the project²:
- i. Monitor the safety of employee housing and work in cooperation with Tribal governments to develop a best-practices manual to guide operations of the site;
 - ii. Ensure that employees be able to provide and maintain documentation of their current address;
 - iii. Ensure that areas where employees are housed must have access to emergency services;
- G. Advocate to the Humboldt Transit Authority to add a bus stop near the project site and work with the Transit Authority to identify mechanisms through which the project can contribute to the funding of a bus stop;

¹ The Transportation Worker Identification Credential, also known as TWIC, is required by the Maritime Transportation Security Act for workers who need access to secure areas of the nation's maritime facilities/vessels, and others who require a TWIC®. TSA conducts a security threat assessment (background check) to determine a person's eligibility and issues the credential. Once an individual successfully acquires the certification, they are issued a TWIC identification card. TWIC credentials are distributed to employees after they have submitted a form of biometric information, like fingerprints. TWIC holders must also pass a security threat assessment administered by a TSA officer. A TWIC features both a computer chip and a magnetized bar which contain the holder's biometric data, so it can be either scanned or swiped at access points. To qualify for a TWIC, an individual must be: a U.S. citizen, lawful permanent resident, naturalized citizen or a nonimmigrant alien or refugee who is in lawful status; able to present proof of identity and residency; able to pass a thorough background and security check; and innocent of serious illegal offense.

² As of the date of this Resolution, the project is not expected to require or implement any "temporary makeshift housing sites established for industry workers" (also known as "collective on-site housing," "work camps," and "man camps"). This measure is added under an abundance of caution, but is not expected to be relevant to this project.

- H. Ensure that access to the site is monitored by a security station(s) with security gate(s) and security staff;
- I. Ensure vehicle identification and safety by:
 - i. Requiring a site-specific vehicle registration and parking pass for all vehicles parked within the project site boundaries;
 - ii. Requiring that employees' have properly licensed vehicles prior to being granted a parking pass;
 - iii. Tagging company vehicles so that each company vehicle can be readily and accurately identified.
- J. Work with local Tribal governments to co-create and co-conduct mandatory employee training on:
 - i. Native peoples and the culture of local Tribes;
 - ii. Tribal cultural-sensitivity;
 - iii. Preventing human sex trafficking;
 - iv. Preventing MMIP.
- K. Coordinate with and support stronger law enforcement in the region by:
 - i. Working with local and Tribal law enforcement to develop a public safety plan;
 - ii. Engaging in and maintaining regular dialogue with local law enforcement.
- L. Support victim services and social services programs to respond to any increase in crime and victimization, including:
 - i. Consider providing financial support to victim services, women's shelters, or community foundations that can provide aide and assist in developing long term solutions to the problem of human sex trafficking in the area;
 - ii. Consider donating to support the social and victim services infrastructure in the region;
- M. Explore strategies by which the project can invest in local workforce development;
- N. Adopt:
 - i. Policies to comply with Title VI of the Civil Rights Act;
 - ii. Policies to prevent MMIP and sex trafficking;
 - iii. Policies to implement and ensure respect for the principles contained in the Universal Declaration of Human Rights;
 - iv. Policies to implement and ensure respect for the United Nations Guiding Principles on Business and Human Rights;
 - v. Policies to implement and ensure respect for the World Bank's Operational Policy and Bank Procedure on Indigenous Peoples;
 - vi. A comprehensive code of conduct for all employees;
 - vii. A mandate that all subcontractors comply with all such policies;
 - viii. Strong whistleblower protections.

SECTION 3. The Board directs staff to work with the Humboldt County Sheriff's office, the Coast Guard, the City of Eureka Police Department, and other relevant local/State/Federal law enforcement agencies to support their efforts to prevent MMIP.

PASSED AND ADOPTED by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on the **9th day of May 2024** by the following polled vote:

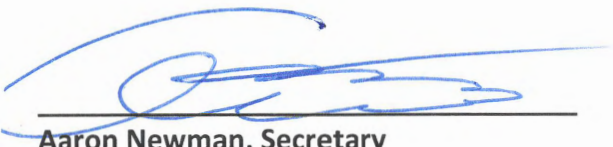
AYES: Benson, Dale, Higgins, Kullmann, Newman

NOES: 0

ABSENT: 0

ABSTAIN: 0

ATTEST:



Aaron Newman, Secretary
Board of Commissioners



Greg Dale, President
Board of Commissioners

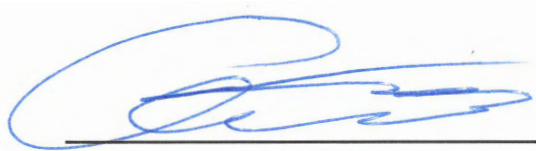
CERTIFICATE OF SECRETARY

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. **2024-04** entitled,

A RESOLUTION AFFIRMING THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT'S COMMITMENT TO THE PREVENTION OF SEX TRAFFICKING AND "MISSING AND MURDERED INDIGENOUS PEOPLE" IN ASSOCIATION WITH THE HUMBOLDT BAY OFFSHORE WIND HEAVY LIFT MARINE TERMINAL PROJECT

as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the **9th day of May 2024**; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this **9th day of May 2024**.



**Aaron Newman, Secretary
Board of Commissioners**